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HOUSE OF REPRESENTATIVES

FRIDAY, MAY 2, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father's God, a refuge for all the oppressed, to Thee we lift our hearts in prayer. Impress us that whatsoever a man soweth that shall he also reap; every seed brings forth its kind. Mistrust begets mistrust, jealousy reveals jealousy, confidence inspires confidence, and love bears its heavenly fruitage of love, the divinest virtue of the human soul. Even the aggressive assault of hate floats away on the crest of the fountain of love. Blessed Lord, as we walk the streets of life, enable us to follow in these ways, sustained and guided by the spirit of the Master, believing that the good in others floods our being with light and help. Inspire us to dwell in the unity of peace and confidence, casting aside everything that offends, transforming weakness into power and selfishness into cooperation. Breathe upon our Land the surge of compulsion, of fortitude, of temperance, making us a country of God-fearing and man-loving citizens. O Thou Christ, how strong, how sovereign the manhood that breathes Thy spirit, whose hand was gloved with tenderness to wipe away the publican's tears and strong enough to smite the Pharisee's self-righteousness. Wilt Thou hasten the day when injustice shall no more prevail, when mercy, truth, and the spirit of brotherhood shall everywhere abound. Be Thou a providence manifesting mercy in abundance to Thy children. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 59. An act for the relief of special tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 198. An act for the relief of William G. Sullivan;

H. R. 224. An act for the relief of Antone and Mary Lipka;

H. R. 438. An act for the relief of Hughey Parsley;

H. R. 701. An act for the relief of the Allentown Airport Corporation;

H. R. 1824. An act to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.;

H. R. 2006. An act for the relief of Ben Torian and Joe J. McDonald;

H. R. 2684. An act granting the consent of Congress to the Highway Department of Davidson County, of the State of Tennessee, to construct, maintain, and operate a free highway bridge across Cumberland River at a point approximately 1¾ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard;

H. R. 2766. An act to extend the times for commencing and completing the construction of a bridge across the St. Louis River at or near the city of Duluth, Minn., and the city of Superior, Wis., and to amend the act of August 7, 1939, as amended, and for other purposes;

H. R. 2829. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 2830. An act to extend the times for commencing and completing the construction of a bridge across the Susequehanna River at or near the city of Middletown, Pa.;

H. R. 3066. An act to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes;

H. R. 3269. An act for the relief of Mary Fortune;

H. R. 3394. An act to authorize the Attorney General to grant easements to States over lands belonging to the United States under his supervision and control;

H. R. 3682. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate a free highway bridge across the Mahoning River in the village of Lowellville, Mahoning County, Ohio;

H. R. 3835. An act to exempt from internal-revenue taxes, on the basis of reciprocity, articles imported by consular officers and employees of foreign states for their personal or official use;

H. R. 3869. An act to authorize the furnishing of steam from the Central Heating Plant to the District of Columbia;

H. R. 3974. An act to authorize the Administrator of the Federal Security Agency to adopt an official seal, and for other purposes;

H. R. 4036. An act to amend the District of Columbia Motor Vehicle Financial Responsibility Act, approved May 3, 1935;

H. R. 4057. An act to authorize the Federal Security Administrator to accept gifts for the Freedmen's Hospital and to provide for the administration of such gifts;

H. R. 4063. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory;

H. R. 4065. An act for the relief of Martin F. Gettings;

H. R. 4083. An act to enlarge the powers of the property clerk of the Police Department of the District of Columbia to dispose of property coming into his possession;

H. R. 4221. An act for the relief of Charlotte E. Hunter;

H. R. 4239. An act to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; and

H. J. Res. 145. Joint resolution authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the St. Elizabeths Hospital reservation.

The message also announced that the Senate had adopted the following resolution:

Senate Resolution 108

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ALONZO DILLARD FOLGER, late a Representative from the State of North Carolina.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased Representative, the Senate do now adjourn until Monday next.

The message also announced that pursuant to the provisions of the above resolution the Presiding Officer had appointed Mr. BAILEY and Mr. REYNOLDS members of said committee on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 175. An act for the relief of William T. J. Ryan;

S. 255. An act for the relief of August R. Lundstrom;

S. 553. An act for the relief of Maj. Harold Sorenson;

S. 702. An act to increase the number of cadets allowed at the United States Military Academy from the District of Columbia;

S. 774. An act to authorize the Pennsylvania Railroad Co., by means of an underpass, to cross New York Avenue NE., to extend, construct, maintain, and operate certain industrial side tracks, and for other purposes;

S. 853. An act for the relief of Frank and Paulina Rublein and Mrs. Ethel Bowers;

S. 916. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation;

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 972. An act for the relief of John H. Balmat, Jr.;

S. 1040. An act for the relief of Claude W. LaSalle and the Dauterive Hospital;

S. 1045. An act to increase the earnings of the United States Government life-insurance fund and the national service life-insurance fund by expediting the investment of the moneys thereof, and for other purposes;

S. 1060. An act to extend the 6 months' death gratuity benefits, now paid only to dependents of officers and enlisted men of the Regular Army, to dependents of all officers, warrant officers, and enlisted men of the Army of the United States who die in line of duty while in active military service of the United States;

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa," approved August 7, 1939;

S. 1223. An act to extend the times for commencing and completing the construction of a bridge across or tunnel under the Patapsco River at Baltimore, Md.; and a bridge across the Chesapeake Bay from a point at or near Millers Island, Baltimore County, Md., to a point at or near Tolchester, Kent County, Md., or a bridge across or tunnel under Chesapeake Bay, or a combined bridge and tunnel, from a point at or near Annapolis, Anne Arundel County, Md., to a point on Kent Island, Md.;

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.;

S. 1246. An act to amend section 2 of the act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States;

S. 1348. An act for the relief of J. M. Swinney;

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher;

S. 1390. An act to amend section 508 (d) of the Federal Crop Insurance Act, as amended;

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont;

S. J. Res. 23. Joint resolution to amend Public Law No. 861, Seventy-sixth Congress, approved October 17, 1940, an act to promote and strengthen the national defense by suspending enforcement of certain civil liabilities of certain persons serving in the Military and Naval Establishments, including the Coast Guard; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 3827. An act for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher; and

H. R. 3828. An act for the relief of Sophrania Holmes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3981) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, and for other purposes."

ADJOURNMENT OVER

Mr. COOPER. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

ACQUISITION OF DOMESTIC OR FOREIGN MERCHANT VESSELS

Mr. SABATH, from the Committee on Rules, submitted the following privileged report, which was referred to the House Calendar and ordered to be printed:

House Resolution 193

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order section 2, the last sentence of section 3 (a), the next to the last sentence of section 3 (b), and the last sentence of section 4 of the bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT OF NATIONAL DEFENSE ACT

Mr. SABATH, from the Committee on Rules, submitted the following privileged report, which was referred to the House Calendar and ordered to be printed:

House Resolution 189

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4534, a bill to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PERMISSION TO ADDRESS THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that on Monday next, after the reading of the Journal and the disposition of matters on the Speaker's table and the legislative program of the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

THE LATE ARNO B. CAMMERER

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. SCRUGHAM. Mr. Speaker, it is with great sadness that I note the death of Arno B. Cammerer, of the National Park Service. He died early Wednesday at his home at Arlington, Va., from coronary thrombosis, contracted in the line of duty.

Mr. Cammerer has served the Federal Government long and honorably. Most of you knew him as Director of the National Park Service, a post which he held with distinction from 1933 to 1940. He was relieved of the onerous duties of that position in 1940, at his own request, for reasons of health—some months after he suffered his first heart attack. The Service continued to have the benefit of his wealth of experience, however, as he was appointed regional director of region 1, covering the eastern portion of the United States. Although his official headquarters under this new assignment were in Richmond, Va., he spent much time at the Washington headquarters, assisting his friend and successor, Mr. Newton B. Drury, on special problems.

Mr. Cammerer entered National Park Service work in 1919 as Assistant Director. For the previous 10 years he served with the National Commission of Fine Arts, and was connected with numerous memorial commissions in the District of Columbia. His career was one of service to the Federal Government, to the public, and to humanity generally.

It was my proud privilege to know Arno B. Cammerer personally and well. I traveled with him; I worked with him on appropriations and other problems of the National Park Service. I say wholeheartedly that I never knew a more generous person, a finer or more self-sacrificing public official, or a warmer or truer friend.

Mr. Cammerer served as Director through the period of greatest expansion in the history of the National Park Service. He was appointed on August 10, 1933, just as the Service took over its enlarged duties under President Roosevelt's first reorganization plan. Previous to that enlargement the National Park System consisted of 63 areas. On August 10, 1933, with the transfer from the War Department and the Department of Agriculture of other Federal Park areas, the park system totaled 128 areas. Also added to Service responsibilities were the supervision of the National Capital parks, the administration and control of most of the public buildings in Washington, and membership in a number of important commissions con-

nected with the welfare of the District of Columbia. Added to that were the responsibilities connected with the initiation and growth of the Civilian Conservation Corps, Public Work, and other emergency activities that could afford employment within the national parks. Although with a curtailed civil-service staff, Mr. Cammerer and the Service generally gladly cooperated in every way possible in providing emergency work.

One of Mr. Cammerer's greatest contributions to park work was that his enthusiasm inspired others to assist park establishment and development through donations of time and funds. The Great Smoky Mountains National Park is a lasting memorial to him, as is the Shenandoah. For both of these he was instrumental in securing major contributions of funds. Of late he had been working vigorously on the consummation of the Mammoth Cave National Park, which, thanks largely to his efforts, will soon assume full park status. I learned from the National Park Service that he had planned to leave for Kentucky on the day he died to push along this important project.

So completely did Mr. Cammerer devote his energies and activities to the Federal service that he displayed almost superhuman ability to work incredibly long hours. But inevitably and insidiously his health was sapped; his physicians warned of dangers ahead, but to him the National Park Service, the public welfare, came first. He felt, in the words of the courageous stagecraft, that "the show must go on."

The National Park Service and his friends in Congress, I know, join me in the solemn assurance that the work will continue to go on, just as he would have wished.

EXTENSION OF REMARKS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief table.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a beautiful and fitting tribute recently paid by my colleague the gentleman from Texas [Hon. FRITZ LANHAM] to the late Honorable Morris Sheppard.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a radio speech I made yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD by the insertion of a statement made by the President of the United States at Philadelphia, October 23, 1940.

The SPEAKER. Is there objection?

There was no objection.

STEPS TOWARD WAR

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I was very much interested to see in the newspaper a statement made by the administration spokesman, Senator GUFFEY, relative to convoying, and I shall quote from the statement of the President of the United States in his precampaign election promises:

> I repeat again that I stand on the platform of our party. We will not participate in foreign wars, we will not send our Army and Navy or our air forces to fight in foreign lands outside of the Americas except in case of attack.

Now the President is going to do just what JOE GUFFEY says, by sending our naval forces across the waters, and they are going to be attacked; and if they are attacked, then we are in the war; and then where are we? Then we will have to fight a battle in Europe or Asia, and when we do that we will be doing just what the President promised the American people he would not do. I say that we ought to stay at home and attend to our own business.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

RHODE ISLAND DECLARATION OF INDEPENDENCE

Mr. FORAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. FORAND addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a speech made by His Holiness, Pope Pius XII.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the American sugar market.

The SPEAKER. Is there objection?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of an address by our colleague the gentleman from Arkansas [Mr. ELLIS] at the State convention of Young Democratic Clubs in Florida.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include some information which came from the State Department in respect to immigration. The matter referred to exceeds the limit, but notwithstanding that I ask unanimous consent that it may be included in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the insertion of a resolution of the Minneapolis conference of the Augustana Synod of St. Paul, Minn., consisting of Lutheran pastors and laymen.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the insertion of a letter addressed to me by a constituent showing the wages paid plasterers, and so forth.

The SPEAKER. Is there objection?

There was no objection.

THE BRIDGES TRIALS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the insertion of an editorial from the Santa Monica Outlook, and to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am having inserted in the RECORD an editorial from the Santa Monica Outlook of April 28 on the contrast in the trials of Harry Bridges. I read a paragraph or two from that editorial:

> It is a most remarkable reflection on Madam Perkins, of the Labor Department, and her Dean Landis investigation of Harry Bridges that it failed to bring to light the overwhelming evidence of Bridges' connection with the Communists which is available in the present trial. The facts existed then as now, but no thorough effort was made to secure them. Not until the Justice Department turned loose the F. B. I. on the inquiry were they brought to public knowledge.

I think Members should read this editorial because it will throw a great deal of light on the different types of trials being had.

The SPEAKER. The time of the gentleman from California has expired.

THE FLORIDA SHIP CANAL

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNG. Mr. Speaker, the Florida ship canal project apparently will again come before the House of Representatives. It is surprising to me that the Rivers and Harbors Committee voted out this proposal. It is high time, particularly in this period of grave national emergency, that we give scrupulous attention and the greatest consideration to

the American taxpayer. The American taxpayer must not be the forgotten man. It is my judgment that national-defense projects must go forward and that projects involving huge expenditures such as the Florida ship canal and the St. Lawrence seaway project had better be left for consideration when happier times return.

Many Congressmen who in normal times would favor the St. Lawrence seaway project oppose this at the present time. There is so much opposition to this proposal that in my judgment it may not even be considered during this session of Congress. All of our efforts and resources should be directed toward the defense of this Nation. We are in deep water, and our Republic and our way of life was never menaced as it is at this moment. Therefore, labor, materials, and taxpayers' money required for defense purposes should not be diverted for any project which cannot be completed in time to help us during the present emergency. The burden of proof is on the proponents to convince me that I should support this St. Lawrence seaway proposal, and my present view is adverse to the Florida ship canal. At no time in the history of Canada and the United States has the feeling been as friendly and the desire for mutual aid as great as now. The benefits of additional electrical power and the advantages of this St. Lawrence project in making Great Lakes cities ocean seaports are obvious, but we must subordinate matters of the sort for the time being until the return of normal times. I am studying this entire matter and shall continue to do so in the effort to reach a proper conclusion if and when this important proposal is presented to the House of Representatives for debate and vote. I propose to be present throughout the debate to learn all I can concerning the proposal. [Applause.]

CONVOYS

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FADDIS. Mr. Speaker, when my colleague the gentleman from Pennsylvania [Mr. RICH] makes the statement that Senator GUFFEY, in speaking for convoys, speaks as the administration's spokesman, I am sure the gentleman knows very little of what he is talking about. Certainly any man in either the House or the Senate can speak to the Nation at this time in its history in favor of convoys, and honestly believe that that is a good policy. When Senator GUFFEY so courageously speaks, he speaks as Senator from the State of Pennsylvania. It is my belief that by far the majority of the people of the State of Pennsylvania are in favor of all-out assistance to Great Britain to the extent of enabling her to emerge from this conflict victorious. I also believe that they are in favor of convoying in order to insure the safe arrival of the commodities purchased with the taxes which they will pay toward the support of the lease-lend program. [Applause.]

INCREASED PRODUCTION

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I think the one thing that Hitler fears most is the power of American industry to produce. To the casual observer of the headlines in the newspapers and even to the casual observer in the galleries listening to Congressmen's speeches about strikes and threats of strikes, it would seem that the machinery of production has stalled and stopped. I think that threat has been given a disproportionate publicity. The Business Week Index, in its last publication, shows production at an all-time high. Its index figure is 144.8. The steel industry is operating at 99.8 percent capacity. The United States Steel had the best quarter since 1929, making a net profit for the quarter ending March 31 of $36,559,995. This shows that business is actually operating at the peak of efficiency and making real profits. Now it is obvious that industry is not tied up by labor disputes. The great majority of management and labor are cooperating to the extent that our defense program is going ahead, and going ahead in high-gear speed. It is not stalled. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address made recently at Waterbury, Conn., by the gentleman from Massachusetts [Mr. MARTIN].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONVOYS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I want to read a letter addressed to the President of the United States by a distinguished constituent of mine, an able lawyer, an ex-service man, and an ex-service legislator:

APRIL 27, 1941.

Hon. FRANKLIN D. ROOSEVELT,
President of the United States,
Washington, D. C.

DEAR MR. PRESIDENT: I hope you will resist British pressure to send convoys, as it would be the last step in drawing us into another futile European war.

The people are becoming incensed at patriotic Americans being referred to as copperheads or fellow travelers. Such name callers probably would not hesitate to call George Washington a copperhead or fellow traveler, as he too advised against being lead astray by a strong antipathy for one nation and excessive sympathy for another and advised against being drawn into a European war by the propaganda of the favorite nation.

I am as strong as anyone in favor of preparedness for the defense of this Nation, but I am not in favor of dissipating our strength in the defense of nations abroad. If we get into this war our democracy will be lost in its aftermath.

Respectfully yours,

O. P. MAY.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks and include two brief editorials.

The SPEAKER. Is there objection?

There was no objection.

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an outline of the objects of the Veterans' Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Chicago Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HOUSING IN THE DISTRICT OF COLUMBIA

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I desire to call attention to the deplorable situation with which we are all familiar, namely, the housing condition in the District of Columbia, where Members of Congress cannot find proper quarters in which to reside, to say nothing about the thousands of employees and visitors who come here, some of whom already are obliged to sleep in their automobiles or find food and lodging away out somewhere in the country. This situation arises because of the overcrowded condition of Washington hotels, rooming houses, and restaurants.

I feel it is absolutely necessary that something should be done and that we should transfer some of the Departments to localities where they can better be taken care of. [Applause.]

Mr. Speaker, so there may be no misunderstanding, let me say that I am not suggesting that the Capital of the United States be moved, but I do feel that due to the terrific overcrowding here we should move some departments to a more centrally located city, like Chicago, where more favorable housing and living conditions obtain, with plenty of vacant office buildings, and where, within a short space of time, new buildings could be constructed, if found necessary.

I feel that the Department of Agriculture, the Department of the Interior, the Veterans' Administration, and the Interstate Commerce Commission can be moved to advantage to a centrally located city. This would serve not only to relieve overcrowded Washington, but would result in the saving of millions of dollars to the Government in transportation costs. Particularly, with respect to

the Interstate Commerce Commission, a very large number of hearings are now held in Chicago, and it would be to the decided advantage of the Commission and to the parties to hearings to be heard and have decisions rendered by the Commissioners in the same city. The same is true with regard to the Department of Agriculture which, at the present time, has a very large personnel of some of their bureaus located in Chicago. It cannot be disputed that Chicago is nearest and most centrally located to the vast agricultural and livestock areas of the United States. I shall not unduly take up the time of the House at this time but at a later date I shall more fully explain the many advantages that will inure to the Government and to the people of the United States in the locating of some of its agencies and departments in the city of Chicago.

Mr. Speaker, in this I am not only expressing my own views but that of many outstanding businessmen. Bearing on this, I desire to insert a letter which I received this morning from a very experienced gentleman having the interest of our country at heart at all times, Mr. Richard J. Finnegan, part owner and editor of the Chicago Daily Times, who points out more clearly than I can state the reasons that prompted me to call this matter to your attention. He states:

THE TIMES,
Chicago, April 28, 1941.

Hon. ADOLPH J. SABATH,
House of Representatives,
Washington, D. C.

DEAR MR SABATH: Don't you think Washington ought to be slowed up a little? It's taking too many people away from Chicago and other cities. It's getting too congested. There are a lot of departments down there that could be more efficiently operated for service to the people if they were located in other cities. We ought to have the Department of Agriculture in Chicago. This is the great agricultural center of the country. Look at the statistics of the Department of Agriculture and see how most of the acreage and most of the crop volume in dollars and cents is produced in the States immediately adjacent to Chicago.

Instead of building a lot of new buildings to take care of the defense-program influx, the Government ought to send some of the nondefense departments to other cities. Then it can move its defense offices into the vacant buildings.

Sincerely yours,
RICHARD J. FINNEGAN,
Editor.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that after the business of the day and after all other previous orders I may be allowed to proceed for 5 minutes today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD my own remarks concerning Americanization Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a resolution passed by the County Commissioners of Blair County, Pa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, my fellow Members who do not join with me now in recommending convoys will in my opinion before very long wish they had. I believe yesterday the paper reported that 1,003 additional factories are ready to go to work right now manufacturing war matériel. We are cluttering up our wharves and docks already notwithstanding disturbances and delays by strikes and so on—goods made and ready to use.

Time is so important; and if we are doing what we said we would do and what we undertook to do—furnishing aid to England—we must see that she gets it, for England cannot shoot a gun she cannot get her hands on. Time is short and opportunity fleeting. The only consistent, intelligent, and logical thing for us to do is to belt ourselves together and get our production over as quickly as we can and is as large quantities as we can.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a State Department bulletin covering a forthcoming new book on international law.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a copy of a letter addressed to the President of the United States by one of the principal wheat growers of Oregon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial published in the Oshkosh Northwestern, a paper published in my district entitled "An Unfortunate Controversy."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Columbus Dispatch.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two brief quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today and to include therein an editorial on that subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

THE UNBELIEVABLE HAS HAPPENED—COMMUNISTS SEEK CONTROL OF HOSPITALS

Mr. HOFFMAN. Mr. Speaker, here in America where we have so much for which to thank our Creator, where we are supposed to be civilized and Christianized, men are exhibiting the cruelty of savages who torture those who oppose them. Here in America where the spires of more than 100,000 churches point the way to the Great Beyond, where the bells in the towers call women and men to thank God that Christ was born and that we have hope of eternal salvation, men and women cause other men, other women, confined upon beds by infirmities, sickness, or blindness, to suffer for want of food, care, and the kindly ministrations which civilization has taught us are the birthright of all who suffer; of all who are weak and unable to care for themselves.

COMMUNISTS ASSAIL CHRISTIAN INSTITUTIONS

In the great city of Pittsburgh, in the prosperous and wealthy county of Allegheny, while white-clad, patient nuns sit in silence counting their Rosaries by the bedsides of stricken patients, while prayerful Protestant nurses, and in another hospital, devout Jewish nurses seek to comfort frightened, crying children and minister to the sick and dying; wives of doctors and orderlies, charitable women from the neighborhood, moved to compassion by the agony and suffering of helpless patients caused by the selfishness, the heartlessness, of men masquerading as labor leaders, attempt to prepare the food, launder the linen, scrub the floors, keep infection from the patients, and quiet the fears caused by the threats and violence of the pickets, who, by their threats and violence, seek to keep out of the hospital those who would enter to give aid and succor to bedridden patients.

NURSES INTIMIDATED

Yes; the unbelievable has come to pass. In the city of Pittsburgh, in the county of Allegheny, communism has reared its ugly head and, while 75 sisters sit fearful and trembling in St. Francis Hospital, 85 other sisters at Mercy Hospital, helpless,

terrified, await what may come. Worried for themselves? Oh, no, not at all, but wondering what will happen to their patients.

In one of the other hospitals, a Jewish hospital, where the nurses and the patients are of that faith, they, too, are awaiting the result of the threat to call a strike in the hospital where they are employed.

And in the other 23 hospitals of Allegheny County Protestant nurses, many of them young girls, who are working for far less than they could receive in other professions, working because of their desire to serve humanity, to lessen suffering, and to aid in restoring health, are looking hopefully to the authorities of city and county for relief from the situation which confronts them. Will they look in vain?

PITTSBURGH AND ALLEGHENY COUNTY THE BATTLEGROUND

Pittsburgh and Allegheny County hold the answer. For long the Irishman has been the personification of the world's fighting man. Sure there are Irish, yes, good Irish Catholics in Pittsburgh. How long are these sons of old Ireland going to remain speechless and inactive while the Sisters of their faith, because of the Communists in Pittsburgh, are compelled to work endless hours, perform almost impossible tasks?

WILL YOUNG AMERICA SUBMIT?

Where are those vigorous young Americans of Protestant faith who believe in law and order, who permit these men masquerading under the banner of unionism, who, by strong-arm methods, keep willing workers from ministering to the comfort of the hospitals' patients? Is it possible that those few labor organizations which are sympathizing with these hospital employees do not understand what is happening? Do they not know that hospitals partake of the nature of religious institutions? Do they not realize that there is such a thing as patriotism and loyalty to the city, the county, the State, and the Nation, which gives us all our freedom and sets us apart as the chosen people whose heritage is liberty? Do they not know that loyalty to government prohibits a strike against institutions supported by the State? Are they not aware that Christianity and humanity forbid and abhor the thought of seeking gain through the suffering of others?

A. F. OF L. DISAPPROVES

To the everlasting credit of the A. F. of L. be it said that that organization is not supporting the demands of the C. I. O. and members of its teamstears' union are delivering coal through the picket lines and so doing what they can to alleviate the suffering of the patients at West Penn.

Further proof that the A. F. of L. does not approve of this strike is found in the attitude of J. Francis Smith, commander of Post No. 701 of the American Legion, whose membership belong to the A. F. of L., who characterized the strike as being carried on by the C. I. O. along communistic lines.

The time and the place to end, once and for all, and in no uncertain manner, this un-American, selfish, and cruel drive to profit out of the sufferings of others is now, in the city of Pittsburgh, the county of Allegheny.

That we may understand the situation which now confronts us—and this situation does confront the Nation, for while now the strike and the pickets, the violence and lawlessness are confined to one hospital, we should recall the threat made on Sunday, April 27, by David Kanes at a meeting of the members of local 601 to call a strike at the 25 other hospitals in Allegheny County.

HOSPITALS OPERATED AT A LOSS

The seriousness of strikes in these hospitals will be better understood when we know that the 26 hospitals have a combined capacity of 6,769 beds and, in addition, 710 bassinets in their nurseries.

The impossibility of meeting the wage demands of this union will be realized when we remember that the hospitals from June 1, 1938, to May 31, 1939, operated at a loss of $470,087.03. For the 9-month period from June 1, 1939, to March 1, 1940, the combined deficit was $158,913.17.

The purpose of this strike is to gain a foothold in Pittsburgh and Allegheny County; to establish there the doctrine, which is contrary to the law of the Commonwealth of Pennsylvania, that hospital employees, in institutions which are in part maintained by tax money, may strike against the public, and that hospital authorities must give unions, or, more accurately speaking, union organizers, even though they be Communists, a voice in the management of the hospital.

WHEN DEATH COMES

Just how would you—Jew, Catholic, or Protestant—believer in a Hereafter, in a Divine Being, like to have your son or daughter, your mother or father, or you yourself, come to the last day in an institution under the ministrations of an attendant controlled in part by the representatives of an organization which insists that religion is a fraud; that there is no God?

Many and devious are the ways by which Stalin seeks to undermine the religious faith of our people—to bring about here, as in Russia, the "red" revolution.

A RED DRIVE

This strike—this drive—which now has its inception in the C. I. O. stronghold of Pittsburgh, in Allegheny County, is but another spearhead thrust into the heart of America.

Primarily the responsibility to stamp out this evil movement rests upon the law-enforcing officials of city, county, and State. But the people of Pittsburgh, of Allegheny County, the young men of those communities, the mothers and the wives, should see to it that no public official is permitted to shirk his responsibility. The issue should be dragged out into the open and every man holding public office should be required to meet it fairly, squarely, and without equivocation.

HOSPITALS—CHRISTIAN INSTITUTIONS

Hospitals, as everyone knows, as a rule, are not operated for profit. Throughout our land, in every self-respecting community which can by any possibility establish and maintain one, these charitable institutions have been founded and are being maintained. In almost every community organizations of kindly, hard-working, self-sacrificing women and men are contributing to the support of hospitals so that the poor, the aged, the infirm who are ill, who are unable to care for themselves, who have no children or parents to whom they may look for aid, may suffer less, or die in peace.

Hospitals came into existence because of the teachings of Christ; because of the charity and the desire of His followers to make the lot of the unfortunate a little easier. From the time when the idea of a hospital was first conceived, down through all the ages and until the present day, few individuals, certainly no organization, have ever thought of a hospital which cared for the indigent without charge as a source of gain or profit.

Until, because of our tolerance, communism gained strength and dared to raise its ugly head here in America, no organization would have dared to neglect the sick, impose suffering upon the infirm, deprive the blind of the necessities of life, or interfere with operations necessary to save a life.

C. I. O., COMMUNISTS, FIRST TO PREY ON NEEDY, ILL, UNFORTUNATES

It remained for Hospital Workers' Local Union, No. 255, of the State, County, and Municipal Workers of America, affiliated with the Congress of Industrial Organizations, and David Kanes, Robert Weinstein, Foss Baker, and John Donnelly, for its and their own selfish purposes, to attempt this hideous thing. To the everlasting disgrace of the city of Pittsburgh, in the county of Allegheny, the Communists chose that city and that county as the scene of their first revolting attempt to profit at the expense of the helpless.

It may be quite true that workers in hospitals do not receive compensation paid for like services rendered elsewhere, but those who take service in hospitals know the situation before they enter the employment. Few, indeed, are the graduate nurses, the apprentice nurses, the interns who have their college degrees and are licensed to practice medicine, who enter upon the duties of their professions or employment for the purpose of enriching themselves. Service in a hospital, from the nature of the employment, is ill-paid, is a work of charity, and the vast majority who accept that service do so because of their desire to aid their fellowmen. There is no compulsion about such service. Hospital employees are not conscripted, they are not drafted, they are not compelled to become employees of hospitals. No one disputes their right to leave their employment, but there is neither legal nor moral support to justify the action of such employees when they attempt by force or violence to keep others from rendering a service which they do not choose to give.

COMMUNISTS DENY EXISTENCE OF GOD

Not so long ago in Michigan Communists seeking political support for

their candidates put out a document which stated:

To all who hate the smug priests of the Catholic church and the slimy, hypocritical ministers of the Protestant churches; * * * to all who are opposed by this damnable Government, we address this message: Vote for our candidate.

Close the churches and make these buildings into shelters for homeless men and women. Down with religion, which is opium which the ruling class feeds you to keep you satisfied with the miserable existence which you lead. There is no God.

No true American, no believer in a Deity—Jew, Catholic, or Protestant—who understood and realized the purpose of a hospital devoted in part to the care of the needy, would ever have dreamed of, by threat and violence, depriving the ill, the aged, the infirm, the blind of the things necessary for their comfort and existence; of the care and kindliness of attendants.

No one but a Communist, cold-hearted, merciless, and cruel, with the instincts of a barbarian, the appetite of a hyena, would ever have dreamed of, much less have attempted to put into execution, a procedure designed to bring profit to himself at the expense of bedridden men and women and helpless infants.

That we may get a better understanding of the situation, let me recite some of the facts taken from the record.

C. I. O. CLAIMS SHARE OF MONEY VOTED FOR THE SUPPORT OF THE POOR

The West Penn Hospital is an agency of the Commonwealth of Pennsylvania and is supported in part by contributions from the Commonwealth, but the amount contributed by the State has never been sufficient to cover the cost of the services rendered to the poor. Records in the court of common pleas, Allegheny County, Pa.—Pittsburgh—show that—

The hospital is a nonprofit, public, charitable corporation, and neither it nor any of its employees is engaged in any industry, commerce, trade, production, craft, occupation, or business; and neither it nor its employees produce any commodity, merchandise, or thing for profit.

Hospital Workers Local Union, No. 255, of the State, County, and Municipal Workers of America is an unincorporated association, affiliated with the C. I. O., created for the purpose of unionizing employees in the hospitals of Allegheny County, Pa.

The hospital employs 650 paid employees, 35 of whom have executive authority. There are in addition 125 student nurses, 20 interns, who are graduate medical students; also graduate nurses privately employed.

At least one-third of the service rendered by the hospital is given without charge to indigent persons. During the 21 months preceding March 1, 1940, 250,053 hospital days' care was given patients, and during 84,430 of those days the service was free to the poor.

During the same period 19,884 patients received treatment at the hospital, and of these, 6,622 were too poor to pay and received service without charge.

The hospital during this same period made 57,061 dispensary visits, at a total cost of $49,442.43, for none of which a charge was made.

During the calendar year 1940 the hospital expended for the care of the poor who were ill and who were unable to pay for medicinal treatment $235,880.09, toward which the Commonwealth contributed but $75,000, and the major part of the difference of $160,880.09 was made up by contributions from charitable citizens.

During the year 1939 the hospital incurred a deficit of $16,405.36, and during 1940 a deficit of $12,945.47.

The value of the hospital and its facilities exceeds $3,370,000.

On March 28, 1940, the union submitted demands to the conference committee of the hospital council of Allegheny County, which represented the voluntary hospitals of Allegheny County, and the following June submitted the same demands to the West Penn Hospital.

The union demanded that the hospital recognize it "as the sole and exclusive bargaining agent for all its employees" and that the hospital be prohibited from discharging or suspending any member of the union without a 15-day notice.

COMMUNISTS WOULD CONTROL NURSES, HOSPITAL MANAGEMENT

The union further demanded that it be given the exclusive right to represent each and every employee, and that if any employee was suspended or dismissed, the question of the right of the hospital to suspend or dismiss such employee must, in the event of a disagreement, be submitted to and settled by a committee; and, in the event that the committee decided that the hospital had no just cause for the dismissal or suspension, the employee should be immediately reinstated, with back pay.

A further demand was made for an increase in wages, a shortening of hours, annual leaves of absence with full pay.

The demands for an increase in compensation would increase the annual cost of operating the hospital by $238,654.03.

The conference committee of the hospital council, representing all the voluntary hospitals of Allegheny County, on May 25, 1940, refused to recognize the union. The union then started a campaign to organize the employees of the hospital and to create public sentiment, and circulated pamphlets which contained the following statements, which, according to hospital authorities, are false:

This campaign has already begun and will be intensified until every citizen of Allegheny County knows of the terrible conditions in hospitals and the dictatorial attitude of the hospital bosses.

Must have "sweatshop" conditions to operate hospitals, say bosses.

The organized hospital workers in Allegheny County are faced with one of the most reactionary and ruthless employer organizations in the country, who are willing to utilize misrepresentation, distortion, and outright falsehood to oppose any improvement in your working conditions.

Prior to June 24, 1940, the union threatened to picket the place, and on receipt of such threat the hospital sent the union a communication which stated:

At the present time there are 400 patients in the Western Pennsylvania Hospital, many of whom are critically ill, requiring the most careful attention and freedom from excitement or disturbance of any character. They must be safeguarded, as well as their anxious relatives and friends entering and leaving the hospital at all hours of the day and night.

This is to give you due notice and warning that in the event your announced plans for picket, march, or other form of demonstration on Friday next, June 28, or at any time, are carried out and there is any resulting damage to patient, institution, or other party concerned, you and each of you will be held answerable to the full extent of the law.

A copy of this notice is being transmitted to the chief executive officer of the city of Pittsburgh.

C. I. O. STAGES VIOLENCE AFFECTING HOSPITAL PATIENTS

Notwithstanding this warning, on the 29th of June, the union staged a demonstration between 8 and 9 o'clock in the evening, in which some 85 persons marched in a parade in front of the hospital, bearing signs and placards containing charges against the hospital.

Prior to July the union applied to the Pennsylvania Labor Relations Board for an election to select bargaining representatives. On July 1 the court of common pleas of Dauphin County enjoined the union from proceeding before the labor board on the ground that the hospital was a governmental agency and was not an employer within the meaning of the Pennsylvania Labor Anti-Injunction and Labor Relations Act.

Notwithstanding the injunction an official of the union continued to distribute leaflets.

On July 31 the taxicab company, at the solicitation of the union, refused to honor calls to remove patients from the hospital.

January 6, 1941, the Supreme Court of the State of Pennsylvania affirmed the action of the Dauphin County court and, among other things, said:

A hospital is not an industry. It has not been the custom in the past to unionize hospitals. The effect of unionization and attendant efforts to enforce demands would involve results far more sweeping and drastic than mere property rights.

The questions of profits for the employer or wages for the employees are not alone involved. It is not merely a matter of suspending operations, ceasing work, and stopping production, such as might be true in a steel mill or automobile factory. It is a question of protecting the health, safety, and, in many cases, the very lives of those persons who need the service a hospital is organized to render. * * *

We cannot conceive that the legislature intended to include hospitals within the purview of the act.

Referring to the Pennsylvania act, the court said:

The purpose of the act is to preserve the status quo during labor disputes, to insure the right to bargain collectively, and to give to employees the right to choose representatives for this purpose.

We are convinced—

Said the court—

not only that the words used in the act have no application to a hospital, that no labor

dispute is involved as defined by the act, but also that the effects of holding to the contrary would be so dangerous, disastrous, and absurd as not to be within the intent of the legislature.

After holding that the Labor Anti-Injunction Act did not apply, the court, in holding that the Pennsylvania Labor Relations Act had no application, first called attention to the fact that the hospital was supported in part by State contributions of tax money; that the hospital was an agency of the State; and that, if it was not exempt from the operation of the Labor Act—

the appropriations might be diverted from their intended purpose to aid the indigent, sick, and injured to the payment of wages and increased operating costs. We think it is obvious and indisputable that hospitals of this character are impressed with a public interest which takes them out of the purview of the act.

The court then called attention to the fact that among those whom the State was required to assist were the "aged, infirm, lame, blind, or sick, who are unable to support themselves or who have no means of support," and whose support was not obligatory upon any other person.

The court made it clear that it would be a misuse of public funds to divert from the care of these aged, infirm, blind, or sick, money appropriated by the representatives of the people for that purpose, and to give that money to members of a union seeking increased compensation.

The court concluded that the members of the union, the employees of the hospital, being public employees, had no right to attempt by force or by strikes to force an agency of the State to yield to its demands.

Notwithstanding this decision of the Supreme Court of the State of Pennsylvania and in defiance thereof, on February 10, 1941, two of the union's officers repeated the demands previously made and threatened that, their patience having been exhausted, peaceful methods would no longer be followed.

This was followed on February 20 by a vote of the union, authorizing two of its officers, Kanes and Donnelly, to order a strike and stoppage of work at the West Penn Hospital at such time as might seem advisable to them.

Later, on March 6, at the invitation of Robert Wagner, who was a representative of the Pennsylvania department of labor and industry, the hospital representatives met with Kanes and Donnelly in an effort to avoid a strike, but the union's representatives again demanded, and insisted upon, the recognition of the union as sole bargaining agent.

This demand was refused by the conference committee, which represented the 26 voluntary hospitals of Allegheny County, and the refusal was set forth in a letter dated March 24, 1941, which is as follows:

THE HOSPITAL COUNCIL OF
ALLEGHENY COUNTY,
Pittsburgh, Pa., March 24, 1941.

DAVID KANES,
President, District 3, Pennsylvania State, County, and Municipal Workers of America, affiliated with the C. I. O., 303 Commonwealth Annex, Pittsburgh, Pa.

DEAR MR. KANES: Your letter of March 7, 1941, has been referred to the members of the board of West Penn Hospital and because it concerns matters of general hospital policy, to the full membership of the hospital council comprising the 26 voluntary hospitals of Allegheny County. We have been authorized not only to reply to your letter as it pertains to West Penn Hospital, but to state also that the views expressed with respect to your letter and the position of West Penn Hospital, substantially reflect the opinion of all the members of the hospital council.

You state initially that your proposals are not calculated to diminish the administrative authority of hospital management. In our judgment, however, recognition of your union, or of any union, in a hospital, would inevitably result in a division of responsibility, a duality of control, and an ultimate collapse of discipline. Grievance committee machinery and seniority rules, even on the basis suggested, would mean constant union pressure against hospital management to modify disciplinary action already taken and would tend to weaken and destroy its authority. Disciplinary action in hospitals is always carefully considered before such action is taken; thus at West Penn Hospital all discharges for cause or inefficiency are directly supervised and investigated by Superintendent Eichenlaub; union intervention in these matters would necessarily tend to undermine the authority of the superintendent and his assistants in a situation which is of utmost importance in hospital operation.

Our judgment in this matter is strengthened by the experiences of the conference committee of the hospital council with your union in the cases involving Mercy and Southside Hospitals approximately a year ago. In these two instances your union asserted that employees had been discharged unfairly and because of their union affiliations. Actually the transcript of record taken before the conference committee indicated that the charges had been made without any real investigation on the part of the union and without any factual or logical basis whatsoever. Furthermore, in the Southside Hospital case the record indicated that the orderly whose discharge was protested by the union had neglected his duties during an emergency operation and sat at a desk dozing while the operation was being performed. The questioning of the authority of the management of the hospital in these cases caused an unfavorable reaction on the part of the employees and tended to diminish the authority of the management in maintaining discipline and the experiences are ones which should not and cannot be repeated. We feel that the attitude of the union in these cases is a fair indication of what might be expected in the future.

Statements of your union distributed to your membership lead us to a similar conclusion and even the most superficial reading of your bulletins indicates that "union pressure" is the keynote of your organization and the basis upon which your organization would hope to find its place in the hospital. To put the matter very simply, the operations of a hospital require free and discretionary action on the part of the management without pressure from any source, in order that the hospital may fulfill its obligations to the public. Whatever the functions of a labor union are in an industrial concern, they have no place in a hospital, where matters of life and death constantly confront the management and do not permit any delay, interference, or obstruction.

It is contemporaneous labor-union history that despite the existence of "no strike" clauses in contracts, as in the contract you have submitted, strikes occur and continue, despite attempted disciplinary action on the part of higher union executives and despite, in some instances, indications of displeasure on the part of national-defense officials.

You have not mentioned in your letter, nor have we discussed in this reply, the question of the financial position of the hospital and its ability to pay additional wages. The position of the hospitals, including West Penn Hospital, in this matter has been made quite clear to you at various times, and we can only reiterate that their financial picture has been and still is very critical Despite this fact, some wage adjustments have already been made this year and, should our position improve, we would, of course, hope that other adjustments would be made in the future. The existence of "union pressure" is not necessary, nor will it influence these adjustments in any degree; hospitals being public institutions, they have constantly in mind the welfare of their personnel and are more than conscious of the fact that their wages, generally speaking, are not comparable to those in private industry and are constantly trying to devise ways and means of improving working conditions and wages insofar as budgets will permit. You and your committee have stated many times that the most important matter in the minds of the members is that of wages and wage increases. Since this is true, and for the reasons already set forth in this letter, we feel that we would be acting in bad faith were we to offer you the shell of union recognition on the one hand and at the same time tell your committee and your members that we are unable to offer hopes of immediate wage increases and are unable to offer grievance-committee machinery, seniority, and all the other indicia of union recognition. Therefore, we must decline, on behalf of West Penn Hospital, to recognize your union for collective-bargaining purposes.

As the hospital has many times stated to its employees in the past, it is always willing to meet them directly at any time to discuss problems which confront them, and it will continue to deal directly with its employees in that manner in the future, regardless of the labor organization to which such employees may or may not belong. It is not the intention of the hospital to discriminate against any of its employees for any reason whatsoever, and its only interest is to maintain a personnel which is qualified and able to perform its functions in a manner which will continue to offer hospital service to the public community in its most effective and efficient form.

For his information we have forwarded a copy of this letter to Mr. Wagner who arranged the meetings of Thursday, March 6 and March 20, 1941.

Very truly yours,

LEO G. GRIFFITH,
ARTHUR M. BRADLEY,
J. S. HAMMOND,
F. C. REA,
GEO. L. COLLAND,
Conference Committee of the Hospital Council of Allegheny County.

The strike called by Kanes and Donnelly at the West Penn Hospital and which began at 4:45 a. m. on Friday, April 18, 1941, called out the maids, the orderlies, and the employees in nurses' home, engineering, and garages, and was accompanied by threats of violence, by violence, and by picket lines. The pickets accosted persons entering the hospital, created disturbances which were intended to, and did, interfere materially and substantially with the operations of the hospital.

Those called out on strike refused tc assist in the care of the patients in the hospital, except where the union itself—and there is no evidence that there are any doctors in its ranks—determined them to be emergency cases.

As a matter of fact, practically all the cases in the hospital were, and are, emergency cases, which require the best joint surgical, medical, and nursing care available.

C. I. O. DISREGARDS COURT ORDER AND STATE LAW

Notwithstanding the fact that a court of Allegheny County on April 19, 1941, granted an injunction restraining the defendant and its members from interfering with, hindering, or obstructing the conduct and operation of the West Penn Hospital by calling, instigating, or continuing a strike or stoppage of work of the employees, and from in any manner interfering with or obstructing the agents, servants, and employees of the hospital who are engaged in the performance of their public duties, and from interfering or attempting to interfere with any person or persons from freely entering the hospital or continuing in the employment of the hospital, or conspiring so to do, the union and its members have by violence and threats of violence, seriously interfered with the operation of the hospital.

The management of the hospital has attempted to and has in a limited way continued to give care to the sick and the injured. Nurses, physicians, and charitable, kind-hearted women of the community have, as said before, been scrubbing the floors, washing dishes, preparing the meals, and doing their utmost to prevent suffering among the patients of the hospital.

It has been impossible, however, for the hospital to operate in a normal manner, and because of the violence and the threats of violence and the picket lines and the beatings administered to prospective employees who would take the place of those now on strike, only the most urgent, the severest emergency cases, can be received at the hospital.

Even though the judge has announced that he would punish for contempt of court those pickets who, by force or threat of force, drove men and women seeking employment at the hospital from the hospital gates, the law-enforcing officials of city and county have failed to give complete protection. Twenty-seven of the pickets were arrested for violence; local Police Magistrate Lucas ordered the discharge of many upon arraignment.

The window of an ambulance leaving the hospital was smashed, and the union contends that if it abides by the injunction the hospital should refrain from hiring scab labor. In other words, the union insists that the sick must continue to be sick, without adequate care, unless its demands are met A patient may be sick, at death's door, but so far as the union is concerned the patient may die—in fact, it apparently takes the position that he should die—unless he is willing that his food be prepared, his bed linen washed, by a member of the C. I. O.

As usual in the larger cities, the responsibility for the violence, for the disregard of the court's injunction, for the failure to give the sick, the lame, the aged, the infirm, the injured, adequate care seems to be evaded by public officials. None except Judge Patterson and some of the police seem courageous enough to actively defy the union. Apparently some of Pittsburgh's public officials or the politicians who control them seem so indifferent to the sufferings of the hospital patients that they will not defy the union or its organizers. Rather than oppose the C. I. O., they let the hospitals carry on the fight.

Although Police Superintendent Harvey Scott, according to the press, issued strict orders to the police not to interfere with pickets, he did cause the arrest of a number of pickets Friday night, after the preliminary injunction was issued.

He declared it was the duty of Sheriff John Hines—not the duty of the city police—to enforce the restraining order, and instructed the police to limit their efforts to the maintenance of order.

In this same connection he told the police that they should not tolerate any interference by pickets with visitors or patients seeking access to the hospital. Notwithstanding these orders, pickets have interfered with employees seeking to go back to work.

C. I. O. BEATS HOSPITAL EMPLOYEES

Marjorie Thornhill, seeking to return to work, was stopped by two pickets. She testified that on her way to work she was struck in the face by Ruth Bryant, 31, colored, a picket. Arraigned in court, Ruth Bryant was asked:

Question. Did you strike her?
Answer. Yes.
Question. Why?
Answer. Because she wouldn't go back.

That is, Miss Thornhill was struck because she insisted on going into the hospital to help in caring for the sick.

Miss Howard, 23, employed at the hospital, sought to return to work because, as she said, there were a "lot of dirty linens that needed washing." As she got off the streetcar, she was halted by 11 pickets and prevented from going in. One of the pickets was a man named Yancey. In court Miss Howard said that she did not care to prosecute the pickets; she just wanted them to behave and let her through.

At this point Lt. Bert Renn said that the police were not interested until there was interference with those desiring to enter the hospital. He said:

We are not here to settle the strike, but there still are laws to enforce.

And, looking at Yancey, he continued:

If I ever come out there and catch you making threats, it will be just too bad.

Attorney Sigal, acting for the union, cut in and said to the judge:

It seems to me, Your Honor, that threats should not be made by either side.

Replying, Lieutenant Renn said:

Is that a threat? I said that if we went out there and found you violating the law we would take action. If that's a threat, let it stand a threat.

It is more than passing strange that an officer of the court, sworn to uphold the laws, as is Attorney Sigal, if he possesses any patriotism at all, if he has any respect for the law or for his oath, will encourage pickets to violate the law—to assault men and women on their way to minister to the ill.

ATTORNEY SIGAL CONDONES SIT-DOWN STRIKE AND VIOLENCE

Attorney Sigal knows that sit-down strikes are illegal. Men on strike are holding possession of the men's dormitory at the hospital and just a few days ago, in that dormitory, as a loyal employee was walking down the hall, he was knocked unconscious by three assailants.

These three assailants were strikers. Since the 18th day of April they have remained in the dormitory. One, a Negro, hit the employee on the head with an iron pipe. Another hit him with a blunt instrument, knocking him unconscious. That is the kind of activity, those are the kind of men—three men armed with what appear to have been deadly weapons jump on and beat unconscious a loyal hospital employee—that Attorney Sigal is defending in a court at Pittsburgh.

Three other pickets assailed two women and struck one of them in the face.

A PICKET LEADER—HIS RECORD

From the records of the Commonwealth of Pennsylvania comes this information: John W. Filer, who is one of the ringleaders handling the pickets and directing their violence, was born in Pitcairn, Pa., in 1905.

When he was 16, he was arrested, convicted in January 1921, and sent to Morganza Reformatory for two and a half years, for breaking and entering.

On August 14, 1926, he was sentenced to the United States Penitentiary at Leavenworth, Kans., for a year and 6 months for desertion from the Army. Would you expect any service in defense of the Nation from a deserter?

On the 21st of November 1928, Mr. Filer, although arrested and convicted of stealing an automobile, was given judicial clemency, sentence being suspended on the payment of costs.

In February of 1931 Filer was charged with a $5,400 robbery. He named as some of his associates in this robbery, Thomas C. Stoker, Ralph Kline, and Philip Finkelstein. Filer was arrested. He was tried. He was convicted of robbery and was given a term in Western Penitentiary of from 5 to 10 years. Later, he was paroled and his parole will expire on May 21, 1941.

Do the law-enforcing authorities of Pittsburgh; do the city officials of Pittsburgh; do the good, decent citizens of Pittsburgh, Jews, Catholics, and Protestants, want to support and encourage violence and assault with a deadly weapon carried on by this convict?

Is it not time that the Communists and the criminals, masquerading under the guise of labor leaders; those who pretend to be acting in the interests of workers, be exposed? Should not those who sympathize and support these so-called labor leaders and who wish to force the hospital authorities to give them a voice in the management or operation of the hospitals, take a look at the men and the records of the men they are supporting?

Those who sympathize with and support this leader of the pickets are entitled to know of some of his other friends and associates. Among them, let me mention Walter Hirth, Philip Finkelstein, Ralph Kline, Anthony Cook, and Thomas C. Stoker.

Finkelstein, Kline, and Stoker, according to Filer's statement, assisted him in

the $5,400 robbery. Kline was one of those who carried on the racket of using phoney names and addresses when obtaining merchandise for which they did not pay at stores in Pittsburgh.

According to the Pennsylvania records, Thomas C. Stoker is serving time, having been convicted and sentenced on a charge of taking young girls from Pittsburgh to Ohio towns and placing them in houses of prostitution.

Who is there in Pittsburgh who wants to be associated with, or encourage the efforts of, men like these? Of course, they do not represent honest, decent workers. The fact that they are in this movement is evidence that it is not a workers' movement, but that it was instigated and is being carried on by Communists, convicts, and racketeers, and all decent citizens, when they know the facts, will undoubtedly shun it as they would the smallpox.

Mr. MOTT. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Oregon.

Mr. MOTT. The gentleman is speaking about the violation of a State law which carries a criminal penalty. Why are not these law violators prosecuted by the proper authorities of the State of Pennsylvania?

Mr. HOFFMAN. Charges have been preferred against some of those who were guilty of violations of the law. On one occasion 23 were arrested, taken before Magistrate Lucas, but for some reason were discharged.

In Pittsburgh, as in other cities where a large percentage of the population is foreign born, where the C. I. O. is strong, where the Communists have their organizations, public officials—and it is a matter of common knowledge—fail to enforce the law. Undoubtedly some officials are in sympathy with the strikers; some fear retaliation at the polls on election day; some have perverted notions as to law enforcement; some think it better to compromise with crime and with criminals, on the theory that to do otherwise will result in bloodshed. These latter forget that those who willfully and repeatedly violate the law, if not restrained—even though bloodshed be necessary to restrain them—will in the end become tyrants and rule the communities in which they live by force and violence and that citizens will ultimately lose their freedom and liberty, if once they yield or compromise with those who are deliberately lawless.

A similar situation existed in Detroit; it existed at the recent strike at Dearborn. If it continues, we shall inevitably see a situation where either the law-abiding citizens will insist upon public officials performing their duty, even though it means bloodshed, or will do as was done in the early days in the West—take the law in their own hands.

That necessity we hope will never arise, but those who violate the law today, who insist upon force and intimidation, who ignore the rights of peaceful, law-abiding citizens will, if they continue their course, learn to their sorrow that the law-abiding citizens, when pushed too far, retaliate by becoming lawless. If nothing else will end the lawlessness, there is a possibility of a rope, a noose at the end, and a convenient lamppost. God forbid that we here in America should again see that day.

I do not know what is going to happen there at Pittsburgh if the pickets insist upon keeping employees from the hospitals. I do know that in those hospitals, in the 26 hospitals, there are not only several hundred but several thousand patients, people who are in bed, people who are too poor, one-third of them at least, to pay for their own care; people who are blind, who are helpless; and yet those pickets keep those people from receiving the care to which they are entitled.

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We have a Democratic Governor in Michigan and we have a Republican attorney general in Michigan, but neither one of them has seen fit to, in all instances, enforce the law, or saw fit to enforce the law in the recent Ford strike. The gentleman is correct. If the people would insist and if the officials would enforce the laws, we would have much less of this trouble. Unfortunately, as I tried to say, in some of these communities the officers are weak-kneed. There are too many people who will vote out of office any man who attempts to enforce the law.

The gentleman asked as to a remedy. I answer: Give us law enforcement. First let me say that I do not believe in outlawing strikes. I do believe in amending the Wagner law so that it will prevent coercion from any source, which was the amendment offered by Senator TYDINGS in the Senate when that bill was under consideration.

I do believe an amendment should be placed in the law which would provide that a man should be free to join or not join a union.

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If you want to learn something more about the iniquities of the Wagner law, I ask you to read Westbrook Pegler's article in this morning's Post, and you will get some idea of what is wrong.

I heard the gentleman from Texas [Mr. SUMNERS] the other day make a wonderful speech on the floor, as I have heard him before, and I agree with what he had to say, but I know, and so do you, if you have consulted the record, that the Judiciary Committee, of which the gentleman from Texas is chairman, has failed to report out remedial legislation. What is the use of getting up here on the floor and talking for an hour if they will not give us the remedy? He said that we had at least a partial remedy in the laws now on the books if those laws were enforced. He was correct about that. We have a Federal statute (title 50, sec. 203 of the Code, sec. 5299 R. S.) which makes it the duty of the President of the United States, if the States will not protect the citizen—and it is plain—to use the armed forces of the Army and the Navy to protect the rights of the citizens. If the President of the United States will not perform his duty, that is no excuse for us. We should bring impeachment proceedings against him and compel him to enforce the law or get out of office. We should see that executive officers of State and county either do their duty or get out. Give us H. R. 4040, which would enable men who want to work to do so. Let men strike if they wish, but let men work if they desire. H. R. 4040 would make that possible. [Applause.]

CONTINUING THE DISCUSSION ABOUT THE STRIKE AT WEST PENN HOSPITAL

Walter Fisher, 19 years of age and formerly an orderly, but now under treatment at the hospital for pleurisy, told that he was assaulted while on his way to the hospital. Fisher complained to the police that he was knocked down, his glasses broken, and he suffered scratches about the head and face.

How much longer will the good, law-abiding citizens of Pittsburgh permit these pickets, incited by Communists, to interfere with the operation of this hospital?

Certainly no one can object if the employees of a hospital feel themselves underpaid and exercise their right to quit. It is equally true that there is no justification for those who are not content to work in this or any other hospital preventing other people who do want to work from rendering service to the sick and the injured.

WEST PENN HOSPITAL STRIKE PART OF SOVIET PLAN

This is not an isolated strike. This strike did not just happen. This strike is the beginning of an attempt, Nationwide, to unionize the employees in all hospitals. It is an attempt of the unions and the union dues collectors to fatten their pocketbooks, increase the contributions to their treasuries, by collecting dues from hospital workers.

They not only seek to compel every person who works in a hospital anywhere in this Nation to pay them a fee for exercising the right to work, but they go further than that and, as in other strikes, they seek to control the management of the hospital.

Imagine, if you can, some communistic, some Negro, or ignorant white union organizer determining the hours which a nurse or an orderly or a service employee in the hospital should work. If it happened, as it often happens, that an emergency operation was on, that the services of an orderly or of a service employee were absolutely necessary to save the life of the patient, should the responsibility for determining whether the orderly or the service employee quits work or stays on duty at the expiration of the hours fixed by the union be left to a shop steward, to a business agent?

The next step in the program would be to organize the doctors and their employees, and perhaps some union organizers, the more ignorant among them, would then attempt to regulate the progress of disease, the flow of the blood, or the action of the heart.

This strike is a part of the pattern which the Communists and those who are using the present emergency to further their private interests are attempting to impose upon the Nation as a whole.

The strike did not occur in Pittsburgh, either by accident or because of dissatisfaction of hospital employees in that city. A Negro representative of the union obtained work in this hospital, and from his activities, directed by the union, this situation has been created.

Pittsburgh was picked as the scene of the strike because it is the home of Phil Murray, president of the C. I. O. Allegheny County was picked because it is a stronghold of the C. I. O. This is shown by the fact that the hospital has had difficulty in getting its garbage collected and other refuse removed. It is shown by the fact that it has had difficulty in getting coal through the picket lines, by the fact that local laundries have refused to perform services for it, telling the hospital authorities to see the representatives of the union. It is shown by the fact that the pickets openly defy the order of the court. It is shown by the fact that patients and visitors attempting to get into and out of the hospital meet with intimidation, with threats, and with violence.

Notwithstanding the fact that, under the State law, the employees of this State agency have no right to strike or to interfere with the operation of the hospital, the union insists that the hospital cannot operate except by its permission, under its direction and control.

This defiance of law, tolerated as it is by city and county authorities, is a challenge to the State of Pennsylvania, to the people of that State. No mistake should be made as to either the purpose or the leadership of this strike. The purpose is to compel a diversion of the taxpayers' money, appropriated by the representatives of the people to aid in caring for the aged, the infirm, the sick, and the blind, to the pockets of the members of this union and its organizers.

However laudable might be the desire for an increase in wages, that increase cannot be given out of money raised by taxes for another purpose—in this case for hospitalization work. Nor can it be diverted to employers and through them to the pockets of union organizers.

Just what is this Local No. 255 of the State, County, and Municipal Workers of America? Is it a spontaneous organization of the employees of the hospitals of Allegheny County? Is it an organization growing out of low wages, long hours, unsanitary working conditions? Not at all. It is the child of the Communist Party.

LOCAL COMMUNISTS BACK HOSPITAL STRIKE

From the records of the State of Pennsylvania comes the information that David Kanes, one of the leaders in this strike, was formerly national secretary-treasurer of the American Federation of Government Employees, an A. F. L. union. Kanes, in 1937, on directions from the Communist Party, withdrew, with a large section of the radical members of this A. F. L. union, and formed the State, County, and Municipal Workers of America as a part of the C. I. O.

The national president of this organization, Abram Flaxner, has, according to a news release issued January 30, 1941, by Lewis G. Hines, secretary of the Department of Labor and Industry of the Commonwealth of Pennsylvania, "been singled out on a number of occasions as one of the leading members of the Communist Party in this country." In this same release Mr. Hines suggested the appointment of a committee, and stated:

> I would suggest that the general assembly empower this committee to subpena the membership rolls in the State, County, and Municipal Workers Union throughout the State of Pennsylvania, and to not only inquire into their subversive activities but to ascertain how many of its membership were affiliated with the Communist Party throughout the years of 1937, 1938, 1939, and 1940, and how many of its members signed Communist Party petitions during that time, and how many of its members, throughout the various parts of the State, particularly in the Pittsburgh district, joined with exponents of the philosophy of Marx, Engle, Stalin, and Lenin, who held forth in the "little red schoolhouse," well known to everyone familiar with Communist Party activities in that section.
>
> I would recommend further inquiry be made into the activities of State employees, members of the State, County, and Municipal Workers Union, and who taught the doctrines of communism in the "little red schoolhouse."

The records of the Commonwealth of Pennsylvania, referring to Robert Weinstein, secretary-treasurer and field representative of Pennsylvania, District No. 3, of the State, County, and Municipal Workers of America, contain the following:

> Robert Weinstein is considered communistic and attends their meetings. About 48 years old; born in Philadelphia. Attended high school, but did not complete the 4 years. Parents were born in Russia and after coming to America became naturalized citizens. Weinstein has resided in Philadelphia all his life; is a registered Democratic voter.
>
> Has resided at his present address for the past 4 years; previous to that he lived at 3105 West Diamond Street, Philadelphia. Operates a garage in his neighborhood.
>
> Is general secretary of the Philadelphia Union Council and Local No. 46, State, County, and Municipal Workers of America. Officers of the Philadelphia Union Council meet at 819 Bankers Security Building, 1315 Walnut Street, and members and officers of Local No. 46, State, County, and Municipal Workers of America, meet at 1227 Walnut Street, Philadelphia. These organizations are considered to be 100 percent communistic, and Weinstein is a very active Communist in this locality.
>
> His friends and associates seem to be members of the above council and local No. 46, and he spends a great deal of time at their meeting places. Seems to have no bad habits. No criminal record. Owns an Oldsmobile sedan, motor No. G176982, manufacturer's No. LG114477, Pennsylvania license No. 8ME61.

As attorney for this union and the men just named we have Benjamin Sigal, a member of the Allegheny County bar and assistant chief counsel of the C. I. O. in that district; a lawyer who as long ago as May 4, 1936, was carrying on a correspondence with the consul general of the Soviet Union and who, at that time, had dealings with various members of the Communist Party in the Pittsburgh area who were operating a passport racket, exposed in the Pittsburgh Post-Gazette several months ago.

Supporting this strike, we find Business Agent Charles Newell, of the C. I. O. United Electrical, Radio, and Machine Workers, Westinghouse Local No. 601. That organization recommended a $100 contribution to the strikers, and condemned the hospital for paying what it termed "starvation wages." A resolution released by Agent Newell said:

> We of the executive board of local 601 pledge not only our moral support, but also our financial support to see that these workers are paid wages in line with American standards. Unless a suitable settlement is made, we will inform our workers—15,000 of them—that the management of this hospital is antiunion, that they trample on the desires and wishes of their workers, that they herd scabs, that they refuse to bargain with the union and insist on paying their workers a paltry $38 per month.

Charles Newell, Turtle Creek, Pa., appears in the March 5, 1941, issue of the Daily Worker as one of the signers of a statement defending the Communist Party, as does Margaret Daring, secretary of the same local.

Albert Lawrence Smith, business agent of local 610 of the same union as Newell, is another ardent supporter of this strike, and he, too, is given in the same issue of the Daily Worker as one of the signers of the statement defending the Communist Party.

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This is not an isolated strike. This strike did not just happen. This strike is the beginning of an attempt, Nationwide, to unionize the employees in all hospitals. It is an attempt of the unions and the union dues collectors to fatten their pocketbooks, increase the contributions to their treasuries, by collecting dues from hospital workers.

They not only seek to compel every person who works in a hospital anywhere in this Nation to pay them a fee for exercising the right to work, but they go further than that and, as in other strikes, they seek to control the management of the hospital.

Imagine, if you can, some communistic, some Negro, or ignorant white union organizer determining the hours which a nurse or an orderly or a service employee in the hospital should work. If it happened, as it often happens, that an emergency operation was on, that the services of an orderly or of a service employee were absolutely necessary to save the life of the patient, should the responsibility for determining whether the orderly or the service employee quits work or stays on duty at the expiration of the hours fixed by the union be left to a shop steward, to a business agent?

The next step in the program would be to organize the doctors and their employees, and perhaps some union organizers, the more ignorant among them, would then attempt to regulate the progress of disease, the flow of the blood, or the action of the heart.

This strike is a part of the pattern which the Communists and those who are using the present emergency to further their private interests are attempting to impose upon the Nation as a whole.

The strike did not occur in Pittsburgh, either by accident or because of dissatisfaction of hospital employees in that city. A Negro representative of the union obtained work in this hospital, and from his activities, directed by the union, this situation has been created.

Pittsburgh was picked as the scene of the strike because it is the home of Phil Murray, president of the C. I. O. Allegheny County was picked because it is a stronghold of the C. I. O. This is shown by the fact that the hospital has had difficulty in getting its garbage collected and other refuse removed. It is shown by the fact that it has had difficulty in getting coal through the picket lines, by the fact that local laundries have refused to perform services for it, telling the hospital authorities to see the representatives of the union. It is shown by the fact that the pickets openly defy the order of the court. It is shown by the fact that patients and visitors attempting to get into and out of the hospital meet with intimidation, with threats, and with violence.

Notwithstanding the fact that, under the State law, the employees of this State agency have no right to strike or to interfere with the operation of the hospital, the union insists that the hospital cannot operate except by its permission, under its direction and control.

This defiance of law, tolerated as it is by city and county authorities, is a challenge to the State of Pennsylvania, to the people of that State. No mistake should be made as to either the purpose or the leadership of this strike. The purpose is to compel a diversion of the taxpayers' money, appropriated by the representatives of the people to aid in caring for the aged, the infirm, the sick, and the blind, to the pockets of the members of this union and its organizers.

However laudable might be the desire for an increase in wages, that increase cannot be given out of money raised by taxes for another purpose—in this case for hospitalization work. Nor can it be diverted to employers and through them to the pockets of union organizers.

Just what is this Local No. 255 of the State, County, and Municipal Workers of America? Is it a spontaneous organization of the employees of the hospitals of Allegheny County? Is it an organization growing out of low wages, long hours, unsanitary working conditions? Not at all. It is the child of the Communist Party.

LOCAL COMMUNISTS BACK HOSPITAL STRIKE

From the records of the State of Pennsylvania comes the information that David Kanes, one of the leaders in this strike, was formerly national secretary-treasurer of the American Federation of Government Employees, an A. F. L. union. Kanes, in 1937, on directions from the Communist Party, withdrew, with a large section of the radical members of this A. F. L. union, and formed the State, County, and Municipal Workers of America as a part of the C. I. O.

The national president of this organization, Abram Flaxner, has, according to a news release issued January 30, 1941, by Lewis G. Hines, secretary of the Department of Labor and Industry of the Commonwealth of Pennsylvania, "been singled out on a number of occasions as one of the leading members of the Communist Party in this country." In this same release Mr. Hines suggested the appointment of a committee, and stated:

I would suggest that the general assembly empower this committee to subpena the membership rolls in the State, County, and Municipal Workers Union throughout the State of Pennsylvania, and to not only inquire into their subversive activities but to ascertain how many of its membership were affiliated with the Communist Party throughout the years of 1937, 1938, 1939, and 1940, and how many of its members signed Communist Party petitions during that time, and how many of its members, throughout the various parts of the State, particularly in the Pittsburgh district, joined with exponents of the philosophy of Marx, Engle, Stalin, and Lenin, who held forth in the "little red schoolhouse," well known to everyone familiar with Communist Party activities in that section.

I would recommend further inquiry be made into the activities of State employees, members of the State, County, and Municipal Workers Union, and who taught the doctrines of communism in the "little red schoolhouse."

The records of the Commonwealth of Pennsylvania, referring to Robert Weinstein, secretary-treasurer and field representative of Pennsylvania, District No. 3, of the State, County, and Municipal Workers of America, contain the following:

Robert Weinstein is considered communistic and attends their meetings. About 48 years old; born in Philadelphia. Attended high school, but did not complete the 4 years. Parents were born in Russia and after coming to America became naturalized citizens. Weinstein has resided in Philadelphia all his life; is a registered Democratic voter.

Has resided at his present address for the past 4 years; previous to that he lived at 3105 West Diamond Street, Philadelphia. Operates a garage in his neighborhood.

Is general secretary of the Philadelphia Union Council and Local No. 46, State, County, and Municipal Workers of America. Officers of the Philadelphia Union Council meet at 819 Bankers Security Building, 1315 Walnut Street, and members and officers of Local No. 46, State, County, and Municipal Workers of America, meet at 1227 Walnut Street, Philadelphia. These organizations are considered to be 100 percent communistic, and Weinstein is a very active Communist in this locality.

His friends and associates seem to be members of the above council and local No. 46, and he spends a great deal of time at their meeting places. Seems to have no bad habits. No criminal record. Owns an Oldsmobile sedan, motor No. G176982, manufacturer's No. LG114477, Pennsylvania license No. 8ME61.

As attorney for this union and the men just named we have Benjamin Sigal, a member of the Allegheny County bar and assistant chief counsel of the C. I. O. in that district; a lawyer who as long ago as May 4, 1936, was carrying on a correspondence with the consul general of the Soviet Union and who, at that time, had dealings with various members of the Communist Party in the Pittsburgh area who were operating a passport racket, exposed in the Pittsburgh Post-Gazette several months ago.

Supporting this strike, we find Business Agent Charles Newell, of the C. I. O. United Electrical, Radio, and Machine Workers, Westinghouse Local No. 601. That organization recommended a $100 contribution to the strikers, and condemned the hospital for paying what it termed "starvation wages." A resolution released by Agent Newell said:

We of the executive board of local 601 pledge not only our moral support, but also our financial support to see that these workers are paid wages in line with American standards. Unless a suitable settlement is made, we will inform our workers—15,000 of them—that the management of this hospital is antiunion, that they trample on the desires and wishes of their workers, that they herd scabs, that they refuse to bargain with the union and insist on paying their workers a paltry $38 per month.

Charles Newell, Turtle Creek, Pa., appears in the March 5, 1941, issue of the Daily Worker as one of the signers of a statement defending the Communist Party, as does Margaret Daring, secretary of the same local.

Albert Lawrence Smith, business agent of local 610 of the same union as Newell, is another ardent supporter of this strike, and he, too, is given in the same issue of the Daily Worker as one of the signers of the statement defending the Communist Party.

Another supporter of the strike is the Federation for Constitutional Rights in Western Pennsylvania. That organization is an affiliate of the Communist American Peace Mobilization, and its leader in western Pennsylvania is Richard Lawry, district president of the communistic International Workers Order.

WILL THE CITIZENS SUBMIT?

With the 3 Communists named above back of the strike, which endangers not only the health but the lives of the patients in 6,769 beds in the hospitals of Allegheny County, it would seem that the law-abiding, self-respecting, decent citizens of Allegheny County would end this intolerable situation.

EXTENSION OF REMARKS

Mr. HUNTER asked and was given permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore (Mr. CRAVENS). Under a previous special order of the House, the gentleman from Wisconsin [Mr. WASIELEWSKI] is recognized for 10 minutes.

OUR FOREIGN POLICY

Mr. WASIELEWSKI. Mr. Speaker, for some weeks now the isolationists have been making speeches in many parts of the country in opposition to the foreign policy adopted by the United States. At the outset of this talk, may I say that our foreign policy today is not a Roosevelt policy, not a Willkie policy, not a Democratic nor a Republican policy, it is an American policy subscribed to by the overwhelming majority of our population.

Nevertheless, the isolationists, carrying the torch of a decided minority, have not yet been answered. The majority, although disagreeing with the tactics of the minority, has felt that no useful purpose would be served by replying to their emotional histrionics. However, since this group has chosen to hold one of their meetings in my district, I feel that a very useful purpose can be served in examining the effects of their program and pointing out to this House just what would happen if the policies advocated by the isolationists were adopted.

But first let me tell you something about a meeting held at the Milwaukee Auditorium on April 22, 1941, under the auspices of the America First Committee. When the principal speakers of the evening mentioned the names of the President and Wendell Willkie the crowd booed. When they mentioned the names of Lindbergh and General Wood the crowd cheered. Need anything else be said?

The speeches were filled with emotional appeal and catch phrases like "warmonger," "international bankers," "war makers," "war party," and many others. Their name calling, however, adds up to little though they cloak it under the title of "realism."

Here is the effect of their realism. It is reported that they as well as Mr. Lindbergh feel that it is time this country began to consider getting along with Hitler. That is their idea of realism.

Getting along with Hitler would mean that we should be willing to bend to his will and every whim; that we should have to accept the Nazi ideology; accept his doctrines of the superiority of his people over all others; accept reduction to the level of slavery; the American laborer and businessman as such would be liquidated; free enterprise would disappear; slave labor would displace collective bargaining; the only holder of a union contract would be a whip-lashing Nazi state; freedom of speech and freedom of press as we know it would disappear; there would be no religious freedom; there would be no God except the state.

My colleagues, are we so bankrupt in ideals, are we so defunct in moral values, are we so devoid of the spirit of fair play, have we lost all appreciation of the power of right and justice? Have we lost all respect and regard for our fellow man? Have we lost all faith and confidence in the Almighty? Are we so blind and short-sighted that we do not realize just what all this would lead us to? The roll call of the nations that tried getting along with Hitler is much too long for us to be likewise entrapped.

It is the established policy of America to aid the victims of aggressors because of our sympathy for freedom wherever it may be. It is ridiculous to call out "warmonger" or "war maker" at anyone who favors this course.

We are all interested in keeping out of war. We all hate war and love peace. No one of us, however, would favor peace at any price. The mere fact that I chose to defend America by giving aid to Britain does not make me an Anglophile or an interventionist any more than anyone's criticism of America's legally enacted foreign policy makes him a Nazi or an Anglophobe.

So that the Members of this House may know how the remarks of the isolationists were received in Wisconsin, I shall quote some pertinent remarks from two of Milwaukee's largest dailies. The Milwaukee Post dissented strongly to the remarks and proclamations as to what the late great Senator La Follette, Sr., would have believed today. It stated that no one could invoke the name of the elder La Follette and 1917 because no one knows—

how the senior La Follette would have reacted in 1941. Knowing that American, his love of liberty and his hate of oppression, there is good grounds for believing that if alive, he would not be * * * (associating) with an amalgam of different interests on the platform of the country.

To substantiate its reasoning, the paper points to the 1941 stand taken by those who associated themselves with the elder La Follette in 1917.

The Milwaukee Journal severely criticizes the indulgence in anti-British and anti-New Deal animosities to play upon the desires and hopes of most of us that in some honorable way we can escape the holocaust that is sweeping the rest of the world.

These are perilous times. This is the time for rule of reason, not the rule of demogoguery. I believe that the isolationists are entirely misled. They are, unfortunately, spreading a defeatist gospel to the American people and are unwittingly playing into the hands of foreign dictators in following their present course.

There is only one way of rendering ineffective the further sale of this bogus doctrine. That is for the majority of Americans, who stanchly support our present foreign policy, as every test shows, to give vent to their opinions. Only by forceful, faithful presentation of all the facts to the American people, of this disastrous world situation, will the isolationists be effectively debunked. The Milwaukee incident is but another example. The impression was broadcast that Milwaukee is opposed to the foreign policy of America. From the editorials of our two largest dailies, and from the opinions I have been able to secure, I can assure you that such charges are not true.

A useful purpose is served in bringing this matter to the attention of this House and to the attention of America.

Mr. KEEFE. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KEEFE. Mr. Speaker, the gentleman in the address he has just made has on repeated occasions made reference to Senator WHEELER of Montana. I am not making this point of order in defense of Senator WHEELER or anybody else but in an effort to preserve what I understand to be the rules of this House. I make the point of order that the gentleman is out of order and is proceeding in violation of the rules of the House when he refers either contemptuously or in a complimentary manner to a Member of another body. I believe the gentleman's remarks should be deleted in those aspects in which he has thus referred to the Senator from Montana in order that we may preserve the plain mandate of the rules of this House.

The SPEAKER pro tempore. The point of order is sustained.

The gentleman from Wisconsin will proceed in order.

Mr. WASIELEWSKI. Mr. Speaker, the speech I have prepared here has wholly to do with the talk given by Senator WHEELER. Is it permissible to merely make reference to him as the senior Senator from Montana?

The SPEAKER pro tempore. Under the rules of the House, it is a violation of the rules to refer to a Senator of the United States in any such fashion. Under the rules of the House the gentleman should refrain from such remarks as those and proceed in order.

Mr. PATRICK. Mr. Speaker, I would like to join with the gentleman from Wisconsin [Mr. KEEFE] in this motion. I am sure the gentleman does not wish to violate the rules of the House and that his intentions are not to do so, but we must remember that he is in exactly the same position some of us were when we came here, and I am sure he has not yet quite grasped what is the motion. Although I am in entire sympathy with what the gentleman is saying, I am not just sure what is the motion or request before the House. Is it that the matter be suspended and that no further address go on in the House and that what has been stated be deleted insofar as it

specifically and personally addresses itself to a member of another body?

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent at this time to revise and extend my remarks to conform with the House rules. I offer my profoundest regrets and apology if I have in any way violated the rules of the House. I did not realize that the House rule also covered statements made by Members of Congress outside the Capitol halls.

Mr. MICHENER. Mr. Speaker, reserving the right to object, the gentleman asks to revise and extend his remarks in accordance with the rules of the House?

Mr. WASIELEWSKI. That is right.

Mr. MICHENER. And the gentleman will not include in his extension those things that violate the rules and to which objection has been made?

Mr. WASIELEWSKI. That is right.

Mr. SCHULTE. Mr. Speaker, the gentleman stated in his request "not to violate the rules of the House," so the remarks of the gentleman from Michigan are uncalled for.

Mr. KEEFE. Mr. Speaker, reserving the right to object, do I understand that if this unanimous-consent request is granted by the House, that the remarks of the gentleman thus far made in the RECORD will be expunged and in its place the gentleman will substitute a speech that conforms to the rules of the House?

The SPEAKER pro tempore (Mr. CRAVENS). The Chair understands that is correct insofar as the remarks constitute a violation of the rules of the House.

Mr. PATRICK. Mr. Speaker, reserving the right to object, as the gentleman from Indiana [Mr. SCHULTE] stated, if I understood the gentleman's statement to the Chair a moment ago, he stated and got permission to revise and extend his remarks so as to delete that part of the remarks in which a denomination of the Senator was involved. I think the RECORD will bear me out in this statement.

The SPEAKER pro tempore. That is as the Chair understands it.

Mr. PATRICK. And that will obviate any necessity for all this discussion.

Mr. NORRELL. Mr. Speaker, further reserving the right to object, I agree with what the gentleman is saying and he is not criticizing any speech that was made in the United States Senate or in any other body of this Congress. He is talking about a speech that was made out in Wisconsin by an American citizen. I cannot see how a point of order would be in order unless the gentleman was criticizing a speech that was made on the floor of another body of the Congress.

The SPEAKER pro tempore. The gentleman has asked unanimous consent to revise and extend his remarks in the RECORD in accordance with the rules of the House.

Mr. GORE. Reserving the right to object, Mr. Speaker, the gentleman from Wisconsin, who made the point of order, now propounds the interrogatory as to whether certain portions of the speech will be expunged. Is it not true that under the rules no part of the RECORD can be expunged except by order of the House? The gentleman has asked permission to revise and extend his own remarks in accordance with the rules of the House, and in so doing he will not in any way be expunging matters from the record of the House.

The SPEAKER pro tempore. As the Chair understands, the unanimous-consent request that is now pending is that the gentleman from Wisconsin may have the right to revise and extend his remarks in accordance with the rules of the House.

Mr. VORYS of Ohio. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VORYS of Ohio. How can an attack upon a Member of another body be so revised that it will correspond with the rules of the House?

The SPEAKER pro tempore. That is a matter for the gentleman from Wisconsin to settle.

Mr. VORYS of Ohio. My inquiry is this——

Mr. GORE. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. VORYS of Ohio. Mr. Speaker, I am reserving the right to object, and I do not yield at this point.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GORE. Mr. Speaker, a unanimous-consent request is pending and I ask for the regular order.

The SPEAKER pro tempore. It is in the discretion of the Chair to recognize the gentleman. The gentleman from Ohio will proceed.

Mr. VORYS of Ohio. Mr. Speaker, pursuing my parlimentary inquiry, and reserving the right to object, what I wanted to know is this—and whether it applies to this speech or not is not the point. Can an attack be made upon a Member of this House or a member of another body merely by referring to the person indirectly, so long as the Member is clearly identified and the matter consists of an attack upon something he has said or done?

The SPEAKER pro tempore. Under the rules of the House the gentleman is not permitted to do indirectly what he cannot do directly. Consequently the point of order was sustained upon the theory that there had been an unintentional violation of the rules of the House. The gentleman now asks unanimous consent that he may be permitted to revise and extend his remarks. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a letter addressed to me by the secretary-treasurer of the National Rifle Association of America.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE FARMER AND THE PRICE OF FOOD

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Wisconsin [Mr. MURRAY] for 5 minutes.

THE PEOPLE SHOULD HAVE THE FACTS

Mr. MURRAY. Mr. Speaker, it is the recognized function of democratic government to legislate with equal justice to all groups of our society. Business, labor, and the farmer, whose job is a combination of business and labor, are entitled to equal and a fair consideration.

The following article appeared in the May 2, 1941, issue of the United States News:

FOOD

Present supplies of most foods are adequate to meet current demand. Although food costs are now about 5 percent above a year ago, they are still below the average for the 5 predefense years of 1935–39. This average is likely to be reached, but is not expected, generally, to be exceeded unless Great Britain requires unexpectedly large quantities of American supplies.

Meat prices are due for a continued gradual rise. This is expected for two reasons: (1) Families eat more meat as their incomes increase, and (2) to encourage the production of more pork, the Department of Agriculture is entering the market to push up prices. Should prices threaten to get out of hand, however, the Department expects to be able to sell as easily as it bought.

Please note the last part of the last sentence:

However, the Department expects to be able to sell as easily as it bought.

There is not much doubt but what Congress has delegated the power to the President to buy agricultural products. These food products have been purchased in the past years as cheaply as possible on lowest bids at one-half to three-fourths the cost of producing them, and then given away to the farmers' customers to sit down and eat. The farmer has not only been required to make a direct contribution of 25 to 50 percent of the value of his product, but has had to help pay the Federal deficit caused by the program. Now the New Deal evidently wants the American farmer to feed the rest of the world at 50 to 75 percent of the cost of production of the food.

Accompanying this article in the United States News on cost of living is a photograph of the group which has evidently been given this power to peg prices. Under the picture is a caption which reads as follows:

O. P. A. C. members, Elliott, Ginsburg, Hamm, and Henderson. Undue price rises are getting their attention.

Then in an editorial in the April 19 issue of the Progressive, a Madison (Wis.) paper published by the La Follettes, we find the following editorial, which calls the American consumer the forgotten man of the defense program and bitterly complains of a small increase in food prices that are still far below parity:

HENDERSON TAKES OVER

Last week the Progressive again called attention to the unwarranted price rises in consumer goods. In the week that has followed prices have continued to soar. Canned

tomatoes and pineapple juice, fresh fruits and vegetables, sugar and meat, lumber, shoes, plumbing and heating equipment, paint, household cleaning supplies, cotton—all these and many more articles of everyday use have jumped in price.

With consumers more troubled than ever about feeding and clothing their families and paying rent in the face of the mounting cost of living, President Roosevelt has created the Office of Price Administration and Civilian Supply for the protection of consumers.

Leon Henderson, a hard-boiled New Deal economist, will direct the agency, which will absorb his old Price Stabilization Division and Miss Harriet Elliott's Consumer Division.

On taking over his new post, Henderson said he preferred to rely on ample production and public opinion rather than on a big stick to keep prices from skyrocketing.

We like that outlook for a starter. It's the position that valiant Harriet Elliott took in her work as Consumer Commissioner, until she began to get pushed around by the Wall Street boys in Washington. In her fight against soaring costs, she has pointed out repeatedly that it's nonsense to talk about consuming less in America when we have such tremendous capacity to produce more. There can be no national defense, she has said so often, no matter how many battleships and warplanes we make, unless the Nation builds strong, healthy Americans.

Miss Elliott's Consumer Division might have done a much better job if it hadn't been assigned to the role of orphan in the defense picture, and then pushed out of sight by the $1-a-year industrialists who are tripping over each other in Washington. We have hopes for Leon Henderson and his new agency. He won't take a beating from the Tory alliance in the capital without some real yelping for the defense program's forgotten man—the American consumer.

The reader should realize that cotton is only 61 percent of parity, so you can figure out for yourself how much to be influenced by such an editorial. The editorial seems more anxious to attack business than it is in getting the farmer a parity price.

After reading all these articles one comes to certain conclusions and one is also confronted with certain questions.

The first question is, Where did this group of O. P. A. C.'s get the power to "sell as easily as it bought" and become the world's greatest speculators in food products? No Member of this House can quote any statute which gives them this power.

The second question is, Why does not the administration leadership, if there is any left this side of the White House, speak up and question this usurpation of legislative powers?

The third question is, Where are our friends of labor when they will sit idly by and see 6,000,000 farm laborers arbitrarily given 10 cents per hour or less with 28 to 29 cents per pound butter on the farms? Or are they just political laborites and interested only in labor from a political standpoint? Would our labor friends without protest see other groups of our labor put in a 10-cent per hour class?

The fourth question is, If we, as Members of Congress, have not sufficient power, or leadership, to correct this unfair situation, why do not we be frank with our constituents and tell them we have degenerated into a high school debating society and that the power which they think rests with them and us has been delegated to a group, not producer represented, that controls the milk check of every farmer in America and the grocery bill of every family in the land? Has not Mr. Henderson acquired more temporary power than any dozen Members of Congress?

The fifth question is, Should not an administration that is committed to a program of four freedoms for the world at least follow a legal means of preserving some of the freedoms of our own people?

The sixth question is, What has become of the great champions of civil liberty? Where are they, and why are they so inarticulate at this time? When this great Progressive-New Deal group is so vociferous in its denunciation of employees who violate the civil liberties of others, why do they originate and perpetuate a program that openly violates the civil liberties of millions of our people?

The seventh question is, Why should the paper "Progressive" be so interested in writing editorials that comfort the consumers with hopes far below parity prices when they should be interested in the civil liberties of the great group of our people? Are they once again trying to work "both sides of the street"?

CONCLUSIONS

The first. The New Deal has so gradually backed a program that gives the executive branch of this Government excessive powers that it evidently thinks it can now boldly assume all the legislative powers of this Government.

The second. Those who still believe in the American way of life should correct this situation by immediate attention to bill H. R. 4544, introduced by our colleague, the gentleman from Wisconsin, Hon. FRANK B. KEEFE, which would quickly bring an end to this New Deal injustice. This bill provides parity prices for all Government purchases of agricultural products and most justly so.

The third. It appears that the New Deal does not practice what it preaches. While it berates business and other groups for its sins, it turns around and commits bigger social and economic sins its very self. When the New Deal pegged butter at 31 cents per pound, it fixed the farmers' wages at 10 cents per hour or less.

The fourth. The O. P. A. C.'s will go down in history as apaches unless their power is controlled.

On page 40, of the May 2 issue of the United States News, we find the following:

> Leon Henderson, himself, is none too confident of his ability to keep prices from a runaway rise unless he gets more authority to influence Government tax and credit policies and to influence the course of wage increases, as well as to encourage plant expansion.

Note that Mr. Henderson is hungry for still more power. He seems to be suffering from the usual affliction of all New Dealers, in that he thinks he has all the answers. He and the President evidently think that his own personal judgment is of more value to society than the combined judgment of the producer, consumer, and distributor, that should be equally represented in any price-control program which affects all groups of our society.

It is a bitter pill for the New Dealers to swallow that 92-score butter in Chicago the past 8 years has averaged only 27.6 cents per pound, and it averaged 38 cents per pound the 8 years before the New Deal came into power. Also that after 8 years of spending billions of dollars in the name of the farmer, the New Deal pegs the price of butter below the average price of the Hoover administration. This should indicate that the New Deal agricultural leaders admit that they have bogged down, and also admit that this is not in keeping with the promises made the people.

I stand for legislative equality for business, for labor, and for the farmer. One of the first objectives should be to bring the Government back to the people if we are to again have the American way of life.

EXTENSION OF REMARKS

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix on two topics, and in one to include excerpts from letters from constituents, and in the other a brief magazine article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MACIORA. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 3 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, May 5, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Monday, May 5: Proponents and representatives of the Corps of Engineers for the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey.

2. Tuesday, May 6: Proponents and representatives of the South Atlantic region, including rivers flowing into the Atlantic Ocean and the Gulf of Mexico east of the Mississippi River.

3. Wednesday, May 7: Proponents and representatives of the Corps of Engineers for the Arkansas, White, Red, and St. Francis River Basins.

4. Thursday, May 8: Lower Mississippi River: Gen. Max C. Tyler, president of the Mississippi River Commission, and Gen. Julian L. Schley, Chief of Engineers, on the lower Mississippi River and proposed modifications of the adopted project.

5. Friday, May 9: Proponents and representatives of the Corps of Engineers for the lower Mississippi River and tributaries other than the Arkansas, the White, the Red, and the St. Francis Rivers.

6. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

7. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

8. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, May 7, 1941, for the consideration of H. R. 4215 (Mr. ALLEN), to exclude certain aliens.

Consideration of House Resolution 94 (LELAND M. FORD) and private bills, Thursday, May 8, 1941.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the bridge subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Wednesday, May 7, 1941. Business to be considered: Public hearing on H. R. 4314.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

491. A letter from the acting president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935; to the Committee on the District of Columbia.

492. A letter from the Secretary of War, transmitting a draft of a bill making provision for maintaining the corps of cadets of the United States Military Academy at authorized strength which the War Department recommends be enacted into law; to the Committee on Military Affairs.

493. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report covering the operations of the Reconstruction Finance Corporation for the fourth quarter of 1940, and for the period from the organization of the Corporation on February 2, 1932, to December 31, 1940, inclusive (H. Doc. No. 203); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 189. Resolution for the consideration of H. R. 4534; without amendment (Rept. No. 490). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 193. Resolution for the consideration of H. R. 4466, a bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes; without amendment (Rept. No. 491). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EOGGS: Committee on Claims. H. R. 128. A bill for the relief of Maj. R. Lee; with amendment (Rept. No. 492). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 768. A bill for the relief of William E. Thomas; with amendment (Rept. No. 493). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 859. A bill for the relief of Arthur Gose; with amendment (Rept. No. 494). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 1646. A bill for the relief of George Geis; with amendment (Rept. No. 495). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. H. R. 1933. A bill for the relief of Bert and Marie Freeman; with amendment (Rept. No. 496). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. H. R. 2426. A bill for the relief of H. B. Wilson; with amendment (Rept. No. 497). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 2891. A bill for the relief of Roy Gard; with amendment (Rept. No. 498). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2908. A bill for the relief of William H. Evens; with amendment (Rept. No. 499). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 3084. A bill for the relief of Hugh C. Russell; without amendment (Rept. No. 500). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 3629. A bill for the relief of Irene Trauernicht; with amendment (Rept. No. 501). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAPOZZOLI:

H. R. 4606. A bill lowering the minimum age limit for eligibility for membership in the Reserve Officers' Training Corps from 14 to 13 years of age; to the Committee on Military Affairs.

By Mr. CASE of South Dakota:

H. R. 4607. A bill to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. DIRKSEN:

H. R. 4608. A bill to regulate transmitting unpaid letters and postal cards of soldiers, sailors, and marines; to the Committee on the Post Office and Post Roads.

By Mr. DOXEY:

H. R. 4609. A bill to incorporate the Society of American Foresters; to the Committee on the Judiciary.

By Mr. FORAND:

H. R. 4610. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 to prevent the charging of excessive interest rates with respect to obligations of persons in military service; to the Committee on Military Affairs.

By Mr. FULMER:

H. R. 4611. A bill to amend the Packers and Stockyards Act, 1921, approved August 15, 1921, as amended; to the Committee on Agriculture.

By Mr. GUYER of Kansas:

H. R. 4612. A bill to prevent discrimination against persons on account of race, color, or creed in the distribution and enjoyment of employment opportunities made possible by national-defense contracts; to the Committee on the Judiciary.

By Mr. PITTENGER:

H. R. 4613. A bill to increase the pay of enlisted men in the land and naval forces; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 4614. A bill to amend the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, as amended, and for other purposes; to the Committee on the District of Columbia.

H. R. 4615. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

By Mr. ROGERS of Oklahoma:

H. R. 4616. A bill relating to obligations incurred, and land and improvements acquired by or on behalf of, Indians under section 208 of the act of June 16, 1933; to the Committee on Indian Affairs.

H. R. 4617. A bill to promote the general welfare of the Indians of the United States by amending the acts of June 18, 1934 (48 Stat. 984), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967); to the Committee on Indian Affairs.

By Mr. ROMJUE:

H. R. 4618. A bill to make permanent the rate of postage on mailable matter of the first class; to the Committee on the Post Office and Post Roads.

By Mr. SACKS:

H. R. 4619. A bill to amend the Communications Act of 1934 so as to prohibit and penalize the unauthorized recording or mechanical reproduction of music and other program material transmitted by wire or radio; to the Committee on Interstate and Foreign Commerce.

By Mr. STEAGALL:

H. R. 4620. A bill to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; to the Committee on Banking and Currency.

H. R. 4621. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. KEFAUVER:

H. Res. 194. Resolution providing for an investigation of the District Court of Delaware; to the Committee on Rules.

H. Res. 195. Resolution providing for the expenses of the investigation authorized under House Resolution 194; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to consider their resolution No. 6, House file No. 1599, with reference to taxes and public lands; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution with reference to the Townsend recovery plan of old-age pensions; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution No. 32, concerning free transportation and mailing of publications to military camps; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIRKSEN:

H. R. 4622. A bill for the relief of Catharine Schultze; to the Committee on Claims.

By Mr. FULMER:

H. R. 4623. A bill for the relief of Robert E. Starling; to the Committee on Claims.

By Mr. MASON:

H. R. 4624. A bill for the relief of John August Johnson; to the Committee on War Claims.

By Mr. PEARSON:

H. R. 4625. A bill for the relief of Karl K. Wilkes; to the Committee on Claims.

By Mr. RAMSPECK:

H. R. 4626. A bill for the relief of Jane Hawk; to the Committee on Claims.

By Mr. SHANLEY:

H. R. 4627. A bill authorizing the Railroad Retirement Board to pay an annuity to John Fleming Condon; to the Committee on Claims.

H. R. 4628. A bill for the relief of Irene Nesdale; to the Committee on World War Veterans' Legislation.

H. R. 4629. A bill for the relief of Alfred Smith; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

949. By Mr. BOLLES: Joint resolution of the Wisconsin Legislature, memorializing the Congress of the United States to provide for free transportation and mailing of publications to military camps; to the Committee on Military Affairs.

950. By Mr. CLASON: Memorial of the General Court of Massachusetts, urging immediate enactment by Congress of the Townsend national recovery plan; to the Committee on Ways and Means.

951. By Mr. HOOK: Petition of Mabel MacPherson and others of Michigan, opposing the St. Lawrence seaway; to the Committee on Foreign Affairs.

952. By Mr. KRAMER: Petition of the United Automobile Workers of America, Willys Local No. 215, Alhambra, Calif., requesting that they go on record as being opposed to any legislation that would deprive them of the right to strike and peaceful picketing on any industry; to the Committee on the Judiciary.

953. By Mr. TALLE: Petition of May Lambert and 18 other citizens of Fayette County, Iowa, urging the enactment of Senate bill 860; to the Committee on Military Affairs.

954. By Mr. STEFAN: Memorial of the Nebraska State Legislature, memorializing the Congress of the United States to join with the States of Nebraska, Oregon, Washington, Idaho, Wyoming, Colorado, Kansas, and Missouri in properly observing the year 1943 the one hundredth anniversary of the founding of civil government in the West and the blazing of the old Oregon Trail; to the Committee on the Library.

955. By the SPEAKER: Petition of the International Longshoremen's and Warehousemen's Union, Seattle, Wash., petitioning consideration of their resolution with reference to Work Projects Administration and other relief appropriations; to the Committee on Appropriations.

956. Also, petition of the Straight Forward Lodge, No. 1196, Steel Workers' Organizing Committee, Brackenridge, Pa., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on Naval Affairs.

957. Also, petition of the Carpenters Local Union, No. 483, of San Francisco, Calif., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

SENATE

MONDAY, MAY 5, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God, our Heavenly Father, who art ever ready to hearken to the children of Thy love, even in their darkest hours: We beseech Thee to deliver us from our besetting foe as he stalks shamelessly through the broad sunlit ways of our pilgrimage, haunting life at its prime and smiting it at the height of its power. Help us to overcome the temptation that dogs the footsteps of success, as it tends to stifle prayer and parches the soul with the drought of a gross materialism, so oft engendered by the sordid promptings of self-interest. Send Thy messenger to walk beside us, though but in homely guise, that he may slip unseen into our waiting hearts and give us strength even as a deep-seated spring welling up to supply each need as it arises.

Help us to rise from our dull, dead level to the splendor of Thy call, and to feel upon our faltering lips the glowing embers of the Altar, that we may proclaim unto mankind the light of love that falls like dew upon the parched heart, the light of leading which sets the feet upon fresh paths of service.

We ask it in the name of Him who came not to be ministered unto but to minister, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 1, 1941, was dispensed with, and the Journal was approved.

LETTERS OF THANKS FROM GREAT BRITAIN

Mr. AUSTIN. Mr. President, I ask unanimous consent to have published in the RECORD certain letters of thanks from Great Britain concerning which I am in receipt of a letter written by Mrs. Walter Lippmann, who is connected with the American Red Cross National Headquarters in Washington. Her letter, in part, is as follows:

DEAR SENATOR AUSTIN: I am writing to you at the suggestion of Mrs. Dwight Davis, national director of volunteer special services of American Red Cross, under whom I now work.

The attached letters of thanks from Britain were read to over 2,000 delegates of the volunteer special services of the Red Cross at their annual convention round table held at Washington, D. C., on April 22. These delegates came from every section of the United States, and so deep was the impression made on them by these letters that a resolution offered by a delegate from Chicago was unanimously passed pledging continued Red Cross support to Lady Reading and to the W. V. S. workers under her leadership. As you doubtless know, all Red Cross garments and supplies of a civilian nature are handled and distributed in Great Britain through Lady Reading's Women's Voluntary Services for civilian defense (commonly known as W. V. S.).

No one can read these letters without a feeling of deep admiration for the courage and self-respect of the little people of Great Britain. I feel sure that the people of the United States would like to know that through the Red Cross and thanks to the untiring work of thousands of volunteers in Red Cross chapters throughout the country the men, women, and children of Britain are being clothed and comforted.

The VICE PRESIDENT. Without objection, the letters will be printed in the RECORD.

The letters are as follows:

LETTERS FROM W. V. S. ORGANIZERS

We have an ever-increasing number of women and children, ranging from an old lady of 82 (now with only her old-age pension and who completed her training as a nurse in 1883) to a little girl of under a year who still flushes scarlet and clings to her mother at the sound of an aeroplane overhead. A little boy of 11 years, buried under debris for 3 hours, came to this depot last week—any of these children who have suffered from shocks of this kind are so terribly cold and your warm union suits are a real godsend to them.

When they have been reclothed and told that the warm pull-overs and good shirts are a gift from the United States of America they say, "Very good of them, I'm sure it is; they ain't foreigner; they're the same as wot we are, ain't they?"

We had one old lady of 81 who was so tiny that we had to give her children's shoes and thick stockings, as none of the women's would fit her. She expressed herself as extremely satisfied, and, drawing herself up to her full 4 feet 9 inches, said, "Well, they 'ave bombed me 'ouse flat, but that 'Itler won't get me down, and I'm going back to me stall in the market now." Even the children's manner of walking changes when they have warm clothing and shoes that fit them, and you see them striding along like a young man when he is in uniform. I feel certain that this self-respect and happiness which you have given them will make a lasting differ-

ence to their attitude to life quite apart from the physical gain.

LETTERS FROM BRITAIN—MEN AND WOMEN

"When a bomb demolished our house, the weather was cold, and, having lost all our clothing, the gift was most acceptable, especially to the kiddies. If you had been there, you would realize that we still keep our tails up over here, especially the children. Not a murmur or complaint, although they were taken out in the cold night with only their shirts on and heavy gunfire and raiders raging overhead. With the bombing of civilians, the Germans hope to break our morale. This they will never do. But when the children are cold and hungry, that is the danger, and through your efforts in providing clothing, etc., you are beating the Nazis, for as soon as we had a hot meal and were fitted out with clothing provided by you we felt and knew that, whatever Hitler did, with your kind help we could face anything.

"CHRISTOPHER GRAY."

From a private recently in the evacuation at Dunkerque to W. V. S. and A. R. C.:

"I wish to thank you on behalf of myself, wife, and son for the help and kindness of your workers in clothing us after being bombed out of my home. I have never been treated with such kindness in all my life. I wish you and your American friends all the success due you; and if there is anything I can do to bolster and encourage and help you voluntary workers, I shall do so. I can surmise what would happen in my case and thousands of others if it wasn't for your organizations in helping them and keeping up the morale of the bombed-out refugees in holding out against Hitler and fascism.

"W. J. FARMER."

"DEAR PEOPLE OF AMERICA: This is a wonderful surprise to send the children such nice clothes and good, strong boots. Their father was a prisoner of war last time, so he has experienced some of the horrors, and now the kindness of war. I have lost my little boy of 19 months in the shelter with pneumonia and peritonitis so have had a little sorrow already in this. But kind friends have always come to our aid when we get most desperate, and I hope God will replace my baby next month, all being well."

* * * * *

"I have three children and very soon I will be able to put on the little garments you have so beautifully put together. I shall treasure the layette and shall keep it as long as I live in memory of the long way it has come, showing the understanding that exists between women however far between we are.

"A GRATEFUL MOTHER."

"We have had rather a bad time of it in London, although we shan't let that get us down, and now find it a great deal different at this lovely house. Peace and quietness is quite a change. Also it is a great relief to be comfortable in bed at night instead of an air-raid shelter.

"A LONDON MOTHER."

"I am a mother of 14 children and am very proud of them. We have been through a great deal lately, but still we don't care and carry on. We have been going to the shelter every night for months, and we don't take a bit of notice; we are quite used to it by now, and we will keep up the good spirit until we win.

"It's nice to know we have such good friends in these times. I having been one who has lost everything in my bombed house, I am grateful to these people and shall always remember.

"And I am sure the people of this country will never forget the great help of the United States of America to old England to see this terrible affair through. I served 4 years in France in the last war * * * and was in an American hospital in France, and they treated me with the greatest skill."

* * * * *

Letters from children, all of whom, judging by their handwriting, are between 6½ and 12 years old, except for the 14-year-old Scottish boy who writes as follows. All begin either "Dear people of America," or "Dear American Red Cross friends."

"I am 14, the oldest, and the youngest is 6, and we all come from the city of Edinburgh. The cocoa is lovely, we had some this morning. The rice is still untasted, but not for long. The soap is a novelty, it floats. In Britain soap always sinks. Although the average Scottish boy likes to wash as much as to drink poison, we bear you no ill will for the soap. We all wonder what would happen if Nazi U-boats sank a load of your unsinkable soap."

"Britain also thanks you for the 50 destroyers, also the airplanes. Every time we see an airplane we think of the planes you are sending us. With your help we are sure of beating Hitler."

"Thanks for the frock my little brother received from the American Red Cross. May I express his thanks for it because it puts him in a nice jolly spirit each time he has it on."

"I am an evacuee from a dangerous area and, my mother cannot afford to buy me many clothes. I have heard a great deal about America. The newspapers tell us you are helping Britain to win the war. We are all proud of you. The raids here are not as bad as London. I am away from my mother, my house has been bombed. But we will soon get another one and start all over again. People are pleased you took their children into your country for safety. If we keep on fighting as we are and you keep on helping we will win. We used to see lots of your films in London for we are evacuees from London and many of them were very good, and it was well worth paying sixpence to see them."

"We have just come from London because of air raids but we do not care about air raids so if Germany tries to frighten us they will never frighten us, we are not the sort to be frightened by Germany.

"Good-bye and good luck from

"ARTHUR AND JAMES KEMP."

"We are having a hard time but we can face it. This is a little cattle town and we see cows being driven along the street. We see birds too, flocks of birds that we never saw in London and the sun rising also. I hope you are enjoying yourselves. How long this war keeps on we will win in the end."

"I am 9 years old and we are two brothers, our names are Lionel and Terry Clarke. My mother has been evacuated out of her billet and is sleeping in a church hall. My father has to live in a bombed house and is all by hisself with the cat."

"It is kind of you to spare your pennies to help me who have been forced to leave my house in London. I am doing my best to keep cheerful. (Teacher's note: 'This little boy has twice lost his home by bombing.')"

"They are the best clothes I have ever worn in my life. The fresh air here does you good, the flowers and fields are lovely too. I expect it is lovely in America to lie in the hot sun. But I like London best. I expect everybody likes their own home best. Miss MacLachan (with whom I am billeted) said if an American nurse or soldier came here she would ask them to have a cup of tea.

"I come from Bethnal Green where two incendiary bombs fell in my street. I miss my father and mother, but I am not fretting. A little East End girl says 'thank you.'"

"I live in Portsmouth but have been evacuated to the above address. When the sirens go at night we go down to our cellar which we have now made into an air-raid shelter. As there are three beds down there, Nannie and Antonia go into one, Mrs. Parsons into another, and I in the other. When my mother writes me she usually tells me what is happening in Portsmouth where my father works in a shop. It has been blown to the ground so he has to work somewhere else.

"We are all right in England. I hope you are all right in America.

"Cheerio with love,

"RONALD WATKINS."

RESOLUTION—CABLE TO LADY READING

To the Dowager Marchioness of Reading, chairman of the W. V. S., and to the W. V. S. workers:

Whereas we learn daily from a steady flow of grateful and courageous letters from the men, women, and children of beleaguered Britain of the untiring and kindly assistance of the W. V. S. workers under your leadership in distributing the clothes and other articles made by the American Red Cross chapters throughout our country; and

Whereas we know that out of a total of 850,000 members of the W. V. S., over 450,000 are closely associated in handling and distributing these supplies: Therefore be it

Resolved, That we, the volunteers of all the American Red Cross chapters here assembled at our annual convention in Washington, D. C., do tender to you and to the W. V. S. workers everywhere our grateful admiration and a renewed pledge to continue undiminished—indeed, to increase—our Red Cross assistance to the British people in their fight for freedom and peace.

RESOLUTION READ AT THE END OF THE ROUND-TABLE SESSION, WEDNESDAY, APRIL 23, 1941

The volunteer workers of the American Red Cross at their annual convention in Washington on April 23—

Thank the President of the United States of America for his greeting;

Dedicate themselves to the cause of the Nation;

Pledge their service wherever they are called to serve in order that by the united effort of all our people the independence, the liberties, and the honor of the Republic shall remain secure and its influence assured for the making of a just and lasting peace.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF LAW RELATIVE TO NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend various narcotic provisions of the Internal Revenue Code to relieve certain hospitals from double occupational tax classification by specifically classifying them, to classify newly discovered morphine derivatives, to prevent the abusive use of narcotic commodity tax stamps, and for other purposes (with accompanying papers); to the Committee on Finance.

EXPENDITURES FOR "EDUCATIONAL ORDERS," WAR DEPARTMENT

A letter from the Secretary of War, transmitting, pursuant to law, a statement showing expenditures by the War Department from funds appropriated for "Educational orders" during the period ended December 31, 1940 (with an accompanying paper); to the Committee on Military Affairs.

CLOSING OF PORTION OF VAN NESS STREET NW., DISTRICT OF COLUMBIA

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize and direct the Commissioners of the District of Columbia to close Van Ness Street between Connecticut Avenue and Reno Road NW. and Pierce Mill Road between Van Ness Street and Reno Road NW. (with an accompanying paper); to the Committee on the District of Columbia.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman and Secretary of the Reconstruction Finance Corporation submitting pursuant to law, a report covering the operations of the Corporation for the fourth quarter of 1940, and also for the period from the organization of the Corporation on February 2, 1932, to December 31, 1940, inclusive (with accompanying papers); to the Committee on Banking and Currency.

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United State, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of War, Justice, the Post Office, Interior, Agriculture, and Labor (2); the United States Civil Service Commission; the Federal Trade Commission; the Federal Loan Agency; the Home Owners' Loan Corporation; and the Public Roads Administration (2); which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of Nebraska, favoring observance in the year 1943 in conjunction with other States and the United States of the heroic deeds of the intrepid pioneers who blazed the trail to the Pacific Coast known as the Old Oregon Trail; to the Committee on the Library. (See resolution printed in full when presented by Mr. NORRIS on the 1st instant.)

A resolution of the General Court of Massachusetts; to the Committee on Finance:

"Resolutions memorializing the Congress of the United States for the immediate passage of the Townsend Recovery Act, so-called

"Whereas proper and adequate assistance to the aged persons in the Commonwealth and the Nation is one of the most vital problems of our Government at the present time; and

"Whereas sentiment as expressed by the citizens of the Commonwealth has been so strongly in favor of the so-called Townsend recovery plan of old-age pensions as to convince public officials of the immediate need for, and wisdom of, the enactment of such legislation: Therefore be it

"Resolved, That the General Court of Massachusetts urges the Congress of the United States to immediately enact the Townsend recovery plan of old-age pensions, and endorses such plan as a humanitarian, just, and equitable method of caring for our aged citizens; and be it further

"Resolved, That the Secretary of the Commonwealth forthwith forward copies of these resolutions to the presiding officers of both branches of Congress and to the Members thereof from this Commonwealth."

A concurrent resolution of the Legislature of Minnesota; to the Committee on Military Affairs.

"Resolution 7

"Concurrent resolution memorializing the Congress of the United States relative to the early consideration and passage of Senate file 860

"Whereas there is now pending before the Seventy-seventh Congress of the United States proposed legislation, Senate file 860, providing for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; and

"Whereas the Federal Government has located in the State of Minnesota, and may hereafter locate in this State, military training camps, stations, forts, posts, yards, bases, cantonments, training or mobilization places for military purposes; and

"Whereas it is desirable in the interest of the common defense to provide for the suppression of all forms of vice at or within the vicinity of such military camps, stations, forts, posts, yards, bases, cantonments, training or mobilization places for military purposes, and the people of the State of Minnesota are greatly interested in the passage of such legislation: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That the Legislature of Minnesota respectfully petitions the Members of Congress to give early consideration to said legislation and to the enlargement of the provisions thereof in order to include the suppression of vice at or within the vicinity of military training camps, stations, forts, posts, yards, bases, cantonments, training or mobilization places maintained by the Federal Government in the development of national defense, and to enact such legislation at an early date; be it further

"Resolved, That copies of this resolution be forwarded to the presiding officers of the Senate and the House of Representatives of the Congress, and to each of the Senators and Members of the House of Representatives from Minnesota in the Congress of the United States, and that they be urged to use their best efforts to procure the enactment of such legislation in this session of Congress.

"Approved April 28, 1941.

"HAROLD E. STASSEN,
"Governor of the State of Minnesota.

A concurrent resolution of the Legislature of Minnesota; to the Committee on Public Lands and Surveys:

"Resolution 6

"Concurrent resolution memorializing the Congress of the United States to pass legislation providing for the payment of a proportionate share of State and local taxes on lands acquired by the United States Government within the State of Minnesota

"Whereas the United States Government has recently acquired large areas of land within the State of Minnesota in various parts of the State, more particularly in the northern and western portions of the State, by reason of which said lands have now become tax exempt and have been taken from the tax rolls; and

"Whereas said areas of land acquired by the United States Government, with other lands adjacent thereto, bore their share of the burden of local and State government in said area, including certain fixed charges and bonded indebtedness; and

"Whereas the acquisition of said areas by the United States Government, and the resultant tax exemption, has cast all of the burden of taxation, including fixed charges and bonded indebtedness, in said areas on the remaining owners of land in said areas, and

"Whereas this increased burden caused by the withdrawal of said lands from taxation in said areas will result in the confiscation of the remaining taxpaying properties therein; and

"Whereas such areas are sparsely settled, and are chiefly made up of marginal lands, whose owners and occupants have suffered greatly from the economic depression and are utterly unable to meet such increased tax burdens: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That this Legislature of Minnesota memorializes the Congress of the United States to take cognizance of the situation hereinbefore stated and to enact such legislation as is necessary to enable the United States Government to pay its proportionate share of the State and local taxes, including fixed charges and bonded indebtedness, on lands acquired by the United States Government within the State of Minnesota; be it further

Resolved, That an attested copy of this resolution be sent to both Houses of the United States Congress and to each Member in Congress from the State of Minnesota.

"Approved April 28, 1941.

"HAROLD E. STASSEN,
"Governor of the State of Minnesota."

A concurrent resolution of the Legislature of Puerto Rico; to the Committee on Territories and Insular Affairs:

"House Concurrent Resolution 8

"Concurrent resolution to request the Congress of the United States of America and the President, the Honorable Franklin D. Roosevelt, to enact a law amending the act of the Congress of the United States, of February 11, 1936, known as the 'Revolving Fund Act,' and for other purposes

"Whereas by virtue of the authority conferred upon him by the Emergency Relief Appropriation Act of 1935, the President of the United States of America created, by Executive order dated May 28, 1935, the Puerto Rico Reconstruction Administration, and allocated to it some $34,000,000 to be expended by it on relief and reconstruction projects in Puerto Rico;

"Whereas by an act of the Congress of the United States of America approved February 11, 1936, the allocations made by President Roosevelt to the Puerto Rico Reconstruction Administration under the Emergency Relief Appropriation Act of 1935, were set up as a special fund which continued available until June 30, 1940, and the receipts from operations financed out of said special fund were covered into a revolving fund to be expended as the President might prescribe, in connection with the same purposes and ends as those stated above;

"Whereas the Congress of the United States of America has allocated to the Puerto Rico Reconstruction Administration for work projects and emergency relief in Puerto Rico, some $35,000,000 additional, from funds allocated by acts making appropriations for emergency relief, approved by the Congress subsequent to 1935, the proceeds of which funds are not covered into the revolving fund, but revert to the general funds of the Federal Treasury;

"Whereas the amount of the preceding allocations has been expended by the Puerto Rico Reconstruction Administration in public works, such as school and university buildings, highways, roads, waterworks, sewer systems, asylums, insular-police stations, public health units, works for the Army and the Navy, and other works; and also on permanent reconstruction works such as rural electrification, reforestation, public health, including the filling in of mangrove swamps, social service, eradication of diseases and parasites of plants and animals, soil conservation, help to growers of coffee, tobacco, and fruits, development and operation of agricultural farms and urban settlements on 24,-

000 cuerdas of lands where some 6,800 dwellings for laborers and employees have been constructed; on these lands has been initiated a rural-rehabilitation plan that includes the creation and operation of central service farms, community centers, medical centers, and canning centers, technical direction and furnishing of supplies such as seeds, animals, farm implements, and materials indispensable for such cases; the Puerto Rico Reconstruction Administration has also expended large sums in loans to sugar, vegetable, and cotton cooperatives, and for purchase of supplies for farmers and in crop loans for small needy farmers for the purpose of promoting and diversifying the agricultural production of the country, and in the construction of a cement plant which has been transferred to an agency of the insular government;

"Whereas the Puerto Rico Reconstruction Administration has in loans or possesses property having a present value of approximately $18,000,000;

"Whereas, in regard to the proceeds derived from the properties and expenditures of the Puerto Rico Reconstruction Administration, it is extremely difficult to distinguish between the income derived from the expenditures of allocations made to the Puerto Rico Reconstruction Administration under the Emergency Relief Appropriation Act of 1935, which accumulates in the revolving fund and the income derived from the expenditure of allocations made under similar laws subsequent to that of 1938, which revert to the Federal Treasury;

"Whereas the Comptroller General of the United States of America has ruled that the income derived from the expeditures made from funds accumulated in the revolving fund cannot be covered into said fund, but shall revert to the Federal Treasury;

"Whereas the above-mentioned limitations considerably affect the operations of the Puerto Rico Reconstruction Administration, and in a short time will entirely deprive it of funds with which to continue its reconstruction work in Puerto Rico, which has only been begun and therefore should be continued;

"Whereas in case the Puerto Rico Reconstruction Administration is obliged to depend exclusively on the scant resources which the said revolving fund can furnish it under the present limitations, the House of Representatives of Puerto Rico considers that said resources are insufficient to carry out fully the reconstruction work begun by said agency in Puerto Rico; and

"Whereas there has been presented or is going to be presented for the consideration of the Congress of the United States of America a bill by virtue of which the abovementioned limitations in regard to the use of the income derived from the revolving fund and from the proceeds of the expenditure of funds of appropriations subsequent to those of 1935, are removed: Now, therefore, be it

"Resolved by the House of Representatives (the Senate of Puerto Rico concurring):

"First. That the bill which has been presented or is to be presented in the Congress of the United States of America is, in the opinion of the Legislature of Puerto Rico, a measure indispensable and advisable for the purpose of maintaining and continuing, in part, the reconstruction projects begun in Puerto Rico by the Puerto Rico Reconstruction Administration.

"Second. To request the Congress and the President of the United States, as they are hereby requested, to enact the said bill.

"Third. Also to request the President of the United States of America, Hon. Franklin D. Roosevelt, as he is hereby requested, to authorize disbursements of funds from the said revolving fund in the amounts available and necessary for continuing and beginning self-liquidating and reconstruction projects by the Puerto Rico Reconstruction Administration.

"Fourth. That it is the firm purpose of the House of Representatives of Puerto Rico to cooperate with all, and by all, the means within its reach, in the work of reconstruction in Puerto Rico begun by the Puerto Rico Reconstruction Administration.

"Fifth. That a certified copy of this concurrent resolution be sent to the President of the United States of America, the Honorable Franklin D. Roosevelt; to the President of the Senate, the Honorable Henry A. Wallace; to the Speaker of the House of Representatives, the Honorable Sam Rayburn; to the Secretary of the Interior, the Honorable Harold L. Ickes, and to the Governor of Puerto Rico, the Honorable Guy J. Swope."

Resolutions of Plasterers Local, No. 66 of the Building and Construction Trades Council, of San Francisco, and Humboldt County Building and Construction Trades Council, both in the State of California, and Teamsters Local Union, No. 379, International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, of Boston, Mass., pledging that there will be no stoppage of work on account of jurisdictional disputes between any of the building and construction trades on any building or construction project essential to the speedy and successful completion of the national-defense program; to the Committee on Education and Labor.

Resolutions of Teamsters Local Union, No. 379 of the International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, of Boston, Mass., and the Humboldt County Building and Construction Trades Council, of Eureka, Calif., stating that, under employers who are recognized as being fair to organized labor, when any or all of the building- and construction-trades organizations are unable to supply a full force of building-trades men to man defense projects, every organization affiliated with such labor organizations agrees that a union employer shall be privileged to employ others than members of the building and construction trades affiliated with such labor unions until such time as the labor organizations so affiliated can replace nonunion men with members of their organizations, or until such nonunion men are requested to become members of the respective unions; to the Committee on Education and Labor.

A resolution of the fifteenth continental congress of the National Society of the Daughters of the American Revolution, at Washington, D. C., protesting against the enactment of legislation which would take from the States the responsibility and control of education through taxation or subsidy; to the Committee on Education and Labor.

A resolution of the board of managers of the Sons of the Revolution, in the State of New York, favoring action by the Federal Government to deal with unnecessary stoppages of the work in the defense program, and also to deal adequately with sabotage; to the Committee on Education and Labor.

A resolution of the Young Men's Business Club, of Eunice, La., favoring the enactment of legislation to control labor strikes throughout the Nation, and also measures to eradicate alleged unjust and unfair labor practices in the South; to the Committee on Education and Labor.

A resolution of Straight Forward Lodge, No. 1196, S. W. O. C., of Brackenridge, Pa., protesting against the enactment of House bill 4139, known as the Vinson bill, to control labor strikes; to the Committee on Education and Labor.

A telegram in the nature of a petition from Mrs. E. M. Jones, of San Francisco, Calif., praying that the United States convoy supply vessels all the way to Great Britain; to the Committee on Foreign Relations.

A letter from E. M. Park, of Bozeman, Mont., relative to the European war and the international situation; to the Committee on Foreign Relations.

A letter in the nature of a petition from Arline Weidner, of Lynbrook, N. Y., praying that the United States keep out of war; to the Committee on Foreign Relations.

The petition of members of the Swope Park Branch of the National Woman's Party, Kansas City, Mo., praying for the adoption of the so-called equal rights amendment to the Constitution; to the Committee on the Judiciary.

Petitions of sundry citizens of Brewster and Ransomville, N. Y., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

A letter in the nature of a petition from the Presbytery of Lehigh of the Presbyterian Church, Weatherly, Pa., praying for the repeal of section 5–D of the Selective Training and Service Act relating to duly ordained ministers of the gospel and students preparing for the ministry in theolcgical or divinity schools, etc.; to the Committee on Military Affairs.

By Mr. CAPPER:

A petition of sundry citizens of Pittsburgh, Pa., praying that the United States keep its armed forces and merchant vessels on western side of the Atlantic Ocean, and also that no naval vessels be used for convoy purposes; to the Committee on Foreign Relations.

By Mr. VANDENBERG:

A memorial of sundry citizens of Fremont, Mich., remonstrating against the enactment of the so-called Vinson bill, relating to labor strikes; to the Committee on Education and Labor.

A petition of sundry citizens of the Sixth Congressional District of Michigan, praying for the adoption of the Townsend plan providing old-age assistance; to the Committee on Finance.

A memorial of sundry citizens of Ogemaw County, Mich., remonstrating against the sending of any American expeditionary force to the Continent of Europe; to the Committee on Foreign Relations.

A resolution adopted by a meeting of the Neutral Mothers of America, at Flint, Mich., protesting against the convoy of ships to Europe by United States armed vessels; to the Committee on Foreign Relations.

A memorial of sundry citizens of Alpena, Mich., remonstrating against war, and also against the convoying of ships to Great Britain by United States armed vessels; to the Committee on Foreign Relations.

A petition of sundry citizens of Detroit, Mich., praying that the United States keep out of European or Asiatic war and not permit the convoying of vessels by United States armed ships; to the Committee on Foreign Relations.

A memorial of sundry citizens, students of the University of Detroit Law School, Detroit, Mich., remonstrating against the convoying of vessels to Great Britain by the armed ships of the United States, or any other action likely to provoke war; to the Committee on Foreign Relations.

Letters in the nature of petitions from sundry citizens of Warren, Mich., praying for the enactment of the so-called Tobey anti-convoy joint resolution; to the Committee on Foreign Relations.

A petition of sundry citizens of Detroit, Mich., praying that the United States keep out of war and not permit the use of the American Navy to convoy vessels through war zones; to the Committee on Foreign Relations.

Resolutions of William J. Beal Post, No. 446, Veterans of Foreign Wars, together with its auxiliary post; the Rotary Club; Louisa Wright Shearer Tent, No. 27, Daughters of Union Veterans; and Branch No. 13 of the National Association of Letter Carriers, all of Muskegon, Mich., favoring the enactment of

legislation to provide for the development of the St. Lawrence River; to the Committee on Foreign Relations.

Petitions of sundry citizens of the State of Michigan, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

By Mr. NORRIS:

A resolution of the Legislature of Nebraska; to the Committee on Commerce:

"Legislative Resolution 21

"Whereas the Congress of the United States, by the adoption of acts pertaining to flood control and reclamation, has recognized responsibility on the part of the Federal Government to control the destructive flood waters of the basins of the Mississippi and Missouri Rivers, has declared this to be a national problem, and has heretofore authorized the expenditure of Federal funds in considerable amounts in the area for the improvement of conditions resulting from floods and droughts; and

"Whereas the Republican River Valley drainage area in Nebraska, settled by people who are and have been making every effort to better their condition in the face of adverse circumstances beyond their control, comprises many hundreds of thousands of acres of valuable land which has been greatly damaged by floods and drought; and

"Whereas the Republican Valley in Nebraska, a part of the great drainage area of the Missouri and Mississippi Rivers, has thus far received but scant Federal recognition and reclamation; and

"Whereas as a result of the 1935 and 1940 floods in that valley over 100 persons lost their lives, the property loss was tremendous, and much of the vital and valuable land in the valley has been imperiled and made subject to repeated damage from flood waters, while, on the other hand, many thousands of acres in the area are in urgent need of the waste waters of the river for irrigation, the above conditions having combined to make agriculture unprofitable in the southwestern section of Nebraska, caused relief loads which counties are unable to bear, causing population losses which mean reduced land values and tax yields; and

"Whereas United States Army engineers have assured residents of the upper Republican River Valley that they could set up a plan of flood control which would give protection to Kansas City and other points on the Missouri and Mississippi Rivers, as well as farm and urban property in the upper valley, by means of the constructive and comprehensive Federal program for the protection of life and property from destructive floods and drought within the drainage area of the Republican River, including its tributaries, being admittedly a national problem, which said program is needed for the control, conservation, development, and beneficial use of the water and land resources of said area: Now, therefore, be it

"Resolved by the Legislature of the State of Nebraska in fifty-fifth regular session assembled:

"1. That the Congress of the United States be and it is hereby requested and urged to cause to be made full, complete, and comprehensive survey and investigation into the claims of the residents of the Republic River Valley in Nebraska for flood control and reclamation therein, including the storing, preservation, and distribution of the waste and flood water of said river and its tributaries for beneficial uses; and that the development of the irrigation program for the Republican River Valley be paralleled by flood control for said valley.

"2. That the Congress of the United States be, and it is hereby, urged to make early appropriation of said funds to insure the inauguration and continuation of internal improvement projects within said valley, and that the proper Federal agencies be empowered and directed to give early and careful consideration to the feasibility and advisability of constructing and maintaining dams in said area in Nebraska, including the various tributaries of the Republican River, for the said purpose of flood control, conservation, and other beneficial use of the water, including that of irrigation.

"3. That a copy of this resolution be spread at large upon the journal of the legislature, and that the clerk of the legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States, the Vice President of the United States, to each Congressman and Senator from the State of Nebraska, to the Chief of the Army Engineers (Washington, D. C.), to the Mississippi Valley Flood Association, to the National Rivers and Harbors Congress, and to the National Reclamation Association, to the end that each of these Federal officials and agencies may know and recognize that the problem of the Republican Valley flood control is serious and that without flood control from which can flow irrigation and soil conservation, this area may become entirely destitute.

"Introduced and adopted April 29, 1941."

By Mr. JOHNSON of California:

A joint resolution of the Legislature of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 21

"Resolution relating to conversion of fruit surpluses into alcohol

"Whereas it is expected that at the termination of the coming fruit and vegetable season even greater surpluses of fruits and vegetables will exist than at present due to the loss of the overseas market; and

"Whereas in the San Joaquin Valley and throughout California there are thousands of tons of dried fruit and vegetables for which no use appears to be immediately or at all available; and

"Whereas a use has been discovered for surplus fruit and vegetables in more than 25 foreign countries, where it is a regular practice to augment their fuel supplies from agricultural surpluses: Now, therefore, be it

"Resolved, That the Assembly and Senate of the State of California, jointly, memorialize the President and the Congress of the United States to provide for the establishment of plants near the places where such surpluses of fruit and vegetables exist to provide a practical form of farm relief by the conversion of all such surpluses into alcohol for use in the national defense as an auxiliary fuel; and be it further

"Resolved, That the speaker of the assembly be hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and to each Member of the House of Representatives from California in the Congress of the United States."

Two joint resolutions of the Legislature of California; to the Committee on Commerce:

"Assembly Joint Resolution 44

"Joint resolution relative to Sacramento River north from Chico Landing

"Whereas during the past 30 years the Sacramento River from the Chico Landing north has received no attention or care whatever from Federal or State agencies, although it is navigable to Red Bluff; and

"Whereas gold-mining operations and bank and soil erosion have resulted in the creation of snags, sand bars, and banks in the Sacramento River; and

"Whereas these snags, sand bars, and banks have deflected the river's current and caused new channels to form, with accompanying erosion to valuable farm lands adjacent to the river; and

"Whereas thousands of acres of valuable farm land, assessed as high as $100 per acre, have been swept away by the Sacramento River and destroyed, and additional thousands of acres of valuable farm land are threatened with destruction; and

"Whereas county and State roads, bridges, and other properties have been damaged and destroyed by channel changes, thereby becoming useless for State and county purposes and for purposes of national defense; and

"Whereas dirt swept down the Sacramento River has been deposited in the lower Sacramento River Channel, with consequent creation of deltas raising the bed of the channel and causing great and devastating floods in the flat valley lands south of the Chico Landing and all along the Sacramento River as far south as the city of Sacramento; and

"Whereas unless immediate steps are taken to relieve the situaion herein described untold loss of life and property will inevitably occur: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully urges the President and the Congress of the United States to render such immediate aid as may be necessary to correct the conditions and avoid the calamity herein described; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the Flood Control Committees of the Senate and of the House of Representatives of the Congress of the United States, to the Chief of the United States Army Engineers, Department of War, United States Army, Washington, D. C., to the United States Bureau of Reclamation, Washington, D. C., to the Reclamation Board of the State of California, and to the United States Army Engineers, Department of War, District of California."

"Assembly Joint Resolution 45

"Joint resolution relative to flood and seepage conditions along the Sacramento River and its tributaries in northern California

"Whereas land adjoining the Sacramento River, approximately 70 miles in length and 4 miles in width, representing some 280 square miles, has been seriously affected by seepage as a consequence of a rise in the flood plane since the inception of the present flood-control plan; and

"Whereas orchards consisting of large acreages of prune, walnut, and other trees having tap roots, have been and will continue to be destroyed by such seepage; and

"Whereas hundreds of acres of alfalfa and other perennial crops have been drowned and totally destroyed; and

"Whereas thousands of acres of early sown grain land have been drowned and many acres of seeded grain cannot be planted until so late in the season that satisfactory crops cannot be obtained; and

"Whereas, in seasons of normal and above-normal rainfall, seepage water has remained on land until so late in the year that even summer-planted crops such as grain sorghums, beans, and peas cannot be grown; and

"Whereas many acres of late spring-planted crops such as rice and sugar beets cannot be planted; and

"Whereas acre upon acre of formerly rich river land is becoming impregnated with alkali, thus destroying its productivity and value; and

"Whereas the winter season of 1940-41 wrought untold damage to orchards, lands, and crops from Stony Creek in Glenn County to Knights Landing, in Yolo County; and

"Whereas this damage has affected lands on both the east and west banks of the Sacramento River in the counties of Glenn, Colusa, Sutter, and Yolo; and

"Whereas the invasion of seepage waters has greatly impaired sanitary sewer systems and rendered useless septic tanks within the rural areas; and

"Whereas in seven out of eight cemeteries in the affected localities interments have been impossible for the past several months; and

"Whereas the lands affected by the present deplorable seepage conditions are in the main the most productive and highly assessed farming lands in their respective counties; and

"Whereas the cost of attempted farming operations on these lands has greatly increased because of seepage; and

"Whereas the county tax rolls will of necessity be greatly reduced within the affected seepage areas, thereby placing an increased tax burden upon lands not so affected; and

"Whereas Federal land-bank loans and liens on affected lands are seriously jeopardized and impaired; and

"Whereas, unless immediate and prompt assistance toward relieving the situation is granted, crops will be lost, lands will become worthless, and bankruptcy will follow: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature of the State of California hereby respectfully urges the President and the Congress of the United States to render such immediate aid as may be necessary to correct the conditions and avoid the calamity herein described; and be it further

"*Resolved,* That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator and Representative from California in the Congress of the United States, to the chairmen of the Flood Control Committees of the Senate and of the House of Representatives of the Congress of the United States, to the Chief of the United States Army Engineers, Department of War, United States Army, Washington, D. C., to the United States Bureau of Reclamation, Washington, D. C., to the Reclamation Board of the State of California, and to the United States Army Engineers, Department of War, District of California."

A resolution of the Assembly of the State of California; to the Committee on the Judiciary:

"House Resolution 149

"Resolution relating to profiteering in foods and other necessities of life

"Whereas it behooves all men in these times of national emergency to divorce themselves from all motivations arising from personal ambition, and to act only for the good of the Nation; and

"Whereas at the present time there are individuals who have seized upon this time of national emergency to enrich themselves at the expense of their countrymen by profiteering in the sale and distribution of foods and other necessities of life: Now, therefore, be it

"*Resolved by the Assembly of the State of California,* That the President and the Congress of the United States are hereby respectfully memorialized to enact legislation to prevent profiteering in foods and other necessities of life during the continuance of the national-defense emergency; and be it further

"*Resolved,* that a copy of this resolution be sent to the President and Vice President of the United States, and to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such legislation."

MEMORIAL OF THE LEGISLATURE OF FLORIDA—INTER-AMERICAN CULTURAL CENTER AT ST. AUGUSTINE, FLA.

Mr. ANDREWS. Mr. President, I present and ask to have printed in the RECORD and appropriately referred a memorial of the Legislature of the State of Florida petitioning the Congress of the United States to authorize by suitable legislative enactment the proper agency or agencies of the Government to establish at St. Augustine, Fla., an inter-American cultural center to be maintained permanently thereafter, to commemorate the founding of St. Augustine, and particularly for the advancement of the cultural relationship between the United States and the other American republics.

The VICE PRESIDENT. The memorial presented by the Senator from Florida will be printed in the RECORD, under the rule, and referred to the Committee on Foreign Relations.

The memorial is as follows:

Senate Memorial 6

To the Honorable Franklin D. Roosevelt, President of the United States, and the Honorable Senate and House of Representatives in Congress of the United States assembled:

We, your memorialists, the Senate and House of Representatives of the State of Florida in legislative session assembled, do most respectfully memorialize and petition the President and Congress assembled, as follows:

Whereas the St. Augustine historical program has been organized and undertaken under the leadership and sponsorship of the city of St. Augustine, the State of Florida, the Carnegie Institution of Washington, the American Council of Learned Societies, the American Philosophical Society, the United States Department of the Interior, National Park Service, and other distinguished national organizations and individuals for the purpose of studying, preserving, and developing the rich materials relating to the Spanish colonization of St. Augustine and the region of which it was the historical capital; and

Whereas the State of Florida by reason of its discovery by Ponce de Leon and later colonization by Spain became the cradle of American civilization and is today the crossroad of all the Americas; and

Whereas the St. Augustine historical program recognizes the significant contribution of Spain to the processes of American civilization, and provides as its primary purpose for the creation in St. Augustine and in the region associated with it, through the development of important historic sites and buildings, of a national shrine commemorating this important period in the history of the United States; and

Whereas there is to be established in St. Augustine, Fla., as a part of the general plan of the St. Augustine historical program a permanent inter-American cultural center to commemorate the founding of St. Augustine; and

Whereas the cultural relationships between the United States and the other American republics are of paramount importance; and

Whereas the inter-American cultural center and the St. Augustine historical program will afford an opportunity for the advancement of these relationships; and

Whereas such a cultural center in relationship to other elements of the general plan of the St. Augustine historical program is worthy and deserving of the support and encouragement of the United States; and

Whereas the State of Florida has already gone on record as approving and sponsoring the St. Augustine historical program, and to that end has appropriated $50,000 for the carrying on of said program: Now, therefore, be it

Resolved, That your memorialists do respectfully memorialize and petition the Congress of the United States, in order to accomplish the foregoing purposes, to authorize by suitable legislative enactment the proper agency or agencies of the Federal Government to establish at St. Augustine, Fla., an inter-American cultural center to be maintained permanently thereafter, to commemorate the founding of St. Augustine, and particularly for the advancement of the cultural relationship between the United States and the other American republics; be it further

Resolved, That copies of this memorial be immediately transmitted to the President of the United States, and to the Senate and House of Representatives in Congress from the State of Florida.

Approved by the Governor April 24, 1941.

RESOLUTION OF WISCONSIN LEGISLATURE—FREE MAILING OF PUBLICATIONS TO MILITARY CAMPS

Mr. WILEY. Mr. President, I present and ask to have referred to the appropriate committee a joint resolution adopted by the Wisconsin Legislature entitled "A joint resolution memorializing the Congress of the United States to provide for free transportation and mailing of publications to military camps."

The joint resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, under the rule, as follows:

Senate Joint Resolution 32

Joint resolution memorializing the Congress of the United States to provide for free transportation and mailing of publications to military camps

Whereas many draftees and other military men in camps are far from home and seldom see a newspaper from their local communities or a publication which they were formerly accustomed to read; and

Whereas if free mailing privileges were extended to periodicals, newspapers, and publications sent to military camps, our men under arms would receive reading material which they would greatly appreciate: Now, therefore, be it

Resolved by the senate (the assembly concurring), That this legislature respectfully memorializes the Congress of the United States to enact legislation providing for the free transportation or mailing of periodicals, newspapers, and publications sent to military camps and other places where men under arms are concentrated; and be it further

Resolved, That duly attested copies of this resolution be sent to each House of the Congress of the United States and to each Wisconsin Member thereof.

ALLEVIATION OF SUFFERING IN EUROPE—LETTER FROM WISCONSIN COUNCIL OF CHURCHES

Mr. WILEY. Mr. President, I present, and ask to have printed in the RECORD and appropriately referred, a letter addressed to me by the Wisconsin Council of Churches, suggesting at least a trial of some such plan as that proposed by former President Hoover to relieve suffering in the conquered nations of Europe.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

WISCONSIN COUNCIL OF CHURCHES,
Madison, Wis., April 28, 1941.

The Honorable ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR WILEY: At its meeting in Madison, April 25, the executive committee of the Wisconsin Council of Churches passed the following resolution and instructed me to send a copy to you with the hope that you may share our belief in this matter and be able to exert some influence in behalf of at least a trial of some plan to alleviate the suffering of starving populations in Europe:

"In view of our deep conviction that we must do all we can to preserve Christian attitudes toward all men in a time of war, and that Christian sympathies cannot but be deeply stirred by unnecessary suffering: Be it

"*Resolved*, That we, the members of the executive committee of the Wisconsin Council of Churches feel that we must express ourselves, and we believe also the majority in our churches, as hoping that some way may be found to alleviate the suffering and starvation of conquered populations in Europe by some such plan as that proposed by ex-President Hoover, and urge that it be tried at least on some experimental scale."

We believe it is due you that you know our sentiment in this matter.

Very sincerely yours,

A. G. ADAMS,
Executive Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 875. A bill to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States; without amendment (Rept. No. 257).

By Mr. AUSTIN, from the Committee on Military Affairs:

H. R. 4125. A bill to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service; with an amendment (Rept. No. 258).

By Mr. TRUMAN, from the Committee on Military Affairs:

S. 1063. A bill to provide increased pay for certain military personnel while engaged on parachute duty; with amendments (Rept. No. 259).

By Mr. THOMAS of Utah, from the Committee on Education and Labor:

S. Res. 105. Resolution to investigate the employment, wages, and working conditions of redcaps by railroad and terminal companies (submitted by Mr. THOMAS of Utah on April 29, 1941); with an amendment (Rept. No. 260).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on April 29, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 482. An act to provide for the appointment of one additional United States district judge for the northern district of Ohio; and

S. 1254. An act to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States, with respect to counsel in certain matters.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 1441. A bill to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119); to the Committee on Irrigation and Reclamation.

(Mr. CAPPER (for himself and Mr. SHIPSTEAD) introduced Senate bill 1442, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. REYNOLDS:

S. 1443. A bill to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts;

S. 1444. A bill to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

S. 1445 (by request). A bill to create a Recreation Board for the District of Columbia, to define its duties, and for other purposes; and

S. 1446 (by request). A bill to amend the provisions of acts of Congress which are now codified in title V of the Code of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1447. A bill making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength; to the Committee on Military Affairs.

By Mr. BROWN:

S. 1448. A bill permitting vessels of Canadian and British registry to transport iron ore between United States ports on the Great Lakes during 1941; to the Committee on Commerce.

By Mr. ANDREWS:

S. 1449. A bill relating to the imposition of certain penalties and the payment of detention expenses incident to the bringing of certain aliens into the United States; to the Committee on Immigration.

By Mr. CLARK of Idaho:

S. 1450. A bill for the relief of Antonio Olazar; to the Committee on Immigration.

S. 1451. A bill to provide for the further improvement of the Snake River between its mouth and Lewiston, Idaho; to the Committee on Commerce.

(Mr. VANDENBERG introduced Senate Joint Resolution 74, which was referred to the Committee on Finance, and appears under a separate heading.)

AGRICULTURAL SURPLUS EXCHANGES

Mr. CAPPER. Mr. President, on behalf of the Senator from Minnesota [Mr. SHIPSTEAD] and myself, I introduce a bill for reference to the Committee on Agriculture and Forestry. I ask unanimous consent that the bill may be printed in the RECORD, together with a brief statement summarizing the purposes and working principle of the proposed agricultural surplus exchanges.

The VICE PRESIDENT. The bill will be received and referred to the Committee on Agriculture and Forestry, and, without objection, the bill will be printed in the RECORD, together with the statement presented by the Senator from Kansas.

The bill (S. 1442) to provide adequate markets and fair prices for agricultural commodities produced in the United States; to eliminate the necessity for mandatory reductions in crop production; to provide a method for the exchange of surplus agricultural commodities for products of foreign countries on a basis mutually advantageous to agricultural and manufacturing interests in the United States, and to such foreign countries; to promote foreign trade in the interest of friendly and peaceful relations among nations; and for other purposes; was read twice by its title and referred to the Committee on Agriculture and Forestry, as follows:

Be it enacted, etc., That this act may be cited as the Agricultural Surplus Exchange Act.

TITLE I. EXCHANGE OF AGRICULTURAL SURPLUSES

SURPLUS EXCHANGE BOARD

SEC. 101. (a) There is hereby established an agency of the Government to be known as the Surplus Exchange Board (hereinafter referred to as the "Board"). The Board shall be composed of 11 members, who shall be appointed by the President, by and with the advice and consent of the Senate, and one of whom the President shall designate as chairman and one as vice chairman. The members of the Board shall be so selected as to afford the broadest possible representation to the producers and handlers of the various types of agricultural commodities, and to industry, labor, and commerce, and to afford representation of each of the principal geographic regions of the country. Not more than six members of the Board shall be members of the same political party. Each member shall devote his full time to the business of the Board. Each of the members of the Board shall receive a salary at the rate of $10,000 per annum. Any member of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(b) Terms of office of the members first taking office after the date of the enactment of this act shall expire, as designated by the President at the time of nomination, two at the end of each of the first 4 years after the date of the enactment of this act, and three at the end of 5 years after such date. The term of office of a successor to any such member shall expire 5 years from the date of the expiration of the term for which his predecessor was appointed, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term.

(c) The Board is authorized to appoint and fix the compensation of such officers and employees and to make such expenditures as may be necessary for carrying out its functions in the same manner as is now provided by law for the United States Tariff Commission. The Board may delegate any of its functions to such of its officers and employees as it may designate.

(d) The Board may, with the consent of any Government agency, including any field service thereof, avail itself of the service of the officials, employees, and facilities thereof, and secure any information necessary for the

carrying out of its functions. All such agencies shall make available to the Board (upon request, and wherever practicable in the form requested) any information, statistics, and data they may have available pertaining to matters relating to the functions of the Board: *Provided*, That any such information, statistics, or data may be made available in confidence, if, in the judgment of the President, it is incompatible with the public interest to have them made public.

FUNCTIONS OF THE BOARD

SEC. 102. In order to carry out the purposes of this act, it shall be the duty of the Board, in accordance with the provisions of this act and subject to its limitations, to facilitate and promote the exchange of surplus agricultural commodities produced in the United States for manufactured articles produced in foreign countries, and to regulate such exchange, with a view toward (1) providing adequate markets and fair prices for all agricultural commodities produced in the United States, (2) providing foreign countries with a means for paying for surplus agricultural commodities produced in the United States which are needed by such foreign countries, (3) providing increased income for the farm population of the United States, and expanded markets among such population for manufactured articles produced in the United States, (4) preventing imports of manufactured articles from disrupting the domestic markets of manufacturers in the United States, and (5) promoting foreign trade in a manner which will encourage friendly and peaceful relations among nations.

COMPENSATORY IMPORT QUOTAS

SEC. 103. (a) Prior to January 1 of each year, commencing with the year 1942, the Board shall establish a national compensatory import quota (hereinafter referred to as the "national quota") for such year. Such national quota shall be an amount (expressed in terms of money) which is estimated by the Board to be equal to the value (computed at world prices) of all agricultural commodities produced in the United States which will be available for sale or use in such year and will not be consumed in the United States in such year.

(b) The national quota for each year shall be allocated among foreign nations by assigning to each such nation an import quota based on the Board's best estimate of its needs for and its ability to utilize surplus agricultural commodities produced in the United States. The needs of each such nation for such commodities shall be determined solely on the basis of the extent to which agricultural commodities produced in territory subject to the jurisdiction of such nation fails to meet the needs of the population of such nation for agricultural commodities of kinds which are produced in the United States in substantial quantities.

(c) The Board may from time to time, during any year, make such increases or decreases in the national quota for such year as it deems necessary; and, in any such case, shall make a proportionate increase or decrease in the import quota assigned to each foreign nation.

(d) Whenever it appears to the Board that the import quota assigned to any foreign nation for any year will not be completely utilized, the Board shall reallocate any portion of such quota which it estimates will not be utilized by such nation among other foreign nations on the basis of the needs of such other nations and their ability to utilize increased quotas. In no event shall the import quota assigned to any nation for any year be decreased because of the failure to utilize all or any part of any import quota assigned to it for any prior year.

REGULATION OF COMPENSATORY IMPORTS

SEC. 104. (a) The Board is authorized to permit, during any year, the importation into the United States from any foreign country, under the special tariff concessions permitted in this section and in accordance with the provisions of this section, of manufactured articles having a value (computed on the basis of the import price) not in excess of the import quota assigned to such country for such year under section 103. The importation of any such article shall be permitted in accordance with the provisions of this section only upon condition that the amount paid for such article (computed on the basis of the import price) will, under regulations prescribed by the Board, be made available for paying for agricultural commodities exported from the United States and will be expended for no other purpose.

(b) The total quantity of manufactured articles of any one kind which may be imported into the United States from any foreign countries in accordance with the provisions of this section during any year shall be regulated by the Board with a view toward preventing dislocations in the domestic market for similar or competing domestic articles. For the purposes of this subsection the Board shall establish for each year an import quota for each kind of article imported in accordance with the provisions of this section which is similar to or competitive with any domestic article. The import quota for each such kind of article shall be an amount bearing the same proportion to the estimated annual average value (on the basis of the American selling price) for the preceding 3 years of similar or competing articles produced in the United States that the national quota bears to the estimated annual average value (on the basis of the American selling price) for the preceding 3 years of all manufactured articles produced in the United States. The total value (computed on the basis of the import price) of articles of any one kind imported into the United States in accordance with the provisions of this section (1) shall not exceed the import quota for articles of such kind during any year by more than 15 percent (except for the years 1942, 1943, and 1944 such figure shall be 20 percent), and (2) shall not exceed the import quotas for articles of such kind over any 3-year period by an average of more than 5 percent (except for the 3-year period 1942 to 1944, inclusive, such figure shall be 10 percent).

(c) The Board shall determine and fix the duty to be paid upon the importation of any article imported in accordance with the provisions of this section. The duty so fixed shall not be in excess of the amount, and shall not be less than 50 percent of the tax which would be payable in respect of the amount, of the duty and internal-revenue importation of such article if it were imported into the United States other than in accordance with the provisions of this section. The duties fixed by the Board under this section shall be fixed with a view to accomplishing the importation into the United States in accordance with the provisions of this section, during each year, manufactured articles having an import value equal to the national quota for such year, and shall be fixed at the highest rates deemed by the Board to be consistent with that purpose. The duties fixed by the Board under this section shall be in lieu of all other duties and taxes payable with respect to the importation of articles imported in accordance with the provisions of this section. Except as otherwise provided by this act, any duty fixed by the Board under this section shall be levied, assessed, collected, and paid in the same manner as a duty imposed by the Tariff Act of 1930.

AGRICULTURAL EXPORT COMPENSATION FUND

SEC. 105. There is hereby established in the Treasury an agricultural export compensation fund (hereinafter referred to as the "fund"). All duties on articles imported into the United States in accordance with the provisions of section 104 of this act shall be covered into the fund. There are also authorized to be appropriated to the fund such additional amounts as may be necessary for making the payments provided for by section 106 of this act.

PAYMENTS WITH RESPECT TO AGRICULTURAL EXPORTS

SEC. 106. (a) The Board is authorized to make payments to exporters of agricultural commodities produced in the United States for the purpose of accomplishing the export of all such commodities which are not needed to meet consumption requirements within the United States. Any money in the fund shall be available and may be used by the Board for the purpose of making such payments.

(b) Such payments shall be made pursuant to regulations prescribed by the Board. The payments made with respect to the exportation of any commodity shall be made at a rate determined by the Board to represent the amount by which the parity price or the domestic market price of such commodity, whichever is lower, exceeds the world market price of such commodity, except that—

(1) In any case in which the domestic market price of any agricultural commodity has reached parity, the Board may, if it appears to the Board that adequate funds for such purpose will be available in the fund, and that discontinuance of such payments would result in the domestic market price falling below parity, continue to make payments with respect to the exportation of such commodity at a rate determined by the Board to represent the amount by which the parity price exceeds the world market price so long as the Board deems it advisable to make such payments at such rate; and

(2) In any case in which the Board determines that an excessive production of any agricultural commodity in the United States is abnormally depressing the world price for such commodity, the Board may reduce the rate of payments made under this section with respect to such commodity for the purpose of encouraging diversion in the United States from the production of such commodity to the production of other agricultural commodities.

DEFINITIONS

SEC. 107. As used in this title—

(1) The term "agricultural commodity" means any crop produced on a farm, any animal or animal product, and any food product, except that such term does not include forest products or fur-bearing animals or any fiber product in other than an unmanufactured state.

(2) The term "manufactured article" does not include semimanufactures and does not include any agricultural commodity.

(3) The term "American selling price" means the price, including the cost of all containers and coverings of whatever nature and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for delivery, at which a domestic article is freely offered for sale to all purchasers in the principal market of the United States, in the ordinary course of trade and in the usual wholesale quantities in such market, or the price that the manufacturer, producer, or owner would have received or was willing to receive for such merchandise when sold in the ordinary course of trade and in the usual wholesale quantities in such market, or the price that the manufacturer, producer, or owner would have received or was willing to receive for such merchandise when sold in the ordinary course of trade and in the usual wholesale quantities, at the time of exportation of the like or similar imported article.

(4) The term "parity price" as applied to agricultural commodities means (A) the price that will give the agricultural commodity the same purchasing power with respect to nonagricultural products as such commodity had during the period August 1909 to July 1914, as ascertained from the latest available statistics of the Department of Agriculture by the Secretary of Agriculture, except that (B) in the case of any agricultural commodity with respect to which the Secretary of Agriculture has ascertained the parity price on a different basis under any agricultural adjustment or conservation program in effect since September 31, 1932, the parity price shall be the latest such price so ascertained.

(5) The term "import price" means the price paid for an imported article by the person by whom or for whom it is imported, plus, when not included in such price, the cost of all containers and coverings, transportation (not including transportation within the United States), and all other costs, charges, and expenses (except import duties and other import restrictions) incident to the delivery of such goods in the United States.

ANNUAL REPORT

SEC. 108. The Board shall make a report to the Congress at the beginning of each regular session containing a statement of its expenditures during the past fiscal year, a summary of its activities, and such recommendations as it deems appropriate.

REGULATIONS

SEC. 109. (a) The Board is authorized to prescribe such rules and regulations as may be necessary for the exercise of its powers and the performance of its duties.

(b) Any determinations required to be made for the purposes of this title may be made by the Board on the basis of the reports, estimates, and other data and information available to the Board at the time such determination is made, and may thereafter be revised by the Board to the extent it finds revision to be necessary.

EFFECT ON PRESENT AGRICULTURAL PROGRAMS

SEC. 110. (a) Nothing in this title shall be deemed to affect or modify any existing agricultural program or any activity for the benefit of agriculture, except to the extent that such programs or activities automatically are affected by reason of the removal of surpluses of agricultural commodities and increases in the prices of such commodities.

(b) Notwithstanding the foregoing provisions of this act, agricultural commodities owned by the United States, or any agency thereof, shall not be deemed to be available for sale or use, or be sold, or otherwise disposed of, except at such times and in such quantities as the Board determines that they may be sold or otherwise disposed of without interfering with the accomplishment of the purposes of this title.

The statement presented by Mr. CAPPER in connection with the bill is as follows:

PURPOSE OF BILL

The agricultural surplus exchange bill, introduced today by Senator SHIPSTEAD and myself, and which will be introduced in the House, I understand, by Representative AUGUST H. ANDRESEN, of Minnesota, is based on the principle of the McNary-Haugen bills of the 1920's plus an added provision for the importation of an equivalent amount of foreign-produced goods in exchange for farm surpluses exported.

Based on the belief that the old McNary-Haugen export bill was "warmer" to the real solution of the farm problem than anything which has been tried since, this new bill meets two draw-backs of the old McNary-Haugen bill by the addition of a new principle.

The first of these draw-backs was the necessity of setting up a complicated two-price system, whereby the share of every farmer's crop that was sold abroad brought him one price and the share that was consumed in America brought another price. The second draw-back was the fact that the foreign nation who wanted our surpluses could not buy them at any price unless we took manufactured goods from them in payment, since they had no gold. Could a way of taking in manufactured goods from abroad in sufficient quantity to balance up the value of crop surpluses have been found, the farm problem would have been solved long ago.

This new bill attempts to do that. By a workable trade principle, it renders the relatively small amount of foreign goods needed to effect surplus export literally noncompetitive with America manufactured goods.

This principle can best be explained by an illustration: Exportable crop surpluses in a year may equal $1,000,000,000 in value. One billion dollars of foreign manufactured goods will therefore have to be imported in return. Compared to the $40,000,000,000 value of American factory output, the $1,000,000,000 of foreign manufactured goods will be only 2½ percent. Since the American crop surpluses cannot be converted into dollar buying power in America—but rather depress rural cash buying power—there is no cash loss to American manufacturers in allowing the import of foreign manufactured goods up to the extent to which they can be paid for by crop surpluses. The 2½ percent really represents increased buying power for the American public over and above a 100 percent cash buying power which is left undisturbed.

But if the 2½ percent—$1,000,000,000—were spent wholly for foreign textiles, for instance, it would be hard on the American textile market. It is necessary that this extra buying power be spent proportionately for all manufactured products. Hence, by a principle known as prorated import quotas, only 2½ percent of each kind of manufactured goods is allowed to be imported into America that year in exchange for farm surpluses. Thus every American manufacturer's American market represented by the 100 percent is practically undisturbed and the 2½ percent of imports are extra in every case and represent pure gain for the farmer and no loss to the American manufacturer.

But the American manufacturer gains too. When the crop surpluses are out of America, crop prices will go up to parity. American farmers will be able to buy $4,000,000,000 more of American automobiles, American textiles, American paint, etc.

Although the tariff is lowered slightly on the incoming goods involved in this special stratum of trade, most of the present duties are collected. These duties are segregated into a special fund known as the Agricultural Export Compensation Fund. The American crop exporters, who will have to sell the surplus abroad at low world prices, will be allowed to take enough additional out of this fund to be able to pay the American farmers the full American crop prices on the crops bought from them for export.

Thus the American farmer gets the full parity price on both that part of his crop which is consumed at home and that part which is exported. It is therefore a one-price system—on the full parity price level—with no red tape involved as in a two-price system. Our surpluses are continuously eliminated by export with no cost to Uncle Sam and with benefit instead of loss to our manufacturers.

The plan is explained in detail in a book called The Way Out for America, written by two Minnesota economists, Charles Custer Pickert and Ralph Berland Baerman.

I have introduced this bill for the purpose of getting discussion and study of the principle involved, and in the hope that by the time this war is over, we may have worked out some such plan for promoting world trade, encouraging the exportation of American farm products and at the same time improving the American market for both American farm products and American manufactured products.

TRANSPORTATION FACILITIES FOR IRON ORE ON THE GREAT LAKES

Mr. BROWN. Mr. President, the most important of the essential commodities is iron ore. In the shipping of iron ore on the Great Lakes it has been found necessary by representatives of our Government to request some aid from Canadian shipowners. Under existing law it is not permissible to carry iron ore from one American port to another American port on the Great Lakes in vessels of Canadian registry. Today I have introduced a bill for reference to the Committee on Commerce providing for the temporary suspension of the provision of the coastwise shipping laws which prevents such carriage. (See Senate bill 1448 in today's proceedings, bills introduced.) I wanted to call the bill to the attention of the Senate. It is most vital to our defense program, and I sincerely hope the bill may have early consideration.

Mr. President, consumption of iron ore now exceeds all previous records. As new furnaces which are either in the construction or planning stage are placed in operation, even greater quantities of iron ore will be required in the manufacture of steel.

Approximately 85 percent of the iron ore used by the steel industry is mined in the Lake Superior region. This iron ore must be moved during the season of navigation in lake ships which form an indispensable link in the transportation of this commodity from the mines to the consuming steel districts. At present, facilities are inadequate for an all-rail movement of any considerable tonnage. The American lake fleet has been built to carry the maximum quantities of iron ore required in peacetime for the making of steel. To transport the difference between the quantity needed in the making of steel in 1941 and the quantity which can be moved in American ships, will require the use of other ships on the Great Lakes which are under Canadian registry. Canadian bulk cargo vessels, similar in size and construction to the American ships, were permitted to assist in the ore movement in the World War under special act of Congress approved October 6, 1917, 40 Statutes, chapter 88, page 392.

We are faced again with extraordinary expansion in the steel industry, and although plans are under way for the construction of five new American ships, the entire Lake fleet of American and Canadian ships capable of transporting iron ore will be required to meet the needs of the American steel industry.

The President's Steel Survey—report to the President of the United States on the Adequacy of the Steel Industry for National Defense, by Gano Dunn, February 22, 1941—has computed that the steel industry will require at least 74,600,000 gross tons of Lake Superior iron ore in the 12-month period commencing April

1, 1941. Mr. A. T. Wood, who is both president of the Lake Carriers' Association and adviser to Mr. Ralph Budd, commissioner of transportation of the advisory commission to the council of national defense, estimated that the American fleet will be able to move 71,000,000 gross tons. Heretofore the maximum quantity of iron ore transported in American ships during one season was just short of 65,000,000 gross tons. This year, however, navigation was opened earlier than usual with ice breaking by the Coast Guard, and it is expected that about 6,000,000 tons will be moved in April. There will be several months during which the American ships will transport not less than 10,000,000 tons. However, cold and stormy weather frequently commences in October. Cold weather slows loading of iron ore and storms delay ships. Taking all of these factors into consideration, it is apparent that the only certain way to transport the minimum quantity of iron ore which will be required is to enlist the assistance of the Canadian fleet.

The relationship between the Canadian and American shipping interests is friendly, albeit highly competitive in respect to the international commerce which exists on the Great Lakes. The Canadian fleet is now engaged in the transportation of grain, coal, and iron ore, which is either wholly domestic commerce of Canada or international commerce. The grain movement will ease about June 1, and it is expected that thereafter for a period of several months some 40 Canadian ships could be used in the transportation of iron ore from the Lake Superior region to lower lake ports. By combining the efforts of the American and Canadian fleets, and with favorable weather conditions, there is good prospect that the minimum quantity of iron ore which will be needed by the steel industry may be moved during the present season of navigation.

INDEBTEDNESS OF REPUBLIC OF FINLAND TO UNITED STATES

Mr. VANDENBERG. Mr. President, I introduce a joint resolution, which I ask to have read.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S. J. Res. 74) was read the first time by its title and the second time at length, as follows:

Joint resolution to authorize the postponement of payments of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States, dated May 1, 1923, May 23, 1932, and May 1, 1941

Resolved, etc., That the Republic of Finland, at its option, may postpone the payment of amounts payable to the United States of America during the period from January 1, 1941, to December 31, 1942, inclusive, under the agreements between that republic and the United States of America, dated May 1, 1923, May 23, 1932, and May 1, 1941. In the event of the exercise of the option granted in this section the Secretary of the Treasury is authorized to make, on behalf of the United States of America an agreement with the Republic of Finland for the payment of the postponed amounts in 40 semiannual installments, the first 2 such installments to be paid during the calendar year beginning January 1, 1945, and 2 to be paid during each of the 19 calendar years following: *Provided*, That the amounts postponed shall not bear any interest beyond the dates when such amounts first become payable under the above-mentioned agreements.

SEC. 2. The agreement authorized in the first section of this joint resolution shall be in such form that payments thereunder shall, unless otherwise provided in such agreement, be in accordance with, and subject to the same terms and conditions as payments under, the agreement with the Republic of Finland dated May 1, 1923.

Mr. VANDENBERG. Mr. President, I desire to make a brief statement regarding the joint resolution before asking for its reference.

This resolution is presented with the complete approval of the Secretary of the Treasury.

One year ago, it will be recalled, Congress unanimously concluded that the hard-pressed Republic of Finland should be permitted, through our own voluntary action, to maintain her unique and highly honorable status as our only war debtor in good credit standing, without the necessity of drawing upon her impoverished resources to make the 1940 payments due upon her funded debt to us. The congressional action was concluded, in respect to a resolution which I introduced at that time, on the day the June payment was due. Finland had already heroically arranged to make that payment, and did. She took advantage of the moratorium in December.

Mr. President, if Finland's situation 1 year ago warranted the action we unanimously took—the resolution went through both branches of Congress in one afternoon—certainly the difficulties which Finland confronts in 1941 doubly recommends our helpful attitude toward this exemplary debtor. Indeed, the necessity is even greater today.

I presented this subject to the Secretary of the Treasury in a letter dated April 26. The Secretary promptly replied in a letter dated May 2. I quote two sentences from Secretary Morgenthau:

> The Treasury * * * would recommend the enactment of appropriate legislation for this purpose. * * * I shall be glad * * * to give my support to legislation for the purpose of further postponing amounts payable to the United States by the Republic of Finland on account of its relief indebtedness which was originally incurred in 1919–20.

The resolution which I have presented scrupulously follows the precise formula which the Secretary of the Treasury recommends. It does not cancel any portion of the debt. It sets no precedent for cancelation. On the contrary, if it is any precedent at all, it is a continuing precedent for the full payment of war debts in keeping with the great Finnish example and tradition. It merely postpones the next 2 years of payments until 1945, and thereafter refunds them over 20 years.

Mr. President, I ask that my correspondence with the Secretary of the Treasury be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The correspondence is as follows:

APRIL 26, 1941.

Hon. HENRY MORGENTHAU, JR.,
Secretary of the Treasury,
Washington, D. C.

MY DEAR MR. SECRETARY: One year ago, at this time, you were very helpful to me in connection with a Senate resolution (subsequently passed) which extended a temporary moratorium to the Republic of Finland so that it might maintain its unbroken credit status without confronting the almost impossible task of making current war-debt payments.

Finland took advantage of this moratorium last December. The privilege expires ahead of the next payment date, on June 15. I am again soliciting your judgment—and I hope your cooperation—in developing an extension of this moratorium. If Finland's situation 1 year ago warranted the action we took (and Congress unanimously said it did), then the difficulties which Finland confronts in 1941 doubly recommend our helpful attitudes toward this exemplary debtor.

At the time Congress acted last June I suggested on the floor of the Senate that I hoped the Finnish debt might be refunded under new arrangements which would be less burdensome and more nearly reflect the easier terms which we granted to other World War debtors subsequent to the original Finnish agreement. There are, of course, additional reasons now why the Finnish debt should be realistically reassessed and the contract rewritten with this brave little nation, which, despite all disasters, is now the only one among all of our World War debtors with an unbroken credit rating.

I should greatly welcome your official judgment on two questions:

First. Should the Finnish moratorium be extended for an additional period of time on the same terms as last year, or should the terms be changed—in a new act of Congress—and if so, how?

Second. Would it be appropriate and wise in the same legislation for Congress to direct a reconsideration and refunding of the Finnish debt?

I shall greatly appreciate it if I may have the benefit of your judgment on this subject as soon as possible. Last year we did not complete the moratorium legislation until 24 hours before the June debt payment was due. I think we owe it to Finland, as well as to ourselves, to settle this year's question in more timely fashion.

Thanks in advance for the courtesy of a reply at your earliest convenience.

With warm personal regards and best wishes,

Cordially and faithfully.

THE SECRETARY OF THE TREASURY,
Washington, May 2, 1941.

MY DEAR SENATOR: Receipt is acknowledged of your letter of April 26, 1941, relative to the amounts payable to the United States by the Republic of Finland on account of Finland's indebtedness for relief supplies furnished on credit by the United States in 1919 and 1920.

The Finnish Government has made complete payments to the United States of all amounts due under the debt-funding agreement made with that Government on May 1, 1923, and the moratorium agreement of May 23, 1932, except certain payments postponed under authority of acts of Congress. The situation which confronted Finland last year justified the enactment by Congress of the joint resolution approved June 15, 1940, to authorize the postponement of payment of amounts payable to the United States by Finland during the period from January 1 to December 31, 1940. World conditions since that time have continued to deteriorate and have exerted unfavorable influences upon Finland. I agree with you that if Finland's

situation 1 year ago warranted the action then taken by the Congress, the difficulties now confronting Finland doubly recommend our helpful attitude toward that debtor.

The Treasury would offer no objection to the enactment of further legislation by the Congress extending the moratorium on Finnish debt payments for an additional period and would recommend the enactment of appropriate legislation for this purpose.

In view of present world conditions Congress might wish to consider legislation authorizing the postponement of payments due from Finland for 2 years, that is, 1941 and 1942. It seems to me that there should be deferred for the time being any effort to authorize a reconsideration of the status of the entire relief indebtedness of Finland to the United States. The present time does not seem appropriate for reconsidering the obligations of this or any other government under their debt agreements with the United States. Reconsideration of such indebtedness growing out of the World War could be undertaken with more effectiveness when world conditions become more stable.

An additional moratorium to Finland could be accomplished by legislation similar to that embodied in Public Resolution No. 84, Seventy-sixth Congress, approved June 15, 1940, with minor changes. However, I should like to point out that the terms of that resolution afforded Finland only limited assistance and at an interest cost of 3 percent, including interest on interest. It also required that the amounts postponed under the resolution be repaid within 10 years immediately following the period of postponement. If the Congress should desire to afford a more liberal measure of assistance to Finland in connection with any additional moratorium on debt payments of that Government, than was provided for under the joint resolution approved June 15, 1940, this Department would be very pleased. One of the methods by which more liberal assistance could be accomplished would be a provision requiring only the repayment of the amounts postponed, without additional interest beyond the dates when such amounts first become due under existing agreements, and also a provision for the repayment of such postponed amounts in semiannual installments, over a period of 20 years, beginning January 1, 1945.

I shall be glad to cooperate with you in this matter and to give my support to legislation for the purpose of further postponing amounts payable to the United States by the Republic of Finland on account of its relief indebtedness which was originally incurred in 1919–20.

I am sending a copy of your letter of April 26 and a copy of this letter to the Secretary of State for his information.

Sincerely yours,

HENRY MORGENTHAU, Jr.

Hon. A. H. VANDENBERG,
United States Senate.

Mr. VANDENBERG. I ask that the joint resolution itself be referred to the Committee on Finance.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Finance.

Mr. VANDENBERG subsequently said: Mr. President, earlier in the day I presented a joint resolution dealing with the Finnish debt. I now present figures covering the debt payments due during the next 2 years, and covered by the joint resolution, and I ask that these be printed in the RECORD immediately following my previous remarks on the same subject.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Amounts payable by Finland to the United States during 1941 and 1942 under agreements indicated

Date payable	Funding agreement May 1, 1923		Moratorium agreement May 23, 1932	Postponement agreement May 1, 1941	Total
	Principal	Interest			
June 15, 1941		$139,037.50	$19,030.50	$13,695.06	$171,763.06
Dec. 15, 1941	$79,000	139,037.50	19,030.50	13,695.06	250,763.06
June 15, 1942		137,655.00	19,030.50	13,695.06	170,380.56
Dec. 15, 1942	82,000	137,655.00	19,030.50	13,695.06	252,380.56
Total	161,000	553,385.00	76,122.00	54,780.24	845,287.24

CHANGE OF REFERENCE

On motion by Mr. MCCARRAN, the Committee on Education and Labor was discharged from the further consideration of the bill (S. 1375) to provide for certain community facilities made necessary by the exigencies of national defense, and it was referred to the Committee on Public Buildings and Grounds.

UNIFORM METHOD OF PAYMENTS TO STATES ON ACCOUNT OF UNITED STATES LANDS—AMENDMENTS

Mr. MCNARY submitted two amendments intended to be proposed by him to the bill (S. 1201) to provide for a uniform method of payments to the several States on account of certain lands of the United States, which were referred to the Committee on Public Lands and Surveys and ordered to be printed.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENT

Mr. MCCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

Under the heading "Bureau of Indian Affairs" and the subheading "Roads and bridges," in the second paragraph, strike out "$2,100,000" and insert in lieu thereof "$2,200,000", and before the period at the end of such paragraph insert a colon and the following: "*Provided further*, That not less than $300,000 of this appropriation shall be available for the construction and completion of the Nixon-Gerlach Road within the Pyramid Lake Indian Reservation running from the town of Nixon to the north end of the reservation."

TRADE WITH AXIS POWERS IN ESSENTIAL WAR MATERIALS

Mr. GILLETTE. Mr. President, I submit a concurrent resolution for reference to the Commerce Committee. A similar resolution is being introduced in the House of Representatives today by Hon. JOHN M. COFFEE, a Representative from the State of Washington.

The purpose of the concurrent resolution is to have a special joint congressional committee ascertain and report to the Congress the facts with reference to the alleged trade with the Axis Powers in essential war materials, and to what extent such materials are reaching them from the Western Hemisphere. It was actually testified before the Foreign Relations Committee of the Senate during the hearings on the lease-lend bill that motor fuel from the South American properties of American companies was reaching Germany and Italy by tankers through shipments consigned to the ports of the Canary Islands. This concurrent resolution is particularly designed to determine to what extent American corporations, or their international affiliates or subsidiaries, are participating in such trade. If there is any basis for the allegation made, the American people are entitled to know the facts.

The concurrent resolution (S. Con. Res. 10) was referred to the Committee on Commerce, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby created a special joint congressional committee (hereinafter referred to as the "committee") to be composed of five Senators, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman from among its members. It shall be the duty of the committee to make a full and complete investigation with respect to the extent to which, the sources from which, the manner in which, and the mediums through which, the so-called Axis Powers are obtaining or have obtained essential war materials from the Western Hemisphere. The committee shall report to the Senate and to the House of Representatives, at the earliest practicable time, the results of its study and investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution, the committee or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government. The expenses of the committee, which shall not exceed $20,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman.

INVESTIGATION OF OPERATION AND EFFECTS OF SELECTIVE TRAINING AND SERVICE ACT

Mr. VANDENBERG. Mr. President, I submit a resolution which I ask to have

read and referred to the Committee on Military Affairs.

The VICE PRESIDENT. The resolution submitted by the Senator from Michigan will be received, read, and referred as requested by him.

The resolution (S. Res. 109) was read and referred to the Committee on Military Affairs, as follows:

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete study and investigation with respect to the operation and effects of the Selective Training and Service Act of 1940 with a view to determining, in the light of the experience under such act, what changes should be made in such act and in the policies relating to the procurement of personnel for the armed forces of the United States. The committee shall report to the Senate within 60 days from the date of its appointment the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the first session of the Seventy-seventh Congress, to employ such experts and such clerical, stenographic, and other assistants; to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

INVESTIGATION RELATIVE TO MAINTENANCE OF PERMANENT PEACE AND ALSO POST-WAR ECONOMIC PROBLEMS

Mr. THOMAS of Utah submitted the following resolution (S. Res. 110), which was referred to the Committee on Foreign Relations:

Whereas intensified war efforts throughout the world tend to overshadow efforts toward the establishment of a lasting peace; and

Whereas the well-being of the people of all nations demands that increased consideration be given to the means of avoiding wars; and

Whereas it is essential that all possible information be obtained with respect to efforts being made for a lasting peace and the problems that will confront the United States and other nations when hostilities have ceased and peace is again established: Therefore be it

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of all matters pertaining to the establishment of a permanent and lasting peace throughout the world and the avoidance of future wars, the efforts that are now being made for such purposes in the United States and elsewhere, and the problems that will be involved in establishing a peacetime economy after the termination of the present conflict. The committee shall report to the Senate from time to time the results of its study and investigation, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ clerical and other assistance, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

WINNING OF NATIONAL SAFETY AWARD BY CHATTANOOGA, TENN.

Mr. STEWART. Mr. President, at a time when the people are largely engrossed in reading about and thinking about war and rumors of war, I desire to call attention to and put into the RECORD a letter with reference to a significant peacetime matter having to do with a city in my State of Tennessee.

Recently, only last week, I believe, the mayor of the city of Chattanooga was present in Washington, with the mayors of many other cities of the United States, to receive what is known as the National Safety Award, which was bestowed upon the city of Chattanooga, Tenn., for the year 1940, by reason of the fact that it was considered the safest city—and the records show that it was the safest city—from the standpoint of traffic accidents and fatalities.

I ask permission to read into the RECORD a letter I have received from the chief of police of Chattanooga. It is as follows:

CHATTANOOGA, TENN., *April 22, 1941.*

Hon. TOM STEWART,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: I am happy to make the following report to you on behalf of our city, Chattanooga, Tenn., winning the National Safety Award for 1940. Our city was the safest city in the United States in the class of cities ranging in population from 100,000 to 250,000. I may outline some of the activities connected with this safety program. In 1937 Chattanooga was very high in traffic fatalities. We had 32 fatalities in 1937. In 1938 we had 26. In March 1938 we organized a traffic bureau under the direction of Lieutenant Kremel, of Evanston, Ill., who came to Chattanooga and taught traffic safety for 15 days. At that time I was placed in charge of traffic. We then installed a motor-inspection lane, which requires the car owner to have car inspected twice a year for mechanical defects. The year of 1939 we had 16 traffic fatalities comparing with 1937, which was 32. So I am very happy to say that in 1940 we had only 6 traffic fatalities and winning the National Safety Award from the National Safety Council. The Honorable Ed Bass, mayor of Chattanooga, and myself, received the plaque last night at the banquet held by the National Safety Council at the Mayflower Hotel, Washington, D. C.

With best wishes, I am

Respectfully yours,
Chief H. D. EDMONSON.

I should like further, before I take my seat, Mr. President, to call attention to the fact that Chattanooga is the second city in Tennessee to have won such an award. In 1937 the city of Memphis, competing with more than 1,100 other cities in a contest conducted by the National Safety Council, was awarded the grand prize for excellency in public safety, not only in its own classification of from 250,000 to a half million population but in competition with all other cities, regardless of population.

I believe that such a report as that presented by the chief of police of Chattanooga is a wholesome thing in this day and at a time when we are hearing news only of war, of new methods of taking human life, and of weapons that destroy and take away rather than of efforts to preserve and continue life.

I am happy to say that some of the cities of my State have during the past few years been able to reduce automobile and traffic fatalities and accidents, and Tennessee cities have on two occasions, in fact, I believe on three occasions, received the national safety award.

ADDRESS BY THE PRESIDENT ON THE DEDICATION OF WOODROW WILSON BIRTHPLACE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States on May 4, 1941, in dedicating the birthplace of Woodrow Wilson, which appears in the Appendix.]

ADDRESS BY THE VICE PRESIDENT ON A DEMOCRACY OF RESPONSIBILITY

[Mr. BONE asked and obtained leave to have printed in the RECORD an address delivered by the Vice President of the United States, before the New York Young Democratic Club, Inc., on April 30, 1941, on the subject, A Democracy of Responsibility, which appears in the Appendix.]

ADDRESS BY SENATOR BYRD ON TAXATION AND NONDEFENSE SPENDING

[Mr. BYRD asked and obtained leave to have printed in the RECORD a radio address delivered by him on April 28, 1941, on the subject of new taxes, the necessity for curtailing nondefense spending, and the obstacles to the preparedness program, which appears in the Appendix.]

ADDRESS BY SENATOR SHIPSTEAD ON WAR AND PEACE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address delivered by him on the subject of war and peace, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD ON CREDIT UNIONS AID NATIONAL DEFENSE

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address entitled "Credit Unions Aid National Defense," delivered by him at Washington, D. C., on May 1, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD AT ORT DINNER, NEW YORK CITY

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by him at the ORT dinner held at the Astor Hotel, New York City, on April 27, 1941, which appears in the Appendix.]

STATEMENT ON FOREIGN POLICY BY SENATOR BURTON TO OHIO FEDERATION OF REPUBLICAN WOMEN'S ORGANIZATIONS

[Mr. BURTON asked and obtained leave to have printed in the RECORD a statement prepared by him for the Ohio Federation of Republican Women's Organizations, entitled

"Outline of a Sound Foreign Policy for the United States," which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY AT TESTIMONIAL DINNER TO HON. VINCENT DAILEY

[Mr. MEAD asked and obtained leave to have printed in the RECORD the address delivered by Hon. James A. Farley at the testimonial dinner given to the Honorable Vincent Dailey at the Hotel Astor, New York City, on April 30, 1941, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY AT HOLY NAME SOCIETY BREAKFAST

[Mr. MEAD asked and obtained leave to have printed in the RECORD the address delivered by Hon. James A. Farley at the annual communion and breakfast of the Holy Name Society of the New York Post Office at the Hotel Astor, New York City, on April 27, 1941, which appears in the Appendix.]

STATEMENT OF HON. ALF M. LANDON ON INVOLVEMENT IN FOREIGN WARS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a statement made at Kansas City on May 2, 1941, by Hon. Alf M. Landon, of Kansas, in introducing Senator CLARK of Missouri at a meeting sponsored by the America First Committee, which appears in the Appendix.]

ARTICLE BY SENATOR DAVIS ON NATIONAL-DEFENSE MORALE

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article prepared by him for the Trades Union News of Philadelphia, Pa., and published in the issue of May 2, 1941, entitled "National-Defense Morale," which appears in the Appendix.]

ARTICLE BY SENATOR DAVIS ON WHEN PEACE COMES

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "When Peace Comes," prepared by Senator DAVIS and published in the Moose Magazine for May 1941, which appears in the Appendix.]

EDITORIAL FROM ST. JOSEPH (MO.) NEWS-PRESS ON THE PRESIDENT'S REMARKS CONCERNING COLONEL LINDBERGH

[Mr. CLARK of Missouri asked and obtained leave to have printed in the Appendix an editorial published in the St. Joseph (Mo.) News-Press of Tuesday, April 19, 1941, dealing with the President's remarks concerning Colonel Lindbergh, which appears in the Appendix.]

BRITISH CITIES AND CIVIL DEFENSE

[Mr. BURTON asked and obtained leave to have printed in the RECORD a statement, entitled "A Message From Britain on Cities and Civil Defense," published by the United States Conference of Mayors in the United States Municipal News of May 15, 1941, which appears in the Appendix.]

GERMANY'S TITLE TO POSSESSIONS OF CONQUERED NATIONS

[Mr. TRUMAN asked and obtained leave to have printed in the Appendix of the RECORD a letter from Ralph F. Lozier, published in the Washington Post of April 16, 1941, dealing with Germany's title to possessions of conquered nations, which appears in the Appendix.]

AUDITOR OF PUERTO RICO—EDITORIAL FROM PUERTO RICO WORLD JOURNAL

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an editorial from the Puerto Rico World Journal of April 23, 1941, entitled "A New Auditor," and a statement by the Attorney General of Puerto Rico, which appear in the Appendix.]

SONG FOR "I AM AN AMERICAN DAY"

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD the words of the song entitled "Shout! Wherever You May Be, 'I Am an American!'" which appear in the Appendix.]

TREASURY AND POST OFFICE APPROPRIATIONS

Mr. GLASS. Mr. President, I move that the Senate proceed to the consideration of House bill 3205, the Treasury and Post Office appropriation bill.

Mr. BARKLEY. Mr. President, inasmuch as this is Calendar Monday, I suggest that the Senator should ask unanimous consent that the bill be taken up, instead of making a motion.

Mr. GLASS. I ask unanimous consent that the Senate proceed to the consideration of the bill.

The VICE PRESIDENT. Is there objection?

Mr. TYDINGS. Mr. President, I have no intention of objecting, but I should like to present to the Senator from Virginia a situation which I hope he will take into consideration.

There are a number of Senators who have made engagements to be absent from Washington today who are on the committee which considered the bill. They asked me, as one of the several Senators who were likely to speak on the bill, to ask the Senator from Virginia, in charge of the bill, if the item in controversy, namely, the air-mail provision on page 51, could not go over for decision and vote until tomorrow. I have no reason for wanting it to go over except to keep faith with Senators who have been forced to be absent today to keep engagements. I think we could dispose of practically everything that is controversial except this one matter, and at some time tomorrow could reach a decision on that item.

Mr. GLASS. Mr. President, I do not know of any special controversial item in the bill except the one referred to by the Senator from Maryland. I have no objection to the vote on that item, being postponed until tomorrow, but I think we should consider the bill immediately, and let members of the committee speak again, for they did more speaking and more testifying than the witnesses whom we called from the respective companies.

Mr. TYDINGS. I shall not object to the unanimous-consent request, provided there is not to be a vote today upon the air-mail amendment.

Mr. GLASS. I shall not insist upon a vote.

Mr. TYDINGS. May I offer as an amendment to the unanimous-consent request of the Senator from Virginia the words "provided that there shall be no vote on the air-mail amendment on page 51 before tomorrow"?

Mr. GLASS. Mr. President, I think my assurance that I will not press that item should be sufficient for the Senator from Maryland.

Mr. TYDINGS. The Senator is only one of 95 Senators, and obviously his assurance cannot bind the whole Senate.

Mr. BARKLEY. I thought we had an understanding last week that the suggestion of the Senator from Maryland would be carried out. I know it was discussed on the floor, and no one objected to that program.

Mr. TYDINGS. I desire to say to the Senator from Virginia that I do not doubt his word in the slightest, but he cannot bind the Senate any more than I can, and my request was in very good order, and was made for the particular reason to which I have referred.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia, as modified by the Senator from Maryland?

There being no objection, the Senate proceeded to consider the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. GLASS. Mr. President, I ask that the formal reading of the bill be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GLASS. I ask unanimous consent that committee amendments be first considered and disposed of.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HAYDEN obtained the floor.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murdock
Aiken	George	Murray
Andrews	Gerry	Norris
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Reynolds
Barkley	Gurney	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Shipstead
Brewster	Herring	Smathers
Brooks	Hill	Smith
Brown	Holman	Spencer
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Okla.
Byrd	La Follette	Tobey
Byrnes	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Chavez	Lucas	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Connally	McFarland	Wallgren
Danaher	McNary	Wiley
Davis	Maloney	Willis
Downey	Mead	

Mr. AUSTIN. The Senator from New Jersey [Mr. BARBOUR] is unavoidably detained.

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Missouri [Mr. CLARK], the Senator from Montana [Mr. WHEELER] the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Massachusetts [Mr. WALSH] are unavoidably detained.

The Senator from Utah [Mr. THOMAS] is absent attending a meeting of the board of directors of the Columbia Institution for the Deaf.

The VICE PRESIDENT. Eighty Senators having answered to their names, a quorum is present.

Mr. HAYDEN. Mr. President, the only controversial item in the bill is an appropriation of $800,000, found on page 51 of the bill, wherein the amount appropriated by the House amounting to $15,477,831 for foreign air-mail transportation is increased to $16,693,831. That increase is earmarked by the committee's report for two purposes: To pay $416,000 to the Pan American Airways for an additional flight each week across the Atlantic, and $800,000 to the American Export Airlines for a like service. If the Senate is interested, I should like to take a few minutes to state just the essence of the controversy, the vote to take place tomorrow.

I wish to state, first, that every agency of the Government having jurisdiction or a direct interest in the development of ocean airway transportation favors this appropriation. The Civil Aeronautics Board has issued a certificate of convenience and necessity to the American Export Airlines, Inc., certifying that additional service between New York and Lisbon by a competitor is required, and that the American Export Airlines is fit, willing, and able to perform this service. By law the President of the United States is required to pass upon all such certificates, and when this matter was passed on to the President by the Civil Aeronautics Board, the President referred the matter to other departments of the Government, particularly the State Department, the War Department, and the Navy Department, and upon their advice he approved the certificate on the 15th of July last year.

The Post Office Department then took the matter up, and after careful investigation determined that the volume of trans-Atlantic mail is now sufficient to justify additional trans-Atlantic plane service, and we are proposing to appropriate for four trips by Pan American Airways, and for one additional trip by the American Export Airlines. Having made that finding, the Post Office Department submitted the matter to the Bureau of the Budget, and the Budget estimate was approved for the necessary amount of money. In transmitting that estimate to Congress the President has, for a second time, approved this proposal.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ADAMS. Will the Senator clarify a question that is in my mind? As I understand, the present service of the Pan American Airways is three trips a week.

Mr. HAYDEN. That is correct.

Mr. ADAMS. The bill adds another trip by the Pan American Airways, and adds one trip a week by the American Export Airlines?

Mr. HAYDEN. Yes; so there will be five trips a week between New York and Lisbon.

Mr. BARKLEY. Is that five round trips?

Mr. HAYDEN. Yes. The finding of the Post Office Department is that there is a backlog of passengers which justifies this increase, and that there is an ample amount of mail to justify it, as the amount of mail crossing the ocean by this means is increasing. So there is no question about there being sufficient business for the two lines to undertake this work. The War Department and the Navy Department both were consulted and both approved it. They do it for a sound national-defense reason. No one knows what the future may have in store for us, and to have more organizations in this country which are capable of flying the ocean, and to have more men trained to fly the ocean, is obviously in the interest of national defense.

The Civil Aeronautics Authority in its findings made this statement on that point, which I believe is quite important:

> It appears that competition by applicant would induce the use of different types of equipment, and would make use of the facilities of a greater number of our manufacturers, thereby affording the War and Navy Departments valuable data concerning additional types of equipment. It would mean the training of additional American supervisory and operations personnel, and would provide an incentive to the development of new and different operating techniques.

That finding was made in the testimony of the War and Navy Departments.

The State Department is of record in the hearings, by the appearance of Assistant Secretary Berle, as earnestly urging that this appropriation be made. I should like to read to the Senate a brief statement or two by the Assistant Secretary of State in support of this appropriation. He states:

> The State Department, the War Department, the Navy Department, and the Postmaster General recently held a meeting to determine what the position ought to be at this time. The unanimous conclusion of those Departments seemed to be that it would be well if you made it possible at least for an independent company to operate until such time as a really full-dress determination of policy were finally made by the Congress.

By "full-dress determination of policy" he meant whether the trans-Atlantic or transocean mail carrying should be in the hands of a monopoly or whether there should be competition.

He further states:

> The question raised here is whether we really wish one company to have a world-wide monopoly. This question we still prefer to keep open until the Congress finally disposes of it. That is really our feeling in the matter. We feel that it is of very great importance; we can hardly overstress that. We are impressed with the probability that if by accident this Government slips into a monopoly situation, it will be very difficult to change. You might wish to create that situation consciously and with full protection, but it is a matter that would have to be so created by a definite policy of the United States Congress; and presumably the Congress would want to do that after careful consideration, because that would be a radical departure from the usual American policy.

That it is a radical departure from the usual policy I can very quickly demonstrate by reading from the Civil Aeronautics Act of June 23, 1938. Section 2 of that act declared the policy to be:

> In the exercise and performance of its powers and duties under this act, the Authority shall consider the following, among other things, as being in the public interest, and in accordance with the public convenience and necessity—
>
> (d) Competition to the extent necessary to assure the sound development of an air-transportation system properly adapted to the needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense.

So it is the announced policy of Congress that the Board shall encourage competition wherever it is possible to do so.

Mr. Berle made another very interesting statement in this connection. He said:

> I think probably if this attempt to create another international air company fails it will be a very long time before anyone tackles it again. It is perfectly possible to eliminate a competing airline without trouble if you want to do that. Meanwhile, we do need the service.

And again he said:

> In advocating the making of the appropriation we were holding open the larger policy question. If you do not make the appropriation, then—equally—you are taking sides in a matter. It seems to me, if you make the appropriation you hold open the question of the determination of policy long enough to have an orderly and rather thoroughgoing determination of the entire picture.

I should like to inquire now, Mr. President, who is opposing this appropriation?

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ELLENDER. Before proceeding into that matter, I wish to say that I have before me the minority views in the matter, and I notice, on page 2 of the minority report, it is said that the Pan American Airways, if given the opportunity, would add one or more ships to the service, for which the cost to the Government would be $9,000 each, whereas if it is given to the American Export Airlines the cost will be $29,418 for each ship. Will the Senator explain that?

Mr. HAYDEN. Yes. The proposal is not to pay $29,418 per trip but $21,000. What the Pan American Airways proposes to do is to charge all its overhead to the previous three weekly flights and then make a cheap rate for one fourth flight.

Mr. ELLENDER. But the cost to the Government would be about $9,000, and that is what we are interested in, in contrast to $29,000.

Mr. HAYDEN. I am trying to tell the Senator how the Pan American Airways can do it that way. They charge all of their overhead to the previous high-priced flights. Their first flight cost the Government more than this new company proposes to receive for its first flight. But we asked the Army and Navy directly whether that difference in cost was advisable, whether it would not be an advantage to the Government to pay a little more to get a new company into the business, and their answer was "Yes"; and that when we are spending

billions of dollars for national defense, and when we cannot tell what is going to happen in the world, it is worth the difference between what is paid per trip to have another organization in this country engaged in transoceanic mail activities.

We will have new men thinking about the matter; new men will be employed to fly the ocean, and, if we should become involved in any kind of trouble, we would have their expert advice and assistance. That it is worth the money, from the point of view of national defense, is the testimony of the Army and Navy, even though it costs a little more.

Mr. ELLENDER. Would it actually cost as much more as is indicated in the views of the minority?

Mr. HAYDEN. No; the proposal is to pay $21,000 rather than $29,418.

Mr. ELLENDER. Has the Senator any information to give to us as to how much more it will cost if we permit the American Export Airlines to establish this service, rather than the Pan American Airways?

Mr. HAYDEN. For the particular trip it would cost the difference between $9,000 and $21,000. On the face of it, that is shown. But the contention of the War Department and the Navy Department is that it would be worth the difference to have in this country another organization engaged in this activity if we should get into trouble.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HOLMAN. In speaking of competition, does the Senator make any distinction between regulated competition and free competition?

Mr. HAYDEN. There is no regulation of any foreign competition. Any American shipping company which sends ships to various parts of the world must compete with foreigners. There is no attempt on the part of the Maritime Commission to regulate foreign shipping rates. The same thing is true of air rates. I never heard of any country putting any regulation upon what its air carriers should charge in flying to a foreign country. Competition with foreign air lines is supposed to govern the rates.

Mr. HOLMAN. I doubt if the Senator understood the purport of my question. To my mind there is a distinction between free and open competition and regulated competition. As I unterstand, all that would be accomplished by the bill would be merely a division between two companies seeking the available business. The public would not benefit in any way whatsoever from improved service or reduced rates.

Mr. HAYDEN. Competition produces better service.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TYDINGS. I do not wish to interrupt, but I think it is only fair to point out, in further answer to the question raised by the Senator from Louisiana [Mr. ELLENDER], that the planes of the Pan American Co. go faster and carry more passengers than do the planes of the American Export Airlines. The Pan American planes fly at a cost of $9,000 a trip, as against an estimate of $21,000 a trip for the planes of the other company. However, the $9,000 Pan American plane goes more quickly and carries a greater load. So, from the standpoint of every consideration of service, the cheaper plane renders the greater service.

Mr. HAYDEN. The Army and Navy look at the other side. The planes which are to be used by Pan American are primarily based upon an Army design. They are land planes. The exceedingly fast new planes which have been discussed, and which are capable of flying from New York to London in 10 hours, are land planes. I have no doubt that "gadgets" could be attached to them so that if they should land on the water the passengers would be safe; but the planes could never rise from the water. On the other hand, the design of the American Export Line carrier is based upon a naval plane, which is designed to land on the water and rise from the water. We go to one set of designers for one kind of a plane and to another set of designers for another type. We go to one manufacturer to make one kind of plane and to another manufacturer to make another kind. There is competition in design and competition in the planes themselves. The planes we are now talking about are not the latest word in planes. There will still be improvements. It is advantageous to have in this country more than one firm or corporation engaged in the business, so that there may be competition in improvement.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WILEY. In connection with the Senator's remarks, he used the word "monopoly." I have just been examining the minority report. Some time ago we had a discussion on the floor by the Senator from Wyoming [Mr. O'MAHONEY]. In that connection it seems to me it is brought out in the minority report that at this time the American Export Steamship Lines have practically a monopoly on conveying passengers between America and Europe. Is that correct?

Mr. HAYDEN. Yes. That is because of the war.

Mr. WILEY They are essentially a steamship line, I take it?

Mr. HAYDEN. That is true.

Mr. WILEY. The purpose of the amendment is to broaden their scope, not only as bankers but as carriers of passengers in steamships, and to put them into the additional field of competing with the Pan American Line. Is that true?

Mr. HAYDEN. Yes.

Mr. WILEY. One further question. Is it not true that in normal times we have competition from French, English, and German airships coming to America?

Mr. HAYDEN. Certainly.

Mr. WILEY. Still the Government is of the opinion that at this time we must interject another American line into the picture.

Mr. HAYDEN. It is felt that it is advantageous to the Government to do so. That is the finding of everyone connected with the American Government having any authority to pass upon the question. There is one agency which I have not mentioned to which this matter was not referred when the certificate of convenience and necessity was issued. I refer to the Maritime Commission. The United States Martime Commission made an economic survey of the American merchant marine. Let me read from the report:

> The addition of aircraft to the fleets of shipping companies now seems to be justified. Just as sail gave way to steam, so may the steamship give way to aircraft for fast express service. The oceangoing flying boat or dirigible is really another vessel—a much faster vessel and one that is likely to be cheaper to operate. Not to make use of this new kind of equipment may prove shortsighted to express shipping companies.

Further—

> There is a belief among shipping men that one American company has acquired a practical monopoly of transoceanic flying. This has not been established. Due to its being first in the field, this company was able to negotiate many "air rights" agreements with foreign governments. These agreements, however, will probably be supplanted by treaties between our Government and the various foreign nations, so that America's foreign air-trade field may properly be opened to all of our citizens.

The Maritime Commission thinks that it is entirely proper for a steamship company to be interested in air lines and that there is no conflict of interest in the matter.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BAILEY. Whatever the Maritime Commission may say—and what it said in the report was probably a matter of opinion—there is, as a matter of fact, a conflict of interest between shipping lines and air lines. They are in direct competition. If we turn over to shipping lines the carrying of the mail, we shall not have any air lines; the shipping lines will preempt the field. I think it is almost analogous to turning over truck transportation to the railroads. We can have one if we wish, but we cannot have both. The amendment is a proposal to subsidize not only a shipping line, but a banking house, Lehman Bros.

Mr. HAYDEN. Admiral Land, Chairman of the Maritime Commission, is on record as saying that there will be no violation of either the intent or the letter of the Merchant Marine Act of 1936 if this appropriation is made and the proposal is carried out.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I should like to complete my reply to the Senator from Wisconsin.

Mr. TYDINGS. The Senator does not wish to leave the Senate under the impression that Admiral Land favors a departure from the air-mail situation which we have been discussing. Admiral Land said before our committee—and if the Senator wishes, I can read the exact words—that, so far as he was concerned, in the international field, where American lines must compete with foreign lines, his own opinion and the opinion which he would recommend was that there

should be only one American line running from the United States to a foreign port. To have two American lines running to a foreign port, competing with each other, against one foreign line competing with nobody coming from the other end, would be inadvisable. Admiral Land strongly opposed it, and so told the committee in the hearings on the bill.

Mr. HAYDEN. Nobody connected with the Government of the United States has advocated anything else as a permanent policy. The policy of the Government now is to do with the air lines exactly what we do with the steamshipping companies, that is, to grant a monopoly so far as postal subsidies are concerned to a particular line in a particular area. One steamship company has a monopoly with respect to mail pay across the North Atlantic, another to the Mediterranean, another to the east coast of South America, another to the west coast of South America, and another across the Pacific. It may last just as long as Mr. Hitler makes up his mind to stay out of Spain and Portugal, and this whole problem will be wiped out whenever he goes down there. But it is conceded and demonstrated that there is enough business for five trips a week across the Atlantic, four of which will be made by Pan American, and one by the Export Company, as a temporary matter only. When the trouble in Europe is over, Pan American Airways will go back to the route that was granted to it across the North Atlantic. There can be another air route to the Mediterranean, just as there is in shipping; there can be one to South America, and one to Asia; and the territory can be divided up.

I desire to make this one point only, and then conclude: Every governmental agency that has considered this matter favors this appropriation, and no one opposes it except the Pan American Airways. That is the only evidence of opposition there is before the House or the Senate.

If there is to be a monopoly, I want to see Juan Terry Trippe, who is the president of Pan American Airways, at the head of it. He is a very remarkable man. He was a World War aviator. He, and a few others like him, gathered up some old flying "crates" and began the business of carrying passengers between Key West and Habana. He talked people out of money. He talked governments out of concessions. He has expanded this enterprise until it extends across the Pacific as far as Hong Kong and Singapore. It extends across the Atlantic now, and all over South America. He is a very able man; and if we are to have a monopoly, he ought to be at the head of it. But that is the whole question: Do we want, by this indirect method, by denying an appropriation, to establish a monopoly? That is exactly what will happen if we deny the appropriation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TYDINGS. For the RECORD, if the Senator will be kind enough to permit me to do so, I should like to read two short paragraphs from the statement of Admiral Land touching on this point. I have not the first paragraph, but the second one is as follows:

Mr. HAYDEN. From what page is the Senator reading?

Mr. TYDINGS. From page 105:

Admiral LAND. Well, I gave you my heart's blood on my ideas of monopoly on sea transportation very definitely and very positively; that foreign flags will always give American flag operators all the competition they want and more than they can stand, so, therefore, I consider that in normal times foreign airline operators will always give American air operators all the competition they can stand, and more, and these United States, on the basis of standard of living, will have to subsidize that form of transportation not only now but also indefinitely in the future.

Senator TYDINGS. In order to survive?

Admiral LAND. In order to survive.

Senator TYDINGS. Now, Admiral, I do not want to put words into your mouth, but in order to retain what I have in my mind, I think what we all get from your testimony is that we ought to have a policy which is calculated to permit the American lines, whether they are on the sea or in the air, to exist in competition with foreign lines.

Admiral LAND. That is correct; that is my theory.

Mr. HAYDEN. And then the admiral said:

* * * I want you gentlemen to know that I am speaking as Jerry Land on that, and not as the Maritime Commission.

The Senator from Massachusetts [Mr. LODGE] said:

Admiral, speaking in either capacity, is it not also true that in abnormal times when there is no foreign competition, it might be—I do not say it is—perfectly justifiable to have a policy for that period which you could then change when normal conditions resume?

And Admiral Land replied:

Yes.

Senator LODGE. And the fact that you are considering bringing about competition for the American Export Lines is proof of that possibility?

What I am trying to say to the Members of the Senate is that the certificate of convenience and necessity issued to the American Export Airlines is for this emergency only. It is temporary, and it is to meet a condition whereby our air communication with Europe is concentrated at the port of Lisbon, in Portugal. No other port is open, and there is business enough there for all. Immediately the situation changes in Europe, the Senate and the House of Representatives can pass upon the question of whether or not there shall be a monopoly.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BARKLEY. What is the life of the certificate of convenience and necessity?

Mr. HAYDEN. It is temporary; that is all.

Mr. BARKLEY. Does it have to be renewed from time to time?

Mr. HAYDEN. No.

Mr. BARKLEY. Is there a particular, specified length of time during which it shall run?

Mr. HAYDEN. No; it reads "temporary"; that is the only word used. Apparently it is granted on this basis:

A certificate of public convenience and necessity authorizing it, subject to the provisions of said certificate, to engage in temporary air transportation with respect to persons, property, and mail between the terminal point New York, N. Y., and the terminal point Lisbon, Portugal.

And then, again:

A certificate of public convenience and necessity authorizing it, subject to the provisions of said certificate, to engage in temporary air transportation with respect to property and mail between the terminal point New York, N. Y., the intermediate point Horta, the Azores, and the terminal point Lisbon.

The testimony before the committee is that the term "temporary" means during the existing war in Europe, when everything is out of joint, and that as soon as normal conditions are resumed this whole matter will be reviewed by the Civil Aeronautics Board.

Mr. BARKLEY. Let me ask another question. The Senator may have answered it in stating that there is a monopoly in certain shipping routes with respect to mail. Does the Senator mean that during normal times prior to the war, when the American Export Steamship Co. operated a fleet of vessels into the Mediterranean and back, it competed with other ships? There were other ships carrying passengers and freight into the Mediterranean; but was the American Export Line the only one that had a mail contract with the Post Office Department?

Mr. HAYDEN. It was the only one that had a mail contract to carry mail east and west across the Atlantic to certain ports. There was a round-the-world line, the old Dollar Line, now known as the President Line, that went through the Suez Canal and picked up some mail at Genoa and at Marseilles and at some Spanish ports; but the American Export Lines was the only United States line that had an absolute monopoly so far as carrying United States mails across the Atlantic to Portugal was concerned.

Mr. BARKLEY. Getting back to the Mediterranean, no other ships carried mail, or at least they got no subsidy?

Mr. HAYDEN. They got no subsidy from the United States. There was another line that went into the Mediterranean, but only one subsidy was paid or recommended by the Maritime Commission.

Mr. BARKLEY. The Italian Line carried mail from Italy to the United States.

Mr. HAYDEN. But it received no American subsidy.

Mr. BARKLEY. It received the regular postage.

Mr. HAYDEN. There was another American line that visited the Mediterranean, but it received no subsidy.

Mr. BARKLEY. This is what I have in mind: Ordinarily I have great sympathy with the position that one form of transportation ought not be given the right to control another form of transportation, and when this matter first was discussed I thought of it along that

line. The Senator from Arizona and I recall, however, that when the Senate passed the bus and truck bill, which is now the law, we authorized the railroads to own and operate, in certain instances, busses and trucks.

Mr. HAYDEN. That is true.

Mr. BARKLEY. And now they are operating them. So I wondered whether there is any analogy between what we have already done with respect to railroads and trucks and busses and what is proposed here as between the American Export Steamship Co. and the American Export Airlines. Is there any analogy between the mother company, the steamship company, and this air line, and the railroads and busses and trucks?

Mr. HAYDEN. If there is, it is a case of the pot calling the kettle black.

Mr. BARKLEY. In other words, if we have done it in the case of one particular form of transportation, is that a good reason why we should or should not do it in another case?

Mr. HAYDEN. The Maritime Commission found that there was no reason why it should not be done.

Mr. TYDINGS. Mr. President, will the Senator yield there?

Mr. HAYDEN. Yes.

Mr. TYDINGS. Let me point out to the Senator from Kentucky that the American Export Lines had a monopoly between the United States and Lisbon. That is the concern that is now asking for authority to go into the air as well.

Let me give the Senator this point of view: There was a time when the United States Lines wanted to operate on the American Export Lines' route in order to bring back passengers. Before they were allowed to operate on that route the American Export Lines made the United States Lines pay them some $400,000 for the privilege of operating back and forth on their route over the ocean. I submit that if they collected it because some other American line operated over the route of their own sea-borne monopoly it does not lie in their mouth to come in and complain about somebody else's monopoly, particularly when the company having that monopoly is not charging them anything.

Mr. BARKLEY. I am not particularly impressed by anyone's desire for monopoly.

Mr. TYDINGS. Neither am I.

Mr. BARKLEY. As a matter of fact, I am opposed to monopolies; and it is inconceivable to me that the time will not come when it will be necessary to have more than one air line to carry mail across the Atlantic Ocean as well as more than one steamship line to carry mail and passengers.

Mr. HAYDEN. Right there the Senator comes to the very crux of this situation. Mr. Trippe appeared before our committee and very frankly stated that there should be but one company handling all transocean flights from the United States—only one.

He very persuasivly cited the experience of England, France, Germany, Italy, and, altogether, of 26 countries of the world, many of which tried having air lines fly to different sections of the world, just as we do with our ships; but he said that the foreign competition was such that they all were compelled to support one air-mail monopoly. He therefore argued, that being the case, that we should not even try the experiment of competition, that we should now give him the monopoly. All the authorities of the Government that have considered this question have decided that there should be some competition across the Atlantic, and therefore the only way Mr. Trippe can accomplish his monopolistic purpose is to defeat this appropriation.

Mr. BARKLEY. Mr. President, may I ask the Senator a question there?

Mr. HAYDEN. Certainly.

Mr. BARKLEY. Did the Senator understand, and am I to understand, if this new line had no connection whatever with the American Export Steamship Co.—suppose it were called the Hayden-Barkley Air Line and had no connection whatever with the steamship company in question or any other steamship company—that the Pan American Airways would still oppose granting any company, whether independent or not, the right to carry mail?

Mr. HAYDEN. There is no question about it at all. Mr. Trippe was very frank on that point. His testimony covers a number of pages in the record. He is smart enough to know, if I may be permitted to say so, that if the Pan American Airways have sufficient influence with the Congress of the United States to prevent this appropriation being made at this time he will not be bothered with any competition for a long time to come.

Mr. BONE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. BONE. I should like to have the Senator tell me how much the Government pays the Pan American concern for hauling the mail?

Mr. HAYDEN. Altogether the Pan American concern is receiving by way of subsidy from the Government about $87,000,000.

Mr. O'MAHONEY. Mr. President, will the Senator from Arizona yield to me on that point?

Mr. HAYDEN. Yes. I think the Senator from Wyoming, perhaps, has the figures.

Mr. BONE. I am interested in the rate per pound for hauling this mail. What is paid for that?

Mr. HAYDEN. The company is paid for the first trip about $21,600, carrying a basic load of 1,600 pounds of mail across the Atlantic. If there is more than 1,600 pounds, they get $4 a pound on top of that, and on one very heavy load on December 18, 1940, the total income for the trip was between $60,000 and $70,000.

Mr. BONE. Is this payment intended to bear any relation whatever to the operating cost of the company or is it intended as a sort of gift or lagniappe of some sort? We had one very smelly mess growing out of such a transaction.

Mr. HAYDEN. The company could not operate successfully unless it was paid for this service, and the Federal Government acquires very substantial revenues from the postage paid, so it is not entirely a gift.

Mr. BONE. I understand that; but I am wondering if what the Government is paying is more than enough to offset the cost and is really intended to cover the expense of the line and afford them a profit.

Mr. HAYDEN. I think the Senator from Wyoming perhaps may be able to answer the question better than I can.

Mr. O'MAHONEY. The figures I have are a complete answer to the Senator's question and illuminate this case as well as one could expect. During the period ending December 1940 the Pan American Airways received from the United States, directly and through its subsidiaries and associated lines, the sum of $90,335,928.44. That is a subsidy. In the same period the total passenger revenue of these lines was $36,213,500, and the total express revenue was $2,812,400. The fact of the matter is that the Pan American could not operate without the air-mail subsidy. It is a frank subsidy. It is given by the people of the United States in order to maintain the line. To me, one of the most extraordinary features about this contest which has reverberated from one end of the Capitol to the other is that a great organization which has been the beneficiary of the largess of the Government of the United States should be undertaking to prevent the Government of the United States from permitting another line to operate.

Mr. HAYDEN. The reason for that is very simple. The only line, American Export Airlines, started about 4 years ago with the idea that they might fly the Atlantic. They made experimental flights; they hired the best talent they could; they contracted for ships; they have spent between two and three million dollars up to now, and they have contracts for ships involving a couple of million dollars more. After obtaining a certificate of convenience and necessity, after having the proper agencies of the Government pass on it and give them the "go" sign, the green light, the last step ordinarily would be merely the routine matter of an appropriation to pay their share of the air-mail cost. If the Congress refuses to make the appropriation, will there ever be another company which would attempt this venture? As a business proposition, if this company were turned down by Congress through the influence of the Pan American Airways, can any Senator conceive of another group of American citizens, perhaps not connected with a steamship company, going to all the trouble and all the expense of spending 3 or 4 years' time and a couple of million dollars on such an undertaking, and then, at the last moment running the risk of having Congress knock them out? No other company will start such a program, and that is what Mr. Trippe is smart enough to know. If this appropriation is killed, he has a monopoly which cannot be broken.

Mr. BARKLEY. Mr. President, may I ask the Senator a question in connection with that suggestion?

Mr. TYDINGS. Mr. President, will the Senator yield to me? I have been trying to get the floor for some time.

The VICE PRESIDENT. To whom does the Senator from Arizona yield?

Mr. HAYDEN. I yield first to the Senator from Maryland.

Mr. TYDINGS. The Senator from Wyoming and the Senator from Arizona both know that the Post Office Department, testifying before the Appropriations Committee, said that the revenue from the sale of air-mail stamps was larger than the subsidy. So why make it appear as if no service was being rendered by the company?

Mr. HAYDEN. I made no such statement.

Mr. TYDINGS. As a matter of fact, the Government is making money on the Pan-American service. It is not giving the Pan American anything by way of a subsidy for which Pan American does not render service. It is like the Senator from Arizona, who represents his State and draws his salary as a Senator but renders full service. From the Pan American more money comes into the Treasury, because of the service of that company, than goes out of the Treasury to pay for the service. Further than that, let me say that Mr. Trippe, in testifying before the committee, objected to the competition of another American concern on this particular line, that is one thing. Let the Export Airline go into some other service where an American concern is not now operating.

Mr. HAYDEN. Where is that other service? There is not any.

Mr. TYDINGS. In my opinion, it is not likely, by the time this appropriation becomes effective, that any air line will be running to Europe.

If that is the nebulous condition of Mr. Trippe's investment up to the present time after pioneering in this field, if he is going to have it for only 2 or 3 months and then lose it all, that is another reason why he ought to have a fair deal.

Mr. HAYDEN. The advantage that Mr. Trippe has and that another company does not have is shown, for example, in the air-mail service conducted by the Pan American which was extended from Manila to Singapore. In order to do that they had to reduce the service to Hong Kong. So they have a very widespread network on which they can use their equipment and airships which it may be necessary to take off other discontinued lines. This method reduces overhead and operations costs.

Mr. TYDINGS. Yes; but why leave the Senate under the impression when the Senator from Wyoming states the imposing figure $90,000,000, that the Pan American does nothing for it, as if we do not sell air-mail stamps for which the public pay and which, in turn, pay the subsidy? The impression left by the Senator from Wyoming was that Pan American gets $90,000,000 and does absolutely nothing for it, and does not put a dollar into the Treasury.

Mr. BARKLEY. Mr. President——

Mr. O'MAHONEY. Mr. President, will the Senator from Arizona yield to me?

The VICE PRESIDENT. To whom does the Senator from Arizona yield?

Mr. HAYDEN. I yield first to the Senator from Kentucky.

Mr. BARKLEY. I want to ask the Senator from Wyoming if he has the figures showing the receipts of the Post Office Department for air-mail stamps over the route for which the Government is paying $90,000,000?

Mr. O'MAHONEY. I do not have those figures; they may be in the RECORD, but the obvious answer to the Senator from Maryland is that the Post Office Department is operating at a deficit.

Mr. TYDINGS. Not on this line.

Mr. O'MAHONEY. If it be true that the income from all the air-mail stamps is greater than the outgo, then one of two things should be done: Either the rate of air-mail postage should be reduced so that the public would not have to pay the excess amount, or a rate should be maintained where it is so as to operate to cut down the postal deficit.

Mr. BONE and Mr. TYDINGS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield, and, if so, to whom?

Mr. HAYDEN. I yield first to the Senator from Washington.

Mr. BONE. Mr. President, I have not had the privilege of reading the record to which reference has been made; but I should like to ask the Senator from Arizona or the Senator from Maryland, if he knows, how much investment the Pan American Lines have in airships on this route.

Mr. TYDINGS. I shall be delighted to answer that question.

Mr. BONE. Will the Senator from Arizona permit that to be done?

Mr. HAYDEN. Yes.

Mr. TYDINGS. Tomorrow I shall put in the RECORD all those figures. For the moment, let me say that the Senator from Wyoming [Mr. O'MAHONEY], who rose here with all the atmosphere of Webster and enunciated the $90,000,000 figure as so much cost to the American Government, now says in his own words that he was mistaken, because it is not so, and we ought to reduce the rates, because it is not necessary to charge that much in order to carry the mail.

Mr. O'MAHONEY. Mr. President, the Senator from Maryland is quite an artist in twisting the issue. No such statement at all was made by the Senator from Wyoming, and no such admission, as the Senator very well knows. The Pan American Airways Co. has received as a gift, a subsidy from the Government of the United States, $90,000,000.

Mr. HAYDEN. And without that subsidy it could not have existed; and neither can the other air line cross the Atlantic without having some compensation for carrying the mail.

I wish to conclude my remarks by trying to impress upon the Senate the fact that there is involved in this issue a large question, a very profound question of public policy. Do we want to have a complete monopoly in the hands of one company for the transportation of all overseas mail from the United States to all parts of the world? That is what the Pan American Airways wants. That is what its president very frankly says he wants. He says it is the proper thing to do, based upon the experience of other governments. The State Department, the Post Office Department, the Civil Aeronautics Authority, and every other agency of Government having anything to do with this matter, say that that is not our way of doing things; that we believe there should be various air-mail lines to various parts of the world, with monopolies over the particular lines, but that the whole business should not be in the hands of one company.

Unfortunately, we are compelled to decide that question on an appropriation bill. The place where the question should be considered is before the Senate Committee on Commerce, presided over by my good friend from North Carolina [Mr. BAILEY], and a like committee in the House of Representatives. If we allow this smaller company to engage in the business, and the Committee on Commerce and the Senate ultimately decide in favor of monopoly, it will be easy enough to consolidate the various competing companies and get them out of the way; but if they are never allowed to start, we shall have a monopoly without any due consideration whatever. It is my judgment and the judgment of all those who have passed upon this question in any official manner that the way to keep the door open is to allow some competition at a point where competition can take place without injury to the other party; and that is exactly the situation here.

Mr. BONE and Mr. CHAVEZ addressed the Chair.

The VICE PRESIDENT. Does the Senator from Arizona yield; and, if so, to whom?

Mr. HAYDEN. I yield first to the Senator from Washington.

Mr. BONE. Mr. President, my reason for asking about the investment was to ascertain how many planes this outfit have in service. Is the number three or four?

Mr. HAYDEN. They have enough planes, not extra good planes, at the moment.

Mr. BONE. I am talking about the Pan American concern. What do their planes cost?

Mr. HAYDEN. I have no idea. They are buying some new Boeing planes. They contracted for six of them, because the planes they have in operation now are not capable of flying the Atlantic nonstop.

Mr. BONE. Do those planes cost in excess of a million dollars apiece? Suppose they have five or six of them: That is a five- or six-million-dollar investment. Does that involve an expenditure of $90,000,000 a year?

Mr. HAYDEN. Oh, no; that is not a fair comparison.

Mr. BONE. I am taking the over-all figure. I have no feeling one way or the other about the matter.

Mr. TYDINGS. Does the Senator want the exact cost of the planes?

Mr. BONE. Yes. I desire to know whether we want to save money or whether we are merely trying to make

the Government an agency to collect the money and turn it over to this company. If we want to save money, we ought to buy these planes for a certain amount and pay the $90,000,000 into the United States Treasury.

Mr. BAILEY. It goes into the Treasury now.

Mr. BONE. It goes into the Treasury and goes right out again. I am talking about putting money into the Treasury and keeping it there.

Mr. TYDINGS. Does the Senator want me to give him the figures?

Mr. BONE. Yes.

Mr. TYDINGS. The three double-deck ocean transports, with four engines, 6,000 horsepower, weigh 82,500 pounds, gross weight. That is the Boeing 314 type. They cost $2,025,000 apiece. In addition to those three double-deck planes, the Pan American has six double-deck ocean transports on order, of which I think three have been given to Great Britain.

Mr. HAYDEN. That is correct.

Mr. TYDINGS. So there are three to come. They cost $5,100,000. They are planes of 6,200 horsepower. They weigh 84,000 pounds, gross weight. They are substratosphere ocean transports. They develop as high as 10,000 horsepower. That gives the Senator some idea of the cost of the planes.

Does the Senator want the American Export Air Lines costs, so that they may be compared?

Mr. BONE. No.

Mr. TYDINGS. The Export Airlines planes are very much cheaper than the Pan American planes, because they are not so fast, they are not so large, and they are not so modern.

Mr. HAYDEN. Let me say to the Senator from Washington that as far as concerns the class of service to be rendered and the advantages to the Government, we have no quarrel with the Pan American Airways. It has done a wonderful job in a very fine way. The sole question is whether we will now decide, by denying this appropriation to a competitor, that Pan American shall have for the immediate future, at least, a monopoly, and do it in this way.

Mr. BONE. I understand that; but let me say to the Senator from Arizona that I was concerned with whether or not the $90,000,000 payment brought this concern an enormous profit to which it might not be legitimately entitled.

Mr. HAYDEN. No.

Mr. BONE. Does it take $90,000,000 to operate this service?

Mr. TYDINGS. I will give the Senator those figures tomorrow in great detail if he would like to have them. Suffice it to say for the moment that Pan American has never in all its history declared over a 2-percent dividend. It has been a pioneering concern. It has plowed everything in. Furthermore, the present line across the Atlantic has not shown a profit up to this time. As a matter of fact, it is quite unlikely that Pan American will ever make a nickel out of the Atlantic line if the war continues the way it is heading now. After all the money they have expended in pioneering, after all the millions they have spent, after all the chances they have taken, they probably will have a deficit.

Mr. HAYDEN. Mr. President, I have no desire to detain the Senate further. I merely wanted to point out that this is a poor way to determine a national policy with reference to a transocean air-mail monopoly. If we are to have one, that matter should be determined by the legislative committees of the Congress in an orderly way, and in the meantime we should allow a little competition; but if we kill off all forms of competition by this last-minute way of denying an appropriation, the monopoly is established, and there will be nothing left for the Congress to do but abide by it.

Mr. BAILEY. Mr. President, I should like to commend the Senator from Arizona [Mr. HAYDEN] and then complain a little of him.

When it was stated here just now that he was the means of taking more money out of the Treasury than he puts in, I felt that somebody ought to come to the rescue. I think he is invaluable to the Senate and to the country, and that we could not possibly measure his services by the salary he receives. He is the source of a great deal more wealth to his country than $10,000 a year.

Now I am going to complain of him for making this remark. He says:

> Shall the Congress permit the Pan American Airways Corporation to sway it and prevent it from letting out this additional contract to the Export Airlines?

That is not the question at all. I think the representatives of both the companies have been about the Senate. I think the Export Airlines gave a dinner to the newspapermen; but I would not say that that influenced the newspapermen.

The American Export representatives came to see me, and I was glad to see them. I would not mind calling their names, and I believe I will, since the name of the representative of the Pan American has been called. There was Mr. Hancock, and then Mr. Hitchcock, the famous polo player, the greatest in the world, I believe, an excellent gentleman. I would not complain of him.

I discussed the whole matter with those two gentlemen, first alone with Mr. Hancock, and subsequently with Mr. Hancock and Mr. Hitchcock. I did not think about responding to pressure. I was glad to get the facts, and I was glad to tell them what I felt. I believe those things are in the natural course.

Mr. Trippe came to see me also. I think Mr. Trippe came twice, and I got the facts from him. Mr. Trippe is the president of the Pan American. But to interpret his visit as pressure, or to interpret my action as indicating that I was governed in the interest of the Pan American or by the Pan American, is at least an absurdity, in my mind.

Mr. HAYDEN. Mr. President, that is the last thing in the world I would say. The Senator is just as I am; I am not afraid to talk to any kind of a lobbyist. I have been here long enough to know all about their wiles.

Mr. BAILEY. I understand the Senator. I have already defended him, and I will defend him again.

Mr. HAYDEN. I merely want to say that there is no such idea in my mind as that anybody was influenced. Mr. Trippe was perfectly frank about the matter. He wants this monopoly, and he knows he will get it if competition can be prevented by defeating this appropriation.

Mr. BAILEY. It is not a case of Congress responding to pressure. Congress is going to look at the merits of the question, and I am going to look at the merits of it, and I wish to get to the merits of the proposition.

I think we have cleared the matter now about these representatives coming to see us. I think they had a right to come. It is the right of petition.

There has been a great deal in the newspapers about the matter, in the columns which are written by the columnists, the new type of American journalism, concerning which I do not complain at all. I think the columnists are about to take the places of the editors. I should very much dislike to see the editors go, I myself am an old editor. I have gone in that respect. But the columnists have their place. They sell their columns, and it is all right.

There was a period when every time I picked up a newspaper I found some column about the Pan American monopoly. I wonder about the coincidence. But I am not impugning anyone's motives, nor am I impugning any column or columnist. The columnists were writing in good faith, I take it.

The word "monopoly" seems to have a strangely malicious power in the minds of people, and I wonder why? Every air line in America has a monopoly. We do not put two air lines on one route. Practically every streetcar company has a monopoly. Every electric-light company has a monopoly. The policy of the country is the policy of monopoly, in certain respects. Every railroad has a monopoly. We do not permit parallel lines to be built. The old Richmond, Fredericksburg & Potomac road, from Richmond to Washington, always has had a monopoly. No other company traverses that route into Washington, except by permission upon payment.

Regulated monopoly is a part of the policy of the country. We do not complain. It is true as to the local power companies, it is true as to the electric-light companies, the transportation companies, and so on. It is true of the truck lines, it is true of the air lines. Let us get out of our minds the idea that merely because something is called a monopoly it is terrible.

Coming to Mr. Trippe's proposition, I was present when he testified. He was put on the spot by a very able Senator, who asked him the particular question whether he insisted on having a monopoly of the foreign air service. Ne said "No"; that that was a matter for Congress. That will be found in the record, if the reporter reported it accurately. He said:

> That is a matter for you gentlemen to determine, but I will add this—

This is what he said:

Wherever other countries have had experience in this matter of foreign air transportation, they have always come down to one company.

He mentioned 26 countries, and he mentioned countries which had tried sustaining 2 but had always failed; and why? Mainly because having 2 subsidized companies is contrary to sound economics. We do not have 2 subsidized shipping companies to Lisbon; we have only 1, the American Export Line. In other words, we do not have one subsidy competing with another. That is all there is to that.

He said he thought that if we tried to sustain two foreign lines we would be taught the same lesson other nations had been taught; and I think that is as far as Mr. Trippe went. I am rather inclined to think he is right about that. Very probably we would come down to one company, because, after all, as the Senator from Wyoming says, these companies derive their source of livelihood largely from the mails and from the allowance made by the Government. We allow them so much a mile for carrying the mail; we pay for that and get the money back from the sale of stamps. It is really costing us nothing, but that is because we charge enough for the stamps to justify the traffic. We can always control them; they are utterly dependent upon the Congress.

If Mr. Trippe did get his monopoly, how did he get it? He was a pioneer, and all pioneers have monopolies. The man who discovered gold in California had a monopoly for the time being. He was a pioneer. He was the first one there. The Pan American was the first American air-transportation company to undertake foreign service.

The Pan American went out on its own capital, at its own risk, under the leadership of this remarkable man. I notice Senators always testify to Mr. Trippe's fine qualities and his great capacity. He is a young man, a pilot. He was a poor man. He told me that he formed the Pan American with, as I recall, 11 other pilots. It was not one of these great monopolistic enterprises we so fear; it was a group of fine young men, most of whom had served in the World War as pilots and were looking for a chance to do something. They decided that the United States should be carrying passengers and mail across the Pacific and across the Atlantic. The project grew; it was a success. It has become a great company. It had no competitors, I think mainly because no one dared to undertake the things Mr. Trippe dared to undertake.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. BAILEY. I yield.

Mr. O'MAHONEY. Certainly one reason why there was no competition was, I am informed, that in practically every instance in which this company entered any foreign country it entered into a contract by which that country agreed that no other American line would be permitted to come in. Mr. Trippe placed in the record of the hearings the contract which Pan American entered into with the Government of Portugal, by which the Government of Portugal agreed, at the request of Pan American, not to permit any other American company to enter.

If I may interrupt the Senator for a moment longer, my own feeling is that when an American company receives gratuities and subsidies from the American Government, the last thing it should do is to ask foreign governments to prohibit any other American company from competing. That is one way of building up a monopoly.

Mr. BAILEY. That may all be true; it may be that they exacted concessions from other countries; it may be that in the opinion of the Senator from Wyoming and other Senators that was not quite proper. But there are considerations on the other side.

A man undertaking a great venture of that sort, paying $5,000,000 for an airplane, sending it across 10,000 miles of water, to carry the mails, and carry passengers, and carry the flag of our country, might be allowed to take certain precautions to protect himself against competition. I would not complain of that. It may be that we should change the policy in time. I will come to that. It may be that this country can be an exception to all the rules and all the precedents in this matter, different from all the other nations, and have a different experience, but I never thought that this country was so much different from any other. I think we are likely to have the same experience any other country has.

I believe I shall make a little side remark. I believe there are not a few American people who seem to think we can spend all the money in the world, and have no taxes, and then fight a war and shed no blood; but I am not fooling myself about either one of those propositions. We are not different from the people of other countries in such matters. We suffer the common fate of humanity.

Let us now go a little bit further along with this proposition. It is denounced in the law, it is against the policy of the Government, as declared in the Civil Aeronautics Act, for steamship lines to own and operate air lines. Exceptions are provided, but the policy is fixed. Are we going to make an exception to the fixed policy, and if so why? What have we to justify the exception, and if we are going to make it, are we going to make it in this particular case? These are the questions, and I shall argue them very briefly.

Should we make the exception to the general rule in this case? Agreed that the American Export Airlines have a certificate of convenience. Have Senators read the dissenting opinion in this case? It is contained in the minority views expressed by myself. I think Senators will agree that the dissenting opinion is the better opinion, but we will have to agree that two members of the Board did vote to give the American Export Airlines a certificate of convenience, "temporarily," as the Senator from Arizona said. That is as far as they went.

Mr. AUSTIN. Mr. President, will the Senator from North Carolina yield?

Mr. BAILEY. I wish to conclude my statement on this point, and then I will yield. On that point the Civil Aeronautics Board decided that the law—hear me, Senators—did not oppose the certificate of convenience to this steamship line, because the steamship line before it went into the air transportation business acquired a corporation which became an air line subsequently. I think that is a ridiculous conclusion.

The Senator from Vermont asked me to yield. I now yield to him.

Mr. AUSTIN. Mr. President, I wanted the Senator's views about the aspect to which he has alluded with respect to a temporary certificate. I should like to ask him if the committee took into consideration the Civil Aeronautics Act and the Board's policy with respect to a certificate of convenience and necessity? I understand that such a certificate as a temporary certificate does not come within the sense of the Civil Aeronautics Act, because it is the policy of the act to have the Board consider not merely present conditions, not merely conditions that existed 6 months before the issuing of a certificate, as was done in this case, this certificate being issued in July 1940, but also it is provided in section 2 (a) of the Civil Aeronautics Act, if I am not mistaken, that they must set out in the findings of facts, not only the present need and convenience, but also future benefits. In other words, the Civil Aeronautics Act, whether by accident or otherwise I cannot say, seems to differ from all other acts of Congress heretofore passed with relation to the foundation of facts upon which a certificate may be granted, in that it sets forth as the policy of the Congress with respect to civil aeronautics that there must be considered both the present immediate need as shown by current conditions—and it is in the conjunctive, instead of the disjunctive, as Senators find it in other acts—and the probable future benefits to the public.

Has the Senator considered that aspect of the matter in relation to this question?

Mr. BAILEY. Yes, I have. I think the Senator will find that excerpts of the law were placed in the record at my request.

Mr. AUSTIN. I was looking for the law.

Mr. BAILEY. If it was omitted, I should be very much surprised, because I read a good deal of it into the record.

Let us get to the question of the law. Section 408 (a) (5) of the Civil Aeronautics Act provides:

It shall be unlawful, unless approved by order of the Authority as provided in this section—

(5) For any air carrier, or person controlling an air carrier, any other common carrier—

That is, railroad or steamship company—

or any person engaged in any other phase of aeronautics, to acquire control of any air carrier in any manner whatsoever.

The Civil Aeronautics Board said the Export Steamship Line did not acquire control over an air carrier; that they

acquired control over a corporation which thereafter became one, and therefore the Board had no jurisdiction. That is ridiculous; that is an absurdity. It is what first aroused me in this matter. Read the dissenting opinion. It is printed with the minority views submitted by myself. It was that dissenting opinion, and not the Pan American Lines' representatives, that aroused me about this matter.

So much for the general policy. I am not in favor of letting railroads run steamship companies. I am not in favor of letting steamship companies run railroads; nor am I in favor of letting railroads run truck lines. They run them now only where they are allowed to run them, under very special circumstances, and to a very limited extent.

This is the general proposition. I am not in favor of starting a steamship company in the air transportation business, under the pretext that of monopoly or anything else. The consequence of the proposed action would be to destroy this great business, not only Pan American, but the whole foreign aeronautics system, by turning it over to its competitors, the steamship companies.

I am greatly interested in this matter. I am not at all interested in Pan American. I am interested in building up the merchant marine. If the railroads were trying to take charge of it, I would be fighting the railroads. I am interested in the railroads. If the truck lines were trying to take over the railroads, I would be defending the railroads. I am interested in truck lines; and if the railroads were trying to take over the truck lines, I would be resisting them.

A steamship company, in the form of a banking house, enjoying a monopoly, raises the pretext of monopoly pretty much as a highwayman puts a mask on his face while he puts his hand in his victim's pocket. The steamship company raises the pretext of monopoly while it is enjoying a monopoly. It puts on an advertising campaign in the newspapers against Pan American. I myself saw the advertisement in Time magazine. It talks about monopoly while it now has a monopoly to Lisbon by steamship. When American lines, such as the President Lines and the United States Lines, asked the humble privilege of going to Lisbon and picking up refugees whom the Export Steamship Lines could not accommodate, the President Lines were required to pay a bonus of $48,000 to American Export Lines, and the United States Lines were required to pay $386,000 for the privilege. When the American Export Lines talk about monopoly, I will not hear it.

Not only that, but it is after a monopoly of mail. It now has a monopoly of mail by steamship. It is the only company which can now carry American mail to Lisbon. That means practically to Europe. The American Export Lines now has a monopoly of about 72 percent of all the mail to Lisbon.

It now comes here and asks for an airline subsidy from the Government in order that it may divide the remaining 28 percent of the mail. It would receive 14 percent in such a division, and the total with respect to which it would exercise a monopoly would be 86 percent.

Let me ask a further question. Should we make the proposed appropriation and allowance to this particular company? This particular company is plainly a banking house. Who owns American Export Lines? Lehman Bros., of New York City, a very good banking house, I understand. I make no complaint against it. I have never dealt with it. I know nothing about it, but I think its standing is very good. Lehman Bros. own 70 percent of American Export Lines. What are they getting out of American Export Lines? We had a hard time with our merchant marine. We are paying very considerable subsidies. I wonder if the Senate would be interested in knowing how much American Export Lines was allowed to make under the Maritime Act of 1935. In 1938, 1939, and 1940 American Export Lines enjoyed a subsidy totaling $4,000,000. That is the operating subsidy. In that period, under the law, it was allowed, under the 10-percent clause, to make $848,000. How much did it make? It made $8,500,000. It made it by reason of our subsidy. It made twice as much as the subsidy, and yet it comes and asks for another, and talks about monopoly.

That is not all the subsidy American Export Lines received. I asked Admiral Land to give me not only the operating differential subsidy, but also the construction subsidy which that company enjoyed during the period referred to. During that period American Export Lines had a construction subsidy of $7,798,000. It made $8,500,000 extra while enjoying a subsidy, in round numbers, of $12,000,000. It holds up its hands and says, "Pan American is trying to influence the Congress. Pan American is a monopoly and we are the innocent victims."

Hear me, Senators. If we let American Export Lines have its way it will destroy subsidies for ships, and destroy foreign air transportation. We will not stand for its policy. I told its representatives so, and I begged Mr. Hancock and Mr Hitchcock to let this matter rest, saying that as chairman of the Committee on Commerce I wished to maintain the policy that both the air lines and the steamship lines should be separate and independent. I called attention to the subsidies which they enjoyed, and told them that if they pressed the fight I would place the facts in the RECORD and go to the country on the facts. What I am doing is not primarily in the interest of Pan American. It is in the interest of air transportation. It is in the interest of keeping the steamship companies and the banking houses out of air transportation.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. HAYDEN. On page 79 of the hearings we read that Pan American-Grace Airways, Inc., is owned 50 percent by the Pan American and 50 percent by the Grace Steamship Co.

Mr. BAILEY. I am glad the Senator called attention to that fact. That is a mere "end on" line down in South America. That situation was forced.

Mr. HAYDEN. If it is wrong in principle for a steamship company to be interested in an air line across the Atlantic, does not the same principle apply in South America, in the Pacific, and elsewhere?

Mr. BAILEY. I think so; but if it be wrong in principle in the interest of the Grace Line, it is wrong in principle in this instance. In God's name, let us not confirm and ratify the wrong. That is the answer.

Let us take another little step. It is said that additional trips across the sea from New York to Lisbon are needed. Granted that that be so; Pan American is preparing to make additional trips at a cost of $9,000 a trip. That is in the RECORD. What would it cost for American Export Lines to make the additional trip? Twenty-one thousand dollars. It not only asks for a monopoly of the steamship traffic to Lisbon; it not only seeks a monopoly in carrying the mails to Lisbon by air and water, but wants us to pay it $21,000 for doing what can be done by the other company for $9,000. That information is in the RECORD.

Mr. President, so far as I am concerned, that is the case.

Mr. ADAMS. Mr. President, I should like to obtain some information from the Senator from North Carolina, if he has it. Does the Senator have any information as to the approximate cost of a trip across the Atlantic by air? My inquiry is prompted by the fact that one company is asking $21,000 for the trip, and the other company is asking $9,000. What is the actual cost to the company? I understood several elements were involved. I assume the $9,000 covers actual cost of a flight by either company; that is, I assume that it costs as much for one to cross the Atlantic as for the other; and I am wondering why there should be the payment of $21,000 to one line when the other line will do the same thing for $9,000?

Mr. BAILEY. I am not able to answer the Senator's question, but I am giving the Senator the facts. The additional trip by Pan American Airways would cost $9,000; the additional trip by American Export Airlines would cost $21,000.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BAILEY. I desire to finish my statement on the matter of costs. Pan American Airways submitted to the committee a balance sheet of its operations on this route. The trouble about the balance sheet was that they had a great deal of money due them from foreign countries or foreign nationals, which had not been paid and which may not be paid on account of war. I think Mr. Trippe made the estimate that if all of it should be paid—some $500,000, or perhaps more; I am speaking from memory—he would make a profit, if 40 percent of it were paid he would come out about even, but as matters stood he was in the red on his New York-Lisbon line by several hundred

thousand dollars. I am stating that only from memory; I do not have the record before me.

Mr. SMITH. Does the Senator understand that the $9,000 includes costs plus a reasonable profit?

Mr. BAILEY. No; the $9,000 is just the amount for which Pan American Airways said they would make the extra trip. They had six extra planes ordered. Mr. Trippe stated that they are very fine planes. It will be noted that they are $5,000,000 affairs. Certain foreign governments needed three, and with the consent of our Government the company agreed that the foreign governments should have those three, but the other three will soon be delivered to the company. In the case of the American Export Lines none are soon to be delivered.

Mr. SMITH. I was interested in the question of the Senator from Colorado regarding the difference between the $21,000 and the $9,000. Of course, we understand that the $21,000 includes subsidies and profits. I was wondering if they were operating that route as a regular thing for $9,000 including whatever they could make out of it and the overhead.

Mr. BAILEY. I think they considered they were making some money at that rate.

Mr. SMITH. At $9,000?

Mr. BAILEY. Oh, yes.

Mr. ADAMS. If I may make another inquiry, as I understand, the method of paying subsidies to the transatlantic line differs from the method of paying subsidies to lines operating planes over land; that is, for the transatlantic flights so much per trip is paid regardless of whether a pound of mail is carried, whereas for flights over land the payment is based on units—it may be pounds, or something of that kind. Is there a point in connection with the transatlantic operations where there is a payment in excess of the fixed fee if the mail exceeds a certain amount?

Mr. BAILEY. I do not have the records before me, and I cannot answer the Senator's question offhand.

Mr. ADAMS. I had understood that there was a maximum point above which there was a unit payment.

Mr. HERRING. Mr. President, there is a unit of 1,600 pounds; then above that the rate is $4 a pound.

Mr. BAILEY. That is correct.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ADAMS. I desire to conclude my inquiry. Does the Senator know whether or not the loads which are carried exceed the maximum, so that there is an additional payment?

Mr. HERRING. Oh, yes.

Mr. ADAMS. To what extent?

Mr. HERRING. I should say at least 50 percent. I do not have the facts exactly. I know the loads exceed the maximum.

Mr. ADAMS. There is also a passenger income; and the passenger fare is roughly $500 a trip, is it not?

Mr. HERRING. About that.

Mr. ADAMS. So that if they carried 20 passengers they would have $10,000 in addition to the subsidy and in addition to the bonus above the 1,600 pounds.

Mr. HERRING. That is true. Of course, the mail revenue far exceeds the passenger revenue, and the difference in cost between the two lines is in part explained by the fact that Pan American Airways is flying modern, fast ships, whereas it is proposed on the other line to use Sikorsky flying boats, similar to the ones Pan American Airways discarded some years ago.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield the floor.

Mr. LUCAS. Mr. President, will the Senator yield to me?

Mr. BAILEY. I had yielded the floor to the Senator from Wyoming.

Mr. O'MAHONEY. I was about to say, in response to the inquiry propounded by the Senator from Colorado, that the figure mentioned in the record with respect to the cost of the additional trip proposed by Pan American Airways is no guaranty at all that that will continue to be the cost to the Government; because the amount of pay received by a carrier is determined by the Civil Aeronautics Board. There have been innumerable instances in land operations of carriers offering to carry the mail for a small or a nominal amount, in the confidence that later on the pay would be increased.

In the case of Pan American Airways itself, for example, when it started its Bermuda operations it offered a bid of only a fraction of a cent per pound. Now it is receiving, as I recall, $1,700 a trip; and I am advised that on this particular trip it is seldom that more than 60 or 70 pounds of mail are carried.

So I do not attach any particular importance to the fact that in this instance Pan American Airways has submitted the $9,000 figure, or whatever it may be, because eventually the Civil Aeronautics Authority will have the problem of determining what the payment shall be; and that payment, under the law, ought to be sufficient to enable the company to operate at a profit.

Mr. BAILEY rose.

Mr. O'MAHONEY. Just one more word. The Senator from Iowa [Mr. HERRING] has pointed out, in response to the question of the Senator from Colorado, that there is a maximum load and that an excess payment is made when the maximum load is reached. In the last year the quantity of mail carried across the Atlantic has so increased that in some instances Pan American Airways has taken out all of the passenger equipment in its planes in order to load up with mail, because passengers are carried at a lower rate than mail. That is an instance of what the Senator from Arizona said at the outset, that there is need for the additional service.

Mr. HERRING. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. HERRING. Is that not true, though, because of failure to be able to sail due to bad weather, resulting in trips being delayed, and mail accumulating?

Mr. O'MAHONEY. No; it is my information that that is not the reason, but that it is so much more profitable to carry air mail than it is to carry passengers that Pan American Airways has naturally chosen to carry the air mail; and here is a proposal, approved by three branches of the Government, to provide two extra trips to accommodate passengers and mail.

The Senator from North Carolina rose while I was speaking. Does he desire to ask a question?

Mr. BAILEY. I thank the Senator. Mr. President, I was somewhat intrigued by the Senator's remarks that the proposed charges and contracts for $9,000 and $21,000, respectively, do not amount to anything, and that the Civil Aeronautics Board would blow that up in 2 or 3 minutes. That statement merely shows the Senator's faith in the Civil Aeronautics Board.

Mr. O'MAHONEY. Oh, Mr. President, I am talking about the law and the fact that the Civil Aeronautics Authority has the right under the law to determine what the rate shall be.

Mr. BAILEY. Undoubtedly it has the right to determine the rate; but the Pan American Co. is making one proposal and another company is making another. The Pan American Co. is making a profit. The difference is the $9,000 proposed by the Pan American Airlines for one trip and $21,000 proposed by the Export Line for one trip; but the Senator says that does not trouble him at all, because the Civil Aeronautics Authority can make the rate what they please.

Mr. O'MAHONEY. If the Senator will bear with me for a moment before he leaves the floor, I would say it is true that the Pan American has offered to carry the mail for this particular sum, but on condition that it have the exclusive right to carry the mail. In other words, it is following the age-old practice of monopoly of cutting the rate when competition appears.

Mr. BAILEY. Now, Mr. President, my honored friend has admitted the cause, and pleaded extenuation; he says the $9,000 offer is good, but it is in consideration of something that is not so good. I will leave it right there.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. But the company was not bound by this offer; there was no time limit; it would have the authority, as it had in the Bermuda case, of appearing in a short while before the Civil Aeronautics Authority and saying, "Well, we made a mistake; we find that we cannot carry the mail at a profit or reasonably for this sum; will you not be good enough to raise it?" And the Civil Aeronautics Authority, under the law, would be under obligation to raise it.

My friend is arguing very skillfully and ably, as he always does, in this particular instance to sustain the obligation of the company which is endeavoring to exclude other American companies from enjoying, at the hands of the American people, the same benefits it is enjoying.

Mr. BAILEY. Now the Senator "has gone into the same hole he came out of." He is talking about monopoly again. He started out with that proposition; then he comes around and says that the $9,000

and the $21,000 mean nothing; then he says that the $9,000 does mean something; it means that the Pan American is exacting a bad privilege. Then when I point out that that is an admission that the $9,000 did mean something, he comes back and says, after all, the Civil Aeronautics Authority will settle this. I will leave the matter right there.

Mr. O'MAHONEY. The Senator from North Carolina is like the Senator from Maryland, very skillful in asserting conclusions that do not appear from the language at all.

Mr. BAILEY. I may be very skillful, and I accept the compliment, but I am not skillful enough to comprehend that situation presented by the Senator's argument.

Mr. ADAMS. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Colorado.

Mr. ADAMS. I gather from the Senator's remarks that the Civil Aeronautics Authority fixes the basic compensation under the law?

Mr. O'MAHONEY. That is my understanding.

Mr. ADAMS. My difficulty is that, under the bill as it came from the committee, we are adding two weekly trips, one, apparently, by the Pan American and one by the Export Line. The compensation of each is to be fixed by the Civil Aeronautics Authority. I am in some difficulty to understand why it should cost, roughly, $400,000 a year for the Pan American, or $9,000 a trip, and $21,000 a trip, or some $800,000, for the Export Line, when the rate is to be fixed by the same body. Considering the sordid dollar end of it, upon what basis, upon what theory, will the Civil Aeronautics Authority pay two-and-a-quarter times as much for the service of the new line as it pays for the equivalent service of the old line?

Mr. HAYDEN. The $21,000 payment is less than the amount paid the Pan American for its first trip.

Mr. ADAMS. What is the payment to the Pan American for the fourth trip they are now making?

Mr. HAYDEN. I am talking about the first trip.

Mr. ADAMS. I am talking about the trip they are now making. An extra trip can be obtained from the Pan American for $9,000?

Mr. HAYDEN. Yes.

Mr. ADAMS. And it will take $21,000 to get the equivalent or additional service from the Export Line.

Mr. HAYDEN. Yes; it will take that because in the case of the Pan American on the fourth trip there is no overhead; it is all paid for by paying them $21,600 for their first trip, and then a little less for the next trip, and so on. So, the first out-of-pocket cost is taken care of and the Pan American will make the additional trip for $9,000, provided always they have all the business. If they are not given all the business, they will not render the service for $9,000.

Mr. ADAMS. But the fact remains that, if the bill should pass as it stands, the Government will be paying an overhead on two lines while, as it now is, it is paying an overhead on one, and, by reason of that, it is getting a lower trip rate. My inquiry is—and I may say I do not know one line from another—why, if we want an extra trip a week, we should take the more expensive of the two, involving additional cost to the Government, at a time when I think dollars mean something to the Government?

Mr. HAYDEN. The only answer is that the War Department and the Navy Department say that the additional cost is justified by having more than one concern engaged in the business.

Mr. O'MAHONEY. Mr. President, it might also be added that, under the plan by which the trans-Atlantic service is operated, the certificate of convenience and necessity which was granted to Pan American was for service via Lisbon to France and Great Britain. Now, the service to France and Great Britain has been cut off by reason of the war, and the Civil Aeronautics Board and the Government are looking forward. They wanted one trip running to south Europe as well as the Pan American trip to north Europe. That opportunity is here presented. If the Pan American can prevent a certificate of convenience and necessity being granted to a competitor, which has invested $3,000,000 to set up a south European line, then the Pan American will have the complete business for all Europe, and we will never have an opportunity to refuse another enterprise which has invested two or three million dollars the right to have a certificate of convenience and necessity.

Mr. ADAMS. Two competing private corporations are interested in the trans-Atlantic mail service purely for their private profit. That is what brings the contest here. There are two groups of stockholders, one is trying to get the exclusive right because it is profitable, and the other to get in because it is profitable. If it is profitable for the line that wants to compete to get in, to get a foothold, why is it not willing to say, "We will carry the mail at the same price as the other line"? Why should the United States Government have to pay an extra cost in order that the competing line may establish itself? That is what is bothering me.

Mr. O'MAHONEY. Because we are operating the transoceanic mail upon the theory, which is very sound, that private enterprise cannot operate with profit without Government assistance, and we are giving Government assistance. It is the policy of the Government to build up the service. The only oceanic air-mail operation that is in any degree possible is the trans-Atlantic, and that, in my opinion, is because of the extraordinary conditions which have developed as the result of the emergency in great concentration on this particular line.

The Pan American is not making great profits on its Pacific lines, for example. A moment ago there was some discussion about the income derived by the Government from the sale of stamps. The sale of air-mail stamps to carry mail across the Pacific Ocean is less than 50 percent of what the Government is paying by way of subsidy to the Pan American.

There are two ideas, as I see it, in the Senator's question. This is not a question whether we shall take the offer of a private company which is operating on its own as against another which is more expensive. It is whether we shall close the door to a competitive system by reason of an offer which comes from a company which has received great benefits from the Federal Government—an offer which comes when competition appears for the first time—and assume, if the present Congress refuses to grant the appropriation to set up the additional line, that then the opportunity will be created for the carrier to appear before the Civil Aeronautics Board and say, "We cannot operate at this low cost; please raise the rate"; and the rate can be raised. There is nothing before us which binds the Pan American to the figure it offers.

Mr. ADAMS. But the situation is that the American Export Lines are seeking to destroy monopoly in only one instance.

Mr. O'MAHONEY. Oh, I do not think the Export Lines is at all concerned about destroying monopoly—not at all.

Mr. ADAMS. I think not; certainly not. As I said before, it is a case of two private corporations wanting profitable business.

Mr. O'MAHONEY. Certainly.

Mr. ADAMS. I asked the Senator from North Carolina [Mr. BAILEY] a question as to cost. Perhaps the Senator from Wyoming can give it to me. I am wondering what it actually costs the lines to make a flight. Has the Senator any idea what the cost is? I am wondering what proportion the $21,000 or the $9,000 bears to the actual cost of making the flight. What would it cost the companies to make the flight, regardless of the payment?

Mr. O'MAHONEY. Mr. President, a hearing is now in progress before the Civil Aeronautics Authority, and has been going on for several weeks, in an effort to determine the answer to the Senator's question with respect to the Latin-American operations of the Pan American Airways; and as yet the evidence is not complete. I happen to know that in 1935, when the Post Office Department was undertaking to investigate the payments to the Pan American for its Latin-American operations, and inspectors of the Post Office Department went to South America to go into the offices there where the operating companies were handling the mail, they were told, "You cannot find the books here; the books are in New York"; and when they went to New York they were told, "We cannot give you the books here; they are in South America"; and the Post Office inspectors were unable to find the exact cost of the operation.

The Pan American contracts were not canceled in 1934 because of the fear on the part of the State Department that the repercussions in South America would be so great that it would be impossible to figure them out; but I know that, whereas the domestic air mail over the land in the United States is being carried at a rate of about 20 cents per pound-mile, as I think they figure it, the Pan American has been receiving about $1.20 for its service.

Mr. ADAMS. Awhile ago the Senator mentioned the question of cost of carrying air mail on the land. Going back to the time of the cancelation of all the air-mail contracts, which he also mentioned, bids were then advertised for, and the land companies bid down almost to nothing.

Mr. O'MAHONEY. They certainly did.

Mr. ADAMS. I know that one of them bid an eighth of a cent a pound, because awarding the contracts would be the equivalent of granting a franchise, and subsequently the Civil Aeronautics Authority would make rates based upon the fair cost of carrying the traffic. The contracts were for 3 years; but I have this interesting thing to add: Before the expiration of the 3-year period for which the contracts were made the air lines came before the Civil Aeronautics Authority and asked to have their rates adjusted; and the Civil Aeronautics Authority, instead of saying to them, "You agreed to carry the mails for 3 years at these losing figures," gave them reasonable rates. But that was not all, for then the air lines attempted to set back the time they were to get these rates to the time when the petition was filed, not the time when the decision was made. So the land companies sought to escape the obligation of their own contracts which they entered into in order to get the franchise and the Civil Aeronautics Authority were sufficiently tender that they related back the increased rate to the middle of their contract period, and they came before the Appropriations Committee and asked for an appropriation running upward of a million dollars to pay these companies. The Appropriations Committee, however, did not give them the money.

Mr. O'MAHONEY. The Senator is quite right; and that is exactly what I am predicting in this case. The officers and directors of the Pan American Airways Co. are not stupid.

Mr. ADAMS. I am not tender toward any of these companies. I have not found any airplane company that was wearing out its life or emptying its purse in order to perform a public service.

Mr. O'MAHONEY. The Senator speaks my mind in that respect; and my position upon this matter is not dictated by any choice among the companies. Like the Senator from Arizona [Mr. HAYDEN], I am ready to acknowledge that the Pan American Airways Co. has done an extraordinarily excellent job; but it has not been the exclusive pioneer in this field, as we are asked to believe. In most of the South American countries, for example, the lines which it took over had been pioneered by its predecessors, which it absorbed. What we are dealing with is the same story which has appeared over and over again. Here is an opportunity for a world-wide organization to establish complete control over international air mail; and it will have that complete control without regard to anything that may happen in the future if Congress repudiates the recommendaton made by three or four branches of the Government.

Mr. GLASS. Mr. President, I venture to ask unanimous consent that this particular provision of the bill, which creates interminable discussion, may be passed over until tomorrow, and that we may proceed with the provisions to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Treasury Department—Miscellaneous and contingent expenses, Treasury Department", on page 5, line 18, after the word "Buildings" and the semicolon, to strike out "newspaper clippings."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Customs—Coast Guard", on page 30, line 4, after the word "therefor", to strike out "$8,111,000" and insert "$11,111,000."

The amendment was agreed to.

The next amendment was, on page 31, line 19, to increase the total appropriation for the Coast Guard from $62,193,150 to $65,193,150.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Post Office Department—Salaries in bureaus and offices", on page 41, line 16, to increase the appropriation for the Office of the Third Assistant Postmaster General from $791,060 to $798,560.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Chief Inspector", on page 44, line 24, after the words "divisions and", to strike out "620 inspectors" and insert "not to exceed an average for the fiscal year of 655 inspectors in a pay status"; and on page 45, at the end of line 1, after the amendment just above stated, to strike out "$2,405,700" and insert "$2,496,700."

The amendment was agreed to.

The next amendment was, on page 45, line 15, after the word "Service", to strike out "$652,350" and insert "$682,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General", on page 46, line 24, after the word "offices", to strike out "$7,230,000" and insert "$7,400,000."

The amendment was agreed to.

The next amendment was, on page 47, line 13, after the word "services", to strike out "$8,050,000" and insert "$8,400,000."

The amendment was agreed to.

The next amendment was, on page 48, line 4, after the words "bus fare", to strike out "$1,450,000" and insert "$1,475,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster General", on page 48, line 13, after the word "offices", to strike out "$11,250,000" and insert "$11,400,000."

The amendment was agreed to.

The next amendment was, on page 48, line 21, after the word "service", to strike out "$112,000,000" and insert "$112,300,000."

The amendment was agreed to.

The next amendment was, on page 49, line 9, after the word "Service", to strike out "$57,400,000" and insert "$57,460,000."

The amendment was agreed to.

The next amendment was, on page 49, line 21, after the word "headquarters", to strike out "$55,000" and insert "$60,000."

The amendment was agreed to.

The next amendment was, on page 50, line 5, after the word "offices," to strike out "$440,000" and insert "$450,000."

The amendment was agreed to.

The next amendment was, in the item for foreign air-mail transportation, on page 51, line 7, after the name "Alaska", to strike out "$15,477,831" and insert "$16,693,831."

The PRESIDING OFFICER. This amendment has been passed over by unanimous consent.

The next amendment was, on page 51, line 13, after the name "District of Columbia", to strike out "$21,280,327" and insert "$21,509,313, of which amount the sum of $45,696 shall be immediately available."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster General", on page 51, line 23, after the word "agency", to strike out "$5,000,000" and insert "$5,165,000."

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I desire to interrupt the reading of the bill at this point merely to make a record, because there was no hearing upon the particular item of an additional $165,000 for the purchase of stamps which has been recommended by the committee.

This item, which was approved by the Budget Bureau, was eliminated in the other House because it appeared that it was the cost of printing two-color stamps. It was argued that it is an unnecessary expense to print stamps in two colors. The revenue of the Government from the sale of stamps to stamp collectors is so great, and the attraction to collectors of multi-colored stamps is also so great, that it is inadvisable to make this reduction. It would be false economy.

I am advised there are more than 200,000 members of air-mail stamp clubs engaged in collecting colored stamps throughout the United States. If each of these members bought only one dollar's worth of multicolored stamps, it would be more than the increase just voted by the Senate. To stop printing them would unquestionably reduce the revenue now received by the Government from collectors of air-mail stamps who purchase the stamps merely to add them to their collections. In other words, the collector's stamp is all net revenue. No service is performed in return for it.

I am informed that the record shows that last year 123,000,000 6-cent, two-colored air-mail stamps were sold, and 5,000,000 16-cent stamps. The revenue to the Government from the 6-cent stamps was therefore $7,380,000, and from

the 16-cent stamps $800,000. To this may be added the fact that the use of multicolored stamps for air-mail service expedites the handling of air mail in the post offices, by distinguished it, through the stamp, from ordinary mail.

For these reasons it seems to me, as it did to the committee, that the appropriation should be restored.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General", on page 55, line 17, after the word "offices", to strike out "$9,900,000" and insert "$9,975,000."

The amendment was agreed to.

The next amendment was, on page 57, line 17, after the word "expenses", to strike out "$330,000" and insert "$350,000."

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings, maintenance and operation", on page 59, line 12, after the word "Department", to strike out "$600,000" and insert "$675,000."

The amendment was agreed to.

The next amendment was, under the heading "Title III—General provisions", on page 63, after line 5, to insert:

SEC. 305. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments, with the exception of the amendment passed over. Without objection, the clerk will renumber the sections to conform to the amendments heretofore made.

Mr. McCARRAN. Mr. President, I understand the controversial amendment is to go over until tomorrow. In that event, of course, the consideration of the bill cannot be concluded today. I therefore wish to make a special request. I propose to offer an amendment, but I should prefer to offer it tomorrow. I do not think there will be any controversy over the amendment to speak of, and I should like to have it go over until tomorrow.

The PRESIDING OFFICER. Without objection, it may go over.

Mr. GLASS. I move that the Senate adjourn.

Mr. HILL. Mr. President, I will ask the Senator to withhold the motion a moment. I understand the junior Senator from Florida [Mr. PEPPER] is very anxious to speak today, and I was about to suggest the absence of a quorum. I am informed he is now on his way to the Senate Chamber. Would it be agreeable to the Senator from Virginia that I suggest the absence of a quorum?

Mr. GLASS. I have no objection.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Murdock
Aiken	Ellender	Murray
Andrews	George	Norris
Austin	Gerry	O'Mahoney
Bailey	Gillette	Overton
Ball	Glass	Pepper
Bankhead	Green	Reynolds
Barkley	Guffey	Russell
Bilbo	Gurney	Schwartz
Bone	Hatch	Shipstead
Brewster	Hayden	Smathers
Brooks	Herring	Smith
Brown	Hill	Spencer
Bulow	Holman	Stewart
Bunker	Hughes	Taft
Burton	Johnson, Calif.	Thomas, Idaho
Butler	Johnson, Colo.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Byrnes	La Follette	Tobey
Capper	Langer	Truman
Caraway	Lee	Tunnell
Chandler	Lodge	Tydings
Chavez	Lucas	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Wallgren
Connally	McNary	Wiley
Danaher	Maloney	Willis
Davis	Mead	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Granville T. Norris, of Oklahoma, to the United States marshal for the eastern district of Oklahoma. (He is now serving in this office under an appointment which expired February 6, 1941.)

By Mr. KILGORE, from the Committee on the Judiciary:

William Holroyd McGinnis, of West Virginia, to be United States marshal for the southern district of West Virginia, vice George P. Alderson, resigned;

Joseph C. Reing, of Pennsylvania, to be United States marshal for the eastern district of Pennsylvania; and

Charles F. Uhl, of Pennsylvania, to be United States attorney for the western district of Pennsylvania, to fill an existing vacancy.

By Mr. GEORGE, from the Committee on Foreign Relations:

Sundry persons for promotion in the Foreign Service.

By Mr. VANDENBERG, from the Committee on Foreign Relations:

Robert H. McBride, of Michigan, to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). The reports will be placed on the Executive Calendar.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. BARKLEY. On behalf of the Senator from North Carolina [Mr. REYNOLDS], who is temporarily detained, I submit, from the Committee on Military Affairs, reports on certain nominations for appointment and promotion in the Army.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar.

Mr. BARKLEY. I now ask unanimous consent for the present consideration of the nominations. They are routine appointments and promotions in the Army.

The PRESIDING OFFICER. Is there objection to the present consideration of the nominations in the Army? The Chair hears none, and, without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be notified of the confirmation of the nominations in the Army.

The PRESIDING OFFICER. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the Calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Willard L. Beaulac, of Rhode Island, to be consul general of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

The legislative clerk read the nomination of John M. Morin, of Pennsylvania, to be a member for a term of 6 years from March 15, 1941.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Frank J. Kuhl, of Milwaukee, Wis., to be collector for the district of Wisconsin.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SELECTIVE SERVICE

The legislative clerk read the nomination of John O. Donovan, to be State director of selective service for the State of California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Brig. Gen. Sion Boone Hawkins, to be State director of selective service for the State of Georgia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

IN THE ARMY

The legislative clerk read the nomination of Sion Boone Hawkins to be briga-

dier general, Adjutant General's Department, National Guard of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That concludes the calendar.

RECESS

Mr. BARKLEY. Mr. President, I understand the Senator from Florida [Mr. PEPPER] desired to address the Senate at this time. He is not now present. I understand the discussion on the pending legislation has been concluded for the day. I do not know of anything else except to recess. Therefore, as in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 6, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 5, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Willard L. Beaulac, to be a consul general of the United States of America.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

John M. Morin to be a member of the United States Employees' Compensation Commission.

COLLECTOR OF INTERNAL REVENUE

Frank J. Kuhl to be collector of internal revenue for the District of Wisconsin.

SELECTIVE SERVICE

STATE DIRECTORS OF SELECTIVE SERVICE

Joseph O. Donovan for the State of California.

Brig. Gen. Sion Boone Hawkins for the State of Georgia.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

GENERAL OFFICER

Sion Boone Hawkins to be a brigadier general, Adjutant General's Department, National Guard of the United States.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE BRIGADIER GENERALS

Leo Myron Kreber
Sidney Parker Spalding
Godfrey Cheshire
Harry Clyde Ingles

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS

Arthur Emel Simonin
Frank O'Driscoll Hunter
David Sidney Seaton
Harold Huston George
Walter Jay Reed

TO BE LIEUTENANT COLONELS

Edwin Sullivan
John Raymond Drumm
John Sherman Gullet
John Raglan Glascock
Ray L. Owens

TO BE MAJORS

Roy Dale Butler
Berkeley Everett Nelson
Archibald Johnston Hanna
Richard August Grussendorf
John Hiett Ives

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Lt. Col. William Harold Roberts.

TO ORDNANCE DEPARTMENT

First Lt. Robert Wolcott Meals.
First Lt. Thurman Wesley Morris.
First Lt. James Samuel Brierley.

TO CAVALRY

Capt. Howard Knowles Vail.

TO FIELD ARTILLERY

Lt. Col. Abraham Robert Ginsburgh.

TO INFANTRY

First Lt. Alfred Allen Maybach.

TO AIR CORPS

First Lt. Richard Rawlins Waugh.

PROMOTIONS IN THE REGULAR ARMY

Those officers whose names are preceded by the symbol (×) have been examined and found qualified for promotion. All others are subject to the examination required by law:

To be lieutenant colonels with rank from May 4, 1941

Mark Histand Doty, Field Artillery.
Charles Peter Prime, Air Corps (temporary lieutenant colonel, Air Corps).
Pete Turney Heffner, Jr., Infantry.
Otto Rudolph Stillinger, Cavalry.
Murray Charles Wilson, Field Artillery.
Bruce Craighill Hill, Corps of Engineers.
Edwin Douglass McCoy, Quartermaster Corps.
Dewitt Talmage Mullett, Infantry.
Hugh Gibson Culton, Cavalry.
Paul Allen Reichle, Field Artillery.
Gerald Bradford Devore, Infantry.
Walter Bedell Smith, Infantry.
Osgood Cook McIntyre, Field Artillery.
James Emerson Bush, Field Artillery.
Morris Barnett DePass, Jr., Infantry.
Charles Ennis, Infantry.

To be lieutenant colonel with rank from May 11, 1941

Herbert Joseph McChrystal, Infantry.

To be lieutenant colonel with rank from May 12, 1941

Auby Casey Strickland, Air Corps (temporary lieutenant colonel, Air Corps).

To be lieutenant colonel with rank from May 15, 1941

James Edward Dooley, Infantry.

To be lieutenant colonel with rank from May 19, 1941

John Max Lentz, Field Artillery.

To be major with rank from May 10, 1941

×Arthur Cecil Ramsey, Infantry (major, Army of the United States).

MEDICAL CORPS

To be colonels

×Harry Dumont Offutt, Medical Corps, with rank from May 17, 1941.
×George Davies Chunn, Medical Corps, with rank from May 18, 1941.
×Charles Mallen O'Connor, Medical Corps, with rank from May 19, 1941.
×Augustus Benjamin Jones, Medical Corps, with rank from May 20, 1941.
Frank Henry Dixon, Medical Corps, with rank from May 24, 1941.
×Robert DuRant Harden, Medical Corps, with rank from May 25, 1941.

To be major

×Crawford Fountain Sams, Medical Corps (major, Army of the United States), with rank from May 2, 1941.

To be captains

Alfred Pembroke Thom 3d, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Joseph Thomas Caples, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Julius John Snyder, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Adanto Arcangelo Secondo D'Amore, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Martin Andrew Compton, Medical Corps (captain, Army of the United States), with rank from May 12 ,1941.
Robert Beardsworth Lewis, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Eugene Maurice Martin, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Clifford D. Dangerfield, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Frank Gordon Stephens, Medical Corps, (captain, Army of the United States), with rank from May 12, 1941.
Forrest Edgar Hull, Medical Corps (captain, Army of the United States), with rank from May 12, 1941.
Jackson Franklin Morehead, Medical Corps (captain, Army of the United States), with rank from May 19, 1941.
John Henry Voegtly, Medical Corps (captain, Army of the United States), with rank from May 19, 1941.

DENTAL CORPS

To be colonel

×Donald William Forbes, Dental Corps, with rank from May 29, 1941.

To be captains

Willard LaGrand Nielsen, Dental Corps (captain, Army of the United States), with rank from May 4, 1941.
William Paxton Fly, Jr., Dental Corps (captain, Army of the United States), with rank from May 16, 1941.
Robert Bruce Shira, Dental Corps (captain, Army of the United States), with rank from May 18, 1941.

CHAPLAINS

To be major

John William Westerman, United States Army (major, Army of the United States), with rank from May 1, 1941.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 5, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou whose gracious hand hath brought us to the light and promise of this day, hear our prayer; our need of Thee is constant. Thou are infinite; we are finite; Thou knowest all things, we know but little; Thou art divine, we are human. If we are foolishly filled with fear and afraid to test the invisible Things of our Father in heaven; if we are or the lower slopes of life with memories sad because of regret, do Thou help us to pass into the homelands of the spirit where manhood reaches its splendid might in the Christ of God. We pray for heaven's hope to lift every hopeless one, for purity to cleanse every stained life, for light to

clear every starless night, and for the water of life to soothe every parched lip. Almighty God, in this hour of bewilderment and confusion make all breasts to be the sanctuary of stability and truth; then shall the angels of righteousness be stronger than the demons of wickedness in the parliament of man. In Thy changeless, boundless love hold us close to Thee that we may feel the life-giving currents every flowing from the Fountain of Life working in us both to will and to do Thy good pleasure; and Thine shall be the glory forever. In the name of our Redeemer. Amen.

The Journal of the proceedings of Friday, May 2, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes.

COMMUNICATION FROM CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House, which was read.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 5, 1941.

THE SPEAKER,
House of Representatives,
Washington, D. C.

DEAR SIR: The certificate of election, in due form of law, of Hon. JOHN C. BUTLER, as a Representative-elect to the Seventy-seventh Congress, from the Forty-second Congressional District of New York, to fill the vacancy in that district, is on file in this office.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

EXTENSION OF REMARKS

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a brief statement by Mr. Hawks, recently elected President of the United States Chamber of Commerce.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I wish to extend my remarks in the RECORD in two particulars: In the first extension I ask unanimous consent to include an editorial; and in the second extension I ask unanimous consent to include a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of Illinois addressed the House. His remarks appear in the Appendix of the RECORD.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONFERENCE ON UNEMPLOYMENT

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I merely wish to announce that this evening at 7:30 in the caucus room of the old House Office Building there will be a meeting of the House conference on unemployment at which time the Subcommittee on Social Security and Old Age Pensions will make a report.

The endeavor we are making in this conference is to try to work out, even though we be an unofficial group, a program which will protect the people of this Nation at the time this defense program is over.

I earnestly hope a number of Members of the House will see fit to be with us this evening. [Applause.]

[Here the gavel fell.]

JAPAN AND THE AXIS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, today's papers carry the headlines quoting Hitler, "We can beat the world." The same papers carry Foreign Minister Matsuoka's insult to the United States by inviting our President to come over and see "the true intentions of Japan."

I believe there is at least a fifty-fifty chance we are headed for deadly combat with Hitler. In that event Japan is pledged to stab us in the back. We know Japan's true intentions from Manchuria, China, and the *Panay*.

I am ready to give Japan 1 week to withdraw from the Axis, from China, and all Asia. Upon her failure to do that we should begin at once the process of polishing her into insignificance. [Applause.]

TAXES AND SAVINGS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARENDS. Mr. Speaker, we were all pleased to read in the papers the other day where the President sent a message to the chairman of the Ways and Means Committee [Mr. DOUGHTON] advising him that he would wholeheartedly approve should Congress pass a $3,500,000,000 tax bill during this session. I am sure we all feel and know something will be done; but another reassuring message from the President of the United States should be sent to the chairman of the Appropriations Committee of the House asking that we do something about reducing the nondefense expenditures of the Government. I call upon him to write such a letter, knowing that, with the great majority on the Democratic side of the House who always like to follow the President, coupled with what I believe will be an almost unanimous vote from the Republicans, who have consistently fought to reduce many nonessential expenditures, that substantial savings can be made almost immediately. [Applause.]

[Here the gavel fell.]

(Mr. LUDLOW asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. DOWNS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. DOWNS]?

There was no objection.

[Mr. DOWNS addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert a short editorial from this morning's Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CROWTHER]?

There was no objection.

PRIVILEGES OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of the privileges of the House and send to the desk a resolution.

The SPEAKER. The gentleman will send up his resolution.

Mr. HOFFMAN. Mr. Speaker, I would like to state the question.

The SPEAKER. The gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, from the CONGRESSIONAL RECORD of Friday, May 2, page 3528, it appears that the gentleman from Illinois [Mr. SABATH] was granted unanimous consent to extend his remarks in the RECORD and include therein an editorial from the Chicago Times.

Thereafter, the gentleman did extend his remarks and include an editorial from the Chicago Daily Times, as will appear by a reference to page A2215 of the Appendix of the daily RECORD.

The extension of the remarks, as set forth in the RECORD, is a violation of the rules of the House, and tends to create discord and contention between branches of the Government and, if permitted to stand, will justify argument in answer to the thought therein expressed.

The result will tend to create recrimination, not only between Members of the House, but between Members of the House and another branch of the Government.

Mr. Speaker, inasmuch as the extension as printed is a violation of the rules of the House, and there was no opportunity to learn what the gentleman intended to insert in the RECORD, I offer a resolution to have it expunged.

The SPEAKER. Does the gentleman from Illinois desire to be heard? The gentleman from Michigan [Mr. HOFFMAN] will not lose any of his rights.

Mr. HOFFMAN. Mr. Speaker, I have not yielded the floor.

The SPEAKER. The Chair has not recognized the gentleman to discuss his resolution.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair has stated that in trying to straighten this out the gentleman will not lose any of his rights.

Mr. HOFFMAN. I understand that, but I understood also that I had the floor.

Mr. SABATH. I will not take up much time.

The SPEAKER. Will the gentleman from Michigan yield to the gentleman from Illinois?

Mr. HOFFMAN. Yes.

Mr. SABATH. Mr. Speaker, I did obtain unanimous consent to extend my remarks and in the extension I stated the following:

Mr. Speaker, in the last few weeks I have read many articles and have received a large number of communications relative to the speeches of my friend Senator WHEELER, of Montana. Inquiry is being raised by many as to why the Senator should not be requested to desist from trying to create discord and disunity among the American people. Some go much further.

I regret that regardless of the Senator's intense antagonism to President Roosevelt he is making a grave mistake in such utterances as those in Chicago a few days ago when he insinuated that the President's policies were responsible for Adolph Hitler's destruction and enslavement of 14 small and independent nations.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the gentleman cannot refer to the Member of the other body by name on the floor, or refer to a Member of the other body.

Mr. SABATH. I am reading what I inserted.

The SPEAKER. The gentleman is reading a statement and he cannot do that without mentioning the name.

Mr. SABATH (continuing):

I am surprised the Senator did not also charge the President with having instigated Japan's invasion of China, and likewise being responsible for Mussolini's overrunning of Ethiopia; yes, also of Albania.

Unfortunately the Senator did not stop there, but made a still more unfortunate statement when he said:

"President Roosevelt may have the power if the Army and Navy obey him—to get us into an undeclared war, but he hasn't the right to do so."

Mr. HOFFMAN. Mr. Speaker, I decline to yield further. The gentleman is violating the rules of the House at this moment.

The SPEAKER. The gentleman from Michigan declines to yield further. The Chair has heard sufficient of the gentleman's statement.

Mr. SABATH. Mr. Speaker, I am only rereading what I said at that time. I believe that I have not willfully and maliciously stated anything that could in any way violate the rules of the House. Perhaps I should not have mentioned the name of Senator WHEELER.

Mr. HOFFMAN. Mr. Speaker, I decline to yield further.

The SPEAKER. The gentleman from Michigan declines to yield.

Mr. SABATH. Mr. Speaker, if under the strict rules of the House it is a violation, I am willing to withdraw the statement, and I ask unanimous consent to do so.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH] that he withdraw his remarks from the permanent RECORD?

There was no objection.

The SPEAKER. In order to settle this question as far as this session of Congress is concerned, the Chair desires to make a statement.

This question has been before the Congress from its very beginning. The rule on it is very clear and very specific—not only the rule but the rulings of many distinguished Speakers. The rule is as follows:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting of them might beget reflections leading to a misunderstanding between the two Houses.

The Chair believes that one of the outstanding rulings upon this question was made by Mr. Speaker Longworth, and the Chair desires to read the syllabus of that ruling, which may be found in Cannon's Precedents, volume VIII, section 2518:

It is not in order in debate to criticize actions of Members of the Senate in connection with their legislative duties.

Members may not in debate reflect upon the actions or speeches of Senators, or upon the proceedings of the Senate.

It is permissible, however, in discussing questions of order to refer to parliamentary decisions of the Senate.

Discussion of the importance of Jefferson's Manual as an authority in congressional procedure.

The Chair has thought for some time that this question would arise because in this Congress, the Chair believes, there have been more violations of this rule than in any Congress of which the Chair has been a Member, in 14 terms.

It is not in order for a Member of the House to refer to something a Senator did or said off the floor of the Senate. The reason for the rule is very clear. If there is a thing in the world that is important, it is that there be comity and good feeling between the two legislative bodies. The question has never been raised but that the Speaker has held that any reference to a Member of the Senate, to what he said on the floor of the Senate or off the floor of the Senate, or to specific actions in the Senate, is a violation of the rules of the House, and in all probability would lead to a situation which might make ordered legislative procedure impossible.

Since this question has been raised, the Chair may state that hereafter this occupant of the Chair will take it upon himself, when Members violate this rule, to call their attention to it even in the middle of debate.

Mr. SABATH. Mr. Speaker, may I be permitted to make a statement?

The SPEAKER. The gentleman from Illinois.

Mr. SABATH. Mr. Speaker, the remarks of the Senator that I placed in the RECORD were not made on the floor of the Senate, they were from a speech he made in the city of Chicago, when he was not acting in his capacity as a Senator.

The SPEAKER. The Chair has just held that it is a violation of the rules to refer to what a Senator did or said, either on the floor of the Senate or elsewhere.

Mr. SABATH. Then I am willing to withdraw it.

The SPEAKER. It has been withdrawn.

Mr. HOFFMAN. The gentleman has withdrawn that matter?

The SPEAKER. The gentleman from Illinois asked unanimous consent that his remarks be withdrawn from the RECORD.

SWEARING IN OF A MEMBER

Mr. BUTLER appeared at the bar of the House and took the oath of office.

EXTENSION OF REMARKS

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CLUETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. CLUETT addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. CLUETT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a resolution adopted by the Sons of the Revolution in the State of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an account of a mass meeting in Durant, Okla., relative to the preservation of democracy and our way of life in this critical period of our history.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

(Mr. GEYER of California asked and was given permission to extend his own remarks in the RECORD.)

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein several short letters from constituents of mine.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Dr. Haake entitled "Is Inflation Inevitable?" delivered before the Pennsylvania State Chamber of Commerce dinner to the Pennsylvania delegation of the House and the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter to me from the Lions Club of Groesbeck, Tex.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the New York Times magazine in reference to Dr. John R. Steelman and his work as conciliator.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the life, character, and public service of our colleague the late Alonzo Dillard Folger.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. MONRONEY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter to Secretary Morgenthau on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by including a letter I received from my friend, Hon. V. A. Bradley.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a constituent, describing the use of convoys and a recent poll taken in my district on the subject.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the text of an address delivered by Capt. Edward Macauley, a member of the Maritime Commission, before the California Society.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Shawano County Journal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include two short editorials from the Green Bay Press-Gazette.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from one of my constituents on the tax situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted by the Highway Forty-five Association.

The SPEAKER. Is there objection?

There was no objection.

FEEDING THE HUNGRY IN EUROPE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, throughout Europe today more than 100,000,000 men, women, and children are in want of food. They are not Nazis. They are not aggressors in this terrible war. They are simply the innocent victims of forces totally beyond their control. Old men and old women, young girls, and small boys are not responsible for what has taken place in Europe. Their death through starvation will not change the course of events.

But we cannot dismiss our responsibilities to these suffering millions by shutting our eyes. We are a people who have enjoyed a world-wide reputation for charity and generosity. Our gifts have reached out to the victims of earthquake, fire, and flood in China, in Japan, in every corner of the earth—not because we sympathized with the politics of those whom we helped, but because we are fellow human beings. Shall we do less today when the people of France, of Czechoslovakia, of the Balkans, stretch out their hands to us. The dictates of our religion, the command of humanity tell us that we must make the effort to feed the starving multitudes of Europe. If that effort is frustrated by dictators, theirs will be the sin and the crime. We must make the attempt as human beings living in the war-tortured world. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Since we heard the gentleman from Mississippi speak, Mr. Speaker, we do hope and pray that the President will not get us into war. The President made the statement in Philadelphia that he would not get us into war unless we are attacked. I am opposed to war because I believe that we can settle these affairs to the best satisfaction of all the American people in a peaceful manner, but when the President says that he will not go into war unless attacked, that is a different question. He is now trying to send our ships into forbidden zones, where the President some months ago prohibited them from going, as per the Neutrality Act. Now he changes his plans and sends our ships into danger zones, and if our ships are blown up then he will claim we are attacked, and what else does that mean than war? Is he trying to get us into war? I am afraid he is; his actions speak louder than words. The President made the statement that to convoy means to shoot, and to shoot means war; and we want to stay out of all danger if we do not want to become embroiled in a terrible conflict. Let us keep our country out of war; that is what I propose to do.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

CONSENT CALENDAR

The SPEAKER. This is consent day, and the Clerk will call the first bill on the calendar.

MONOPOLISTIC PURCHASE OF PULPWOOD

The Clerk called House Joint Resolution 15, to investigate the apparent monopolistic purchasing of pulpwood by pulp and paper mills under a contract purchase system from farmers and other owners, price fixing of paper and other pulp products under trade-practice rules and regulations, including cost of distribution.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PRICES AND GRADES OF COTTONSEED AND COTTONSEED PRODUCTS

The Clerk called the bill (H. R. 571) to establish and promote the use of stand-

ard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I reserve the right to object. Will the gentleman from Mississippi inform us whether there is any assurance that the fees for the grading of cotton would cover the expenses? I see they allow the renting of offices and a considerable amount of expenditure.

Mr. DOXEY. Mr. Speaker, the purpose is not the grading of cotton, but it is the grading of cottonseed. Soybeans and every other commodity have the same system at present, and the Government did have to pay some of the administrative expenses, but this program in respect to commodities has been in operation for some time, and we feel that the same thing should happen with reference to cottonseed.

It may be that at the beginning the Government will be out a little something, but it is very gratifying to the cottonseed producer to know that he can sell his seed on grade instead of by the bushel or by the ton. There is no way for him to have that information unless it is certified by a certified grader.

Mr. KEAN. The gentleman feels sure that ultimately the Government will not be out of pocket?

Mr. DOXEY. I certainly trust so. It has not been so with soybeans and such other products.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the Cottonseed Grading Act.

SEC. 2. (a) As used in this act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "cottonseed" means the seed of the cotton plant, untreated by either chemical or mechanical process other than the ordinary processes of cleaning, drying, or ginning, or such sterilization as may be required by the Secretary for quarantine purposes.

(3) The term "cottonseed products" means the primary products processed from cottonseed, namely, crude cottonseed oil, cottonseed cake, cottonseed meal, linters, and hulls.

(4) The term "market" means any place or establishment at which cottonseed or cottonseed products are bought or sold.

(5) The term "person" includes partnerships, associations, and corporations, as well as individuals.

(6) The term "interstate commerce" means commerce between any place in a State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession of the United States, or the District of Columbia, but through any place outside thereof, or within any Territory or possession of the United States, or the District of Columbia.

(b) For the purposes of this act, but not in anywise limiting the foregoing definition of interstate commerce, a transaction in respect to cottonseed or cottonseed products shall be considered to be in interstate commerce if such cottonseed or cottonseed products are part of that current of commerce usual in the cottonseed industry whereby cottonseed or cottonseed products are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where purchase or sale is either for shipment to another State or for manufacture within the State and shipment outside the State of any of the products resulting from such manufacture. Cottonseed normally in such current of commerce shall not be considered out of such commerce through resort being had to any means or device intended to remove such transactions in respect thereto from the provisions of this act. For the purposes of this subsection, the term "State" includes a Territory or possession of the United States, the District of Columbia, or a foreign nation.

SEC. 3. It is hereby declared that transactions in cottonseed and cottonseed products involving the purchase and sale thereof as commonly conducted on markets are affected with a national public interest; that the analyzing, evaluating, and grading of cottonseed according to its physical condition, the amount of the products which can be manufactured therefrom, and other characteristics affect the prices received therefor by producers; that without uniform standards of classification and the widespread dissemination of market prices, market information, and grade information, the transactions in and prices of cottonseed and cottonseed products are susceptible to speculation, manipulation, and control, and unreasonable fluctuations and variations in prices and in quality determinations occur which are detrimental to producers and consumers generally and to persons engaged in the business of ginning, buying, selling, and processing cottonseed and cottonseed products in interstate commerce; and that such fluctuations and variations constitute a burden upon interstate commerce and make imperative the use of uniform standards of classification and the widespread dissemination of market prices, market information, and grade information for the protection of producers, consumers, and persons engaged in interstate commerce in cottonseed and cottonseed products and the public interest therein.

SEC. 4. The Secretary is hereby authorized and directed to investigate the handling, transportation, and grading of cottonseed; to establish standard specifications of methods for the sampling and grading of cottonseed; and to alter or modify any such standard specifications or methods whenever in his opinion experience indicates the need for such action. The standard specifications or methods so established, and any such alterations and modifications thereof, shall be known as the Official Cottonseed Standards of the United States and shall become effective on a date specified in the order of the Secretary establishing, altering, or modifying the same, but the date so specified shall be not less than 90 days after the date of such order.

SEC. 5. (a) The Secretary is further authorized to issue to competent persons licenses to sample and certify samples of cottonseed, to grade and certify the grades of cottonseed, and he may designate officers and employees of the Department of Agriculture to perform any of such services: *Provided*, That persons licensed under this provision shall not be connected with or employed by cottonseed crushing mills, buyers or sellers of cottonseed.

(b) Any such license may be suspended or revoked by the Secretary whenever he is satisfied that the licensee is incompetent; that he has knowingly or carelessly sampled or graded cottonseed improperly; that he has violated any provisions of this act or of any regulation prescribed thereunder; or that he has used his license or allowed it to be used for any improper purpose; but no such license shall be revoked until the licensee shall have been informed of the charges against him and afforded an opportunity to be heard.

(c) The Secretary may prescribe by regulation the conditions under which such licenses shall be issued and may require any licensee to give bond for the faithful performance of his duties and for the protection of persons affected thereby.

SEC. 6. (a) The Secretary is further authorized to establish sampling and marketing areas within the cotton-growing States.

(b) The Secretary may prescribe by regulation the conditions, standards, and methods under which cottonseed shall be sampled and graded by such licensees and by the officers and employees of the Department of Agriculture designated to perform such services.

(c) Any person who has custody of or a financial interest in any cottonseed may submit the same or samples thereof, in accordance with regulations prescribed by the Secretary, to any such licensee or to any officer or employee of the Department of Agriculture designated for the purpose, for the determination of the true grades of such cottonseed or samples.

(d) The Secretary is further authorized to fix and collect such fees or charges in connection with the issuance of licenses and the sampling and grading of cottonseed pursuant to this section as he may deem reasonable, and all moneys collected from such fees and charges shall be covered into the Treasury as miscellaneous receipts.

(e) Any owner of cottonseed may appeal from any certification made under this section in accordance with such regulations as the Secretary may prescribe.

(f) The Secretary shall provide by regulation for such resampling or regrading of cottonseed as he may deem necessary for the confirmation or invalidation of any certification made by a licensee or an officer or employee of the Department of Agriculture under this section. Any certification which supersedes any certification invalidated pursuant to this subsection shall be final.

(g) Each certification made pursuant to this section shall be binding on all officers and employees of the United States and shall be accepted in all courts of the United States as prima facie evidence of the truth of the statements contained therein.

SEC. 7 (a) The Secretary is authorized and directed to collect, authenticate, publish, and distribute, by telegraph, radio, mail, or otherwise, such timely information, including statistical information and summary reports, as he deems necessary with respect to the market prices of cottonseed and cottonseed products, the volume of trading in cottonseed and cottonseed products, and the market supply and demand, location, movement, condition, and other factors affecting the prices of cottonseed and cottonseed products, and with respect to the qualities and grades of cottonseed: *Provided*, That in the collection and dissemination of such information, duplication of the activities of other agencies of the Government shall be avoided so far as possible.

(b) For the purpose of collecting and disseminating accurate information with respect to the qualities and grades of cottonseed, the Secretary is authorized to designate cottonseed-producing areas according to the qualities or grades of cottonseed sold or produced therein and is authorized and directed to provide for collecting and grading samples of cottonseed sold or produced therein.

(c) The Secretary is further authorized to collect and disseminate such quality of grade information as he may deem necessary with respect to individual lots of cottonseed showing point of origin.

SEC. 8. (a) Any information furnished to the Secretary by any person under the provisions of this act, except of section 6 with respect to individual lots of cottonseed quality or grade information furnished under subsection (c) showing point of origin, shall be considered as strictly confidential and

shall be used only for the purpose for which it is supplied.

(b) Any officer or employee of the Department of Agriculture who without written authority of the Secretary shall publish or communicate any confidential information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

SEC. 9. (a) It shall be the duty of every individual and of every owner, operator, director, officer, or agent of any corporation, association, or partnership, operating any cottonseed-crushing mill, cotton gin, or other place or establishment where cottonseed or cottonseed products are bought or sold or held in storage, when requested by the Secretary or by any agent or employee of the Department of Agriculture acting under the instructions of the Secretary, to furnish completely and correctly, to the best of his knowledge, information concerning the prices and the grades of cottonseed and the prices of cottonseed products, owned, held, bought, or sold by such person in connection with transactions in interstate commerce or directly affecting interstate commerce, and, when so requested, to permit such agent or employee of the Department of Agriculture to examine the purchase and sales records of such transactions and to examine, sample, or grade any cottonseed involved in any such transactions.

(b) The request of the Secretary for any such information may be made in writing or by personal call by an agent of the Secretary designated by him and, if made in writing and forwarded by registered mail, the registry receipt of the Post Office Department shall be accepted as evidence of such demand.

(c) Any person who shall refuse or willfully neglect to furnish any information requested under this section, or who shall refuse to permit the examinations of purchase and sales records or the examination, sampling, weighing, or grading of cottonseed, requested under this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000.

SEC. 10.(a) It shall be unlawful—

(1) For any person, in or in connection with any transaction or shipment in interstate commerce made on and after the effective date of the official cottonseed standards of the United States promulgated under this act, or in any grading for the purposes of or in connection with a transaction or shipment in interstate commerce, to indicate for any cottonseed a grade which is of or within the official cottonseed standards of the United States in effect under this act, by any name, description, or designation not used in said standards; or to issue any report or invoice, showing the grade of cottonseed except according to an official certificate issued by a grader of cottonseed employed or licensed as such under this act.

(2) For any person falsely to make, issue, alter, forge, or counterfeit, or aid, cause, procure, or assist in or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate, stamp, tag, seal, label, or other writing issued under the authority of this act.

(3) For any person licensed by the Secretary as a sampler or grader of cottonseed under this act knowingly to sample or grade cottonseed improperly or to make any false certification under this act, or to accept money or other consideration, directly or indirectly, for any neglect or improper performance of his duty as a sampler or grader.

(4) For any person improperly to influence, or to attempt improperly to influence, or to forcibly assault, resist, impede, or interfere with, any person licensed by the Secretary as a sampler or grader in the execution of his duties under this act.

(5) For any person falsely to represent or otherwise indicate that he is authorized by the Secretary to sample, weigh, or grade cottonseed under this act.

(6) For any person to substitute or attempt to substitute other cottonseed for cottonseed actually sampled or graded under this act.

(7) For any person falsely to represent that cottonseed has been sampled or graded under this act, or knowingly to make or cause to be made any false representation concerning cottonseed sampled or graded under this act, or knowing that cottonseed is to be offered for sampling or grading under this act, to load, pack, or arrange such cottonseed in such manner as knowingly to conceal foreign matter, or cottonseed of inferior grade, quality, or condition, or, knowing that such cottonseed has been so loaded, packed, or arranged, to offer it for sampling or grading without disclosing such knowledge to the sampler or grader before the sampling or grading takes place.

(b) Whoever violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

SEC. 11. The Secretary is authorized to publish the facts regarding any violation of this act.

SEC. 12. In construing and enforcing the provisions of this act, the act, omission, or failure of any agent, officer, or other person acting for or employed by an association, partnership, or corporation, within the scope of his employment, shall be deemed to be the act, omission, or failure of the association, partnership, or corporation as well as that of such officer, agent, or other person.

SEC. 13. The Secretary shall have access to the records of the Bureau of the Census hereafter compiled to the extent necessary to obtain the names and addresses of cotton gins and cottonseed-crushing mills.

SEC. 14. (a) The Secretary is authorized to make such rules and regulations as he may deem necessary to effectuate the purposes of this act and for such purposes may cooperate with any other department or agency of the Government, with any State, Territory, or possession of the United States, or any department, agency, or political subdivision thereof.

(b) The Secretary is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out this act, but samplers and graders employed under this act on a seasonal basis and working for periods of 6 months or less during any 12-month period may be appointed without regard to the provisions of the Classification Act of 1923, as amended.

(c) The Secretary is authorized to make such expenditures for rent, in the District of Columbia and elsewhere, and for printing, binding, telegrams, telephones, books of reference, publications, furniture, stationery, office and laboratory equipment, travel, passenger automobiles, cottonseed or cottonseed products for use in preparing methods and standards, and other supplies and expenses, including reporting services, as may be necessary for the administration of this act and as may be appropriated for by Congress.

SEC. 15. (a) In carrying out this act the Secretary, or any officer or employee designated by him for such purpose, is authorized to hold hearings, administer oaths, sign and issue subpenas, and examine witnesses. Upon the refusal by any person to appear and testify in response to a subpena so issued, the proper United States district court shall have power to compel obedience thereto.

(b) Any of the powers and duties of the Secretary under this act may be delegated to and executed by any officer, agent, or employee of the Department of Agriculture designated by the Secretary for the purpose.

SEC. 16. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the administration of this act.

SEC. 17. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION OF CERTAIN LANDS TO PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, I reserve the right to object.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to explain this bill. If not, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISCHARGE OR RETIREMENT OF ENLISTED MEN OF THE REGULAR ARMY AND THE PHILIPPINE SCOUTS

The Clerk called the next bill, H. R. 2277, to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING PARAGRAPH 13 OF SECTION 127A OF THE NATIONAL DEFENSE ACT

The Clerk called the next bill, H. R. 2278, to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill, S. 164, will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926 (44 Stat. 705), be, and the same is hereby, further amended by striking out the words "one-half of 1 percent," and inserting in lieu thereof the words "2 percent."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 2278, was laid on the table.

AMENDING OF SECTION 17 OF THE JOINT SERVICE PAY ACT

The Clerk called the next bill, H. R. 2279, to amend section 17 of the Joint Service Pay Act, approved June 10, 1922, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, reserving the right to object, I wish to inquire about the cost and the purpose of this bill. If it cannot be explained, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPOSITION OF RECREATIONAL DEMONSTRATION PROJECTS

The Clerk called the next bill, H. R. 2685, to authorize the disposition of recreational demonstration projects, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, I would like to offer an amendment, about which I spoke to the gentleman from Utah [Mr. ROBINSON], if this bill is taken up.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, let me ask the gentleman to explain this bill.

Mr. ROBINSON of Utah. This bill was explained to the gentleman the last time it was under consideration. It was later agreed that it was all right.

Mr. RICH. That is the recreational area to be given to the States to handle instead of the Federal Government?

Mr. ROBINSON of Utah. That is correct.

Mr. BOREN. Reserving the right to object, will there be any cost to the Federal Government?

Mr. ROBINSON of Utah. None.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, except as provided in section 3 hereof, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized, with the approval of the President, to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects and lands, improvements, and equipment comprised within such projects transferred to him by Executive Order No. 7496, dated November 14, 1936, or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public park, recreational, and conservation purposes, or he may, with the approval of the President, transfer to other Federal agencies any of the aforesaid recreational demonstration areas that may be of use to such agencies.

SEC. 2. From and after the date of this act, the lands acquired for the Acadia, Custer Park, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Wind Cave National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within 6 months after the date of this act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section.

SEC. 3. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and the further express condition that the United States assumes no obligation for the maintenance or operation of the property after the acceptance of such deed or during the term of such lease, and may contain such other conditions not inconsistent with such express conditions as may be agreed upon by the Secretary and the grantee or lessee: *Provided*, That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee or lessee and after an opportunity for a hearing, that the grantee or lessee has not complied with such conditions during a period of more than 3 years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior and upon determination of the Secretary may be considered as surplus real property to be disposed of in accordance with the act of August 27, 1935 (49 Stat. 885).

With the following committee amendment:

Page 1, line 3, strike out "3" and insert "2."

The committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I have an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 2, in line 9, strike out the words "Custer Park", and in line 12 strike out the words "Wind Cave National Park."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGING THE TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS AND ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of appointment of Presidential electors and the election of Senators and Representatives in Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGE ACROSS SUSQUEHANNA RIVER AT MILLERSBURG, PA.

The Clerk called the next bill, H. R. 2828, to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., authorized to be built by the General State Authority, Commonwealth of Pennsylvania, and/or the Pennsylvania Bridge and Tunnel Commission, by an act of Congress approved April 30, 1940, are hereby extended 1 and 3 years, respectively, from May 1, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BARDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: Page 1, after the period in line 10 insert the following: "Section 1 of such act is amended by striking out 'the General State Authority, Commonwealth of Pennsylvania, and/or the Pennsylvania Bridge and Tunnel Commission', and inserting in lieu thereof 'the General State Authority, Commonwealth of Pennsylvania, the Pennsylvania Bridge and Tunnel Commission, or the Dauphin County, Pa., Authority, or any two or all such bodies,' and amend the title by inserting after the period in the last line, 'and to authorize its construction by the Dauphin County, Pa., Authority.'"

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., Authority."

BRIDGE ACROSS MISSISSIPPI RIVER AT KEOKUK, IOWA

The Clerk called the next bill, H. R. 4055, authorizing the city of Keokuk, Iowa, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Keokuk, Iowa, or to purchase the existing bridge at that locality.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FORT MARION NATIONAL MONUMENT, FLORIDA

The Clerk called the next bill, H. R. 3937, to change the designation of the

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Dr. Haake entitled "Is Inflation Inevitable?" delivered before the Pennsylvania State Chamber of Commerce dinner to the Pennsylvania delegation of the House and the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter to me from the Lions Club of Groesbeck, Tex.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the New York Times magazine in reference to Dr. John R. Steelman and his work as conciliator.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the life, character, and public service of our colleague the late Alonzo Dillard Folger.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. MONRONEY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter to Secretary Morgenthau on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by including a letter I received from my friend, Hon. V. A. Bradley.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a constituent, describing the use of convoys and a recent poll taken in my district on the subject.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the text of an address delivered by Capt. Edward Macauley, a member of the Maritime Commission, before the California Society.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Shawano County Journal.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include two short editorials from the Green Bay Press-Gazette.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from one of my constituents on the tax situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted by the Highway Forty-five Association.

The SPEAKER. Is there objection?

There was no objection.

FEEDING THE HUNGRY IN EUROPE

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, throughout Europe today more than 100,000,000 men, women, and children are in want of food. They are not Nazis. They are not aggressors in this terrible war. They are simply the innocent victims of forces totally beyond their control. Old men and old women, young girls, and small boys are not responsible for what has taken place in Europe. Their death through starvation will not change the course of events.

But we cannot dismiss our responsibilities to these suffering millions by shutting our eyes. We are a people who have enjoyed a world-wide reputation for charity and generosity. Our gifts have reached out to the victims of earthquake, fire, and flood in China, in Japan, in every corner of the earth—not because we sympathized with the politics of those whom we helped, but because we are fellow human beings. Shall we do less today when the people of France, of Czechoslovakia, of the Balkans, stretch out their hands to us. The dictates of our religion, the command of humanity tell us that we must make the effort to feed the starving multitudes of Europe. If that effort is frustrated by dictators, theirs will be the sin and the crime. We must make the attempt as human beings living in the war-tortured world. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Since we heard the gentleman from Mississippi speak, Mr. Speaker, we do hope and pray that the President will not get us into war. The President made the statement in Philadelphia that he would not get us into war unless we are attacked. I am opposed to war because I believe that we can settle these affairs to the best satisfaction of all the American people in a peaceful manner, but when the President says that he will not go into war unless attacked, that is a different question. He is now trying to send our ships into forbidden zones, where the President some months ago prohibited them from going, as per the Neutrality Act. Now he changes his plans and sends our ships into danger zones, and if our ships are blown up then he will claim we are attacked, and what else does that mean than war? Is he trying to get us into war? I am afraid he is; his actions speak louder than words. The President made the statement that to convoy means to shoot, and to shoot means war; and we want to stay out of all danger if we do not want to become embroiled in a terrible conflict. Let us keep our country out of war; that is what I propose to do.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

CONSENT CALENDAR

The SPEAKER. This is consent day, and the Clerk will call the first bill on the calendar.

MONOPOLISTIC PURCHASE OF PULPWOOD

The Clerk called House Joint Resolution 15, to investigate the apparent monopolistic purchasing of pulpwood by pulp and paper mills under a contract purchase system from farmers and other owners, price fixing of paper and other pulp products under trade-practice rules and regulations, including cost of distribution.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PRICES AND GRADES OF COTTONSEED AND COTTONSEED PRODUCTS

The Clerk called the bill (H. R. 571) to establish and promote the use of stand-

ard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I reserve the right to object. Will the gentleman from Mississippi inform us whether there is any assurance that the fees for the grading of cotton would cover the expenses? I see they allow the renting of offices and a considerable amount of expenditure.

Mr. DOXEY. Mr. Speaker, the purpose is not the grading of cotton, but it is the grading of cottonseed. Soybeans and every other commodity have the same system at present, and the Government did have to pay some of the administrative expenses, but this program in respect to commodities has been in operation for some time, and we feel that the same thing should happen with reference to cottonseed.

It may be that at the beginning the Government will be out a little something, but it is very gratifying to the cottonseed producer to know that he can sell his seed on grade instead of by the bushel or by the ton. There is no way for him to have that information unless it is certified by a certified grader.

Mr. KEAN. The gentleman feels sure that ultimately the Government will not be out of pocket?

Mr. DOXEY. I certainly trust so. It has not been so with soybeans and such other products.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the Cottonseed Grading Act.

SEC. 2. (a) As used in this act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "cottonseed" means the seed of the cotton plant, untreated by either chemical or mechanical process other than the ordinary processes of cleaning, drying, or ginning, or such sterilization as may be required by the Secretary for quarantine purposes.

(3) The term "cottonseed products" means the primary products processed from cottonseed, namely, crude cottonseed oil, cottonseed cake, cottonseed meal, linters, and hulls.

(4) The term "market" means any place or establishment at which cottonseed or cottonseed products are bought or sold.

(5) The term "person" includes partnerships, associations, and corporations, as well as individuals.

(6) The term "interstate commerce" means commerce between any place in a State, Territory, or possession of the United States, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession of the United States, or the District of Columbia, but through any place outside thereof, or within any Territory or possession of the United States, or the District of Columbia.

(b) For the purposes of this act, but not in anywise limiting the foregoing definition of interstate commerce, a transaction in respect to cottonseed or cottonseed products shall be considered to be in interstate commerce if such cottonseed or cottonseed products are part of that current of commerce usual in the cottonseed industry whereby cottonseed or cottonseed products are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where purchase or sale is either for shipment to another State or for manufacture within the State and shipment outside the State of any of the products resulting from such manufacture. Cottonseed normally in such current of commerce shall not be considered out of such commerce through resort being had to any means or device intended to remove such transactions in respect thereto from the provisions of this act. For the purposes of this subsection, the term "State" includes a Territory or possession of the United States, the District of Columbia, or a foreign nation.

SEC. 3. It is hereby declared that transactions in cottonseed and cottonseed products involving the purchase and sale thereof as commonly conducted on markets are affected with a national public interest; that the analyzing, evaluating, and grading of cottonseed according to its physical condition, the amount of the products which can be manufactured therefrom, and other characteristics affect the prices received therefor by producers; that without uniform standards of classification and the widespread dissemination of market prices, market information, and grade information, the transactions in and prices of cottonseed and cottonseed products are susceptible to speculation, manipulation, and control, and unreasonable fluctuations and variations in prices and in quality determinations occur which are detrimental to producers and consumers generally and to persons engaged in the business of ginning, buying, selling, and processing cottonseed and cottonseed products in interstate commerce; and that such fluctuations and variations constitute a burden upon interstate commerce and make imperative the use of uniform standards of classification and the widespread dissemination of market prices, market information, and grade information for the protection of producers, consumers, and persons engaged in interstate commerce in cottonseed and cottonseed products and the public interest therein.

SEC. 4. The Secretary is hereby authorized and directed to investigate the handling, transportation, and grading of cottonseed; to establish standard specifications of methods for the sampling and grading of cottonseed; and to alter or modify any such standard specifications or methods whenever in his opinion experience indicates the need for such action. The standard specifications or methods so established, and any such alterations and modifications thereof, shall be known as the Official Cottonseed Standards of the United States and shall become effective on a date specified in the order of the Secretary establishing, altering, or modifying the same, but the date so specified shall be not less than 90 days after the date of such order.

SEC. 5. (a) The Secretary is further authorized to issue to competent persons licenses to sample and certify samples of cottonseed, to grade and certify the grades of cottonseed, and he may designate officers and employees of the Department of Agriculture to perform any of such services: *Provided,* That persons licensed under this provision shall not be connected with or employed by cottonseed crushing mills, buyers or sellers of cottonseed.

(b) Any such license may be suspended or revoked by the Secretary whenever he is satisfied that the licensee is incompetent; that he has knowingly or carelessly sampled or graded cottonseed improperly; that he has violated any provisions of this act or of any regulation prescribed thereunder; or that he has used his license or allowed it to be used for any improper purpose; but no such license shall be revoked until the licensee shall have been informed of the charges against him and afforded an opportunity to be heard.

(c) The Secretary may prescribe by regulation the conditions under which such licenses shall be issued and may require any licensee to give bond for the faithful performance of his duties and for the protection of persons affected thereby.

SEC. 6. (a) The Secretary is further authorized to establish sampling and marketing areas within the cotton-growing States.

(b) The Secretary may prescribe by regulation the conditions, standards, and methods under which cottonseed shall be sampled and graded by such licensees and by the officers and employees of the Department of Agriculture designated to perform such services.

(c) Any person who has custody of or a financial interest in any cottonseed may submit the same or samples thereof, in accordance with regulations prescribed by the Secretary, to any such licensee or to any officer or employee of the Department of Agriculture designated for the purpose, for the determination of the true grades of such cottonseed or samples.

(d) The Secretary is further authorized to fix and collect such fees or charges in connection with the issuance of licenses and the sampling and grading of cottonseed pursuant to this section as he may deem reasonable, and all moneys collected from such fees and charges shall be covered into the Treasury as miscellaneous receipts.

(e) Any owner of cottonseed may appeal from any certification made under this section in accordance with such regulations as the Secretary may prescribe.

(f) The Secretary shall provide by regulation for such resampling or regrading of cottonseed as he may deem necessary for the confirmation or invalidation of any certification made by a licensee or an officer or employee of the Department of Agriculture under this section. Any certification which supersedes any certification invalidated pursuant to this subsection shall be final.

(g) Each certification made pursuant to this section shall be binding on all officers and employees of the United States and shall be accepted in all courts of the United States as prima facie evidence of the truth of the statements contained therein.

SEC. 7 (a) The Secretary is authorized and directed to collect, authenticate, publish, and distribute, by telegraph, radio, mail, or otherwise, such timely information, including statistical information and summary reports, as he deems necessary with respect to the market prices of cottonseed and cottonseed products, the volume of trading in cottonseed and cottonseed products, and the market supply and demand, location, movement, condition, and other factors affecting the prices of cottonseed and cottonseed products, and with respect to the qualities and grades of cottonseed: *Provided,* That in the collection and dissemination of such information, duplication of the activities of other agencies of the Government shall be avoided so far as possible.

(b) For the purpose of collecting and disseminating accurate information with respect to the qualities and grades of cottonseed, the Secretary is authorized to designate cottonseed-producing areas according to the qualities or grades of cottonseed sold or produced therein and is authorized and directed to provide for collecting and grading samples of cottonseed sold or produced therein.

(c) The Secretary is further authorized to collect and disseminate such quality of grade information as he may deem necessary with respect to individual lots of cottonseed showing point of origin.

SEC. 8. (a) Any information furnished to the Secretary by any person under the provisions of this act, except of section 6 with respect to individual lots of cottonseed quality or grade information furnished under subsection (c) showing point of origin, shall be considered as strictly confidential and

shall be used only for the purpose for which it is supplied.

(b) Any officer or employee of the Department of Agriculture who without written authority of the Secretary shall publish or communicate any confidential information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

SEC. 9. (a) It shall be the duty of every individual and of every owner, operator, director, officer, or agent of any corporation, association, or partnership, operating any cottonseed-crushing mill, cotton gin, or other place or establishment where cottonseed or cottonseed products are bought or sold or held in storage, when requested by the Secretary or by any agent or employee of the Department of Agriculture acting under the instructions of the Secretary, to furnish completely and correctly, to the best of his knowledge, information concerning the prices and the grades of cottonseed and the prices of cottonseed products, owned, held, bought, or sold by such person in connection with transactions in interstate commerce or directly affecting interstate commerce, and, when so requested, to permit such agent or employee of the Department of Agriculture to examine the purchase and sales records of such transactions and to examine, sample, or grade any cottonseed involved in any such transactions.

(b) The request of the Secretary for any such information may be made in writing or by personal call by an agent of the Secretary designated by him and, if made in writing and forwarded by registered mail, the registry receipt of the Post Office Department shall be accepted as evidence of such demand.

(c) Any person who shall refuse or willfully neglect to furnish any information requested under this section, or who shall refuse to permit the examinations of purchase and sales records or the examination, sampling, weighing, or grading of cottonseed, requested under this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000.

SEC. 10.(a) It shall be unlawful—

(1) For any person, in or in connection with any transaction or shipment in interstate commerce made on and after the effective date of the official cottonseed standards of the United States promulgated under this act, or in any grading for the purposes of or in connection with a transaction or shipment in interstate commerce, to indicate for any cottonseed a grade which is of or within the official cottonseed standards of the United States in effect under this act, by any name, description, or designation not used in said standards; or to issue any report or invoice, showing the grade of cottonseed except according to an official certificate issued by a grader of cottonseed employed or licensed as such under this act.

(2) For any person falsely to make, issue, alter, forge, or counterfeit, or aid, cause, procure, or assist in or be a party to the false making, issuing, altering, forging, or counterfeiting of any certificate, stamp, tag, seal, label, or other writing issued under the authority of this act.

(3) For any person licensed by the Secretary as a sampler or grader of cottonseed under this act knowingly to sample or grade cottonseed improperly or to make any false certification under this act, or to accept money or other consideration, directly or indirectly, for any neglect or improper performance of his duty as a sampler or grader.

(4) For any person improperly to influence, or to attempt improperly to influence, or to forcibly assault, resist, impede, or interfere with, any person licensed by the Secretary as a sampler or grader in the execution of his duties under this act.

(5) For any person falsely to represent or otherwise indicate that he is authorized by the Secretary to sample, weigh, or grade cottonseed under this act.

(6) For any person to substitute or attempt to substitute other cottonseed for cottonseed actually sampled or graded under this act.

(7) For any person falsely to represent that cottonseed has been sampled or graded under this act, or knowingly to make or cause to be made any false representation concerning cottonseed sampled or graded under this act, or knowing that cottonseed is to be offered for sampling or grading under this act, to load, pack, or arrange such cottonseed in such manner as knowingly to conceal foreign matter, or cottonseed of inferior grade, quality, or condition, or, knowing that such cottonseed has been so loaded, packed, or arranged, to offer it for sampling or grading without disclosing such knowledge to the sampler or grader before the sampling or grading takes place.

(b) Whoever violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

SEC. 11. The Secretary is authorized to publish the facts regarding any violation of this act.

SEC. 12. In construing and enforcing the provisions of this act, the act, omission, or failure of any agent, officer, or other person acting for or employed by an association, partnership, or corporation, within the scope of his employment, shall be deemed to be the act, omission, or failure of the association, partnership, or corporation as well as that of such officer, agent, or other person.

SEC. 13. The Secretary shall have access to the records of the Bureau of the Census hereafter compiled to the extent necessary to obtain the names and addresses of cotton gins and cottonseed-crushing mills.

SEC. 14. (a) The Secretary is authorized to make such rules and regulations as he may deem necessary to effectuate the purposes of this act and for such purposes may cooperate with any other department or agency of the Government, with any State, Territory, or possession of the United States, or any department, agency, or political subdivision thereof.

(b) The Secretary is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out this act, but samplers and graders employed under this act on a seasonal basis and working for periods of 6 months or less during any 12-month period may be appointed without regard to the provisions of the Classification Act of 1923, as amended.

(c) The Secretary is authorized to make such expenditures for rent, in the District of Columbia and elsewhere, and for printing, binding, telegrams, telephones, books of reference, publications, furniture, stationery, office and laboratory equipment, travel, passenger automobiles, cottonseed or cottonseed products for use in preparing methods and standards, and other supplies and expenses, including reporting services, as may be necessary for the administration of this act and as may be appropriated for by Congress.

SEC. 15. (a) In carrying out this act the Secretary, or any officer or employee designated by him for such purpose, is authorized to hold hearings, administer oaths, sign and issue subpenas, and examine witnesses. Upon the refusal by any person to appear and testify in response to a subpena so issued, the proper United States district court shall have power to compel obedience thereto.

(b) Any of the powers and duties of the Secretary under this act may be delegated to and executed by any officer, agent, or employee of the Department of Agriculture designated by the Secretary for the purpose.

SEC. 16. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the administration of this act.

SEC. 17. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITION OF CERTAIN LANDS TO PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, I reserve the right to object.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to explain this bill. If not, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISCHARGE OR RETIREMENT OF ENLISTED MEN OF THE REGULAR ARMY AND THE PHILIPPINE SCOUTS

The Clerk called the next bill, H. R. 2277, to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDING PARAGRAPH 13 OF SECTION 127A OF THE NATIONAL DEFENSE ACT

The Clerk called the next bill, H. R. 2278, to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill, S. 164, will be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926 (44 Stat. 705), be, and the same is hereby, further amended by striking out the words "one-half of 1 percent," and inserting in lieu thereof the words "2 percent."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 2278, was laid on the table.

AMENDING OF SECTION 17 OF THE JOINT SERVICE PAY ACT

The Clerk called the next bill, H. R. 2279, to amend section 17 of the Joint Service Pay Act, approved June 10, 1922, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, reserving the right to object, I wish to inquire about the cost and the purpose of this bill. If it cannot be explained, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPOSITION OF RECREATIONAL DEMONSTRATION PROJECTS

The Clerk called the next bill, H. R. 2685, to authorize the disposition of recreational demonstration projects, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, I would like to offer an amendment, about which I spoke to the gentleman from Utah [Mr. ROBINSON], if this bill is taken up.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, let me ask the gentleman to explain this bill.

Mr. ROBINSON of Utah. This bill was explained to the gentleman the last time it was under consideration. It was later agreed that it was all right.

Mr. RICH. That is the recreational area to be given to the States to handle instead of the Federal Government?

Mr. ROBINSON of Utah. That is correct.

Mr. BOREN. Reserving the right to object, will there be any cost to the Federal Government?

Mr. ROBINSON of Utah. None.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, except as provided in section 3 hereof, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized, with the approval of the President, to convey or lease to the States or to the political subdivisions thereof, without consideration, any or all of the recreational demonstration projects and lands, improvements, and equipment comprised within such projects transferred to him by Executive Order No. 7496, dated November 14, 1936, or any parts of such projects, when in his judgment such grantees or lessees are adequately prepared to administer, operate, and maintain such project areas for public park, recreational, and conservation purposes, or he may, with the approval of the President, transfer to other Federal agencies any of the aforesaid recreational demonstration areas that may be of use to such agencies.

SEC. 2. From and after the date of this act, the lands acquired for the Acadia, Custer Park, French Creek, Shenandoah, and White Sands recreational demonstration projects shall be added to and become a part of Acadia National Park, Wind Cave National Park, Hopewell Village National Historic Site, Shenandoah National Park, and White Sands National Monument, in the order named above, subject to all laws, rules, and regulations applicable to the respective areas to which such recreational demonstration projects are added: *Provided*, That within 6 months after the date of this act the Secretary of the Interior shall file with The National Archives a map of each recreational demonstration project enumerated in this section.

SEC. 3. The Secretary is authorized to execute on behalf of the United States all necessary deeds and leases to effect the purposes of this act. Every such deed or lease shall contain the express condition that the grantee or lessee shall use the property exclusively for public park, recreational, and conservation purposes, and the further express condition that the United States assumes no obligation for the maintenance or operation of the property after the acceptance of such deed or during the term of such lease, and may contain such other conditions not inconsistent with such express conditions as may be agreed upon by the Secretary and the grantee or lessee: *Provided*, That the title and right to possession of any lands so conveyed or leased, together with the improvements thereon, shall revert to the United States upon a finding by the Secretary, after notice to such grantee or lessee and after an opportunity for a hearing, that the grantee or lessee has not complied with such conditions during a period of more than 3 years, which finding shall be final and conclusive, and such lands and improvements thereon, upon such reversion to the United States, shall be returned to the jurisdiction of the Department of the Interior and upon determination of the Secretary may be considered as surplus real property to be disposed of in accordance with the act of August 27, 1935 (49 Stat. 885).

With the following committee amendment:

Page 1, line 3, strike out "3" and insert "2."

The committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I have an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 2, in line 9, strike out the words "Custer Park", and in line 12 strike out the words "Wind Cave National Park."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHANGING THE TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS AND ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of appointment of Presidential electors and the election of Senators and Representatives in Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIDGE ACROSS SUSQUEHANNA RIVER AT MILLERSBURG, PA.

The Clerk called the next bill, H. R. 2828, to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., authorized to be built by the General State Authority, Commonwealth of Pennsylvania, and/or the Pennsylvania Bridge and Tunnel Commission, by an act of Congress approved April 30, 1940, are hereby extended 1 and 3 years, respectively, from May 1, 1941.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BARDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: Page 1, after the period in line 10 insert the following: "Section 1 of such act is amended by striking out 'the General State Authority, Commonwealth of Pennsylvania, and/or the Pennsylvania Bridge and Tunnel Commission', and inserting in lieu thereof 'the General State Authority, Commonwealth of Pennsylvania, the Pennsylvania Bridge and Tunnel Commission, or the Dauphin County, Pa., Authority, or any two or all such bodies,' and amend the title by inserting after the period in the last line, 'and to authorize its construction by the Dauphin County, Pa., Authority.'"

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., Authority."

BRIDGE ACROSS MISSISSIPPI RIVER AT KEOKUK, IOWA

The Clerk called the next bill, H. R. 4055, authorizing the city of Keokuk, Iowa, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Keokuk, Iowa, or to purchase the existing bridge at that locality.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FORT MARION NATIONAL MONUMENT, FLORIDA

The Clerk called the next bill, H. R. 3937, to change the designation of the

Fort Marion National Monument in the State of Florida, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. HENDRICKS. Mr. Speaker, reserving the right to object, I should like to explain that the purpose of this bill is merely to change the name of this national monument from "Fort Marion National Monument" to the original Spanish name, "Castillo de San Marcos."

The bill has the backing of all the civic organizations of St. Augustine, of the State Historical Society, and has a favorable report from the Department of the Interior. We are carrying on a program for the restoration of the old landmarks of St. Augustine. It was originally a Spanish city. All the streets and all the buildings and landmarks bear Spanish names, and this Fort Marion is the only one not in keeping with the idea of having these landmarks bear their original Spanish names. The Carnegie Institution has cooperated with the city of St. Augustine in its restoration program. The Legislature of the State of Florida has appropriated $50,000 to carry it forward, and the fact that this old Spanish fort does not bear its original Spanish name is the only thing out of keeping with the entire program. I hope the gentleman will let the bill pass today. It merely changes the name of the fort to Castillo de San Marcos.

Mr. WOLCOTT. I may say to the gentleman from Florida that I feel very keenly about this bill. I do not know anything about Castillo de San Marcos. I do not even know what it means, whether it is the name of a man, a building, or what; it is meaningless to me; but I do know that according to the report there was a great patriot who served with distinction in the Revolutionary War, a man by the name of Francis Marion. When Florida was purchased from Spain the name of this fort was changed to honor this great Revolutionary soldier. It seems to me that having been known as Fort Marion National Monument in honor of this great Revolutionary soldier throughout all these years we should hesitate now to change it to a name that is absolutely meaningless so far as the American people are concerned.

Mr. HENDRICKS. Let me ask the gentleman if he does not think it rather ironic that this fort should bear the name of the man who attempted to destroy it?

Mr. WOLCOTT. The gentleman means that Francis Marion attempted to destroy the fort?

Mr. HENDRICKS. He attempted to raise an expedition to destroy it.

Mr. WOLCOTT. Does the gentleman realize that if it were not for such men as Francis Marion there would be no Florida, there would be no Massachusetts, no Michigan, or many other States?

Mr. HENDRICKS. I appreciate that.

Mr. WOLCOTT. I do not know that Francis Marion is honored now in any other way, but I do know that, according to the report, he was a great American Revolutionary patriot. It seems to me to pass this bill would be just to take away what little honor is left a great American and pass it on to something or other here mentioned in the bill. I do not know what it means. What does it mean?

Mr. HENDRICKS. I do not believe any honor could be taken from Gen. Francis Marion by changing the name of this fort.

For the gentleman's information I may say that Fort Marion was begun in 1672 and is the oldest masonry defensive work still standing in the United States.

Mr. WOLCOTT. One might as well say that Duquesne was a great Frenchman and that inasmuch as Pittsburgh originally was known as Duquesne we should change the name of Pittsburgh to Duquesneville or something else.

Mr. HENDRICKS. I do not see the analogy of the gentleman's reasoning.

Mr. WOLCOTT. The Spanish are not in Florida any more than the French are in Pennsylvania. Florida is now a great State in a great Union that was made possible by the American Revolution. I see the gentleman's point, of course, but you know we have a great many northern people who go to Florida.

Mr. HENDRICKS. We are glad to have them come.

Mr. WOLCOTT. We do not like to have them think they are going to a Spanish colony. We like to have them think they are going to another of the great States of the United States. I have no objection to the gentleman making any statement he cares to. I think we should be tolerant of the gentleman's position, but, as an American who likes to look forward to the time when he can go to Florida, I do not want to have to speak the Spanish language when I get there in order to make myself understood. "Castillo de San Marcos" means nothing to me or to millions of other American people, but "Francis Marion" does mean something to us, because it was his type of man who made it possible for us to live under this democracy, and I think we should continue to honor men of that kind.

Mr. HENDRICKS. Will the gentleman allow me to make one statement?

The regular order was demanded.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. HENDRICKS. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. WOLCOTT, RICH, COLE of New York, and KEAN objected.

AMENDING ACT FOR THE GRADING AND CLASSIFICATION OF CLERKS IN THE FOREIGN SERVICE

The Clerk called the next bill, S. 1123, to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, reserving the right to object, am I correctly informed that this bill reduces the retirement age from 60 to 50 years in the case of certain classes in the Foreign Service?

Mr. BLOOM. No, not exactly that. It reduces it to 50 after they have been in the service for 15 years and the Secretary of State asks for their retirement; that is, for some reason. It merely means that this is in the interest of the efficiency of the Department where a person has been in the service for 15 years.

Mr. WOLCOTT. We cannot hear you.

Mr. BLOOM. I was explaining the bill the same as I did last time.

Mr. FISH. What is the bill?

Mr. SCHULTE. Mr. Speaker, I object.

Mr. BOREN. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 26 (d) of the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended by the act of April 24, 1939, be, and the same is hereby, amended as follows:

"(d) When any Foreign Service officer has reached the age of 65 years and rendered at least 15 years of service he shall be retired on an annuity computed as prescribed in paragraph (e) of this section: *Provided*, That any Foreign Service officer who has reached the age of 50 years and rendered at least 30 years of service may, in the discretion of the Secretary of State, be retired on an annuity computed as prescribed under paragraph (e) of this section; or if any Foreign Service officer has reached the age of 50 years and has rendered at least 15 but less than 30 years of actual service, exclusive of extra service credit as provided in paragraph (k) of this section, he may, at the instance of the Secretary of State, be retired on an annuity based on such actual period of service: *And provided further*, That the President may in his discretion retain any Foreign Service officer on active duty for such period prior to his reaching 70 years of age as he may deem for the interests of the United States."

SEC. 2. This act shall take effect on the first day of the calendar month following the expiration of 60 days from the date of its approval by the President.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill just passed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. CHIPERFIELD]?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, one of the finest records of any department of the Government is that of the Foreign Service of the United States. The Foreign Service officers are most carefully selected by written, oral, and physical examination.

Our Foreign Service consists of over 800 career men, and they are assigned to over 300 posts abroad. These posts are, of course, in all parts of the world. Some are very desirable, but there are a goodly number that are considered unhealthful and extremely trying because of living conditions found there. In these unhealthful posts, where often adequate

medical facilities are not even available and most of which are in the Tropics, the career men are credited with 50 percent additional time to that which they have actually served in these posts toward their retirement.

Under the circumstances that now exist in Europe, these men in many instances are in as much danger as the soldiers in those areas. They and their families are subject to danger and hardship of foreign wars, civil strife, and major catastrophies. The record they are making is one of which we can be justly proud. Their devotion to duty in the face of physical danger and exacting circumstances and mental strain has been exemplary.

However, in times of emergency and stress there are a very few men who do not measure up to the high requirements of the Foreign Service. There is a heavy responsibility resting upon these officers who are working under actual war conditions. This is particularly true of those in the upper grades who must be fully qualified to carry out their exacting duties as representatives of this Government. Thus it is often difficult to utilize to the best interest of our Government the services of those who because of their health and advancing years are no longer qualified to meet the requisite and characteristic responsibilities of the Service and who cannot be relieved. Many of these officers have rendered years of excellent service and are not disabled to the extent that they would be retired or request retirement for total disability.

If these men who do not quite come up to the high standards of the State Department were separated from the service, under existing law they would have to be rated as unsatisfactory, placed on probation and given a hearing before the Personnel Board of the Department. This would in most instances ruin a future career for the officers who, through no fault of their own, have perhaps slowed up due to age or other infirmities in the performance of their duties. After rendering years of valuable service to their Government it seems to me it would be an undue hardship to turn out men over 50 years of age without giving them a small pension for their services under these circumstances.

As you undoubtedly know, the annuity of a retired Service officer is equal to 2 percent of his average basic salary for 10 years next preceding the date of retirement multiplied by the number of years of service, not exceeding 30 years. At the same time a career officer has paid into the retirement fund 5 percent of his basic salary for the entire time he was in the Service. The present bill would relieve the difficulties which I have just related and it would permit, at the instance of the Secretary of State, to retire a career officer who had actually served in the Foreign Service at least 15 years and who had reached the age of 50 without it becoming necessary to prefer charges against him.

The provisions for retirement after 30 years of service at the age of 50 is no innovation. From 1931 to 1939 retirements were authorized in the Foreign Service without restrictions as to age and it was found of great importance in maintaining the standard of the Service. Since a person cannot get into the Foreign Service until he is 21 years of age there would be very few cases where 30 years of service could be rendered before the officer reached the age of 50. Nor is retirement after 15 years of service a new precedent. Under existing law an officer can be retired after 15 years of service at the age of 65.

As I pointed out before, the new provision of retirement after 15 years of service and age 50 does not permit an officer to count toward retirement extra time gained by service in unhealthful posts.

Let me say that there are very, very few instances where it would be necessary for the Secretary to take such action. As a matter of fact, the very existence of such legislation would in most cases probably make it unnecessary for the Secretary to take such action because a career officer who was not coming up to the standards of the Service would know that he might be retired, and this fact, in and of itself, might cause him to make an additional effort to come up to the standards required. It would make him realize he must compete for the position he holds. In other words, it would tend to raise the standard of service rendered by officers who might otherwise be subject to retirement within the purview of the proposed bill, and, as a result, the number of cases in which it would be necessary for retirements to be made at the instance of the Secretary of State would probably be negligible.

The added expense for the pension of officers retired under this plan is comparatively small. Let us take a concrete example of a Foreign Service officer who has served the minimum time of 15 years and whose average salary for the last 10 years, let us say, was $3,500. This officer could be retired at a pension of $1,050 a year, but I want to call attention to the fact that this pension for the first 2½ years would not cost the Government one cent as the officer has paid for that himself. If the State Department should retire 10 men under the circumstances outlined, it would cost the Government $10,500 per year after the first 2½ years. This is certainly trifling compared to the appropriation of around $14,000,000 a year for the State Department and Foreign Service which does not include fees collected which run from $3,000,000 to $4,000,000. So actually the operation of the State Department and Foreign Service only costs between $10,000,000 and $11,000,000.

It is an acknowledged fact that the State Department is one of the most conservative of all the departments in their demands for appropriation from the Government, and the Foreign Service officers are notably underpaid for the services rendered.

Certainly after 30 years away from his homeland a Foreign Service officer is entitled to retire, and if the Service demands it, there should be no hesitation in requesting an officer to retire after 15 years if it is for the betterment of the Service.

CERTAIN LOSSES OCCURRING IN THE REDEMPTION OF ADJUSTED SERVICE BONDS

The Clerk called the next bill, H. R. 3847, to adjust certain losses occurring in the redemption of adjusted service bonds.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, whereas, in effecting the distribution and redemption of adjusted-service bonds in the years 1936 and 1937, as authorized by the act of January 27, 1936 (ch. 32), as amended by the act of June 3, 1936 (ch. 482, 49 Stat. 1099, 1396; 38 U. S. C. 1934 ed., Supp. V, secs. 686–688b), certain misdeliveries and erroneous payments were made, due for the most part to circumstances beyond their control, by certain postmasters and postal employees designated at the request of the Secretary of the Treasury to perform such fiscal agency service pursuant to the provisions of said act of June 3, 1936, the Comptroller General of the United States, the Secretary of the Treasury, the Treasurer of the United States, and the Postmaster General are authorized, in those cases where it shall be jointly determined by the Postmaster General and the Secretary of the Treasury that such misdeliveries and erroneous payments occurred without negligence upon the part of the postmaster or postal employee charged with the error, to relieve them of such charges. There are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effect the relief hereby granted, not to exceed, however, the aggregate sum of $6,000: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HOBBS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: Page 2, line 13, after the word *"Provided"*, insert "That in those instances where the misdeliveries or erroneous payments referred to herein have resulted in failure of the true beneficiaries or payees to receive securities or payments, proper deliveries and payments shall be promptly made to them as contemplated by the act of January 27, 1936, as amended: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. WOLCOTT. Mr. Speaker, I reserve a point of order against the amendment.

The SPEAKER. Does the gentleman from Alabama [Mr. HOBBS] desire to be heard on the point of order?

Mr. HOBBS. Mr. Speaker, I desire to be heard.

Mr. Speaker, this bill is very meritorious and should be passed. It relates, as the Speaker, of course knows, to

the correction or acquittal of mistakes made in the payment of adjusted compensation or bonus certificates to those who are entitled to such payments. It is an interdepartmental matter. That is to say, where the bond or payment or check was sent to, we will say, Bill Smith, at Selma, Ala., and was delivered to the wrong Bill Smith by reason of a fraud committed or an honest mistake made by Bill Smith No. 2, the question is as to which department is to blame, the Post Office Department or the Treasury Department. This bill would clarify the matter and put the blame on one department or the other.

The SPEAKER. The Chair has some difficulty in determining the point of order. The gentleman is speaking on the point of order, but the Chair does not know what the point of order is. Will the gentleman from Michigan [Mr. WOLCOTT] state his point of order?

Mr. WOLCOTT. Mr. Speaker, I reserved the point of order hoping some member of the Claims Committee would advise us the amount which the gentleman's amendment involves, inasmuch as we have no information in the report, in the hearings or in the bill itself. I will press the point of order on the ground it is not germane to the bill.

Mr. HOBBS. Mr. Speaker, it will be of little moment to a veteran whether his failure to get his bonus money be charged, under our accounting system, to the Post Office Department for erroneous delivery, or to the Treasury Department for some alleged negligence. In either event, the veteran has never received what Congress provided by law that he should receive, and under this bill he will not receive anything. The Comptroller General has very properly taken the position that as far as his records are concerned payment has been made, yet everyone knows that it has not been made. It is the purpose of this amendment to require that the veteran be paid if he has not been paid.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. HOBBS. I am very happy to yield to the gentleman from Michigan.

Mr. WOLCOTT. Was the gentleman's amendment submitted to the Committee on Claims when they were considering this matter?

Mr. HOBBS. Yes, sir; I think it was, although I did not present it personally.

Mr. WOLCOTT. What did they do with it?

Mr. HOBBS. I am not informed on that. I did not know until this morning that the bill was coming up today. I do not know whether they have acted on it or not.

Mr. WOLCOTT. If they did act upon it, apparently it was rejected, because it does not appear in the bill. As I understand this bill, it is purely one to reimburse certain postmasters for certain losses which they sustained in respect to misdelivery. I do not know but that I would be perfectly in accord with the purpose of the gentleman if we had some further information on the question, but, as I interpret these losses to the postmasters, they are losses for which they are responsible, and probably are losses sustained in reimbursing the recipients of the adjusted-service certificates. If that is true, then, of course, the veteran has already been reimbursed.

Mr. HOBBS. No, sir; I do not so understand, nor do I so interpret the bill. But if the gentleman be correct then my amendment will be harmless, for it only requires that those veterans who have not been paid shall be paid, as contemplated by the act of 1936. Of course, there must not be any double payment. This bill should not merely correct accounts. It should do justice, and not by halves.

Mr. WOLCOTT. I wish the gentleman would not press his amendment until we know something more about it. Possibly, if it seems meritorious and the gentleman will consent that the bill be passed over, we can talk about it a little with members of the Committee on Claims and we may come to an understanding about it.

Mr. HOBBS. May I suggest to the gentleman that I have had no notice of any opposition to the amendment.

Mr. WOLCOTT. Of course, we had no notice of the gentleman's amendment.

Mr. HOBBS. That may be true. What I was going to say is that if the gentleman will let the amendment go through now, since I have not objected to the bill, the amendment can be cut out in the Senate if anything is found wrong with it.

Mr. WOLCOTT. I personally do not like to rely upon the Senate to correct errors in legislation.

Mr. HOBBS. I respectfully submit that there is nothing in my amendment that could cause a miscarriage of justice. All it does is say that there shall be done now in behalf of the veteran what the law requires to be done.

Mr. WOLCOTT. I might agree with the gentleman if we had some information on the matter, but we have no information as to how much money is involved. The committee apparently did not consider it; at least, they have not given the House any information concerning it. I really do not believe the gentleman should press his amendment until we know something further about it. The bill itself is a perfectly innocuous one and involves but $5,000.

Mr. HOBBS. That is right.

Mr. WOLCOTT. The gentleman's amendment may involve $5,000,000; we do not know. I believe we should know what we are doing before we accept the amendment.

Mr. HOBBS. No; the amendment is addressed only to the situation where there has been a mistake in delivery. It covers only the cases which are covered by the bill now pending. Unless there was an erroneous delivery or a misdelivery, and unless the veteran has been deprived of his bonus, my amendment cannot possibly apply.

Mr. WOLCOTT. If my memory serves me correctly, there is already a provision of law which safeguards the veteran against the loss of his bonus bond in transit. Frankly, I do not believe any Member of the House, with the possible exception of the gentleman, knows where we are going on this question.

Mr. HOBBS. May I say to the gentleman that I have gone through the Treasury and Post Office Departments, and the General Accounting Office and everywhere in the Government, and there is no law to require the payment or delivery of certificates to the veteran where the postmaster made an erroneous delivery or a misdelivery.

Mr. WOLCOTT. May I suggest to the gentleman that he not press his amendment, but let it be placed in the bill in the Senate, where some debate can be had on it, because as I understand, it is now too late to object to the consideration of the bill. Perhaps in the debate in the Senate these points may come out and the House will have information on them.

The SPEAKER. Does the gentleman from Michigan insist upon his point of order against the amendment?

Mr. WOLCOTT. Mr. Speaker, notwithstanding the action of the House on the bill, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

UNFINISHED PORTION OF THE FRIEZE IN THE CAPITOL ROTUNDA

The Clerk called the joint resolution (H. J. Res. 35) to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. BOREN. Mr. Speaker, I believe this is $20,000 we could well save, and I object.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman reserve his objection?

Mr. BOREN. Yes.

Mr. JENKINS of Ohio. This bill passed the House last year and passed a committee of the Senate last year.

Mr. BOREN. Providing for an expenditure of $40,000.

Mr. JENKINS of Ohio. No; it provides for an expenditure of only half that amount. It does not provide for the expenditure of any money; it simply is an authorization for it. The Custodian of the Capitol is anxious to have it and the Committee on the Library is anxious to have it. The expenditure is practically nothing. The bill has passed the House before and has also passed a committee of the Senate. I wish the gentleman would withdraw his objection.

Mr. RANKIN of Mississippi. If the gentleman will yield, does not the gentleman from Ohio think we ought to save that space for the T. V. A., at any rate?

Mr. BOREN. Mr. Speaker, I feel that it is unwise to spend $20,000 for such a purpose, so I object.

AMENDMENT OF FEDERAL EXPLOSIVES ACT

The Clerk called the next bill, H. R. 3019, to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385).

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TRANSFER OF LAND BY THE UNITED STATES TO SPRING PARK CLUB, RICHFIELD SPRINGS, N. Y.

The Clerk called the next bill, H. R. 2381, authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to correct the description of the land conveyed to the United States for a post-office site at Richfield Springs, N. Y., which included a 1-foot strip of land along the easterly side thereof for which a deduction was made in the contract price paid by the United States, the Federal Works Administrator be, and is hereby, authorized to convey by the usual quitclaim deed all right, title, and interest of the Government to the owners of the land abutting the easterly side of the post-office site at Richfield Springs, N. Y., the following-described piece or parcel of land forming a part of said post-office site:

Lying and being in Richfield Springs, County of Otsego, State of New York, and described as follows:

Beginning at a point in the southerly side of Main Street, said point being the northeast corner of the premises conveyed by the Spring Park Club, Inc., to the United States by deed dated May 31, 1939, recorded June 1, 1939, among the land records of Otsego County, in Liber 388 of Deeds, at page 265; running thence in a westwardly direction along the southerly side of Main Street a distance of 1 foot to a point; thence in a southwardly direction a distance of 172 feet to a point in the northerly side of land now or formerly of the Spring Park Club, Inc.; thence in an eastwardly direction to a distance of 1 foot to a point being the southeast corner of lands conveyed to the United States by the aforesaid deed from the Spring Park Club, Inc.; thence in a northwardly direction a distance of 172 feet to the point or place of beginning, as shown on "Topographical Survey of Post Office site at Richfield Springs, N. Y., made by William Oehrle, dated March 5, 1938, corrected April 23, 1938," the original of which is on file in the Public Buildings Administration of the Federal Works Agency.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPENDENTS OF WORLD WAR VETERANS

The Clerk called the next bill, H. R. 4, to provide more adequate compensation for certain dependents of World War veterans, and for other purposes.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, let me say to the gentleman from New York [Mr. KILBURN] that this bill passed the House last year unanimously and went over to the Senate and died on the calendar.

Mr. KILBURN. There was not any roll call.

Mr. RANKIN of Mississippi. No; but the gentleman could have had a roll call if he wanted it. I hope the gentleman will not object, because we cannot have it go over without prejudice. I hope the gentleman will let the bill go through. There are large numbers of these widows and orphans and dependent parents of World War veterans, many of whom really died from disabilities incurred in the service, that are now without compensation. Surely, in this day and time when we are taking care of everybody else, we can afford to take care of the dependents of those veterans who fought our battles in times of war.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield.

Mr. VAN ZANDT. The gentleman understands that this bill has the support of all the veterans' organizations of the United States?

Mr. RANKIN of Mississippi. Why, certainly, and it will pass this House overwhelmingly. If the gentleman from New York wants to call the roll, there will hardly be a vote against it. So why put us to the trouble of calling it up again? I hope the gentleman will withdraw his objection and let it go through now.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KILBURN. I feel this is too important a measure and one involving too much money to pass on the Consent Calendar; therefore I object, Mr. Speaker.

PURCHASE OF METAL FOR MINOR COINS OF THE UNITED STATES

The Clerk called the next bill, H. R. 4132, to amend section 3528 of the Revised Statutes, as amended, relating to the purchase of metal for minor coins of the United States.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Missouri [Mr. COCHRAN] the reason for the increase of the minor coinage metal fund, out of which these coins are minted. It seems to me the explanation I have heard that there is an increase in the number of slot machines does not justify the increase in the volume of minor coins.

I want to call the gentleman's attention to the fact that the people of the country, because we are manipulating the circulating media constantly, are becoming just a little bit afraid of American paper money. I believe the gentleman's committee could serve a useful purpose if it determined where this minor coin is going. I think the gentleman's committee would find a great deal of it in tin cans buried in backyards, because the people feel that a silver coin or even a copper coin is just a little better than a mere promise of the Government to pay.

While I am on the subject may I suggest that the gentleman's committee also give some consideration to the increase in the volume of our money. For the first time in the history of the United States the volume of circulating media has been increasing at the same time that the commodity price index has been going up. This to me is a direct threat of inflation, and should be curbed.

I also want to call the attention of the gentleman's committee to the fact that we have, by subterfuge, increased the national debt by about four and a half billion dollars through the issuance of currency which is not reflected on the Treasury statement and is not within the debt limitation. So we should add to the national debt, as stated in the Treasury statement, about $4,500,000,000 of currency, which has been issued, I believe, in addition to our monetary needs, during the last 5 years. Will the gentleman explain why this increase is necessary?

Mr. COCHRAN. If the gentleman will read the report——

Mr. WOLCOTT. I have.

Mr. COCHRAN. He will find that from 1939 to 1940 the total amount of nickels and cents practically doubled.

Mr. WOLCOTT. Why?

Mr. COCHRAN. And he will also find on page 2 of the report a statement made to the committee by Mrs. Ross that during the past calendar year well over 1,000,000 more coins were produced and sent into circulation in the first 5 months of the current fiscal year than any 12-month period in the history of the Nation. Of course, I could only guess why this increase is necessary, but I cannot conceive that slot machines are responsible.

Mr. WOLCOTT. Can the gentleman tell us where they went to?

Mr. COCHRAN. The statement before the committee suggested possibly the sales tax had something to do with it.

Mr. WOLCOTT. The sales taxes are paid by coppers and nickels and dimes, which daily find their way back into the banks and are taken out the next morning to be used over again.

Mr. COCHRAN. It is coppers and nickels that this bill desires to increase. This bill does not cost the Government anything. It is simply a revolving fund, and the bill was unanimously reported by the committee.

Mr. WOLCOTT. I am not opposed to the bill, but I think it is a pretty good sounding board for many questions which are being asked of Members of Congress, which the gentleman's committee could answer by a proper investigation. I might say that if the gentleman's committee does not take some action in this respect shortly, I as a mere Republican, will feel it my duty to introduce a resolution and have it referred to a real hard-boiled committee, such as the Banking and Currency Committee.

Mr. COCHRAN. That would be a good idea. The gentleman is a member of that committee, and that would no doubt be a proper function for that committee. It would occupy your time and keep you busy for several weeks, if not months. Of course, the gentleman knows that I am not the chairman of the Committee on Coinage, Weights and Measures. I am simply acting today on behalf of the chairman who unfortunately is ill.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. WHITE. Does the gentleman realize that the great increase in vending machines and the advance in telephone subscribers is probably the cause of this?

Mr. WOLCOTT. No; I do not think so.

Mr. WHITE. Those two things might increase a very great demand for extra nickels and things of that kind.

Mr. WOLCOTT. No; I think the gentleman is on the wrong premise when he contends that it is because of any extra demand for nickels and dimes for use in telephones and slot machines, because these slot machines and telephones can be emptied every day, if necessary, and you do not find millions of dollars lying around in vending machines. They are usually kept pretty empty to avoid theft.

The SPEAKER. Is there objection?

Mr. SMITH of Ohio. Mr. Speaker, I reserve the right to object. I would like to have some explanation and some information as to what is the real purpose of the bill.

Mr. COCHRAN. This bill is to increase the revolving fund in order to permit an increase in the number of small coins—nickels and cents. The mints at Philadelphia and Denver have been expanded. The Director of the Mint and the Secretary of the Treasury ask for this legislation, say it is necessary, and it costs nothing. It is a unanimous report from the committee.

Mr. WOLCOTT. That is true. I think it is necessary.

The SPEAKER. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That section 3528 of the Revised Statutes, as amended (U. S. C., Supp. V, title 31, sec. 340), is hereby further amended by striking out the figure "$600,000" and inserting in lieu thereof the figure "$1,000,000."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

OVERTIME COMPENSATION, EMPLOYEES IN NAVY AND COAST GUARD

The Clerk called the bill (H. R. 1608) establishing overtime rates for compensation for employees of the field services of the Navy Department and the Coast Guard, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

APPOINTMENT OF MIDSHIPMEN FROM HONOR SCHOOLS

The Clerk called the bill (H. R. 1801) amending the act of February 27, 1936 (49 Stat. 1144).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of February 27, 1936 (49 Stat. 1144), insofar as the provisions thereof are embodied in section 1033a of title 34 of the United States Code, is hereby amended to read as follows:

"The Secretary of the Navy is authorized to appoint not more than 20 midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designated as 'honor schools' by the War Department in accordance with the provisions of the act of July 9, 1918 (40 Stat. 894), as amended (10 U. S. C. 1091), or by the Navy Department in accordance with regulations established by the Secretary of the Navy, and the members of the Naval Reserve Officers' Training Corps: *Provided*, That such appointments shall be made under such rules and regulations as the Secretary of the Navy may prescribe."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OFFICER IN CHARGE OF NAVY SCHOOL OF MUSIC

The Clerk called the bill (H. R. 2784) for the relief of the present officer in charge of the Navy School of Music.

The SPEAKER. Is there objection?

Mr. BOREN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. VINSON of Georgia. Will the gentleman reserve his request?

Mr. MAAS. Mr. Speaker, I reserve the right to object. If there is any question the gentleman would like to ask about the bill, I would be very glad to answer it. This bill ought to be passed.

Mr. BOREN. Then, Mr. Speaker, I withdraw my request and ask the gentleman for a word of explanation.

Mr. MAAS. Mr. Speaker, this bill provides that the present leader of the Navy Band and the leader of the Marine Band be given the rank of lieutenant commander and major, respectively. Both of these officers have responsibilities away in excess of the average officer of that same rank. The leader of the present band, who has been the leader for many years, organized a school of music in the Navy, and is the commandant of that school as well as the leader of the Navy Band. He has a great responsibility and many social obligations.

Mr. VINSON of Georgia. There are some 500 musicians throughout the fleet that are under his command. No officer of his rank has as large a command as the officer head of the School of Music. There are some 16 bands required for the fleet, and it is necessary that we recognize responsibility commensurate with the duties imposed upon him.

Mr. BOREN. Is it not a little unusual to increase a man's rank in this manner?

Mr. MAAS. Not in this case. There is a precedent for it. The Congress has done this before, because these band leaders come from the ranks. They are not on the promotion list. This is the only way in which they can be promoted.

Mr. BOREN. The Secretary of the Navy could not do this?

Mr. MAAS. No. This is the only way in which they can be promoted.

Mr. SPARKMAN. Mr. Speaker, reserving the right to object, last year, if I recall correctly, the Military Affairs Committee made a change with reference to the teacher of music at West Point. My recollection is that it was done in order to bring that teacher in line with the one at the Naval Academy. Will this throw that out of line?

Mr. MAAS. No; not at all. This has nothing to do with that.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, may I ask if Capt. Taylor Branson, former leader of the Marine Band, is taken care of?

Mr. MAAS. Yes. The committee amended the bill to include Taylor Branson.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of approval of this act the present officer in charge of the Navy School of Music shall have the rank, pay, and allowances of a lieutenant commander in the Navy; and in the computation of his pay and allowances all service in the Navy of whatever nature rendered by said officer in charge shall be counted as if it were commissioned service; and the said officer in charge of the Navy School of Music shall, at such time as the President in his discretion may direct, be entitled to retirement as a lieutenant commander in the Navy, in the same manner as other officers of the Navy of such rank and length of service, computed as stated above, would be entitled to retirement.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That from and after the date of approval of this act the present leader of the United States Navy Band and the present leader of the United States Marine Band shall have the rank, pay, and allowances of a lieutenant commander in the Navy and of a major in the Marine Corps, respectively; and in the computation of their pay and allowances all service in the Navy and the Marine Corps of whatever nature rendered by said leaders shall be counted as if it were commissioned service; and the said leaders of the United States Navy Band and the United States Marine Band shall, at such time as the President in his discretion may direct, be entitled to retirement as a lieutenant commander in the Navy and as a major in the Marine Corps in the same manner as other officers of the Navy and the Marine Corps of such rank and length of service, computed as stated above would be entitled to retirement.

SEC. 2. From and after the date of approval of this act the former leader of the United States Marine Band, Taylor F. Branson, shall have the rank of major on the retired list of the Marine Corps. His pay as such shall be computed in the manner specified in section 1 of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the present leaders of the United States Navy Band and the United States Marine Band, and for other purposes."

REDUCTION IN THE COURSE OF INSTRUCTION AT THE NAVAL ACADEMY

The Clerk called the next bill, H. R. 4368, authorizing a reduction in the course of instruction at the Naval Academy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized, until August 1, 1945, to reduce, in his discretion, the course of instruction at the United States Naval Academy from 4 to 3 years and to graduate classes which have completed such reduced courses of instruction.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADVANCEMENT ON THE RETIRED LIST OF CERTAIN OFFICERS OF THE LINE OF THE UNITED STATES NAVY

The Clerk called the next bill, S. 376, providing for the advancement on the retired list of certain officers of the line of the United States Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, reserving the right to object, I understand that this takes care of three officers between two given periods. What justification is there for picking out that particular period?

Mr. MAAS. These officers were accidentally left out of the legislation passed in 1940. Every other officer of the Army, the Navy, the Marine Corps, or the Philippine Scouts who served in the World War and who were retired were given the rank of major, corresponding in the Navy with lieutenant commander. Up until 1934 those officers would have received their rank. They had already been promoted to that grade. They had been selected for the promotion and failed to pass the physical examination. These three officers got caught during that period. Previous to that every officer so selected for promotion, who failed physically, was put on the retired list in the higher grade. Since 1938 every officer who was selected for promotion but who fails to pass physically gets on the retired list. They have earned that increased rank.

Mr. BOREN. What is the nature of the accident that caused them to be left out? Why is that particular period the one in which people would fall in that category?

Mr. MAAS. I think it was largely an oversight in the legislation. We provided a new method of promotion. Previous to that time these officers were promoted by seniority up to the grade of lieutenant commander. In 1934 the selection was extended down to lieutenant, junior grade. In writing the legislation they neglected to put in that provision. As soon as we discovered the new personnel act we corrected it.

Mr. VINSON of Georgia. Let me call to the attention of the gentleman from Oklahoma [Mr. BOREN] the fact that this bill is endorsed by the Navy Department. As stated by the distinguished gentleman from Minnesota [Mr. MAAS], these officers come up through the ranks. Whenever the Navy Department approved a bill like this the gentleman can rest assured that it is meritorious.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That those lieutenants of the line of the United States Navy who served in the Navy or Naval Reserve Force prior to November 12, 1918, and who were, between May 29, 1934, and June 23, 1938, while on a promotion list, placed on the retired list for physical disability, shall be advanced on the retired list to the grade for which they were selected for promotion: *Provided*, That such advancement shall be effective on the date of approval of this act and shall not operate to increase the retired pay of such officers.

With the following committee amendment:

Page 2, line 1, after the word "Act", strike out the remainder of the bill.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFERRING LAND TO THE ESTATE OF ROLLAND H. DENNY

The Clerk called the next bill, S. 993, to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny, a triangular parcel of land containing one-half an acre situated at Seattle, Wash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to convey, without cost, to the proper legal representatives of the estate of Rolland H. Denny, deceased, all right, title, and interest of the United States of America in and to a triangular parcel of land containing an area of one-half an acre, more or less, situated on Lake Washington, being part of the lands of the naval air station, Seattle, Wash., in accordance with a permit issued to Alice K. Denny by the Navy Department, dated September 27, 1940.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TENNESSEE VALLEY AUTHORITY

The Clerk called the next bill, H. R. 2097, to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DONDERO. Mr. Speaker, reserving the right to object——

Mr. BOREN. Mr. Speaker, I reserve the right to object.

Mr. DONDERO. Will the author of this bill make an explanation as to what the bill provides?

Mr. BOREN. I would like an explanation of what section (k) is.

Mr. SPARKMAN. Mr. Speaker, section 4 (k) of the T. V. A. Act as amended in 1935 gave the Tennessee Valley Authority blanket power to dispose of real estate that it did not need, for a period of 5 years. That power expired August 30 of last year. The bill as I originally introduced it sought to revive that power. The committee instead of giving that blanket authority amended the bill so as to give them authority to make disposition in four specific cases only without any blanket authority whatsoever. That is all the amendment does.

Mr. DONDERO. Mr. Speaker, I withdraw my objection.

Mr. BOREN. Mr. Speaker, I have no objection.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Tennessee Valley Authority Act, as amended, is hereby further amended as follows:

By striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k) to read as follows:

"(k) Shall have power in the name of the United States to convey by warranty deed or otherwise, or to lease any real property in the possession of and under the control of the Corporation, or to transfer all or any part of the possession and control of any such real property to any other department, agency, or instrumentality of the United States: *Provided, however*, That no land shall be conveyed, leased, or transferred upon which there is located any permanent dam, hydraulic power plant, fertilizer plant, or munitions plant heretofore or hereafter built by or for the United States or for the Authority, except that this prohibition shall not apply to the transfer of munitions plants to the War Department, or to the conveyance, transfer, or lease of Nitrate Plant No. 1 at Muscle Shoals, Ala., with the approval of the War Department: *And provided further*, That any conveyance, or any lease for a term exceeding 20 years, shall be subject to the approval of the President of the United States."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the Tennessee Valley Authority Act, as amended, is hereby further amended as follows:

"By striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k) to read as follows:

"'(k) Shall have power in the name of the United States to convey by warranty deed or otherwise lands, easements, and rights-of-way to States, counties, municipalities, railroad companies, telephone, telegraph, water, and power companies where any such conveyance is necessary in order to replace any such lands, easement, or right-of-way to be flooded or destroyed as the result of the construction of any dam or reservoir now under construction by the Corporation or subsequently authorized by the Congress, and easements and rights-of-way upon which are located transmission or distribution lines carrying not in excess of 44,000 volts, together with the power to convey or lease to the Ingalls Shipbuilding Corporation, of Decatur, Ala., a tract of land to be used by said company for the construction of facilities necessary to enable it to fulfill defense contracts entered into prior to January 1, 1946. The Corporation shall also have power to convey or lease Nitrate Plant No. 1 at Muscle Shoals, Ala., and Waco Quarry with the approval of the War Department and the President.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CRYPT FOR REMAINS OF GUTZON BORGLUM

The Clerk called the next bill, H. R. 3857, authorizing the construction of a crypt for the remains of Gutzon Borglum.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE OF New York. Mr. Speaker, reserving the right to object, this bill authorizes the Mount Rushmore National Memorial Commission to erect a crypt in which will be placed the remains of the sculptor, Gutzon Borglum. The question has risen in my mind whether the

wording of the bill does not direct that the crypt be constructed in the very monument itself rather than in its vicinity.

The Department of the Interior has interposed the objection to the bill, which seems to be reasonable, that it is incompatible with the national interests to have a recreational area such as the Mount Rushmore National Park serve both as a recreational ground and a sacred or hallowed ground.

Mr. SECREST. Mr. Speaker, if the gentleman will yield, we amended the bill in the committee so as to permit the crypt to be erected in any part of the 1,800-acre reservation rather than in the memorial itself.

Mr. COLE of New York. I realize the committee has amended the bill but it strikes me that under the committee amendment the crypt could be constructed at any place in the Mount Rushmore Memorial itself that the Commission deems appropriate.

I have prepared an amendment as a substitute for the committee amendment that directs that the crypt be placed in the vicinity of the Mount Rushmore National Memorial. This would permit the sculptor's being honored by interment in the vicinity of his greatest work, yet at the same time the presence of his remains there would not interfere with the full enjoyment of the park itself.

Mr. SECREST. The name of the entire park area is: "The Mount Rushmore National Memorial."

Mr. COLE of New York. I recognize that.

Mr. SECREST. If the bill directed that the crypt be erected in the vicinity of the memorial that would mean outside of the 1,800-acre tract.

Mr. COLE of New York. The purpose of my amendment is to provide that the crypt shall not be placed immediately in the vicinity of the great figures themselves, because that would detract both from the memory of the artist who created the figures, and the memory of the persons personified in the granite.

Mr. SECREST. That was the purpose of the committee amendment also. The committee felt that the wording of the original bill limited the site of the crypt to the work itself. The committee amendment limited the site to any place in the 1,800 acres. The amendment proposed by the gentleman from New York would require the crypt to be placed outside the memorial entirely.

Mr. COLE of New York. I am sure that since this crypt is to be paid for by private funds, the Mount Rushmore Memorial Commission will have no difficulty in obtaining an appropriate plot of ground; and I do not think it is intended to preclude the placing of the crypt on some part of the tract itself.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. CASE of South Dakota. As I understand it, the objection raised is that the crypt should not become a part of the figures or that part of the memorial where the figures are carved, but that there is no objection to it being placed somewhere in the 1,800-acre park.

Mr. COLE of New York. There will be no objection to placing it at some reasonable distance away from the central figures.

Mr. CASE of South Dakota. Would the gentleman object to adding the word "figures" after the word "Memorial"?

Mr. COLE of New York. Then it would read "That the commission is directed to create a crypt of such design and at such place in the vicinity of the Mount Rushmore National Memorial figures"?

Mr. CASE of South Dakota. Yes.

Mr. COLE of New York. Then we would be directing that the crypt be placed in the vicinity of the figures.

Mr. CASE of South Dakota. There should be no question about that, and I think the gentleman's explanation has made it clear that the crypt is not to be placed in the figures or in the base of the memorial, but that it may be placed somewhere within the 1,800-acre reservation; and I have no objection.

Mr. COLE of New York. That is the purpose of the amendment I expect to offer.

Mr. SCHULTE. Mr. Speaker, there is no hurry about this. In order to give more time to study the situation further, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT TO CANAL ZONE CODE

The Clerk called the next bill, H. R. 4495, to amend the Canal Zone Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 142 of title 2 of the Canal Zone Code, approved June 19, 1934, as amended by section 7 of the act of June 24, 1936 (ch. 754, 49 Stat. 1905), is hereby amended to read as follows:

"142. Punishment of persons returning after deportation following imprisonment: Any person who, after having served a sentence of imprisonment in the Canal Zone and having been deported therefrom, shall voluntarily enter the Canal Zone for any purpose shall be punished by imprisonment in the penitentiary for not more than 2 years and, upon the completion of his sentence, may again be deported from the Canal Zone in accordance with the laws and orders relating to deportation: *Provided, however,* That the Governor of the Panama Canal may at any time, in his discretion and for good cause shown, revoke any order deporting any person following service of a sentence of imprisonment in the Canal Zone: *Provided further,* That the Governor of the Panama Canal, in his discretion, by permit or regulations, may authorize any person or persons deported following service of a sentence of imprisonment in the Canal Zone to pass through or return temporarily to the Canal Zone, and he may prescribe the route over which such persons shall be required to travel while in the Canal Zone. Any person who shall violate the terms of any such permit or of the regulations authorized herein, or shall remain in the Canal Zone after the expiration of such permit, shall be deemed guilty of a violation of this section and punished as herein provided."

SEC. 2. That section 829 of title 5 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"829. Jumping on or off train in motion; riding on roof, platform, appliances, or projections: Any person other than a member of a train crew, or a transportation official or employee engaged in the performance of his duties, who shall jump on or off a railroad locomotive, car, or train while it is in motion, or ride on the roof of any car of such train, or on the platform, coupling, or any other appliance or projection on the outside of any such car, shall be punished by a fine of not more than $10 for each offense."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION ON GOVERNORS ISLAND

The Clerk called the next bill, S. 242, to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes", and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, I would like to ask someone on the Military Affairs Committee why the law was passed in 1930 or 1931 prohibiting any building in a certain section? Congress in its wisdom at that time thought that there should not be any buildings. Today we are repealing that entire section.

Mr. SPARKMAN. Mr. Speaker, of course, I do not know why that provision was written in originally, but I do know that at that time the reservation on Governors Island was nothing like the congested place it is now. The reason for wanting to have this restriction removed now, as set out in the request of the Secretary of War, is in order that the radio station belonging to that post which gives the line of communication between Washington and that post, may be moved over to Governors Island. It is now located on Bedloe Island, and it is impossible to give to it the protection and security it ought to have. They want to move it over to Governors Island and the only place they can put it is on this restricted area.

Mr. KEAN. I am in favor of that, but I wondered why it was necessary to change this whole law to do it.

Mr. FADDIS. Mr. Speaker, I may be in error, but I believe the legislation was originally passed in order to protect some of the recreational facilities at the post from encroachment. I may be in error, but I believe that is the history.

Mr. KEAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions contained in the act of February 25, 1929 (45 Stat. 1301, 1302), reading: "*Provided,* That no new construction shall be built on that part of Governors Island west of a line running in a northwest and southeasterly direction across the island and paralleling the eastern face of the regimental barracks building at a distance of 300 feet," and the provision contained in the act of July 3, 1930

(46 Stat. 860, 908), reading: "Governors Island, N. Y.: No construction shall be undertaken on that part of Governors Island west of a line running in a northwesterly and scutheasterly direction across the island, and coinciding with the western faces of the two wings of the new barracks building," are hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MANNING OF CERTAIN VESSELS OF 500 GROSS TONS AND LESS

The Clerk called the next bill, H. R. 4224, relating to the manning of certain vessels of 500 gross tons and less.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Mr. Speaker, reserving the right to object, I wonder if someone will explain this bill to us.

Mr. BLAND. Mr. Speaker, the purpose of this bill is to relieve some of the smaller boats. This bill would also permit men to be rated as able seamen when they are 19 years of age and upward and have had at least 12 months on deck, at sea, on the Great Lakes, and the bays and sounds connected directly therewith.

Just one more thought. There is facing the country in all probability a rather serious situation with respect to able seamen on the particular class of vessels that are operating here; for instance, vessels running down the Chesapeake Bay into the bays and sounds of North Carolina. They do not go outside. These men are qualified. The boats carry no passengers, and these people are faced with the probability of closing down at this critical time when we need all the transportation we can get.

Mr. SCHULTE. Will the gentleman tell us who this will relieve, who it will help in particular, if anyone? Does he now refer to the oyster boats, fishing boats, and smacks on the Potomac?

Mr. BLAND. No; it does not refer to them. It is small cargo carriers. The situation I have particularly in mind now is from Baltimore down Chesapeake Bay to Norfolk and up some of the bays in North Carolina. They are really unable to get the men to operate these boats.

Mr. MARCANTONIO. Mr. Speaker, have there been hearings on this bill? Has organized labor been heard on this question and what is its attitude?

Mr. BLAND. We had hearings this year and I think notice was sent to all. I do not think they have any objection, but I would not say for sure.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

There was no objection.

ABLE SEAMEN ON SAILING VESSELS

The Clerk called the next bill, H. R. 4225, relating to the manning of certain sail vessels.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHULTE. Mr. Speaker, reserving the right to object, this is about the same thing as the other bill that we have just objected to.

Mr. BLAND. Mr. Speaker, the other had to do with motor vessels. This covers sailing vessels. These boats are family affairs. You probably have a cook. They do not carry passengers. It is pretty hard to get 75-percent able seamen. You will not find able seamen for these boats. I am satisfied that if the labor unions had any objection to the other bill they would not object to this because this relates entirely to sailing vessels.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SCHULTE]?

There was no objection.

ACKNOWLEDGING FELICITATIONS OF THE CONGRESS OF COSTA RICA

The Clerk called the next business, House Concurrent Resolution 29.

There being no objection, the Clerk read the concurrent resolution, as follows:

Whereas there have long existed historic ties of friendship between the United States of America and Costa Rica; and

Whereas these ties, based on respect and admiration of two free and independent nations, happily grow firmer day by day; and

Whereas on March 14, 1941, the Congress of Costa Rica graciously sent a message of congratulation to both Houses of the Congress of the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States express its deep appreciation to the Congress of Costa Rica, and to the people of the Republic of Costa Rica which it represents, for this message of felicitation, which had as its inspiration the defense of this hemisphere and the preservation of its democratic institutions; and be it further

Resolved, That a copy of this resolution shall be transmitted to the Congress of Costa Rica.

The House concurrent resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 1061, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BOREN. Mr. Speaker, these people have had 24 years to get American citizenship. If they have not done it yet, I do not believe they should have it now, and I object.

RELIEF OF THE INDIANS IN CALIFORNIA

The Clerk called the joint resolution (H. J. Res. 147) for the relief of the Indians in California.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, this bill appears tc be one to which little objection can be offered, but the committee is setting a bad precedent in not including a report from the Department of the Interior and the Department of Justice. I understand the reports have been prepared for the Bureau of the Budget. I endeavored to get a copy of them this morning, but was unable to do so. Therefore I ask unanimous consent that the bill be passed over without prejudice, and by the next call of the Consent Calendar they will be available. We should read them before acting on the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

UNFINISHED PORTION OF THE FRIEZE IN THE CAPITOL ROTUNDA

Mr. SECREST. Mr. Speaker, I ask unanimous consent to return to Calendar No. 83, the joint resolution (H. J. Res. 35) to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Joint Committee on the Library is authorized and directed to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation in the United States. For that purpose the joint committee shall select a design which appropriately depicts such story, including the portrayal of the all-important achievements of Wilbur Wright and Orville Wright, and shall employ such artists as may demonstrate to the satisfaction of the joint committee their ability to perform the work in a proper manner.

SEC. 2. There is hereby authorized to be appropriated the sum of $20,000, or so much thereof as may be necessary, to carry out the purposes of this joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF A CRYPT FOR THE REMAINS OF GUTZON BORGLUM

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to return to Calendar No. 98, the bill (H. R. 3857) authorizing the construction of a crypt for the remains of Gutzon Borglum.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Mount Rushmore National Memorial Commission, organized under the authority of Public, No. 629, Seventy-fifth Congress, is hereby authorized to construct a crypt which shall serve as the permanent resting place for the remains of Gutzon Borglum, of such a design and at such place on Mount Rushmore as the Commission deems appropriate.

SEC. 2. The cost of the tomb authorized by this act shall be borne entirely from funds privately subscribed.

With the following committee amendments:

Line 8, strike out "on" and insert "in", and after "Rushmore" insert "National Memorial."

Line 9, after "appropriate", insert "after consultation with the Secretary of the Interior."

The committee amendments were agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 1, line 10, following the committee amendment, insert *"Provided,* That such crypt shall not be located in the immediate vicinity of the central figures of such memorial."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that concludes the call of the Consent Calendar.

UTILIZATION OF IDLE FOREIGN MERCHANT TONNAGE

Mr. SABATH. Mr. Speaker, I call up House Resolution 193 for immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 193

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4466), a bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order section 2, the last sentence of section 3 (a), the next to the last sentence of section 3 (b), and the last sentence of section 4 of the bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. MARCANTONIO. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. SABATH. I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 48]

Andrews	Burgin	Dirksen
Baldwin	Cannon, Mo.	Ditter
Barry	Celler	Eberharter
Bates, Ky.	Clark	Edmiston
Bates, Mass.	Claypool	Fellows
Boggs	Clevenger	Ford, Leland M.
Bradley, Mich.	Coffee, Wash.	Gearhart
Buckler, Minn.	Cole, Md.	Gerlach
Buckley, N. Y.	Delaney	Geyer, Calif.
Bulwinkle	Dickstein	Gibson
Burdick	Dies	Gifford
Harter, Ohio	McGranery	Shannon
Hartley, N. J.	McGregor	Somers, N. Y.
Hinshaw	Maciora	Stratton
Holbrock	Martin, Iowa	Sutphin
Johnson, Lyndon B.	Nelson	Sweeney
Kelley, Pa.	Nichols	Taylor
Kennedy, Martin J.	O'Day	Wadsworth
Kennedy, Michael J.	Osmers	Weiss
Ludlow	Priest	Welch
McArdle	Rockefeller	West
	Schaefer, Ill.	Whelchel
	Scott	Wolfenden, Pa.
	Shafer, Mich.	Woodrum, Va.

The SPEAKER. Three hundred and sixty-one Members have answered to their names; a quorum.

On motion of Mr. COX, further proceedings under the call were dispensed with.

UTILIZATION OF IDLE FOREIGN MERCHANT TONNAGE

Mr. SABATH. Mr. Speaker, I shall later yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, this resolution makes in order the consideration of H. R. 4466, a bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The rule provides for 3 hours of general debate. At the conclusion of the general debate, the bill will be considered under the 5-minute rule. Points of order are waived against section 2, the last sentence of section 3 (a), the next to the last sentence of section 3 (b), and the last sentence of section 4 of the bill.

This is an important bill, and I hope that the Members have familiarized themselves with its provisions. The bill authorizes the President during the emergency, through such agency or officer as he shall designate, to take over, for such use or disposition as the President shall direct, idle foreign-flag tonnage in the United States needed for national defense, with just compensation to be made to the owner as provided by the Merchant Marine Act of 1936, in the case of requisition of American-owned tonnage. Funds appropriated by the defense-aid appropriation, Public Law 23, would be made available for payment thereof.

The bill further authorizes the Maritime Commission, until July 1, 1942, to charter or purchase foreign or domestic vessels whenever the Commission finds that additional vessels are necessary for the transportation of foreign commerce or of commodities essential to national defense.

Vessels taken over, when made available to the Commission, purchased or chartered by the Commission, may be chartered out by the Commission to private operators or to other Government agencies. The Commission would be authorized also to operate vessels purchased by it or otherwise acquired or made available to it.

Mr. Speaker, the proposed legislation has been requested by the President, and the bill has been approved by the Army, the Navy, the Department of Commerce, the Maritime Commission, and the Office of Production Management. Admiral Land, chairman of the Maritime Commission, appearing before the Rules Committee, urged very strongly early action on the bill.

Some weeks ago we passed the lend-lease bill. Shortly thereafter we appropriated $7,000,000,000 for the purpose of aiding Great Britain and other countries now so cruelly attacked by the Axis. The American people with very few exceptions are in favor of our giving all possible aid to Great Britain.

Unfortunately, there is an organization that has taken unto itself the name America First Committee that is finding fault with all legislation. Although they claim and insist they are in favor of aiding Great Britain, yet they find fault with every bit of national-defense legislation that is sought by the President and recommended by the Navy or the Army or any other department of the Government.

Mr. Speaker, I am not only for America first, but I am for America first, last, and all the time. [Applause.] I believe this legislation is needed to carry out the measures that we have heretofore passed. Some gentlemen who are opposed to the efforts of the administration make the charge that the East and the bankers and others are trying to force the President into war. They feel that if we continue to legislate and carry out the wishes and recommendations of the President this will be the final result. Personally I differ from them. I am satisfied that the President still stands where he always stood and that he is opposed to war, and I hope he will resist such influences, if there are any, that may attempt to force us into war. What we are doing now and what this bill aims to do is to keep us out of war. This bill aims to give Great Britain such aid as will not only strengthen its position, but to also afford protection of our interests. Whether some gentlemen are willing to admit it publicly or not, I am satisfied this is correct.

I am of the opinion that all Members who honestly believe in carrying out the action of this House and who honestly believe that it is for our best interests to aid Great Britain feel that this legislation should pass. This legislation is greatly needed, and I hope the rule will be adopted to make the bill in order and that the bill will pass. [Applause.]

Mr. Speaker, I reserve the balance of my time and now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I trust the House will give serious consideration to this bill. The minority go so far as to say in their report to the House that—

We voice with regret our belief that this proposed legislation will tend to bring about a declaration of war or an undeclared war; and that, so far as the German and Italian flagships are concerned, that is the only purpose that this legislation will serve.

This is a strong statement; and if it is 50-percent correct, the Congress should give close attention to the debate. This is in effect an open charge that this is a war measure, and that if we pass this bill unamended it is a virtual declaration of war or involves us in an undeclared war.

My criticism of the Congress of the United States has been that while the eastern interventionist press have been trying to put us into war almost daily, the Congress, apparently, has been doing its

best to avoid and to hush up the war issue and not discuss it, and even refraining from debating convoying, which is tantamount to war, because, as the President has said, "convoying means shooting, and shooting means war." If there is any question that ought to be discussed in the Congress at the present time, day in and day out, so the facts can be presented on both sides, it is the question of convoying. All the other legislation that we have adopted in the Congress dealing with the war situation was passed on the basis that they were peace measures. The repeal of the arms embargo, the Conscription Act, the lend-lease bill, all were supported by the proponents of the legislation on the basis, with one or two single exceptions, and one is the gentleman who is about to ask me to yield——

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COX. The gentleman himself was not fooled about any of those measures, was he?

Mr. FISH. Never; not for 1 minute.

Mr. COX. Did the gentleman vote for them?

Mr. FISH. No; I believed they were all steps toward war from the very beginning or for the last 2 years, and I think I have been right in my contention that we have been led right up to the brink of war; that we are on the precipice now, and powerful elements, not so numerous, but very powerful, are trying to push the President of the United States right over the brink and over the precipice into war.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. DINGELL. The gentleman said he did not vote for any of them?

Mr. FISH. Not one.

Mr. DINGELL. The gentleman did vote for the conference report on the lend-lease bill.

Mr. FISH. I did, of course, vote for the Senate amendments to perfect the bill.

Mr. DINGELL. And I believe he voted for the $7,000,000,000 appropriation.

Mr. FISH. I did not; but I would have voted for it if I had been here, because I believe that once a bill is enacted into law, I favor upholding the law, and I believe today in upholding all these bills that have been passed. They are now the law of the land, and I am not going to argue about that.

Mr. DINGELL. What is the gentleman going to do with all this accumulation of armament and all of these implements of war—all the bombs, buckshot and baled hell that are being piled up in this country if we cannot ship it over there?

Mr. FISH. I will tell the gentleman because the gentleman, like many other interventionsists, is in favor of convoys and war.

Mr. DINGELL. The gentleman is trying to beat Hitler, and is in earnest about it.

Mr. FISH. The gentleman wants to try to read into the lend-lease bill some provision that is not there about convoying. The lend-lease bill specifically stated that nothing in the bill should be interpreted as calling for convoys, and the Clark amendment in the Senate provided there must be a transfer in the title of the goods which, in itself, meant there must not be any convoying, and that is a part of the lend-lease law.

Now that we have passed it, those interventionists who want to get us into war are trying to read something into the bill to the effect that this is our war, and that we are responsible for getting those commodities and defense articles to the British. That never was in the lend-lease bill at any time. That was the responsibility of the British Navy from the beginning. We provided the goods and made the guns, but the President of the United States—and I am still on his side and more on his side today than I am on the side of Wendell Willkie—much more. The President of the United States at no time has said that his promises to the American people to keep us out of war were mere campaign oratory, and at no time has the President ever advocated convoys.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. FISH. Not just at this point. Mr. Wendell Willkie has, and I may refer to that as I proceed today, because this issue is far greater than any party. It is far greater than any Member of this House or his political future, or of the Republican or of the Democratic Party. It is greater than both parties combined, and I think it is time that those candidates who made promises to the American people before election day should stand by their promises. I am sure that almost everybody is in accord with that. I do not mind the other people—the 15 percent who always wanted to get us into war—because they have as much right to urge us to go into the war as we have to try to keep out, but that does not apply to men running for high public office, who make definite solemn promises repeatedly to the American people to keep out of war, and thereafter not only forget those promises but deliberately repudiate those promises and urge the convoying of American ships, which means war. I yield now to the gentleman from Missouri.

Mr. SHORT. Mr. Speaker, I agree 100 percent with what the gentleman has said, and I ask the question if it is not true that many Members of the House, perhaps one-half, did vote for the lend-lease bill because we were guaranteed and assured that we would not have convoys?

Mr. FISH. I think that is a fair statement, and I think everybody who voted for the bill did so, with the exception of my colleague on the Committee on Rules the gentleman from Georgia [Mr. Cox], who repeatedly has said that he was voting for it as a war measure. Everybody else or practically everybody voted for the bill on the ground that it was a measure to keep us out of war.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. COX. The gentleman does not for a moment contend that the lend-lease bill is a peace measure?

Mr. FISH. Never.

Mr. COX. According to the provisions of the bill, and what was being contemplated, how could any person who voted for it do so as a guaranty to keep us out of war? How could they have voted for it as a peace measure? Was it not a war bill, and did not every man here, every realist, know that it was?

Mr. FISH. The gentleman was one realist who said so. I voted against the bill.

Mr. COX. And if we are really interested in saving Great Britain, if we fulfill our promises to come to their rescue, does not that mean that we must convoy, and that we must further participate in the war than we have already done?

Mr. FISH. The gentleman is absolutely logical. I respect his judgment and the judgment of all these other 15 percent in America who want to get us into war. If it is our war, if we started the war, we ought to have been in it a year and a half ago. I think it is the position of the gentleman from Georgia [Mr. Cox] that this is our war. I would agree with the gentleman that we are a lot of cowards and cravens, not being in the war, if it were our war.

Mr. COX. If the members of the Cabinet are speaking for the Executive, then are we not already in the war?

Mr. FISH. No. As long as the gentleman has mentioned members of the Cabinet, I believe that practically every member of the Cabinet is an interventionist. They have been trying to get us into the war for the last year and a half. I blame the President for appointing them. I blame the President for leading us up to the brink of war. In the Cabinet are three former Republicans. There are no more consistent archinterventionists in America. They have been for intervention all along, and their appointment was probably due to their known interventionist views. This is not a party matter. This transcends all party lines. The men I refer to are the Secretary of the Navy, the Secretary of the Interior, and the Secretary of War—former Republicans. They have a right to advocate war. So does every other member of the Cabinet; and the President when he appointed them knew their views. I do not have a great amount of sympathy for the President, having taken all these steps, having done more than any one person to create fear and promote war hysteria in America, that he has got into the position he is in now—right on the precipice of war. But I am with him at the present time, because I do not believe the President of the United States proposes to repudiate his promises. They were too definite. They were repeated too often. I honestly think the President, among all the Cabinet officers, is standing there alone today, backed by 100,000,000 American citizens who want to keep out of war, and that he is using his influence against the members of his own Cabinet, against all the interventionists' press in Washington, New York, Philadelphia, and throughout the East, and against the international bankers. When I use the term "international bankers," I do not mean merely the Jewish bankers. I mean Jews and Gentiles. I mean J. Pierpont Morgan and Thomas Lamont, and also such Jewish bankers as Kuhn, Loeb & Co., Lehman Bros., Jules Bache, and James

Warburg. I also mean that the President is standing up against the expenditure of $200,000,000 of British propaganda.

In the last war the British admitted they spent $200,000,000 in propaganda to get us into the war. If they are not spending that now to get us into war they are crazy. But we would be suckers if we fell for that same kind of propaganda. That is what the President of the United States is up against today. Step by step we have reached the exact situation where the decks have been cleared and the issue of peace or war is crystal clear. You cannot advocate more provocative and war legislation on the basis of peace and that it will keep us out of war. When you reach the question of convoys you have reached the question of war or peace. That is the single biggest issue in America, affecting our security, our destiny, and the lives of our people. That is what I want debated here in the open by men like the gentleman from Georgia [Mr. COX], who is honest and fearless, ready to stand here and urge us to go into the war. But the rest of us, who want to stay out, representing 85 percent of the American people, also have the same right, and we want to debate this issue, in behalf of over 100,000,000 American citizens, and tell the Congress why the American people want to stay out of war. They believe that if we are involved in another European war it means ruin, bankruptcy, blood, and tears, the end of American democracy, and will result in communism, which will be the only victor. [Applause.]

If we were in the war, we would have the right to seize the German and Italian ships in our ports and use them to our best advantage. However, we have not declared war and we have no right to requisition or to seize belligerent ships such as the German and Italian vessels and turn them over to an enemy nation.

I am not opposing the rest of the bill. I am not opposing the protective custody and seizing of ships that may have committed sabotage. I am opposing the proposition that permits Italian and German ships to be seized and turned over to the British; belligerent ships to be turned over to another belligerent. That is the amendment which the gentleman from New York [Mr. CULKIN] proposes to offer at the proper time and which I hope the house will adopt.

Such an outrageous defiance of the principles of international law would plague us and every civilized nation for a hundred years.

I am pleading for some little modicum of respect for international law. I want to maintain some little vestige of it in America so that after this war we can save and restore the great principles of international law in the United States, which has been its main stronghold.

I do not care a continental what Dictator Hitler or Mussolini thinks about it, or whether it arouses their anger or enmity. I am thinking of America and what, in the long run, is best for America. I know of no other yardstick.

Our Government, based upon law, has been one of the strongholds of international law ever since the birth of our Republic. I cannot imagine anything that smacks more of force, violence, and gangster methods after the Hitler pattern than the proposal to transfer German and Italian merchant ships to the British.

Are we to scrap all international law and trample it in the mud because Hitler or Mussolini have disregarded it? Are we, while criticizing lawlessness and aggression abroad, to destroy the last vestige and semblance of international law at home, legalizing the robbery and rape of belligerent property for use by an enemy nation?

By the passage of this bill unamended we will have repudiated and struck a mortal blow at the universally accepted principles of international law and substituted instead the law of the jungle.

There is very little difference between communism and the objectives of this bill. Even the Communists, however, would not turn over belligerent property to another belligerent nation.

The bill unamended would permit us to take German and Italian vessels and transfer them to Great Britain, an enemy nation. This would constitute an act of war and the grossest breach of international law in history. There is no precedent for it in any nation at any time since the advent of international law. As sure as the sun will rise, it will invite retaliation and reprisals and the confiscation of American property and ships wherever found by Germany and Italy.

I hope Members of Congress, regardless of party—and I repeat this is not a party matter—when the gentleman from New York [Mr. CULKIN] offers his amendment qualifying the use to which these ships may be put, not allowing German ships and Italian ships which are taken to be turned over to the British, he will be supported. Under this amendment we could put the seized German or Italian ships into our own coastwise trade or in any trade we have with South America and could transfer our own American ships to the British.

I stand where I stood before election day. I am in favor of aid to Great Britain or to the democracies, if you will, short of war and consistent with national defense. I am in accord with the President in his recent move to try to find ships and still more ships to turn over to the British to transport these defense articles to the British; and I am in favor of that part of the bill and of taking these ships into protective custody and using them for ourselves, and giving an equal number of tonnage of our own ships to the British.

Mr. PATRICK. Mr. Speaker, can the gentleman spare just a second for a question?

Mr. FISH. Yes; although I know what the gentleman is going to ask.

Mr. PATRICK. I am trying to find the principle of distinction in the gentleman's statement, the difference between the taking of a ship—I believe the gentleman calls it confiscation——

Mr. FISH. No; I said "taking."

Mr. PATRICK. Whatever we call it is, of course, of no importance—but I am trying to determine the difference between turning such a ship over to a belligerent nation or keeping that ship for ourselves and turning one of ours over to the belligerent nation. What is the difference?

Mr. FISH. All the difference in the world. We have a right to that property. We have a right to give any of our own ships to Great Britain or any other nation we want to. That right was recognized in the lease-lend bill and is fundamentally recognized under international law; but we have no right to seize the property of one belligerent in our own harbors and turn it over to another belligerent. A person does not require an extensive knowledge of international law to know that; it is a matter of common sense and reason.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. DONDERO. How many times in our history has the United States resorted to this kind of legislation? Has the gentleman made a study of that question?

Mr. FISH. I do not believe it has ever been resorted to; certainly no nation ever resorted to the proposition I am speaking about—that of seizing the ships of one belligerent in its harbors and turning them over to another belligerent. It has never been done in all history by any civilized nation on earth.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. COX. The gentleman is not opposing the rule. He would like to see the rule adopted in order that the subject may be fully debated.

Mr. FISH. That is right. I think the matter should be brought to the floor and fully discussed. I hope there will be no opposition to the rule.

Mr. GILCHRIST. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. GILCHRIST. Will the gentleman try to distinguish between his present statement regarding international law and the international law that was established when we were presenting the *Alabama* claims?

Mr. FISH. I would rather not do that. I am very familiar with it. It is a matter almost of a family record, and I should have to go into it in detail.

I think we made a terrible mistake, but I do not blame the Congress itself or the American people, for we could not do much about it at the time. When we invited belligerent ships to come into our harbors for repairs, we changed everything that was ever accomplished by the settlement of the *Alabama* claims.

Mr. GILCHRIST. I will accept the gentleman's statement, but I cannot see any difference in principle between the two instances.

Mr. FISH. This is an entirely different proposal from the *Alabama* claims award. In that case, if the gentleman insists on the facts, the Confederates were permitted to outfit ships in Great Britain, ships which preyed upon our Union commerce. Afterward England apologized and paid us $15,500,000. We were on the verge of war with England at that time. This is an entirely different situation. This does not relate to the outfitting of enemy ships, but to the taking over of

ships or property of one belligerent and turning them over to another belligerent an enemy of the first. In this respect it is an entirely different proposition. I do not want to go into that further because it has already been discussed in this House, and we are going so fast on other issues which are even greater. Today the issue is convoys or no convoys; war or no war. It really comes down to a question, in my mind, of no convoys, no war; if we have convoys, we will be in the war very soon.

Let me now read what Mr. Willkie had to say after election day. This is dated November 12, 1940:

> Mr. Roosevelt and I both promised the people in the course of the campaign that if we were elected we would keep this country out of war unless attacked. Mr. Roosevelt was reelected, and this solemn pledge from him I know will be fulfilled, and I know the American people desire him to keep it sacred.

In that statement I concur 100 percent with Mr. Willkie. That was made a week or so after the election. In the meanwhile, however, Mr. Willkie has come out for convoys, which is equivalent to war and, in my humble judgment, he repudiates every statement he made to the American people about keeping us out of war. Other Americans want us to get into the war and they have a perfect right to their views, but not Members of Congress nor candidates for the Presidency who made definite pledges to their constituents to keep them out of war. They are not in the same category as a plain American citizen who wants us to get into the war and made no public promises or pledges to keep us out.

I want to take this occasion also to answer a statement made by a friend of mine. The trouble with this whole war question is that you have to disregard friendships, you have to disregard families, you have to disregard parties on this issue because the whole security and future of America is at stake. Here is what Col. John Thomas Taylor had to say to the American Legion national executive committee the other day, according to the press:

> It is not a question in Washington now as to whether we will get into the war. It is only a question of when. But I have not talked to anyone who believes it will be more than 60 days.

That is the most extraordinary statement I have yet heard. I am afraid my good friend John Thomas Taylor does not get around to Congress much any more. I do not believe there are 50 Members of Congress who would vote for war today or 60 days from now unless we were attacked; yet John Thomas Taylor tells the American Legion at an executive committee meeting that he does not know a soul who does not believe we will be in the war in 60 days, a most extraordinary statement, and a most unfounded one, when there are not 50 Members of Congress who would get up on their feet today and say they would vote for war in 30 or 60 days. If there are, I think we ought to know them and have it out now in open debate. We talk about a lot of petty things and minor measures, but all such bills sink into insignificance when compared with the question of war or peace. We spend 5 hours a day discussing some insignificant matter yet take no time to discuss whether we shall go into the war or stay out. The American Legion national executive committee recently passed a resolution, and I will read part of it to you:

> We earnestly urge the President of the United States as Commander in Chief of the armed forces of the Nation to employ such units of the United States Navy and auxiliary forces in such manner as in his judgment may be required to insure the safety of American vessels and their crews by guarding them against attack from any source.

In the first place, that does not refer to convoys. There is no mention of the word "convoys" in it, and in the second place it refers to American ships. Let me point out that no American ships are carrying any goods into the war zones. That is prohibited by the Neutrality Act and by the President himself. So that this means mere protection not to British ships carrying our goods but to American ships that are not carrying our goods, and it does not even mention convoys.

We have a neutrality patrol, a most extraordinary name, going out as far as 2,000 miles from our shores. Doing what? Protecting American ships? No. American men? No. There are no ships or no American sailors in that zone 2,000 miles from our coast, because we are not sending American ships to Great Britain. What are the patrols doing out there? Just spying, looking around for trouble, sticking their noses into trouble, and sooner or later, of course, they will find trouble. You will always find it if you look hard enough for it. I do not know of any valid reason for those ships being there. I do not think it makes any difference whether they are 2,000 miles out or not. There are no German ships and no Italian ships there, but they are out there, according to the papers, and the Congress has no information except through the newspapers, to scout the seven seas. They are out there just snooping around, sort of a spy patrol to inform the British that there may or may not be some submarines inside that 2,000-mile zone. If they want to keep them there, that is all right with me, but if they go on further into the belligerent zone, of course it means war. That would be just as bad as convoys. And the American people ought to know what is going on.

All I ask of the Congress is, Let us discuss this convoy issue, because if we send convoys and our ships are sunk, it means war. That does not mean that Mr. Hitler will declare war. He will not declare war, but we will declare war on him. Hitler could have declared war any time in the last year and a half, but he does not propose to do that. If we use convoys, then it will mean shooting, and war because we will declare it. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I have no quarrel with gentlemen who hold opinions contrary to those held by myself. I must confess, however, that I have had enough of this denunciation of Hitler and the promise of aid to Great Britain without doing anything about it. I would not conceal the meaning of the bill, consideration of which this rule is intended to make in order. It is not a peace measure. It carries war powers. However, it is absolutely consistent with the destroyer transaction and with the lend-lease bill.

Mr. Speaker, I have never referred to the destroyer transaction as a peace move. I think it was an open declaration to the world that we had entered upon the road that leads to war. When the lease-lend bill was before the House I referred to it as a war measure. That shocked some of my colleagues; nevertheless, I thought it carried war powers, and I still think so. I think it moved us further down the road toward war.

This bill carries us even further. It is an announcement that we have at last arrived. It provides for the seizing of the ships of foreign owners that are now in our ports, we to make such use of them as we see fit. There is, of course, a moral question involved, but that is met by the provision that the owners shall be fully compensated.

Now, the gentleman from New York applauds the President for the indecision which is indicated on his part at the present time. If I were trying to find fault it would be with him because of that indecision. I think we have reached the point when we must cease toying and playing with the people. I believe the people are entitled to know the whole story; they are entitled to know the truth. It is hard for me to understand that there are informed people who have a doubt in their minds but that we are headed for war. I believe we are.

The gentleman from New York has referred to me as favoring war. I do not favor war in the sense that I would sacrifice the young manhood of this country and all of our resources, but we are obliged to follow somebody in these critical times, and I have been doing my best to follow the President. I differ with him on his domestic policies often, as my friends know, but who is to lead us in these times? We must follow someone. I have chosen the President, who happens to be the Commander in Chief of our armed forces.

The President has stated, as I understand, that the pending bill ought to be adopted. As far as I am concerned, I am going along. I am willing to take these ships. It has not been disclosed that the owners in most instances, are anxious to dispose of them. They have been shopping around in this country for 16 to 18 months undertaking to dispose of them. Many of them are nationals of countries who now cannot make an open offer of sale; nevertheless they have been undertaking to dispose of these ships and they now want to dispose of them. We take the ships and we remunerate the owners for them.

Reference has been made to convoying. What are we to do? We make available billions of dollars of credit for Great Britain. We promised to give

complete aid and assistance. We promised our support to the limit of our capacity.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 additional minutes to the gentleman from Georgia.

Mr. COX. It happens that we cannot fulfill our promise short of convoy. What are we to do? Are we going to stop? Are we going to turn back at this point simply because convoying may involve us in war? Of course, we are not. They talk about the few who would vote for war. I make the prediction that there would be very few who would oppose convoying, if convoying were necessary to a fulfillment of the commitments we have made for the carrying out of our promises. [Applause.]

Let us be reasonable, let us be sensible, let us cease playing politics, let us cease this effort to mislead our people back home. Let us walk right up and put ourselves in line and perform like men who have responsibilities on them; let us measure up to our responsibilities and fulfill our obligations. Of course, we are going to convoy and we are going to do it right away.

Mr. Speaker, I hope the rule will be adopted, and I hope the bill whose consideration it makes in order will be adopted by this House. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I congratulate the gentleman from Georgia on making a sensible and honest statement. As has been stated before, he actually believes the things we have done heretofore are war measures; but with all due respect, I cannot believe that it is the aim and intent to involve us in war. I believe the aid we are giving to Great Britain will save us from going or being forced into the war.

I was pleased to hear the gentleman from New York state that he has the utmost confidence in the President; that he has more confidence in him than he has in Mr. Willkie. He should have confidence and we all should have confidence in the President of the United States. He has made pledges and he has made promises, and I honestly believe he intends to keep them. He is an honorable and honest man and he has the interests of our country at heart as no other living man.

The gentleman states that Great Britain has spent $200,000,000 in this country for propaganda purposes. Does not the gentleman know that hundreds of millions of dollars have been spent by the Nazis in this country to undermine the powers in Central and South America and all throughout the world, to undermine the democracies, and to undermine our own institutions?

The Nazis have hundreds of their agents in South America working day and night to create prejudice against the United States. The gentleman from New York does not seem to know that that is part of their program.

Mr. Speaker, there is nothing in this bill that provides for convoys. There is nothing in the bill that will authorize the President to take over any ships illegally. As to the vessels that are owned by Germany and Italy, we know that those ships have been sabotaged under orders, and under our law and under international law we have the right to seize them. We will not permit any wrong or illegal acts.

The gentleman from New York thinks that Mr. Hitler lives up to international law and the laws of other lands, but he had better think and think again to what extent he has gone and whom we must meet unless Britain can bring about Hitler's defeat.

I am and have been against war. No man has been more opposed to war more than I. But in the interest of my country, and with the interest of our institutions at heart, I am willing to go as far as I can to prevent our country from being attacked by these ruthless leaders of Europe.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Arizona.

Mr. MURDOCK. Is there any explicit provision in this bill whereby ships that carried the flag of Germany or those of Italy will be placed under the flag of Great Britain?

Mr. SABATH. No; there is nothing in the bill that directly gives the power to the Commission to turn over foreign vessels to Great Britain.

Mr. MURDOCK. Then it is merely an assumption that, if the President is given power to dispose of them, he will turn former German and Italian ships over to Britain.

Mr. SABATH. No; it is not the intent to turn over German and Italian ships to Great Britain.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman.

Mr. MARCANTONIO. There is nothing in the bill that will prevent the transfer of these ships to Great Britain except the offer of an amendment by the gentleman from New York [Mr. CULKIN] that would accomplish that purpose, and I submit that we be honest with the people of this country, and that you admit that the purpose of this legislation is to bring about a transfer of these ships to Great Britain.

Mr. SABATH. Such an amendment may make it positive, and would prohibit the transfer of them, but I do not admit, as I have stated before, that it is the purpose of this bill to turn over German or Italian ships to Great Britain. Admiral Land, chairman of the Maritime Commission, stated that it will make possible the creation of a pool of the various foreign ships now lying within the jurisdiction of the United States up to 2,000,000 tonnage, which will be justly and fairly allocated.

Mr. MURDOCK. It has already been suggested that, if we take these ships, we could use German and Italian ships in our peace trade and turn over an equal number of ours to Britain.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to my colleague on the committee.

Mr. ALLEN of Illinois. These ships are the private property of Germans and Italians are they not?

Mr. SABATH. Yes.

Mr. ALLEN of Illinois. If we confiscate the private property of Germans and Italians, would Germany and Italy confiscate over in their country the private property of our people or perhaps go into our Embassy in Greece and take that over; and would the gentleman feel that they were exercising the same right?

Mr. SABATH. Of course, I was not referring to embassies. However, I would say to the gentleman that most of the private owners of these ships have been trying to dispose of them to individuals and to the Government indirectly.

Mr. ALLEN of Illinois. Does the gentleman believe they are trying to take over our Embassies in Greece and in other countries and confiscate them?

Mr. SABATH. In answer to my distinguished colleague from Illinois, I can only say if we are to judge the future by the past the Nazi regime is liable to do most anything. The gentleman knows as well as I know and, in fact, we all know that they have been confiscating the property of citizens of the United States for 2 years and that there are millions of dollars due to American citizens that the Nazi Government has refused, and now refuses, to turn over to American citizens. This bill does not go that far, because we expect to compensate the owners in every instance.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BLAND. The statement made by a member of the committee, the gentleman from Georgia [Mr. RAMSPECK], was that Germany has done that identical thing with respect to Coca Cola trucks and other Coca-Cola property.

Mr. SABATH. Not only Coca-Cola property, but that has been done in hundreds of different instances. There is at least $1,000,000,000 worth of property or money owned by American citizens that is being held by the Nazis which was taken for their own use.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. FISH As a member of your distinguished committee, I asked Admiral Land, when he appeared before us, about the transfer of these German and Italian boats, and he said that those boats would be put into a pool, and they could be taken out of that pool and given to the British along with the rest, and that is what we are trying to prohibit. Furthermore, I challenge the gentleman to say that there is one single Italian boat that they tried to sell to anybody in America.

Mr. SABATH. The gentleman has quoted Admiral Land. He himself stated before our committee, as the gentleman knows if he was present and paid attention, that they had been trying for months, for 18 months, to dispose of these boats or ships to individuals here and there.

Mr. FISH. Not the Italian and German ships, but the others.

Mr. SABATH. That was my impression—that nearly all of the owners were endeavoring in various ways to dispose of these ships lying in our ports. I would not be surprised if they had permission from their own governments to sell the ships and turn the funds over to the agents of their respective governments to utilize for certain purposes.

Mr. FISH. I challenge the gentleman to show that.

Mr. SABATH. I will show the gentleman the record of his testimony. Of course, I concede that the admiral has been determined and is determined to get hold of these boats as speedily as possible because he realizes the need.

Mr. FISH. The gentleman is referring to the Danish and Dutch boats and not the German and Italian vessels?

Mr. SABATH. I think he referred to all of them.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. O'CONNOR. Is it not a fact that under the operations of the lease-lend law any ships that are acquired under the bill would be subject to disposition by the President of the United States, and under the provisions of that measure he could do with them as he pleased?

Mr. SABATH. Yes; but having the utmost confidence in the President, and knowing that he is using splendid judgment and trying to keep us out of war, he is not going to permit the Commission or any agency to do anything that might involve us or force us into war.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. BLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4466, with Mr. COSTELLO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLAND. Mr. Chairman, I yield myself 20 minutes and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order against the consideration of the bill upon the ground that the committee does not report it in accordance with the Ramseyer rule.

The CHAIRMAN. The objection of the gentleman from South Dakota comes too late. The time to raise such a point of order is in the House and not in the Committee after the House resolved itself into the Committee of the Whole. The Chair, therefore, overrules the point of order.

Mr. BLAND. Mr. Chairman, the bill which we have for consideration today does not involve many of the matters which have been forcefully discussed in the consideration of the rule. There is nothing in the bill that deals with convoys. I was delighted to hear the gentleman from New York [Mr. FISH] in his splendid commendation of the President of the United States. I heartily concur. I believe that the President of the United States is exercising his best judgment in an effort to keep this country out of war, and doing all that any human being can do to that end. As the gentleman from Georgia [Mr. COX] said, I have not always followed the President's domestic policies, but I believe in his earnest desire to avoid war if the civilization of the world can be preserved without recourse to war.

The argument which has been made here relates more particularly to section 1 of the bill. The first and second sections of the bill are the requisitioning sections, and those sections are in response to the urgent advice and recommendation and message of that great President who is doing all he can to keep us out of war. I quote from the message of the President of the United States:

> Section 902 of the Merchant Marine Act of 1936, as amended by the act of August 7, 1939, authorizes the Maritime Commission, whenever the President shall proclaim that the security of the national defense makes it advisable or during any national emergency declared by proclamation, to requisition or purchase any vessel or other water craft owned by citizens of the United States, or under construction within the United States, or to requisition or charter the use of any such property, and provides that the owner thereof shall be paid just compensation for the property taken or for its use. The same section provides a method by which compensation shall be determined. There does not appear to be any comparable provision with respect to foreign-owned vessels lying idle in our ports.
>
> In view of the growing shortage of available tonnage suited to our national needs, I am satisfied, after consultation with the heads of the interested departments and agencies of the Government, that we should have statutory authority to take over any such vessels as our needs may require, subject, of course, to the payment of just compensation.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I would rather not. I am reading from the message of the President of the United States, on which this legislation is based:

> It is obvious that our own ultimate defense will be rendered futile if the growing shortage of shipping facilities is not arrested. It is also obvious that inability to remove accumulating materials from our ports can only result in stoppage of production with attendant unemployment and suspension of production contracts. It is therefore essential, both to our defense plans and to our domestic economy, that we shall not permit the continuance of the immobilization in our harbors of shipping facilities.
>
> I attach as of possible assistance to the Congress a draft resolution designed to accomplish the purposes above outlined. It will be noted that the draft contemplates the use of funds appropriated by the Defense Aid Supplemental Appropriation Act, 1941, approved March 27, 1941.

The section of the bill as it is introduced, and before the clarifying amendments, which do not go into the essentials of the section, follows the message of the President. It should be remembered that gentlemen on the floor today have expressed the greatest confidence in the President of the United States. I read from the bill:

> The President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency, charter or requisition the use of, or take over the title to or the possession of, for such use or disposition as he shall direct—

Not as the Maritime Commission shall direct, not the agency who may direct, but as he, the President of the United States, in whom gentlemen have confidence, and who they believe is trying to keep us out of war, shall direct. Of course, that direction may be to operate the ships, in which event the provisions of other sections would apply.

Mr. WHITE. Mr. Chairman, will the gentleman yield now?

Mr. BLAND. I would rather not. What vessels are there that are proposed to be taken over? The next section in the bill deals also with voluntary acquisition. What are these vessels that are proposed to be taken over? How many are there in the United States? There are 83 immobilized in the ports of the United States; 1 is Belgian; 36 are Danish; 14 are French. There is considerable talk about German ships. There are only 2 German ships. The remaining are 2 Estonian, 26 Italian, 1 Lithuanian, 1 Rumanian. That makes a total of 83 ships that are immobilized in the ports of the United States and that come within the operation of the requisitioning and other features of this bill.

I have no quarrel with the opposition. More loyal, patriotic, and devoted men—men who do not play politics—do not exist in this Congress than the gentlemen who are opposed to me. There are not any more loyal, devoted, patriotic American citizens here. I do not quarrel with them, though I disagree with them, and I approach the proposal and the problem from a point of view different to theirs.

Now let us consider the situation with respect to the Danish vessels. There is not a man under high heaven who can tell you where the title to these ships is. One man claims to have had a charter for these ships just before the Germans overran Denmark. Just think of Mr. Hitler recognizing that charter party or that transfer. Another claims to have had some rights thereafter given to him. I have heard—I do not know that it is true—that the laws of Denmark prohibit the transfer of title unless the transfer is registered in Denmark and consent of the proper Danish official given. Just try to think about getting those ships by negotiation. According to the testimony of Admiral Land before the committee they have been trying for months to negotiate

the acquisition of those ships. Some people claimed to have a right or interest in the German ships, and efforts were made to acquire them by purchase. Here is what Admiral Land said:

As I say, we have spent months and months on this question.

Mr. CULKIN. With the foreign governments?

Admiral LAND. Yes; with everybody's government, but we have such illusive foreign governments in many cases that it is impossible to close the deal. There have been negotiations for the purchase of French ships, Italian ships, Danish ships, German ships, and so forth, all during this period since these ships were laid up.

Mr. CULKIN. Under the law you would have to deal, I assume, with the owners, nationals of the countries involved, would you not?

Admiral LAND. Under the present law, yes; I think that is true; but under this law, as I say, you take them first and deal afterward. That is the only way to handle this situation if you are going to get to first base with it.

Mr. CULKIN. You say the other procedure has been exhausted?

Admiral LAND. Yes; it has been thoroughly explored. From April 9, 1940, we have tried that, and today is April 21, 1941, and nothing at all has been accomplished.

With the necessity for ships existing, as the President has pointed out, and the fact that the liberties of this world are going to be preserved, if preserved at all, by ships, with the situation confronting us of goods ready for transport even in our own bottoms, bearing in mind that foreign ships were taken out of our trade and that our flag ships carried only 30 percent of our own cargoes, with the imperative demand so great by individuals, newspapers, public-spirited citizens, patriotic citizens—I do not mean to say that those who are opposed are not patriotic—saying it has been too long, if anything, in taking over these ships—action becomes imperative.

Mr. DONDERO. Will the gentleman yield right there?

Mr. BLAND. I yield.

Mr. DONDERO. Did the committee give any consideration to the question of confiscation of property of our nationals in the foreign lands? I mean to the Axis Powers, whether ships, machine tools, or factories?

Mr. BLAND. The only evidence on that point I can recall now was the positive statement—and that was not so much evidence—as a statement by the gentleman from Georgia [Mr. RAMSPECK] that Coca-Cola trucks and Coca-Cola property had been taken over by the Nazis. I should hardly believe that it would be necessary to produce evidence that Hitler is taking everything of his own citizens or anyone else of every kind or description that will help him in carrying forward his diabolical objectives. Let me remind Members of what he has done to Poland, Norway, Holland, Belgium, Denmark, France, Czechoslovakia, Rumania, Greece, and every other country he has overrun.

Mr. OLIVER. Will the gentleman yield?

Mr. BLAND. I am going to yield to my friend from Maine and then I must go on.

Mr. OLIVER. I merely wanted to make the observation to the gentleman that Germany is a belligerent nation, and as far as the record is concerned, the United States is still a neutral nation, at peace.

Mr. BLAND. This bill is but a logical deduction from the policy that was declared by this Congress when it passed the lease-lend bill by a majority of 260 to 160, as I recall. It carries out those plans. But let me go a step further about these ships that are to be taken over.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I would like to go on a little further. I yielded to my friend from Maine, a member of the committee, because he is so genial, so persuasive, and I love him so much.

There are 26 Italian ships to which some objection has been raised. The contention is made that those ships came into our ports for protection. Yes, and they became subject to the laws of the United States; subject to the sovereign authority of the United States. What can Germany and the rest of them ask more than this; that we shall do by them as we do by our own citizens, and that is to pay just compensation for what we take? But how about the Italians? Not only did they come into our ports and subjected themselves to our sovereignty, but they deliberately violated the sovereign laws of the United States. I refer to a law passed by the Congress of the United States in 1917, expressly prohibiting any owner, agent, master, officer, or person in charge, or any member of the crew, or other person on a ship from damaging it or violating the rules and regulations of the Nation.

The President had issued the proper proclamation. The law reads:

SECTION 1. Whenever the President, by proclamation or Executive order, declares a national emergency to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States, the Secretary of the Treasury may make, subject to the approval of the President, rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the Territorial waters of the United States, may inspect such vessel at any time, place guards thereon, and, if necessary in his opinion, in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of the rights and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof.

Within the Territory and waters of the Canal Zone, the Governor of the Panama Canal, with the approval of the President, shall exercise all the powers conferred by this section on the Secretary of the Treasury.

SEC. 2. If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given by the Secretary of the Treasury or the Governor of the Panama Canal under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

SEC. 3. It shall be unlawful for the owner or master or any other person in charge or command of any private vessel, foreign or domestic, or for any member of the crew or other person, within the territorial waters of the United States, willfully to cause or permit the destruction or injury of such vessel or knowingly to permit said vessel to be used as a place of resort for any person conspiring with another or preparing to commit any offense against the United States, or in violation of the treaties of the United States or of the obligations of the United States under the law of nations, or to defraud the United States, or knowingly to permit such vessels to be used in violation of the rights and obligations of the United States under the law of nations; and in case such vessels shall be so used with the knowledge of the owner or master or other person in charge or command thereof, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and whoever violates this section shall be fined not more than $10,000 or imprisoned not more than 2 years, or both.

This section will be found in United States Code, title 50, sections 191, 192, and 193.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield myself 10 additional minutes.

The President had issued his proclamation of emergency and had prescribed the rules and regulations to be observed, yet the officers and crews grossly violated and transgressed our laws, laws to which they submitted themselves and impliedly agreed to obey. Under that violation the vessels are forfeited to the United States. Notwithstanding these violations we come along with this bill and provide just compensation. Is there anything unjust or unreasonable to the Italians? They have forfeited these ships.

Mr. BARDEN. Has the gentleman reconsidered and decided that he likes me well enough to yield just for a question?

Mr. BLAND. I shall have to yield to my dear friend.

Mr. BARDEN. I should like to ask the gentleman if the law now on the statute books is ample for the taking of these ships which have been sabotaged or against which sabotage has been attempted, why do we not proceed under the law now written instead of attempting to pass this bill which would reach out and take other ships that are peacefully lying in our waters?

Mr. BLAND. Because, as the President has said, we need those other ships. In the exercise of our sovereign authority we do by them exactly what we do by our own nationals when we take their ships for our purposes and pay just compensation therefor.

Mr. BARDEN. What I am searching for is some better reason to justify the taking than the fact that we need something. That is why I dislike those fellows across the water, because they took things; and I am searching for a better

reason than the reason that we need them.

Mr. BLAND. There is a law against murder, but if a murderer is running around I am going to avail myself of every opportunity to get rid of him.

I may also add that we need these ships in our domestic and foreign trade.

We asked the question whether there was any international law, but we were able to get only hazy answers. No one seemed to know exactly what international law remains, if there is any such animal. I have found international law usually is based upon precedent, something that has been done in the past. What are you going to do today with the enforcement of an international law that does not exist? We asked about international law and the furthest we could get was that we were doing an unneutral act.

I am not going to mislead the House. The President of the United States can do with these ships as he pleases, but there is no express direction that they shall be turned over to Great Britain. Whether he will do it or not I do not know, but with the same confidence in the President of the United States which has been so ably expressed by the gentleman from New York, for whom I have profound admiration, I fully trust the President of the United States to use these ships as they may best be used for the national defense. If there is a prospect of war in the use of them, then, I do not know whether the President will do it or not. I am satisfied he will not do anything that may involve us in war unless absolutely necessary.

Mr. DAY. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. DAY. Could the President give good title to these ships without an authorization from this Congress?

Mr. BLAND. I do not think he can get good title anywhere except by the exercise of the sovereign powers of Congress by way of eminent domain or in the exercise of the power to requisition these ships.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. LUTHER A. JOHNSON. I should like to suggest in answer to the question asked by the gentleman from North Carolina [Mr. BARDEN] when he inquired if there is not some other ground than need on which we may justify taking over these ships, by saying that the highest ground, the highest moral ground upon which any action can be taken by a nation is the need of self-defense.

Mr. BLAND. Absolutely.

Mr. LUTHER A. JOHNSON. And that is the heart of this act.

Mr. BLAND. Absolutely.

Mr. BARDEN. I should just like to make this observation following that, if the gentleman from Virginia will yield: I think we are stretching that right far when we pose as a neutral nation and then take ships from one of the belligerents and give them to the other.

Mr. BLAND. Who said they are going to do that?

Mr. BARDEN. Who says they are not going to do that?

Mr. BLAND. Admiral Land says we are going to put them in a pool. Asked if they were going to ge given to Great Britain, he said they were going to be used as the national defense of this country requires; and I am willing to stand on that.

Mr. BARDEN. I ask the gentleman if there is not sufficient authority in this bill to do that very thing, to give these ships to whomsoever they pleased? Is there not sufficient authority in this act for that?

Mr. BLAND. Certainly, if the national defense requires it that can be done, and I am not going to tie the hands of the Government of the United States in dealing with a foe that pays no respect to agreements, promises, or anything else. Where conditions are changing from time to time I am willing to trust the President of the United States to handle the situation to the best advantage in the interest of the United States; and if national defense makes it necessary at any minute for any of these to go to Great Britain, then let them go.

Mr. BARDEN. I am trying to keep from admitting that we have an enemy anywhere, but the gentleman used the term "foe." The thing I am concerned about is why we do not use perfectly good law that is now on the statute books, law that was written to take care of just this situation. Had an American citizen committed the same violation of these laws the Department would not have been 30 minutes in confiscating those ships.

Mr. BLAND. These were Italian ships.

Mr. BARDEN. I am asking why some action has not been taken.

Mr. BLAND. We need the Danish ships also. Could Denmark and the Danish operators negotiate apart from the domination of the tyrannical rule that is over them today they would be glad for the United States to take them and operate them, but there cannot be such negotiations.

Mr. FITZGERALD. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Connecticut.

Mr. FITZGERALD. If the need for these ships is so great, as the gentleman states, why are not the natural facilities present in America being used, the idle shipyards and the unemployed, in the construction of cargo ships?

Mr. BLAND. I am not going to get into an argument with my distinguished friend. I know what he is after, and I hope he gets it. I hope there will be found the opportunity to use all of the facilities in his district to which he refers. I think there is ample need for them and I hope the gentleman will prevail in his contention, but I am not going to tie that up with this bill.

By way of extension of remarks, I wish to emphasize that the need for ships is imperative.

In the report made April 16, 1941, on this subject, Admiral Land said:

> The need for tonnage in the American merchant marine has expanded to an extent not reasonably foreseeable when the Neutrality Act of 1939 was enacted, and not predictable in its present scope, even after the sudden expansion of the defense program by Congress in the summer of 1940. Among the cumulative factors piling up this need for tonnage are the rapid shifts in the Nation's export and import business, the requirements of the enormously expanded defense program, including defense aid to other governments, the reduction of tonnage available for commercial use by the acquisition of ships by the Army and Navy, the building of the two-ocean Navy, the establishment of new outlying bases, the reduced and restricted operations of large foreign fleets which formerly operated in our commerce, the increasing damage to and destruction of ships, the withdrawal of foreign tonnage from its usual routes and services, and the need (as well as the opportunity) for American vessels to fill in and take over gaps left by such withdrawals.

To the same effect the Honorable Wayne C. Taylor, Acting Secretary of Commerce, said in his report on April 16, 1941:

> The probable need for additional vessels is evident, especially when the Government's announced plan of all-out aid for Britain and other democracies is taken into consideration. War losses of merchant vessels (British, allied, and neutral) have reached serious proportions amounting to about 5,317,000 gross tons through the third week of March, this year. New construction at present in the United States and in Great Britain—the only countries in the position to offset these losses to any appreciable extent—appears to be far below requirements We completed 55,000 gross tons of seagoing merchant vessels in January and February, this year, and assuming Great Britain completed treble that amount, which seems a liberal estimate, the aggregate of new vesesls would be only 220,000 tons, against war losses amounting to 494,000 tons during the same months. It is true that we have our emergency building program, but this is only in its initial stage and will require time to gain momentum.
>
> The downward trend of ship tonnage engaged in our overseas trade is shown by vessel-clearance and employment statistics. In the coastwise trade there were 226,000 gross tons, or about 5½ percent less shipping employed at the end of 1940 than before the war. In the foreign trade, the decline in clearances amounted to approximately 329,000 net tons or 12 percent in January, this year, compared with August 1939.
>
> Apart from the revelation of these statistics, the seriousness of the shipping situation is indicated by the increasing number of requests of aid in obtaining cargo space, which this Department is receiving from exporters, importers, and domestic shippers.
>
> It will be possible to transfer some of our water-borne trade to the railway and trucking companies (domestic trade and trade with adjacent foreign countries), but such transfer will have its limitations because of the existing heavy demands on overland transport facilities and by reason of the higher freight rates—land versus water—especially on bulk goods. An instance of such disparity is to be found in the case of finished lumber, on which the water rate works out at $13.50 per 1,000 feet, compared with $18 for the rail rate (Pacific to Atlantic seaboard).

The Acting Secretary of the Navy, on April 17, 1941, said that the need for the vessels will unquestionably increase and that in order that the Maritime Commission may have the necessary authority and freedom of action to obtain vessels on short notice so that they may be allocated to the service where they will be

of greatest assistance in the national-defense program.

In another report by Admiral Land on this same subject he said:

The need for ships, as now foreseen, is for 1941 and 1942. The duration of the need depends on the course of the European war and naturally on any other developments of world-wide import in respect of international trade.

It clearly appears that construction programs, either long-range or emergency, will not solve the need for ships for the year 1941, and probably not for 1942, unless sudden changes occur.

The introduction of regular program ships into the merchant marine has been, and will continue to be, dislocated by the urgent need of filling Navy requirements and possibly other governmental needs.

The immobilized foreign tonnage above referred to and set forth in table III attached hereto appears to afford the best source of additional tonnage for use in 1941. The charter thereof, or purchase if necessary, will aid in meeting the needs for tonnage in a substantial amount. This tonnage could be employed to great advantage in transportation of strategic and critical materials from South America—both east and west coasts—Africa, Australia, India, Far East, and Straits Settlements. Very likely all dry-cargo vessels, of say 7,000 deadweight tons and over, could be readily utilized.

It is also contemplated that these may be available for procurement under proper enabling legislation other suitable tonnage, domestic or foreign. It appears that some private owners may be willing to charter to the Commission at a reasonable rate, less than present going rates, in order to be sure of a reasonable return for a longer period than charterers would ordinarily be willing to contract for under the unsettled conditions.

The foreign-flag tonnage in question could be very advantageously used pending the time when ships under the emergency programs are being delivered in numbers sufficient to fill these emergent needs as they continue to develop under the disturbed conditions of trade and the growing requirements of defense.

Government assistance in making the tonnage under consideration available for at least temporary use should help, moreover, to reduce to some extent the danger of overtonnaging of trades or services which otherwise may develop when the existing disturbances cease.

Additional tonnage made available as proposed could be employed to meet in part some of the more urgent demand for ships, including the transportation of strategic and critical materials, transportation to the newly acquired bases, replacement of vessels in either domestic or foreign trades taken over or to be taken over by the Army and Navy, filling in of gaps left by the sale of obsolete tonnage, operation in foreign-trade services established by American operators to replace vessels withdrawn by foreign operators, and emergency service in the maintenance of essential routes.

There can be no question about the need of these ships.

Constantine Brown, in an article in the Sunday Star, put the issue squarely, in these words:

The survey of the situation necessitates a close examination of our own position and a reexamination of our aid to Britain short-of-war problem. It must be emphasized here that nobody in Washington considers, by the remotest implication, a change in our determination to aid Britain. Our policy does not rest on any sentimental considerations or on any lofty ideology. Help to Britain, translated into plain English, means help to ourselves. Any attempt to reverse such a policy is considered in the highest quarters as an ultimate fatal blow to everything for which we have stood for generations.

I accept as unqualifiedly true the concluding paragraph of an article in the April 1941 issue of Foreign Affairs, entitled, "The Myth of the Continents," written by Eugene Staley, professor of international economic relations, Fletcher School of Law and Diplomacy; author of Raw Materials in Peace and War, World Economy in Transition, and other works.

The paragraph referred to reads:

The Western Hemisphere defense plan is a static plan, and either the hemisphere or the "quartersphere" defense lines would, on the whole, be weak compared with the maritime defense line available to us so long as Britain survives. The United States should regard Western Hemisphere defense lines as distinctly secondary, to be prepared for emergency use if the first line breaks and we are forced to fall back for a last-ditch stand. It is less risky to stand now for all-out defense, together with Britain, of the seas and the strong points commanding the seas of the whole world—Singapore, Hawaii, Panama, Gibraltar, Suez, and Britain itself—than to let Britain go down and then to try to defend the Western Hemisphere practically alone.

The Congress has committed the Nation to aid to Great Britain. We cannot abandon that policy now. We must not change it or relax our efforts. Arthur Krock in an article recently made apt answer to the objection of international law:

But Germany is no longer in a legal position to make a case under the international law it has so often violated.

We must carry out now this policy declared in the lease-lend legislation. The problem was presented most strikingly in the article I have referred to above written by Eugene Staley, in Foreign Affairs. I quote:

Certain basic facts about the problem of defending the Western Hemisphere are now fairly well known. The American people have realized with a shock that the Monroe Doctrine has rested in the past not merely on our own power but on the existence and the friendliness of the British Navy. If the British Navy were to be captured, or sunk, or scattered, we would face a combined Axis naval superiority that might amount to 2 or 3 to 1 against us. The "two-ocean Navy" our Congress has voted cannot be completed before 1946. Furthermore, can we assume that a victorious Axis would be unable to match our new vessels or to outmatch them? The estimated annual shipbuilding capacity of countries now under Nazi rule (Germany, Norway, Denmark, Holland, Belgium, France), plus that of Japan, plus that of Italy, was about 3,200,000 gross tons at the outbreak of war. In the event of a Nazi conquest of the British Isles, additional equipment rated at an annual capacity of about 2,500,000 gross tons would be in the hands of the totalitarians. The grand total so amassed is 5,700,000 gross tons as of September 1939. It seems reasonable to assume that since then new installations and destruction by bombing may have offset each other. Over against this annual capacity of nearly 6,000,000 gross tons the United States had an estimated shipbuilding capacity (including navy yards) of perhaps 800,000 gross tons at the outbreak of war, and this had been pushed up to 1,500,000 gross tons as of January 1, 1941. Experts hold that by building new yards we can probably increase this capacity at the rate of about 1,000,000 tons a year. If that is a good estimate, it would take us more than 4 years to overtake totalitarian shipbuilding capacity, supposing that they stood still. In the meantime, we should start with something like a 4 to 1 shipbuilding ratio against us. This must be a most disquieting fact if we hope to defend, single-handed, distant overseas areas like the South Atlantic coast of South America.

Since the above was written Greece and other nations have fallen. There must be no abatement of our efforts now.

Mr. CULKIN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the able and distinguished gentleman from North Carolina [Mr. BARDEN] presented some rather earnest and difficult inquiries to the distinguished chairman of the Committee on Merchant Marine and Fisheries. My distinguished chairman is rarely at a loss in the matter of poise, but the question of the gentleman from North Carolina seemed to confuse the chairman, and he finally took resort in the statement that we are taking these ships because we need them. That is what Hitler did when he marched into Holland and the Low Countries. He wanted to get a place from which to launch his airplanes on the European side of the Channel, so he went in and took those areas. That incident at least furnishes a precedent for this performance here.

Mr. Chairman, during the greater part of my service in the House and for about 9 years last past I have been honored by membership on the Merchant Marine Committee of the House. I have come to have a high regard for the hard-working, patriotic, and able chairman of this committee, the distinguished gentleman from Virginia [Mr. BLAND]. [Applause.] Bred in the best American tradition he has brought to the important duties of the rebuilding of the American merchant marine a high fidelity to legislative duty and a fixed hatred of sham and subterfuge. He knows the needs of America in the maritime field more thoroughly than any man I have contacted during my service here. It is true that at times I have been in disagreement with his procedure but on no occasion have I been in opposition to his objectives. On such occasions, due largely to his tolerance and constructive viewpoint, our differences have been ironed out before the proposed legislation was brought to the floor.

During the past 8 years we have brought into being, under the capable auspices of the United States Maritime Commission, 79 ships of every type and variety and aggregating a tonnage of more than 637,000 tons. These ships are in operation and 105 others, aggregating 850,000 gross tons, have been launched and will speedily be put in commission. Our committee framed the legislation which made this possible and in writing these laws we had in mind the heart-breaking and in some phases venal performances of the past. Thus far, under the bills so framed which subsequently became law, not one breath of scandal has touched the creation of this new merchant marine so greatly needed for carriage of goods to and from over-

seas, and furnishing a very necessary service of supply to our Navy in time of war or international stress. During this period of national effort in the maritime field our committee has been harmonious and has written legislation which is now beginning to give America her rightful place on the sea, both in times of peace and war.

Today I regret to find myself in disagreement with the majority of the Merchant Marine Committee on one phase of this bill. This bill, H. R. 4466, introduced by our distinguished chairman, authorizes the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for the needs of commerce and national defense. It does not distinguish between the vessels of neutrals and those of the present belligerents, including Italy and Germany. Under this bill the President is authorized and empowered to take over the title to or the possession of these foreign-flag ships for such use or disposition as he may direct, including any merchant vessel of Germany and Italy, which is lying idle in waters within the jurisdiction of the United States. There are within the waters of the United States 231 foreign-flag vessels with an aggregate tonnage of approximately 1,300,000 tons. All of these ships are immobolized within our ports and come within the jurisdiction of this legislation. Included among them are two German ships of 9,000 gross tonnage and 26 Italian ships of 140,000 gross tonnage. The status of these ships is what I am particularly troubled about, and in common with several of my colleagues I find myself in disagreement with the majority of the committee. Otherwise, I am in full accord with the committee on this legislation.

These ships of Germany and Italy were brought into our ports and immobilized prior to the declaration of war between the Allied Powers and Germany. They sought asylum here, and there can be no disagreement as to the rules of international law regarding neutrals' treatment of enemy ships. Belligerent ships of war coming into neutral harbors must in general leave within 24 hours. They cannot be repaired or furnished with food or coal beyond the amount necessary to enable them to get home. I am fully aware that the lend-lease bill changed the status of England's ships, but the internment of the ships in question here occurred long before the passage of the lend-lease bill. Merchant ships which presumably cannot be used for belligerent purposes would be allowed to go from a neutral port on condition that nothing had been done to them while in port to make it possible to class them as belligerent vessels. These 28 German and Italian ships in issue were, under international law, entitled to remain in port during the length of the war. Through the years the inviolability of such ships so interned has always been recognized. The neutral in this case, the United States, is in the position of a trustee for the safety of the vessel. It is fair to state that when the neutral himself enters the war he may seize these ships for his own use. I think it may be safely assumed we are not yet belligerent. In the last Presidential campaign and in press conferences during the present administration the distinguished occupant of the White House has repeatedly stated that we are not in the war, and by inference while we would aid the democracies we would not become active belligerents.

It is perhaps true that as time goes on and since the close of the last national campaign the Presidential utterances have changed somewhat and the term "short of war" is not so frequently heard. However, even with the "lend-lease" bill in the picture thus far we have not become an active belligerent. Under the Constitution no matter how much the Executive flirts with the dread potentialities of this situation only Congress can declare war. I know that Mr. Bullitt and other citizens of similar type, assert that the President is supreme in the international field and believe and urge that the President so play with fire within his jurisdiction in international affairs that a declaration of war is a natural sequence. Mr. Bullitt is not alone in his viewpoint. The psychopathic columnists declare war every time they put pen to paper. Miss Dorothy Thompson should have honorable mention in this connection. I was told the other day by a well-informed citizen who had followed the matter closely that Miss Thompson had declared war more than a thousand times since the present international crisis came into being. The spear of this warlike woman certainly knows no brother. Somebody advised me recently, although I did not read it, that Dorothy had even declared war on President Roosevelt, whom she helped elect. It reminds me of what happened to President Lincoln at the hands of Wendell Phillips. Wendell Phillips the abolitionist, spent 40 years in an attempt to end slavery. When Lincoln issued the emancipation proclamation Wendell Phillips attacked him vigorously for doing so. The fact is that the American people have been rightly schooled in the belief that under the Constitution Congress alone can declare war and that a President who attempts to take on an undeclared war is properly the subject of congressional action. It is well to remember at this juncture that this is a government of laws and that the man on horseback is no part of our scheme of things.

ACT OF WAR

So it may be assumed that these belligerent ships are still under the sanction of international law. Nor does it alter the case that Hitler has thrown international law into the discard. That does not justify us in doing so. This great Republic or its leaders should not get down on all fours with Hitler.

I have consulted some eminent authorities as to the status of belligerent flag ships and I am advised that there is no instance recorded of the seizure by a neutral of ships belonging to one belligerent for the purpose of turning them over to another belligerent. This would amount to a clear act of war and it seems impossible that any nation so treated would not consider that a state of war existed. If it is the hidden purpose of this legislation to bring about a declaration of war or an undeclared war this bill affords ample encouragement to that end.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. CULKIN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I am interested in the provision of the bill that has to do with payment to the owners. I wonder if the gentleman's committee considered just how that payment would be made. We have a law, as the gentleman knows, by which our Treasury holds up payment to foreign nations or the nationals thereof, and I wondered if those payments would actually go to the owners or be held up.

Mr. CULKIN. I may say to the gentlewoman from Illinois that this would probably come within the scope of the lend-lease bill.

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Ohio.

Mr. BENDER. Does not the gentleman feel we are substituting the robbers' code for international law by this bill?

Mr. CULKIN. That is what I very much fear. We go back to anarchy unless some deference is paid to such situations as this.

Mr. CRAWFORD. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. This thought is running through my mind. During the present shipbuilding program enormous progress will be made in the designing and building of ships. If these ships remain in the harbor inactive they will become largely obsolete. It seems to me that a claim against the United States by these smaller countries in particular for a fair value of these ships would be of far greater value to those countries than the ships themselves will be at the end of this present hostility.

Mr. CULKIN. I thank the gentleman for his observation. I fully recognize and concede the right of the United States to take under protective custody the ships of belligerents that have been the subject of sabotage.

Mr. CLARK. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from North Carolina.

Mr. CLARK. The law in existence at the time of the sabotage of certain of these ships rather specifically provides that in case of sabotage or injury to the vessels they shall be forfeitable to the United States. If that was the law at the time these acts were committed, what would the gentleman say as to whether the owners or other nationals by their own act contributed to their forfeiture?

Mr. CULKIN. I may say to the gentleman I think that is limited by international law. In the present situation it is

limited to a protective custody. That is my theory. I do not believe that under international law, by the taking of these ships by reason of sabotage, it could be construed that such title would flow from that as would enable the person designated by the President to put them in war in aid of the enemies of the belligerents owning them.

Mr. CLARK. I do not believe the gentleman has my point exactly.

Mr. CULKIN. Yes; I believe I understand it. I cannot yield further; I am sorry.

I recognize that right, I repeat, to take them into protective custody by reason of sabotage. Beyond that I confidently assert that the Italian and German ships in our ports are not ours to deal with. I assert that the procedure that this legislation implements with reference to German and Italian ships is one of the certain pathways to war.

Admiral Land, in the committee hearings, said that he was ready to go off the deep end as regards international law, and I thought I heard that same suggestion from the lips of my distinguished chairman this afternoon, that he would match outlawry with Hitler. I cannot go along on that unless you are going to revert completely to the law of the jungle as it was 3,000 years ago.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a brief question?

Mr. CULKIN. Yes.

Mr. DONDERO. So the record will be straight, I am going to ask the question again: Is there any precedent in civilized history where one neutral nation has taken the ships of one belligerent and turned them over to another belligerent?

Mr. CULKIN. There is no known case of that character, I may say to the gentleman.

Such an act as is proposed here with reference to these belligerent ships would be a death blow to the laws of neutrality that have been developed largely through American influence during the last century and a half.

Mr. ELSTON. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Ohio.

Mr. ELSTON. If this bill should pass in its present form, would there be any defense whatever that could be offered against the seizure of American property in any other country of the world?

Mr. CULKIN. It opens the door wide open to that. The General Motors Opel plant in Germany represents an investment of many millions of dollars, the stock being held by Americans. Of course, that would go out the window. That example might be multiplied many times.

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I yield myself 4 additional minutes.

AMENDMENT PROPOSED

Mr. Chairman, I respectfully urge that proper limitations should be placed upon the future use of the ships of the present belligerents. I also respectfully urge that the present act should be amended so that the flagships of nations now engaged in war taken over pursuant to this act should not be turned over to any nation now at war or used for the purpose of promoting their objectives.

I have prepared an amendment which I will submit to the committee at the proper time. It is as follows:

At the end of line 10, page 2, after the word "amended", strike out the period, insert a colon and add the following: *"And provided further,* That the flagships of nations now engaged in war taken over pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military or naval objectives.

MARITIME AID TO ENGLAND

May I call the attention of the House to the fact that up to the present time we have sold or transferred to alien ownership in aid of England some 430 vessels at a nominal cost of $77,000,000. These vessels, large and small, aggregate nearly one and one-half million in gross tons. In addition, we are building for England some 412 ships under the emergency program. These will cost about $700,000,000 and represent shipping of over 3,000,000 tons. We have turned over to the Army and Navy 50 ships of approximately 300,000 tons. The House is likewise familiar with the recent transfer of destroyers and the Coast Guard vessels. In view of these facts and the character of this tonnage so diverted from essential trade routes and services, it would seem that we are now giving substantial and all-out maritime aid to the democracies.

These 26 Italian and 2 German ships are in fact only a drop in the bucket. They aggregate only 150,000 tons and are limited in their present usefulness by the sabotage that has been discussed here. From the practical standpoint the operation of these German and Italian ships for the purpose of their enemies is an unjustified, illegal, and stupid act on the part of the United States. It is inconceivable that the acquisition of these ships can have an important bearing on the fate of the democracies. On the other hand, the House should remember the danger is ever present that such taking will result in our actual participation in a foreign war to which the great majority of our people are opposed.

FOR AID TO DEMOCRACIES

In the last campaign I repeatedly declared that I was for aid to the democracies "short of war." I have not changed. I loathe Hitler and all his works and pomps. I hope and pray that he and his armies speedily meet disaster and defeat. But at all costs I would keep the fair name of this Republic unstained and unsullied. This Congress is charged with that responsibility. I am confident that this House will meet its responsibility bravely by the adoption of the amendment I will offer later. [Applause.]

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from Connecticut.

Mr. SHANLEY. This bill allows us to take any foreign ships?

Mr. CULKIN. Yes. These ships are described in the hearings.

Mr. SHANLEY. Does not the bill use the words "foreign vessel"?

Mr. CULKIN. The ships are specifically described in the hearings.

Mr. SHANLEY. I mean in the bill. Look in the bill.

Mr. CULKIN. In the hearings the ships are described as Belgian, Danish, French, German, Esthonian, Polish, Lithuanian, and Rumanian, 231 ships.

Mr. SHANLEY. That is a delimitation of the ships that are in the harbors now; but what about South American ships?

Mr. CULKIN. With reference to what?

Mr. SHANLEY. I am anxious to get your judgment in my questions to the effect that there is no possible danger in this bill that our South American neighbors will be hurt by the implications of the bill itself. I believe that we are morally bound to discuss with them every threatening occurrence that endangers our mutual sphere of influence. I wish to have them feel that even if by some chance their ships were "idle" in our harbors there would be no intent by this bill to include them.

Mr. CULKIN. We would have authority to take such ships but, I may say to the gentleman, I believe the question is hypothetical. I do not believe we would do so in view of our present relations with South America. It might be different if France lines up with the Axis. I understand there are some ships at Gaudeloupe and Martinique. Those are French possessions. If they sought refuge in our ports we could take them.

Mr. SHANLEY. I was wondering if there ought not to be some preventive in the bill to get rid of the idea that it is possible for us to do it. I had the same experience with the lend-lease bill. I thought we ought to have an amendment in there because under the implications of the Panamanian Solidarity Agreement, when anything occurs in this hemisphere that disrupts hemisphere solidarity we immediately have a meeting. We had a meeting called in the instance of Greenland, as the gentleman knows, and we also had authority from the Panamaian group the other day that they would work out the same bill we are working out here.

Mr. CULKIN. I think we could take the ships under this bill, but I believe the question is hypothetical purely because we would not do it with the possible exception of French ships seeking asylum.

Mr. SHANLEY. I am glad to hear the gentleman say that, because it will be a further interpretation.

Mr. CULKIN. The gentleman has heard of the good-neighbor policy and the $500,000,000 or $600,000,000 or so we are lending or giving down there.

Mr. SHANLEY. I thank the gentleman.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield myself 2 minutes.

The first section, the confiscation section, relates to vessels lying idle in the waters of the United States. Under the next sections, the voluntary acquisition sections, of course, we could voluntarily

acquire by charter any vessels in South American ports.

Mr. CULKIN. Yes; I believe that is true.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Connecticut.

Mr. SHANLEY. I understand there are technically only five neutrals in Europe today—Portugal, Sweden, Switzerland, Spain, and Turkey Of course, any of their ships would not be lying idle in our harbors. There are no idle ships of that category in our harbors now.

Mr. BLAND. I do not think so.

Mr. SHANLEY. I expect the answer as to these would be just as hypothetical as the answer I got from the gentleman from New York [Mr. CULKIN].

Mr. BLAND. Yes; I think that is true.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, I do not look upon the bill that is before us today as a war measure, neither do I view it as being contrary to international law.

Just before I entered the Chamber today I received a letter from Mr. Charles Cheney Hyde, Hamilton Fish professor of international law at Columbia University, Solicitor for the Department of State under President Harding, official biographer of Charles Evans Hughes, and lecturer for the Carnegie Endowment for Peace. Mr. Hyde wrote:

> I am inclined to feel that by appropriate enactment the Congress may properly, insofar as concerns international law, requisition for national-defense purposes, subject to provisions for ample and immediate compensation, foreign merchant ships now under protective custody in our harbors.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANFIELD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman, of course, knows what a very high reputation Mr. Charles Cheney Hyde has in respect of international law matters.

Mr. CANFIELD. I do know that and I am pleased to have the gentlewoman from Massachusetts bear witness to that fact. I am sorry the gentleman from New York is not here to hear this quotation.

When Count Bismarck sunk five neutral English ships in the Seine in 1870, he wrote his Ambassador at London—

> It was a case of necessity which, even in time of peace, admits of the use or destruction of the property of foreigners, provided compensation is made.

Collier's of May 3 has an interesting account of the American Coast Guard taking the new German ship *Arauca* into custody the night of March 29, 1941, at Port Everglades, Fla.

President Roosevelt aboard the White House yacht *Potomac* was making his Jackson Day address at the time. He was not 500 feet away from the million-and-a-half dollar German vessel. The guardsmen in their inspection discovered that plans had been made to destroy the ship by fire when it became evident the ship was to be confiscated and Collier's reports the German officers thought the guardsmen were looking for bombs that might endanger the President.

Next morning, according to the reporter, a member of the crew discussing the guardsmen taking the ship into custody said:

> For Herr Hitler would be the same thing, only with a foreign ship we would have more guards. And I do not think Herr Hitler would be so close to a foreign ship.

With this introduction, I desire to discuss briefly the Coast Guard's part in the seizure of these foreign vessels, emphasizing particularly the drain being made upon the Service by its 24-hours-a-day job.

With the issuance on March 30 of orders for the seizure of Italian and German ships in the United States waters under the provisions of the Espionage Act of 1917, the Coast Guard took into protective custody 27 Italian and 2 German craft and at the same time 35 Danish vessels, in waters under the jurisdiction of the United States, were placed under the custody of the Coast Guard.

The Service entered into this activity by reason of the fact that it is the Federal agency charged with the enforcement of the Espionage Act of 1917 and of rules and regulations issued pursuant thereto. The work is more directly carried on by Coast Guard officers designated as captains of the port, of which 37 have been designated throughout the United States and its possessions, and their jurisdiction extends to all territorial waters.

The duties of these captains of the port involve, generally, enforcing the Espionage Act and the rules and regulations governing the anchorage, movements, inspection, and supervision over all merchant vessels, foreign and domestic, in all ports of the United States and within territorial waters. The act of October 9, 1940, authorizes the Coast Guard to enforce the regulations governing the transportation, stowage, and storage of explosives, inflammable material, and other dangerous cargo aboard vessels. The Service, through its combined enforcement of this act and the provisions of the Espionage Act of 1917, is acting, in a sense, as the Federal safety policeman in our ports, harbors, and Territorial waters, both in the interest of national defense and for the safety of life and property.

Following the seizure of these foreign vessels in our waters, located in 17 different ports of the United States and Puerto Rico, the next step of the Coast Guard was to place guards aboard them for their care and safety. This has involved the assignment of approximately 700 enlisted men as guards, in addition to the attendant supervisory attention by the officer staff of the respective captains of the port. In assuming protective custody of these 64 foreign vessels, and in looking after their necessary maintenance and care, there has been involved the matter of towage of the craft to suitable anchorages and moorings, engagement of necessary wharfage space, and the furnishing of essential supplies in the way of water, heat, and light.

It is estimated that, aside from the services of Coast Guard officers and guards in maintaining protective custody over these vessels, a sizable item, probably in the neighborhood of $200,000 per annum, will be entailed in the way of wharfage, supplies, and material for their proper maintenance. Furthermore, an appreciable portion of the time of Coast Guard harbor craft is required in transferring guards to and from these seized vessels where located at remote anchorages. With the Coast Guard having at present about 2,000 officers and men assigned to captain-of-the-port duties, it will be observed that approximately one-third of the enlisted force of the captains of the port are engaged in connection with the protective custody of these foreign vessels. The demands upon the Service for security measures upon our waters are now far beyond the capacity of immediately available resources, and the Service is now recruiting, as rapidly as possible, Coast Guard Reserve officers and men, and boats, for captain-of-the-port duties to augment the regular Service force.

Testifying before the House Committee on Merchant Marine and Fisheries, Admiral Emory S. Land, chairman of the United States Maritime Commission, estimated that the damage wrought foreign ships in our harbors through sabotage would amount to approximately $600,000. It might take much more to effect proper repairs, he admitted, because the damage figure was gleaned from an outside inspection only. Some of the repairs, the admiral continued, might involve a job running as long as 7 months. In other words, every day's delay in our requisition of this much-needed tonnage places the availability of such shipping further away.

Some of the opponents of this legislation have held that we should try to secure these ships by negotiation. Declaring that "if we really wanted to get to first base the Bland bill is the only method." Admiral Land told our committee the Maritime Commission has been trying to close a deal ever since April 9, 1940.

Dictators today delight in telling their people that the democracies of the world are unable to function in any crisis or emergency. They charge that complacency and delay rule our daily life. I am firmly convinced that now is the time to acquire these ships, and I fear the constantly rising loss of tonnage is going to be the major bottleneck in our defense effort.

As a member of the committee I can say I have not had one letter or wire of any kind expressing any doubt or fear on the part of our people respecting this legislation. The reason, I am sure, is that Americans feel we are doing the timely, the sensible thing.

In passing the Bland bill today we move forward in the defense of America. [Applause.]

Mr. OLIVER. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, without a limitation in this bill such as is proposed by the Culkin amendment, unless we are at war we are violating by this measure the ancient law and right of sanctuary. Therefore we are either doing something immoral and illegal or we are, through the medium of this bill, declaring war in some sidewise sort of fashion.

There is a lot of talk about whether we are in this war or whether it is our war or not; I would like to put it this way: There is an imperialistic war going on in Europe in which we have no part; at the same time there is a revolution going on which is world-wide, which affects many lands, and which is distorted and prostituted in many places. We are a part of that world-wide revolution. The struggle is not only military, but moral; not only with guns, but ideas. The stronghold of the democratic ideal in the world is not Britain, but America, and our strength lies not only in our material resources but in the moral strength of democracy. When we do something like this we strike a blow at our own world-wide moral strength. When we violate a principle of international law which is founded on justice, morality, and fair dealing for the sake of material advantage we are surrendering by that much to those whom we are committed to oppose.

I do not urge that we live up to the principles of international law and morality because we are afraid of Hitler, but because we do not want to be like Hitler. The democracies may lose battles on the world-wide front, they may even lose the battle of Britain, but they will not lose the war against totalitarianism unless their stronghold, America, goes totalitarian from within, from the top, or dissipates its strength, moral and material. [Applause.]

We are not ready to fight in Europe or in European waters. Our present nonbelligerent status is a shield to us and to Britain which we should not throw away in panic for the sake of an ineffective "token" expeditionary force by land, air, or sea. America does not want to take part in any "heroic evacuation." [Applause.]

In the last war as a pilot in the Naval Air Service, I spent my whole time on antisubmarine patrol both on this side and abroad. I want to say something about the effectiveness of the present system of neutrality patrol as compared with the proposed convoy system. Just so long as Hitler is determined not to fire the first shot against the United States and we are determined not to fire the first shot against Hitler, that neutrality patrol can be of enormous, effective aid in having materials go safely abroad. In antisubmarine work you spend most of your time hunting for the things, scouting if you please, and by this present system, risky as it is, dangerous as it is, we are performing a function in locating these submarines, which is enormously effective. Those who say it is not are those interventionists who will have us take the inevitable next step—convoys; so that we will then be forced to take the inevitable step that comes after that—war.

Our Government—the President and the Congress—promised the American people last fall, individually and through party pledges, that we would not fight overseas. No nation on earth should rely upon our breaking that promise. Even the Fight for Freedom Committee avoids recommending a congressional declaration of war in violation of our pledge.

Just as Britain furnished limited aid to other nations, we should furnish aid to Britain, limited by our defense needs, not theirs. I am amazed at the craven defeatism of the interventionists who say that we will be a push over for Hitler over here, in war or peace. If we keep strong in the American way we will insure the defeat of Hitler in the Western Hemisphere, whether the clash is in war or peace, military, political, or economic, no matter what happens in Europe.

I believe the greatest step that we could take now to insure the defeat of Hitler would be to launch an American peace offensive. We should formulate and state our peace aims not as defeatists or appeasers, but as mediators and call for an immediate armistice to discuss them. We should do it now before we become further involved. Our plan would not depend upon Hitler's word for its execution, but would propose impounding of arms by both sides, joint or neutral control of strategic positions.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. DINGELL. I believe I heard the gentleman make this speech or something very much the same over the radio the night before last; did I not?

Mr. VORYS of Ohio. I have proposed an American peace offensive for some time; yes.

Mr. DINGELL. At that time I believe the gentleman referred to forming a federation of states, now under German domination and in control of Germany, did he not, over the radio?

Mr. VORYS of Ohio. No; I did not. The gentleman is mistaken. What I said was that I thought our contribution to world order was our example in showing that neighbors—people who live near each other—must unite and live together in peace, and that I favored a cooperative commonwealth as my own personal suggestion for the solution of the problem of European organization.

Mr. DINGELL. Under German control?

Mr. VORYS of Ohio. I did not say that, and I do not believe in that; and I do not propose that and, of course, would not countenance such a thing.

Mr. DINGELL. I am glad to hear that.

Mr. VORYS of Ohio. I cannot yield further to the gentleman.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. BENDER. Does the gentleman believe that the American people are leading the President into war?

Mr. VORYS of Ohio. No; and I do not think that the President is going to lead the American people into war. I think that what is characterized now by the interventionists, as Presidential indecision, is simply Presidential decision to stay out of war. But now let us think about this American peace offensive—and that is not a defeatist or an appeaser phrase, because I got that from Miss Dorothy Thompson when she appeared before our committee and when she recommended an American peace offensive.

Mr. CULKIN. And may I characterize that as the highest authority?

Mr. VORYS of Ohio. If Dorothy said that, it must be good.

If Britain is losing, this would be effective aid, as we could propose peace far better than Britain could. If, as appears more probable, there is to be a long stalemate even if we are in, we could propose peace more effectively now than if we were in. If Britain is to win, we should obtain commitments while we are needed as Ambassador Bullitt said, we only have "moral authority" with Britain, while they need our help.

If our proposals were accepted, we would lead in the difficult problem of reconstruction.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CULKIN. Mr. Chairman, I yield the gentleman 1 minute more.

Mr. VORYS of Ohio. If Hitler alone refused fair and equitable terms, we would have found the way to separate him from his people. Any delay caused by our proposal would work to our advantage, not Hitler's. Such a peace offensive would have to be made intelligently and in good faith to be effective. It might not work. Peace action is almost as difficult as war, but we may never have a chance like this again. Why not risk nothing in trying a peace offensive before risking everything in war? [Applause.]

Mr. BLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, ours is a Government which exists by the consent of and at the pleasure of the governed. The reason it so exists is that the governed value those institutions which this Government fosters and protects; these institutions make possible the rights, privileges, and liberties which we enjoy. Therefore, because this is true, it follows that it is incumbent upon this Government to take advantage of every possible circumstance to provide for the security and perpetuation of this Government, in order that it may extend to the citizens of this Nation those rights, privileges, and liberties which they value so highly. Therefore, when we are faced with a crisis such as we are facing, where it is necessary to keep in existence another government so closely allied to us in form, a government from which we derived almost all of those institutions which we value so highly, the nation from which comes our language, our laws, our manners, our customs, and the most of our art, our literature, our architecture, and our religion, it is incumbent upon us also to keep that government in existence. Furthermore, we

realize today as we realized in 1917, that our economic institutions cannot survive a German victory, and upon our economic system depends our standard of living, which is one of the most important factors to be taken into consideration in relation to the present international crisis. I firmly believe that the preservation of Great Britain is necessary to the preservation of our standard of living.

In order to preserve Britain it is necessary that we win what has commonly been referred to as the Battle of the Atlantic. We have passed legislation whereby we have committed ourselves to assistance to the British people to the extent of furnishing them with all possible material assistance. Now we have reached the point in the affairs of the world today where, unless we extend this assistance and unless we are able to provide it at a faster rate than we have heretofore been able to provide it, we will not be able to redeem our pledge, and it is doubtful if Great Britain can be preserved. Therefore, in order to preserve ourselves and our institutions, in order to preserve democracy in other nations of the world, certainly we are warranted in taking control of the foreign ships within our ports—ships that belong to nations that are under domination of totalitarian forces; totalitarian forces that have never hesitated to appropriate the goods of their own citizens or the goods or commodities or vessels of citizens of other nations, or anything else they can get their hands on which may assist them to win a war which, if they win, will destroy the institutions that we cherish, and which are necessary to our happiness, well-being, and prosperity.

Therefore I believe the highest duty of this Nation at this time is to provide for its own preservation, and in doing so, if necessary, to take over property of this kind. We propose to reimburse the owners of this property. Therefore we are warranted in every way in proceeding according to the terms of this bill.

Mr. Chairman, in face of the present crisis, I do not believe that the American people are looking at this matter as seriously as they should. I am afraid they are entirely too prone to regard the assistance we have pledged to Great Britain as merely a magnificent, charitable gesture and that they are not prone to regard it in the light of being necessary to the existence of those institutions which we value so highly. I am afraid the American people have come to look upon the institutions that they cherish, as being a part of the world, the same as the sunshine or the April rain. I am afraid they do not regard them as being man-made institutions. I am afraid they do not properly regard those rights and liberties that they now enjoy as rights and liberties which mankind has fought, bled, and struggled for throughout the ages. I am afraid that they do not take to their hearts as earnestly as they should that old saying, "Eternal vigilance is the price of liberty." I believe that any move we make of this kind will bring closer and more realistically to the minds of the people of this Nation that it is necessary for us to take every measure possible and that we make every sacrifice necessary to be made in order to preserve to the citizens of this Nation and to the peoples throughout the world those institutions that make possible life, liberty, and the pursuit of happiness. [Applause.]

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I yield 16 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, let us consider this bill in a rational manner. Over a month ago we had before us, in the Committee on the Merchant Marine and Fisheries, a similar resolution that had for its purpose the acquisition of foreign ships which had sought sanctuary in our ports, or ports in our possession, because under our neutrality law enacted in 1936 we had served notice on the world that in the wars which were to come we would remain strictly neutral. Consequently, these seventy-odd ships about which we are presently concerned sought our sanctuary as a neutral nation, and we then, being a law-abiding nation in the eyes of so-called international law, bade them welcome.

We went further than that; we said to all the belligerent nations and to those which were at that time neutral that we, in company with the other countries in this hemisphere, namely, those in Latin America, would establish a neutrality zone in which no hostile nor belligerent action could take place. Those Latin American countries, being light in naval armament, could hardly be expected to play their full part, so we agreed to provide the naval police force for that neutrality zone.

At that time we had in our ports not only ships which belonged to those nations who have since entirely become alined against us, or at least against those nations with whom we have since become alined, but we also had in our friendly harbors ships belonging to Great Britain, to France, to Denmark, to Belgium, to Sweden, and so forth.

From the very start we have made certain while we were a neutral nation that no harm should befall the ships of our World War Allies while in our neutrality zone—make no mistake about that insofar as those particular ships were concerned.

On the other hand, there were certain ships belonging to the Axis Powers which sought haven within the 3-mile zone. We were careful to see to it, through our neutrality patrol that no harm came to any ships in that 3-mile limit. But also we were careful to see to it in some instances that Axis ships were in reality escorted into the hands of waiting British cruisers, who patroled—at the outside of our neutrality zone? Oh no, who patrolled inside. In fact there was belligerent action between British and German warships within the 3-mile limit off South America, and yet our neutrality patrol apparently was not in the vicinity at that time.

And so we come up to the present, Mr. Chairman. We have before us this present bill. All of the ships which belong to Great Britain have long since left our ports and unquestionably in some instances have been protected by our neutrality patrol. Most of the ships which belong to France have long since left our ports, although perhaps a few are still remaining here, including the Normandie, I believe, which is a juicy morsel for any nation to want or to have. But in addition to that we find today some 70 ships; 2 of which are Germany's 30 of which are Italian and some of which are Danish. Denmark is, of course, somewhat in a quandary insofar as our relations with her are concerned, as may be proven by our recent negotiation for and with which we acquired the protectorate over the island of Greenland, through the then accredited Danish Minister in the United States, but which, was later repudiated by the present Danish Government. Whether or not this was due to German coercion is beside the point at this moment. The facts are that neither you, nor I nor any one else that I know of can tell me at this moment with whom we shall deal when, as and if we desire to acquire by negotiation, requisition or otherwise the Danish ships now in our custody.

Some time ago, because of the fact that there was some sabotage on the German and Italian ships in our friendly harbors, we decided that we should take them into protective custody. This we did and I am frank to say that I feel we were justified in taking those into custody to make sure that they were not entirely destroyed by either the friends or enemies of Germany or Italy. After all we guaranteed those ships protection and we should give them protection from friend or foe alike. The issue before us today is whether or not we should appropriate these ships for our own use or for the use of our now friendly ally, Great Britain.

During the hearings, in turn I asked Admiral Land, chairman of the Maritime Commission, Mr. Breckinridge Long, Assistant Secretary of State; Mr. Wayne C. Taylor, Acting Secretary of Commerce and the Navy and Army officials who testified, just what was the intention of the Government should these ships be seized through authorization of the Congress. I asked each one in turn whether or not these ships would be placed in the service of the United States, where they are badly needed in order to transport our own defense materials, idle defense materials, if you please, or whether they might not be then turned over to Great Britain under the terms of the Lease-Lend Act. Obviously, once they have become the property of our Government, under the terms of the Lease-Lend Act they can be turned over to Great Britain. In each instance I got almost this same answer, namely, that there was no living man who could tell at that moment to what use these vessels might be put once we have taken title to them. Admiral Land went further than any of them to say that it was the purpose to put them in a pool along with some American shipping from which pool ships would be allocated to this or that particular job which they could

best handle. When I questioned him further as to whether or not those jobs meant turning them over to Britain, he refused to answer affirmatively.

Now, what are the facts in the case as represented to us by the Acting Secretary of Commerce, Mr. Wayne C. Taylor? Within the past year and a quarter, roughly, we have lost from our own shipping trade approximately 1,000,000 tons, of which, roughly, as I recall it, some 650,000 tons came out of our foreign trade and 350 thousand tons out of our interccastal trade. Added to that is, of course, a tremendous increase in demand caused by the defense program. For instance, in our foreign trade we have an increased demand for rubber, tin, manganese, and so forth, from the Malay States and Latin America. In our interccastal trade we have, for instance, lumber from the west coast for the east coast and steel from the east coast to the west coast; and so, under the Oliver bill, the first measure we considered, we in the minority tried to see to it that those ships would be assigned to our own trade; that that roughly 700,000 tons of shipping, as represented to us then by Admiral Land—and I have noticed since then he has represented it to the Senate committee as 450,000 tons—would be held for American demands and American shipping interests so our own defense program would benefit by such a seizure—and seizure it is.

But the point is this. We could not get these experts or administrative officials who came before us in executive session to admit or to guarantee that these ships would actually find their way into American trade for the defense of America.

At this point may I say that when the hearings on this particular bill started we were in open hearing. We were in open hearing, I assume, because there was a demand, first, on the part of the American public to do away with secrecy and find out to what use these ships would be put; and secondly, there was a demand on the part of the American shipping companies to find out whether or not these ships, if acquired, would be made available for transfer to private American companies for their use. In other words, they wanted to know—and justly so—whether or not they could undertake additional contracts to move merchandise hither and yon through the benefit of chartering these particular ships. It is noteworthy that no questions of importance could be asked at the public hearing, because no Department officials present would answer any pointed questions, and consequently the committee had to go into executive session in order that we might hear the words of wisdom which came from the departmental heads. I have previously told you that no words of wisdom were forthcoming, but only an acknowledgment that nobody living could tell to what use these ships might be put.

It was, therefore, somewhat surprising to me when over a week ago—within 3 days of our hearings—the President of the United States came out with an open press statement in the form of a letter to Admiral Land that 2,000,000 tons of American shipping must be turned over to Great Britain immediately for the transfer of our war matériel, and included in this 2,000,000 tons was, of course, the shipping which we are now contemplating. In other words, the President apparently no longer finds it necessary to wait for an act of Congress. He just takes the bull by the horns—as he has done for the past 8 years—tells his subordinates what he wants, as if they did not know beforehand; and he gets it, and gets it when, as, and if he wants it—and here is the real issue before us today. Is the Congress still to function, or have we become totally impotent and powerless to halt this steady tramp, tramp, tramp to war?

Now, I ask you in all fairness—in all fairness to you and the American public—is this not an act of war? We set ourselves up originally as a neutral nation, made a haven of refuge to ships of all nations—belligerent or neutral—and then sometime further on in the picture we suddenly decided we should acquire ships not only of former friendly nations—nations, if you please, which have been subdued, as in the case of Denmark, but also nations with whom we were formerly friendly, as in the case of the Axis Powers; that we shall appropriate these ships and turn them over to the opposite side, which in this case is Great Britain. Is that, or is it not, an act of war? I leave it to your human judgment. You may say that international law has been thrown out of the window without a parachute, as said Admiral Land—and it is here in the hearings—but the fact remains, sound common sense dictates to you as it dictates to me that this is an act of war; or certainly at least it is an unfriendly act in the eyes of international law—in the eyes of common sense—any way we may wish to put it.

During the hearings the gentleman from Georgia [Mr. RAMSPECK], a very estimable member of our Merchant Marine Committee, repeatedly stressed the fact that at the outset of this war, Germany had appropriated the motor trucks which belonged to the Coca-Cola Co., which we all know is an American corporation. Whether or not the German branch was incorporated under German law I do not know, and that is beside the point. The point is, Germany was at that time at war, and a nation at war can do many things which nations presumably at peace cannot do; and hence I wonder whether or not in advancing that line of reasoning the gentleman from Georgia admits here and now what many people in this country suspect—that the United States is now at war openly and aboveboard and not behind the curtained doors of the White House.

Mr. Chairman and gentlemen of this House, it is about time that the American people are given a break in this situation. It is about time that someone comes forth and tells them the truth. Heaven knows the American people do not want war. We do not want any part in this war. We seek to stay out of it. We have been told time and time again by the President and by the administration spokesmen that every move we have made and are making is designed to keep this country out of the war. For heaven's sake, let us keep out of this war and let us notify the American people that we are really determined to keep out. When and if the time comes that you have put us into the war, Mr. President, then as loyal Americans we will support your every move 100 percent; but as long as we are still not actively engaged in this war, we intend to do our utmost to see to it that you stay out of this war and that you make good on your campaign promises to keep us out of it.

Just Saturday I saw a headline wherein it said that our Army was ready to transport huge numbers of American troops per month to our outlying possessions. Where are you going to take these boys, Mr. President? Little over a year ago we had approximately one-quarter million men in the American Army, and then we took in some National Guard, saying they were not to serve outside of this hemisphere, and then you took in a bunch of boys under the Selective Service Act for training purposes—for training purposes, Mr. President—for training purposes in this hemisphere; and now are you admitting to the American people that you took them in to make them part of the American Army; to send them to war. Is that your aim? If so, come clean to the American people.

Also you gentlemen on the other side of the aisle. You have been running a great big bluff. And here is another bluff that you have not the courage to come forth and defend. You have been telling England we were going to give her everything. You have been telling the American people that you were keeping out of war. In every promise you have made you have been fooling England because you have not been giving her the things that England needs and that you have promised her. You have been fooling the American people because you have not been keeping them out of war. Every step you have made has been one step further on the road to war, and you know it. It is about time you come clean. Do not tell the English Embassy here on Massachusetts Avenue one thing and keep your fingers crossed when you give out press utterances so that your exact meaning will be understood by the rank and file of the English people. We do have all possible admiration for the courage, aggressiveness, and stamina shown by the British people in this battle. America is in sympathy with Britain, not because she admires the policies pursued by the British in the past, but because we dislike the ideals of the totalitarian powers. On the other hand, it is not fair to the British people, while the British Embassy here knows that you can go only so far, to permit their propaganda, coupled with yours, to sell the idea that the American people are sold on the idea that we have to get into this war. Why are you trying to browbeat the American people into believing that this is our war and we must get into it? The whole world knows that among the first propaganda units set up in this country was the William Allen White Committee, whose sponsors stated then that if we can sell the American people on the idea that this is our

war, that if England falls we will be invaded next—that if we can sell America on that idea we will have won our point.

Gentlemen, this is a time for candor. This is the time for frankness and honesty. So I say to you if we are to seize these ships and turn them over to Great Britain, instead of putting them into our trade for our own defenses, why did you not come clean in the committee and tell us so? You know it; every one of your department heads knows it; we were sworn to secrecy. It is about time you come clean with the American people. I offered an amendment in the committee to provide for the acquisition of these ships by private American capital to be used under the American flag and under American law within 30 days after the passage of this bill. If you were sincere in this matter, why was that amendment turned down? I had a bona fide letter in my possession to substantiate that amendment; yet it was overwhelmingly voted down. Come clean with America. If America is in reality in this war, say so. If not, then stop beating around the bush. Let us all think, act, and vote for America first. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. RAMSPECK. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, one of the interesting things we get when discussing these measures is that somebody calls somebody else an interventionist and then somebody calls somebody else an appeaser. The truth is that we are all interested in doing the same thing for the country; we are all interested in doing the same kind of service and keeping our Nation as far from war as we can; do the best we can for the country acting all together. If a man wants to call another an appeaser, as some of us have been inclined to do, it is because he does not evaluate facts the same as he. I do not believe the average man on the floor here wants to appease Germany and the Nazis. He just does not see the danger as acutely as we see it. I certainly do not want to intervene, and I am sure the Members all will stay away from warlike sentiment unless pushed into doing something they think they have to do to save this Nation. So if in a time of crisis like this we can just remember that—if I am right about it—and boil the thing down in a fair feeling of justice toward the other man's views, by getting everything all togther we shall get a composite view and action here that will be much more the thing the people want who sent us here to represent them. I do not believe the gentleman from Michigan need be exercised about browbeating the people of America. There are 130,000,000 of pretty bright people in this country, as people go, and the man who thinks he can browbeat them into doing things is not wise enough to be influential enough to get very far with that sort of program. So, after all, this is a forward movement of the people and their representatives, and this threshing floor should not bring sparks out and set things on fire that ought not to be burned and reflect the wrong sort of heat in the Nation. So when we get into this I think we ought to consider that. That is a little preliminary to what I had to say, but sometimes the turn of debate on the floor inspires one to think of things like that.

Mr. Chairman, the part of this bill toward which all opposition has been directed is that section which provides for the requisitioning and taking over of these ships. I favor that. I favor it because I think it is a necessary part of the program we have already established. We are taxing the people very severely—and very little howl has come up from them—severely for all-out aid. As a part of that program we passed the lease-lend bill; we debated it at length. Of course, as I have said before, those who opposed the lease-lend bill may not be too anxious to help carry it out.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I cannot yield right now. I have 10 minutes. I shall have time. I will yield to the gentleman before the 10 minutes are up.

We passed the lease-lend bill and that involves a taxing proposition; of course, placing a burden on the American people. Now, here are 80 vessels lying idle in our ports, lying idle and even adding somewhat to the expense of our Nation in protecting them, which may be put to real use. I am afraid in our anxiety to keep out of war sometimes we are inclined to oppose things that would ordinarily be accepted as a natural order of a program we are trying to carry out. I believe some people are so afraid we shall get into war that they are not willing to analyze the bill and pass it as the natural pursuit of normal legislation. I think that is what is happening here.

Mr. FISH rose.

Mr. PATRICK. I cannot yield now, and I see I am not really going to have enough time to say all I want to say either.

Here is what we have: What could be more natural whenever we are doing that, whenever we are taxing, to send things to the Allies. Some are even opposing convoys. I favor convoys, but that is neither here nor there on this issue. We ought to immediately begin to convoy it seems to me, but that is an issue between this and that group. Why should we hesitate to take these vessels that are lying idle and requisition them and pay for them? Then if some question came up in the future it could only be a matter of whether we paid enough or not. Why should we not do that? Admiral Land tried to make it very plain to the gentlemen of the committee, tried to make it such a simple proposition that he who runs might read. They asked him how it could be done and he said: "We will take these into a pool and then turn them out as we find they should go."

What could be more natural than that? There is nothing hidden, there is nothing concealed, it is a part of the whole program. Do you see what it does? It does a thing that needs to be done right at this time. It gives a definite status to these ships. At the present time that status is most indefinite and unsatisfactory, even to the ships' owners. This gives those ships a definite status. Then they are taken over by the Government and made a part of the thing the Government is moving forward with. What could be more normal? What could be more natural? What could be more logical than having them become by proper process a part of the general property-holding of the Govenment, and as Admiral Land said, put into a pool and as the time comes, be assigned to whatever appeals to logic and reason as being proper?

It would defeat this whole thing to add the proposed amendment stating that certain specific vessels would never be used by this or that belligerent. They are taken in on the same basis as all other vessels controlled by the Government of the United States and would be used accordingly. There is nothing unreasonable about that, there is nothing to scare anybody about, and there is nothing there that would incline us to war.

I suppose that somebody is afraid that Germany will take offense. Germany does not take any offense at anybody or expect anybody else to take offense at anything. They say Germany is at war. Well, Lord knows, she is at war, but she is not at war with us; so she requisitions our trucks, but we have not gotten into the war. We did not jump up, crack our heels together, and declare war because she requisitioned our trucks over there. After Holland gave a place of refuge to the Kaiser when the world was at his throat, Germany, when the time came, ran roughshod over Holland like a redheaded stepchild, killed her people, and burned their homes.

I promised the gentleman from New York I would yield to him, and, also, so that he can enlarge his question, may I say that it seems strange to me that the gentleman finds that he can very easily take them over, but he does not want them to go to specific belligerents; therefore, he is supporting the proposed amendment. I yield to the gentleman from New York.

Mr. FISH. I want to ask the gentleman two questions. First, I want to ask if he is in favor of seizing belligerent ships in our harbors and turning them over to another belligerent country?

Mr. PATRICK. I am in favor of this bill. I am in favor of seizing the ships and placing them exactly as provided for in this bill. Then, if it becomes necessary from the natural way of things, turn them over as our lend-lease bill provides.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COSTELLO, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant

vessels for urgent need of commerce and national defense, and for other purposes had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address delivered by Dr. Roberto Cardova, legal counselor of the Mexican Embassy, before the Section of International and Cooperative Law.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that in my revision of remarks on the bill under consideration today I may include certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

TRAVEL BY SHIP OF CANADIAN REGISTRY BETWEEN AMERICAN PORTS

Mr. BLAND. Mr. Speaker, I ask unanimous consent that House Joint Resolution 166, which was referred to the Committee on Interstate and Foreign Commerce, be re-referred to the Committee on Merchant Marine and Fisheries. This is agreed to by the chairman of the Committee on Interstate and Foreign Commerce, and also by the author of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made at the 1941 meeting of the American Newspaper Publishers' Association.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, on Wednesday next, after the disposition of legislative business in order for the day and at the conclusion of any other special orders heretofore made, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michiban [Mr. HOFFMAN]?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, due to the important nature of the address which my colleague the gentleman from Indiana [Mr. HALLECK] is to make, I wish to forego the special order I have been granted for today.

EXTENSION OF REMARKS

Mr. PATRICK asked and was given permission to revise and extend his remarks in the RECORD.

The SPEAKER. Under a previous order of the House, the gentleman from Arkansas [Mr. ELLIS] is recognized for 20 minutes.

REPLY TO AN ADDRESS BY GOV. RALPH L. CARR OF COLORADO BEFORE THE UNITED STATES CHAMBER OF COMMERCE, ON THE ARKANSAS VALLEY AUTHORITY

Mr. ELLIS. Mr. Speaker, when the proposed Arkansas Valley Authority bill was introduced in Congress a few months ago Gov. Ralph L. Carr of Colorado declared "civil war." Those were his words, not mine.

Shortly thereafter the United States Chamber of Commerce, America's No. 1 advocate of the status quo and the doctrine of laissez faire, consistently announced its opposition.

By April 30 Governor Carr and the chamber had gotten together and the Governor was singing the swan song of this philosophy on the chamber's program—speaking on the subject Federal Encroachment Through Regional Authorities.

The Arkansas Valley Authority, as you know, is one of those projects which President Roosevelt and others hope to enact into law at this session of Congress to be developed during the inevitable post-war emergency when it is anticipated that it will take supreme effort and supreme sacrifice on the part of all of us to save the democratic way of life. It would combine into one authority similar to the T. V. A. four of the Nation's most important rivers—the Arkansas, the Red, the White, and the St. Francis.

I have read Governor Carr's address carefully and I find in it not one constructive note nor one ray of hope. He proposes to do nothing about anything. Are we already defeated? Have we no longer the leadership capable of visioning an American future and of carving our own destiny through a democracy at work? Shall we, too, sit idly by and watch our democracy capitulate to those mad hyenas of Europe, Hitler and Mussolini?

I quote here two sentences from the Governor's speech:

> The Arkansas Valley Authority bill is, of course, comparatively unimportant to the people of all the country. It deals with a section which supports only a small number of persons and involves rivers of comparatively little note.

Lest he fall into this same error again, I am sending the Governor a map of the United States indicating the A. V. A. area.

Let us see about the size and importance of these river basins. They cover all of Arkansas and Oklahoma, and sizable parts of Missouri, Louisiana, Kansas, Texas, New Mexico, and Colorado, 293,165 square miles; one-tenth of the United States; seven times the Tennessee Valley Authority—a region larger than Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island, Connecticut, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, and Ohio—five times the size of England.

In these basins live 8,398,000 people, or one-fifth the population of the British Isles.

SOIL

The area, properly developed, could easily support an estimated 30,000,000 people. In this region are to be found much of the Nation's richest soil and from it come much of the Nation's cotton, corn, wheat, hogs, cattle, sheep, dairy products, poultry, and fruit.

EROSION

But the soil is fast disappearing, wasting itself down the rivers to the sea. Already more than 23,000,000 acres of lands that once were tilled have been forever ruined for either cultivation or grazing. Approximately 95,000,000 additional acres are from 25 to 100 percent destroyed. These lands have been farmed but a century on the average and most of the destruction has been in the recent years of agricultural mechanization. Not only are we mining the soil but we are exposing it at the same time to the ravages of nature and the trends that we have set in motion will definitely bring chaos unless they are checked.

FLOOD DAMAGE

The United States Army engineers estimate that the average direct flood damage in the valleys of these four rivers totals $9,377,000 annually. Well over half of this damage is caused in States other than those in which the floodwaters originate. In other words, Governor Carr, your floodwaters of Colorado—and you have had some disastrous floods—have constantly swept through Kansas, Oklahoma, and Arkansas, destroying everything in their path, and in all your State's history you have done nothing to hold those floodwaters back. By cutting away the forests and turning the sod you have added to their peril. This is not a criticism. It has been done more or less in every State in the Union. You have never attempted to stop the floods from leaving Colorado and you never can. This is not criticism, either. It is true of every State.

Furthermore, your sands are coming down in increasing volume to fill the stream bed of the Arkansas and to thereby increase the flood damage.

You refer in your speech to these artificial authorities. It is State lines that are artificial and arbitrary. The A. V. A. is an attempt to fit our democratic structure into natural boundaries.

At another place in your address you say:

> In a section fairly well served with power, where flood control is not essential, however, the major interests and industries should be consulted and preserved.

I do not attempt to interpret this statement, but I am amused at your implied reference to Colorado as a region where flood control is not essential. Have we been misinformed about the floods of the Arkansas and particularly about the devastations at Pueblo and Lamar? Are we wasting the $14,600,000 which we are spending on the John Martin Reservoir—Caddoa—on the Arkansas River above Lamar to accomplish 270,000 acre-feet of flood control? Were the late John Martin, the able Congressman from Colorado, and the present very able congressional delegation from Colorado mistaken in their statements about the importance of this

great project when they asked for its authorization and subsequent appropriations?

And assuming that the Caddoa is a necessary unit in the control of the Arkansas along with the Conchas in New Mexico, already completed at a cost of $15,451,900, and the Great Salt Plains Reservoir under construction on the Salt Fork River in Oklahoma at a cost of $4,600,000, and the Fort Supply Reservoir on Wolf Creek in Oklahoma at a cost of $8,800,000, and the Canton Reservoir on the North Canadian in Oklahoma at a cost of $13,870,000, and the Blue Mountain Reservoir on the Petit Jean in Arkansas at a cost of $4,922,000 and the Nimrod on the Fourche Lafave River in Arkansas at a cost of $4,167,000—are all of these, costing a total of $66,410,900 and providing flood-control storage in the amount of 1,609,000 acre-feet, are all of these to be wasted? Are they to be constructed by the Federal Government and then left to stand like the Pyramids of Egypt, without scientific control and operation by the only power that can provide that control, the Federal Government? There have been authorized already by the Congress six other reservoirs on the Arkansas costing a total of $50,805,000 and which will provide an additional 2,746,800 acre-feet of flood control and there have been recommended by the Chief of Engineers for construction seven other reservoirs on the tributaries of the Arkansas to cost an additional $83,961,000 and providing an additional 2,035,000 acre-feet of flood storage. The total cost of all these projects on the Arkansas River alone is over $200,000,000 and they provide flood control of over 6,000,000 acre-feet.

Flood control has never been a partisan question in Congress. It has been supported vigorously by both parties. Flood control of an interstate stream embodies Federal control of projects constructed with Federal funds especially on rivers whose jurisdiction, by the very terms of the Constitution, was delegated to the Federal Government.

So Governor Carr apparently stands alone in his contentions. If his ideas are to be accepted it would be ridiculous to spend further Federal funds in Colorado for flood control and to provide storage for irrigation, but I do not believe either that he represents the prevailing sentiment in Colorado or that his ideas will be accepted by the Government of the United States.

NAVIGATION

The Governor has stated that the A. V. A. would demand the waters of Colorado for navigation and power development. I shall deal with the power question in a moment. There is no shortage of water on the lower Arkansas for navigation. The difficulty is the channel filled with gravel and sand from Colorado and Kansas and Oklahoma and Arkansas. Especially after the construction of dual-purpose reservoirs on the lower Arkansas which would give us a regulated stream flow, there would be ample water for navigation on the Arkansas to above Tulsa, Okla. Furthermore, if the waters of Colorado were ever needed for navigation they would be needed most in the dry season and the Arkansas River runs nearly dry in the dry season through parts of Kansas.

POWER

The A. V. A. proposes to develop for the benefit of the people more than 4,000,000,000 kilowatt-hours of hydroelectric power annually and to supplement that power with other cheap power from the vast coal and oil and gas deposits of the region. One of the Nation's richest deposits of coal is in Colorado and some of the Nation's highest power rates are in Colorado.

For the benefit of the people and in the interest of national defense it has become urgent that all the power systems of this country be tied together into one integrated system. It is hoped that the transmission lines from the projects of the Arkansas, the White, and the Red would be connected ultimately with those of Boulder. They would naturally pass through Colorado, but a cheap power source in the region of Colorado is necessary. Coal is the answer.

What has been the effect of T. V. A. on the use of coal for the generation of power? Figures actually show that in the Nation since the birth of the T. V. A. there has been an increase in the use of coal for the generation of power in the amount of 59 percent, but in the T. V. A. there has been an increase in the use of coal for the generation of power in the amount of 800 percent.

Last year, in Colorado, the people used a total of 725,869,000 kilowatt-hours of electricity, for which they paid a total of $19,614,003. Had they been buying power at T. V. A. rates, they would have paid for this amount $10,278,138, and they would have saved $9,335,865.

Furthermore, the figures show that, because of the lower rates, in the T. V. A. region where the per capita income is much lower than that in Colorado, people are using more than twice as much power per meter as in Colorado.

IRRIGATION AND STATE'S RIGHTS

The A. V. A. proposes to help Colorado store and use every drop of her water in the Arkansas Basin, less that, of course, belonging to Kansas, to irrigate her rich lands and to open new frontiers.

The Governor tells his people that if this authority is set up, their water will be taken away for use down the river. Nobody down the river wants a drop of Colorado's water.

The water rights of Colorado were established and protected by the Federal Government long before statehood.

Once these rights are determined they can be destroyed no more easily by the Federal Government than by a State government. The due-process clause of the Constitution will take care of that.

The Governor complained that this authority would disturb State's rights. I have here in my hand the George Washington Law Review for April 1941. The first article in it is by Hon. John W. Scott, a member of the Federal Power Commission. Mr. Scott very ably sets out the trend with regard to Federal control of rivers and river basins and of power. He reviews the late New River case, which the Governor of Colorado refers to as evidencing a trend of the Federal Government to usurp the authority of the States.

Mr. Scott enumerates nine different conclusions which he comes to as being finally and forever settled by this New River case and preceding cases, issues that for a long time were unsettled and on which for a long time there was dispute as to whose jurisdiction it was to do this or that within a river basin, that of a State or the Federal Government. I give you Mr. Scott's conclusions in full:

In my opinion, it excludes any further reasonable doubt that:

1. The plenary Federal power over commerce must develop with the needs of commerce and is as broad as those needs.

2. The constitutional power of the United States over its waters is not limited to control for navigation; navigability is but a part of the whole; flood protection, watershed development, recovery of the cost of improvements through the utilization of power are likewise parts of commerce control.

3. Navigable waters are subject to national planning and control and the broad regulation of commerce granted to the Federal Government.

4. If reasonable improvements, though not made or authorized, will make a river available for interstate traffic, the stream is navigable. This includes consideration of the time element whereby a river not reasonably susceptible to navigation improvements in bygone years may subsequently become so in the light of industrial trends, population growth, or engineering advances.

5. The Federal Government has domination over the water power inherent in the flowing streams.

6. The Federal Government has power to condition a license for the construction of a hydroelectric project.

7. The flow of a navigable stream is in no sense private property, and exclusion of riparian owners from its benefits without compensation is entirely within the Government's discretion.

8. The exercise by the United States of authority valid under the Federal Constitution results in no interference with State sovereignty.

9. Since the United States might erect structures in these waters itself, even one equipped for the generation of electric energy, it may constitutionally acquire one already built.

Furthermore, Governor Carr would have his people believe that the Federal Government is their enemy. Is the Federal Government not as much their government as is the State government? Is Colorado not a vital part of the Union? Has she not the same interest and the same responsibility in democracy that every other State has? Shall the 48 States of this Union Balkanize themselves into isolated areas and fight among themselves for their common destruction? It is evident from Governor Carr's speech and from his previous declaration of "civil war" that he has seceded from the Union. But the people of Colorado, my people and yours, have not seceded and they will not secede.

A RESERVOIR OF PROJECTS FOR THE POST-WAR EMERGENCY

While this project and others that are proposed justify themselves any day, for in the end they will have brought all these tremendous benefits and they will have cost the Nation nothing, yet, at this

time these developments, which will provide work for hundreds of thousands of people and which will provide new frontiers for new homes, may well mean the difference between saving the democracy and losing it during the inevitable economic chaos that shall accompany peace. It matters not who shall win or who shall lose, you and I know that we are going to have to buckle our belts and dig in as we have never dug before to prevent the sight of increasing millions of unemployed, poor, hungry, ill-clothed, and ill-fed men, women, and children, the victims of a disaster over which they shall have had no control, potential victims for all the degrading and demoralizing "isms" of Europe.

HOPE

I do not profess to be a historian but I am not blind to what is evident to all men; I do not profess to be a statesman with a vision but even the lower animals will instinctively avoid forces of destruction, and so I say to you that there is in process today not merely war but world revolution—the war is only a small part of it; I say to you that that madman of Europe has inspired the German youth with a yearning for a better life—which, of course, only they are too blind to see shall never come; I say to you that the democracies of France and Great Britain and all the rest, yes, even including the United States, have sat idly by and watched themselves destroyed in many instances and endangered in every other, largely because they were led by those pseudo leaders who argued for the status quo and who blindly lulled their countries to sleep with the doctrine of laissez faire; and I say to you, finally, that if there is any hope for the democracy of these United States, it lies in our ability to inspire our youth with a vision for a better day, for greater freedom through greater equality of opportunity, for the development of the Nation's resources for the benefit of all the people, for economic as well as political democracy, and that once our youth and all our people shall be thus inspired, as, indeed, were those brave men at Lexington and Valley Forge and Yorktown and Belleau Wood and Flanders and the Marne, we shall have accomplished the greatest factor in our defense, both during the war and after. [Applause.]

The SPEAKER. Under a previous order of the House, the gentleman from Indiana [Mr. HALLECK] is recognized for 20 minutes.

THE STRIKE SITUATION

Mr. HALLECK. Mr. Speaker, if we learned anything at all during the recent recess while many of us were home, it was that our people are deeply disturbed, if not thoroughly angered, by certain of the strikes in defense industries. And it was my observation that, while they were not so critical of strikes which could be fairly said to be economic in their purpose and supported by a majority; they were, and are, severely critical of jurisdictional strikes, racketeering leadership, sabotage, and destruction of property and equipment, and other strike excesses carried on by small, but compact and ruthless minorities, using force and violence in such manner as to injure and oppress the loyal and responsible majority of laborers in many plants.

And let me make another thing clear. The people undoubtedly are holding the administration, in large measure, responsible for much of the present situation about which they complain. But they are also demanding that the Congress of the United States do something about it. Over and over, I was asked, "What are you men in Washington going to do about this strike situation? What are you as our leaders going to do to protect us and the country? What are you individually, as our Representative, going to do?"

As always under such circumstances, some individuals are inclined to demand a line of action which would wrongly take away from labor its fundamental rights. But on the whole, I gained the impression that the majority want to be fair and reasonable.

And as one who has made some study of our legislation affecting labor and its rights in industry, and as one having a responsibility to all of the people I represent, and to the State and Nation, I too, want to be fair and reasonable and to do that which is in the best interests of all. At the outset, may I say again, as I have often said here on the floor, that I believe in the right of labor to organize and bargain collectively. I believe in labor's right to strike to obtain a fair share of the joint profits of labor and capital, and to obtain reasonable and decent working conditions. The right of labor to strike is fundamental. I, for one, have been, and shall be, most reluctant to interfere with that fundamental right. But I cannot refrain from raising my voice against the violence, the malicious trespass, the destruction and seizure of property, the racketeering; and the jurisdictional strikes which have recently become such a prominent part of the picture.

Wholly apart from the demands of the people we represent, there is a thoroughly compelling reason for us to take cognizance of the stoppages in defense production caused by strikes. We all recognize that a great struggle has broken out on the earth. It is a struggle between the slave and the free. For many years, with increasing tempo and ferocity, a great conflict has been surging throughout the world between those who desire to preserve a system of free enterprise—of free men, if you please—and those who advocate a totalitarian socialism which would enslave men under the doctrines of an all-powerful government.

America is threatened by that struggle. I am confident that we shall be successful because we have the natural resources and the genius to organize and shape those resources to make weapons of defense. This has been called a war of industrial production. It is just that, and if we are going to be successful we must produce. Unfair, unreasonable, and unlawful actions by anyone at any time at any place which interfere with the effectiveness of our production should not be tolerated.

In recent months there has been much talking about what the Congress could and should do in the way of legislation. All sorts of schemes and remedies have been proposed. At the same time, many have contended that we are powerless to do anything, that there is nothing we can do which will be really effective or helpful. Well, let us see about that.

In determining what might properly be done at the present time I would like to recall for you a little legislative history. Quite some time ago some of us in the House foresaw some of the things which have since come to pass, and we made an honest and good-faith effort to do something about it. I refer specifically to the action of this House something over a year ago which set up a special committee to investigate the N. L. R. B. and the act administered by it. For some time it had been contended that certain features of that act and of its administration by the Board had been increasing rather than diminishing industrial strife. As some of you may recall, I was a member of that special committee and joined with two of my colleagues, being a majority of the committee, in submitting to this House a report of our findings. We also advocated the adoption of remedial legislation.

I do not need to remind those of you who were here in the last Congress of the tremendous effort put forth by able and responsible Members of this House on both sides of the aisle in bringing that legislation onto the floor for consideration. The bill was openly debated and considered on the floor. It was modified in some respects. And, finally, in spite of tremendous pressure from certain of the palace inner guard, was adopted by the House by a 2 to 1 vote.

And it is a matter of record that, as the bill was amended in committee, the American Federation of Labor asked us to vote for it.

Unfortunately, however, the bill expired at the other end of the Capitol because inner circle stubbornly and defiantly refused to let the democratic process be completed by debate and a vote on the floor of the Senate.

I say it is unfortunate that congressional action was not completed on those suggested amendments, because certain of them, if they had been finally adopted, would have done much to eliminate some of the things which have so bedeviled labor relations and which have so alarmed the people of the Nation. Some of these amendments would have done much to discourage the kind of activity by the hoodlum, thug, racketeering, fellow-traveler fringe of organized labor which has angered the Nation and brought discredit upon responsible labor.

I am fully aware that no law would prevent all strikes, or should prevent all strikes. In many cases the causes of strikes are as deep-seated as human nature itself. They stem from the very laudable desire of the average individual to better himself. Certainly I would not propose any legislation seeking to stifle that desire. But, on the other hand, we have recently seen manifestations of a much rougher and seamier side of human nature. Governmental authority might well challenge some of those manifestations and seek to control them.

Almost a year ago when these amendments to the National Labor Relations Act were pending in the House, and while speaking on the rule, I had this to say:

I do not say that the House of Representatives should adopt all of these proposals, but I do say there are certain things that should be done, that can be done, and ought to be done. We ought to face the problem before us with courage and do the job, and do it properly. After all, in the condition in which the world finds itself today, this great country of ours, relying upon democratic processes of private initiative and private enterprise in the long run for its continued happiness, prosperity, and existence, must depend upon our internal economic strength. Fair and equitable legislation on the subject before us will aid in that direction.

I can today repeat that statement with more emphasis than I said it then. Fair and equitable legislation on this subject of labor relations is more necessary today than it has ever been.

Now, if there is any one thing more than another which has offended the people of the Nation and which has developed a smoldering resentment on the part of patriotic and law-abiding workers everywhere, it is the recourse to willful and unlawful violence against workers and the sabotage and destruction of property against employers. This is particularly so in strikes which do not have substantial support, strikes by minorities, strikes against the will of the majority, and strikes in which the majority is victimized. But minority or majority, there is absolutely no justification for resort to such willful violence and unlawful seizure and destruction of property. Some of the tactics which have been used against employers on some of these occasions are sickening and revolting. Pictured as they are, is it any wonder that our citizenry, by and large, is rising up in its wrath and demanding that something be done?

I challenge any Member to stand in his place and attempt to justify the use of such outrageous violence and malicious destruction of property. Such conduct is certainly no part of the exercise of labor's guaranteed and fundamental right to organize, to bargain collectively, and to strike if such action is deemed necessary to obtain fair treatment.

I cannot and I will not stand aside and see thus victimized decent, loyal, patriotic, law-abiding American family men who want to work; I will not see vandal depredations upon valuable property; I will not see the sense of justice of our citizens outraged; I will not see the very security and unity of the Nation itself threatened from within and do nothing.

Let me ask you this. Does the right to organize and the right to strike supersede and nullify the statutes against malicious trespass, assault and battery, and assault with felonious intent, not to mention statutes against riots? Obviously it does not. Granting that, it frequently has been urged that the matter of violence and destruction of property is wholly for the States to consider. Obviously, such actions do involve violations of the criminal statutes of the various States. I might point to the fact that very recently, in my home State of Indiana, 80 some people were indicted and charged by the grand jury with various degrees of assault and battery. Their offenses all grew out of an attempt to prevent the reopening of a plant in one of our cities. Local policing and the preservation of the peace should primarily be a matter of local and State police responsibility.

But there are other considerations and responsibilities which I would like to point out. First of all, many of those who cry out most loudly that the Federal Government has no responsibility in matters of this sort are the very ones who have put the Federal Government in the business of policing and regulating an ever-increasing number of the affairs of our individual citizens.

But there is a far greater cause for responsibility on the part of the Federal Government. Some years ago we put on the books the National Labor Relations Act. That act seeks to guarantee to workers the right to organize and bargain collectively, with which purpose I am in full accord. Section 2 of the act undertakes to define an employee as including "any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice." In other words, that definition simply means that an employee continues to be considered as an employee after he has gone out on strike.

I next call your attention to section 10 (c) of that act, which provides for the reinstatement of employees, with or without back pay, in such manner as to effectuate the policies of the act.

After the passage of this legislation and the beginning of its administration by the Board, a new technique in strike action was developed. It came to be known as the sit-down strike. In connection with such strikes, which involve primarily the unlawful seizure of property, there was also frequently involved willful violence and destruction of property.

Soon the Board was called upon to determine the rights of such strikers in respect to reinstatement and back pay. The Board ruled that, in spite of the willful violence and the unlawful destruction and seizure of property, the strikers must be reinstated by the employer. In other words, the Government through certain of its agencies has been put in the position of saying to certain employees and their leaders who are disposed to lawlessness against their fellow workers and their employers, "You go right ahead and do anything you want to do. Beat your decent fellow workers to a pulp, smash their cars, terrorize their families, turn armed mobs on the community, wreck the property and tools of your employer which you and your fellows must use in your daily work; do all these things and more with impunity as far as we the Federal Government are concerned. We will guarantee your job, and we will see that you are paid for the time you are committing these crimes."

I ask you in all sincerity, is not that an amazingly inconsistent position in which to place ourselves? We say to the local police officers, "You must enforce the laws and preserve the peace." But we wholly fail to provide for one very available deterrent to lawlessness and willful violence when we fail to say definitely and unequivocally to every worker, "You have the right to strike, but you do not have the right to engage in willful violence or unlawful destruction and seizure of property in connection with any labor dispute or organizational activity. If you are guilty of such unlawful conduct, your employer will not be forced by the Government to take you back. Such unlawful conduct will not only subject you to the possibility of a fine, it will also put you in a fair way to lose your job."

The three majority members of the special committee, of which I was one, sought to do something about this very proposition. Consequently, we offered the following words as an amendment to section 2 of the National Labor Relations Act:

And for the purposes of the provisions of section 10 (c) relating to reinstatement by any employer, does not include any employee who a preponderance of the testimony taken shows has willfully engaged in violence or unlawful destruction or seizure of property in connection with any current labor dispute or unfair labor practice involving such employer, or in connection with any organizational activities of a labor organization among employees of such employer.

That amendment was adopted by the House. Had it been finally written into the existing law, I am confident that it would have done much to avoid some of the very unpleasant situations which have so recently occurred.

I tell you it is high time that we become a little more consistent in our policy. We must cease condoning violence by our action here in Washington and not altogether pass the buck to local and State officials. If local officials and law-enforcing agencies are convinced that we are honest and sincere in our intentions and desires, and that we are wholeheartedly against brutality and lawlessness in labor disputes, whether they are real or phoney, they will respect what we have to say. The obligation to maintain law and order is not all on one side. Clearly it is of tremendous and overwhelming importance to our Nation as a whole when the break-down of law and orders stops the production of those tools and implements so necessary for our national defense.

As a step in the direction which seems to me to be right and fair, I am introducing the single amendment, above referred to, as a separate bill. As pointed out above, it will change the definition of the word "employee" in the National Labor Relations Act. The effect of the change will be to take away from strikers or organizers who are guilty of willful violence against fellow workers or the property of the employer their immunity from the economic consequences of their unlawful acts. It will do this by relieving the employer from the necessity of reinstating, with or without back pay, persons guilty of such unlawful conduct.

And right here let me make this statement. You just look over the lists of strikes and strike disturbances which

have caused so much concern. You will find that many of them are carried on by minorities and for purposes not having to do with the economic or human betterment of the employees in the plant. In most cases, such strikes are absolutely dependent for their effectiveness upon willful violence and destruction of property. Again I say such actions cannot in my opinion be justified by any fair-minded, right-thinking citizen. They are destructive of the hard-won rights of labor. The man who condones or encourages them is not a true friend of labor.

The amendment which I propose to offer will not prevent proper or legitimate strikes. It is not intended so to do. But it certainly will do much to discourage irresponsible strikes, minority strikes for purposes which do not have the support of the majority, blackmail, and black-jack strikes. It will discourage brutal violence and the destruction of property. And it will be an honest declaration upon our part that we are opposed to willful violence and that we do not propose to reward such conduct. It will make our policy expressed in law consistent with our words. And I think there is no one thing we can do right now that will have stronger support from the vast majority of workers, from employers, and from the public.

I do not believe there is anyone in this body who would want it understood that he either wishes to condone or to reward willful and unrestrained violence. I do not believe there is anyone who would like to rise and defend brutality against helpless citizens, defenseless workers. I do not believe there is anyone here who would want it believed that he was indifferent to such things, or that our inconsistency in policy was something he was indifferent to. I do not believe any of us can face our constituents and tell them why we should be in favor of bloodshed, broken heads, and communities terrorized by armed mobs, or why we should refuse to clarify our own policies and to discourage such things.

Therefore, I am going to ask the Labor Committee to give my bill prompt and fair consideration and report it to this House so that we may vote on it. It is a short bill. It has in it but one element. The committee has enough experience and enough knowledge of these matters to report the bill tomorrow if it wants to do so.

The people of this Nation expect us to meet this challenge and I propose to accept my share of the responsibility. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SOMERS of New York, indefinitely, on account of illness.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 175. An act for the relief of William T. J. Ryan; to the Committee on Military Affairs.

S. 255. An act for the relief of August R. Lundstrom, to the Committee on Military Affairs.

S. 333. An act for the relief of Major Harold Sorenson; to the Committee on Claims.

S. 702. An act to increase the number of cadets allowed at the United States Military Academy from the District of Columbia; to the Committee on Military Affairs.

S. 853. An act for the relief of Frank and Paulina Rublein, and Mrs. Ethel Bowers; to the Committee on Claims.

S. 961. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Ark., to the Committee on Interstate and Foreign Commerce.

S. 972. An act for the relief of John H. Balmat, Jr.; to the Committee on Military Affairs.

S. 1040. An act for the relief of Claude W. LaSalle, and the Dauterive Hospital; to the Committee on Claims.

S. 1045. An act to increase the earnings of the United States Government life-insurance fund and the national service life-insurance fund by expediting the investment of the moneys thereof, and for other purposes; to the Committee on Ways and Means.

S. 1060. An act to extend the 6-months' death gratuity benefits, now paid only to dependents of officers and enlisted men of the Regular Army, to dependents of all officers, warrant officers, and enlisted men of the Army of the United States who die in line of duty while in active military service of the United States; to the Committee on Military Affairs.

S. 1147. An act to revive and reenact the act entitled "An act authorizing the village of Cassville, Wis., or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wis., and to a place at or near the village of Guttenberg, Iowa", approved August 7, 1939; to the Committee on Interstate and Foreign Commerce.

S. 1223. An act to extend the times for commencing and completing the construction of a bridge across or tunnel under the Patapsco River at Baltimore, Md.; and a bridge across the Chesapeake Bay from a point at or near Miller's Island, Baltimore County, Md., to a point at or near Tolchester, Kent County, Md., or a bridge across or tunnel under Chesapeake Bay, or a combined bridge and tunnel, from a point at or near Annapolis, Anne Arundel County, Md., to a point on Kent Island, Md.; to the Committee on Interstate and Foreign Commerce.

S. 1226. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.; to the Committee on Interstate and Foreign Commerce.

S. 1246. An act to amend section 2 of the Act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States; to the Committee on Military Affairs.

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; to the Committee on the Judiciary.

S. 1348. An act for the relief of J. M. Swinney; to the Committee on Claims.

S. 1352. An act conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment on the claim of R. Brinskelle and Charlie Melcher; to the Committee on Claims.

S. 1390. An act to amend section 508 (d) of the Federal Crop Insurance Act, as amended; to the Committee on Agriculture.

S. J. Res. 1. Joint resolution directing the Comptroller General to readjust the account between the United States and the State of Vermont; to the Committee on the Judiciary.

S. J. Res. 23. Joint resolution to amend Public Law No. 861, Seventy-sixth Congress, approved October 17, 1940, an act to promote and strengthen the national defense by suspending enforcement of certain civil liabilities of certain persons serving in the Military and Naval Establishments, including the Coast Guard; to the Committee on Military Affairs.

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.; to the Committee on Claims.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 59. An act for the relief of special tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 198. An act for the relief of William G. Sullivan;

H. R. 224. An act for the relief of Antone and Mary Lipka;

H. R. 438. An act for the relief of Hughey Parsley;

H. R. 701. An act for the relief of the Allentown Airport Corporation;

H. R. 1824. An act to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.;

H. R. 2006. An act for the relief of Ben Torian and Joe J. McDonald;

H. R. 2684. An act granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct, maintain, and operate a free highway bridge across the Cumberland River at a point approximately 1¾ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as Old Hickory Boulevard;

H. R. 2766. An act to extend the times for commencing and completing the construction of a bridge across the St. Louis River at or near the city of Duluth, Minn., and the city of Superior, Wis., and to amend the act of August 7, 1939, as amended, and for other purposes;

H. R. 2829. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 2830. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Middletown, Pa.;

H. R. 3066. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes;

H. R. 3269. An act for the relief of Mary Fortune;

H. R. 3394. An act to authorize the Attorney General to grant easements to States over lands belonging to the United States under his supervision and control;

H. R. 3682. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate a free highway bridge across the Mahoning River in the village of Lowellville, Mahoning County, Ohio;

H. R. 3835. An act to exempt from internal-revenue taxes, on the basis of reciprocity, articles imported by consular officers and employees of foreign states for their personal or official use;

H. R. 3869. An act to authorize the furnishing of steam from the central heating plant to the District of Columbia;

H. R. 3974. An act to authorize the Administrator of the Federal Security Agency to adopt an official seal, and for other purposes;

H. R. 3931. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4036. An act to amend the District of Columbia Motor Vehicle Financial Responsibility Act, approved May 3, 1935;

H. R. 4057. An act to authorize the Federal Security Administrator to accept gifts for the Freedmen's Hospital and to provide for the administration of such gifts;

H. R. 4063. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory;

H. R. 4065. An act for the relief of Martin F. Gettings;

H. R. 4083. An act to enlarge the powers of the property clerk of the Police Department of the District of Columbia to dispose of property coming into his possession;

H. R. 4221. An act for the relief of Charlotte E. Hunter;

H. R. 4239. An act to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the Act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; and

H. J. Res. 145. Joint resolution authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the St. Elizabeths Hospital reservation.

ADJOURNMENT

Mr. HOOK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 6, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Tuesday, May 6: Proponents and representatives of the South Atlantic region, including rivers flowing into the Atlantic Ocean and the Gulf of Mexico east of the Mississippi River.

2. Wednesday, May 7: Proponents and representatives of the Corps of Engineers for the Arkansas, White, Red, and St. Francis River Basins.

3. Thursday, May 8; Lower Mississippi River: Gen. Max C. Tyler, president of the Mississippi River Commission, and Gen. Julian L. Schley, Chief of Engineers, on the lower Mississippi River and proposed modifications of the adopted project.

4. Friday, May 9: Proponents and representatives of the Corps of Engineers for the lower Mississippi River and tributaries other than the Arkansas, the White, the Red, and the St. Francis Rivers.

5. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

6. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

7. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, May 7, 1941, for the consideration of H. R. 4215 (Mr. ALLEN), to exclude certain aliens.

Consideration of House Resolution 94 (LELAND M. FORD) and private bills, Thursday, May 8, 1941.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the bridge subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Wednesday, May 7, 1941. Business to be considered: Public hearing on H. R. 4314.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold a public hearing on delays in national-defense preparations, on Wednesday, May 7, 1941, at 10:30 a. m. in room 346, House Office Building.

The special subcommittee on bankruptcy and reorganization of the Committee on the Judiciary will hold public hearings on H. R. 2673 (a bill proposing to amend the Municipal Bankruptcy Act, relating to preliminary stays), on Friday, May 9, 1941, at 10 a. m., in room 346, House Office Building.

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

494. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to amend various narcotic provisions of the Internal Revenue Code to relieve certain hospitals from double occupational-tax classification by specifically classifying them, to classify newly discovered morphine derivatives, to prevent the abusive use of narcotic commodity-tax stamps, and for other purposes; to the Committee on Ways and Means.

495. A letter from the Secretary of War, transmitting a statement showing expenditures for the period ended December 31, 1940, from funds appropriated for educational orders from such appropriations made for fiscal years 1939 to 1941, inclusive; to the Committee on Military Affairs.

496. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill directing the Commissioners of the District of Columbia to close that portion of Van Ness Street extending through the grounds of the National Bureau of Standards, and also a triangular remnant of Pierce Mill Road extending between Van Ness Street and Reno Road; to the Committee on the District of Columbia.

497. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 18, 1940, submitting a report, together with accompanying papers and an illustration, on reexamination of Bayou Terre aux Boeufs, and Delacroix Island, La., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 12, 1938; to the Committee on Rivers and Harbors.

498. A letter from the Administrator, Federal Loan Agency, transmitting statement of loans and commitments outstanding of the Export-Import Bank of Washington as of March 31, 1941, together with a general summary of activities of the Export-Import Bank of Washington from February 12, 1934, through March 31, 1941; to the Committee on Banking and Currency.

499. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Public Roads Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

500. A letter from the Archivist of the United States transmitting recommendation for disposition of a list of papers by the Public Roads Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

501. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Home Owners' Loan Corporation, Federal Loan Agency; to the Committee on the Disposition of Executive Papers.

502. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Federal Trade Commission; to the Committee on the Disposition of Executive Papers.

503. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Federal Loan Agency; to the Committee on the Disposition of Executive Papers.

504. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States Civil Service Commission; to the Committee on the Disposition of Executive Papers.

505. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of Labor; to the Committee on the Disposition of Executive Papers.

506. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of Labor; to the Committee on the Disposition of Executive Papers.

507. A letter from the Archivist of the United States, transmitting recommendation for disposition of lists of papers by the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

508. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the Department of the Interior; to the Committee on the Disposition of Executive Papers.

509. A letter from the Archivist of the United States, transmitting recommendation for disposition of lists of papers by the Post Office Department; to the Committee on the Disposition of Executive Papers.

510. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of papers by the United States attorney for the southern district of Illinois, with the approval of the Department of Justice; to the Committee on the Disposition of Executive Papers.

511. A letter from the Archivist of the United States, transmitting recommendation for disposition of a list of serial mapping film by the Department of War; to the Committee on the Disposition of Executive Papers.

512. A letter from the Acting Secretary of War, transmitting a draft of a proposed bill to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROBINSON of Utah: Committee on the Territories. H. R. 95. A bill to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska"; without amendment (Rept. No. 502). Referred to the House Calendar.

Mr. BURDICK: Committee on the Territories. H. R. 93. A bill to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes; with amendment (Rept. No. 504). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHANLEY: Committee on Foreign Affairs. Senate Joint Resolution 31. Joint resolution authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry; without amendment (Rept. No. 505). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1268. A bill to repeal the provision of law granting a pension to Elizabeth Lively; without amendment (Rept. No. 503). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on the Judiciary was discharged from the consideration of the bill (H. R. 3223) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Louise Johnson, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Illinois:

H. R. 4630. A bill to amend section 3 of Public Act No. 819, Seventy-sixth Congress, approved October 9, 1940; to the Committee on Ways and Means.

By Mr. BEITER:

H. R. 4631. A bill providing for compensation to firemen injured while answering a call on property owned by the United States of America; to the Committee on the Judiciary.

By Mr. BLAND:

H. R. 4632. A bill authorizing vessels of Canadian and British registry to transport iron ore on the Great Lakes during 1941; to the Committee on the Merchant Marine and Fisheries.

By Mr. BUCK:

H. R. 4633. A bill to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the Nautical School at the port of San Francisco; to the Committee on the Merchant Marine and Fisheries.

By Mr. DEWEY:

H. R. 4634. A bill to grant pensions and increase of pensions to widows and dependents of certain deceased members or former members of the military or naval service; to the Committee on Invalid Pensions.

By Mr. DIMOND:

H. R. 4635. A bill to authorize the Secretary of the Interior to incur obligations for the benefit of natives of Alaska in advance of the enactment of legislation making appropriations therefor; to the Committee on Indian Affairs.

By Mr. GORE:

H. R. 4636. A bill relating to the publication in places where branch banks are operated of statements of resources and liabilities of banks the deposits of which are insured under the provisions of section 12B of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. HALLECK:

H. R. 4637. A bill to deprive employees engaging in willful violence in connection with labor disputes of their right to reinstatement under the National Labor Relations Act; to the Committee on Labor.

By Mr. HEFFERNAN:

H. R. 4638. A bill providing free laundry and dry-cleaning service to members of the military and naval forces while on active duty; to the Committee on Military Affairs.

H. R. 4639. A bill granting civil-service preference to persons between the ages of 40 and 55, inclusive; to the Committee on the Civil Service.

By Mr. IZAC:

H. R. 4640. A bill to provide for the acquisition of the property known as Temple Heights as site for memorial building in commemoration of the sacrifices of the defenders of the Union during the Civil War; to the Committee on the Library.

By Mr. McKEOUGH:

H. R. 4641. A bill to prevent discrimination against persons on account of race, color, or creed in the distribution and enjoyment of employment opportunities made possible by national-defense contracts; to the Committee on the Judiciary.

By Mr. McLAUGHLIN:

H. R. 4642. A bill authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. NICHOLS:

H. R. 4643. A bill to provide for the regulation of the business of making loans of $500 or less in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. O'NEAL:

H. R. 4644. A bill to amend the provisions of the Internal Revenue Code by setting new maximum limits on allowances for losses of distilled spirits by leakage or evaporation while in internal-revenue bonded warehouses, and for other purposes; to the Committee on Ways and Means.

By Mr. WADSWORTH:

H. R. 4645. A bill to regulate in the United States Court of Claims suits for payment for the use of inventions by or for the Government; to the Committee on the Judiciary.

By Mr. SOMERS of New York:

H. R. 4646. A bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; to the Committee on Coinage, Weights, and Measures.

By Mr. CARLSON:

H. R. 4647. A bill granting the consent of Congress to a compact to be entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin; to the Committee on Irrigation and Reclamation.

By Mr. CURTIS:

H. R. 4648. A bill to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States," as amended by the act of October 14, 1940 (54 Stat. 1119); to the Committee on Irrigation and Reclamation.

By Mr. VOORHIS of California:

H. J. Res. 179. Joint resolution to establish a legislative staff for the Congress; to the Committee on Accounts.

By Mr. DAVIS of Ohio:

H. J. Res. 180. Joint resolution authorizing postponement of payments of amounts payable to the United States by the Republic of Finland on its indebtedness under agreement between that Republic and the United States dated May 1, 1923; May 23, 1932; and May 1, 1941; to the Committee on Ways and Means.

By Mr. COFFEE of Washington:

H. Con. Res. 30. Concurrent resolution to investigate the matter of the obtaining of essential war materials from the Western Hemisphere by the Axis Powers; to the Committee on Rules.

By Mr. VINSON of Georgia:

H. Res. 196. Resolution for the consideration of H. R. 3536; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to consider their Resolution No. 5, House file No. 1620, with reference to agriculture; to the Committee on Agriculture.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 27, concerning citizenship to Samoans; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 11, with reference to the Hawaiian Organic Act; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 4649. A bill granting an increase of pension to Adelaida V. De Rael Y Salazar; to the Committee on Invalid Pensions.

By Mr. FLAHERTY:

H. R. 4650. A bill for the relief of John R. Britton; to the Committee on Naval Affairs.

By Mr. GORE:

H. R. 4651. A bill for the relief of Albert D. Howell; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 4652. A bill for the relief of Will T. Stevens; to the Committee on Claims.

By Mr. SHORT:

H. R. 4653. A bill for the relief of William P. Flanagan; to the Committee on Military Affairs.

H. R. 4654. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of

Seymour Consolidated School District No. 6, of Webster County, Mo.; to the Committee on Claims.

By Mr. VOORHIS of California:

H. R. 4655. A bill for the relief of Gladys McIntyre; to the Committee on Military Affairs.

By Mr. WHITE:

H. R. 4656. A bill for the relief of Thomas S. Robinson; to the Committee on Claims.

By Mr. WINTER:

H. R. 4657. A bill for the relief of Floyd P. Moritzky; to the Committee on Claims.

By Mr. BARRY:

H. Res. 197. Resolution to provide for an investigation of the proceedings of a court of inquiry of the United States Army in the case of Capt. William R. F. Bleakney; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

958. By Mr. BOLLES: Resolution passed by executive committee of the Wisconsin Council of Churches at its meeting in Madison, Wis., on April 25, expressing their belief and hoping that some way may be found to alleviate the suffering and starvation of conquered populations in Europe by some such plan as that proposed by ex-President Herbert Hoover, and urging that it be tried at least on some experimental scale; to the Committee on Foreign Affairs.

959. Also, resolution of the Superior Federation of Labor, Superior, Wis., representing 41 labor unions and affiliated with the American Federation of Labor, favoring and urging the immediate commencement and the completion of as soon as possible the Great Lakes-St. Lawrence seaway project; to the Committee on Foreign Affairs.

960. Also, resolutions adopted at convention of Lutheran Minnesota Conference of the Augustana Synod on April 27, 1941, opposing the United States of America becoming involved as a belligerent in the wars of Europe or sending its Army, Navy, or any of its defense forces to foreign seas or shores; to the Committee on Foreign Affairs.

961. Also, resolution of the International Union, United Automobile Workers of America, Kenosha, Wis., opposing any bill that will take away the democratic rights and hard-won privileges gained by the organized workers in the past; to the Committee on Labor.

962. By Mr. CONNERY: Resolutions of the General Court of Massachusetts, favoring the adoption of an adequate Federal antilynch law, the Geyer anti-poll-tax bill, and the bill restoring percentage wage differential for a leadingman and for a quarterman at any navy yard; to the Committee on the Judiciary.

963. By Mr. FENTON: Petition of Edward Zerbe, secretary, and the members of the Townsend Club, No. 1, of Sunbury, Pa., favoring the enactment of the Townsend plan as a defense measure; to the Committee on Ways and Means.

964. By Mr. FLAHERTY: Petition of the Massachusetts Society of the Sons of the American Revolution, opposing any legislation that may be considered to require the registration of firearms; to the Committee on the Judiciary.

965. Also, petition of the New England Traffic League, supporting House bill 2518; to the Committee on Interstate and Foreign Commerce.

966. Also, resolution of the city of Cambridge, opposing the quota-reduction provision of the Relief Appropriations Act; to the Committee on Appropriations.

967. Also, petition of the Allied Theatres of Massachusetts, Inc., endorsing the proposed tax of amusement admissions and opposing any tax on film rentals; to the Committee on Ways and Means.

968. Also, memorial in the nature of a resolution of the Commonwealth of Massachusetts, memorializing the Congress of the United States for immediate passage of the Townsend Act, so-called; to the Committee on Ways and Means.

969. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution 42, relative to memorializing the United States Department of the Interior, Fish and Wildlife Service, to permit controlled feeding of migratory wild fowl on hunting clubs in the State of California and to provide for the feeding of grain on migratory wild-fowl refuges in this State in order to relieve farmers from severe losses to grain crops caused annually by such wild fowl; to the Committee on Interstate and Foreign Commerce.

970. By Mr. FORAND: Resolution of the General Assembly of the State of Rhode Island, memorializing Congress to defeat two identical bills, known as House bills 6 and 1019, which seek to place a 2-cent-per-gallon tax on the sale of fuel oil used for heating and for the generation of power; to the Committee on Ways and Means.

971. By Mr. LUTHER A. JOHNSON: Petition of Bun A. Clayton, president; Hon. H. Fountain Kirby, Hon. L. R. Geren, and Hon. L. W. Shepperd, committee, Groesbeck Lions Club, Groesbeck, Tex., opposing strikes in national-defense industries; to the Committee on the Judiciary.

972. By Mr. KEOGH: Petition of the Ladies' Auxiliary of the Ancient Order of Hibernians, Kings County Board, Brooklyn, N. Y., favoring Senate Joint Resolution 31, for the appropriation of $20,000 for a statute of Commodore Barry to Eire in 1945; to the Committee on the Library.

973. Also, petition of the Sons of the Revolution in the State of New York, concerning all possible aid to the struggling peoples abroad; to the Committee on Foreign Affairs.

974. By Mr. LESINSKI: Resolution of the Polish Roman Catholic Union of America, urging enactment of legislation to complete the Great Lakes-St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

975. Also, resolution of the members of the Kiwanis Club of Allen Park, Mich., urging immediate action on legislation providing for the completion of the Great Lakes-St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

976. Also, resolution of the Common Council of the City of Lincoln Park, Mich., urging enactment of House bill 1057, the longevity pay bill; to the Committee on the Post Office and Post Roads.

977. By Mr. McLAUGHLIN: Resolution No. 21, of the Legislature of the State of Nebraska, concerning Republican Valley flood control; to the Committee on Flood Control.

978. Also, petition memorializing the Congress of the United States to establish a bridge across the Missouri River at Florence, Nebr.; to the Committee on Interstate and Foreign Commerce.

979. By Mr. MOSER: Resolution of the Keystone Bottlers Protective Association of Pennsylvania on taxation of soft drinks; to the Committee on Ways and Means.

980. By Mrs. ROGERS of Massachusetts: Petition of the General Court of Massachusetts, memorializing the Congress of the United States for the immediate passage of the Townsend Recovery Act, so-called; to the Committee on Ways and Means.

981. By Mr. RUTHERFORD: Petition of sundry residents of West Burlington, Pa., favoring the passage of Senate bill 860; to the Committee on Military Affairs.

982. By Mr. WADSWORTH: Petition of Donald R. Clark and others, opposing the passage of House bill 4000; to the Committee on Military Affairs.

983. By the SPEAKER: Petition of the Sons of the Revolution, New York City, N. Y., petitioning consideration of their resolution with reference to the "lend-lease" law; to the Committee on Foreign Affairs.

984. Also, petition of the Forward Trinity Valley Association, Romayor, Tex., petitioning consideration of their resolution with reference to flood control; to the Committee on Flood Control.

985. Also, petition of the city of Los Angeles, Calif., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

986. Also, petition of Grayson County, Sherman, Tex., Jake J. Loy, chairman, petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

987. Also, petition of the Young Men's Business League of Austin, Tex., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

988. Also, petition of the National Advisory Board Council, Callao, Utah, petitioning consideration of their resolution with reference to range and grazing lands; to the Committee on the Public Lands.

SENATE

TUESDAY, MAY 6, 1941

(Legislative day of Monday, May 5, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

God of our worship, whom we would approach with pureness of heart, yet far too often come in vesture spotted and stained by the world, by many a misdeed: Hear us, as we plead the offered sacrifice, the burdened contrite spirit, and blot out our transgressions, that our prayer may rise like clouds of floating incense to Thy Holy Sanctuary. And, as we invoke the bestowal of Thy grace, help us to worship Thee with more self-reverence, self-knowledge, self-control, with more obedience to the higher law of the mind, to the conscience in which Thou dost speak to us, and with more of service to those about us in whom, however obscurely, the Father of all dwelleth.

Lead and constrain us towards the choicest conduct to which we can attain, fostering in us the heart by which life is always purified. Help us in our work, however humble it may be, to be true and steadfast, that in us and through us help may be ever found by those about us, with never a hindrance. We ask it in our dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, May 5, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed

without amendment the following bills of the Senate:

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes", and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes";

S. 993. An act to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny a triangular parcel of land containing one-half an acre situated at Seattle, Wash.; and

S. 1123. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, as amended.

The message also announced that the House had passed the bill (S. 376) providing for the advancement on the retired list of certain officers of the line of the United States Navy, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution in which it requested the concurrence of the Senate:

H. R. 571. An act to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k);

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 2685. An act to authorize the disposition of recreational demonstration projects, and for other purposes;

H. R. 2784. An act for the relief of the present leaders of the United States Navy Band and the United States Marine Band, and for other purposes;

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County (Pa.) Authority;

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon Borglum;

H. R. 4132. An act to amend section 3528 of the Revised Statutes, as amended, relating to the purchase of metal for minor coins of the United States;

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy;

H. R. 4495. An act to amend the Canal Zone Code; and

H. J. Res. 35. Joint resolution to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 29) acknowledging the felicitations of the Congress of Costa Rica, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 59. An act for the relief of special tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 198. An act for the relief of William G. Sullivan;

H. R. 224. An act for the relief of Antone and Mary Lipka;

H. R. 438. An act for the relief of Hughey Parsley;

H. R. 701. An act for the relief of the Allentown Airport Corporation;

H. R. 1824. An act to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.;

H. R. 2006. An act for the relief of Ben Torian and Joe J. McDonald;

H. R. 2684. An act granting the consent of Congress to the highway department of Davidson County, of the State of Tennessee, to construct, maintain, and operate a free highway bridge across the Cumberland River at a point approximately 1¾ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as Old Hickory Boulevard;

H. R. 2766. An act to extend the times for commencing and completing the construction of a bridge across the St. Louis River at or near the city of Duluth, Minn., and the city of Superior, Wis., and to amend the act of August 7, 1939, as amended, and for other purposes;

H. R. 2829. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 2830. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Middletown, Pa.;

H. R. 3066. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes;

H. R. 3269. An act for the relief of Mary Fortune;

H. R. 3394. An act to authorize the Attorney General to grant easements to States over lands belonging to the United States under his supervision and control;

H. R. 3682. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate a free highway bridge across the Mahoning River in the village of Lowellville, Mahoning County, Ohio;

H. R. 3835. An act to exempt from internal-revenue taxes, on the basis of reciprocity, articles imported by consular officers and employees of foreign states for their personal or official use;

H. R. 3869. An act to authorize the furnishing of steam from the central heating plant to the District of Columbia;

H. R. 3974. An act to authorize the Administrator of the Federal Security Agency to adopt an official seal, and for other purposes;

H. R 3981. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4036. An act to amend the District of Columbia Motor Vehicle Financial Responsibility Act, approved May 3, 1935;

H. R. 4057. An act to authorize the Federal Security Administrator to accept gifts for the Freedmen's Hospital and to provide for the administration of such gifts;

H. R. 4063. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory;

H. R. 4065. An act for the relief of Martin F. Gettings;

H. R. 4083. An act to enlarge the powers of the property clerk of the Police Department of the District of Columbia to dispose of property coming into his possession;

H. R. 4221. An act for the relief of Charlotte E. Hunter;

H. R. 4239. An act to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; and

H. J. Res. 145. Joint resolution authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the St. Elizabeths Hospital reservation.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

AMENDMENT OF CERTAIN ACTS RELATIVE TO THE COAST GUARD

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes (with accompanying papers); to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. TYDINGS:

A resolution adopted at the annual meeting of the Women's International League for Peace and Freedom, Maryland branch, at Baltimore, Md., protesting against the use of United States armed ships as convoys beyond the neutral limits of the Western Hemisphere, etc.; to the Committee on Foreign Relations.

By Mr. GREEN:

A resolution of the House of Representatives of the State of Rhode Island; to the Committee on Finance:

"House Resolution 1066

"Resolution memorializing Congress of the United States of America to defeat two identical bills known as H. R. 6, introduced by Representative BOLAND, of Pennsylvania, and H. R. 1019, introduced by Representative FLANNERY, also of Pennsylvania, which seek to place a 2-cent-per-gallon tax on the sale of fuel oil used for heating and for the generation of power

"Whereas Representative BOLAND, of Pennsylvania, has introduced a measure in the Congress of the United States known as H. R. 6, which measure, if passed, would impose a 2-cent-per-gallon tax on all fuel oil sold for the generation of heat and power; and

"Whereas an identical bill, known as H. R. 1019, has been introduced in the Congress of the United States by Representative FLANNERY, also of Pennsylvania, which bill, if passed, would likewise impose a 2-cent-per-gallon tax on all fuel oil sold for the generation of heat and power; and

"Whereas a study of these bills clearly reveals that the same are discriminatory in their effects and are productive of no possible good except to burden fuel oil with a tax for the benefit of a competing commodity, namely, coal; and

"Whereas statistics reveal that in the city of Providence alone there are approximately 23,000 homes using fuel oil for the heating and comfort thereof; and

"Whereas this tax will add $42 to the annual fuel bill of every householder who consumes fuel oil; and

"Whereas the annual fuel-oil bill for the State of Rhode Island for its public buildings would increase approximately $200,000, which will be added to the public tax burden; and

"Whereas an additional amount of about $18,000,000 will be added to the annual fuel-oil bill of owners and operators of apartment houses, hotels, industrial establishments, churches, hospitals, office buildings, and such other commercial enterprises who depend upon fuel oil for heat and power; and

"Whereas the imposition of a 2-cent fuel-oil tax will throttle and annihilate one of the largest industries of this State, which depends upon the sale of fuel oil for the generation of heat and power for its existence: Be it therefore

"Resolved by the House of Representatives of the State of Rhode Island, That the Congress of the United States of America be, and it is hereby, respectfully memorialized to defeat with all convenient speed not only H. R. 6, introduced by Representative BOLAND, of Pennsylvania, and H. R. 1019, introduced by Representative FLANNERY, also of Pennsylvania, but all other sundry and divers legislation whatsoever which proposes to place any tax on fuel oil used for heating and power-generation purposes; and be it further

"Resolved, That a copy of this resolution be transmitted to the President of the United States, the Clerk of the House of Representatives, the Secretary of the Treasury of the United States, and to each Member of Congress elected from the State of Rhode Island, and that the latter be urged to use their best offices to procure the defeat of such legislation as will accomplish the purposes of this resolution."

By Mr. LODGE:

A resolution of the General Court of Massachusetts; to the Committee on Finance:

"Resolutions memorializing the Congress of the United States for the immediate passage of the Townsend Recovery Act, so-called

"Whereas proper and adequate assistance to the aged persons in the Commonwealth and the Nation is one of the most vital problems of our Government at the present time; and

"Whereas sentiment as expressed by the citizens of the Commonwealth has been so strongly in favor of the so-called Townsend recovery plan of old-age pensions as to convince public officials of the immediate need for and wisdom of the enactment of such legislation: Therefore be it

"Resolved, That the General Court of Massachusetts urges the Congress of the United States to immediately enact the Townsend recovery plan of old-age pensions, and endorses such plan as a humanitarian, just, and equitable method of caring for our aged citizens; and be it further

"Resolved, That the Secretary of the Commonwealth forthwith forward copies of these resolutions to the Presiding Officers of both branches of Congress and to the Members thereof from this Commonwealth."

MISSOURI RIVER BRIDGE AT FLORENCE, NEBR.—RESOLUTION OF NEBRASKA LEGISLATURE

Mr. BUTLER. Mr. President, I ask consent to have printed in the RECORD and appropriately referred Legislative Resolution No. 22, adopted by the Legislature of Nebraska on May 1, 1941.

This resolution is with reference to the need for an additional bridge over the Missouri River just north of Omaha, Nebr. It is claimed that neither of the two bridges now available in the vicinity will carry the modern, heavy, mechanized equipment of the Army. I believe that careful consideration should be given to this matter by the proper authority.

The VICE PRESIDENT. The resolution presented by the Senator from Nebraska will be referred to the Committee on Commerce and printed in the RECORD, under the rule.

The resolution is as follows:

Legislative Resolution 22

Resolution memorializing the Congress of the United States to establish a bridge across the Missouri River at Florence, Nebr.

Whereas for many years there has been a great need for an interstate bridge between the States of Iowa and Nebraska at Florence, Nebr.; and

Whereas such bridge would provide an outlet for the heavy traffic carried by North Thirtieth Street in Omaha, Nebr., including heavy shipments of stock by farmers; and

Whereas this great need has been highly accentuated by the fact that none of the present bridges connecting the States of Iowa and Nebraska at Omaha, are strong enough or modern enough to permit passage of the present large and heavy mechanized equipment used by the United States Army; and

Whereas the site of such proposed bridge is only a short distance from the ever-expanding activity and operations at Fort Omaha: Now, therefore, be it

Resolved by the Legislature of the State of Nebraska in fifty-fifth regular session assembled:

1. That this legislature respectfully petitions, memorializes, and urges the Congress of the United States to enact the necessary legislation to establish an interstate bridge across the Misscuri River at Florence, Nebr., and thereby fulfill the great need therefor as recited in the preamble of this resolution.

2. That this resolution be spread at large upon the journal of this legislature; and that the clerk of this legislature is hereby ordered and directed forthwith to forward a copy of this resolution properly authenticated and suitably engrossed, to the President of the United States; to the Vice President of the United States as Presiding Officer of the United States Senate; to the Speaker of the House of Representatives of the United States; and to each of the United States Senators and Congressmen representing the State of Nebraska in the Congress to the end that representatives in the Government and in the Congress of the United States may be advised that this legislature considers as imperative and vital for national defense Federal legislation to provide for an interstate bridge across the Missouri River between the States of Iowa and Nebraska at Florence, Nebr.

STRIKES IN DEFENSE INDUSTRIES—LETTER FROM STUDENTS OF McCOOK (NEBR.) JUNIOR COLLEGE

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD, with the signatures, and appropriately referred, a letter which I have just received from members of the history class of McCook Junior College at McCook, Nebr. These students are of voting age. I believe them sincere in what they have to say, and I also think that their statement reflects the attitude of the general public in Nebraska.

There being no objection, the letter was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, with the signatures attached thereto, as follows:

McCOOK JUNIOR COLLEGE,
McCook, Nebr., April 30, 1941.

Senator HUGH BUTLER,
Washington, D. C.

DEAR SIR: We, the history students of McCook Junior College, wish to go on record as protesting against the many selfish strikes which are crippling the defense industries. As college students we see many of our friends going voluntarily into the service, sacrificing careers and good positions. Surely if they can sacrifice so much, labor can push aside its personal gains in this emergency.

We are becoming more and more irritated because the Government allows a few to block the progress of national defense.

Democracy is so precious that no group should be allowed to jeopardize its principles.

Sincerely yours,

Paul Evans, Loraine Phillips, Betty Mae Williams, Helen Dutton, Eileen Schmer, Viola Phillips, Forrest Heller, John Mikkelsen, John McCallum, Richard Proud, Julia Anne Milligan, Amy Brown, Jackie Morris, Vera Kisker, Winnie Welborn, Kathryn Ann Wall, Betty Gruen, Ruth Aman, Oneda McKillip, Phyllis Loper, Ila Best, Verna Grovert, Barbara Robb, Betty Lou Esteb, Vilas Adamson, Jack Moore, Kirk Strayer, Elton Troke, Kenneth Ludlow, Junior Kelly, Catherine Dutton, Jacqueline Hopper, Carolyn Cobb, Elizabeth Hodges, Victor Beebe, Dewain McCartney, Harold Wiederspon, Walt Campbell, Bill Kelly, "Merle" Cotton, J. B. Ferguson, Robert Bauer, Morris Cook, F. W. Holliday, Phil Deffer, Robert Hedges, Audrey Hoyt, Ardis Messinger.

REPORTS OF COMMITTEE ON INDIAN AFFAIRS

The following reports of the Committee on Indian Affairs were submitted:

By Mr. McNARY:

S. 613. A bill authorizing the Snake or Piute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes; without amendment (Rept. No. 261).

By Mr. McFARLAND:

S. 1296. A bill to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; without amendment (Rept. No. 262).

SENATOR FROM WEST VIRGINIA—MINORITY VIEWS: AMENDMENT

Mr. CHANDLER (for himself and Mr. SMITH, Mr. GEORGE, Mr. AUSTIN, Mr. NYE, Mr. BRIDGES, Mr. WILEY, and Mr. BUTLER) submitted the views of the minority of the Committee on Privileges and Elections on the West Virginia senatorial contest in connection with Senate Resolution 106, heretofore reported from that committee and placed on the calendar, which were ordered to be printed as part 2 of Senate Report No. 223.

Mr. CHANDLER also submitted an amendment in the nature of a substitute intended to be proposed by him to Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia, reported by Mr. CONNALLY on April

29, 1941, from the Committee on Privileges and Elections, which was ordered to lie on the table and to be printed.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NYE:

S. 1452. A bill for the relief of Edla H. Fyten; to the Committee on Claims.

S. 1453. A bill granting a pension to George P. Mennie; to the Committee on Pensions.

By Mr. SHIPSTEAD:

S. 1454. A bill to amend section 2, chapter 868, Forty-sixth Statutes at Large, page 1467, March 2, 1931, relating to extra compensation of inspectors and employees of the Immigration and Naturalization Service (with accompanying papers); to the Committee on Immigration.

By Mr SMATHERS:

S. 1455. A bill requiring clerks in consulates to be citizens of the United States; to the Committee on Foreign Relations.

S. 1456. A bill to provide for the enjoyment by all persons of the facilities of places of public accommodation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. REYNOLDS:

S. 1457. A bill to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia; and

S. 1458. A bill to amend the District of Columbia Alley Dwelling Act, as amended; to the Committee on the District of Columbia.

S. 1459. A bill to establish a Chiropody (Podiatry) Corps of the United States Army; to the Committee on Military Affairs.

Mr. THOMAS of Oklahoma:

S. 1460. A bill granting compensation to Robert E. Hatridge; to the Committee on Finance.

By Mr. GEORGE:

S. 1461. A bill authorizing the appropriation of a sum not to exceed $20,000,000 to enable the United States to cooperate with the governments of the American republics situated in Central America in the survey and construction of the proposed Inter-American Highway within the borders of these republics; to the Committee on Foreign Relations.

By Mr. KILGORE:

S. 1462. A bill granting a pension to Laura Ricketts; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

S. J. Res. 75. Joint resolution authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims; to the Committee on Indian Affairs.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 571. An act to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes; and

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k); to the Committee on Agriculture and Forestry.

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2784. An act for the relief of the present leaders of the United States Navy Band and the United States Marine Band, and for other purposes; and

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy; to the Committee on Naval Affairs.

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.; to the Committee on Public Buildings and Grounds.

H. R. 2685. An act to authorize the disposition of recreational demonstration projects, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., Authority; to the Committee on Commerce.

H. R. 4132. An act to amend section 3528 of the Revised Statutes, as amended, relating to the purchase of metal for minor coins of the United States; to the Committee on Banking and Currency.

H. R. 4495. An act to amend the Canal Zone Code; to the Committee on Interoceanic Canals.

H. R. 3857. An act authorizing the construction of a crypt for the remains of Gutzon Borglum; and

H. J. Res. 35. Joint resolution to provide for the utilization of a part of the unfinished portion of the historical frieze in the rotunda of the Capitol to portray the story of aviation; to the Committee on the Library.

AMENDMENT TO TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, which was ordered to lie on the table and to be printed, as follows:

On page 60, line 4, before the period, insert a colon and the following:

"*Provided*, That hereafter all remainders of migratory-bird hunting stamps shall remain on sale at the Philatelic Agency until disposed of or until the Congress otherwise provides."

INVESTIGATION OF POLLS OF PUBLIC OPINION

Mr. NYE submitted the following resolution (S. Res. 111), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of polls purporting to measure or indicate the state of public opinion upon matters of national importance, the results of which are published in newspapers, magazines, periodicals, or other publications. Such study and investigation shall include, but shall not be limited to, determination of the procedure and methods used in conducting such polls and tabulating the results thereof. The committee shall report to the Senate as soon as practicable the results of its study and investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF LOCATION OF DEFENSE ESTABLISHMENTS AND AWARDING OF CONTRACTS

Mr. THOMAS of Oklahoma. Mr. President, I submit a resolution, which I ask be referred to the Special Committee to Investigate the National Defense Program.

The VICE PRESIDENT. The resolution of the Senator from Oklahoma will be received and referred as requested by him.

The resolution (S. Res. 112) was referred to the Special Committee to Investigate the National Defense Program, as follows:

Whereas the United States is engaged in a program for national defense; and

Whereas such program necessitates the expenditure of vast sums of money and the employment of a vast number of men and women; and

Whereas the military and naval departments have been assigned the task of making recommendations to the Congress, covering the various elements of the expansion program; and

Whereas since the first World War the science and practice of warfare has changed in that today actual warfare is being carried on in and from the air, making necessary the production of all kinds of aircraft; and

Whereas this change in the practical conduct of war makes the coast and boundary lines of nations immediately susceptible to attack by aggressors and invaders; and

Whereas because of modern developments it has been announced by responsible public officials that the best interests of national defense make it necessary that as many defense establishments for the production of necessary defense materials should be located in the interior and away from the coast lines and borders; and

Whereas such officials have estimated that the best interests of our national-defense program should be to place and develop such defense industries at least within the interior of the United States and at least 200 miles distant from such coast line and borders of the United States; and

Whereas the sound development of a national-defense program must mean that all portions of the United States should be benefited if possible rather than injured by the development of such defense program; and

Whereas the census record of 1940 shows that the following States located within the central portion of the United States have lost population during the past 10-year period, such States being as follows: Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Missouri, and Oklahoma; and

Whereas such loss of population is due to the facts:

First, that such States are primarily agricultural;

Second, that the prices of agricultural products have been and still are below cost of production; and

Third, that the residents of such States desiring to secure employment, for the want of jobs and positions within the said States are forced to migrate to eastern, southern, and western coastal States where the bulk of

the defense establishments are being located and where the vast number of Army contracts are being let to private firms, located in the cities and towns along the coast and borders of the United States; and

Whereas the present program of national defense, through the failure of the responsible authorities to locate defense establishments within such States is responsible, in the main, for the great loss of population being suffered by said States; and

Whereas such States have ample resources of coal, oil, lead, zinc, lumber, cotton, natural gas, butane gas, and helium gas, reasonably cheap lands, and still to date a surplus of efficient and competent labor, ample electrical energy with some sections producing a surplus, with ample water and with a climate suitable for the operation of many important and necessary forms of defense establishments; and

Whereas it is absolutely necessary to secure the location of sufficient national-defense establishments to provide employment to the surplus labor remaining in said States; and

Whereas unless such establishments are located within said States a substantial and irreparable injury will be done to such States: Therefore be it

Resolved, That the Committee to Investigate the National Defense Program be authorized and requested to make a special investigation into the program:

First, of the location and maintenance of defense establishments necessary for the production of needed military supplies.

Second, an investigation into the program of awarding contracts to private firms for the production of needed and necessary war supplies and equipment.

Third, the advantages and disadvantages of the present program of awarding contracts to concerns located in coastal and border cities and within the 200-mile danger zone.

Fourth, the advantages and disadvantages of the location of new defense establishments at or near cities and towns located along the coast and borders of the United States and within the said 200-mile danger zone.

Fifth, the advantages and disadvantages of the location of necessary defense establishments within the said States mentioned and as follows: Wyoming, North Dakota, South Dakota, Nebraska, Kansas, Missouri, and Oklahoma; be it further

Resolved, That the said Committee to Investigate the National Defense Program be requested to make a special report to the Senate, at the earliest practicable date, upon the subject-matters herein specially mentioned.

BROADCASTING REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial from the Washington Evening Star of May 5, 1941, and also an article by David Lawrence appearing in the same newspaper, both relative to the new broadcasting regulations issued by the Federal Communications Commission, which appear in the Appendix.]

ADDRESS BY WHEELER McMILLEN BEFORE SEVENTH ANNUAL CHEMURGIC CONFERENCE

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by Wheeler McMillen, president of the National Farm Chemurgic Council, before the Seventh Annual Chemurgic Conference held at Chicago, Ill., March 26, 1941, which appears in the Appendix.]

ARTICLE BY JAY G. HAYDEN ON DRAFT INCONGRUITIES

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article by Jay G. Hayden, published in the Providence Journal of May 5, 1941, entitled "Draft Incongruities Give Federal Officials Jitters," which appears in the Appendix.]

ARTICLE BY STUART CHASE ON THE TRIUMPH OF MIND OVER MATTER

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article by Stuart Chase entitled "The Triumph of Mind Over Matter," published in The Progressive, of May 3, 1941, which appears in the Appendix.]

CORN AND WHEAT MARKETING QUOTAS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

Mr. BANKHEAD. Mr. President, the joint resolution which has just been laid before the Senate was passed by the Senate and sent to the House of Representatives. While there the House struck out all after the enacting clause and substituted practically the same provisions as originally contained in the joint resolution, but added what is commonly known and understood as the 75 percent of parity loan plan.

I desire to submit some remarks on the subject. Then I will ask the Senate to decline to agree to the amendment of the House and request a conference with the House on the amendment.

This measure, of course, involves the problem of agricultural income generally recognized by the term "parity income."

Mr. HILL. Mr. President, will the Senator yield for a call for a quorum?

Mr. BANKHEAD. Yes.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Gurney	Reynolds
Barkley	Hatch	Russell
Bilbo	Hayden	Schwartz
Bone	Herring	Shipstead
Brooks	Hill	Smathers
Brown	Holman	Smith
Bulow	Hughes	Spencer
Bunker	Johnson, Calif.	Stewart
Burton	Kilgore	Taft
Butler	La Follette	Thomas, Idaho
Byrd	Langer	Thomas, Okla.
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	White
Danaher	Mead	Wiley
Davis	Murdock	Willis
Downey	Murray	

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senbecause of illness.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Colorado [Mr. JOHNSON], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The Senator from Utah [Mr. THOMAS] is addressing the National Association of University Extension Directors in Oklahoma City, and is, therefore, necessarily absent.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

Mr. BANKHEAD. Mr. President, the subject of parity income for farmers is one of paramount importance at this time. As a result of the expenditure of billions of dollars by the Federal Government in its national preparedness program, prices of industrial commodities are getting higher. The pay of industrial workers is increasing, and those increases are reflected in the cost of industrial commodities which the farmers must buy. The foreign markets for some of the basic agricultural commodities, particularly cotton and wheat, have completely disappeared. Six or seven million bales of cotton which have normally been exported each year are now eliminated from world trade. Millions of bushels of wheat which in normal times were sold to foreign markets annually are now held in elevators under Government loans. Excessive surpluses of corn are also in the ever-normal granaries.

The reduction in consumption of these basic commodities has resulted in the reduction of the acreage planted and therefore of the volume sold by the farmers. For example, in the 6 years ending with 1932 the acreage planted to cotton in the United States averaged 40,174,000 acres. For the 6 years ending with 1939, cotton acreage averaged 27,635,000, a reduction of 31 percent. The acreage in 1939 was 40 percent below the 1932 acreage.

By a conservative estimate, 80 percent of the Nation's farmers grow one or more of the basic crops. The producers of the basic commodities are the farmers who make most of the sacrifices that are required by the soil-conservation and marketing programs practiced for the past 5 or 6 years.

The object of the pending bill is to take another step toward securing parity prices for producers of the basic agricultural commodities. What do we mean when we talk about parity price and parity income? Broadly speaking we mean fair prices for farm products and fair income for farmers. We use the 1909–14 period as a yardstick to measure parity price and income. So far as economists have been able to determine, this was a period when farm prices and income were balanced with the prices of the things farmers generally buy. Farm commodities flowed freely to the cities, and manufactured goods flowed freely to the farms. The products of agricultural labor and of industrial labor were on a fair basis of exchange. It was a stable and prosperous period, and agriculture was on a plane of economic equality with labor and industry.

After the first World War, farm prices fell, but other prices did not. The prices of manufactured goods, the wages of labor, taxes, debts, and other things, stayed up. The farmers have been trying to get back on an even footing with other groups since then, and their real friends have been trying to help them.

From the standpoint of farm prices and farm income, there is no question about the need for parity payments. In the calendar year 1939, for example, the farmers' income was $1,600,000,000 below parity. For 1940 the farmers' income was $1,800,000,000 below parity. The figures show that the farmers are getting further away from parity as industrial prices increase.

Parity price, generally speaking, is that price for farm commodities which has the same purchasing power in terms of things farmers buy as these commodities had in the 5 years before the first World War. In other words, a parity price for wheat, corn, cotton, eggs, and other farm products is a price that will make these products buy as much today as they would have bought before the first World War, and pay as much on debts, taxes, and other fixed charges.

After the World War, unorganized farmers faced an organized world. Industry organized to protect itself through tariffs, and in some instances through monopolies. Labor organized to increase wages and decrease working hours. The ex-service men of the World War organized, and brought about the payment of bonuses and other benefits, including adequate hospitalization.

Our capitalistic economy depends for its very existence upon balance—balance between the various groups of our population. If, through tariffs and other Federal legislation, the Government favors industry and labor at the expense of the farmer, the Government must eventually help the farmer, too. Otherwise, we set up a series of disturbances that can be just as disastrous in their effects as interferences with circulation in the human body. If we clog the channels of trade through favoritism to some groups, we tend to cripple the country; we cause arthritis of the economic system.

I do not think there is the slightest doubt that the tariffs cost farmers money, or that other legislation which increases the cost of distribution, transportation, and labor takes money out of the farmers' pockets. If the Government takes money out of the farmers' pockets through legislation, it is only fair that the Government should put that money back.

During the years 1935–39, inclusive, the cash income of the nonfarm population averaged $625 per person, as compared with an average of only $408 in the parity period before the first World War. The income of people not on farms, even if we include the unemployed, has been averaging 50 percent higher than it did in the pre-war period. The rate of increase in farm income has been very much lower. The Bureau of Agricultural Economics has submitted a table showing the total national income, the nonfarm income, the farm income, and the farm income as percentage of the total, each year since 1909. At no time since 1919 has the percentage of farm income of the national income equaled the percentage during the pre-war period. Since 1919 there has been a steady decline in agriculture's share of the national income. The percentage has decreased from 19.2, in 1919, to 5.9, in 1940. I submit the table to be inserted in my speech at this point. A statement including Government payrolls is also submitted as a part of the table.

After including Government payments the percentage of the national income in 1940 received by farmers was only 6.9 percent.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National income, United States, 1909–41

Year	Total	Nonfarm	Farm	Farm as percentage of total
	Million dollars	*Million dollars*	*Million dollars*	*Percent*
1909	26,415	22,070	4,345	16.4
1910	28,114	23,474	4,640	16.5
1911	28,480	24,251	4,229	14.8
1912	30,394	25,798	4,596	15.1
1913	32,133	27,560	4,573	14.2
1914	31,919	27,367	4,552	14.3
1915	33,210	28,404	4,806	14.5
1916	39,036	33,198	5,838	15.0
1917	47,385	38,482	8,903	18.8
1918	55,357	44,856	10,501	19.0
1919	60,354	48,756	11,598	19.2
1920	64,552	56,478	8,074	12.5
1921	54,210	49,883	4,327	8.0
1922	57,546	52,109	5,437	9.1
1923	66,171	59,620	6,551	9.4
1924	68,824	61,898	6,926	10.9
1925	73,278	65,852	7,426	10.1
1926	75,564	68,695	6,869	9.1
1927	76,457	69,618	6,839	8.9
1928	78,117	71,209	6,908	8.8
1929	80,372	73,542	6,830	8.5
1930	73,571	68,456	5,115	7.0
1931	62,384	59,303	3,081	4.9
1932	48,355	46,551	1,804	3.7
1933	45,771	43,174	2,597	5.7
1934	52,540	49,164	3,376	6.4
1935	57,007	52,770	4,237	7.4
1936	66,722	61,599	5,123	7.7
1937	70,753	65,282	5,471	7.7
1938	64,687	60,236	4,451	6.9
1939 [1]	68,127	63,821	4,306	6.3
1940 [2]	71,829	67,611	4,218	5.9
INCLUDING GOVERNMENT PAYMENTS				
1933	45,933	43,174	2,759	6.0
1934	53,096	49,164	3,932	7.4
1935	57,590	52,770	4,820	8.4
1936	67,009	61,599	5,410	8.1
1937	71,120	65,282	5,838	8.2
1938	65,169	60,236	4,933	7.6
1939 [1]	68,034	63,821	5,113	7.4
1940 [2]	72,595	67,611	4,984	6.9

[1] Revision of preliminary estimate given in table on p. 650 of 1941 agricultural appropriation hearings.
[2] Preliminary.
Source: Bureau of Agricultural Economics.

Mr. BANKHEAD. For the year 1939 the average annual cash income per capita of farmers for the east central division was $119. The figures are made on a basis of four and one-half members per family. On that basis the entire family's average annual cash income would be $535.50. The States comprising the east central division are Delaware, Maryland, Virginia, West Virginia, North Carolina, Kentucky, and Tennessee.

For the same years the average annual cash income per capita for the southern division was $160. Translated into families the average annual cash income was $720. The States comprising this division are South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, and Texas.

The other divisions show higher incomes. The average annual cash income per capita for the entire United States in 1939 was $266. Translated into families, composed of men, women, and children, the average was $1,197.

The Bureau of Agricultural Economics has compiled estimates on the cash and total net rates per hour of farm work of commercial family farms for 1939. Some of the figures are as follows:

	Cents per hour
Cotton farmers in Southeast	10.1
Cotton farmers in Texas Black Waxey Belt	11.9
Cash-grain farmers in Corn Belt	33.7
Spring-wheat farmers in the Great Plains	32.8

As of July 1940, the average length of workday for the hired farm worker was 10.4 hours. The average day wage rate without board was $1.62. Average weekly earnings for farmers in the southern division in 1939 was $13.85, and in the east central division $10.30. These figures demonstrate the absurdly low earnings of the farmers as compared with other workers.

For further comparison of farmers' earnings let us examine W. P. A. earnings, all the money for which is provided by the taxpayers. The average hour wage rate is 45 cents; the average day rate is $2.25; the average weekly rate is $14.63; and the average monthly pay is $58.50. The average annual rate for W. P. A. workers is $702.

Let us take a look at the earnings of other workers. The Secretary of Agriculture in 1940 submitted to the House Appropriations Committee a statement showing the average weekly earnings of certain industrial workers compared with the estimated parity earnings if these workers received wages comparable to farm prices. I quote some of the figures:

	Weekly earnings	Estimated parity earnings
Plumbers	$57.84	$37.24
Electricians	57.60	33.52
Carpenters	54.22	32.87
Bricklayers	63.82	43.36
Factory workers	24.34	17.14

On an annual basis the figures would be:

	Weekly earnings	Estimated parity earnings
Plumber	$3,007.68	$1,936.48
Electricians	2,995.20	1,743.04
Carpenters	2,819.44	1,709.24
Bricklayers	3,318.64	2,254.72
Factory workers	1,265.68	891.28

To show how rapidly the price changes are injuriously affecting the farmers, I submit a statement prepared by the Bureau of Agricultural Economics showing the weekly earnings of the same workers to whom I have just referred, as of June

1, 1940, if wages had kept pace with those received in agriculture:

	1940 weekly earnings	Weekly earnings at farm ratio
Plumbers	$58.10	$24.74
Electricians	58.04	22.28
Carpenters	55.15	21.86
Bricklayers	64.85	28.82
Factory workers	25.77	11.40

On an annual basis the figures would be:

	1940 weekly earnings	Weekly earnings at farm ratio
Plumbers	$3,021.20	$1,386.48
Electricians	3,018.08	1,158.56
Carpenters	2,867.80	1,136.72
Bricklayers	3,372.20	1,498.64
Factory workers	1,340.04	592.80

The following average annual payments are made by the Government to retired employees who are not now engaged in any work for the Government:

Army officers	$3,228.00
Naval officers	3,046.00
Postal employees:	
City letter carriers	1,107.00
Rural letter carriers—male	1,046.00
Rural letter carriers—female	946.00
Post office clerks—male	1,093.00
Post office clerks—female	1,001.00
Retired railroad workers receive average annual payments of	788.40

It may be helpful to know the parity position of some important farm products as of January 1941.

The lowest paid employees on the retired list, drawing their compensation from the Government—the very lowest—receive more than does the farmer, who works 10 hours a day all the days during the year, often assisted by grown sons and other members of his family.

I offer for the RECORD at this point a table showing the parity positions of important farm products.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Parity positions of important farm products, January 1941

Product	Price, January 1941	Parity price	Percentage market price is of parity
Wheat, cents per bushel	73.0	113.2	64
Corn, cents per bushel	56.0	82.2	68
Rice, cents per bushel	87.9	104.1	84
Cotton, cents per pound	9.45	15.87	60
Butterfat, cents per pound	31.1	35.6	87
Chickens, cents per pound	13.7	14.6	94
Eggs, cents per dozen	19.7	29.9	66
Hogs, dollars per hundredweight	7.26	9.24	79
Beef cattle, dollars per hundredweight	8.09	6.67	121
Lambs, dollars per hundredweight	8.34	7.51	111
Wool, cents per pound	31.3	23.4	134
Tobacco, cents per pound	13.9		
Flue-cured, types 11-14, cents per pound	11.6	22.4	52
Fire-cured, types 21-24, cents per pound	9.7	10.5	92
Burley, type 31, cents per pound	15.8	21.8	71
Air-cured, dark, types 35-37, cents per pound	7.9	8.6	92

Parity positions of important farm products, January 1941—Continued

Product	Price, January 1941	Parity price	Percentage market price is of parity
Tobacco—Continued.			
Cigar, leaf, types 41-45, cents per pound	8.0	10.9	73
Cigar, binder, types 51-55, cents per pound	14.1	15.3	92

Mr. BANKHEAD. Mr. President, I call attention to only a few of them:

Price of wheat per bushel, January 1941, 73 cents. Parity price, 113.2 cents. Percentage market price is of parity, 64 percent.

Price of corn per bushel, January 1941, 56 cents. Parity price, 82.2 cents. Percentage market price is of parity, 68 percent.

Price of cotton, January 1941, 9.45 cents per pound. Parity price, 15.87 cents. Percentage market price is of parity, 60 percent.

Price of eggs per dozen, January 1941, 19.7 cents. Parity price, 29.9 cents. Percentage market price is of parity, 66 percent. Of course, there has been some change since January.

Hogs per hundredweight, actual price, $7.26. Parity price, $9.24. Market price is 79 percent of parity.

I will not go through the entire list. Senators may find it in the RECORD, if they are interested in it.

Mr. President, some persons object to the increase in the price of cotton and wheat on the ground that it will increase the price of the products of these commodities. I submit a table showing farm prices and retail prices, coupled with a statement of the middlemen's percentage. I ask to have the table included in the RECORD at this point as part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Farm price	Retail price	Middlemen's percentage
Wheat and white bread (pound)	$0.012	$0.079	85
Cotton in men's overalls	.15	1.00	85
Cotton in men's work pants	.09	1.00	91
Cotton in girls' school dresses	.02	.59	96

Mr. BANKHEAD. I call attention to the items listed in the foregoing table which are typical. For the wheat in a pound loaf of bread the farmer receives 1.2 cents. The retail price of the pound loaf of bread is 7.9 cents. The middleman's percentage on the loaf of bread is 85 percent.

In the case of cotton in men's overalls, on the basis of a dollar retail sale of cotton in such overalls, the farm price for the cotton is 15 cents. The middleman's percentage is 85 percent.

In the case of cotton in men's work pants, on the basis of a dollar sale, the farmer receives 9 cents for the cotton in the work pants. The middleman receives 91 percent.

Cotton in a girl's school dress, retail price 59 cents. The farmer receives 2 cents for the cotton contained in such a dress. The middleman receives 96 percent.

Thus it will be seen that the price paid to the farmers for the raw material constitutes a very negligible part of the prices paid to the retailers by the consumers. If prices for industrial commodities were adjusted to 1941 farm prices of cotton, there would be an outstanding reduction in the price of such industrial commodities.

I cite a few cases, the actual prices being taken from the 1940 Sears, Roebuck catalog. Work shirts, price 73 cents. Adjusted price, 43 cents. Corn planter (2-row check), price $65.95. Adjusted price, $23.75.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. BANKHEAD. I yield.

Mr. NORRIS. I think the Senator would add to the value of the statistics he is presenting if he would make a fuller explanation. The Senator spoke of a corn planter. What does the Senator mean by a corn planter? The Senator spoke of the adjusted price. What does the Senator mean by that?

Mr. BANKHEAD. By the adjusted price I mean the price which would obtain if, instead of trying to increase farm prices, commodity prices were reduced to the level at which they previously were in comparison with farm prices.

Mr. NORRIS. That is just what I wanted to have the Senator bring out.

Mr. BANKHEAD. Farm prices are that much out of line by reason both of the reduction in farm prices and of the large increase in industrial commodity prices. So if we go back to the days of parity, to the days of fair exchange between the labor of the farmer and the labor of those who produce industrial commodities, we find a tremendous difference; and if the adjustments could be made, the corn planter referred to could now be bought for $23.75 instead of $65.95, the price shown in the Sears, Roebuck catalog of 1940. I thank the Senator from Nebraska for his suggestion.

I ask that the table of prices taken from the Sears, Roebuck catalog for 1940 be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Price	Adjusted price
Work shirts	$0.73	$0.43
Corn planter (2-row check)	65.95	23.75
Spike-tooth harrow (2-section)	19.75	7.65
Common nails (8d., 100 pounds)	3.05	1.60

Mr. BANKHEAD. The same disparity of prices is in effect for wheat if current prices are adjusted to 1941 farm price of wheat.

Mr. President, I ask to have printed in the RECORD a table which shows the retail price to farmers during the base period 1910-14 of selected industrial

commodities purchased by farmers, as compared with the actual retail price to farmers as of December 15, 1940.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 9–B.—*Parity prices of selected industrial commodities purchased by farmers, Dec. 15, 1940*

Commodity	Unit	Base retail price to farmers, 1910–14	Parity price Dec. 15, 1940 [1]	Actual retail price to farmers Dec. 15, 1940	Actual as percentage of parity
		Dollars	*Dollars*	*Dollars*	*Percent*
Mower, 5-foot	Each	47.76	48.24	97.14	201
Binder, 7-foot	Each	138.00	139.00	259.00	186
Paint, ready-mixed	Gallon	1.94	1.96	2.85	145
Lumber, rough	Thousand board feet	24.94	25.19	46.20	183
Kitchen chairs	Each	.81	.82	1.56	190
Horse blanket	Each	2.47	2.49	3.50	141
Men's work shoes	Pair	2.20	2.22	2.59	117
Barbed wire	80-rod spool	2.74	2.77	3.54	128
		Cents	*Cents*	*Cents*	
Newspapers	Copy	1–2	----------	3	150–300
Newspaper advertising	Agate line	5.5	5.5	11.5	201

[1] Computed by multiplying base price by index of prices received by farmers, 101 on Dec. 15, 1940 (August 1909–July 1914=100). The term "parity price" has not been officially used in connection with industrial commodities. They are shown here to indicate what prices of industrial commodities would have been on Dec. 15, 1940, if the relationships with prices received by farmers in 1910–14 had been carried through to the present.

Bureau of Agricultural Economics. Based on data from Agricultural Marketing Service.

Mr. BANKHEAD. The base price of a 5-foot mower in the parity period 1910 to 1914 was $47.76. The parity price is $48.24. The parity price and the actual retail price are substantially the same. The actual retail price to farmers on December 15, 1940, last December, for the same mower which was sold to the farmers during the base period for $47.76, was $97.14. Percentage, actual price as compared with parity, is 201 percent.

Take a 7-foot binder. The price in the base prewar period was $138. The actual retail price of the binder on December 15, 1940, was $259. Percentage, actual price compared with parity, 186 percent.

Paint, ready mixed, per gallon. The price during the parity-base period was $1.94 a gallon. December 15, 1940, the price was $2.85. Actual percentage of parity, 145 percent.

Thus the list goes. I will mention rough lumber, per thousand board feet. Price during the base period $24.94. That is what the farmer had to pay for his rough lumber. Last December, 1940, he had to pay $46.20. The actual price, 183 percent of parity. Kitchen chairs, each, base retail price to farmers, 1910–14, 81 cents. Price now $1.56. Actual price 190 percent of parity. Thus the list goes.

Mr. President, I submit for the RECORD a list of actual items which are in constant and daily use by practically all our farm population, to show the disadvantage which they now suffer in price relationship; how greatly the fruit of a days' labor of a farmer is now out of line with a day's labor of an industrial worker and others of the nonfarm population, including salaried persons.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 9–A.—*Table giving for 1940, for selected foods and for the total of 58 foods, the average retail price for the United States, the average farm price of the raw commodity, and the percentage of the retail price going to middlemen*

	Farm price	Retail price	Middlemen's percentage
White flour (pound)	1.7 cents	4.3 cents	60
White bread (pound)	1.2 cents	7.9 cents	85
Pork products (pound)	10.5 cents	18.8 cents	45
Dairy products (100 pound milk equivalent)	$1.47	$3.30	55
Eggs (dozen)	19.1 cents	33.2 cents	42
Rice (pound)	2.3 cents	7.9 cents	71
Canned peaches (No. 2½ can)	1.9 cents	16.9 cents	89
Canned corn (No. 2 can)	1.4 cents	10.5 cents	87
Prunes (pound)	3 cents	9.7 cents	69
58 foods, total	$132	$314	58
Cotton goods:			
Men's overalls	15 cents	$1	85
Men's work pants	9 cents	$1	91
Men's work shirts	5 cents	69 cents	93
Men's dress shirts	6 cents	$1	94
Women's house dresses	7 cents	$1	93
Women's nightgowns	5 cents	69 cents	93
Women's stockings	1 cent	25 cents	95
Girl's school dresses	2 cents	59 cents	96
Boys' overalls	9 cents	79 cents	89
Boys' knickers	8 cents	$1.19	93
Sheets	9 cents	79 cents	79
Pillowcases	4 cents	23 cents	82
Towels	2 cents	17 cents	88
Denims	5 cents	19 cents	73

Mr. BANKHEAD. Suppose farm prices had kept pace with the increases in returns for nonfarm commodities and services? The following table shows what farmers would be receiving as compared with what they are actually receiving:

Prices which farmers would have received for specified commodities on Oct. 15, 1940, if farm prices had kept pace with nonfarm commodities and services

Commodity	Unit	Prices received Oct. 15 1940	Prices at industrial ratio
Cotton, per pound	Cents	9.35	27.58
Wheat, per bushel	Cents	68.2	196
Corn, per bushel	Cents	59.4	142
Oats, per bushel	Cents	28.3	88.9
Rice, per bushel	Cents	63.0	180
Potatoes, per bushel	Cents	52.0	151
Peanuts, per pound	Cents	3.26	1.06
Butterfat, per pound	Cents	28.8	58.8
Eggs, per dozen	Cents	23.7	59.5
Hogs, per 100 pounds	Dollars	5.83	16.03
Hay, per ton	Dollars	5.99	26.39
Horses each	Dollars	96.10	305.90

The comparative prices presented disclose the great disadvantage to which the farmers are subjected.

There is no prospect for an increase in the price of wheat and cotton. There is on hand at this time the largest surplus of each of these commodities in the known history of the world. There is enough wheat on hand in Canada to supply the requirements of Canada and England for 2 years if no new crop should be produced this year. There are no storage facilities there to take care of this year's crop. Nearly all the cotton warehouses are filled with accumulated cotton. The export markets for both cotton and wheat are absolutely closed. Without help from the Government, the price of cotton and the price of wheat would doubtless go lower than they did in 1932. That would happen in the face of rising prices for everything that the farmers are obliged to buy. Thus, the industrial areas would be highly prosperous and the agricultural areas would be plunged into destituton and bankruptcy.

It seems strange that the nonfarm population does not take more active interest in the effort of the friends of the farmers in Congress to increase the purchasing and debt-paying power of nearly one-fourth of our population. If parity prices for basic commodities were increased to parity levels, the income of the farmers would be increased about one-third. Increasing the income of the producers of basic farm commodities by 33⅓ percent would be of more value to the business prosperity of the town and city people than would be the increase in rural population by the same percentage, with present prices prevailing. An increase in the income of the farmers puts practically the entire amount of the increase into circulation not only for paying debts but also for the purchase of property needed by the family and on the farm. One certain way to overcome the loss in foreign markets is to increase in an equivalent way the purchasing power of our home consumers. This reminds me of an old church song:

If you cannot cross the ocean and the foreign lands explore,
You can find the heathen nearer, you can find him at your door.

By increasing the prices of farm products, this song could well be paraphrased as follows:

If you cannot cross the ocean and the foreign trade explore,
You can find the buyers nearer, you can find them at your door.

A study of industrial shipments to agricultural States after 1933—the year farmers' income started upward after the depression—covering carlot shipments on more than 125 railroads operating in the North and East, from 16 Northern and Eastern States to the principal agricultural areas in the Southeast, Southwest, and Northwest, shows an increase in the first year after June 30, 1933, of 38.7 percent, and the second year thereafter an increase of 60.1 percent. A majority of the increases in shipments resulted from additional purchases by farmers of agricultural equipment and other agricultural supplies. There was, in fact, an increase of 165.2 percent in these commodities. Give the farmers sufficient money and they will keep the wheels of industry turning.

Some sincere persons have expressed an anxiety about the effect on consumption of cotton that increased prices might cause. Fortunately, the official records on that subject are available and they show conclusively that increased prices for cotton do not result in a reduction in consumption. The official figures establish that the contrary is true. When trade conditions are good and people have purchasing power, the consumption of cotton always increases and the resultant rise in prices of raw cotton which always follows increased consumption has not resulted in the reduction in consumption.

I submit an official table showing the foreign, domestic, and total consumption of American cotton each year from 1914–15 to 1940–41, inclusive. This table also shows the high, low, and average prices of middling spots per pound at New York. The record as shown by the figures contained in the table should be conclusive to any fair-minded person that there is no danger of reducing the volume of consumption of cotton as a result of the increase in prices of lint cotton which may follow from the passage of pending legislation on the subject. I ask unanimous consent that the table be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Crop year	Mill consumption, in thousands of bales			Season's prices, Middling Spots, New York, in cents per pound		
	Domestic	Foreign	Total	High	Low	Average
1914-15	5,375	7,874	13,249	11.00	7.25	9.10
1915-16	6,081	6,958	13,039	13.45	9.20	11.98
1916-17	6,471	6,091	12,562	27.65	13.35	19.28
1917-18	6,382	4,489	10,871	36.00	21.20	29.68
1918-19	5,590	4,319	9,909	38.20	25.00	31.00
1919-20	6,603	5,295	11,898	43.75	27.85	38.29
1920-21	4,677	5,591	10,268	40.00	10.85	17.89
1921-22	5,613	6,596	12,209	23.75	12.80	18.92
1922-23	6,322	6,124	12,449	31.30	20.35	26.30
1923-24	5,353	5,564	10,917	37.65	23.50	31.11
1924-25	5,917	7,394	13,311	31.50	22.15	24.74
1925-26	6,176	7,834	14,010	24.75	17.85	20.53
1926-27	6,880	8,868	15,748	19.20	12.15	15.15
1927-28	6,535	9,041	15,576	23.90	17.00	20.42
1928-29	6,778	8,448	15,226	21.65	17.65	19.73
1929-30	5,863	7,218	13,021	19.55	12.45	16.60
1930-31	5,084	5,972	11,056	13.15	8.25	10.38
1931-32	4,744	7,784	12,528	8.15	5.00	6.34
1932-33	6,004	8,381	14,385	11.75	5.70	7.37
1933-34	5,553	8,227	13,780	13.35	8.65	11.09
1934-35	5,241	5,965	11,206	13.95	10.65	12.44
1935-36	6,221	6,282	12,503	13.65	10.65	11.75
1936-37	7,768	5,325	13,093	15.25	11.18	12.93
1937-38	5,616	5,179	10,795	11.35	7.71	8.75
1938-39	6,736	4,513	11,249	10.02	7.88	9.00
1939-40	7,616	5,234	12,850	11.66	8.82	10.40
1940-41	[1]9,250	[1]2,000	[1]11,250	11.61	9.68	[2]10.41

[1] Estimated
[2] Average, August through March.

Source: Division of Program Development and Coordination Bureau of Agricultural Economics and New York Cotton Exchange.

Mr. BANKHEAD. The following table shows parity prices, and loan prices at 85 and 75 percent of parity, respectively:

	Parity	85 percent parity	75 percent parity
Cotton, cents per pound	15.87	13.49	11.90
Corn, cents per bushel	82.2	69.87	61.65
Wheat, cents per bushel	113.2	96.22	84.90
Tobacco:			
Flue-cured, cents per pound	22.4	19.00	16.8
Fire and dark-air cured, cents per pound	9.9	8.41	7.42
Burley cents per pound	21.8	18.53	16.35

The loan rate on the 1940 crops was as follows:

	Cents
Cotton (pound)	8.9
Corn (bushel)	61
Wheat (bushel)	65
Tobacco:	
Flue-cured (pound)	15
Fire and dark air-cured (pound)	7.4
Burley (pound)	16.3

It is estimated that the soil-conservation payments for this year on the principal commodities will be as follows:

	Cents
Cotton (pound)	1.37
Corn (bushel)	.9
Wheat (bushel)	.8
Tobacco:	
Flue-cured (pound)	.8
Fire-cured (pound)	1.50
Dark air-cured (pound)	.1
Burley (pound)	.8

An 85-percent loan with soil-conservation payments added would provide the following incomes:

	Cents
Cotton (pound)	14.86
Corn (bushel)	78.87
Wheat (bushel)	104.22
Tobacco:	
Flue-cured (pound)	19.8
Fire-cured (pound)	9.91
Dark air-cured (pound)	9.41
Burley (pound)	19.33

The total supplies of the five basic crops at the beginning of the 1940–41 marketing season and the estimated domestic consumption and exports are as follows:

Cotton (American) bales	25,500,000	10,000,000
Corn bushels	3,150,000,000	2,350,000,000
Wheat do	1,101,000,000	705,000,000
Rice hundredweight	28,900,000	23,500,000
Tobacco:		
Flue-cured pounds	2,052,700,000	698,000,000
Burley do	1,065,600,000	348,000,000
Fire-cured do	234,400,000	89,000,000
Dark air-cured do	96,900,000	35,000,000

Some persons object to any increase in the price of farm commodities on the ground that such increase must be borne by the consumers. It is a significant fact, and a distressing one to the friends of farmers, that this consumer argument is always raised by certain urban groups in opposition to increased farm prices, even when they are below parity prices. The same objectors approve an increase in the wages of industrial labor, although such increase is necessarily reflected in the cost of goods purchased by consumers. Recently the Guffey Bituminous Coal Act was extended for 2 years. Under that act, coal prices are fixed and the cost of coal to consumers is thereby increased. Many of those who object to an increase in the prices of farmers' products actively supported the continuance of the coal price-fixing program. The Fair Labor Standards Act, commonly referred to as the wage-and-hour law, was pending before Congress for many months. The evident and declared intention of that act was to raise the price of labor throughout the country. It naturally had the effect of raising the price of practically everything the farmer buys. We heard of no outcry of opposition on behalf of the consumers at that time. When the right of labor to organize and to be represented by agents of their own choice was pending before Congress, and when other rights were guaranteed to workers in the matter of securing higher wages and better working conditions, it was a known fact that such legislation would result in an increase in the cost of industrial commodities and that such increased cost must be borne by the consumers. There was no outcry against the passage of such laws on the alleged ground that the interest of the consumers would be injuriously affected. The people interested in the bills mentioned were organized. They were in position to protect themselves, and they did so. The farmers, consisting of nearly 25 percent of the population of our country, are unorganized and scattered from ocean to ocean. They have no way to make their wishes heard except through a few farm organizations representing a small percentage of the total farm population. They must rely for protection and help upon their Senators and Representatives in Congress.

The claim that a fair income for the farmers is against the best interest of the consumers is not true in fact, and is not justified by the attitude of the great

masses of industrial labor. Representative CLARENCE CANNON of Missouri, one of the ablest and best friends the farmers have in Congress, made the following statement in a recent speech in the House:

Labor above all others believes that the man who earns his bread by the sweat of his brow is entitled to a fair and honest remuneration, and no one can make me believe that labor wants to mooch its food from the half-paid farmer when it is being well paid itself. Labor justly contends it is entitled to advance wages because there has been a great advance in the profits of industry and labor is entitled to its share of the profits. I have supported that principle on this floor at every opportunity, and I know labor will agree with us that when labor's wages are raised to a fair income, the farmer who feeds him is likewise entitled to a fair price for his products.

The Census Bureau figures prove the disadvantage to which the country people have been subjected by the upward trend of industrial prices and the downward trend of agricultural prices. The result has been a steady drift of country people away from the farms and to the urban centers. In 1930, farm population was 24.8 percent of the entire population of the United States. In 1940 the percentage was reduced to 23.1 percent. About two and one-fourth million country people were forced by low farm prices and small incomes to leave the farms and seek more profitable employment and more desirable environments. The great migration from the farms is continuing in bewildering numbers. It is due to a condition of poverty on farms in many sections of America.

The workers of this country have, by statute, a minimum number of hours of labor and a minimum income for their work. Organized labor has secured, through its contracts and largely through Federal protection of its bargaining power, a floor under its income. Why should not the same privilege be extended to the great mass of farm people who work many long hours and produce the absolute necessities for our city population? The farmers now have the lowest income of any large group of workers in this country. Their situation has been too long neglected. In the matter of income they should now be placed in a position comparable with that of other workers in this country.

The mandatory-loan plan now pending before the Senate, if enacted into law, will place a just and fair floor under the income of nearly one-fourth of our population. At present this large percentage of our people is receiving only 6.9 percent of the national income after including all Government payments received. Farmers have shown a willingness on many tested occasions to make sacrifices in the matter of reduction in the planted acreage of certain cash crops, and thereby a reduction in the number of units to be sold, in order to bring the business of agriculture soundly under the trade law of supply and demand. The great industrial groups of this country, like the Steel Corporation and General Motors, reduce production whenever it becomes necessary to meet declining purchasing power for their products. They adjust supply to fit demand. The producers of the basic crops involved in this legislation are entirely willing and anxious to follow the same sound trade law. The Government can amply protect itself from substantial losses under the proposed loans. The surpluses are now in the Government's hands. There is no market for these surpluses. If the future crops are adjusted to meet current demands, there will be no difficulty in obtaining from the consumers, without injury to them, the loan prices for the commodities involved.

There never has been a better opportunity for the Government to increase the income of the producers of the basic agricultural commodities without substantial loss to the Government. There never has been a better opportunity to apply the trade law of supply and demand to seminonperishable agricultural commodities.

Mr. President, I now move that the Senate disagree to the amendment of the House to Senate Joint Resolution 60, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BANKHEAD, Mr. SMITH, Mr. THOMAS of Oklahoma, Mr. MCNARY, and Mr. AIKEN conferees on the part of the Senate.

Mr. CAPPER. Mr. President, I listened with great interest to the fine statement made by the Senator from Alabama [Mr. BANKHEAD]. I heartily approve his stand in support of the farmer; and he has given what seems to me to be conclusive evidence that the farmer is not receiving fair prices for his products.

Mr. President, I ask unanimous consent to have placed in the CONGRESSIONAL RECORD at this point a letter received by me from M. W. Thatcher, chairman of the Farmers' Union Legislative Committee, and a press release from the Farmers' Union Grain Terminal Association.

There being no objection, the letter and release were ordered to be printed in the RECORD, as follows:

FARMERS' EDUCATIONAL AND
COOPERATIVE UNION OF AMERICA,
St. Paul, Minn., April 29, 1941.

Hon. ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I am enclosing copy of a release that goes to many country papers, which I wish you would read. It tells a tragic story and the day has arrived for correction.

There are spots and areas where a wheat farmer, or a tobacco farmer, or a cotton farmer can only produce the one commodity, and therefore he and his family live or not out of that situation. Acreage has been cut to these people, particularly wheat and cotton, until many can't make a living out of the limited production.

As long as there were no quotas and penalties, they operated outside of the A. A. A. program and somehow got along, but where quotas and penalties are imposed they are in the position that they can't stand the penalty on the one hand and can't live out of the limited production on the other. This means that these families must go off of the farm or be taken care of by Farm Security Administration in a rehabilitation program, and in such a case, of course, the rehabilitation program would mean that they would be obliged to go into livestock, or dairy, or poultry, or what have you, because the A. A. A. program would have already precluded a successful operation of that family's business in either wheat, cotton, or tobacco.

Now, we are not critical of the Secretary of Agriculture and the A. A. A. in this situation. It is the impact of war that drives the Federal Government to the quota system.

While these unfortunate farmers have been driven into small production, other farmers with means have been able to expand their holdings. The long-time end result of such a process would be to build an overlordship in our agriculture, a system of feudalism, with big landowners expanding a tenant system or operating seasonally with agricultural labor.

The purpose of this letter is to again warn you about this matter, which has come to your attention before. But the thousands of farmers, situated in the position I have tried to indicate, need the militant attention of our friendly Senators from the agricultural States.

Hasn't the time arrived to quit paying benefit payments to big operators, who are admittedly on a profitable basis and paying income taxes? Hasn't the time arrived to use the philosophy of the income tax and make provision that in the distribution of Federal subsidies for agriculture that the payments ought to go to those in need and not to those who don't need it? Should we not begin to provide such measures as would tend to limit the expansion in acres on the part of the large farmers and encourage increased production permits to the small operators? If we do not do this, those who are squeezed out at the bottom will fall on relief, and society in the end will therefore be obliged to pay the bill.

I hope you will take the time to read the enclosed release and this letter and let me have your views. The time has arrived when the farm groups and the Congress have got to take a brand new look at this farm problem.

Sincerely yours,

M. W. THATCHER,
Chairman, National Farmers Union Legislative Committee; President, National Federation of Grain Cooperatives.

THE COOPTIMIST OF THE F. U. G. T. A.

It is far from the usual thing for the Farmers Union Grain Terminal Association to make public the correspondence which it sends out or which reaches it. This, however, is to be the exception that proves the rule. Because it has to do with a trouble that is proving far too general, and also because it touches vividly on the injustices too often done the small, low-income farmer by the existing acreage quota system, you are permitted to play kibitzer and look over the shoulder of our general manager, Mr. Thatcher, to whom the letter was addressed and who answered it.

The letter came from D. W. Chapman, field representative of the F. U. G. T. A. at Peerless, Mont. Mr. Chapman points to the injustice done to the small farmer by the acreage restrictions of the A. A. A. and encloses a letter from a member of the Farmers Union at Peerless, Mont., which sets forth instances of the injustice that is being done. This writer insists that, if the penalty for overacreage from 15 cents to 50 cents a bushel is enacted into law, it will be an outright purge of the small farmer in that section of Montana, at least. In that region of Daniels County there are 35 farmers. At least 5 of these have 18, 20, 28, and 30 acres allotted to wheat. It is, with reason, insisted that not 1 of those 5 can make a living or support a family on such a restricted acreage. One case may be used for an example of what the situation is:

"One of these farmers has a wife and seven children to support and when the A. A. A.

first started, he was loyal and signed up. Having farmed with horses, he had considerable acreage to feed crops. In 2 years time his wheat acreage was down to 28 acres and his allotment check was about $38. Knowing he could not support his family on that acreage, the A. A. A. officials advised him to quit the A. A. A. He has not participated since. This year, however, he will either have to participate and farm 28 acres of wheat, or take a 15- or 50-cent penalty if the quota passes." Naturally, most of the farmers in that area are against the quota and will so vote at the coming referendum.

What were Mr. Thatcher's reactions to such a situation? He has made his big fight for the small, low-income farmer, and when he finds any of them getting the short end of the stick, as in this case, he got busy, as this letter of his will show:

"Mr. D. W. CHAPMAN,
"Field Representative, Farmers' Union Grain Terminal Association,
"Peerless, Mont.

"DEAR DON: Your letter of the 13th instant simply conveys the information of a common problem that is gradually growing worse all over the country. You and I know well that a farmer can't make a living on even 70 acres of land as a wheat grower. He is going to have to have something besides that.

"I have done everything I know to do to help these people; I have done everything but commit murder. A letter in the Montana Farmer, or in the Farmers Union News, or in the CONGRESSIONAL RECORD doesn't mean a lot, I am sorry to say. What it takes is about a half dozen Senators who know what it is all about and who will go in before a committee and battle their hearts out to protect these people with insufficient plant to make a living, and then go on the floor of the Senate and fight their lives out for them there. That's where the battle is tough; that's where all the battles are won and lost on these legislative programs.

"In desperation, after I got your letter and some resolutions along the same line, I called Secretary Wickard over long distance and asked him just what is to happen to these people. 'If they have less output than will assure a living subsistence, then what are they going to do?' I said to the Secretary. 'There people haven't livestock and some of them live in areas where there isn't water enough to attempt to have livestock. But where they have water and no livestock we ought to arrange to let them feed their wheat to make more hogs and cattle and poultry.' He said, 'I think so, too.'

"I am going down to Washington next week to talk to him about it.

"I hope you believe that I have battled my heart out for this thing. Thanks for writing me.

"Sincerely yours,
"M. W. THATCHER,
"General Manager."

Mr. CAPPER. This letter and the press release together sum up a situation that has arisen under the provisions of the A. A. A. of 1938 which it seems to me calls for legislative consideration and action.

Stating it in a few words, the acreage-reduction program under the A. A. A. has reached the point where the small farmer with a relatively small wheat acreage has not been able to participate in the A. A. A. program. He has been compelled to stay out, refuse to take the $20 or $30 a year benefit payments, and do the best he can by planting wheat acreage in excess of his allotment. But if and when the marketing quotas are invoked on wheat, thousands of operators of family sized farms are threatened with being squeezed out of business. They cannot make a living on their allotted acreages. If they produce in excess of their allotments, they face a penalty of from 40 to 50 cents a bushel on excess production, whether it is marketed or is fed to poultry or livestock on their own farms.

I have supported the A. A. A. program, which has many good features, all things considered. It was the only farm program we had, as a matter of fact, and it has saved the situation for thousands of farmers in the Wheat and Cotton and Corn Belts; but it has undoubtedly worked to better advantage for the larger operators than it has for those on what are called family sized farms.

The war, cutting off further exports of wheat and threatening the United States with an unprecedented and unsalable surplus under present conditions, has made it necessary for the Secretary of Agriculture to call for a wheat referendum on May 31. If the marketing quotas are not voted in this referendum, wheat growers are threatened with the withdrawal of commodity loans on wheat and a violent and destructive drop in market prices for wheat. If they are voted, then the small farmers face ruin.

I call upon the Department of Agriculture experts to offer a solution of the problem as it affects the operators of family sized farms in the Wheat Belt. If they have none, then I hope the Senate Committee on Agriculture will meet the situation with some amendments to the farm program which will protect the small farmers.

I believe Mr. Thatcher's letter and the accompanying release, which I have sent to the desk to be printed, give a fair picture of the problem which I am convinced should be solved at an early date.

AMERICA AND THE WORLD CONFLICT

Mr. PEPPER. Mr. President, a week ago today I stood at the Hermitage and gazed upon the tomb of Andrew Jackson. I walked over the spacious grounds where that brave man and his good wife had walked. I saw the slippers which had carried his restless feet. I saw the garment which had been wrapped around him in the last days of his life, and I saw the bed upon which he breathed his last. I could not come within the inspiring atmosphere of the life and the tomb of Andrew Jackson in this moment of crisis facing the country which he loved and for which he so often and so valorously offered his life without gaining some impression as to what Andrew Jackson would say to his beloved country in this sad hour.

If there was anything distinctive about the character of Andrew Jackson it was the quality of positiveness and certainty that grew out of an unequivocal conviction. If there was anything he scorned, it was evasion and indirectness. If there was anything that marked Andrew Jackson the man, it was the manliness of all that he did. Therefore when this Nation is the last citadel of democracy standing in the world, and when the chief assault is not now in the Balkans, or even at the Dardanelles, or Gibraltar, or Suez, but upon the ramparts of American public opinion, it is well that we consider what America shall think and do in this troubled time.

I hope the Senate will not misunderstand me if I advert to the fact that about 10 months ago, on the sad day when the Republic of France fell, I ventured to make some comment in the Senate and to propose what I thought might be regarded as a constructive program containing seven points, which were:

First. Confer upon the President full wartime power to prepare and defend America;

Second. Universal defense service, so that every citizen may be best trained and placed for the country's defense;

Third. Confer upon the President power to suspend all rules, regulations, and statutes, including Army, Navy, and departmental seniority regulations, which, in his judgment, interfered with the maximum of the production, transportation, or manufacture of defense materials;

Fourth. Confer upon the President power to suspend the present debt limitation if in his judgment such limitation interferes with the maximum speed of the defense program;

Fifth. Grant the President the authority to aid in material or credit those countries and nations which, in his judgment, at this time constitute America's first line of defense;

Sixth. The President and the Congress to begin immediately the preparation and the adoption of a defense budget and a tax program adequate for the national defense; and

Seventh. Confer upon the President the power to take into custody for the duration of the defense effort all aliens whose freedom would, in his opinion, jeopardize the defense program.

Concluding those seven points was the reservation: These powers to last for the duration of the emergency only.

Mr. President, in the 10 months which have elapsed since those utterances were made here in this body the world has been made over. Those sinister forces which some thought had come to their culmination in that period 10 months ago have now grown even stronger, and they threaten even a larger area than that which was within the scope and compass of their thought then. Where their strategy at that time was Europe-wide, it has now become the grandest strategy ever conceived in the imagination of mortal man; it is as wide as the circumference of the globe itself; it touches every crucial point upon the face of the earth.

We know, of course, that now the Balkans lie supinely beneath the tyrant's heel; we know also that his army stands poised to strike at the Dardanelles, to take Gibraltar, and perhaps the Suez, almost at will, or within a relatively short time, and maybe possibly after a brief struggle. His power stretches even beyond that, for there is enough to convince any observer that there has been a solemn compact between Japan and Germany, and that, for the first time, the occidental and the oriental conquerors have covenanted to meet in India and bring into cohesion their old world-wide conquest.

A few days ago another significant event occurred.

The Foreign Minister of the Japanese Empire came on a bargaining tour, pledging his troth to the highest and best bidder. Consequently, the Japanese renewed their ties of affection and fidelity not only to the Axis Powers, which they joined largely to coerce and threaten the United States of America, but they have added now into their orbit another force that for a time poised, we thought, upon a course of opposition to the Axis. I refer to the Russia of Stalin.

I have had a feeling since the beginning of this controversy that, since national policy is determined by national interest, there would come a time when Russia would move definitely into the orbit of the powers opposing the Axis. I think there has been great shortsightedness on the part, first, of Britain, and, then on the part of the United States of America in dealing with Russia. I think, if we had given greater assurance of strength to those ranks opposing the Axis, Russia would have been, perhaps, in a position to put up a little stronger front on their own part.

I venture to believe that an alternative was put to Russia when this war began: "Will you take a part of the loot of Poland or will you fight?" They very naturally said, "We will take a part of the loot and not fight." And when France was crushed an alternative proposal was again put to them: "Will you take a part of the loot of the Balkans or will you fight?" Again, seeing that England was hard pressed to survive and incapable of giving any aid, seeing that the policy of this country was still uncertain and equivocal, seeing that there was no ally in the Balkans of sufficient power to give them appreciable strength, again they said, not being entirely wedded to democracy, anyhow, "We will take part of the loot and still not fight." I think probably that the alternative is again being put to them: "Will you share the occupancy of the Dardanelles? Will you take part of the Near East? Will you carve up the Old World with us and take a share? Or will you fight?" And again without strength on the horizon apparently great enough to give them assurance of being able to stand out, they took the easy course, the way of least resistance, and said, "We will take the loot and still not fight."

How they salve their conscience, how they appease their judgment against the fateful day when they will have to answer to this Hitler who now breaks off little chunks of the earth and drops them into their supine lap, is a matter of their strategy and destiny, and not of ours. But now we have seen not just the Axis—Germany, Italy, and Japan—but we have seen beyond any question of a doubt that Russia has so much moved into the sphere of that constellation that she has even repudiated the sentiments of friendliness toward the opposing cause that she previously uttered.

We find the culmination of the whole scheme in the recent utterances of the Japanese foreign office, as given by one of their authoritative newspapers, as to what their aims are for a peace with the world. They say, of course, that our own defenses must be weakened; that we must reduce Hawaii to a naval base of relative impotence. They say that we and Britain must reduce the strength of our naval forces until they do not exceed those of the Axis. They say that the Monroe Doctrine shall be abrogated and that North America shall no longer claim the power to influence the destiny and the conduct of South America. Of course, they contemplate that Britain shall retreat from the east and from the Mediterranean and from the other points of advantage which the British hold upon the face of the globe. In other words, they lay down the ultimatum, "Retreat. Retreat. Retreat to your own shrinking sphere, or we will level at you the dastardly methods with which we have so gloriously succeeded in the months and the years past; and eventually you, too, shall crumble beneath this mighty effort."

And then we see Herr Hitler making a report to his Reichstag, which he calls, with sardonic hypocrisy, an elected body; and so he tells them that "the Reich shall live for a thousand years. There is no coalition possible upon the face of the earth that can stand against us." So does it appear, looking over the horizon that confronts the Fuehrer as he sits today, perhaps, upon his Olympian heights. As he stands where the brave Leonidas's men died and gloats over Thermopylae, which he has been able to conquer more gloriously than any tyrant of the past. It may be he will yet have the effrontery to stand on the Acropolis and try to claim for himself the glory of ancient Greece with the power of modern Germany. So this cruel pagan looks out upon the face of the earth and threatens all that comes within his sphere.

The question presents itself, Mr. President, to us, How much longer shall we wait to take the initiative away from the dictators? How many more miles shall we retreat? What other hiding places shall we seek? What new timidity shall clothe our efforts? What further uncertainty and doubt shall characterize our national policy?

Mr. President, how many sheep does a sheep-killing dog have to kill before he is branded as a sheep-killing dog? How many more nations besides the 15 he has already destroyed does Herr Hitler have to take to become the sheep-killing dog of the earth, to be destroyed like that dog which has castigated himself as unfit to live?

The question naturally presents itself to us, When shall we see enough to rouse us from our lethargy, and to make America for once take an affirmative and a positive course that will at last take the initiative away from these braggarts of the tyrannical world?

If modern war has proved anything, it has proved that the advantage lies with the party which takes and presses the initiative; yet in no case have we ventured to assume the initiative. We prefer to sit back here and make our materials, to let the whirl of our factories be indicative of our national effort, and then, fearing to venture upon the high seas against an assassin's weapon, let them go to a useless grave and destination. We prefer to see the world points of advantage seized, from which aggressors can leap at our throat, to wait until they are already there before we attempt to dislodge them or even to become concerned about their presence and the threat they make there.

So, Mr. President, I want to make, if I may, today a few more affirmative proposals.

In the first place, I believe the time has come for action on the home front. I first suggest a declaration by the President and the approval by the Congress of a state of national emergency. If we do not face a national emergency today, when have we ever done so in our history? What Senator, what citizen, denies, down in the secret recesses of his heart, that his country faces one of the greatest emergencies of all its history? Who is there in this Congress who is not troubled in his consciousness by what lies ahead? And yet, somehow or other, we have not invoked—we will not invoke—the organized power of our Nation in the most efficient and effective form.

Mr. President, I will say now to those who might accuse me that I speak not of the usurpation of power or prerogative by the President. I speak of a partnership in cooperation between the people's President and the people's Congress. I propose that we share with him both the initiative and the responsibility for the program that is desirable—yea, imperative—for the Nation. Let it be understood, then, that I am not trying, in a time when democracy is so sorely pressed, to destroy or emasculate the power of the people's Congress. I suggest only that the Congress step up boldly and bravely to the front line of responsibility, and, taking her President by the hand, say, "Let us march forward in the democratic way to the preservation of democratic freedom."

In a state of emergency it is obvious, of course, what advantage would result to the Government, what response would come magically from the people to such a course. Then there would be no more of these little dilly-dallyings such as occurred in the coal strike a bit ago. I was told by an authentic source that a good part of the argument in connection with efforts to settle that strike was as to whether the meeting should be held in Washington or in New York. What a commentary it is that at a time when the destiny of the race trembles upon the brink of disaster, responsible employees and responsible employers are stopping and slowing down the wheels of a nation's effort because they dare to quibble about whether they will meet in Washington or in New York. It is a disgrace to the democratic concept that men of responsibility dare so to jeopardize, for personal advantage, a people's security. In a state of emergency I venture to say that no group of employees or employers would dare so to trespass upon the indulgent patience of their fellow citizens.

Mr. President, I advocate the full mobilization of the material, mental, and spiritual forces of the Nation. I believe even now we are only partially aroused. It is not possible to sense the tempo of the national effort without the disturbing

consciousness that it has not yet come to vibrate in the way it should be expected to by an imperiled people. I do not pause to attach responsibility upon any legislative or executive group, or upon the people at large. I speak of the necessity for the future, and beg all to subscribe to the necessity of this affirmative course.

Every day people come to my office and say, "I am trying to get an invention observed in one of the departments, and I cannot get it looked into or seriously regarded." I do not know what the facts are, but I do know that it has been characteristic of the armed services, from the time with which I am familiar, to be slow to change, slow to take on innovations, slow to adopt a new method. By virtue of that very fact has the devilish genius of Hitler been able to make such a unique contribution to the strength, and, may I say, the magic might of German arms, in all of their cruel significance.

Who here is impregnating our services with a determination to make our machine not only in quantity equal to what the world can turn out, but in quality the superior of all? We have imitated the Germans in this and imitated the Germans in that, and followed their example in yet another course. I want to see someone begin to observe American genius manifested in American arms. Yet I am very much afraid that the casual inventor frequently finds a closed door when he goes to our services in this country. It looks sometimes as if they preferred to do things in the old way, in the way which they understand.

Mr. President, I happen to be a member of the bar, and I know the reluctance of my profession to take on new apparel, to enlarge its concepts to meet modern conditions. I will say to the credit of the laymen of America that they have immeasurably helped our profession by the scrutiny and the prodding they have applied to it. I want to see the same thing done by some competent agency in the Federal Government.

I know, of course, that we have an Inventors' Council. I know Mr. Kettering is a member of it. But I also have a feeling that they also too often regard these fellows who come with inventions or the results of research as just interlopers who want to take a part of their time with their crazy ideas.

I also referred to the mental resources of America. I am not altogether happy at the parade of the dollar-a-year men I have seen flocking to Washington. Many of them are of great and unquestioned patriotism and ability, but I want to see a draft of brains—the brains of America—chosen wherever they may be found, and called to duty and service. I do not believe that so far the best brains of America have been mobilized to serve the Nation in this, the greatest crisis of our time.

I spoke of the spirit, of course, because without a mobilization of the spirit of our people we can take no hope of success. In his utterances on Sunday Hitler emphasized that in spirit no nation could match the people of his tyrannical Reich. Surely there is enough in the cause of democracy to make it easy to mobilize the spirit of the American people.

Why I do say the spirit? Because, Mr. President, I want to see formed in this Nation one single irresistible resolve—that freedom shall live and last upon the face of the earth. I want to see a sentiment which brooks no doubt about it, will allow no dispute, equivocation, or uncertainty; such majesty of mobilization in the realm of the spirit that nothing can stand against it in its onward march.

I think of a man who has enjoyed the highest esteem of this country, Col. Charles A. Lindbergh. Let me ask my fellow Senators and the people of America, which Lindbergh do they choose to follow, the Lindbergh of 1927, the man who dared do what none could think possible, or the Lindbergh who is the epitome of appeasement and defeatism in the year 1941? I honor Colonel Lindbergh——

Mr. CLARK of Missouri. Mr. President——

Mr. PEPPER. If the Senator will pardon me——

Mr. CLARK of Missouri. The Senator was asking a question. Does he want it answered or not? If the Senator declines to yield, that is all right. I will answer the question in my own time.

Mr. PEPPER. I say, Mr. President, that I do honor to the illustrious name of that great man; but if the American people are presented two phases of his career with respect to which they are called upon to make a choice, I prefer to follow the "eagle" of 1927, who soared through skies that were trackless, when no one was there to catch his falling plane or body. Into the nakedness of the dark night he went, alone and unaccompanied save by the spirit of an irresistible purpose; and he landed at Le Bourget field. If I have to choose, therefore, which Lindbergh I will follow, give me the Lindbergh who flew the Atlantic, not the Lindbergh who counsels his countrymen that the cause is already lost, even without a struggle.

If I have to choose in the Napoleonic life, give me the young man at Arcola, and at Lodi, who went forward in the face of the enemy's hail of bullets, and not the shrinking man at Waterloo. So, not withholding honor to an illustrious patriot or citizen, I think the American people, in the mobilization of their spirit, are entitled to know which heroes they follow.

I again think of old Andrew Jackson, and I remember the most dramatic statement I think I ever heard of falling from the tongue of man, which was attributed to him. My colleagues will remember that after his duel with Dickinson, when he stood and let Dickinson shoot at him first, he said, "Even if he had shot me through the brain, I still would have killed him." That is the kind of resolve I say should be America's.

How would these defeatists have assessed the chances of the Colonies at Valley Forge? What enthusiasm would the defeat of our armies have aroused time after time in the long and doubtful conflict? But in George Washington it was not so much skill of hand, glorious as it was, but the deep, irresistible purpose that was reflected from his indomitable character. George Washington was the American Revolution, because no man could bring the curtain of doubt over his determination to win the battle for the freedom of America.

I ask those who say, "the cause is lost already, let us grip in appeasement and friendship the bloody hand of Hitler, because that is the practical thing to do," when have men so stooped that they live by the rule of what is the practical thing to do?

Take out of any man in this body the resolve to mount to standards higher than he has ever reached and he would be worthy of death. So long as life lasts, men hope to go forward and upward in their course—to dream dreams—and eventually to soar beyond the summit of the highest clouds, over an Olympus that even Hitler cannot stain with his dastardly touch.

Mr. President, I defy any man justly to describe the psychology of America, the spirit of this Nation, as one of defeatism and timidity. It may be that, as in the case of a great giant, sentiment or consideration may lead us to hold in bound our terrible strength. As Woodrow Wilson said, it is a terrible thing to lead a great nation into war. It may be that we will place chains upon our own power; but if I thought my Nation dared not try to do right against any odds it would be unworthy of the affection and patriotism which we all give it.

Mr. President, the time has come when the American people need to make up their minds as to their course; and in order to make up their minds they not only do expect, but they have a right to expect, leadership from their Government.

Mr. President, I think it is a matter of general knowledge that for a month now we have been relatively paralyzed here in the Nation's Capital, and as a result of that paralysis here in our Congress and in the leadership of the country the people themselves have fallen apart. They wonder what is our policy, what is to be our course. They listen for some authoritative voice to say, "Come, follow me," and they will follow wherever such responsible leadership commands, if the cause is honorable and just.

I am led here to refer to an article appearing on the first page of Time for May 5, 1941, giving results of a Gallup poll of American public opinion. It says:

> Question. Should the United States Navy be used to convoy?
>
> Answer. Yes, 41 percent; no, 50 percent; undecided, 9 percent. Further question: Should the United States Navy be used to convoy if British defeat seems certain without them? Answer. Yes, 71 percent; no, 21 percent; undecided, 8 percent.

And a bit later the question:

> If you were asked to vote today on the question of the United States entering the war against Germany and Italy, how would you vote? Answer. Go in, 19 percent; stay out, 81 percent. Further question: If it appeared certain there was no other way to defeat Germany and Italy except for the United States to go to war against them, would you be in favor of the United States going into the war? Answer. Would favor war, 68 per cent; would oppose war, 24 percent; undecided, 8 percent.

That is the way the American people feel, in my opinion. In other words, if

the emergency is such that it is necessary for them even to spill their blood they are ready. All they need is a government to lead them. And if we lull them into security by minimizing the nature of the emergency to them, by withholding the full import of our information as to the degree of the peril, we deceive a trusting people which has a right to expect leadership from its government.

It has long since ceased to be a matter of doubt in the opinion of most men in Washington as to what we ought to do, but they are torn between what they really think and what they want to think. We shrink, of course, from a greater effort. We shrink from an increasing danger. But, Mr. President, what is the duty of a government when a peril of this magnitude faces that country?

How is our situation to be distinguished from that of other nations which we consciously or unconsciously criticize? We wait. They waited. We see them encircled one after another. Look today at poor Turkey, still not at the front, and already surrounded. Why, it will be a military operation of insignificance to occupy the Dardanelles because they have already been surrounded.

Not only that, but the Germans have started up a revolution in the rear of the Turks, and all they need to do, when they get ready to strike, is just to pull the noose which lies around the neck of the dilatory Turks.

The same thing happened to Yugoslavia. The Germans waited until they got the Yugoslavs surrounded. They thought even these brave people would yield, because that is the mischief of the Hitlerian strategy.

I was privileged here a few nights ago to sit in the range of the voice of former Chancelor Bruening, of Germany. I ventured to express some opinion about what Hitler himself had contributed to the leadership of the German Army, and from his point of vantage former Chancelor Bruening made the statement that the German Army primarily relied upon the strategy of Hitler himself as to what course it should pursue. In his utterances of last Sunday Hitler does not say the German staff decided what should be the course of action and the distribution of the German armies. He said, "I ordered through the German staff."

So this is the new technique which has been developed by this man Hitler, this devilish genius of the age, who has brought so many countries to defeat before they ever raised an arm in battle. Yet everyone has succumbed to the same strategy. Hitler first writes a book and tells everyone what he was going to do. Then he conquers 15 nations by his announced plan and still one after the other, his victims wait to be encircled and surrounded.

Have we escaped? "Oh," it is said, "when the time comes we will fight if we have to." Is that what Turkey is saying today? What do you and I think about whether the time has come or not? You have known all along what the result would be. You know that the Kaiser said, "Berlin to Bagdad." You know in the nature of things that he had no need to say a word; that no modern conqueror is going to leave bare of his feet the lands trod by Alexander the Great and Napoleon. You know that Hitler expects to stand in the shadow of the Pyramids and point to them, as Napoleon did, and say, "Soldiers, the riches of this old land lie in front of you."

Does anyone suppose that this historic man is going to stop in the Macedonia from which the conquests of Alexander emanated?

When he knows that Alexander in his day turned into Libya and across Suez, that he finally marched his legions across the Himalayas, down upon the plains of India, does anyone doubt that this fanatic, with eagle wings to carry him, not only will take Olympus but seek to scale every height that the world seems to possess? Is he going to stop short of the glory of those ancient victories? Yet Turkey, immediately in his path, waits already condemned.

And here in America stand we. We saw this thing start as a local conflict, a mere European war, we thought, and we were heedless to anyone who said, "It has a greater significance." At that time there was just Germany, and then her little satelite, Italy, who promised Hitler all aid short of war, they say. So Hitler began to expand his plans, to unfold his strategy. Finally it came to encompass the whole of Europe.

Then he said he was going to push England out of Europe. Then he declared he was going to drive her from the Mediterranean. Finally he was going to destroy the British life lines. So, like a disease that starts at the finger and creeps inevitably to the heart, he has carried on his strategy.

Then he determined to extend his encirclement, so he brings Japan into the orbit of his power. With Japan on the other side, the vast pincer movement begins to crush us between its two jaws. Of course, Japan started off first, as he taught her to start, by taking a bit of territory, pinching it off and assimilating it, and then moving forward a little and taking a little more and assimilating that, and finally a larger bite, moving down into Indochina, and, of course, waiting until the moment she dares assault the citadel of another defense in the Orient. There they stand—these braggarts, bullies, cowards, threatening to become a part of a vast pincer movement that will encompass us, the proud people of the United States of America.

What do I propose relative to this situation, Mr. President? I say that the time has come for the United States to get tough on the foreign front. I know of two examples that give me some support in that policy. One was that of the Barbary pirates, who levied tribute upon our commerce. They were the Hitlers of their day, the international bandits who stood beside the highway world—behind the trees, as it were—to levy their toll upon the first passerby.

To our shame, for awhile we paid, as did the nations of Europe. Then eventually somebody remembered the American sentiment, "Millions for defense, but not one cent for tribute." It was not in the American character to pay tribute to anybody. Our country was led by an administration which dared to speak up and to act. It became tired of tyranny by petty tyrants and highwaymen. The result was that in only a little while we were no longer troubled with the Barbary pirates, and we paid no further tribute.

We may come home for another analogy. A few years ago—be it said as another blot upon the escutcheon of our country—a few score gangsters terrorized the whole Nation. We seemed to stand impotent before their assault. No home in America was safe from their ravages. The wicked hand of the kidnaper might lift any sleeping baby from its cradle and throw it down a mountainside to its destruction or hold it in some unspeakable place for perfidious ransom. For months—even years—the spirit of America was not aroused. Then at long last the American character again reasserted itself. It said, "No tribute to anybody, even in indulgence."

Finally we started to send the gangsters the kind of message they could understand. We said, "Thou shalt not" with bullets. The national indignation was so fierce that they fell before it. Now we are no longer worried by kidnapers. Homes are safe with the windows open. Children play in the yards of America again, like the descendants of a valorous past, because we dared to have enough of petty highwaymen levying tribute upon our people.

Mr. President, I propose that the United States wipe the legal cobwebs and classic prohibitions from its thinking. Let us streamline our attitude toward this danger, the way the tyrants streamline the solution of their problems.

For example, let us here and now, without another day's delay or dallying, tell the wide world that we are going to get the goods to England.

There are a number of ways by which we can get them there. It is a matter of tactics. It is a question of choice. We should choose the means which suit us best. I can think of several ways. We can occupy Greenland and Iceland, and build practically a bridge of ships and airplanes from this continent to Greenland, thence to Iceland, and thence to Britain. That is one way to get the goods through.

Another way to deliver the goods is to have a line of ships directed toward the British destination, and to put a sufficient air force—both lighter-than-air and heavier-than-air craft—over and along the sides of the lane, with destroyers, cruisers, and, if necessary, battleships, and then to those home ships say, "Go to your destination, and we will keep any prowling marauder from intercepting your course."

Another thing we can do is something we should have done a long time ago. We should forget the shibboleth of neutrality, which has done nothing but endanger our ultimate peace, and go back to the principles of international law, upon which this Nation was founded,

upon which it grew great, and upon which it shall forever stand if we are to remain a first-class power among the nations of the earth. When we go back to international law we shall have a right to send, not only British ships, but our ships, if need be, directed and guided by the sturdy hands of American seamen, to their destinations bent upon as holy a mission as that of the knight who sought the Holy Grail—to save the cause of the spirit of the Master himself.

Then when the prowlers of the night, the assassins of the sea, come to sink a ship in violation of the rules of international law, they shall be entitled to and may expect just retribution from a nation which has armed itself for its own protection and security. We can send a convoy along with the ships; we can scatter them out singly, or we can follow any other course we may deem desirable.

There is yet another course which we may pursue. We can hunt down the prowlers as hounds would hunt a hare or fox. We can seek them out, as we did the Barbary pirates, for they are all in the same category.

By the way, it is an interesting commentary upon modern international morality that the submarine commander who performed the very valorous deed of sinking the *Royal Oak* at Scapa Flow also boasted of the fact that he had sunk ships in the Mediterranean when the civil strife was going on in Spain. No morality restrained the perfidious hand of the dictator in a neutral conflict with which he had naught to do except to press his own iniquitous cause.

Mr. President, I have suggested these things we can do. In my opinion, either or all would be agreed to by the people of America if an authoritative and determined leadership should say that that is the best way to meet the challenge. So far as I know, the facts are all undisputed. We and England together are building only about 2,300,000 tons of shipping a year. Yet since the first of March the Germans have been sinking ships at the rate of 100,000 tons a week. In other words, together we are building at the rate of, roughly, two and one-half million tons a year, and the Germans are sinking them at the rate of 5,000,000 tons a year. Every time they sink another ship our cause is that much weaker. Every time another vessel falls beneath the waves and the seamen who manned it struggle with their last desperate drowning gasp, it means fewer guns in the hands of British soldiers, less food in the mouths of babies, and fewer weapons in the grasp of valiant, hard-pressed Britons.

Shall we sit supinely by, racing in our shipyards with Hitler's submarines? What a commentary upon the intelligence of a nation's policy. We only in our shipyards will try to vie with a foe like that.

So, Mr. President, it is a matter of intelligent defense. A man is no hero if he arms himself with a cornstalk and goes out to fight a man with a rifle. The American people want somebody in authority to tell them what are the facts and what is demanded. We need not doubt the people's response. I challenge any man to point to a case in which the people of the United States have failed to respond to a courageous leadership from their natural and chosen leaders.

Mr. President, getting the goods to England, and getting them there now, is only a part of the problem. I heard some of our officials say two or three days ago, "Next year our shipbuilding program will step up very perceptibly, and 3 years from now we will have a magnificent building program."

I wonder what historians will say if they look back and find that to be a nation's policy. What ignominy will fall upon our heads if we let that be our Nation's policy. Do we want to let millions be crucified later because there is a jeopardy that a few might die an honorable death now? Every time we stave off the evil day of meeting these tyrants and oppressors, effectively it means that millions of our boys must shed their blood for our delay and dilatory tactics. Our case is like a general who has not the courage to strike when the enemy is weak, having later to put upon his conscience in the other world the price of his erroneous policy and his shriveled courage. There have been many times when a general has had to sacrifice a company in order to save a battalion or a regiment or an army; and I remember that in the country which is yours and mine there were heroes who said, "I only regret that I have but one life to lose for my country."

American boys shrink from battle, of course; but they would rather see a few seamen or a few sailors, if need be, or a few airmen, if necessary, lose their lives now rather than that we should inevitably ultimately have to send another expeditionary force to South America, if not to Europe. Then what will we say to those boys who throw it in our faces that we could have spared them that?

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. Excuse me; I decline to yield.

Another method, Mr. President, by which we could get a bit "tough" on the foreign front is to occupy the points of vantage from which these monsters are preparing to strike at us. In that category I include Greenland, Iceland, the Azores, the Cape Verde Islands, the Canary Islands, Dakar, and with the British Singapore.

I am willing to go as far as the fifteenth meridian of longitude. The people who own those territories know that our purpose is not that of aggression. They know that we would take those lands as trustees not only for our safety but for theirs. They know that they tremble in their boots against the day when they will be taken by the other side.

Mr. President, I pose the question, What would history have said of General Meade, at Gettysburg, if he had failed to occupy Little Round Top and Big Round Top because he did not have an easement from the owner of the land?

Mr. McCARRAN. Mr. President, does the Senator ask for an answer to that question?

Mr. PEPPER. Mr. President, I decline to yield.

Mr. McCARRAN. The Senator asked a question. I should like to answer it.

Mr. PEPPER. I decline to yield.

The PRESIDING OFFICER (Mr. BUNKER in the chair). The Senator from Florida has the floor.

Mr. McCARRAN. I understood the Senator to propound a question.

Mr. PEPPER. I decline to yield.

Mr. McCARRAN. Does the Senator desire an answer to the question?

Mr. PEPPER. Mr. President, I decline to yield.

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. PEPPER. So the question presents itself, Mr. President, What general is justified in letting the enemy get a point of vantage from which to strike you down? That is the question we have to answer. What right does Hitler have to occupy Dakar? What right does he have to prevent us from taking steps to avoid a sword of Damocles hanging over our heads? Why should we give him a chance to gain the points from which he expects to launch an attack upon us?

I think naval and military strategists will agree that if we profess to defend America it will take three navies, one in the Pacific, one on the Atlantic, at the shores of this continent, and one to close the exits from Old World Europe and Africa. So I am urging, Mr. President, that we for once take the initiative from Hitler; and by so doing we can assure keeping open the life lines of Britain.

The last thing I think we might do is to address a word to Japan. A short while ago we read in the newspapers that Hitler at last delivered an ultimatum to Vichy, "Where do you stand? With me or against me?"

And he expects an answer.

At this time I think we should turn a searching inquiry to this bandit in the east, and say, "How serious are you with these declarations you have made?"

Let us demand and receive certain safeguards against this assassin lurking behind the door to stick a stiletto in our backs as soon as we become more engaged in the Atlantic. Like another Mussolini with his dagger poised on France when a moment of crisis came from Germany, stands Japan ready to assassinate us at the first possible opportunity.

I venture to suggest that, of course, there are many easier ways of solving the problem. If we will just modify the law which now prohibits the recruiting of American aviators in the United States for service with the Chinese Army, and let Chang Kai-Shek, one of the big men of his time, have the advantage of some gallant American boys at the controls of some first class American bombing planes, fifty of them, in my opinion, can make a shambles out of Tokyo.

For one, I want to see the Japs get back some of these things they have done to poor China and that they threaten to do to their other enemies on the face of

the earth. Did Italy and Germany hesitate to let their volunteers go into Spain? I am talking about dealing with the present-day Barbary pirates and the Dillingers You cannot fight them with a legal writ or a musty lawbook or with a tedious legal routine. You have got to let them understand something that is within their consciousness. So a few good bombs dropped by a few good American air pilots volunteering their services to Chang Kai-Shek—and I hope, if I do not believe, that there are some now on their way there, and I think probably the brave little men in the East will calm down a little. If they do not, I suggest the remedy I remember as a boy reading in a history book. It was a picture, if I do not remember incorrectly, of General Taylor saying, "Captain Bragg, give them a little more grape."

Oh, well, some say that means full-scale war. It means what we want it to mean. Hitler said a little while ago that he was not going to surrender the initative to his enemy. I am talking about trying to save an expeditionary force somewhere at some time, and I am talking about trying to save my country at the cheapest possible price from full-scale war. But we cannot save our country if we postpone action until we are driven in a corner.

The time has come now for us to make up our minds to adopt one of two courses. Either let us quit this preparation, let us stop these utterances, and go back to our own shrinking shores and build another Chinese wall around America, to last as long as it will, pin our faith in another Maginot line of the sea, or else do something that we regard as effective defense. If we lose a few lives even now the sacrifice is inconsiderable as compared to what will be demanded of us at a later time—and all too tragically soon.

Mr. President, in conclusion let me say that I have heard it said that America has a rendezvous with destiny. If we should not be permitted to experience that glorious destiny; if we shall be cut short before we reach the zenith of our glory and power; if that omnipotent God who has always sheltered and nurtured us has an inglorious end in view for us; insofar as we are the masters of our own destiny, Mr. President, I prefer to see the last gallant American hand reaching, clutching at the standards of the enemy, his body fallen like Pickett's men across the ramparts of the foe and his last gasping breath shouting his sentiments of determination and purpose, and not to see a glorious people surprised in camp or slain supinely in bed.

Mr. McCARRAN. Mr. President, I am caught by the last expression of the able Senator from Florida—"like Pickett's men." Pickett's men had a name; Pickett's men knew that their cause was a drawn cause in which war had been declared. America does not stand in that position today, and may God forbid that she shall stand in that position. Yes, all Americans are as Pickett's men, for Pickett's men were battling for a great and glorious cause which was the cause of a large section of America. No one will take issue with what was done by Pickett's men.

But, Mr. President, the able Senator from Florida goes a little further and says that we should now join the cause of Chiang Kai-shek against Japan. Chiang Kai-shek has been fighting against Japan for the past 5 years, and not a voice has been raised by anyone in this Government to aid what the able Senator from Florida calls a democracy. If Chiang Kai-shek's realm is a democracy, if his form of government is a democracy, then America has never been so advised. Perhaps the Senator from Florida has been so advised.

I notice the Senator from Florida is about to leave the Chamber. I wish he would remain, for I should like to talk to him; I should like to have him hear me. I am sorry that he waves good-bye to me as he goes out the door, because I think it was hardly in keeping with true dignity when he declined to yield on three different occasions when I asked if I might comment during his speech; and now when he has yielded the floor, he waves good-bye to me and tells me by that wave that he is going out. But, Mr. President, America is not going out with the Senator from Florida, and America is destined for something finer than the role assigned her by the Senator from Florida.

America is destined to protect democracy, democracy as we know it, as we understand it, as we revere it, as we respect it. That kind of democracy respects men under whatever conditions they may exist; it respects men in China, in Japan, men in Germany, men in England, men everywhere. If we relinquish that cause, if we forsake that idea, then we are not speaking for democracy, and neither is the able Senator from Florida speaking for democracy.

I am wondering if the Senator from Florida, in keeping with his reputed position, is speaking for the administration. I would not so attribute his remarks. I do not believe he should occupy that ground. Nevertheless, during the past 2 years, apparently, he has assumed such a position and, apparently, it has been accorded to him. If it is accorded to him now, I would address myself to the administration, to that administration of which I am a part, to that administration to which I have given every ounce of my energy so long as it stayed within the bounds of democracy; but when that administration departed from the bounds of democracy I departed from it, and I will do it from now on. If the expressions of the able Senator from Florida represent the attitude of my administration, my democracy—the democracy in which I was reared, to which I have given my adherence for all the mature years of my life—and if it is suggested that I should follow from now on along the lines of his espousal, then count me out.

Mr. President, America has a great position in the world. There never was a time in all the 150 years of American history when we could assume a position so powerful, so worth while for the world, as that which we occupy now. What is that position? Let us analyze it.

Mr. President, a world at war is a world afire, and a world on fire is a world in which human hearts are being burned. Millions upon millions of people today, across the water, have no voice in the conditions that prevail around them. They are, as is the populace of America today, inarticulate.

If one can buy the press, if he can buy the radio, if he can buy the methods of communication from one end of the country to the other, then, of course, he will sell his product to those who listen or who read. So today I am reminded of the fact that only a few days ago the great, powerful leader of the publications of England issued a statement in which he set out item by item the declarations of England, and then set out item by item the declaration of facts. He set out, item by item, the declarations of the press of Great Britain; and then he set out, item by item, the real facts. This was a great British publisher, who took the place of Lord Northcliffe during the World War. Lord Northcliffe came over here during the World War with $50,000,000 to propagandize America, and as a result of that propagandization we went into the war. This British publisher said, "We were defeated in the Netherlands. We were defeated in Belgium. We were defeated in France. We were defeated in Yugoslavia. We were defeated in Norway"; and then he enumerated, one after another, the countries that had been taken against the British activity.

I bring this matter to the attention of the Senate only in order that I may emphasize my thought, in keeping with the speech of the able Senator from Florida, that if we go along with the idea of misrepresentation which has been presented to the American public we shall be lost. There is only one thing for America to do, and that is to take care of America. America is first in my heart. It is first in the hearts of the Members of the Senate who listen to me today. It is first in the heart of every American, and when we relinquish that idea in favor of any nation abroad we shall have lost the cause of America.

Yes; Pickett's Charge was a wonderful thing. I learned the lines of Pickett's Charge. I have worshipped the idea of the valor that was involved in Pickett's charge, because Pickett had the bravery and he had the brave men who were willing to go forward to mutilation, even into death, if you please, that they might defend a cause in which they believed. Let America go forward and hold itself fortified, so that when an invader comes within our borders—I do not care whether we extend them to 3,000 miles or 300 miles—we shall be ready to defend as Pickett was—as Pickett was, as we shall be—but let us never say to a friendly country, "You have espoused a wrongful cause." Let us never say to Japan, let us never say to China, let us never say to those countries that battle under a philosophy that we do not understand, to which we are not alined in any way whatever, that they are enemies of ours, because they are not enemies of ours. We are a democracy, entirely content with our surroundings, entirely content with a pure system of democracy in which the people shall prevail.

If the matter of sending convoys abroad were left to the American people there would be but one answer, and that answer has come to me from thousands whom I have had the privilege of addressing. It has come to others from thousands whom they have had the privilege of addressing. It has come to us all from the people of America, "Keep this country out of war."

The speech delivered by the able Senator from Florida is a declaration of war, not on those who would challenge our principles of government but on the entire world. For God's sake, in the name of those who died to make America free, in the name of those who have gone forward to make it a progressive nation, let us say to the world that we will lead this country out of war; we will lead the world out of war, not into war. We will not be the leaders of war in the world, but rather will we be the leaders of peace in the world, so that when the time comes when those countries which today are blighted, which today are blinded, which today are discouraged by reason of conditions surrounding them, when those countries are looking for a leader, they, as in times past, will look to us, and, looking to us, will see a beacon light—and that beacon light I hope will be your flag and my flag—that we may settle by arbitration the differences that seem to exist between warring nations abroad; but it will not be done by speeches such as that delivered today by the able Senator from Florida.

Mr. CLARK of Missouri obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a moment?

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. I ask the attention of the Senator from Maryland [Mr. TYDINGS] and the Senator from Virginia [Mr. GLASS] for a moment. I was wondering whether we might not agree on some time this afternoon to vote on the pending amendment. I do not want to interrupt the Senator from Missouri.

Mr. CLARK of Missouri. Let me say to the Senator from Kentucky, that so far as I am concerned, this discussion was not injected as an interruption in the very important business which is to be transacted today by an agreement on yesterday—namely, the matter of this great appropriation bill—by any desire or will of mine.

Mr. BARKLEY. I understand that.

Mr. CLARK of Missouri. On the other hand, when the Senator from Florida is permitted to inject a most inflammatory speech on foreign policy into the bowels of this very important matter, I think somebody ought to be allowed to express his opinion about the speech of the Senator from Florida, which I propose to do.

Mr. BARKLEY. I am not objecting to that.

Mr. CLARK of Missouri. I understand that the Senator is not criticizing me or objecting to what I am about to do. I simply wish to explain to the Senate and the country that I do not desire to delay at all the consideration of this other very important matter. Since, however, under the Senate rules, the Senator from Florida had a right to inject into the proceedings of the Senate a prepared extremely inflammatory speech, I desire to occupy the floor for just a few minutes to express some general observations on that subject.

Mr. BARKLEY. I am not, of course, attempting to interfere with the Senator's right to do that. I think he has a perfect right to do it. I was wondering, however, if we could not agree to vote on the amendment somewhere along about 4 or 5 o'clock. That certainly would give every Senator an opportunity to express himself.

Mr. McCARRAN. The Senator refers to the amendment on the pending appropriation bill?

Mr. BARKLEY. Yes.

Mr. TYDINGS. Mr. President, I should like to cooperate with the Senator from Kentucky. There may be other Senators who will wish to speak, however. I think the Senator from South Dakota [Mr. GURNEY] desires to speak, and I should like to speak. Does the Senator from Maine [Mr. WHITE] desire to speak?

Mr. WHITE. I should like to speak briefly on the amendment.

Mr. TYDINGS. Three Senators, I imagine, will wish to speak in opposition to the amendment.

Mr. McCARRAN rose.

Mr. TYDINGS. Does the Senator from Nevada wish to speak?

Mr. McCARRAN. I desire to occupy probably 10 or 15 minutes.

Mr. BONE. Mr. President, I inquire of the Senator from Maryland if he intends to put into the RECORD the figures to which he referred yesterday.

Mr. TYDINGS. Yes.

Mr. BONE. I should very much like to have those figures.

Mr. TYDINGS. I should like to speak for possibly 30 minutes, or a little more if I should be interrupted. If I knew about how many Senators were to speak in favor of the amendment, I could probably soon come to an agreement with other Senators on the subject of a limitation of debate.

Mr. BARKLEY. Would it give every Senator a chance to express his views if we should agree to vote, say, not later than 5 o'clock on the pending amendment?

Mr. TYDINGS. I imagine that the Senator from Missouri [Mr. CLARK] will want half an hour.

Mr. CLARK of Missouri. Mr. President, I have no prepared speech. I do not know how long I shall desire to occupy the floor.

Mr. TYDINGS. I do not want to cut off the Senator.

Mr. CLARK of Missouri. I am perfectly prepared to yield in the course of my remarks to any Senator except the Senator from Florida [Mr. PEPPER], who has declined to yield to me. I shall be very glad to conclude my remarks as briefly as possible, unless my remarks and the remarks of the Senator from Florida and the remarks of the Senator from Nevada precipitate remarks on the part of some other Senators.

Mr. TYDINGS. I hope the Senator from Missouri will have all the time he desires. My reason for asking the question was to see whether we could not conclude the debate today.

Mr. CLARK of Missouri. So far as I am concerned, I have no prepared address, and in view of the fact that the Senator from Florida has left the floor, I probably will reserve the answers to his formal questions, the ones which he declined to permit to be answered, to a later date.

Mr. TYDINGS. If the Senator from Kentucky will propound a unanimous-consent agreement to vote on the pending amendment at not later than 5 o'clock, in view of the fact that the proponents of the amendment used most of the time yesterday and there would be only 2 hours and 40 minutes left, and that the Senator from Missouri would probably want half an hour—I do not desire to tie him down, but I assume he might consume half an hour—I shall be satisfied, on behalf of the opponents of the amendment, to agree to that, if we may have an understanding that we can divide the time.

Mr. SMITH. Mr. President, does it not occur to Senators that, with a matter as important as that injected here by the Senator from Florida, we should wait until Senators who feel so disposed have expressed themselves, either in favor of or against his——

Mr. BONE. His declaration of war.

Mr. SMITH. Yes; his declaration of war. I do not think it is fair to suggest that we should set a time limit.

Mr. BARKLEY. In reply to the Senator from South Carolina, regardless of the amount of oratory on the subject injected into the discussion today by the Senator from Florida, we cannot vote on that, and before I knew the Senator from Florida was to speak I had contemplated undertaking to fix an hour for a vote on the amendment which is now pending.

Mr. CLARK of Missouri. My fear is that the Senator from Florida may get us into war before we have a chance to vote on the amendment. That is the purpose of his remarks.

Mr. BARKLEY. If that is so, then we should at least vote on one constructive proposition before we go into war.

Mr. TYDINGS. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield to the Senator.

Mr. TYDINGS. Let me point out to the Senator from Kentucky that the Senator from Maine, the Senator from South Carolina, the Senator from Nevada, and the Senator from Maryland, are four, and there are possibly others, who desire to speak against the proposal, and no doubt the Senator from Wyoming [Mr. O'MAHONEY] desires to speak for it; and there may be others.

Mr. CLARK of Missouri. Let me say to the Senator from Maryland that it had been my intent to make a few remarks against the proposal for creating both a sea and air monopoly, but in view of the fact that I am now speaking on another subject, I shall be glad to content myself with voting against the proposal instead of speaking against it.

Mr. TYDINGS. I may say to the Senator from Kentucky that I do not see how

we can conclude the debate by 5 o'clock if six Senators, in addition to the Senator who now occupies the floor, are to speak.

Mr. BARKLEY. I do not wish to press the matter; but I do hope we can dispose of the amendment today.

Mr. TYDINGS. I do not think we can.

Mr. BARKLEY. I will not make any request. We will let the debate proceed.

Mr. CLARK of Missouri. I shall conclude my remarks as briefly as may be possible.

Mr. McCARRAN. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator.

Mr. McCARRAN. Will the Senator yield to me to present an amendment which I think will not take over 2 or 3 minutes; an amendment to the pending measure?

Mr. CLARK of Missouri. I shall be glad to yield to the Senator from Nevada for that purpose, if unanimous consent may be given that I do not lose the floor by such yielding. I therefore ask unanimous consent that I may be permitted to yield to the Senator from Nevada for the purpose of presenting and having considered an amendment, without my losing the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. McCARRAN. I ask unanimous consent that we proceed to consider an amendment about which I have given notice.

The PRESIDING OFFICER. Is there objection?

Mr. DAVIS. Is the Senator asking unanimous consent?

Mr. McCARRAN. Yes.

Mr. DAVIS. I suggest the absence of a quorum.

Mr. CLARK of Missouri. Mr. President, I must decline to yield if we are to have a quorum called.

Mr. McCARRAN. The Senator cannot do that. I make a point of order.

Mr. DAVIS. I do not think we should enter into a unanimous-consent agreement while the minority leader is absent from the Chamber.

Mr. McCARRAN. May I propound a question to the Senator from Pennsylvania?

The PRESIDING OFFICER. The Senator may do that.

Mr. McCARRAN. Does the Senator from Pennsylvania know what amendment I am about to propose?

Mr. CLARK of Missouri. Mr. President, let me request the Senator from Nevada to withhold the offering of the amendment until I have had a chance to conclude a few brief remarks.

Mr. BONE. Mr. President, will the Senator from Missouri yield to me?

Mr. CLARK of Missouri. I yield.

Mr. BONE. I listened very attentively to the address of the Senator from Florida [Mr. PEPPER], and it seemed to me that it took a rather astonishing slant. I do not believe I am doing him an injustice in suggesting that this was the particular slant of his remarks: He seemed to rest his thesis upon the assumption that if we undertook to convoy, and if we sent 50 bombers and made a shambles out of Tokyo, there would be only a few Nathan Hales in the country; that the death of a comparatively small group of boys would make it unnecessary for a larger number of boys to die.

I am sorry there were not more Senators present in the Chamber when the speech was made, but it seemed to me that it carried the implication that if a few boys were now prepared to die, to drown in the Atlantic Ocean, to be blown out of the air by antiaircraft guns and foreign bombers, the death of these boys would render unnecessary the death of an army of boys in the future. It seemed to me that was clearly the impression the Senator left. It may be that he did not intend to do so, but I cannot follow him in that, because I cannot imagine our going into a war in which a comparatively few boys will be blown to bits, without our getting into a total war, resulting in the killing of an army.

Mr. CLARK of Missouri. Mr. President, I agree entirely with the Senator from Washington; I was shocked at the facility with which the Senator from Florida agreed to offer up just a few seamen, and a few soldiers, and a few airmen on the altar of their country. The callousness of such remarks shocked me.

I agree with another statement of the Senator from Washington, also; I am very sorry indeed there were not more Senators here to listen to the Senator from Florida. I am also extremely sorry that the Senator from Florida felt it necessary to retire from the Chamber immediately after he had posed so many questions, to which he refused to allow answers.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. McCARRAN. There is just one further observation I wish to make, in keeping with the remarks of the able Senator from Washington, and that is with reference to the remarks made by the Senator from Florida as to General Pickett, and Pickett's Charge. When General Pickett went forward at Gettysburg he had around him an American flag, a flag which has since become one of the great consolations and the great defenders of American institutions. It was America fighting then, so that America might become united for the years to come. It was a shame the way in which the Senator from Florida used General Pickett and Pickett's Charge.

Mr. CLARK of Missouri. Mr. President, I am always intrigued by the vehement oratorical style of the distinguished Senator from Florida. I say again that I regret that he is not present. When he declined to yield to me I gave notice that I would speak in my own time as soon as I could obtain the floor. I am always interested in the vehement oratorical style of the Senator from Florida, as well as the less vehement style of those orations which are prepared by others to be read by the Senator from Pennsylvania [Mr. GUFFEY], because they have one great characteristic in common—they always ask questions, challenging anyone on this floor or elsewhere to rise and answer them, and then they both uniformly refuse to allow an answer to the questions prepared in their manuscript.

I have stood on this floor, Mr. President, for a little over 8 years, and in all that time, whether I had a prepared speech or not, I have never requested that I not be interrupted. In all that time I have never refused to yield to any Member of this body, unless he had immediately before refused to yield to me.

Mr. President, I am greatly intrigued by the speech of the Senator from Florida today, and I am particularly grateful to him because he took the trouble to read the demand for dictatorship in this country contained in his speech of a year ago. In that regard he saved me the trouble of sending over to my office to get it. Senators have all heard it read.

The Senator from Florida is frankly an advocate of dictatorship. He showed that in his speech of a year ago, in the seven points which he made then, and which he repeated today. He showed it again in the additional points which he added today to his declaration in favor of totalitarianism. He showed himself one of the most adept and vociferous addicts of Hitlerism in the world.

Mr. President, so far as I am concerned I think it is bad enough to have a Hitler in Europe; I think it is bad enough to have a Hitler any place, but I think it is far worse to have a Hitler in the United States of America.

The speech of the Senator from Florida today, and the efforts of the columnists who represent the propaganda in this country trying to drag us into war today, are an attack upon the leadership of the President of the United States. They attack him because he has not taken us into war. No one who reads the speech of the Senator from Florida today can read in it anything except criticism of the President of the United States, and the Congress of the United States, because we are not now at war, and were not at war a year ago. In fact there is an implication that runs through the speech of the Senator from Florida of 10 months ago, which he repeated in the speech he made today, that if the President of the United States, Mr. Franklin D. Roosevelt, is reluctant to be a fuehrer, that there might be a fuehrer very near at hand sitting on my back seat who would be glad to carry out the policies of dictatorship in fighting another fuehrer, which the Senator from Florida so strongly advocates.

Mr. President, when I listened today to the eloquent diatribe of the Senator from Florida, in his effort to belittle and denounce Col. Charles A. Lindbergh, in which he said he did not know which Lindbergh to take, he amazed me. On the one hand, according to the Senator, was the Lindbergh of 1927, that brave man, that gallant spirit, that mechanical and aeronautical genius who visioned and proved, against the opinion of practically everyone else in the world, that he could fly by himself across the seas. The Senator from Florida said he did not know whether to take that gallant man, to whom he paid eloquent tribute, or the Lindbergh of 1941, that eminent American citizen, grown and developed, tried in the fires of personal adversity possibly unequaled in the history of this country, who from the unequaled knowledge of world conditions which have come to

him now bravely and gallantly expresses his opinion, gives his advice to his fellow citizens in this country as a patriotic private American citizen, in spite of efforts of press and foreign propaganda to smear him, efforts perhaps on the part of some of the highest in this Nation to smear him. When I heard the Senator from Florida make such an effort, I was reminded only of one circumstance, and that was the time, many years ago, in the House of Representatives, when the late Representative Springer, of Illinois, engaged in a debate with the late Speaker Thomas B. Reed, of Maine. Springer finally said, "I will say with Henry Clay that I would rather be right than President"; and Reed said, "Well, the trouble with the gentleman from Illinois is that he will never be either." [Laughter.]

I say, Mr. President, today, after listening to the speech of the Senator from Florida, that his only trouble in discussing Lindbergh is that the Senator will never be able to approach the stature of either the Lindbergh of 1927 or the Lindbergh of 1941. [Manifestations of applause in the gallery.]

The PRESIDING OFFICER (Mr. BUNKER in the chair). Let there be order in the galleries.

Mr. CLARK of Missouri. Mr. President, one great advantage of this practice to which I have referred, of asking rhetorical questions—posing questions, as was said when the Senator from Nevada [Mr. MCCARRAN] tried to interrupt the Senator from Florida—is that the questions are usualy so inconsequential, or so easily answered, that at the conclusion of the posing of a series of questions, as was done in this speech, it is very difficult for anybody to make a logical answer in any sort of sequence without having an opportunity to read the notes. Therefore today, Mr. President, in view of the representations of the majority leader as to the desirability and necessity of proceeding with the appropriation bill which is the business before the Senate, until I can have an opportunity of reading in the RECORD the various rhetorical questions of the Senator from Florida I shall not attempt to answer them in detail.

I do desire particularly, however, Mr. President, again to advert to the proposition that the speech made in the Senate the other day by the Senator from Pennsylvania [Mr. GUFFEY], and the speech made in the Senate today by the Senator from Florida [Mr. PEPPER], are essentially an attack on the President of the United States for his failure to have gotten us into war a year ago. They are an attack on the sincerity of the President of the United States, his opponent in the last campaign, and both great political parties in their pledges to keep us out of war, and an attack on every Member of the Congress now opposed to our entrance into the war.

Mr. MCCARRAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Nevada.

Mr. MCCARRAN. I am wondering if in keeping with the last expression of the able Senator from Missouri, it might be understood that the questions propounded by the Senator from Missouri and the questions propounded by myself might be notice to the Senator from Florida that on the next meeting of the Senate we would ask that he answer the interrogations which his questions suggested?

Mr. CLARK of Missouri. That would be extremely agreeable to me. No one, of course, has the authority to compel the Senator from Florida to be interrogated, and I would not desire to do that, except that the Senator from Florida persisted in asking questions, or, as he called it, posing questions, and refused to permit any answer whatever.

Mr. MCCARRAN. I think it might be well for the Senator from Florida to be here on the next meeting of the Senate.

Mr. CLARK of Missouri. Now, Mr. President, in view of the charges that have been made here of lack of leadership, lack of response to popular demands in this country made today by the Senator from Florida, I only desire to recount to the Senate very briefly a few facts to show where the leadership in this country has been and where the popular mandate of this country has been.

Only a few months ago—and I think I may say that no one among the whole 130,000,000 of American citizens remembers it and knows all the circumstances, unless it be Members of this body—only a few months ago we had in this country a national campaign involving not only Presidential succession but the future destiny of this Republic.

As a delegate to the Democratic National Convention, and chairman of the Missouri delegation to the Democratic National Convention, I, along with many other Members of this body, helped to adopt a platform declaration of my party upon which we appealed to the country, a declaration in which I thoroughly believed, and to which I am still passionately devoted. I quote:

> We will not participate in foreign wars, and we will not send our Army, naval, or air forces—
>
> And that certainly means convoys—
>
> to fight in foreign lands outside of the Americas, except in case of attack.
>
> We favor and shall rigorously enforce and defend the Monroe Doctrine.
>
> The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

That plank was unanimously adopted by the Democratic convention, including the Senator from Florida [Mr. PEPPER], with the specific approval of the President of the United States. It is a matter of common knowledge that as a member of the platform committee the Senator from Florida telephoned to the President of the United States and asked him to stop that declaration, and was rebuffed by the President. While the Senator from Florida opposed that declaration in the committee on resolutions, he did not oppose it in the convention. It was unanimously and enthusiastically adopted. Let me say in passing that the declaration in the Republican platform was only slightly less specific and binding.

When we talk about a mandate from the people, or about leadership backed up by the people, it is interesting to note that no less striking than that platform declaration were the forthright declarations of our candidate during the campaign—declarations which enabled him to break the Nation-old tradition and be elected for a third term. He was direct, explicit, and eloquent. On the eve of the campaign, in his annual message of 1940, Candidate Roosevelt said:

> In these recent years we have a clean record of peace and good will. It is an open book that cannot be twisted or defamed. It is a record that must be continued and enlarged.

During the campaign, in addressing the teamsters union convention at Washington on September 11, the President said:

> I hate war now more than ever. I have one supreme determination—to do all that I can to keep war from these shores for all time. I stand with my party upon the platform adopted at Chicago: "We will not participate in foreign wars, and we will not send our army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack."

Mr. President, this was a solemn pledge made to the American people by the President of the United States as a solemn consideration for his reelection.

Again, at Boston, on October 30, the President said:

> I have said this before, but I shall say it again, and again. Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.
>
> Not by sending armies overseas, not by sending convoys; not by sending our air forces.
>
> Yes; the purpose of our defense is defense.

At Philadelphia, in the very crisis of the campaign, the President said:

> To Republicans and Democrats, to every man, woman, and child in the United States, I say: Your President and your great Secretary of State are following the road to peace. * * * I repeat, I stand on the platform of my party. It is for peace that I have labored, and it is for peace that I shall labor all the days of my life.

At Cleveland, on the very eve of the election, the night before the voters went to the polls, the President said:

> The first purpose of our foreign policy is to keep our country out of war. Through it all these have been the thoughts uppermost in my mind—to preserve peace in our land and to make the forces of democracy work for the benefit of the common people of America.

Mr. President, on the basis of these specific pledges, I, in company with millions of other Americans, supported the President for reelection. Indeed, I was selected to follow him on the radio in a national hook-up the Saturday night before his election, because I believed in those pledges. However, it is only fair to say that Mr. Willkie's pronouncements, though less eloquent and bearing less evidence of sincerity, were to the same effect; and yet within 6 months from the election all of us have lived to see the exact words of the Democratic platform, upon which the President and our party appealed to the country and won the

election, voted down by a partisan majority in the United States Senate when I offered it word for word, without the change of a letter, as a declaration of national principle.

In the President's eloquent message of January 6, 1941, one of the most noble speeches to which anyone ever listened, the President spoke of four freedoms which he wished to make secure throughout the world—first, freedom of speech and of expression; second, freedom of worship; third, freedom from want; and fourth, freedom from fear.

Those are noble concepts, which must stir every honest heart; but in my opinion, contrary to the opinion of the distinguished Senator from Florida [Mr. PEPPER], we can best serve not only ourselves but humanity in the whole world, by establishing and safeguarding those freedoms in our own country, rather than by fantastic evangelism in India, Singapore, Dakar, or Addis Ababa.

Already, despite the fact that the Congress has authorized no censorship in this country, and in spite of the fact that the President of the United States has specifically repudiated any idea of censorship or restriction of free speech, we have various indications of how grudgingly the right of free speech and expression—the first of the four great freedoms enunciated by the President himself in his annual message of this year—is still being repudiated in this country. The action of the President himself and Mrs. Roosevelt in trying to smear such a distinguished American citizen as Colonel Lindbergh, and the action of the President himself in refusing a commission to Gen. Hugh Johnson, one of the most distinguished and useful officers in the United States Army in the last war, and in the opinion of the War Department prospectively one of the most useful and distinguished officers if a new war should develop, are necessarily attended with a restriction of free speech. In other parts of the country other indications of the same thing have been suggested, at least.

In the city of Miami, Fla., in the State represented in part by the Senator who just addressed us, in the city of Miami, Fla., as I say, it is announced that the charter granted to the America First Committee by Circuit Judge Trammell, who I am ashamed to say is a brother of our late colleague, who was dear to so many of us in this body, is now proposed to be revoked by Judge Trammell on some technical ground relating to the number of directors provided for in the charter, which he claims do not conform to Florida law. They did conform to Florida law, apparently, by the same number of directors on March 28 when he granted the charter. Of course, that is simply an attempt at restriction of that blessed freedom, free speech, referred to by the President in his current annual message. The eminent judge says nothing of his ignorance or his incompetence or his venality which led him to grant on March 28 the charter which he now says is illegal.

But, even worse, the City Council of the City of Miami has now determined officially, regarding a request for permission to hold a patriotic meeting in the city of Miami, to be held in the Bay Front Park, or whatever the name of it is, and to be addressed by one of the most distinguished men in the United States, a man whose honesty, integrity, ability, and patriotism are utterly beyond question, Gov. Philip La Follette, of Wisconsin, the brother of one of our most beloved and distinguished colleagues, shall not be permitted. It is now decreed in the true Hitlerian style that the meeting cannot be permitted by the august City Council of the City of Miami unless some proof is made to the city management that this great organization, the America First Committee, whose roster contains some of the greatest names in all America, the names of many men who have honorably and gloriously worn the uniform of the United States in time of war, instead of being warmongers in time of peace, is not a subversive organization, and unless in addition Governor La Follette, three times the Governor of the great State of Wisconsin, a man whose record is an honor to his State and to the great family to which he belongs, submits in advance a copy of his speech, to be censored by the city manager of the city of Miami, and then submits it to the City Council of the City of Miami for its approval.

Mr. President, it seems to me that such activities in this country are a long way from guaranteeing the freedom of speech in China, Manchukuo, Siam, Iraq, Iran, Dakar, and other parts of Africa and throughout the world. It seems to me that we had better look out for our rights at home before we start to enforce those freedoms around the world.

Mr. President, I said at the inception of my remarks—and I am glad to see that the Senator from Florida has now returned—that the Senator asked so many questions to which he declined to have an answer that I would not be able to answer them until I had had a chance to read them in the RECORD. I do wish, however, to call attention again to the fact that, in view of the solemn pledges repeatedly made to the American people by the President of the United States as a solemn consideration for his reelection, the statements of the Senator from Florida today criticizing the lack of leadership in this country, criticizing the fact that we are not already convoying, criticizing the fact that we are not already occupying points around the world, seem to me to be a direct attack on the pledges made by the President of the United States in the last election, and also by his principal opponent, and by the two great parties which supported either or both of them.

Incidentally, before he started his speech, the Senator from Florida saw me reading the Washington Star, and he asked me not to comment on the things that were in his speech in that newspaper before he had a chance to make the speech. This was before he started his speech. I complied with his request. I merely asked the Senator to allow me to answer some of the questions which he asked the Senate and which he challenged any Member of this body to get up and answer. I note one difference between the speech as printed in the Washington newspapers and as delivered on the floor of the Senate. In his speech as printed in the Washington Daily News, he proposed not only to occupy Dakar, the Azores, the Canaries, the Cape Verde Islands, Greenland, and Iceland, but also Singapore. Singapore was left out of his pretensions in his remarks in the Senate. Mr. President, it seems to me that any such declaration, any such criticism of the failure of the United States Government during the year, or nearly a year, since the Senator from Florida declared in this body in favor of Hitlerism and dictatorship to carry out that policy, must necessarily involve a very severe criticism of the President of the United States. It involves an attack on that President who appealed to the people and who was sustained by the people on his refusal to engage in such a policy, and of every Member of the Senate and of the House of Representatives of the United States who has been or who now is opposed to such a policy, and on everyone in the United States who is opposed to it.

Well, the Senator is prepared for that, too. Recently he made a speech down in Nashville; and today he referred, in that connection, to attending the shrine at the Hermitage, as many of us have done, and as I never lose an opportunity to do even if I have to travel many miles in order to do so. At that time the Senator from Florida declared for a purge. He did not say a bloody purge. Hitler and Stalin did not say a bloody purge until they had accomplished it. As I read in the public press, the Senator from Florida declared for a purge of those who disagreed with his views. I do not know what he means by a purge. I understand that a gang of women down in Oklahoma recently declared that they were in favor of putting into a concentration camp every Member of the Senate and House of Representatives of the United States who is opposed to taking the United States into war. As far as I am concerned, Mr. President, I am perfectly willing to run that risk. No suggestion of that sort will deter me from standing on this floor and expressing my views as I understand them to be patriotic, well-considered views for the safety and well-being of this Nation. When the Senator from Florida, or anyone else, talks about a purge of those who disagree with his views, it is not only a criticism and attack upon those of us who happen to be alive and disagree with his views, but it is an attack upon the very foundations and founders of our Republic. That is an attack upon the wisdom, the courage, and the sacrifices of the men and women who formed this Republic and who sent down to us as a precious heritage the life estate and liberties which we have no right to give away.

Mr. PEPPER. Mr. President, I merely desire to say that Senators will know, of course, that neither my colleague nor I has had anything to do with what might have been done relative to the proposed speech of Governor La Follette in a city of our State. I think our colleagues, however, know my colleague and me well enough to believe that while we probably would not agree—at least, I would not agree, probably—with what Governor

La Follette might say in his speech, I would defend his right to say it, as I would defend the right of anyone else to give expression to his views.

I am sorry that the authorities, if the report is accurate, took the stand they did take. I did say to a newspaperman who called me last night, as I notified the Senator from Missouri [Mr. CLARK] today before his address, that I would arrange in my own home town, which is the capital of my State, where I thought I knew the municipal authorities well enough to address them, that if Governor La Follette cared to make a speech in the capital of my State, in my home city, I would take the responsibility of seeing that he had both the opportunity and the audience.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. Certainly.

Mr. CLARK of Missouri. I am very glad, indeed, to bear witness to the fact that I discussed that matter with the Senator from Florida before he took the floor today, and he made exactly that statement to me.

TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

Mr. TYDINGS obtained the floor.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. McCARRAN. If the Senator is about to address himself to the bill now before the Senate, I wonder if he would care to yield to me now that I might present an amendment, which, I think, will not take very long?

Mr. TYDINGS. I can say to the Senator that I have no objection, but I understand that a point of order will be made, not by me but by some other Senator, which will bring on some debate. I have waited pretty long, ever since 12 o'clock, and I do not feel that I can justly yield again.

Mr. McCARRAN. I may say, in respect to the point of order, that I have given notice in writing under the rule of a motion to suspend the rule in order that the amendment might be considered.

Mr. TYDINGS. I think, however, if the Senator will allow us to go ahead, that his amendment will probably be adopted with more ease and facility than if we were to consider it now. I think I am well advised as to that.

Mr. McCARRAN. I may say to the Senator from Maryland that I know what takes place after a keen Senate debate. My amendment would be forgotten, and would not even be considered. It will take but a minute or so to consider it. If it should take more than 5 minutes, I would then consent that it go over.

Mr. TYDINGS. The point is, however, we could not get back to where we are now if it should take more than 5 minutes.

Mr. McCARRAN. If there is any objection to suspending the rule in accordance with the notice I have given, a different situation would be presented.

Mr. GLASS. Mr. President, under the rules of the Appropriations Committee, I should be obliged to make the point of order against the proposed amendment, as it would be plainly legislation on an appropriation bill——

Mr. McCARRAN. That is correct.

Mr. GLASS. Since I told the Senator that, I have here a letter from the Postmaster General opposing the amendment, and, therefore, it will take more than 5 minutes to dispose of the matter.

Mr. McCARRAN. Very well.

Mr. TYDINGS. Mr. President, I do not wish to be discourteous to my friend from Nevada, but I think in view of the statement of the chairman of the committee, he will understand that if his amendment were allowed to come up now it would take more than 5 minutes, and, under the circumstances, I do not feel that I can yield.

The VICE PRESIDENT. If the Senator will permit, the Chair will ask the clerk to state the pending amendment.

The LEGISLATIVE CLERK. On page 51, at the beginning of line 7, it is proposed to strike out "$15,477,831", and insert "$16,693,831."

Mr. TYDINGS. Mr. President, I hope Members of the Senate who are present and who are interested in this item will give me their attention for a very brief period, so that I may review the opposition side of this case. I shall try to be as brief as a considered review of the position will permit.

First of all, what are the naked facts in the case? About 2 years ago Pan American Airways secured permission and financial help from the Government of the United States to fly planes for the first time across the Atlantic Ocean on regular schedules carrying mail and passengers. That service is not yet 2 years old. It was a tremendous adventure in the field of aviation, involving about 24½ hours on the westward flight and about 20 hours on the eastward flight. As I have said, this venture is less than 2 years old; and even when permission and money were first granted, many of us in this body doubted the wisdom of it, feeling that perhaps aviation had not advanced sufficiently far as yet for regular trans-Atlantic flights on a daily or a weekly schedule.

I have heard, in the course of this debate, considerable sophistry—and I use the word advisedly—in connection with so-called monopoly. It is contended that Pan American Airways has a monopoly across the Atlantic between this country and Lisbon, Portugal, and that monopoly is a terrible thing. Therefore, because a monopoly is bad—and I agree with that generality—we should have competition on this route.

Mr. NORRIS. Mr. President—

Mr. TYDINGS. Let me finish this recital, and then I will yield to the Senator. All that looks rosy, does it not? But the method by which this monopoly is to be eliminated is another question. I now yield to the Senator.

Mr. NORRIS. I am at a little loss to know just what the amendment is. I heard the clerk read it, but before I could turn to the page the Senator from Maryland had proceeded; I think it would be advantageous to all of us if we knew concretely just what is the amendment the Senator is talking about.

Mr. TYDINGS. The amendment is in the second paragraph on page 51. The House passed the bill with the amount $15,477,831 in it; the Senate committee proposes to amend that by raising the amount to $16,693,831.

Mr. NORRIS. I thank the Senator.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. Let me finish. I will yield liberally, but let me, first of all, finish the idea; then I will yield. I cannot express it half way, and then argue with any degree of fluidity.

Mr. HAYDEN. I merely wish to state the fact that the amount of money carried in the bill is $416,000 for Pan American and $800,000 for the American Export Lines.

Mr. TYDINGS. I want to be courteous, and I also want to be fair to the opposition.

What is the method by which this monopoly—and that is what it is—is to have competition? Let us see who is the applicant for this competition. It is a steamship line—the American Export Line, a very successful shipping company that operates steamships between America and Lisbon, Portugal. That steamship company owns entirely American Export Airlines, and that steamship company, which now operates on the bosom of the ocean between the United States and Lisbon, wants likewise to operate in the air between the United States and Lisbon.

How much of the traffic between the United States and Lisbon does the steamship company now have, and how much does Pan American Airways have? The steamship company already has 70 percent of the traffic between the United States and Lisbon, Portugal. Pan American Airways has less than 30 percent of the traffic between the United States and Portugal. So, in the event the steamship company, which already carries 70 percent of the traffic, is also able to obtain a license to operate in the air and share the remaining 30 percent of the traffic with Pan American Airways, the steamship company, which already has over half of it, will have 85 percent of it, and Pan American will have 15 percent. That is the method by which we are going to get rid of monopoly.

Mr. HAYDEN. Will the Senator yield for a statement of fact?

Mr. TYDINGS. Very well.

Mr. HAYDEN. If Pan American has four trips a week and the American Export Lines has one, the American Export Lines would get one-fifth of the business and not one-half, as stated by the Senator. That is obvious.

Mr. TYDINGS. I do not agree with that statement because by the testimony—and I will state the page, if it is desired—the Export Lines have ordered three planes, and they state frankly that they are going to put all three of those planes on, and, as Pan American now only has three planes on three trips a week, it would be a 50–50 proposition. But whether it be one plane or three planes, what avails all this talk about

monopoly when the steamship line already has 70 percent and when the only competition it has is from Pan American, and that is to be whittled down so that it will have as much in the air as Pan American has while enjoying all the traffic on the bosom of the ocean?

Mr. CLARK of Idaho. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Idaho. Of course, "monopoly" is a relative term. The Senator from Maryland said that Pan American had a monopoly. In the sense that they are the sole operators in their field so far as American lines are concerned, that is doubtless true. But there are monopolies and monopolies; are there not?

Mr. TYDINGS. That is true.

Mr. CLARK of Idaho. Lindbergh had a monopoly on flying the Atlantic alone, because he was the only man who would do it.

Mr. TYDINGS. That is true.

Mr. CLARK of Idaho. Originally it was said to be impossible to fly the Andes. Pan American did it, so they had a monopoly on flying the Andes.

Mr. TYDINGS. That is true.

Mr. CLARK of Idaho. It was said to be impossible to fly the Pacific; but Pan American did it, and they had a monopoly on the Pacific. So this monopoly has grown up, I think perhaps not in the way that monopolies ordinarily grow up, by financial manipulation, but by doing something that nobody else would do.

Mr. TYDINGS. That is true; and Pan American has been doing that for less than 2 years, and it has hardly proved the success of the venture, and is not making any money, as I shall show in a very few moments. It is not being paid as much as the sale of trans-Atlantic airmail stamps puts into the Treasury of the United States. It is losing money this instant; and after its backers have spent millions, and exhibited a high degree of courage and vision and foresight in promoting the trade of this country, when they have hardly established the success of the venture a concern which already has 70 percent of the traffic comes in and wants to share the remaining 30 percent with Pan American Airways; and always Pan American is called a monopoly!

Senators, if you vote this amendment into the bill what you will do will be to drive Pan American off the air lines between here and Portugal, and make Export Steamship and Export Airlines the one service operating there—a steamship company which already has a construction subsidy from the Government of the United States, which already has a mail subsidy from the Government of the United States on the water, and now will have its third subsidy by having a mail subsidy in the air between this country and Portugal.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Delaware.

Mr. HUGHES. Did I correctly understand the Senator to say that if this amendment should be adopted, the air line which now has the route to Portugal would go off the route and give it up?

Mr. TYDINGS. If the amendment is adopted it will put the Export Steamship Co. both on the ocean and in the air, and will drive Pan American off the air route, in my opinion, because they are already losing money on this run.

Mr. HUGHES. Does the Senator think they will abandon it, or go somewhere else?

Mr. TYDINGS. They will have to do so, and I shall show the Senator why in a moment. They are already $1,900,000 in arrears. Why are they in arrears? Because this is a two-way service. Our Government pays them for taking the mail from this country to Portugal, but foreign governments pay them for bringing the mail from the foreign countries to the United States, and Pan American has one million nine hundred thousand and some odd dollars owing to it in arrearages. Some of those arrearages are 21 months old, some 18 months old, some 15 months old, some 14 months old. They are owed to Pan American by countries such as Germany and France and Norway and Rumania and Hungary. Do you think Pan American will be paid those arrearages?

Mr. HAYDEN. Mr. President, will the Senator permit me to question the accuracy of his figures?

Mr. TYDINGS. I will.

Mr. HAYDEN. The figures the Senator gave were those submitted by Mr. Trippe some months ago.

Mr. TYDINGS. Yes.

Mr. HAYDEN. The situation today is that the $1,900,000 the Senator mentioned has been reduced to $412,000.

Mr. TYDINGS. That is true only because, under a special act of Congress, the Post Office Department makes yearly loans to Pan American Airways to tide them over this very period.

Mr. HAYDEN. No.

Mr. TYDINGS. Has Germany paid?

Mr. HAYDEN. Yes.

Mr. TYDINGS. When?

Mr. HAYDEN. I have the figures here.

Mr. TYDINGS. Give me the date.

Mr. HAYDEN. I will give the Senator the date. As of today——

Mr. TYDINGS. Where did the Senator get his figures?

Mr. HAYDEN. I got them from the Post Office Department this morning.

Mr. TYDINGS. When did Germany pay?

Mr. HAYDEN. At the time the figures were put in the record Germany owed Pan American $532,000. That has been reduced to $149,000.

Great Britain owed $739,000, which has been reduced to $266,000.

France owed $226,000, and it has been reduced to $28,000.

Italy owed $228,000. It has been reduced to $90,000.

Those arrearages are being collected.

Mr. TYDINGS. Very well. What is the amount still owing?

Mr. HAYDEN. The amount still owing is $412,000.

Mr. TYDINGS. I do not concede that the Senator from Arizona has pictured the matter as I understand it; but, even if he has, if he will take that deficit and apply it to Pan American's outgo and income, he will find that they are not making any money on the run, and that the amount of money that is still owing probably will not be collected; and their loss will be accentuated by the disappearance of what is now carried as a potential asset, but which, in my judgment, is not collectible.

Mr. HAYDEN. Will the Senator concede that as the money accrues, under a special act of Congress advances are made to Pan American?

Mr. TYDINGS. Only for a year.

Mr. HAYDEN. For a year.

Mr. TYDINGS. As a loan.

Mr. HAYDEN. As a loan.

Mr. TYDINGS. At the end of the year Pan American has to pay it back.

Mr. HAYDEN. The record now made is that Pan American will not have to pay back the loan. An advance was made to them only on the 2d of May of another $113,000. The testimony from the Post Office Department is that these sums are being collected, and that Pan American will get all this money; and all this talk about their going broke because foreign nations are not paying is not justified by the record.

I ask to have these tables incorporated in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Statement covering advance payments to the Pan American Airways Co. for westbound trans-Atlantic air-mail service

Advance payments made:	
Sept. 20, 1940	$769,971.81
Jan. 16, 1941	146,818.79
Mar. 17, 1941	259,673.91
May 2, 1941	113,690.33
	1,290,154.84
Amount of advances recovered:	
In cash	707,466.07
By offset	170,622.88
	878,088.95
Amount of advance not yet recovered	412,065.89

	Jan. 31, 1941	Now
Great Britain	$739,310.57	$266,505.68
France	226,151.18	28,392.53
Germany	532,917.01	149,636.99
Italy	228,800.36	90,329.15
Portugal	180,096.20	59,857.33
Switzerland	317,619.90	142,271.17
Spain	67,126.46	63,519.43

Mr. TYDINGS. Does the Senator mean that Rumania is going to pay? Does he mean that Poland is going to pay? Does he mean that Greece is going to pay? Does he mean that Norway is going to pay? Does he mean that Holland is going to pay?

Mr. HAYDEN. Rumania does not owe anything. Poland does not owe anything. The amount owed by Holland is a very minor amount. There is plenty of Dutch money impounded over here from which to collect it, for that matter.

Mr. TYDINGS. Bills cannot be collected in that way, because the Government has impounded money. That has nothing at all to do with paying Pan American. That is just convenient mental bookkeeping.

Mr. HAYDEN. That is exactly the way the French paid up. The money

was taken out of French money on deposit in this country.

Mr. TYDINGS. The Senator from Arizona at least has not denied that for 21 months many of these loans were unpaid. For 18 months in other cases they were unpaid. I have just finished reading Mr. Trippe's testimony on the subject. If these collections have been made since the testimony was taken three months ago, I am glad of it; but even if the arrearages were paid in full there would not be a cent of profit to Pan American on the operation of this line.

Mr. HAYDEN. The testimony does not bear out that statement at all.

Mr. TYDINGS. Yes, it does. If the Senator will remain in his seat, I shall prove it.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I will; but I do not intend to be put in a police-court argument by having one Senator change the subject while another Senator's question is still pending.

Mr. O'MAHONEY. Mr. President, I resent the statement of the Senator. I am not putting the Senator from Maryland or anybody else in a police-court argument.

Mr. TYDINGS. I refuse to yield until I have answered the question of the Senator from Arizona. The Senator from Wyoming should have given me a chance to do that before asking if I would yield.

We are talking about monopoly; and if Senators do not remember any other part of what I say, I hope they will at least remember what I am now about to say.

As I have said, American Export Steamship Lines own American Export Airlines completely. American Export Steamship Lines have a monopoly on all the ocean traffic to and from Lisbon, Portugal, and the United States of America. Some time ago, when refugees were coming down through Europe to the shores of the Mediterranean seeking passage on boats, when the Government of the United States was trying to provide transportation, and was diverting ships so as to afford passage for refugees, some of whom were sure to be shot if they were captured, some of whom had been heads of governments and were in flight, the United States Lines, a rival concern, asked Export Steamship Lines for permission to have certain steamers call at certain ports in the Mediterranean and at Lisbon, Portugal, in order to transport these across the ocean. The matter was referred to the United States Maritime Commission, and the United States Maritime Commission said, "We have already given the right exclusively to the Export Steamship Lines to ply between Lisbon, Portugal, and the United States of America. So the United States Lines will have to see them."

The United States Lines did see them, and finally Export Steamship Lines gave the United States Lines permission to send its ships, the United States Lines' ships, over to that locality and bring these people to America, and charged it for that right.

American Export Lines sat in their offices; United States Lines furnished the ships; and, in round numbers, Export Steamship Co. made $400,000 on the deal. It sold or sublet the privilege, which the United States Government had given to Export Steamship Corporation, to another company, United States Lines, for the privilege of running over this route, and now wants to share the remaining 30 percent of the business in the air with Pan American Airways.

What I have just said will not be disputed by any Senator on this floor. It is beyond the realm of argument; that is merely cold fact. There is no contradiction in all the testimony about that.

Now, where is the monopoly? Here is a concern, Export Steamship Corporation, which charges another concern, in a moment of great international turmoil, for sharing this exclusive route, and it now wants to operate in the air and share the 30 percent of the remaining traffic, at the expense of the Treasury of the United States of America.

Mr. HOLMAN. Mr. President, will the Senator yield for a comment?

Mr. TYDINGS. In a moment I will yield.

I wish to say parenthetically that the sole investment of the owners of Export Steamship Lines, from the stockholders' standpoint, is $600; that is all—not $6,000, not $6,000,000, not $60,000, but $600. Last year the profits of the steamship company were $6,000,000, on a $600 investment.

Mr. NYE. Mr. President, in that connection, will the Senator yield?

Mr. TYDINGS. In a moment. And of that profit, $1,200,000 came out of the Treasury of the United States, to the Export Steamship Lines, as a subsidy.

I yield to the Senator from Oregon first.

Mr, HOLMAN. Mr. President, I have been authoritatively advised that the Export Steamship Lines sold passage to 10,000 aliens, to the exclusion of American citizens who were in Portugal seeking passage to their homes in the United States, and that this practice was not reformed until the State Department insisted upon the cancelation of such bookings.

Mr. TYDINGS. I wish to correct a statement I made a moment ago, which the Senator from South Dakota has called to my attention. I stated that 70 percent of the traffic was now in the possession of the Export Steamship Co. and 30 percent was in the possession of the Pan American Airways. I was wrong. That was true as to 70 percent of the mail and passenger traffic, but all the freight traffic is in the hands of American Export Air Lines. It is only the passenger and the mail traffic that remains, and of that the Export people have 70 percent and the company which I am attempting to defend, in a sense, only the remaining 30 percent.

Mr. NYE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. NYE. I should like to inquire of the Senator from Maryland, if this contract should be awarded to the Export Line, would it lie within the power of the Export Line to cover any losses in the transportation of mail by air, by resort to their profits from their steamship operations?

Mr. TYDINGS. The question is whether we should permit a steamship company to own a subsidiary air line, because it would be possible, were that air line in competition with other air lines, to take a loss on the operation of the air line and make that loss good out of the revenues of the steamship company until they stifled the competition of the rival air line, which had no well of money of that kind, in which case they would have a complete monopoly on the ocean and in the air. Yet we are asked to determine a policy of that kind without adequate hearings, in the consideration of an appropriation bill, without any authorization of Congress specifically dealing with the matter.

Now I yield to the Senator from Wyoming. I could not yield before, but I yield to him now.

Mr. O'MAHONEY. I thank the Senator. My inquiry was intended to be directed to the subject he was attempting to develop. The Senator has undertaken to say that the Pan American Co. has been operating at a loss. Let me say, first, that when I speak upon this subject I do not do so as an advocate of the American Export Lines or as an opponent of the Pan American, but simply in behalf of what I conceive to be the best interests of the people of the country.

The Senator has said that Pan American is operating at a loss. In the twelfth annual report of the Pan American Lines, submitted by Mr. Trippe to the stockholders of Pan American, he declared that the trans-Atlantic line was being operated at a profit.

On the 1st of May this year the New York Herald-Tribune published a story having to do with the fourteenth annual report of the Pan American. If the Senator will bear with me I will read the first two sentences:

> New records for earnings and services were established in 1940 by Pan American Airways Corporation in spite of the handicaps of disturbed world conditions and enhanced competition from European lines in South America, J. T. Trippe, president and general manager, disclosed in the thirteenth annual report, issued yesterday.
>
> Net income, after taxes and so forth for 1940, was $2,256,318, equal to $1.19½ each on 1,887,355 capital shares outstanding. Net for 1939 was $1,984,438.

My question to the able Senator from Maryland is, if Mr. Trippe testified in his annual report to his stockholders on the 30th of April 1941 that the net income of Pan American Lines was greater in 1940 than it was in 1939, and that in 1939 it was almost $2,000,000, how does the Senator contend that the line is operating at a loss?

Mr. TYDINGS. What the Senator says is eminently true, but the Senator did not grasp what I was attempting to say. What the Senator has read are the figures for Pan American operations all over the world. What I am talking about are the operations of Pan American across the Atlantic Ocean. It is quite true——

Mr. O'MAHONEY. Will the Senator yield?

Mr. TYDINGS. As soon as I finish this thought I will yield. It is quite true that last year Pan American made about $2,000,000. It is also true that in recent years the highest dividend they have paid is 2½ percent, which is not a large earning, considering the adventure, depreciation, eventual loss, and the condition of the world. They have paid dividends of only 2½ percent; that is all. Naturally people are traveling more and more in the air, and the company is now working toward the day when it can pay larger dividends than 2½ percent; but it has not yet reached that point.

I think that, as aviation expands and as revenues increase over expenses, what we will have to do will be to cut out the subsidy and not allow Pan American to make great profits. But until it is shown that by efficient operation they can make more than 2½ percent for the stockholders, I do not see how we can cut them down, unless we want to wipe out what they have done. Now I yield to the Senator.

Mr. O'MAHONEY. The Senator is making a very excellent and generous statement, but I doubt very much whether what he states would reflect the attitude of Pan American.

Mr. TYDINGS. I doubt it, too; but I am not working here for Pan American, I am making this fight for the taxpayers of the United States of America.

Mr. O'MAHONEY. That is what we are all doing.

Mr. TYDINGS. Certainly.

Mr. O'MAHONEY. Let me ask the Senator how it comes about that the president of the Pan American in his annual report for 1939 announced to his stockholders that the trans-Atlantic line was making a profit?

Mr. TYDINGS. I did not see that. I should be grateful if the Senator would read it.

Mr. O'MAHONEY. It is in the thirteenth annual report.

Mr. TYDINGS. I have that report on my desk.

Let me say that in answer to direct questions in the Senate committee hearings, which I cannot turn to immediately, the president of Pan American, who came before us, did not testify that his company had a profit. On the contrary, he said unless it could collect all the money that was owing to it the company would have a very serious loss. If the Senator will remember—I think he was present on the occasion to which I refer—it was testified that Pan American was setting up a reserve taken from the profits of its other companies as a cushion against a large part of the possible loss which it would incur if more governments fell by the wayside or refused to pay; that it would show in its statement on paper possibly a very small profit, hardly more than enough to pay operating expenses, assuming it got the money, but if it did not the company would have to go out of business, unless the other companies could chip in enough to tide it over and bring it up to the lifeline level again. The Senator recalls that, I am sure.

Mr. O'MAHONEY. The Senator from Wyoming recalls the testimony very well, and he also recalls that the changed aspect of things, from the report of 1939 until the date of the testimony, was brought about by counting as a loss the entire amount of foreign mail paid for, although that amount had been advanced by the Federal Government. Representatives of the Post Office Department testified at the hearing that the Post Office Department believes the sums to be collectible, and the evidence already brought before the Senate this afternoon by the Senator from Arizona [Mr. HAYDEN] indicates that they are collectible. Furthermore, it was also clear in the hearings, as the Senator from Wyoming recalls——

Mr. TYDINGS. The Senator is not asking me a question now. He is merely making a speech in my time.

Mr. O'MAHONEY. I acknowledge that. I do not want to interrupt the Senator's speech.

Mr. TYDINGS. I cannot make much of an argument if too lengthy statements are put into it. I do not say they are made by design, but they are very effective in destroying the logic or continuity of a statement.

Mr. McCARRAN. Mr. President——

Mr. TYDINGS. Just a moment. Now that the point has been raised, I hold in my hand some figures which I myself gathered from the testimony. I have not marked the page, I am sorry to say, but these are the figures: Pan American receives 40 percent of its revenue from carrying the mail east over the ocean; it receives 40 percent of its revenue from carrying the mail over the ocean in the opposite direction, and 20 percent of its revenue by carrying passengers. So if it were to lose the $400,000 or $500,000 or $600,000, some of which has been owing for 21 months, some for 18 months, some for 15 months, and some for 13 months, it would lose a substantial part of the return revenues for bringing the mail from the other side to this country, which amounts, in all, to about 40 percent of the total revenue Pan American receives. So I do not believe it would be wise or good business to assume, merely because Pan American has been paid something on account by some foreign governments, that many of these bills will be paid in full. In my honest and deliberate judgment, and after listening to all sides of this case, I am confident that many hundred thousand dollars now owing to Pan American will never be paid. In the very nature of things they could not be paid until many years in the future, and only a supreme optimist would carry those assets as immediately recoverable.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WILEY. I take it that on the point of monopoly upon which the Senator has been speaking, there is also to be brought into the picture the fact that the steamship company which now wants to get into the field of aeronautics is also controlled by a great banking house of this country?

Mr. TYDINGS. I am coming to that if I have a chance, and also to indicate how $600 was run up to $6,000,000 at the expense of the Government. Certainly whatever Pan American has gotten from the Government has not been through any sort of high finance, as happened in the other case.

Mr. HAYDEN rose.

Mr. TYDINGS. I want to conclude this point, and then I shall yield to the Senator from Arizona. As I said a moment ago, when United States Lines asked American Export Lines for the privilege of sending many of its larger liners to Europe to bring passengers back, many of them American citizens, American Export Lines would not permit the rival line to go over there until it was paid liberally for it, even though American Export Lines itself could not furnish the service.

In order that Senators may see the picture as it was, let me quote from the testimony of Admiral Land, the Chairman of the United States Maritime Commission, before the Appropriations Committee:

Senator TYDINGS. Senator, may I interrupt? Would I divert you a minute if I would ask the admiral, as I know every member of the committee would want to hear it, if it is true that on this particular run where this concern now has a monopoly, so-called, it has been necessary to take the ships of other lines from time to time, in order to relieve refugee congestion, et cetera?

Admiral LAND. If you go back far enough, that is true. If you go back to the days before the Mediterranean was closed, you gentlemen will remember that United States Lines went into Genoa. There was a deal made between United States Lines and American Export, one of them being described as in the driver's seat. It was a pretty tough deal, but when it came before the Commission, we approved it just the same as if you two were private citizens and made a deal, and God knows if you are satisfied, there isn't any use of us crying our necks off because you got a trimming. But the financial part of that——

Senator TYDINGS (interposing). I thought the committee would be interested in hearing when the other line went on to relieve the very serious dangers to some of our citizens and friends there and what the Export Line imposed on the relieving company.

Admiral LAND. Those were normal trading conditions in which the boy who was in the driver's seat drove as hard a bargain as he could.

Senators, mark this:

Senator BAILEY. And he made them pay $100,000 for the privilege.

Admiral LAND. I have the results of 11 voyages. Net profit after overhead, depreciation, and interest, $902,140.52; distribution of net profit: United States Lines Co., $476,895.81; American Export Lines, Inc., $382,750.14; and American President Lines, Ltd., $42,494.57.

Senator BAILEY. Who paid that?

Admiral LAND. They paid it themselves. The first thing, Senator, is $902,140.52. That is the over-all figure. Distribution is in three parts.

Senator BAILEY. Let us see the distribution.

Admiral LAND. United States Lines, $475,000; American Export, $382,000, and American President Lines, $42,000.

Senator DAVIS. What line?

Admiral LAND. American President.

Senator BAILEY. The Export people got $382,000 for doing nothing.

Senator TYDINGS. They sold the privilege which the Government gave them. They sublet the privilege which the Government gave them for a consideration.

Senator BAILEY. It was a Government privilege.

Senator TYDINGS. I would not call that a monopoly at all; I would call it a double monopoly.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall be glad to yield in a moment.

Mr. HAYDEN. Will the Senator read a few more lines?

Mr. TYDINGS. Mr. President, as a matter of absolute justice and fairness; as a matter of right or wrong, does this company come into court with clean hands? Does it seek to do equity? Does it ask for itself something which it is willing to concede to others?

When the United States Lines wanted to go on the route of American Export Lines in an hour of life-and-death struggle for many of our own citizens, American Export Lines exacted a tribute of some $400,000 for the privilege of bringing our own citizens back to these shores. That is what happened when the United States Government wanted some other ships to go on the line on which American Export Lines held the contracts for carrying the mail.

Mr. HAYDEN. Mr. President——

Mr. TYDINGS. Just a moment. Now, it says, while still retaining that right without any interference from a rival line, that it wants to operate in the air and, without paying anything, take half of the remaining 30 percent of the mail business, so that it will have 85 percent all told; leaving to Pan American, the pioneer, the one which dared and made all the investment and made good, but 15 percent to live on.

Mr. HAYDEN. Mr. President——

Mr. TYDINGS. I yield.

Mr. HAYDEN. Let me read a continuation of the testimony of Admiral Land, immediately following what the Senator read. Admiral Land said:

> Let us be fair to these people. You are coming back to Senator White's question. They have an approved line, route, and service, an approved operator on that; approved by law and approved by the Commission.

Mr. TYDINGS. So has Pan American.

Mr. HAYDEN. Admiral Land continued:

> Now, then, United States Lines comes horning in through circumstances beyond their control or yours or mine; in other words, the "black-out," and they ask for the privilege of going on here. To my mind they ought to pay something for the privilege. Whether they pay too much or too little, if it came to the Commission we would settle it to the best of our quasi-judicial capacity. If it didn't come to the Commission, it would be settled outside. Those were the results. Now, who got the trimming?

Nobody got any "trimming." They all made money. That is the testimony.

Mr. TYDINGS. According to the logic of my friend from Arizona, why should not American Export Lines pay Pan American when it shares the line in the air? Pan American has a so-called monopoly. It has the same right in the air that American Export Lines has on the water. Why should we make fish of one and fowl of the other? If it be right in one case, why is it not right in the other?

Mr. HAYDEN. Because the Pan American Line is in Lisbon by the accident of the war. That is not a part of its route.

Mr. TYDINGS. It is there by the accident of the permission of the Government of the United States, just as the American Export Steamship Line is there.

Mr. HAYDEN. But it was not granted an exclusive privilege.

Mr. TYDINGS. It was granted just as much of an exclusive privilege as was American Export Lines. It could be revoked tomorrow morning. The Maritime Commission can take back any such privileges.

Mr. HAYDEN. If it does, it will give an exclusive right to somebody else.

Mr. TYDINGS. I come back to the same position. The Senator from Arizona, in opening the debate, over and over and over again decried the monopoly that Pan American has in the air, while failing to disclose that Pan American carries only 30 percent of the mail, and that the rival concern, which seeks to obtain dual rights in the air, already carries 70 percent of the mail on the bosom of the ocean.

If the proposed arrangement should be consummated the business would be shared, and the 70 percent, together with the 15 percent in the air, would give the American Export Steamship and Air Lines 85 percent of all the traffic, leaving 15 percent to Pan American. I shall not take the time to show how much that would cost Pan American, but I am fairly honest and conservative, if I am not convincing, when I say that Pan American cannot survive financially if this traffic is divided with any other line. There is not enough traffic there to support two lines. I give my solemn word that it is not there. I shall not bore the Senate with a mass of figures, because Senators would only go to sleep if I should attempt to show the situation by charts. I do not like to use that sort of an argument. However, Senators may take my word for it that there is so little margin of profit, if any, in the present operations of Pan American Airways between America and Europe, that if we should divide the traffic we would put that air line out of business financially unless the company wished to draw from other sources—credit or what not—sufficient to keep it going at a loss.

Mr. McCARRAN and Mr. NYE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield, and if so to whom?

Mr. TYDINGS. I yield first to the Senator from Nevada, and then I shall be glad to yield to the Senator from North Dakota.

Mr. McCARRAN. Mr. President, I wish to comment on the statement made by the Senator from Maryland that not only could Pan American not continue, but neither line would continue.

Mr. TYDINGS. That is correct.

Mr. McCARRAN. Both would go out of business, and we should yield to foreign countries and let them take over the business. That is proved by the history of the past. Great Britain had two lines running from Great Britain to the American continent. France had two lines, and Japan had three lines. Today they are waiting for an opportunity to bring those very lines into existence again. The moment they do so, we shall have competition not only between two American lines, but the two American lines will be competing against the foreign lines, which will destroy our lines and give the whole advantage to the foreign systems. I wish to emphasize what the Senator from Maryland says, that there is not enough traffic in the situation to warrant two lines being subsidized by the American Treasury.

Mr. TYDINGS. The Senator is correct. There is no dispute over that statement.

Mr. HAYDEN. There is a dispute.

Mr. TYDINGS. Let me ask the Senator in all candor if American Export Lines should put on three more trips and Pan American should have three trips, making six trips all told, would there be enough business to return each of them a profit on the operation of the air lines alone?

Mr. HAYDEN. Now——

Mr. TYDINGS. Will the Senator please answer the question "Yes" or "No"?

Mr. HAYDEN. I cannot answer it "Yes" or "No" because the question is not properly stated. If Pan American should put on four trips a week and the other line should put on one trip a week, the Post Office Department has found that there is business enough for both. The Civil Aeronautics Authority has found that there is business enough for both, and that competition is desirable. Those authorities which have studied the question both find that to be the fact. They do not base their finding on three trips by one company and three by the other. The finding is on the basis of four trips by one company and one by the other.

Mr. TYDINGS. What the Senator from Arizona says is true so far as it goes, but the Senator knows as well as I do that American Export Airlines have ordered three ships. Their representatives have very frankly testified that they want to put on the other two as fast as they can get them. They want to operate all three ships.

Mr. HAYDEN. No. The testimony is that one ship would be held in reserve, one would go one way each week, and the other would go the other way. That is all there is to it. There would be one trip a week.

Mr. TYDINGS. Every Senator old enough to wear long pants knows that they are not going into this business merely to make one trip a week. They want to make all the trips a week which the traffic will stand on the route developed by Pan American. If they were asking for the right to open up a new route and to pioneer in it, and we should grant them that right, and Pan American should come in and want to take that route away from them, I should be standing here defending them. They would have the right to have the benefit of their

service until some future development of aviation.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall be glad to yield in a moment.

The Senator says that American Export Airlines wants to run only one trip. According to the testimony, one trip by American Export Airlines would cost the Treasury $29,418 a trip, while one additional trip by Pan American would cost only $9,000 a trip. The reason for the difference is that Pan American already has the fields, the docks, the launches, the offices, and the handling facilities. So, if it should put on one more plane, the handling costs would be no more, in effect, than they would be for three planes. However, when a new company comes in it must develop all those facilities. So, in making only one flight a week, it is necessary to charge a higher rate. As the flights increase in number, the rate goes down.

Greater business makes cheaper business, and that rule is applied to this matter; so even if they made only one trip, it would cost the Government about $800,000 or $1,000,000 more a year than the cost of the same service by Pan American. In a time when we need every dollar we have, when we are going to have a tax bill that will raise $3,500,000,000, when we will bleed the people white, in God's name are we going to put on their backs an unnecessary expense of $1,000,000 a year, which we do not have to impose and when the service already being rendered can be more efficiently rendered the Government through Pan American Airways?

I now yield to the Senator from North Dakota.

Mr. NYE. Mr. President, the Senator has insisted that it was preposterous to expect that American Export Lines would be content with one ship a week. In the face of the testimony that has been afforded, would not the Senator be quite justified in anticipating that American Export Lines will not be content until it has a complete monopoly on carrying the mail as well as on ocean-going traffic over the Atlantic?

Mr. TYDINGS. Let us have no illusions on the subject. Both these companies are in business to make money, Pan American no less than American Export Lines, and neither one of them is altruistic; neither one of them is thinking primarily of such extraneous matters as we might call unselfish patriotism. I do not mean that they are not patriotic, but their concern is to make money. Why? Because if they do not make money they die. The Senator is exactly correct. In my opinion, the ultimate purpose of American Export Lines—the steamship line—after its gets that service established, is to cut rates, force Pan American off the airways, increase the number of its own planes, and wind up with a 100-percent monopoly, because it can absorb the losses in the air by the great revenue that is derived from its ships.

Mr. NYE. Precisely.

Mr. President, will the Senator further yield?

Mr. TYDINGS. I yield to the Senator from North Dakota.

Mr. NYE. Let me suggest to the Senator that as early as 1937 American Export Lines was pleading for legislation that would afford a complete monopoly on the ocean-going trade and on the air trade across the Atlantic.

Let me read from the record the testimony that was afforded before the Committee on the Merchant Marine and Fisheries in the House, when there was pending before the House committee the act amending the Merchant Marine Act of 1936. At that time Representative Sirovich inquired of the witness, who happened to be the executive vice president of American Export Lines, as follows:

> Do not you think there would be a solution of the maritime chaos we have today if Congress enacted legislation and wrote into this bill specific regulations or instructions to the Maritime Commission to grant as far as possible every trade-route organization that operates between the United States and European countries preferential consideration for aviation, so that they can in that way develop both in the air and on the sea and get an advantage over European countries?

To which Mr. Slater, the executive vice president of American Export Lines, responded:

> I certainly do.

Mr. TYDINGS. Of course he does.

Mr. NYE. So I insist there will not be contentment with one trip a week or contentment with sharing the air-going business across the Atlantic. There will be no contentment until they have a complete monopoly in that field.

Mr. TYDINGS. Will the Senator permit me to refer to something that came out in the debate yesterday? I did not have the figures available yesterday. I made the statement that the income from the sale of air-mail postage stamps for trans-Atlantic use was greater than the the amount the Government paid to the air-line companies for carrying the trans-Atlantic mail. Last night I looked up the figures in the testimony of Mr. Purdum, I think, or one of his assistants; and the figures show that the Government received $3,989,000 in postal revenues from the sale of trans-Atlantic air-mail stamps since the line was begun up until the time of the hearings, and in the meantime the Government had paid out $3,733,000 to Pan American in subsidies for the service of carrying the mail, leaving $256,000 in the Government Treasury as a so-called or actual profit on the transaction.

However, up to that time seven trips had not been paid for, but it is estimated that those seven trips would cost the Government about $9,000 each; so even if we take those seven trips into consideration that would leave in the Treasury of the United States $193,000 which the people of America have put there through the purchase of air-mail stamps, and which it has not been necessary for the Government to pay Pan American for the service rendered.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. In just a moment. Yesterday a statement was made here as though this were a one-way transaction and as though the Government were pouring out a great amount of money and getting nothing back. Pan American is rendering a service for the subsidy. Air-mail service is not compulsory. Mail may be sent by steamship, but for one reason or another some persons are anxious to have mail delivered quickly and are ready to pay for it; and all the Government is doing is acting as an agent or intermediary in collecting the money and turning it over to Pan American, at the same time, if I may be permitted to say so, making a pretty good profit on the transaction.

I now yield to the Senator from Arizona.

Mr. HAYDEN. Mr. President, I am glad the Senator has made the distinction he has, that what he was talking about yesterday was merely the trans-Atlantic business.

Mr. TYDINGS. That is all that is before us.

Mr. HAYDEN. No; but the statement made yesterday by the Senator from Maryland subsequent to the statement made by the Senator from Wyoming [Mr. O'MAHONEY] was that the Government is making money on the Pan American service.

Mr. TYDINGS. May I ask the Senator from Arizona to state just what was the statement made yesterday by the Senator from Maryland?

Mr. HAYDEN. I will read the statement.

> Mr. TYDINGS. The Senator from Wyoming and the Senator from Arizona both know that the Post Office Department, testifying before the Appropriations Committee, said that the revenue from the sale of air-mail stamps was larger than the subsidy.

Mr. TYDINGS. That is correct.

Mr. HAYDEN. The Senator from Maryland further said:

> As a matter of fact, the Government is making money on the Pan American service.

Mr. TYDINGS. That is correct.

Mr. HAYDEN. The Senator also said:

> It is not giving the Pan American anything by way of a subsidy for which Pan American does not render service.

Mr. TYDINGS. That is correct.

Mr. HAYDEN. What were we talking about? We were talking about the statement by the Senator from Wyoming that this company had received over $90,000,000.

Mr. TYDINGS. He made that statement afterward.

Mr. HAYDEN. No; the statement of the Senator from Wyoming preceded the statement of the Senator from Maryland by several pages.

Mr. TYDINGS. I made my remarks before the Senator from Wyoming rose; because he rose to take issue with what I had said, and I said that what the Senator from Wyoming had said was true, but that he was taking into consideration the whole picture.

Mr. HAYDEN. No; the Senator from Wyoming made the following assertion, as shown in the third column on page 3556 of the RECORD for yesterday——

Mr. TYDINGS. I should like to see the RECORD.

Mr. HAYDEN. I show it to the Senator.

Mr. TYDINGS. Perhaps the Senator will proceed with his remarks while I will find the place.

Mr. HAYDEN. I shall be glad to do so. I desire to have inserted in the RECORD at this point a table showing that as of April 1941, the latest figures available, there has been paid to Pan American $93,342,178.67, and that the mail revenue—that is, revenue from the sale of stamps—has amounted to $40,914,978.79, and that Pan American has been paid $52,427,199.88 more than the mail revenue for all its operations.

Mr. TYDINGS. How much did the Senator say?

Mr. HAYDEN. Fifty-two million four hundred and twenty-seven thousand one hundred and ninety-nine dollars and eighty-eight cents.

Mr. TYDINGS. That is a great deal less than $90,000,000, which was stated here yesterday with all the forcefulness that could be lent to the remark.

Mr. HAYDEN. If the Senator will look at the RECORD he will see that I never accused Pan American of claiming to render service which the Government did not receive.

Mr. O'MAHONEY. And neither did the Senator from Wyoming.

Mr. HAYDEN. Of course not.

Mr. TYDINGS. I am glad that is cleared up.

Mr. HAYDEN. I made my statement in order to clear it up; and I desire to have the tables referred to placed in the RECORD.

There being no objection, the tables referred to were ordered to be printed in the RECORD, as follows:

Statement showing amount paid to Pan American Airways and subsidiary companies and Pan American-Grace Airways from the beginning of service to end of April 1941

Route No.	Contractor	Amount actually paid
4	Pan American Airways, Inc.	$1, 290, 185. 00
5	do	23, 751, 437. 18
6	do	11, 929, 987. 61
7	do	441, 938. 74
8	do	11, 475, 001. 40
9	Pan American-Grace Airways, Inc.	17, 625, 949. 96
13	Pan American Airways, Inc.	12, 056, 954. 26
14	Pan American Airways Co.	10, 401, 627. 50
15	Pacific Alaska Airways, Inc.	76, 562. 88
16	do	116, 487. 38
17	Pan American Airways Co.	317, 900. 04
[1]18	do	3, 858, 146. 72
19	do	(2)
20	Pacific Alaska Airways, Inc.	(2)
		93, 342, 178. 67

[1] Nothing has as yet been paid for the third weekly trips, pending the fixing of rate of pay by the Civil Aeronautics Board for 3-times-a week service; 8 of these third weekly trips out-bound have been made from June 18, 1940, to Mar. 31, 1941.

[2] Nothing has as yet been paid on these routes pending the fixing of rate of pay by the Civil Aeronautics Board:

Estimated cost:
Route 19 ..... $623, 099. 99
Route 20 ..... 90, 754. 21

NOTE.—Route 18 is the trans-Atlantic route. Route 4 discontinued Jan. 31, 1933.

International Air Mail Service—Excess of cost over revenue during the fiscal years from 1930 to 1940, inclusive

[This includes Route F. A. M. 4, which ceased operation during the fiscal year 1933]

	Pan American Airways	Pan American-Grace, Airways, Inc.	Canadian Colonial Airways, Inc.		Total
			Excess of cost over revenue	Excess of revenue over cost	
Fiscal year:					
1930[1]	$3, 102, 439. 86	$747, 126. 41	(2)		$3, 849, 566. 30
1931	3, 992, 999. 60	1, 417, 664. 87	$76, 974. 78		5, 487, 639. 25
1932	4, 200, 164. 28	1, 425, 139. 77	72, 175. 35		5, 697, 479. 40
1933	4, 125, 369. 03	1, 422, 151. 77	67, 003. 27		5, 614, 524. 07
1934	3, 724, 659. 18	1, 341, 057. 81	68, 642. 46		5, 134, 359. 45
1935	3, 332, 069. 99	1, 268, 220. 78	40, 043. 99		4, 640, 334. 76
1936	2, 810, 780. 82	1, 092, 926. 14	9, 190. 72		3, 912, 897. 68
1937	3, 302, 061. 34	896, 248. 34		$3, 787. 56	4, 194, 522. 12
1938	3, 299, 440. 05	1, 114, 353. 88		5, 269. 52	4, 408, 524. 41
1939	3, 693, 329. 72	1, 159, 251. 34	59, 175. 28		4, 911, 756. 34
1940	3, 994, 542. 91	965, 201. 96	161, 771. 52		5, 121, 516. 39
Total	39, 577, 856. 81	12, 849, 343. 07	554, 977. 37	9, 057. 08	52, 973, 120. 17
Amount actually paid	$52, 427, 199. 88 [3] 93, 342, 178. 67				
Postage collected	40, 914, 978. 79				

[1] Not complete. [2] Not available. [3] See table above.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. O'MAHONEY. Is it now understood, and are we all in agreement that there was a substantial payment in excess of the $90,000,000 to Pan American on a'l its operations?

Mr. TYDINGS. I should prefer to ask the Senator are we in agreement that Pan American Airways has put more money into the Treasury than it has taken out for this trans-Atlantic service?

Mr. O'MAHONEY. I do not know where the Senator gets that idea.

Mr. TYDINGS. The Senator, who is an authority on this question, ought to be willing to answer that question.

Mr. O'MAHONEY. I repeat I do not know where the Senator gets that idea.

Mr. TYDINGS. I get it from Mr. Purdum's testimony. If the Senator wants to interview him, he is sitting in the gallery, and the Senator can invite him outside and ask him about it.

Mr. O'MAHONEY. The figures presented by the Senator from Arizona clearly indicate that there has been paid to Pan American $52,000,000 more than the Government receipts by way of the sale of air-mail postage.

Mr. TYDINGS. Of all the unfair arguments I ever saw dragged into a debate is the one which would go back to the beginning of plane transportation through the wilds of Central America, over the great stretches of South America, and out to little islands, such as Samoa, with 15,000 inhabitants, and Wake Island and other tiny little places separated by tremendously long distances, and to throw that in as of some force when it has nothing to do with the trans-Atlantic payments and receipts, which are entirely separate and in no way involved.

If the Senator from Wyoming and the Senator from Arizona had, in the committee when that very subsidy was up, sought to cut it down because money was being lost from the service on the Pacific or in Central America or South America, then they could in righteous indignation, stand on the floor of the Senate and make the argument they are making, but that is where the loss occurred and they never uttered a word about it. They never even discussed it in the committee, in fact, nobody did. But what we are discussing is an operation of Pan American by reason of which Pan American puts more money into the Treasury than it takes out of the Treasury. The two have no more relationship than Hitler has to Haille Selassie.

Mr. President, I referred a moment ago to the fact that the American Export Steamship Line had sprung from a small investment of $600—that is all, $600—and that last year its profits were approximately $6,000,000, of which $1,200,000 was paid to the Export Steamship Lines by a subsidy out of the Federal Treasury—$1,200,000 to a concern that was making $6,000,000 on a $600 investment. That is the concern that today asks the Government of the United States to give it $29,000 for a trip when the Government can buy the same service for $9,000 a trip.

If these were normal times it would be difficult to maintain the point of view of the Export Airlines, but at a time after 10 years of continued deficits, when we are almost in the war, according to the debate on the floor of the Senate this afternoon, when we are spending money by the billions of dollars, when we have undertaken to finance governments, God knows where, that are actually at war, to spend a million dollars for a service which can be had without spending the million dollars to me is the height of assininity.

To ask the people of this country to put up a cent a head—that it what it mounts to, one cent a head—in order to give this great advantage to the Export Air Lines is nothing more nor less than the height of assininity. I do not believe the Senate will take such action. The House of Representatives unanimously refused to do it. The same proposal was put before the House Appropriations Committee and was turned down unanimously. It failed in the Senate Appropriations Committee of being turned down by only a single vote.

Mr. President, there is one theoretical phase of this matter about which I should like to speak briefly; then I shall be through. For what is a subsidy paid? What is the purpose of a subsidy? Is it paid because we like to take money out of the Treasury and put it into the hands of some citizen? Of course not. The only

justification, under God's heaven, for a subsidy is to buy some service for the Government which cannot otherwise be obtained. That is the only reason for it. If our steamship lines, under the laws Congress has enacted and the restrictions it has put on certain phases of steamship activities, could operate in competition with foreign countries, then we would not provide any subsidy; but we cannot have ships, we cannot operate ships in normal times unless we pay some money to them, because American wages, insurance charges, and other conditions require American ships to have a heavier overhead than their foreign competitors have. So the only reason in the world for a subsidy is to purchase a service which could not be obtained without the subsidy.

We have such a service with the Pan American Airways. We have already bought and paid for it; it is already in existence. We can obtain from Pan American the additional service for $9,000 a trip. We can get one more flight across the ocean every week for $9,000 a flight. If on the other hand, Pan American is denied the opportunity to make that flight, and it is insisted that the Export Air Lines make it, it will cost the Government $29,000 a flight. In other words, we will spend $20,000 more a flight to buy a service which the Government may need than we need to spend in order to acquire or retain or obtain that service. I cannot see, for the life of me, why there should be any question about this matter. I cannot see, for the life of me, why anyone should want to spend $29,000 more for a service that will not be any better than one which can be obtained for $9,000. If in private life we should pursue the course of paying from one and a half to three times as much for a thing as we needed to pay for it, how long would we be out of the bankruptcy court? In view of the financial situation of the Government, it seems to me that there can be absolutely no justification for this additional extravagance at this particular time. There is no excuse for a subsidy, anyway, unless the only way the Government can obtain a service it desires is through the payment of a subsidy, and once the Government has the service, there is no excuse for it paying two or three times what it needs to pay in order to acquire additional service.

Mr. President, I desire to come back to the testimony concerning the $600 investment. And I hope the Senate will bear with me for a moment, for it is a little difficult to find data during the course of a debate offhand, but I will have it in a moment or two. In the meantime, while the Senator from South Dakota, I think, will cover the matter to which I am about to refer more thoroughly than I will, let me, in passing, say a brief word about the kind of airplanes which are flying on this route.

Pan American has put in an order aggregating $5,100,000 for six planes. They will be delivered in March, April, May, June, and July of this year—$5,100,000 for six planes. The Export Air Lines have put in an order aggregating $2,100,000 for three planes, but they will not be delivered until October of this year and January and March of next year. It will be next October before they can perform the service with one of these big planes, anyway.

The Pan American Line planes are four-engined, six double-deck ocean transports, of 84,000 pounds gross weight, against 57,000 pounds for the Export Air Lines planes. In other words, the Pan American ships are approximately 80 percent larger than those of the Export Air Lines. They are faster; they are safer; they have every advantage over the planes of the other line.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HAYDEN. The Senator mentions safety. I inquire can these very large ships, which are supposed to fly the Atlantic in the stratosphere in some 10 hours, land and rise from water?

Mr. TYDINGS. I talked to several aviation experts about that. Of course, they cannot, and neither can the flying boats, so the experts say, if they go down to the water.

These airplanes can proceed under two engines, they can proceed under three engines, they can proceed under four engines, and the ships now being flown are so designed that if one engine ceases to function men can go into the wings, take the engine apart in some degree, and recondition it and fix it, all while the ship is in motion. Engines frequently have gone out of operation for long periods of time on trans-Atlantic flights; but they have been fixed by highly skilled mechanics, who can go to an engine and take it apart, and, while remaining in constant telephone communication with the pilot, readjust the engine and get it going again.

Airplane engineers tell me that on the big planes which fly 250 and 350 miles an hour, and which are designed to fly from New York to London in 10½ hours, such planes as are now on order and are now being built, a boat is of no value at all. If the plane could be landed in the water at all, while in a short while, perhaps, it would sink, there would be sufficient time to give the passengers a chance to get on life rafts of rubber, or such equipment as could be unloaded.

Mr. HAYDEN. Mr. President——

Mr. TYDINGS. Just a minute. The Senator asked me the question; let me give him the complete answer. Airplane engineers say the chances are that if any one of the big planes had to go to the water, it would be no better off with a boat than without a boat; that the whole factor of safety depends on having engines, any two of which can pull the load, any three of which can pull the load, or all four of them; that that is the factor of safety which is more important than the landing apparatus.

Mr. HAYDEN. I have now found the reference to the hearings where the Senator from Maryland asked:

Is it not also a fact that the Boeing type—that is, the Pan American type—is vastly superior in every respect for the work for which it was designed than the other ship?

Mr. TYDINGS. Who is testifying?

Mr. HAYDEN. Commander Sherman, on page 236.

Mr. TYDINGS. Oh, do not tell me about that man. If ever in my life I saw a witness who was partisan, and who was put on the stand deliberately to make out a case, he was the man. I did not consider his testimony worth 5 cents.

Mr. HAYDEN. I thought his statement was very fair. He said:

However, my experience with patrol planes in general leads me to believe that the Sikorsky is the more seaworthy of the two types. That, of course, is a matter on which there is a great deal of disagreement.

Then I said:

By "seaworthy," do you mean ability to rise from the ocean?

Commander SHERMAN. In my opinion, the type of hull which the Sikorsky has is better able to land, taxi, take off, and survive in a rough sea, but that opinion is apparently not shared by the Pan American engineers.

I think that is a very fair statement; but it is clearly contemplated by the testimony that the Sikorsky plane can rise from the water, and it is not contemplated that a Pan American plane can rise from the water.

Mr. TYDINGS. Mr. President, that is the Navy Department, so-called, speaking. When it was learned the Navy was in favor of this item, a commander in the Navy came here; and, in my opinion, if he was a good witness, he seemed most reluctant to testify until he had cogitated a very long while. He was one of the most unresponsive witnesses I ever saw in my life.

I do not know a great deal about planes; but here is a 4-engine plane of 57,000 pounds and 4,800 horsepower which he says is superior to a plane having 6,200 horsepower and weighing 84,000 pounds. One has 50 percent more horsepower and about 50 percent more weight than the other. In other words, it is a bigger, wider, more roomy, and faster plane—the last word in airplanes. He says that plane is not so good as a plane that was developed 2 years ago. Perhaps he is right; but I say that most of the airplane engineers are against him.

Mr. President, while I am looking for this matter, let me say that I have a telegram from General Marshall and Admiral Stark—one the Chief of Staff of the Army and the other the Chief of Naval Operations—testifying to the splendid work that Pan American Airways has done. I send the telegram to the desk and ask to have it read.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Without objection, the telegram will be read.

The legislative clerk read the telegram, as follows:

WASHINGTON, D. C., *May 2, 1941.*

Senator MILLARD E. TYDINGS,
United States Senate,
Washington, D. C.:

Referring to your telegram concerning Pan American Airways, we agree with you that company has done, and still is doing, a service of great value to the national interests and to national defense. It has cooperated with the Army and Navy, and upon many occasions rendered special and essential services of a high order of importance. We consider both its directing and operating personnel efficient.

G. C. MARSHALL.
H. R. STARK.

Mr. TYDINGS. Mr. President, at the hearings before the Appropriations Committee I took a transcript of the report which Export Steamship Lines had filed with the United States Maritime Commission, and from it read certain excerpts which, if Senators have not the whole picture, may be a little difficult to understand, but showing that $600 is the sole investment of the backers of Export Steamship Co. in this line, so far as their record goes, and that out of that investment they have made a very phenomenal profit. I am very glad they have. A great deal of it has been due to good management as well as to vision. I cannot escape the fact, however, that the Government of the United States has been paying $1,200,000 a year to the company in subsidies.

From this long report I read one paragraph, which, perhaps, will give a picture of what really happened:

The cash required for the purchase of the above-mentioned certificates of participation and stock was raised by American Export Lines, Inc. (Delaware), by borrowing approximately $190,000 from banks, and by the sale to a syndicate composed of 15 individuals, firms (including Lehman Bros.), and corporations of a total of $500,000 principal amount of notes, which were sold at par, and 1,000 shares of capital stock. Of the 1,000 shares of stock, 600 shares were sold at $1 per share—

Of the 1,000 shares of stock, representing all the stock issued and outstanding, 600 shares were sold at $1 a share—

but only in units of a $5,000 note and 6 shares of stock, or a total of $5,006. The remaining 400 shares of capital stock were sold at $1 per share—without notes—

Follow me, without notes—

to Lehman Bros., managers of the syndicate. From this block of 400 shares, Lehman Bros. sold 165 shares at $1 per share to W. H. Coverdale, who at that time was president of The Export Steamship Corporation. The sale by New York Shipbuilding Corporation of the stock of The Export Steamship Corporation and the purchase thereof by American Export Lines, Inc. (Delaware), are the subject of a suit by the executors of the will of a former owner of the stock, in which damages in the amount of $4,382,500 are claimed.

I do not want to reflect on these gentlemen, because there is nothing dishonorable about this transaction so far as I know; but, the truth of the matter is that they have only a $600 investment, and I have already put in the RECORD their profits year by year, which, according to the United States Maritime Commission, for the year 1940, were approximately $6,000,000, of which $1,200,000 was a part of the profit, through the medium of a subsidy paid to the shipping company by the Government of the United States.

I have likewise shown that when Export Steamship Co. was asked to share its run by United States Lines, it refused to give that privilege to United States Lines until United States Lines had paid handsomely for it. It did not want any competition on its line between here and Portugal. It said, "That belongs to us. It has been given to us by the Maritime Commission. You dare not come in without paying us for it." That is the same concern which now asks the Government of the United States to permit it to go in the air and share the remaining 30 percent of the mail business with Pan American, at a cost of $20,000 a trip more than we need pay if we stick to Pan American instead of the Export Air Lines.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. PEPPER. I merely want to ask the Senator two or three questions.

Mr. TYDINGS. I shall be delighted to have the Senator ask me the questions. If I can answer, I shall be glad to do so.

Mr. PEPPER. In the first place, does the Senator know of any evidence establishing the fact that the service designed over the route proposed to be covered by these companies is either not being afforded by the existing company, or the existing company cannot afford it?

Mr. TYDINGS. On the contrary, the existing company is in a position to furnish the service almost immediately, whereas Export Air Lines cannot furnish it, with new and modern planes, until some time in the future. The facilities are available for the furnishing of the service now at both ends by Pan American Airways. I do not think they are available at both ends, particularly on the Portuguese end, to the Export Airlines, should they get the franchise. They would have to acquire a terminus over there after they got the franchise.

Mr. PEPPER. If additional service were desirable, by which company could the service be more adequately provided?

Mr. TYDINGS. The service could be more adequately provided by Pan American, beyond the shadow of a doubt.

Mr. PEPPER. A third question: Does the Senator know what the rule of the Maritime Commission is relative to granting a subsidy to an additional ship line to cover a route which is already served by an existing line?

Mr. TYDINGS. I am greatly indebted to the Senator from Florida, because he has directed my attention to something which I think is of equal importance to anything in this whole picture; that is, the testimony of Admiral Land. Admiral Land came before the committee and said it was the policy of the United States Maritime Commission, without any exception, to grant a franchise or a subsidy or a route to only one American steamship company, and allow no other American steamship company to compete on that route, that is, between any two ports, for example, New York and Lisbon. Admiral Land proceeded in great detail to tell why it was sensible to do that. He said it was because that was the universal policy of every other country in the world. The English, the French, the Germans, the Swedes, the Norwegians, the Japanese, the Greeks, the Portuguese, the Spaniards, the Italians, had only one air line and one steamship line running from one of their ports to a port in a foreign country. Therefore, there being but one line, there was cut out every bit of extra expense which would be occasioned if two lines ran from one place to the same foreign port. It would take two sets of officers, two sets of offices, two sets of termini. It would take two repair shops, it would take a duplication all the way down the line, and he said that competition was so keen in the international field that the United States had been forced to adopt the same policy, in order to keep its subsidies at a minimum.

Admiral Land had no more to do with this air subsidy than any other department of the Government, because Admiral Land is in charge of water operations only. But we called him before us because it was the case of a steamship line owning completely an airplane line which was applying for a subsidy from the Post Office Department. That is how he came into the picture.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. TYDINGS. I yield.

Mr. PEPPER. If competition with an existing carrier were to be allowed, would it be unfair, in the opinion of the able Senator, to let the point of competition be the point at which the existing carrier reaches economic maturity?

Mr. TYDINGS. I think there can be but one answer to the Senator's question, that is, that the existing carrier must reach economic maturity, or the whole venture is destroyed.

Unless there is some other question, in conclusion I should like to leave one thought with my colleagues, for other Senators will touch on other phases as important as some of those I have briefly mentioned. If these were normal times, or if the American Export Airlines were asking for a franchise to pioneer to some port which is not now being served, there might be some justification for this venture. I certainly would favor helping them out if they were going to connect the United States with some foreign port which was not now connected with us by air, if the proposition looked at all feasible. But that is not the question before us. That is not even a remote part of this proposition. There is no new service this concern is to render, and how in the name of common sense the Members of this body who are shortly to vote for a $3,500,000,000 new tax bill, which will touch the pocketbook of every person in this country, directly or indirectly, can vote to throw away a million dollars unnecessarily, getting no more service than could be obtained without the expenditure of that million dollars a year, is simply beyond my comprehension.

The Post Office Department did not go into the mechanics of this proposal. They are scared to death for fear they will be charged with not giving some concern in a position to render service equal treatment with some other concern. They do not want to be charged with fostering this or that company.

The Maritime Commission were not consulted in this matter. The Civil Aeronautics Authority will in effect advocate and recommend and encourage any airplane company to pioneer. What we have really learned from this matter is that hereafter in the field of international transportation we will have to set up a central agency which will consider not only sea transportation but the air and the other means of transport. We have outgrown the separate agencies, because they are now beginning to overlap, and one system of transportation is growing out of another.

For the reasons I have stated I hope the Senate will vote "no" and reject the amendment, believing that every substantial interest of our Government will be served by its defeat, that economy will be effected, and that justice will be done to a concern which has won the admiration and respect of the people of America, the Pan American Airways Co., in this great trans-Atlantic venture.

Mr. WHITE. Mr. President, I have no purpose to discuss the operations of the two companies here involved. I regard as relatively unimportant the question of the subsidies each of them has received from the Government over the years. I shall not talk about the subsidies paid to the Export Co. through the construction loan fund under the 1920 legislation, as it was thereafter amended from time to time. I shall not talk about the mail subsidies paid to the Export Co. under the 1928 act, or the operating or construction subsidies paid to them under the 1936 act.

I have no interest at the moment in the subsidies paid to Pan American for their pioneering efforts over the years. I am interested in this proposed legislation, and the conclusion I have come to has been dictated by what I believe to be considerations of principles and of practices to which we have given loyalty in the past, and which I think are challenged by the pending proposal. I think it is not necessary to know any great number of facts to reach a sound conclusion about this matter. It seems to me all we need to know is that this amendment proposes to authorize a steamship company of the United States, drawing a subsidy from the Government of the United States, to own and control another form of competitive transportation. I think it is only necessary that we should know the further fact that we are now proposing to pay a subsidy or subsidies to two competing American companies in the same service. Both those proposals, I think, run counter to principles established by the Congress and to practices followed by our regulatory bodies during recent years.

I think all Senators have in mind that certainly since the Panama Canal Act of 1914—and I do not know but that it appeared in prior legislation—Congress has declared it to be unlawful for a rail carrier to own or control a water carrier traversing the Panama Canal or elsewhere which might be in competition with the rail carrier. That principle has been written into our law for all of 35 years of time; and, for myself, I am not willing at this moment to see that principle disregarded and changed by another act of the Congress. That principle received confirmation and strengthening in the transportation legislation passed at the last session of the Congress. I think it is a principle to which we should give continued respect.

Then let us consider the field of aviation. In the Civil Aeronautics Authority Act we paid deference to that same principle. We provided in that act that any other common carrier than an air carrier should not acquire and should not own and should not control an air carrier in any way whatsoever.

When we came to the matter of regulating communications by our 1927 Radio Act—and the provision was carried forward in the 1934 Communications Act—we declared that a radio company should not own or operate or have control over a wire company, and, by the same token, that a wire company should not own or acquire control of or operate a radio company.

There is provision in the law granted to the regulatory body to make an exception in these cases, but I think the very exceptions themselves prove the validity and the wisdom of the general principle we laid down, that one common carrier should not control, own, or operate a competing carrier in another form of transportation or of communications.

When it comes to water-borne commerce I do not recall immediately that there is in the Merchant Marine Act of 1936 a definite denial of the right of a water carrier to acquire some other agency of transportation, but I do know that in many of the sections of that act there is evidenced the anxiety of the Congress that a contractor receiving a subsidy from the Government of the United States shall not become involved in undertakings of another sort which might divert it from its prime purpose and avoid its prime obligation to serve the maritime interests of the United States.

It seems to me that in the pending proposal there is involved a definite rejection, a definite abrogation of the principle to which I have alluded, and which I think we have followed for, as I have said, at least 35 years, and which has been found to be sound through all that time, which is sound today, and which ought to have the respect of the Congress today as it has had in the past.

I have referred to practices which I think are proposed to be disregarded by this legislation. I have already alluded to communications, pointing out that we have laid down the principle in our law that a radio company should not acquire a wire company and that a wire company should not acquire a radio company, but that they should be competitive and remain competitive.

In the field of foreign communications by radio we have had one very interesting case. That is what is known as the Oslo case. The Radio Corporation of America maintains a direct service from the United States to Oslo, Norway. In process of time what is known as the Mackay interests made application to the Federal Communications Commission for permission to extend their service to, I think, Copenhagen, into Norway, to provide a competitive service with the other American interest operating to Oslo and back. That case was before the Communications Commission for a substantial time. There were long hearings and lengthy arguments. The Commission in that case decided against granting to a second American company the right to enter into competition with an existing American company in the foreign field. The Commission held in that case that the competition was uneconomic, that it was wasteful, that it afforded to the foreign government the opportunity to trade one American company off against the other, and to drive harder and harder bargains with respect to traffic than if a single American company were in the field. That case went to the Court of Appeals of the District of Columbia, and the action of the Commission received the approval of the court.

When it comes to water transportation there has been a similar practice. It has been referred to here. Ever since the Merchant Marine Act of 1928 was passed it has been within the authority of the Maritime Commission, or originally the Shipping Board, to determine what were the essential routes upon which American vessels could operate. When the authorities had once determined what was an essential route under the law, they have been authorized to grant a subsidy to the American company operating upon that route; and, with a single exception, all through the years the maritime authorities have respected the principle, or followed the practice, I would better say, of lending their strength and their encouragement and providing American money, money of the Government, to the maintenance and the expansion of one American service upon a route which they deemed essential to the interests of the United States and the commerce of the United States.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Nevada?

Mr. WHITE. I yield.

Mr. McCARRAN. I do not want to break into the Senator's thought, but what I wish to say comes into this question in keeping with the hearings before the committee. I suggest it to the Senator, who is an authority on maritime law, and for whose authority in that regard I have a great respect, a situation which has presented itself. It has developed that the American Export Lines has a monopoly, as I choose to use the term, on all transportation by water from American ports to Mediterranean ports and to Lisbon, Portugal. That monopoly has manifested itself to such an extent that during the time when refugees sought to leave Europe at the outbreak of the present war American Export Lines did not have ships in sufficient number or of sufficient capacity to transport the refugees from Mediterranean ports or from Lisbon to the United States. So the United States Lines—a shipping line—sent its ships into Mediterranean ports and carried refugees from Mediterranean ports to American ports. American Export Lines—as illustrative of their monopoly with respect to those ports, which monopoly was acquiesced in by the mandate and direction of the American authority—made a demand on the United States Lines and received from the United States Lines $400,000 for transporting refugees from the Mediterranean ports to America. I wonder if that is in keeping with the thought which the Senator is developing.

Mr. WHITE. I understand the facts to be as the Senator states them. But

what I was undertaking to say was that during the years it has been the practice, acquiesced in by the Congress, that our Maritime Commission should afford a subsidy to only one American company in a given trade route or trade range, on the theory that it is necessary that every resource of the Government shall be made available to support an American company undertaking to sustain itself in the foreign trade against foreign competitors who are always found in the trades of the world.

Mr. President, it seems to me that the pending amendment runs counter to the principles and practices of past years. I do not propose to urge at the moment that those practices are right, nor do I want to concede that they are wrong; but I do say that if they are to be changed, the change should be made following a study and recommendation by a legislative committee of this body.

I very much regret that the action by the Appropriations Committee bringing in this item has raised what I consider to be basic questions of American policy in the foreign field. I cannot vote for the committee amendment. I have the greatest admiration for American Export Lines. I have known something about that company from its earliest days. I know it has done a great job for the American merchant marine. It has expanded trade in the Mediterranean. I have seen its ships in the ports of the Mediterranean area. I have seen the products of America carried to the far eastern ports of the Mediterranean by the ships of American Export Lines; but I think that in the present instance American Export Lines has made a grevious mistake and has opened up a Pandora's box of troubles. I very much hope we may avoid some of them by rejecting the amendment.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. HAYDEN. What puzzles me is how we are to get out of the dilemma in which we find ourselves. I thoroughly agree with the Senator that this is a matter which should be determined by the legislative committees of the House and Senate. Are we to have one airplane company doing all the business outside the United States, or, as a matter of policy should we divide up the routes in different parts of the world, as we do with shipping?

Mr. WHITE. I was confining myself to a particular route. I am rather definitely of the belief that we do not want to undertake out of the Public Treasury to sustain two American companies in competition with each other upon a particular route, but that does not mean that I favor one company on every route all over the world.

Mr. HAYDEN. The Senator has devoted a great deal of time and study to the problem of ship subsidies, and probably knows that subject better than does any other Senator.

Mr. WHITE. I should have to deny that.

Mr. HAYDEN. Does the Senator believe that the same principles which apply to shipping should be applied to transoceanic flying? That is to say, should there be one subsidy on one line, with separate routes given to different companies, just as we do on the sea?

Mr. WHITE. I am in favor of establishing routes in the air for the air service, and my inclination is to insist that we ought to have but one American company on a given route. Whether the same American company should serve on another route is something else that I think would depend entirely on the service it was able to render and a great many other considerations; but, as a matter of fact, I think one American company can give the Government of the United States all the concern it ought to give in making certain that that American company will be efficiently operated, that it will expand and develop with the art, and that it will carry American-flag ships to the ports of the world in competition with the ships of other nations. I am now speaking of airships.

Mr. HAYDEN. There are two questions involved. The first is whether a steamship company should be permitted to have any interest in an air line.

Mr. WHITE. I think the Senator will agree that that is a matter of policy.

Mr. HAYDEN. That is a matter of policy to be determined.

Mr. WHITE. I think the Senator must agree with me when I say that I regret that a matter of basic policy should be determined by the Appropriations Committee rather than by a legislative committee of this body.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. McCARRAN. I am now addressing myself to the last expression of the Senator from Maine, in which he declares that the question under discussion is a matter of legislative policy. The Congress has established that policy by the Civil Aeronautics Authority Act.

Mr. WHITE. I agree with the Senator.

Mr. McCARRAN. That act specifically declares that no surface line shall control an air line.

Mr. WHITE. I should say without any hesitation that I think the spirit, purpose, and intent of the law were utterly disregarded by the Civil Aeronautics Authority when it determined that there was no acquisition of an air carrier by a steamship carrier.

Mr. McCARRAN. Let me follow that question with one further point. I entirely agree with the Senator from Maine.

This is a picture which the Senator from Maine may not have grasped: Five members constitute the membership of the Civil Aeronautics Board, and only two members rendered the decision in this case. A third member rendered a dissenting opinion, and two other members did not participate, which indicates to me that the policy of the Congress has not been followed by the Civil Aeronautics Board.

Mr. WHITE. I understand the facts to be as the Senator from Nevada has stated them, but I was trying to keep away from details and simply give my idea as to the principles involved.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. O'MAHONEY. I wish to make one comment upon the subject matter of the recent colloquy between the Senator from Maine and the Senator from Nevada. I think it ought to be understood that, while the facts are exactly as the Senator from Navada has stated them, so far as his statement goes, there are other facts which should be borne in mind.

First, the steamship line, American Export Lines, had established the air line before the Civil Aeronautics Act was passed.

Mr. WHITE. I understand that.

Mr. O'MAHONEY. In other words, before Congress had declared its policy that a common carrier should not acquire an air line, the steamship line had established the air line. It was upon that point that the two members of the Civil Aeronautics Authority held that the policy laid down by Congress was not retrocative, and did not prohibit an act that had already taken place. Of course, the question is now in the courts for determination and, whichever way it is determined, the decision would not, in my judgment, affect at all what is being done here.

Mr. WHITE. I feel precisely as the Senator from North Carolina [Mr. BAILEY] expressed himself yesterday, that the decision of the Civil Aeronautics Authority was ridiculous and absurd.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. WHITE. I yield the floor.

Mr. McCARRAN. I desire to address myself to the last remark made by the able Senator from Wyoming—that it makes no difference which way the court decides this matter. If the court decides that two members of a board of five had no right to render that opinion, and if the court decides that the minority opinion is correct, then, of course, anything that we do here would be a vain act, because there would be no certificate of convenience and necessity issued by the Board. In other words, I contend, and I shall contend in my presentation of this matter—which I hope may be either today or tomorrow—that two members of a board of five never have a right to render the decision of that body. No certificate of convenience or necessity has been legally issued in this connection. Hence, there is nothing before this body.

Mr. O'MAHONEY. Mr. President, may I have the attention of the majority leader? I had understood that the Sentor from Kentucky was about to submit a proposal for a unanimous-consent agreement.

Mr. BARKLEY. Yes, Mr. President; I have been trying to arrange an agreement for a time to vote tomorrow on the pending amendment. I ask unanimous consent that at not later than 1 o'clock p. m. tomorrow the Senate proceed without further debate to vote on the pending amendment. I desire to make the request subject to this contingency: The Senator from North Dakota [Mr. NYE] has left the city, and my understanding is that he will be back early tomorrow

morning; but before leaving he spoke to the Senator from Vermont [Mr. AUSTIN] about desiring to have 10 minutes on the pending amendment tomorrow, and the Senator from Vermont was not certain at what time the Senator from North Dakota would return. I have conferred with the office of the Senator from North Dakota and have ascertained that he will be back early in the morning; so I make the request subject to the contingency that if the Senator from North Dakota should not return in time to make his 10-minute speech before 1 o'clock the time will be extended sufficiently to enable him to do so.

Will that be agreeable?

Mr. McCARRAN. I could not understand the Senator's last remark.

Mr. BARKLEY. The request is that at not later than 1 o'clock p. m., tomorrow the Senate vote on the pending amendment, with the contingency that if the Senator from North Dakota [Mr. NYE], who desires to speak for about 10 minutes on the amendment, shall not return in time to do so before 1 o'clock, we will extend the time sufficiently to allow him to occupy the floor before the vote is taken.

Mr. McCARRAN. I have no desire to object. I rather desire to go ahead and to agree, except that I wish to be heard for a reasonable time tomorrow in the presentation of this matter as I view it as a member of the committee and as one much interested in civil aeronautics.

Mr. BARKLEY. I have no desire, as the Senator knows, to shut off anyone; but I have thought it desirable to obtain a definite agreement, if possible, to vote at 1 o'clock; and I hope we may do so.

Mr. McCARRAN. I should like to know the view of the Senator from Maryland [Mr. TYDINGS] on the subject.

Mr. TYDINGS. Mr. President, while the Senator from Nevada was talking, I was thinking that if the Senator from Kentucky would put in his request a proviso that the time shall be equally divided between the proponents and the opponents of the amendment, it would insure that the Senator from Nevada and perhaps one other Senator who may desire to speak would have a chance to be heard, unless they should desire to speak more extensively.

Mr. McCARRAN. I think about 15 minutes is all the time I should care to have.

Mr. BARKLEY. I am perfectly willing to modify my request so as to provide that the time shall be equally divided between the proponents and the opponents of the amendment.

Mr. NORRIS. Mr. President, what time will be left—1 hour?

Mr. BARKLEY. One hour.

Mr. NORRIS. I wonder whether, in view of the practice and custom here, that would insure more than one Senator's making a speech tomorrow.

Mr. BARKLEY. Yes; it would insure two doing so.

Mr. NORRIS. I do not understand why that is.

Mr. BARKLEY. If the time is equally divided, there would have to be at least two speeches, one on each side.

Mr. NORRIS. If one Senator took up an hour there would not be much time left for the other Senator.

Mr. BARKLEY. Under the agreement, he could not do that.

Mr. NORRIS. I thought he could.

Mr. BARKLEY. No; he could take only half an hour.

Mr. AUSTIN. Mr. President, I cannot agree to the request. I have reason to believe that there are other Senators besides the Senator from North Dakota and the Senator from Nevada who wish to discuss the matter from the same point of view; and if the agreement amounts to a limitation of debate to 30 minutes I know it is folly to enter into it.

Mr. BARKLEY. I am perfectly willing to agree that the Senate shall meet at 11 o'clock tomorrow in order to give time for a 2-hour discussion of the amendment. I should like to have the Senate vote on the amendment by 1 o'clock.

Mr. AUSTIN. I myself have no objection to such a program; but I desire to save the agreement I had previously made with the Senator from North Dakota [Mr. NYE]. I do not desire to go back on that agreement in making a new one; and if we should agree to vote not later than 1 o'clock, the agreement would be subject to the contingency that the Senator from North Dakota be here.

Mr. BARKLEY. That is all right. I will agree to that.

Mr. AUSTIN. I do not desire, by that agreement, to have the interpretation placed upon it that if we sit here waiting for the Senator from North Dakota, no other Senator may address the Senate upon the pending amendment.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TYDINGS. This is pure presumption on my part, and I hope the unanimous-consent agreement will be entered into; but if it is entered into I should appreciate having those who desire to speak against the adoption of the amendment communicate with me, because, having taken considerable time in speaking on the amendment, I should like to do what I can to divide the time so that those who desire to speak on the amendment may have an opportunity to do so. I think we can see that the Senator from Nevada [Mr. MCCARRAN] has half an hour's time, if that would be sufficient.

Mr. McCARRAN. Twenty minutes is all I desire to have.

Mr. TYDINGS. That would take care of the Senator from Nevada.

Mr. McCARRAN. That is satisfactory to me, so long as I have that opportunity.

Mr. ADAMS. Mr. President, I desire to make an inquiry of the majority leader, the Senator from Kentucky [Mr. BARKLEY]. I have no great interest in this matter, but I wonder what the occasion is which makes him so insistent on having a very narrow time for debate. Are we under pressure of other legislative matters that are crowding us?

Mr. BARKLEY. No; we are not.

Mr. ADAMS. It seems to me that the pending matter is one of considerable importance. While those who have spoken on it seem quite willing to have the debate restricted—and I have not any expectation of speaking—it is a matter of importance; and I know from past experience that if we place a narrow limit upon debate we shall shut out discussion by some Members of the Senate who are interested. If there is pressure of other legislative matters, of course, we can shorten the debate; but in the absence of such pressure it seems to me the Senator's request is a little restricted.

Mr. BARKLEY. There is no pressure of other legislation. In fact, so far as I know, no other legislation will come before the Senate tomorrow after the pending bill is disposed of. We have been in the habit recently, during the lull in legislative matters, of trying to accommodate the program of the Senate to the convenience of Senators. One or two or three Senators had planned to leave the city tomorrow about 2 o'clock, and I thought that if we could dispose of the pending matter before that time, having hoped that we might do so today, it would not be a great hardship on anyone.

Mr. ADAMS. I thought the important matter was concluded on Saturday. I did not know that we had any other matters to consider.

Mr. TYDINGS. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. TYDINGS. Of course I cannot speak for all other Senators; but those who are members of the Appropriations Committee have expressed to me a desire to be heard. I believe if they had an hour which could be divided up between the two or three who yet desire to speak—not having asked precisely how much time they desire—that would be sufficient time to take care of those I know of who desire to speak in opposition to the amendment. There are two who I am sure desire to speak, and perhaps another Senator who is not here. So if the unanimous-consent agreement should be made, and if we should meet at 11 o'clock and vote at 1 o'clock, so far as I know, those who desire to speak say that would provide all the time they require.

Mr. BARKLEY. I appreciate that the Senator from Maryland has been very cooperative in trying to work out this agreement.

Mr. GLASS. Mr. President, God knows that nobody has been suppressed. There has been speech after speech. There was in the committee. We held the committee in session; and if anybody has said anything new since the first two or three speeches in the committee, I have failed to hear it. It has been the same thing over and over again.

I hope the request of the majority leader will be granted that we fix some hour for voting tomorrow.

Mr. BARKLEY. With that contingency with reference to the Senator from North Dakota.

Mr. AUSTIN. Mr. President, let me suggest an amendment. I ask the leader of the majority to amend his request so that it will in substance provide that the Senate recess until 11 o'clock tomorrow morning, and that not later than 1 o'clock in the afternoon a vote be taken

on this amendment; provided, however, that if the Senator from North Dakota [Mr. NYE] shall be absent, the vote shall not then occur until after he has been here 10 minutes.

Mr. BARKLEY. How long would we have to wait for him to return after 1 o'clock?

Mr. AUSTIN. I cannot make the amendment more definite. I realize that that is an open-end transaction.

Mr. BARKLEY. Mr. President, that is an unusual request. Ordinarily, I do not think the Senate ought to set a precedent by fixing a time for anything contingent upon the indefinite return of some Senator who absents himself from the Chamber or from the city; but in view of the practical certainty, as I have been assured by the Senator's office, that he will be here early in the morning, I am willing to accept the suggestion of the Senator from Vermont.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky, as modified?

Mr. McCARRAN. What is the request?

Mr. BARKLEY. The request is that when the Senate recesses today it be until 11 o'clock tomorrow morning, and that not later than 1 o'clock tomorrow we proceed to vote, provided the Senator from North Dakota [Mr. NYE] is present, and that we do not vote until he has been in the Chamber at least 10 minutes. It may be a hardship on the Senator to require that, but still I think it is a reasonable request.

Mr. O'MAHONEY. Mr. President, I am impressed by what the Senator from Kentucky had to say about the indefinite character of the proposed agreement. Why should it not be understood that it is contingent upon the return to the city of the Senator from North Dakota, and that if he does not return by the time stated, the Senate will not wait for his return? Otherwise, if he should not return to the city, it would postpone the vote to some indefinite period in the future.

Mr. BARKLEY. I will say to the Senator from Wyoming that, before leaving, the Senator from North Dakota consulted me about the probability of a vote this afternoon, and if there had been a prospect of a vote, he would not have left the city; but, upon being practically assured that there would not be a vote this afternoon, he left. It is my understanding that he will return early tomorrow morning, because I am told by his secretary that he has appointments in his office from 9 o'clock on.

Mr. O'MAHONEY. But if, for any reason, he should not return, under the agreement as the Senator has stated it, the Senate would be unable to vote.

Mr. BARKLEY. We should have to make a new agreement. That would be the substance of it.

Mr. O'MAHONEY. Now, may I ask whether, in the agreement as stated, there has been any effort to divide the time pro and con? I understand not.

Mr. BARKLEY. I had made that suggestion before; but, if it is necessary to incorporate it in the amended request, I ask as a part of the agreement that the time shall be equally divided between the two sides, to be controlled by the Senator from Maryland [Mr. TYDINGS] in opposition to the amendment, and by the Senator from Arizona [Mr. HAYDEN] in favor of the amendment.

Mr. O'MAHONEY. It occured to me, from what the Senator from Maryland said and from what the Senator from Nevada said, that probably in less than an hour all the speeches against the amendment would have been completed; and I am sure it will take less than an hour for those who intend to support the amendment to complete their remarks.

Mr. McCARRAN. I do not know that that order has anything to do with it. We are not bound by the order represented by the expression of the Senator from Wyoming, I take it.

Mr. O'MAHONEY. I am merely discussing the agreement, not attempting to make any order.

Mr. McCARRAN. I did not know. The Senator is very apt at that.

Mr. CLARK of Missouri. Mr. President, reserving the right to object, it seems to me there has been some disposition here on both sides of the Chamber more or less to give a pushing around to the Senator from North Dakota [Mr. NYE]. I hold no brief for the Senator from North Dakota. So far as I am concerned, I am perfectly willing to vote right now on this amendment. I have already given notice that I do not intend to speak on it; but I more or less resent the pushing around of the Senator from North Dakota, apparently by cooperation on both sides of the Chamber, on the matter of postponing this vote until tomorrow. One Senator rises and asks unanimous consent that the vote be postponed until 10 minutes after the Senator from North Dakota [Mr. NYE] gets back tomorrow. Another Senator says one thing, and another says another thing, apparently rather trying to leave the matter in the lap of the distinguished Senator from North Dakota. My dear friend the Senator from Virginia [Mr. GLASS], who on occasion has been absent from the Senate for 3 or 4 months at a time——

Mr. GLASS. I deny that. I never was, in all the born days of my life, absent from the Senate for 3 or 4 months.

Mr. CLARK of Missouri. Mr. President, I have not yielded to the Senator from Virginia. He was absent for causes not under his control, for which I do not criticize him; but the Senator from Virginia is very free, whenever he does appear in the Senate, to criticize any other Senator who desires to debate any bill of which the Senator from Virginia has charge.

Mr. President, if the Senator from Kentucky wants to present a request for any reasonable limitation on this debate—and I have already said that I myself do not wish to speak on the amendment—I shall be very glad to have that question stated so that we can understand it, without any reference to the Senator from North Dakota.

Mr. BARKLEY. Mr. President, it is impossible to state the agreement without referring to the Senator from North Dakota, because the Senator from Vermont [Mr. AUSTIN] suggested that the Senator from North Dakota be made a part of the agreement, or, at least, that it be made contingent upon his return. The only reason why the Senator from North Dakota is injected into this discussion is because his absence makes it impossible to get an agreement to vote at 1 o'clock without the amendment suggested by the Senator from Vermont; and the Senator from Vermont is under a very natural obligation to carry out a promise he made to the Senator from North Dakota before he left that he would not agree to any limitation of debate or time to vote unless it gave the Senator from North Dakota a chance to speak for at least 10 minutes. I am trying to accommodate myself to the Senator from North Dakota. I do not know upon what mission he has departed from the city, or anything about it, but I am trying to accommodate the Senate to his situation.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. Yes; I shall be glad to yield.

Mr. CLARK of Missouri. I resent the implications of this discussion about the Senator from North Dakota just as much as I resented what was said when the former Senator from West Virginia [Mr. Neely] accused the Senator from Kentucky of delaying the business of the Senate by going off on trips to see the Kentucky Derby.

Mr. BARKLEY. I do not see what that has to do with the request I have made.

Mr. CLARK of Missouri. Mr. President, it seems to me we ought to fix a reasonable time to vote without reference to any particular Senator, even though in doing so we give consideration to the convenience of some Senator.

Mr. BARKLEY. Does the Senator from Missouri object to having the agreement entered into in a form that will guarantee that the Senator from North Dakota [Mr. NYE] shall be permitted to speak for 10 minutes on the pending amendment?

Mr. CLARK of Missouri. I object to that, because I think it is very bad parliamentary practice. I agree with my friend the Senator from Wyoming [Mr. O'MAHONEY] that to try to fix a limitation on debate and say that a vote shall not be taken until 10 minutes after some Senator returns is very bad parliamentary practice. He may never return. [Laughter.] I do not know where he has gone.

Mr. BARKLEY. Is it a prophecy or a wish that the Senator is expressing? [Laughter.]

Mr. CLARK of Missouri. It is neither; but I say it is very bad parliamentary practice to agree that the Senate of the United States shall not vote on an important question presented to it until 10 minutes after some particular Senator returns.

Mr. BARKLEY. Mr. President, I submit the request. If any Senator desires to object, he is privileged to do so.

Mr. GLASS. Mr. President, with reference to the statement of the Senator from Missouri that the senior Senator from Virginia has been absent from the

Senate 3 or 4 months, I have been a Member of the Senate for 20 years and I have not been absent that length of time in the whole 20 years. I was absent for a time because I was desperately ill, and I have not yet recovered from that illness. I have sat here today for 5 hours waiting to vote on the proposal before us, when I should have been in bed, and I have not uttered a word of objection to any Senator speaking as long as he desired, either in committee or on the floor, as the record will show.

Mr. CLARK of Missouri. Mr. President, if the Senator from Kentucky will yield——

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. Let me say to the Senator from Virginia that I had no idea whatever of reflecting on him. I do know it to be a fact that he has been absent many days because of the state of his health, not at this session but at the last session, and I certainly was very happy that the Senator from Virginia came back at this session so well refreshed in his health. I do say, however, that I do not think the Senator from Virginia should return after an illness and criticize Senators who desire to discuss a bill before us, which is what I understood him to do in his last remarks. So far as any charge of dereliction of duty on the part of the Senator from Virginia is concerned, of course, I repudiate any such thought, because everyone in the Senate knows that the Senator from Virginia has been one of the most devoted of all the public servants of our country over a great many years.

The PRESIDING OFFICER. Is there objection to the request as modified?

Mr. CLARK of Missouri. What is the request? Let us find out what the request is on which we are to pass.

Mr. BARKLEY. I wonder if the clerk could repeat the request in intelligible terms so that the Senator from Missouri could understand it. It seems I cannot.

The PRESIDING OFFICER. The clerk will read the request.

The legislative clerk read as follows:

That when the Senate concludes its business today it take a recess until 11 o'clock a. m. tomorrow; that at not later than 1 o'clock p. m. the Senate, without further debate, proceed to vote upon the pending amendment, and that the time for debate be equally divided between the opponents and the proponents, to be controlled, respectively, by the Senator from Maryland [Mr. TYDINGS] and the Senator from Arizona [Mr. HAYDEN]: *Provided, however,* That in the event the Senator from North Dakota [Mr. NYE] has not returned by 1 o'clock, the vote be temporarily postponed until his return and he has had at least an opportunity to speak 10 minutes.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CLARK of Missouri. Mr. President, as fond as I am of the Senator from North Dakota, as closely as we have been associated on many public issues, I am not willing to allow the Senate of the United States to agree to any such limitation. I think it is very bad practice. I think it is one under which any Senator of the United States might indefinitely hold up consideration of any measure, and therefore I feel constrained to object.

Mr. BARKLEY. Mr. President, I will state the request again, without the Nye proviso. I ask unanimous consent that when the Senate concludes its business today it recess until 11 o'clock tomorrow; that at not later than 1 o'clock p. m. the Senate shall proceed to vote without further debate on the amendment now pending; that the time for debate be equally divided between the opponents and proponents of the amendment, to be controlled respectively by the Senator from Maryland [Mr. TYDINGS] and the Senator from Arizona [Mr. HAYDEN].

Mr. AUSTIN. Mr. President, I have no feeling about this matter, of course, except a desire to expedite the vote. Insofar as that can be done consistently and accommodate the wishes of one who wants to leave the Senate early in the day, I want that done. But when I have given my word, I keep it, and on account of the undertaking I made with the Senator from North Dakota [Mr. NYE], I am obliged to object.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Appropriations:

John C. Fitzgerald, of Maine, to be Work Projects Administrator for Maine.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. ELLENDER, from the Committee on Naval Affairs:

Sundry officers for promotion in the Navy and in the Marine Corps.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Charles F. Uhl to be United States attorney for the western district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Granville T. Norris to be United States marshal for the eastern district of Oklahoma.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Joseph C. Reing to be United States marshal for the eastern district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William Holroyd McGinnis to be United States marshal for the southern district of West Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Diplomatic and Foreign Service.

The PRESIDING OFFICER. Without objection, the nominations in the diplomatic and foreign service are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HAYDEN. Is ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the executive calendar.

JOHN M. MORIN

Mr. HILL. Mr. President, yesterday in executive session the Senate confirmed the nomination of Hon. John M. Morin to be a member of the United States Employees' Compensation Commission. I ask unanimous consent that the President be notified forthwith of the confirmation. Mr. Morin has been on the Commission for about 8 years, his term has expired, and he cannot serve until the President is notified of his confirmation and issues a new commission. It is very desirable that Mr. Morin continue with his duties on the Commission.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until tomorrow at 11 o'clock a. m.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 7, 1941, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 6 (legislative day of May 5), 1941:

UNITED STATES ATTORNEY

Charles F. Uhl to be United States attorney for the western district of Pennsylvania.

UNITED STATES MARSHALS

Granville T. Norris to be United States marshal for the eastern district of Oklahoma.

Joseph C. Reing to be United States marshal for the eastern district of Pennsylvania.

William Holroyd McGinnis to be United States marshal for the southern district of West Virginia.

DIPLOMATIC AND FOREIGN SERVICE

Robert H. McBride to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service.

PROMOTIONS

To be Foreign Service officers of class 1:

Erle R. Dickover	Lowell C. Pinkerton
Paul Knabenshue	Walter Thurston
Kenneth S. Patton	

To be Foreign Service officers of class 2:

Raymond E. Cox	Robert F. Kelley
George K. Donald	H. Earle Russell
Frederick P. Hibbard	Clarence J. Spiker

To be Foreign Service officers of class 3:

Parker W. Buhrman	Jefferson Patterson
William E. DeCourcy	John Randolph
Edwin Carl Kemp	Christian T. Steger
Lucien Memminger	Harold L. Williamson

To be Foreign Service officers of class 4:

George H. Butler	Austin R. Preston
Fayette J. Flexer	Joseph C. Satterthwaite
Raleigh A. Gibson	Paul C. Squire
Julian F. Harrington	George Tait
Edmund B. Montgomery	

To be Foreign Service officers of class 5:

Charles E. Bohlen	James W. Riddleberger
John M. Cabot	Alan N. Steyne
Walton C. Ferris	George P. Waller
W. Perry George	James R. Wilkinson
Franklin C. Gowen	Miss Frances E. Willis
John H. Lord	

To be Foreign Service officers of class 6:

Ware Adams	Harry E. Stevens
Homer M. Byington, Jr.	Llewellyn E. Thompson, Jr.
William W. Corcoran	Mason Turner
Everett F. Drumright	Carlos J. Warner
Elbridge Durbrow	Thomas C. Wasson
Harvey Lee Milbourne	Eric C. Wendelin
Harold B. Minor	

To be Foreign Service officers of class 7:

Theodore C. Achilles	Maurice Pasquet
John Davies, Jr.	George W. Renchard
C. Burke Elbrick	Arthur L. Richards
Richard S. Huestis	Henry E. Stebbins
Foy D. Kohler	Francis Bowden Stevens
Harrison Lewis	
F. Ridgway Lineaweaver	Laurence W. Taylor
	Clare H. Timberlake
Robert G. McGregor, Jr.	Robert F. Woodward

To be Foreign Service officers of class 8:

William K. Ailshie	Douglas MacArthur 2d
E. Tomlin Bailey	J Graham Parsons
Glen W. Bruner	John C. Pool
Andrew B. Foster	William P. Snow
Norris S. Haselton	Carl W. Strom
Easton T. Kelsey	Arthur R. Williams
Donal F. McGonigal	

POSTMASTERS

ALABAMA

Newton R. Shockley, Pell City.
Emmett I. Cox, Springville.

CALIFORNIA

Harrison P. Gower, Death Valley.
Charles A. Beguhl, Goleta.

CONNECTICUT

Albert H. Buckingham, Roxbury.

FLORIDA

George W. Shuman, Dunnellon.
William Edward Dewar, Largo.
Lola D. Gall, Zephyrhills.

GEORGIA

Ernest L. Stephenson, Covington.
Emmett Monroe Davis, Vidalia.

IDAHO

Harold A. Haymond, Genesee.
Robert L. Anstine, Nezperce.

INDIANA

Levi B. Morehead, Atlanta.
Arthur W. Govert, Griffith.
Clarence A. Murphy, Linden.
Gordon O. Thurston, Shelbyville.

IOWA

Rolla T. Allen, Barnes City.
Ellis E. Wiley, Diagonal.
James A. Hollen, Eldon.
Emilie B. A. Krause, Ionia.
Vira S. Fosmark, Rembrandt.

KANSAS

Earl C. Biggs, Lebanon.
Florence E. Westgate, Macksville.

MARYLAND

W. Louis Ryon, Waldorf.

MISSISSIPPI

Nelms N. Northcross, Corinth.
William Ellis May, Lake.

NEW YORK

James J. Harrigan, Chappaqua.

NORTH CAROLINA

Hazel A. Sprinkle, Dobson.
Robert A. Whitaker, Enfield.

OREGON

Arthur R. McDonald, Elkton.

TEXAS

Ruth V. Roome, Bandera.
Lallie Griffith, Bedias.
Benjamin C. Bass, Chandler.
Benjamin F. Weatherford, Elkhart.
Elzy R. Knowles, Gilmer.
Levi C. Cowser, Goree.
Sallie Hamilton, Richards.
Walter E. Smith, Tahoka.

VIRGINIA

John Franklin Wolfenbarger, Clinchport.
Harvey H. Russell, Marshall.
John A. McConchie, Remington.
Nan Elizabeth Crews, Saxe.

WISCONSIN

John William Moore, Sr., Dalton.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 6, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we rejoice that this is our Father's world, and we would declare its Maker's praise. Thou dost hold the planets on their way. Thy providence guides the sparrow's flight and marks its fall. May we not be blind to Thy footprints in our daily lives. We thank Thee for life, for home and friends, for opportunities and duties, and even for temptations and trials. Grant that they may bring us to ourselves and in penitence. With a quiet temper, with the simplicity of a great purpose, and with the power of a well-ordered soul, may the burdens of today's duties be light. Let us cultivate a mighty trust in our God, steadied by conviction, believing our times are in His hands and that He will guide us from the plots of wicked men. Teach us, blessed Lord, that there is a divine purpose in each life. Thus may we perform our tasks not with a feverish, overwhelmed, and burdened mind, but with calmness, fortified by seasons of withdrawal, meditation, and prayer. We beseech Thee to fill our minds with wise thoughts and set our ambitions on objectives altogether worthy with the consciousness that there is no spot on earth that is common or barren over which the skies bend in solemn silence. Through Christ our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two editorials and a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by placing therein a speech delivered by my colleague the gentleman from Massachusetts [Mr. CASEY] on Saturday night.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

RESOLUTIONS OF EXECUTIVE COMMITTEE OF THE AMERICAN LEGION

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

[Mr. STEARNS of New Hampshire addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the resolutions I have referred to.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at two different places in the RECORD and to include two communications I have received.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter that was printed in the New York Times yesterday morning, written by a citizen of my State, and further that I may have permission to extend my own remarks in the RECORD and to include an editorial that appeared in the New York Herald Tribune this morning.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of a bill introduced by me.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FINLAND AND HER WAR DEBT

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, of all the nations of the world, America and the American people have the highest respect and regard for brave little Finland. Finland has served notice on this country that despite the fact she was beaten to her knees a year ago by a powerful, ruthless, and much larger enemy, nevertheless she still intends to make good on her last World War debt, the next payment on which is due June 15. Yesterday in the other body, the senior Senator from Michigan introduced Senate Joint Resolution 74, to grant to Finland a 2-year moratorium and to ease the pressure of her legal indebtedness to the United States. Every Member of this body and every Member of the other body should wholeheartedly support this resolution. [Applause.]

I sincerely hope that this resolution will be speedily adopted in order that the Government and people of brave Finland may understand that the people of America realize the enormity of their problems which now confront them. Also, I sincerely hope that the Finnish people may have no difficulty at any time in securing additional loans from this Government, in order to supply the food, clothing, and medicine so badly needed by this brave nation.

Should Britain make any effort whatsoever to refuse to permit ships carrying these supplies of mercy to pass unmolested, then, Mr. Speaker, I say to you that the President of the United States should insist upon their safe passage, and failing to receive such assurances from Britain, should exercise his broad powers to withhold aid under the Lease-Lend Act as to force Britain's consent.

Mr. Speaker, it has been found by experience that the temporary extension granted by this Government last year was for too short a period to be of real help, and hence Senate Joint Resolution 74 was introduced by the senior Senator from Michigan [Mr. VANDENBERG] with the advice and approval of the Secretary of the Treasury. It provides for a 2-year moratorium covering the annual payments due in June and December of 1941 and 1942, and further provides that there should be no interest charges on the payments deferred. This without disturbing the other provisions for interest and payments as provided in the original agreements entered into between the Republic of Finland and the United States, dated May 1, 1923, May 1, 1932, and May 1, 1941.

Mr. Speaker, as I have said previously, Finland has already informed us that, difficult as it may be, nevertheless she intends to make good her payment scheduled for next month. I know that, difficult as it may be, this is what the people of America have learned to expect from brave little Finland, because of her extraordinary record in the past and for her exceptional heroism under fire against the hordes of Stalin. But, Mr. Speaker, I feel so strongly about this matter that I sincerely hope, in view of the shortness of time remaining, that this resolution will receive a privileged status and be speedily passed by both Houses, and signed by the President this week. [Applause.]

EXTENSION OF REMARKS

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a petition from the women in Kremlin, Mont., and also a resolution from the labor unions in Montana.

The SPEAKER. Is there objection to the request of the gentlewoman from Montana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Nashville Banner written by Fred Russell in connection with Larry Gilbert's twenty-fifth year in baseball.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an editorial from the Boston Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that in my remarks today on the bill H. R. 4466 I may be permitted to include the President's neutrality proclamation of September 5, 1939, and the limited-emergency proclamation of the President of September 8, 1939.

The SPEAKER. Is there objection?

There was no objection.

RIGHT MAKES MIGHT

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENSEN. Mr. Speaker, I was inspired this morning after trying to sleep, though did not make a very good job of it. About 1 o'clock I awakened and wrote a little poetry, the first poem that I have ever written, which I entitle "Right Makes Might":

RIGHT MAKES MIGHT

Give us men today, O Saviour,
Men who dare to do the right.
In this world of war-torn nations
Pity those who make man fight.

If there be such ones among us,
Give them courage to turn back,
While the heavenly gods yet bless them,
Holding off that shroud of black.

Let them not from others pattern,
God is good, He made the sea!
Then He blessed us with America,
Where He willed we should be free.

Dare you then to other peoples
Dictate what they all must be?
Cross that ocean? Slay your brethren?
Who have not been blessed like thee?

Nay! I hear my comrades calling,
Send them bread to stop that fight.
Trusting God to save the peoples
Who would learn that "right makes might."

—*Ben Franklin Jensen.*

[Applause.]

"ARGENTINE NIGHTS"

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, I reserve the right to object to say that yesterday I commented upon a speech made by the gentleman from Mississippi on the floor of the House and expected to see that in the RECORD this morning so the public would know what I was referring to, but it does not appear.

Mr. RANKIN of Mississippi. It will appear in the RECORD.

Mr. RICH. It should have been in today's RECORD.

Mr. RANKIN of Mississippi. Possibly, but the gentleman knows that I have a great deal of work to do which occupies my time, while the gentleman from Pennsylvania [Mr. RICH] does not seem to have anything to do except to make speeches on the floor of the House.

Mr. RICH. If anybody does more talking on the floor of the House than the gentleman from Mississippi, I would like to know who it is.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I am not surprised that the people of Argentina are very much offended at a motion picture which has been circulated throughout the world entitled "Argentine Nights." When I saw the picture it reminded me of some of the insults to the white people of the South that have come out of Hollywood. I thought that picture was an insult to the decent people of Argentina.

The other night when it was shown in Buenos Aires, the people in the theater walked out. I want them to know, and the world to know, that that picture does not represent the feelings of the American Congress, or of the American people toward the friendly people of Argentina. [Applause.]

EXTENSION OF REMARKS

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a resolution passed by the Kiwanis at Baton Rouge, La., on the international situation.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks by including an essay by one of the winners of the essay contest sponsored by the American Legion of the State of Ohio.

The SPEAKER. Is there objection?

There was no objection.

CONVOYING

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, surely we can say in America that a stitch in time saves nine, that an ounce of prevention is worth a pound of cure, without people thinking that we want to go to war; we must be willing to do things that we have to do. I would rather be safe than sorry. It shall be a sad plight indeed, if we wait as long as some seem to be inclined to wait here, to do what this Nation now ought to do. The French

thought the Maginot Line a safe stronghold. A great many people in America have heard, even from representatives of this body, to believe the Atlantic Ocean is a safe barrier between them and what is happening in Europe. Surely not. Of all sad words of tongue or pen the saddest are these, It might have been. If the English back is broken, if the Nazis should overcome the English stronghold on the seas, then instead of having a barrier of two friendly oceans, we will be surrounded by hostile seas. I say we ought to start convoying immediately.

The SPEAKER. The time of the gentleman from Alabama has expired.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, to include a resolution adopted by the Sons of the Revolution and also a resolution adopted by the American Publishers Association.

The SPEAKER. Is there objection?

There was no objection.

THE PRESIDENT'S PROMISES

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, Mrs. Roosevelt, speaking at a meeting at Los Angeles on April 29, was asked the following question and made the following answer:

Question. Do you think the President will keep his promise and keep us out of war?

Answer. He hasn't made any such promise.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, having in mind what the gentleman from Kansas [Mr. LAMBERTSON] just said, and just so we keep the RECORD straight, so that it gets back to the White House, and the first lady may on another occasion remember the promise made by her husband, let me read what the President said:

And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again; your boys are not going to be sent to any foreign wars.

If that is not a promise, what is it? It has been put in the RECORD before. Let us hope Mrs. Roosevelt recalls it when again questioned.

BUSINESS WITH JAPAN

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I do not want this Nation to go to war with any other nation. No perpetual peace was ever won by going to war. I do believe, however, that America should be careful that the business interests of this country do not try to secure business to the end that it may be detrimental to us should we become involved in war.

I want the House to know that we are shipping about 50,000 barrels of oil a day to Japan, 15,000,000 gallons of gasoline a day to Japan, and 4,500 barrels of machine oil per day to Japan. With conditions as they are in the world today, that, sometime, if the world conditions do not change, may be used against this country. We had better stop doing business with some nations under present-day conditions, and conserve our resources and make our own preparation for national defense. I hope the State Department takes proper action at once. [Applause.]

[Here the gavel fell.]

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday may be dispensed with this week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

PENSIONS AND INCREASE OF PENSIONS TO CERTAIN DEPENDENTS OF VETERANS OF THE CIVIL WAR

The Clerk called the first bill on the Private Calendar (H. R. 4256) granting pensions and increase of pensions to certain dependents of veterans of the Civil War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Elizabeth Jones, helpless and dependent daughter of Beverly Jones, late of the United States Navy, and pay her a pension at the rate of $20 per month.

The name of Eliza Jane Miley, widow of William B. Miley, late of Company K, One Hundred and Thirtieth Regiment, Ohio National Guard Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles F. Boroff, helpless and dependent son of Daniel Boroff, late of Company A, Forty-sixth Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Mettie Grace Cameron, helpless and dependent daughter of John S. Cameron, late first lieutenant, Company G, and adjutant, Thirty-eighth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Celestia A. Finks, widow of Thomas M. Finks, late of Company M, First Regiment United States Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phebe L. Alspaugh, widow of James Alspaugh, late of Company C, Fourteenth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine J. Cupp, widow of Samuel Cupp, late of Company I, One Hundred and Ninety-fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Christena Huffman, widow of Christian Huffman, late of Company E, Eighty-sixth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charlotte Buckmaster, widow of Eli Buckmaster, late of Company A, Twentieth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ora E. Houser, widow of Dillen Houser, late of Company C, Forty-first Regiment Ohio Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Jane Vanskiver, widow of Orlando Vanskiver, late of Company D, Fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella B. Atwater, widow of William H. Atwater, late of Company A, One Hundred and Sixty-ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hulda Bennett, widow of James Bennett, late of Company M, Fourteenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Elizabeth Beaver, widow of William M. Beaver, late of Company B, One Hundred and Fifty-sixth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret M. Crane, widow of Daniel E. Crane, late of Company D, One Hundred and Fifty-third Regiment New York Infantry, and pay her a pension at the rate of $30 per month

The name of Anna Belle La Fay, widow of Edward La Fay, late of Company A, Second Regiment New York Veteran Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Minnie L. Fitcham, widow of Charles E. Fitcham, late of Company E, Thirty-ninth Regiment Massachusetts Infantry, and Seventy-fifth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Devine, widow of John Devine, late of Company B, One Hundred and Sixty-ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella S. T. Witbeck, widow of C. William Witbeck, late a principal musician, Ninety-third Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise E. Van Norden, widow of James W. Van Norden, late of Company K, First Regiment New York Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Helen I. Velie, widow of William W. Velie, late of Company F, Seventy-seventh Regiment New York Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma A. Trumble, widow of Russell A. Trumble, late of Company H, Seventh Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise E. Stockwell, helpless and dependent daughter of David Stockwell, late of Company K, Fourteenth Regiment Vermont Infantry, and pay her a pension at the rate of $20 per month.

The name of Eliza V. Stevens, widow of John L. Stevens, late of Company H, Tenth Regiment Vermont Infantry, and Twenty-fourth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Saturna A. Smith, widow of George H. Smith, late of Company C, One Hundred and Ninety-second Regiment New

York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Simpson, widow of George Simpson, late of Company B, Twenty-second Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary I. Pingrey, widow of Henry C. Pingrey, late of Company B, Eighth Regiment Vermont Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James C. Riley, helpless and dependent son of John D. Riley, late of Company H, Seventy-seventh Regiment New York Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Gavin, widow of Patrick J. Gavin, late of Company F, Fifth Regiment Connecticut Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cora A. Townsend, widow of Hiram L. Townsend, late of Company D, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary H. Ackley, widow of William P. Ackley, late of Company B, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna M. Curtis, widow of Horatio O. Curtis, late of Company D, Twentieth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Etta L. Tifft, widow of James H. Tifft, late of Company E, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Delane, widow of David Delane, late of Company F, Ninety-eighth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise Newton, widow of Cassius Newton, late of Company E, One Hundred and Eighty-fourth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida Bloss, widow of Jotham Bloss, late of Company K, One Hundred and Eleventh Regiment New York Infantry, and Company D, Fourth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Hayes, widow of Horace N. Hayes, late of Company H, One Hundred and Twenty-second Regiment New York Infantry, and Company I, Twenty-fourth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nellie Pettengill, widow of Manford A. Pettengill, late of Company B, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna M. Dennison, widow of Edward Dennison, late of the United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cornelia Farr Percy, widow of Robert H. Percy, late of Company A, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jane M. French, widow of Edwin Y. French, late of Company C, Sixty-first Regiment New York Infantry, and hospital steward, United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella A. Hart, widow of Charles H. Hart, late of Company K, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura Joles, widow of William A. Joles, late of Company G, Tenth Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha J. Brownell, widow of Danford Brownell, late of Company C, One Hundred and Eighty-sixth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lizzie A. Colwell, helpless and dependent daughter of George E. Colwell, late of Company A, Eighty-fifth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Anna E. Crawford, former widow of William D. Crawford, late of Company F, Thirty-fifth Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mathilda Danielson, widow of Daniel Danielson, late of Company D, Fifty-seventh Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving

The name of Martha Ella Downing, former widow of George W. Friend, late of Company E, One Hundred and Fourteenth Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances Engler, helpless and dependent daughter of George W. Engler, late of Company A, One Hundred and Forty-third Regiment Pennsylvania Infantry and Fifty-first Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $20 per month.

The name of Lenora Royal, former widow of George T. Elder, late lieutenant colonel, One Hundred and Fifteenth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Miriam A. Williams, former widow of David N. Sayrs, late of Company F, Thirtieth Regiment Illinois Infantry, and pay her a pension at the rate $50 per month in lieu of that she is now receiving.

The name of Mary E. Carroll, former widow of William C. Guyer, late of Company E, Twenty-first Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $30 per month.

The name of Emma Gehr, widow of Cyrus R. Gehr, late of Company K, One Hundred and Fifty-first Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah D. Stauffer, widow of William D. Stauffer, late captain, Company H, One Hundred and Ninety-fifth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma Barnholt, widow of Edward Barnholt, late of Company H, Two Hundred and Thirteenth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Kafroth, widow of Jeremiah Kafroth, late of Thompson's Independent Battery C, Pennsylvania Light Artillery, and Company L, Fifth Regiment Pennsylvania Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah J. Lafferty, widow of Jacob P. Lafferty, late of Company A, One Hundred and Fifty-seventh Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma V. Morton, widow of Peter Morton, late of Company D, Second Regiment Pennsylvania Cavalry, and Company D, First Regiment Pennsylvania Provisional Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hettie A. Miller, widow of John Miller, late of Company D, One Hundred and Ninety-fifth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charity West, widow of Charles L. West, late of Company G, Fifty-fifth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clara Hopple, widow of William H. Hopple, late unassigned, Ninth Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ida M. Brewer, widow of Lafayette W. Brewer, late of Company I, Fourth and Twelfth Regiments Illinois Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura McBratney, widow of Andrew C. McBratney, late of Company G, Twenty-fourth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mabel McBratney, helpless and dependent daughter of Andrew C. McBratney, late of Company G, Twenty-fourth Regiment New York Cavalry, and pay her a pension at the rate of $20 per month.

The name of Mumzell Woldredge, widow of John Woldredge, late of Company I, Fifth Regiment Kentucky Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Lillie Wood, widow of Henry Wood, late of Company D, Seventh Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the benficiary to the Veterans' Administration.

The name of Millie F. Wells, widow of Perry Wells, late of Company D, Fourth Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida Webb, widow of David Webb, late of Company D, One Hundred and Thirty-ninth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mollie Messer, former widow of John Taylor, late of Company C, Forty-ninth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Ella Taylor, widow of James H. Taylor, late of Company I, Twenty-fourth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Mollie Sigman, widow of John Sigman, late of Company B, Fourth Regiment Kentucky Mounted Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence

by the beneficiary to the Veterans' Administration.

The name of Nancy M. Pierce, widow of Franklin D. Pierce, late of Captain Walter P. Ingram's Company D, Hall's Gap Battalion, Kentucky State Troops, and pay her a pension at the rate of $30 per month.

The name of Lou King, former widow of Jonathan King, alias Jonn S. King, late of Company D, Twelfth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Bettie Dick, widow of Thomas D. Dick, late of Battery A, Kentucky Light Artillery, and Company C, Third Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Mary J. Bolton, widow of Alexander Bolton, late of Company G, Thirteenth Regiment Kentucky Cavalry, and pay her a pension at the rate of $30 per month.

The name of Charles Alcorn, helpless and dependent son of John H. Alcorn, late of Company D, Thirtieth Regiment Kentucky Mounted Infantry, and pay him a pension at the rate of $20 per month.

The name of Elizabeth Fleck, widow of Abram M. Fleck, late of Company H, Third Regiment Pennsylvania Provisional Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Deborah Hunter, widow of Sullivan Hunter, late of Company B, Seventh Regiment California Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha J. Poole, widow of Judson Poole, late of Company L, Second Regiment Iowa Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary Agnes Hill, helpless and dependent daughter of James H. Hill, late of Company A, One Hundred and Fifty-fifth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Ella G. Swisher, widow of James Swisher, alias James Jackson, late of Company E, Fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura M. Dellinger, widow of John W. Dellinger, late of Company G, Eleventh Regiment Ohio Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maggie Custard, widow of Jesse Custard, late of Company K, One Hundred and Seventeenth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elmira E. Ballinger, widow of William Ballinger, late of Company C, Forty-fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Effie Washington, widow of William Washington, late of Company K, Sixteenth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frederika Bushong, widow of Milton Bushong, late of Company B, One Hundred and Seventy-fourth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Martha J. Evans, widow of David W. Evans, late of Company E, One Hundred and Seventy-ninth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna E. Pollitt, former widow of Benjamin W. Edgar, late of Company I, Eighth Regiment Ohio Cavalry, and Company A, One Hundred and Ninety-eighth Regiment Ohio Infantry, and pay her a pension at the rate of $30 per month.

The name of Lillie L. White, widow of Simon W. White, late of Company C, Fifth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Pidgeon, widow of Charles B. Pidgeon, late of Company K, Twenty-third Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Melissa McCaulla, widow of Oristis A. McCaulla, late of Company C, Fortieth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy A. Russell, widow of Cornelius Russell, late of Company H, One Hundred and Ninety-fourth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clara W. Barrett, widow of Nathan F. Barrett, late sergeant major, One Hundred and Fifty-sixth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan McKay Young, widow of Marcus Young, late of Company C, Twenty-second Regiment Michigan Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Canzada Minton, widow of William H. H. Minton, late of Company F, Twelfth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Laura B. Mills, widow of Cleveland W. Mills, late of Company K, Tenth Regiment Indiana Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Virgie Belle McKee, helpless and dependent daughter of William T. McKee, late of Company M, First Regiment Missouri Cavalry, and pay her a pension at the rate of $20 per month.

The name of Nancy V. Hazell, widow of Joshua B. Hazell, late of Company B, Twenty-first Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Agnes B. Currey, former widow of Elias Baker, late of Company K, One Hundred and Eighty-third Regiment Ohio Infantry, and pay her a pension at the rate of $30 per month.

The name of Maximillia Cowan, widow of William L. Cowan, late of Company B, South Cumberland Battalion Kentucky State Volunteers, and pay her a pension at the rate of $30 per month.

The name of Mary F. Harper, widow of David A. Harper, late captain, Company C, Seventeenth Regiment New York Veteran Infantry, and pay her a pension at the rate of $30 per month.

The name of Louise Phillips, widow of Charles H. Phillips, late of Company H, Third Regiment Rhode Island Heavy Artillery, and Company D, Tenth Regiment Connecticut Infantry, and the United States Navy under the name of Charles Williams, and pay her a pension at the rate of $30 per month.

The name of Matilda Tarno, widow of Henry L. Tarno, late of Company K, One Hundred and Forty-fifth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clara Hammond, widow of Francis M Hammond, late of Company I, One Hundred and Second Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan McClelland, widow of Jesse McClelland, late of Company G, One Hundred and Ninety-third Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Isabel Bullock, widow of John F. Bullock, late of General Service, United States Army, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Mary E. Fox, former widow of George A. Ringer, late of Company C, Sixty-first Regiment New York Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Hattie Harvey, widow of James J. Harvey, late of Company D, Eleventh Regiment, and Company K, Ninth Regiment, Tennessee Cavalry, and pay her a pension at the rate of $30 per month.

The name of Nettie Stout, widow of Daniel Stout, late of Company H, Third Regiment North Carolina Mounted Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Herthe L. R. Whitney, widow of William W. Whitney, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $30 per month.

The name of Blanche Pharr, helpless and dependent daughter of David W. Pharr, late of Company A, Thirteenth Regiment Tennessee Cavalry, and pay her a pension at the rate of $20 per month.

The name of Dona Samples, former widow of William Conkin, late of Company E, First Regiment Tennessee Light Artillery, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Kittie G. Bozard, widow of Ashbel L. Bozard, late of Company C, One Hundred and Fifty-fourth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma L. Briggs, widow of William W. Briggs, late of Company G, Two Hundred and Eleventh Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Miriam E. Crampton, widow of John H. Crampton, late of Company K, Thirteenth Regiment New York Infantry (subsequently Third New York Cavalry), and Company K, Fifty-fourth Regiment New York National Guard Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jenettie E. Evans, widow of Daniel B. Evans, late of Company K, First Regiment United States Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lorena M. Haskins, former widow of Byron A. Straight, late of Company B, One Hundred and Twelfth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Agnes Hitchcock, widow of Albert Hitchcock, late of Company G, Nineteenth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella Jenkins, widow of Jared W. Jenkins, late of Company L, First Regiment New York Veteran Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella G. Millspaugh, widow of Pathuel Millspaugh, late of Company C, Seventh Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma Pierce, widow of Lyman Pierce, late of Company M, Twenty-fourth Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha F. Reynolds, widow of Norman Reynolds, late of Company A, Forty-ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary F. Warren, widow of Perry O. Warren, late of Company B, Twenty-ninth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Addie J. Wheeler, widow of Solomon Wheeler, late of Company C, Second Regiment New York Veteran Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Helen C. Barnds, widow of William H. Barnds, late of Company A, and commissary sergeant, Forty-sixth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nellie M. Benjamin, widow of William H. Benjamin, late of Company D, One Hundred and Twentieth Regiment New York Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary L. Gage, widow of Augustus M. Gage, late of Company H, One Hundred and Twenty-first Regiment New York Infantry, and One Hundred and Thirty-first Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harry E. Duffield, helpless and dependent son of Henry D. Duffield, late of Company F, Second Regiment Iowa Infantry, and pay him a pension at the rate of $20 per month.

The name of Fred L. Lindsey, helpless and dependent son of William B. Lindsey, late of Company A, One Hundred and Thirty-fourth Regiment Pennsylvania Infantry, and pay him a pension at the rate of $20 per month.

The name of Ada M. Huffman, former widow of Wilson B. Beeson, late of Company I, Eighth Regiment Iowa Cavalry, and pay her a pension at the rate of $30 per month.

The name of Violet S. Woodward, widow of Ward N. Woodward, late of Company E, Ninetieth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Samuel C. Warner, helpless and dependent son of John Warner, late of Company F, One Hundred and Fortieth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of $20 per month.

The name of Judah A. Stewart, widow of John Stewart, late of Company E, Second Regiment Kentucky Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel Smith, widow of James E. Smith, late of Company B, Twenty-second Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattie Simpson, helpless and dependent daughter of William A. Simpson, late of Company D, Ninety-first Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Caroline Rupe, widow of Jonathan Rupe, late of Company H, Fifty-third Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth S. Primm, widow of David Primm, late of Company H, Ninety-first Regiment Ohio Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Otto Nance, helpless and dependent son of David Nance, late of Company E, One Hundred and Seventy-third Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary L. Martin, widow of John W. Martin, late of Company G, Twenty-second Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eva Barlow, widow of Marion S. Barlow, late of Company B, Ninety-first Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adabelle Brown, widow of Anderson Brown, late of Company E, One Hundred and Seventy-third Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella Carl, helpless and dependent daughter of Nathan Carl, late of Company K, One Hundred and Eighty-seventh Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Sarah J. Collins, widow of William C. Collins, late of Company B, First Regiment West Virginia Veteran Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Dougherty, widow of Ezra Dougherty, late of Company I, One Hundred and Seventy-second Regiment Ohio National Guard Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice Dunfee, widow of Thomas Dunfee, late of Company G, Thirty-second Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Leslie D. Hood, helpless and dependent son of John D. Hood, late of Company A, Eighty-eighth Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Everett Horton, helpless and dependent son of James S. Horton, late of Company H, First Regiment Ohio Heavy Artillery, and pay him a pension at the rate of $20 per month.

The name of Anna J. Russell, widow of Henry J. Russell, late of Company B, Twenty-first Regiment Michigan Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Martha A. Jackman, widow of Richard O. Jackman, late of Company H, Fourth Regiment Michigan Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ruby L. Knapp, helpless and dependent daughter of William B. Knapp, late of Company D, Twenty-fourth Regiment Michigan Infantry, and hospital steward, United States Army, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Field, widow of William F. Field, late second lieutenant, Battery H, Third Regiment New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Jessie Drehmer, widow of William H. Drehmer, late of Company D, One Hundred and Eighty-eighth Regiment New York Infantry, and pay her a pension at the rate of $30 per month.

The name of William Chadwick, helpless and dependent son of Edmond B. Chadwick, late of Company K, Tenth Regiment Iowa Infantry, and pay him a pension at the rate of $20 per month.

The name of John Chadwick, helpless and dependent son of Edmond B. Chadwick, late of Company K, Tenth Regiment Iowa Infantry, and pay him a pension at the rate of $20 per month.

The name of Amee Turner, helpless and dependent daughter of John J. Turner, late of Company B, One Hundred and Fifty-first Regiment Illinois Infantry, and pay her a pension at the rate of $20 per month.

The name of Effie J. Clark, widow of Charles W. Clark, late of Company H, Second Regiment Michigan Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mariam Story, widow of Van Buren Story, late of Company I, Thirteenth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet Reynolds, widow of Hayden Reynolds, late of Company B, Fifth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna M. Delay, widow of George W. Delay, late landsman, United States Navy, and pay her a pension at the rate of $30 per month.

The name of Margaret E. Duckworth, widow of William A. Duckworth, late of Company G, Second Regiment Iowa Infantry, and second lieutenant, Company K, One Hundred and Tenth Regiment United States Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Eva P. Black, widow of Erastus F. Black, late of Company F, Sixty-sixth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah L. Mackey, widow of Matthew Mackey, late of Company A, One Hundred and Fifty-fifth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza A. Washington, widow of Charles Washington, late of Company K, One Hundred and Sixteenth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Florence S. McGinnis, widow of Archibald McGinnis, late of Company A, Ninety-first and One Hundred and Twentieth Regiments Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda Roach, widow of Harvey T. Roach, late of Company K, Third Regiment Michigan Cavalry, and pay her a pension at the rate of $30 per month.

The name of Ellen Jondro, widow of Peter Jondro, alias Jaunderson, late of Company E, Eleventh Regiment Michigan Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Willie D. Nelson, helpless and dependent son of Horatio Nelson, late of Company G, Fifty-first Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Lena Perez, widow of Thomas Perez, late chief musician, First Regiment New Mexico Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lena Wagner, widow of Phillip H. Wagner, late of Company F, Twentieth Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Celia Mae Miller, widow of William A. Miller, late of Sixth Unattached Company, Massachusetts Militia Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Nola Forrester, helpless and dependent daughter of James F. Forrester, late of Company G, Tenth Regiment Tennessee Cavalry, and pay her a pension at the rate of $20 per month.

The name of Agnes Tannery, widow of Thaddeus B. Tannery, late of Company K, Forty-sixth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie S. Wynne, widow of John J. Wynne, late of Company F, One Hundred and Second Regiment New York Infantry, and the United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie V. Myers, widow of Peter J. Myers, late of Company A, One Hundred and Sixty-ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma Goldsmith, widow of Ira Goldsmith, late of Company H, Fourteenth Regiment United States Infantry, and Company A, Fifth Regiment United States Veteran Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of F. Emma Bates, widow of Oliver Bates, late of Company C, Ninth Regiment, and Company I, Second Regiment, New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Carrie H. Wood, widow of Gilbert E. Wood, late of Company I, Thirty-seventh Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Seager, widow of Peter Seager, late of Company D, One Hundred and Twenty-second Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet E. Miller, widow of John Miller, late of Company K, Seventy-fifth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda A. Button, former widow of John Hoil, late of Company D, Second Regiment California Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Metzger, helpless and dependent daughter of August Metzger, late of Company H, One Hundred and First Regiment New York Infantry, and pay her a pension at the rate of $20 per month.

The name of Elizabeth Earnshaw, former widow of Peter Fisher, late of Company E, Ninth Regiment New York Infantry, and Company B, Tenth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Almira Kshinka, widow of Robert C. R. Kshinka, late of Company D, Fiftieth Regiment New York Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hanna Sophia Westcott, widow of Hiram B. Westcott, late of Company G, First Regiment New York Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Corrillia Silver, helpless and dependent daughter of Thomas W. Silver, late of the United States Navy, and pay her a pension at the rate of $20 per month.

The name of Jennie Christiana Rohrbacker, helpless and dependent daughter of Moses K. Rohrbacker, late of Company N, One Hundred and Ninety-eighth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $20 per month.

The name of Adah M. Locklin, widow of Davis A. Locklin, late of Company E, Second Regiment Connecticut Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice E. Bailey, widow of Harvey E. Bailey, late of Company G, Twenty-seventh Regiment Connecticut Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary M. Card, widow of Charles H. Card, late of Company A, Two Hundred and Seventh Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Beemer, widow of Frederick Beemer, late of Company F, First Regiment Michigan Cavalry, and pay her a pension at the rate of $30 per month.

The name of Lida A. Beverly, widow of Jacob Beverly, late of Company L, First Regiment Missouri Engineers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Smith, widow of George W. Smith, late of Company I, Forty-eighth Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary C. McKarnin, widow of Charles McKarnin, alias Charles McCarnin, late of Captain John W. Younger's Company, Clay County Battalion, Enrolled Missouri Militia, and Captain John W. Younger's Company, Clay and Clinton Counties, Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month.

The name of Maria Berghoff, widow of John T. Berghoff, late surgeon, Twenty-fifth Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Graves, widow of Chauncey H. Graves, late of Company A, Sixty-eighth Regiment, and first lieutenant, Company K, One Hundred and Fifty-fourth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rose A. Pettigrew, former widow of John P. Pettigrew, late of Company C, Sixteenth Regiment Kansas Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clara B. Teegarden, widow of Aaron Teegarden, late of Company D, Sixth Regiment Missouri State Militia Cavalry, and Company D, Thirteenth Regiment Missouri Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Bertha E. Haroff, helpless and dependent daughter of William T. Haroff, late of Company K, One Hundred and Twenty-sixth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Edna A. Cole, widow of Henry Cole, late of Ninth Independent Battery Wisconsin Light Artillery, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Elizabeth H. Camp, widow of William H. Camp, late of Company F, Sixteenth Regiment Connecticut Infantry, and pay her a pension at the rate of $30 per month.

The name of Sidonia B. Rice, widow of Louis Rice, late musician, Twelfth Regiment New York State Militia Infantry, and pay her a pension at the rate of $30 per month.

The name of Josephine Campbell, helpless and dependent daughter of Lewis Campbell, late of Company C, One Hundred and Seventy-ninth Regiment New York Infantry, and pay her a pension at the rate of $20 per month.

The name of Sarah E. Sturm, former widow of Anthony Loudenburg, late of Company H, Ninth Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of John J. Cook, helpless and dependent son of Oliver M. Cook, late of Company B, Twenty-second Regiment Michigan Infantry, and pay him a pension at the rate of $20 per month.

The name of Orvey Raymond Fry, helpless and dependent son of Lymus Fry, late of Company C, Two Hundred and Seventh Regiment Pennsylvania Infantry, and pay him a pension at the rate of $20 per month.

The name of Sarah Harer, widow of Henry Harer, late of Company B, Eighth Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adda Mae Belford, helpless and dependent daughter of David Belford, late of Company E, Third Regiment Pennsylvania Heavy Artillery, and pay her a pension at the rate of $20 per month.

The name of Penira Williams Massey, former widow of Ballard Williams, late of Captain William Turner's Company of State Troops, Raleigh County, W. Va., also known as William Turner's Independent Scouts, West Virginia Volunteer Troops, and pay her a pension at the rate of $30 per month.

The name of Zack Pool, helpless and dependent son of Jeremiah Pool, late of Company D, Thirty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Peter Russell Eikenberry, helpless and dependent son of Henry Eikenberry, late of Company K, Fifth Regiment Ohio Cavalry, and pay him a pension at the rate of $20 per month.

The name of Margaret R. Goss, widow of Joseph Goss, late of Company I, Thirty-first Regiment Wisconsin Infantry, and pay her a pension at the rate of $30 per month.

The name of Lola Frances Sumner, helpless and dependent daughter of William D. Sumner, late of Company E, Twenty-fifth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Maggie Crist, widow of Abraham Crist, late of Company I, One Hundred and Forty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha J. Beard, widow of Jacob Beard, late of Company L, Third

Regiment Kentucky Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Brown, widow of James L. Brown, alias Lemon Stiles, late of Company H, One Hundred and Eighteenth Regiment United States Colored Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida I. Goldman, helpless and dependent daughter of William H. Goldman, late of Company H, Twenty-third Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary P. Oliphant, widow of William Alexander Oliphant, late of Company K, Twenty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lydia Powell, widow of Louis Powell, late of Company C, Fifty-third Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles E. Curl, helpless and dependent son of Peter Curl, late of Company K, Thirty-eighth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Josie Siessly, helpless and dependent daughter of John Siessly, late of Company B, Forty-fourth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Carrie Chouteau, former widow of Jasper Taylor, late of Company E, Eighteenth Regiment Wisconsin Infantry, and Company C, First Regiment Wisconsin Cavalry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Foughty, widow of Samuel Foughty, late of Company A, Second Regiment Indiana Cavalry, and Company A, Seventy-second Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza Cook, widow of John Cook, late of Company C, Fourteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Augusta Lambert, helpless and dependent daughter of Andrew Lambert, late of Company A, First Regiment Ohio Heavy Artillery, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Emma Blosser, helpless and dependent daughter of William H. Blosser, late of Company F, Ninetieth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Amanda Hart, helpless and dependent daughter of Absolom Hart, late of Company D, Seventeenth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Emma Turner, widow of James Turner, late of Company A, One Hundred and Ninety-fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Orndurf, widow of William M. Orndurf, late of Company F, One Hundred and Fourteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Edith Pyle, helpless and dependent daughter of James W. Pyle, late of Company G, One Hundred and Ninety-sixth Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Josephine Anderson, widow of William H. Anderson, late of Companies M and B, Ninth Regiment Tennessee Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maggie A. Foster, widow of Lyman T. Foster, late of Companies D and A, Third Regiment Indiana Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Flora Gifford, widow of John Gifford, late of Company A, Thirty-eighth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Adaline Loftus, widow of James F. Loftus, late of Company L, Fourteenth Regiment Illinois Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda E. Richards, widow of John Richards, late of Company A, Thirty-third and Thirty-fourth Regiments Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida Young, widow of Robert Young, late of Company E, Fifth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah E. Westlake, widow of Mathew M. Westlake, late of Company G, Sixteenth Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Belle C. Taylor, widow of Charles G. Taylor, late of Company D, Sixteenth Regiment Michigan Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Simpson, widow of Aurelius Simpson, late of Company A, One Hundred and Thirteenth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Roush, widow of James Roush, late of Company H, First Regiment Ohio Cavalary, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary A. Stagg, widow of Alfred G. Stagg, late of Company D, Twenty-sixth Regiment New Jersey Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Clara L. Dolman, helpless and dependent daughter of Charles M. Dolman, late of Company I, Seventy-seventh Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary M. Lewis, widow of Redman C. Lewis, late of Company K, Second Regiment Ohio Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Minnie L. Clark, helpless and dependent daughter of Adolphus P. Clark, late of Company B, Eleventh Regiment West Virginia Infantry, and pay her a pension at the rate of $20 per month.

The name of Nancy E. Allen, widow of Joel Allen, late of Company C, Ninety-second Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary C. Low, widow of John H. Low, late of Company F, Fifth Regiment West Virginia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mamie Cartmill, helpless and dependent daughter of James A. Cartmill, late of Company D, Thirteenth Regiment West Virginia Infantry, and pay her a pension at the rate of $20 per month.

The name of Jemima Bason, widow of Thomas Bason, late of Company D, Sixty-fifth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret Haskin, former widow of Andrew J. Fisher, late of Company F, Third Regiment Wisconsin Cavalry, and pay her a pension at the rate of $30 per month.

The name of Olivia Stebbins, widow of Austin E. Stebbins, late of Company C, Eighty-eighth Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Laura McBride, former widow of Patrick Sheen, late of Company I, Thirty-first Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Lydia J. Allard, widow of Jonathan Allard, late of Company E, Seventy-eighth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William Frederick Kildow, helpless and dependent son of William Kildow, late of Company G, Thirty-first Regiment Ohio Infantry, and Company G, Eighty-eighth Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Frances K. Knoblock, widow of John Knoblock, late of Company B, Twenty-seventh Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida Jones, helpless and dependent daughter of William D. Jones, late of Company C, Third Regiment New York Light Artillery, and pay her a pension at the rate of $20 per month.

The name of Sarah Van Tuyl, widow of John R. Van Tuyl, late of Battery A, First Battalion New York National Guard Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Burley Van Fleet, former widow of Ideral K. Van Fleet, late of Company C, Thirty-third Regiment Kentucky Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Sophia M. Webster, former widow of Eleazer B. Howard, late of Company H, Twenty-fourth Regiment Michigan Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lena Tenbrook, widow of John P. Tenbrook, late of Company M, First Regiment New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma J. Deo, widow of Henry Deo, alias Henry Kimball, late of Company F, First Battalion Sixteenth Regiment United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Ward, widow of Thomas Ward, late of Company E, One Hundred and Sixtieth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Schlick, widow of Henry N. Schlick, late second lieutenant, Company K, First Regiment New York Dragoons, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Grace E. Fairchild, widow of William Fairchild, late of Company B, Nineteenth Regiment New York Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Sarah D. Bailey, widow of Seth Bailey, late of Company F, Fortieth Regiment Kentucky Infantry, and pay her a pension at the rate of $30 per month.

The name of Henry Patrick Dyer, helpless and dependent son of John F. Dyer, late of Company B, Twelfth Regiment Kentucky In-

fantry, and pay him a pension at the rate of $20 per month.

The name of Lovena Triplett, widow of Calvin Triplett, late of Company C, Fortieth Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Minnie A. Lacy, widow of Miles H. Lacy, late of Company D, Forty-fifth Regiment Kentucky Mounted Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Martha J. Lawson, widow of David Lawson, late of Company G, Twenty-fourth Regiment Kentucky Infantry, and pay her a pension at the rate of $30 per month.

The name of Dora McCallister, helpless and dependent daughter of George W. McCallister, late of Company A, Fifty-fourth Regiment Kentucky Mounted Infantry, and pay her a pension at the rate of $20 per month.

The name of Dora C. Parsons, widow of Hiram B. Parsons, late of Company E, Thirty-ninth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Lewis Stamper, helpless and dependent son of Wesley Stamper, late of Company K, Fourteenth Regiment Kentucky Cavalry, and pay him a pension at the rate of $20 per month.

The name of Julia Reeves, helpless and dependent daughter of Eventine Reeves, late of Company I, Fifty-third Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month.

The name of Emma Schmitt, widow of August Schmitt, late of Company D, Nineteenth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The name of Hattie C. Wheeler, widow of John Wheeler, late of Company G, Twenty-third Regiment, and unassigned, Twenty-ninth Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maryette E. Wanamaker, widow of Benjamin F. Wanamaker, late of Company H, Twentieth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Grace E. Butler, widow of Jacob Butler, late of Company E, First Regiment Ohio Heavy Artillery, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Ellen Wornom, widow of Charles T. Wornom, late of Company L, Twelfth Regiment Illinois Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Dearborn, widow of Thomas H. Dearborn, late of Company C, Sixth Regiment New Hampshire Infantry, and captain, Company A, Sixth Regiment New Hampshire Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Quirk, widow of John Quirk, late of Company H, Twenty-sixth Regiment Missouri Infantry, and pay her a pension at the rate of $30 per month.

The name of Emma Sears Ferguson, widow of Robert L. Ferguson, late of Company K, Twelfth Regiment Tennessee Cavalry, and pay her a pension at the rate of $30 per month.

The name of Isabell Postlethwait, widow of John N. Postlethwait, late of Company A, Eleventh Regiment West Virginia Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Cleo T. Warren, widow of John W. Warren, late second lieutenant, Company C, Third Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of America E. Dye, widow of Ivan E. Dye, late of Company A, Fifteenth Regiment West Virginia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Angeline Hart, former widow of James M. Hart, late of Company G, Eighth Regiment, and Company D, Eleventh Regiment, Missouri Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Hermanstorfor, widow of John Hermanstorfor, late of Company B, Eighth Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Mary B. Morris, widow of William F. Morris, late of Company C, Ninth Regiment Illinois Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Stone, widow of James R. Stone, late of Companies H and K, Forty-sixth Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jesse Mills, helpless and dependent son of Cornelius Mills, late of Company C, Thirteenth Regiment Missouri Infantry, and pay him a pension at the rate of $20 per month.

The name of Agnes P. Miller, widow of James A. Miller, late of Company F, Fourth Regiment Tennessee Cavalry, and pay her a pension at the rate of $30 per month.

The name of Henry William Means, helpless and dependent son of John Means, late of Company G, One Hundred and Seventy-fifth Regiment Ohio Infantry, and pay him a pension at the rate of $20 per month.

The name of Frank A. Boster, helpless and dependent son of James A. Boster, late of Company A, Eighty-seventh Regiment Illinois Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary Jane Patterson, helpless and dependent daughter of Hiram L. Patterson, late of Company K, Sixty-eighth Regiment United States Colored Infantry, and pay her a pension at the rate of $20 per month.

The name of Rachel Nash, widow of Thomas J. Nash, late of Captain H. C. Donnohue's Company of Pettis County Volunteers, Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Catherine Orender, widow of of William Orender, late of Capt. Thomas K. Paul's Company of Wright County Volunteer Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Mary A. Green, widow of Francillo A. Green, late of Company I, Twenty-first Regiment New York Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha A. Vroman, widow of Cornelius Vroman, late of Company H, First Regiment New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida M. Lent, widow of George W. Lent, late of Company D, First Regiment New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucinda McDaniel, widow of Arthur McDaniel, late of Captain William Strong's Company E, Three Forks Battalion Kentucky State Troops, and pay her a pension at the rate of $30 per month.

The name of Emily J. Poe, widow of Meredith Poe, late of Companies F and D, Fourteenth Regiment Kentucky Infantry, and pay her a pension at the rate of $30 per month.

The name of Lizzie Collins, former widow of Franklin Parker, late of Company B, Forty-ninth Regiment Kentucky Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Mary E. Hall, widow of Benjamin Hall, late of Company K, Thirty-ninth Regiment Kentucky Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julietta Waltermire, widow of David E. Waltermire, late of Company E, One Hundred and Fifty-ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phenia E. Howard, Widow of Stephen D. Howard, late of Company G, Eightieth Regiment New York Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lottie Smith, widow of James W. Smith, late of Company D, Eightieth Regiment New York Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Sarah L. Knickerbocker, widow of Clay Knickerbocker, late of Company I, One Hundred and Forty-third Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma S. Dolaway, widow of George Dolaway, late of Company I, Fiftieth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Clarinda E. Kenyon, widow of Charles E. Kenyon, late of Company E, Seventy-sixth Regiment, and Company F, Sixty-third Regiment, New York Infantry, and pay her a pension at the rate of $30 per month.

The name of Jesse Morse, helpless and dependent son of Garret C. Morse, late of Company G, Twenty-second Regiment New York Cavalry, and pay him a pension at the rate of $20 per month.

The name of Martha K. Holcomb, widow of Judson W Holcomb, late of Company D, One Hundred and Sixth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattie Wilson, widow of Robert F. Wilson, late of Captain William H. Liggett's Company C, Sixtieth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Susan Eudora Gwinn, widow of Richard P. Gwinn, late of Captain George Bingham's Company H, Seventy-first Regiment Enrolled Missouri Militia, and Captain John S. Crain's Company, Saline County Volunteer Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Emma J. Rose, widow of Irvin R. Rose, late of Captain William Forbe's Company, Howard County, Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month.

The name of Margaret Schofield, widow of Daniel H Schofield, who served under the name of Daniel H. Cofield, late of Company D, Twenty-second Regiment Ohio Infantry,

Battery L, First Regiment Ohio Light Artillery, and the United States Navy, and pay her a pension at the rate of $30 per month.

The name of Dora B. Reynolds, widow of James T. Reynolds, late of Company E, Forty-fourth Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maime F. Presley, widow of Henry A. Presley, alias Henry A. Plesley, late of Company G, One Hundred and Ninety-fourth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine Weltner, widow of Joseph C. Weltner, late of Company E, Fifty-eighth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Borts, widow of Jacob Borts, late of Company M, Third Regiment Pennsylvania Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Florence A. Suess, widow of George Suess, late of Company G, First Regiment Missouri State Militia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Samantha Midgett, former widow of William F. Taylor, late of Company G, Tenth Regiment Missouri Infantry, and Company I, One Hundred and Forty-fourth Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phoeba Fite, widow of Nathaniel M. Fite, late of Company D, Fourth Regiment Tennessee Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Isabel Lawhorn, former widow of McKager Lawhorn, late of Company C, First Regiment Kentucky Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Clara L. Garvin, widow of Evelyn F. Garvin, late of Company H, Third Regiment Vermont Infantry, and Company I, Fifth Regiment New York Cavalry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Blake, widow of William H. Blake, late of Company C, Second Regiment New York Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ruth L. McMeans, widow of John W. McMeans, late of Company A, Ninth Regiment Iowa Infantry, and Eightieth Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of $30 per month.

The name of Pearl F. Warren, widow of Valentine F. Warren, late of Company A, Thirty-sixth Regiment Iowa Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Bettie L. Lomax, widow of Henry C. Lomax, late of Captain Robert W. Holland's Linn County Provisional Company of the Sixty-second Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Maria S. Everest, widow of Charlest H. Everest, late of Company F, First Regiment Michigan Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maryette Vannatta, widow of William Vannatta, late of Companies C and A, Sixty-fourth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of C. Cordelia Strong, widow of Hermon A. Strong, late of Company B, One Hundred and Ninth Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Tallmadge, widow of Byron Tallmadge, late of Company F, Third Regiment New York Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma E. King, widow of Merritt King, late of Company K, One Hundred and Thirty-seventh Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia A. Silva, helpless and dependent daughter of Isac Silva, late of Company C, Second Regiment New Hampshire Infantry, and pay her a pension at the rate of $20 per month.

The name of Arellia E. Ferguson, helpless and dependent daughter of Green C. Ferguson, late of Company F, Twentieth Regiment Iowa Infantry, and pay her a pension at the rate of $20 per month.

The name of Hannah J. Goundry, widow of William W. Goundry, late of Company E, First Regiment Minnesota Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Carrie Thompson, widow of Joseph D. Thompson, late of Company B, Twenty-sixth Regiment Illinois Infantry, and Company F, Second Regiment United States Veteran Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Jackson, helpless and dependent daughter of Cyrus A Jackson, late of Company H, Thirty-seventh Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Charles W. Smith, helpless and dependent son of Henry Smith, late of Company F, One Hundred and Sixty-sixth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $20 per month.

The name of Mary E. Brown, widow of William H. Brown, late of Companies F and C, Twenty-eighth Regiment, Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William B. Ludlow, helpless and dependent son of Daniel Ludlow, late of Company B, Second Regiment District of Columbia Infantry, and pay him a pension at the rate of $20 per month.

The name of Leah Kesterson, helpless and dependent daughter of Hugh Kesterson, late of Captain Isaiah Guymon's Company A, Mercer County Battalion, Missouri State Militia, and Company D, Forty-fourth Regiment Enrolled Missouri Militia, and pay her a pension at the rate of $20 per month.

The name of Alwilda Brooks, widow of Calvin W. Brooks, alias C. W. Brooks, late of Lieutenant Jesse B. Taggart's Company D, Middle Green River Battalion Kentucky State Troops, and pay her a pension at the rate of $30 per month.

The name of Fanny Brophy, widow of Thomas Brophy, late of Company B, Ninth Regiment Iowa Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma Knight, widow of Moses Knight, late of Company G, Twenty-fourth Regiment Missouri Infantry, and Company G, Twenty-first Regiment Missouri Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Malisa Maze, widow of William Maze, late of Lieutenant Dietrich's Company, Cooper County Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $30 per month.

The name of Ella Strutton, helpless and dependent daughter of Elisha S. Strutton, late of Company M, Third Regiment Missouri Cavalry, and Company C, Eleventh Regiment Missouri Cavalry, and pay her a pension at the rate of $20 per month.

The name of Virgie M. Plank, helpless and dependent daughter of Jasper Plank, late of Company D, Forty-eighth Regiment Missouri Infantry, and pay her a pension at the rate of $20 per month.

The name of Nancy Jane Berry, former widow of Orelius S. Ware, late of Company I, Forty-ninth Regiment Missouri Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary E. Ward, former widow of Asa Hassell, late of Company G, Eleventh Regiment Missouri Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ona Gross, former widow of William S. Gross, late of Company K, Sixth Regiment Missouri State Militia Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Ida Nagel, widow of William H. Nagel, late of Company I, Thirty-second Regiment Iowa Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Georgian D. Harris, widow of John J. Harris, late of Company G, Eleventh Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Arzilla A. Bailey, widow of Gould S. Bailey, late of Company B, One Hundred and Forty-first Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lina S. Terrell, helpless and dependent daughter of Lynch M. Terrell, late first lieutenant, Company B, Fourteenth Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Ella L. Brownfield, widow of Samuel A. Brownfield, late of Company A, One Hundred and Eighty-fourth Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Georgianna K. Griest, widow of William P. Griest, late of Company I, Two Hundredth Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nellie M. Taylor, helpless and dependent daughter of Corwin M. Taylor, late of Company G, One Hundred and Twenty-first Regiment Ohio Infantry, and pay her a pension at the rate of $20 per month.

The name of Cathorine J. Wilson, widow of Addison W. Wilson, late of Company K, One Hundred and Twentieth Regiment Indiana Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lillie Daley, widow of Palan R. Daley, late of Company H, Second Regiment Tennessee Mounted Infantry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the

age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Minnie F. R. Leach, widow of Charles Leach, late of Company A, Forty-ninth Regiment Wisconsin Infantry, and pay her a pension at the rate of $30 per month.

The name of Arminta E. McCarty, widow of Peter McCarty, alias William McCarty, late of Captain Samuel Young's Company, Pocahontas County, West Virginia State Troops, and Captain Issac W. Allen's Company, Pocahontas County, West Virginia Independent Scouts, and pay her a pension at the rate of $30 per month.

The name of Katie Caine, widow of Joseph H. Caine, late of Company K, One Hundred and Thirty-second Regiment New York Infantry, and Company K, Twenty-first Regiment Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattie House, widow of Draper F. House, late of Captain William F. Pell's Company of Independent Scouts for Wirt County, West Virginia State Troops, and pay her a pension at the rate of $30 per month.

The name of Charles Hovermale, helpless and dependent son of John A. Hovermale, late of Company D, One Hundred and Thirty-fifth Regiment Indiana Infantry, and pay him a pension at the rate of $20 per month.

The name of Estella Walton, widow of Washington R. Walton, late of Company B, Seventieth Regiment Indiana Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Simpson Pennington, helpless and dependent son of Thompson Pennington, late of Company K, Ninth Regiment Kentucky Infantry, and pay him a pension at the rate of $20 per month.

The name of Louisa F. Mansfield, widow of James W. Mansfield, late of Company H, Eleventh Regiment Kentucky Cavalry, and pay her a pension at the rate of $30 per month.

The name of Julia Lyon, widow of James B. Lyon, late of Company D, Seventeenth Regiment Kentucky Infantry, and pay her a pension at the rate of $30 per month.

The name of George Meredith, helpless and dependent son of Alexander Meredith, late of Company I, Twenty-seventh Regiment Kentucky Infantry, and pay him a pension at the rate of $20 per month.

The name of Jim Meredith, helpless and dependent son of Alexander Meredith, late of Company I, Twenty-seventh Regiment Kentucky Infantry, and pay him a pension at the rate of $20 per month.

The name of Milo Elam Stevens, helpless and dependent son of Lafayette Stevens, late of Company L, Eighth Regiment Michigan Cavalry, and pay him a pension at the rate of $20 per month.

The name of Lelia M. Marple, widow of John M. Marple, late of Company A, Tenth Regiment West Virginia Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Rachel M. A. C. Frum, widow of Jerome C. Frum, late of Capt. N. Allstop's Company of Independent Scouts, West Virginia State Troops, and pay her a pension at the rate of $30 per month.

The name of Caroline Hoffman, widow of Valentine Hoffman, late of Eighth Battery, Ohio Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mildred Mabel Metts, former widow of Thomas Moore, late of Company G, Seventh Regiment, and Company L, First Regiment Missouri Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Martha C. Howe, widow of John Howe, late of Company B, Ninety-third Regiment Illinois Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jessie Myrtle Bennett, helpless and dependent daughter of Jonathan Bennett, late of Company H, Eighth Regiment Indiana Cavalry, and pay her a pension at the rate of $20 per month.

The name of Effie T. McElhiney, widow of Robert T. McElhiney, alias Robert McElhaney, late of Capt. C. B. Owens' Company, Missouri Home Guards, and Captain G. H. Rumbaugh's Company of Cavalry (Berry's Battalion), Thirteenth Regiment Missouri Volunteers, and pay her a pension at the rate of $30 per month.

The name of Bell D. Owen, former widow of Phillip A. Qualls, late of Company D, Seventh Regiment Tennessee Mounted Infantry, and pay her a pension at the rate of $30 per month.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACQUES HAILPERN ET AL.

The Clerk called the next bill, H. R. 1541, for the relief of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia, as of December 23, 1939, the date on which they were admitted temporarily to the United States. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the Rumanian quota of the first year that the said Rumanian quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADOLF LEON AND HIS WIFE FELICIA

The Clerk called the next bill, H. R. 1542, for the relief of Adolf Leon and his wife Felicia.

The SPEAKER. Is there objection?

Mr. BARDEN. Mr. Speaker, I object.

The SPEAKER. Two objections are required. The Chair hears no further objection, and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Adolf Leon and his wife Felicia, as of September 4, 1939, the date on which they were admitted temporarily to the United States. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the Rumanian quota of the first year that the said Rumanian quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KARL EDUARD VON VIETINGHOFF-SCHEEL

The Clerk called the next bill, H. R. 2716, for the relief of Karl Eduard von Vietinghoff-Scheel.

The SPEAKER. Is there objection?

Mr. BARDEN. Mr. Speaker, I object.

The SPEAKER. Two objections are required. The Chair hears only one objection and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Karl Eduard von Vietinghoff-Scheel as of October 6, 1939, the date on which he was admitted temporarily to the United States. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Germany of the first year that the German quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

NELL VICTORIA LEA

The Clerk called the next bill, H. R. 3810, for the relief of Nell Victoria Lea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any provision of the immigration laws the temporary admission to the United States of Nell Victoria Lea is hereby declared a record of permanent admission as of the date she last temporarily entered continental United States, to wit, September 24, 1925.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FAY PERKINS ET AL.

The Clerk called the next bill, H. R. 1727, for the relief of Fay Perkins, Jimmie M. Perkins, Harry Howell, Florence Howell, J. P. King, Eva King, Albert L. Jones, and Howard L. Perkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That patents are hereby authorized to be issued to Fay Perkins, Jimmie M. Perkins, Harry Howell, Florence Howell, J. P. King, Eva King, Albert L. Jones, and Howard L. Perkins, conveying the mineral deposits in the west half of the northwest quarter of section 28, and the east half of the northeast quarter of section 29, township 16 south, range 67 east, Mount Diablo base and meridian, comprising 160 acres, together with the right to use so much of the surface as may be necessary for the mining and removal of such deposits upon compliance with the applicable provisions of sections 2325 and 2333 of the United States Revised Statutes.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized, under such rules and regulations as he may prescribe, to lease for the exploitation of the deposits of silica sand, magnesite, and manganese found thereon, the lands withdrawn by Executive Order No. 5105, dated May 3, 1929."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to lease for the exploitation of silica sand, magnesite, and manganese, lands withdrawn by Executive Order No. 5105, dated May 3, 1929."

MRS. A. O. DANNEBERGER

The Clerk called the next bill, H. R. 4254, for the relief of Mrs. A. O. Danneberger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Mrs. A. O. Danneberger, of Bethlehem, Pa., the wife of a regularly ordained minister of the gospel, shall be deemed to be entitled to all the benefits of Public Law No. 349, chapter 610, Seventy-sixth Congress, first session, in the same manner and under the same rules and regulations as her husband, A. O. Danneberger.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAL KALISZKIEWICZ

The Clerk called the next bill, H. R. 802, for the relief of Michal Kaliszkiewicz.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALLECK and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

FRANK E. NICHOLS

The Clerk called the next bill, H. R. 179, for the relief of Frank E. Nichols.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Frank E. Nichols for compensation for disability alleged to have been incurred by him about August 5, 1937, while in the employment of the National Youth Administration as supervisor at the Hampton Armory, Hampton, Va., and to determine said claim upon its merits under the remaining provisions of said act: *Provided*, That no benefits shall be held to have accrued prior to the approval of this act: *Provided further*, That claim hereunder shall be filed within 6 months from the approval of this act.

With the following committee amendment:

Page 2, line 5, strike out "That no benefits shall be held to have accrued prior to the approval of this act: *Provided further*."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTO MEYER

The Clerk called the next bill, H. R. 250, for the relief of Otto Meyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Otto Meyer, of near Fort Smith, Ark., the sum of $1,100, in full settlement and satisfaction of all claims against the United States by reason of the damages sustained by the said Otto Meyer on account of the burning of approximately 200 acres of pasturage of the said Otto Meyer on or about July 26, 1939, and said pasturage being located about 3 miles southeast of Fort Smith, Ark., and which said damage was caused by the failure of the Work Projects Administration to confine a fire started on a project of said Administration on land adjoining the above-mentioned pasturage and by the carelessness and negligence of said Administration in permitting the fire started as aforesaid to spread to the pasturage of the said Otto Meyer: *Provided*, That no part of the amount appropriated by this act in excess of 10 percent thereof shall be paid to or received by any agent or agents, attorney or attorneys, on account of service rendered in connection with said claim, and it shall be unlawful for any agent or agents, attorney or attorneys, either directly or indirectly, to exact, collect, withhold, or receive any sum of the money hereby appropriated in excess of 10 percent thereof, for or on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $5,000.

With the following committee amendments:

Page 1, line 6, starting with the figures "$1,100", strike out the remainder of the bill and insert in lieu thereof: "$550, and to Leigh Kelly, of Fort Smith, Ark., the sum of $27.50, in full settlement of all claims against the United States for property damages sustained by reason of a fire started by an employee of the Work Projects Administration, on July 26, 1938, while working at Fort Smith, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Otto Meyer and Leigh Kelly."

HAROLD BYRNE

The Clerk called the next bill, H. R. 684, for the relief of Harold Byrne.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold Byrne, of Bronx, N. Y., the sum of $2,500, in full settlement of all claims against the United States on account of personal injuries sustained by John Byrne, minor son of the said Harold Byrne, when, on March 1, 1937, he fell into an inadequately guarded excavation dug by employees of the Works Progress Administration on Eastern Boulevard, Bronx, N. Y.

With the following committee amendments:

Line 6, strike out the figures "$2,500" and insert in lieu thereof the figures "$250."

At the end of the bill, add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH HESSMAN

The Clerk called the next bill, H. R. 713, for the relief of Elizabeth Hessman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Hessman, of Dodge City, Kans., the sum of $1,500, in full settlement of all claims against the United States for personal injuries sustained by her when the car in which she was riding was struck, on April 27, 1936, by a Government car driven by an employee of the Soil Conservation Service: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$1,500" and insert in lieu thereof "$915.45."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALOHA MOTORS, LTD.

The Clerk called the next bill, H. R. 735, for the relief of Aloha Motors, Ltd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $100 to Aloha Motors, Ltd., of Honolulu, T. H., in full satisfaction of all claims against the United States for services on account of a contract for the rental of a passenger-carrying automobile to the United States Army, entered into July 1, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall

be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HURRICANE RELIEF FOR CERTAIN COAST GUARD PERSONNEL

The Clerk called the next bill, H. R. 816, to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named personnel of the United States Coast Guard (formerly the Bureau of Lighthouses), in full settlement of their claims against the United States for loss or destruction of, or damage to, personal property and effects at the light stations indicated as a result of the hurricane of September 21, 1938, as follows:

In Massachusetts: At the Cape Cod Canal lights, Rodney S. Dustin, lamplighter, $150; at the Palmer Island Light Station, Arthur A Small, keeper, $1,125; at the Dumpling Rock Light Station, O. J. Ponsart, keeper, $488.35, Henry J. Fontneau, assistant keeper, $749.28; at the Butler Flats Light Station, Charles A. Baker, keeper, $159.50, Joseph G. Hindley, assistant keeper, $6.50; at the Nobska Point Light Station, John M. Scharff, keeper, $60, Waldo Leighton, assistant keeper, $165.

In Rhode Island: At the Block Island, North, Light Station, Ezra Dunn, keeper, 60 cents; at the Block Island, Southeast, Light Station, Earl E. Carr, keeper, $35, Elmer F. O'Toole, first assistant keeper, $100; at the Watch Hill Light Station, Lawrence H. Congdon, keeper, $105.25, Richard A. Fricke, assistant keeper, $170.50; at the Great Salt Pond Light Station, Earl A. Rose, keeper, $342.44; at the Rose Island Light Station, Charles H. Eldridge, keeper, $45, George S. Bell, Jr., assistant keeper, $641.96; at the Conimicut Light Station, Nelson H. Powell, keeper, $322.70; at the Dutch Island Light Station, Ernest J. Stacey, keeper, $668.09; at the Whale Rock Light Station, Daniel A. Sullivan, keeper, $165.10, Gustav H. Larson, second assistant keeper, $232.06; at the Gull Rocks Light Station, James Gallen, keeper, $329.59; at the Bullock Point Light Station, Andrew Zuius, Sr., keeper, $1,013.50; at the Plum Beach Light Station, Reuben W. Phillips, keeper, $8.50, John Gonze, assistant keeper, $16.14; at the Sabin Point Light Station, Charles E. Whitford, keeper, $1,725.98; at the Sakonnet Light Station, William H. Durfee, keeper, $256, Joseph O. Bouley, assistant keeper, $500; at the Prudence Island Light Station, George T. Gustavus, keeper, $644.90; at the Bristol Depot Light Station, Harold O'Connell, mechanician, $68.

In Connecticut: At the Saybrook Breakwater Light Station, Sidney Z. Gross, keeper, $92.56; at the Bridgeport Harbor Light Station, Daniel F. McCoart, keeper, $10.07; at the Falkner Island Light Station, George Zuius, keeper, $785, Harold J. Burbine, assistant keeper, $49.17; at the Greens Ledge Light Station, George H. Clarke, keeper, $3; at the Southwest Ledge Light Station, William Burkhardt, first assistant keeper, $46.75.

In New York: At the Plum Island Light Station, A. C. Brennecke, keeper, $18.13; at the Little Gull Island Light Station, Edgar M. Whitford, keeper, $21.35, Bernard A. Stefanski, second assistant keeper, $19.50; at the Latimer Reef Light Station, George E. Durfee, keeper, $26.95, George Doig, first assistant keeper, $11.60, Eugene Scherpenberg, second assistant keeper, $50; at the Orient Point Light Station, Marvin J. Andrews, keeper, $24.75, L. Fuller, first assistant keeper, $11.50, John Joseph Kerr, second assistant keeper, $14.50; at the Cold Spring Harbor Light Station, A. G. Possel, keeper, $90; at the North Brother Island Light Station, William J. Murray, keeper, $221.50; at the North Dumpling Light Station, Laureat Leclerc, keeper, $230.94.

With the following committee amendment:

Page 2, line 4, after the word "follows", strike out the remainder of the bill and insert in lieu thereof the following:

"In Massachusetts: At the Cape Cod Canal Lights, Rodney S. Dustin, lamplighter, the sum of $100; at the Palmer Island Light Station, Arthur A. Small, keeper, the sum of $841; at the Dumpling Rock Light Station, O. J. Ponsart, keeper, the sum of $387.95; Henry J. Fontneau, assistant keeper, the sum of $438.64; at the Butler Flats Light Station, Charles A. Baker, keeper, the sum of $129.55, Joseph G. Hindley, assistant keeper, the sum of $6.50; at the Novska Point Light Station, John M. Scharff, keeper, the sum of $40; Waldo Leighton, assistant keeper, the sum of $40.

"In Rhode Island: At the Block Island, Southeast, Light Station, Earl E. Carr, keeper, the sum of $35, Elmer F. O'Toole, first assistant keeper, the sum of $50; at the Watch Hill Light Station, Lawrence H. Congdon, keeper, the sum of $93.25, Richard A. Fricke, assistant keeper, the sum of $165.45; at the Great Salt Pond Light Station, Earl A. Rose, keeper, the sum of $254.76; at the Rose Island Light Station, Charles H. Eldridge, keeper, the sum of $197.60, George S. Bell, Jr., assistant keeper, the sum of $174.20; at the Conimicut Light Station, Nelson H. Powell, keeper, the sum of $269.15; at the Dutch Island Light Station, Ernest J. Stacey, keeper, the sum of $369.24; at the Whale Rock Light Station, Daniel A. Sullivan, keeper, the sum of $139.50, Gustav H. Larson, second assistant keeper, the sum of $156.88, Mrs. Walter Eberle, widow of the late Walter Eberle, former second assistant keeper, the sum of $198.90; at the Gull Rocks Light Station, James Gallen, keeper, the sum of $178.12; at the Bullock Point Light Station, Andrew Zuius, Sr., keeper, the sum of $442.60; at the Plum Beach Light Station, Reuben W. Phillips, keeper, the sum of $16.14; at the Sabin Point Light Station, Charles E. Whitford, keeper, the sum of $774.15; at the Sakonnet Light Station, William H. Durfee, keeper, the sum of $50; at the Prudence Island Light Station, George T. Gustavus, keeper, the sum of $574.22; at the Bristol Depot Light Station, Harold O'Connell, mechanician, the sum of $64.

"In Connecticut: At the Saybrook Breakwater Light Station, Sidney Z. Gross, keeper, the sum of $52; at the Bridgeport Harbor Light Station, Daniel F. McCoart, keeper, the sum of $9.27; at the Falkner Island Light Station, George Zuius, keeper, the sum of $641.50, Harold J. Burbine, assistant keeper, the sum of $49.17; at the Greens Ledge Light Station, George H. Clarke, keeper, the sum of $3; at the Southwest Ledge Light Station, William Burkhardt, first assistant keeper, the sum of $40.

"In New York: At the Plum Island Light Station, A. C. Brennecke, keeper, the sum of $8.88; at the Little Gull Island Light Station, Edgar M. Whitford, keeper, the sum of $16.80, Bernard A. Stefanski, second assistant keeper, the sum of $19.50; at the Latimer Reef Light Station, George E. Durfee, keeper, the sum of $26.95, George Doig, first assistant keeper, the sum of $11.60; at the Orient Point Light Station, Marvin J. Andrews, keeper, the sum of $18, L. Fuller, first assistant keeper, the sum of $11.50, John Joseph Kerr, second assistant keeper, the sum of $14.50; at the Cold Spring Harbor Light Station, A. G. Possel, keeper, the sum of $90; at the North Brother Island Light Station, William J. Murray, keeper, the sum of $187.35; at the North Dumpling Light Station, Laureat Leclerc, keeper, the sum of $102.60: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. H. ATKINS

The Clerk called the next bill, H. R. 843, for the relef of J. H. Atkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. H. Atkins, of the city of Tazewell, Tenn., the sum of $5,000 for bodily injuries sustained by him on May 21, 1934, near Lone Mountain, Tenn., when a Civilian Conservation Corps truck from Tennessee Valley Authority Camp No. 25 caused the horse which he was riding to fall, throwing said J. H. Atkins off and breaking his leg.

With the following committee amendments:

Line 6, strike out "$5,000 for bodily" and insert in lieu thereof "$2,500 in full settlement of all claims against the United States, for personal."

At the end of the bill, add: ": *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN I. TWEHUES

The Clerk called the next bill, H. R. 1356, for the relief of John I. Twehues.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the

Treasury not otherwise appropriated, to John I. Twehues, the sum of $5,000 in full settlement of all claims against the United States on account of personal injuries suffered by him as follows: The said John I. Twehues, on January 18, 1931, while he was lawfully on the military reservation at Fort Thomas, Ky., picked up an explosive shell which the officers and agents of the United States had negligently permitted to remain on the grounds of the military reservation, and at the time he picked up said shell he was an infant of immature years and was ignorant of the dangerous character of said shell, and while in the possession of said Twehues, the shell exploded causing him severe and permanent injuries by which he was damaged in the sum of $5,000: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$5,000" and insert in lieu thereof the figures "$2,500."

Page 1, line 7, starting with the word "suffered" in line 7, strike out all the language down to the word *"Provided"* in line 7, on page 2, and insert in lieu thereof "sustained on January 18, 1931, when he picked up a 37-mm. shell on the military reservation at Fort Thomas, Ky., which shell later exploded."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES E. ALLISON

The Clerk called the next bill, H. R. 1684, for the relief of Charles E. Allison.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles E. Allison, of Glade Spring, Va., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Charles E. Allison against the United States on account of injuries sustained by him as the result of being struck on October 1, 1938, while driving his automobile on State Route No. 58, near Damascus, Va., by an object extending beyond the truck bed of a truck in the service of the Civilian Conservation Corps.

With the following committee amendments:

Line 6, strike out "$5,000 for bodily" and insert in lieu thereof "$2,500 in full settlement of all claims against the United States, for personal."

At the end of the bill, add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERMAN E. SCHORR

The Clerk called the next bill, H. R. 1688, for the relief of Herman E. Schorr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Herman E. Schorr the sum of $499.50, in full settlement of all claim against the United States for reimbursement for personal effects destroyed as the result of a fire at the Mohawk State Forest Camp, Torrington, Conn., on December 24, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOYD WILDAY, VERA WILDAY, AND JAMES M. WELLS

The Clerk called the next bill, H. R. 1732, for the relief of Floyd Wilday and Vera Wilday.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Floyd Wilday and Vera Wilday, of Mentone, Calif., the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States Government arising out of the result of personal injuries received by them when the automobile in which they were riding was struck by a truck in the service of the Forest Service of the Department of Agriculture at 4 p. m. on June 10, 1939, on Ortega Highway between Mentone and Oceanside, Calif.

With the following committee amendments:

Page 1, line 6, strike out "$2,500."

Page 1, line 7, strike out "the payment of such sum shall be" and insert "$1,050 and to James M. Wells, the sum of $155."

Page 1, line 9, strike out "Government arising out of result of" and insert "for."

Page 2, line 3, after the word "California" insert a colon and the following: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Floyd Wilday, Vera Wilday, and James M. Wells."

MAGGIE LOU MORSE

The Clerk called the next bill, H. R. 1753, for the relief of Maggie Lou Morse, administratrix of the estate of Exie Morse.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Maggie Lou Morse, administratrix of the estate of Exie Morse, the sum of $10,000 in full settlement of all claims against the United States on account of the death of the said Exie Morse, who was killed on September 7, 1939, by a Civilian Conservation Corps truck driven by James E. Duke.

With the following committee amendments:

Page 1, line 5, strike out "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

Page 1, line 8, strike out "$10,000" and insert "$5,000."

Page 2, line 2, strike out "driven by James E. Duke" and insert the following: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

J. W. AND ROBERT W. GILLESPIE

The Clerk called the next bill, H. R. 1976, for the relief of J. W. and Robert W. Gillespie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. W. and Robert W. Gillespie the sum of $5,000 personal damages for injuries to them sustained through the employees of the Works Progress Administration in their negligence in failure to properly erect detour signs during a road project on October 6, 1936, in Jackson County, W. Va., as a result of which claimants took the wrong road and were severely injured in the wrecking of their car.

With the following committee amendment:

Page 1, line 5, after "J. W.", strike out the balance of line 5 and all of lines 6 to 11 on page 1 and line 1 on page 2 and insert the following: "Gillespie, the sum of $1,000, and to Robert W. Gillespie, the sum of $1,200, in

full settlement of all claims against the United States for personal injuries sustained on October 6, 1939, by the negligent erection of detour signs by employees of the Works Progress Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK Y. UPHAM

The Clerk called the next bill, H. R. 2739, for the relief of Jack Y. Upham.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $692.50 to Jack Y. Upham, of Henrico County, Va., an employee of the Public Roads Administration, in full settlement of all claims against the United States for household and personal effects destroyed in a Government truck on March 26, 1938, while en route from Sparta, N. C., to Floyd, Va.

With the following committee amendments:

Page 1, line 5, strike out "$692.50" and insert "$500."

Page 2, line 1, after "Virginia", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING JURISDICTION ON UNITED STATES DISTRICT COURT TO HEAR AND RENDER JUDGMENT UPON THE CLAIMS OF W. M. HURLEY AND JOE WHITSON

The Clerk called the next bill, H. R. 3200, conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon, notwithstanding the lapse of time or any statute of limitations, the claims of W. M. Hurley and Joe Whitson, of North Little Rock, Ark., or the claims of either of them, against the United States for damages resulting from the breaking of a dike constructed by the United States Government on the Arkansas River near property belonging to such persons.

SEC. 2. The United States district attorney for the eastern district of Arkansas is hereby charged with the duty of defending the United States in any suit instituted under the authority of section 1 of this act.

SEC. 3. There is authorized to be appropriated such sum as may be necessary to pay the amount of any judgment rendered pursuant to this act. The amount of such judgment, when appropriated, shall be paid by the Secretary of the Treasury upon presentation of a duly authenticated copy of the judgment of the United States District Court for the Eastern District of Arkansas.

With the following committee amendments:

Page 2, line 1, after the word "for", insert "the alleged."

Page 2, line 3, after the word "persons", insert a colon and the words "*Provided*, That suits hereunder shall be instituted at any time within 1 year after the enactment of this act."

Page 2, line 6, strike out all of lines 6 to 16, inclusive.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN KLASEK

The Clerk called the next bill, H. R. 3243, for the relief of John Klasek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Klasek the sum of $42.50, in full satisfaction of all claims against the United States on account of damages sustained on June 26, 1937, when the automobile in which John Klasek was riding was struck by a Civilian Conservation Corps ambulance driven by an employee of the United States Government.

With the following committee amendment:

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANDARD OIL CO. OF NEW JERSEY

The Clerk called the next bill, H. R. 3356, for the relief of the Standard Oil Co. of New Jersey.

Mr. HANCOCK and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

D. X. SANDERS

The Clerk called the next bill, H. R. 4068, conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction be, and it is hereby, conferred upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment, without intervention of a jury, upon the claim of D. X. Sanders, of Sallisaw, Okla., for damages allegedly sustained by him in July or August 1919 as a result of the injury and death of approximately 150 head of cattle, by reason of the alleged neglect of an inspector of the Bureau of Animal Industry, Department of Agriculture, in the dipping of said cattle for the elimination of infested ticks, preparatory to interstate shipment.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. WALTER L. SHEARMAN

The Clerk called the next bill, H. R. 4144, for the relief of Capt. Walter L. Shearman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Walter L. Shearman, United States Army, retired, the sum of $890.49, in full settlement of all claims against the Government of the United States for a shortage in public funds due to irregularities in the accounts of a noncommissioned officer, now deceased, which officer was in charge of the commissary, Fort Schuyler, N. Y., February 1 to October 13, 1931, and for which shortage Captain Shearman has accounted to the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET M. CUTTS

The Clerk called the next bill, H. R. 4270, for the relief of Margaret M. Cutts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized

and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret M. Cutts, widow of the late Col. Richard M. Cutts, United States Marine Corps, the sum of $14,149.08, in full satisfaction of all claims against the United States for the loss of personal property of the late Col. Richard M. Cutts, United States Marine Corps, on April 26, 1930, in a fire which destroyed his place of residence while on duty at Port au Prince, Haiti: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH DOLAK AND ANNA DOLAK

The Clerk called the next bill, S. 392, for the relief of Joseph Dolak and Anna Dolak, father and mother of Gene Dolak, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 to Joseph Dolak and Anna Dolak, of Benton County, Iowa, father and mother of Gene Dolak, deceased minor, in full settlement of all claims against the United States on account of the death of said Gene Dolak, who was struck and killed at Fort Des Moines, Iowa, while a member of the citizens' military training camp, by a United States Army truck, on July 30, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, in line 5, strike out "$1,000" and insert "$2,500."

The committee amendment was agreed to.

Mr. HANCOCK. Mr. Speaker, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 1, line 6, after "to" strike out "Joseph Dolak and."

On page 1, line 7, strike out "father and" and insert after the word "mother" the words "and sole surviving parent."

Amend the title to read as follows: "For the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended.

G. F. ALLEN AND BERNARD PAULSON

The Clerk called the next bill, S. 897, for the relief of G. S. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of G. F. Allen, chief disbursing officer of the Treasury Department, with the sum of $371.81 paid by him for excess freight charges on household effects of Julian Edgeworth Gillespie, deceased, commercial attaché, Istanbul, Turkey, and to credit the account of Bernard Paulson, special disbursing officer of the State Department at Istanbul, Turkey, with the sum of $424.01, paid by him for packing and crating at Istanbul excess household effects of the said Julian Edgeworth Gillespie at Istanbul.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH C. HARDY AND OTHERS

The Clerk called the next bill, S. 941, for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the claims of the United States against Ralph C. Hardy, formerly a traffic rate examiner, National Bituminous Coal Commission, in the amount of $328.75; against William W. Addis, formerly a traffic rate examiner, National Bituminous Coal Commission, in the amount of $328.75; against E. F. Goudelock, formerly a traffic rate examiner, National Bituminous Coal Commission, in the amount of $271.90; against J. T. Polk, formerly a traffic rate examiner, National Bituminous Coal Commission, in the amount of $328.75; and against C. H. Seaman, formerly a traffic rate examiner, National Bituminous Coal Commission, in the amount of $328.75, resulting from the fact that payments of per diem and other nonpersonal expenses to each of the above-named persons authorized by the National Bituminous Coal Commission in accordance with the terms of his employment were subsequently disallowed by the General Accounting Office, are hereby canceled; and the Comptroller General of the United States is hereby directed to allow credit in the accounts of the disbursing officer for the payments so made.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said William W. Addis the sum of $328.75, to the said Ralph C. Hardy the sum of $125, to the said J. T. Polk the sum of $328.75, and to the said C. H. Seaman the sum of $328.75, which sums have heretofore been paid to the United States by such persons in partial or complete liquidation of the respective claims of the United States against such persons canceled by section 1 of this act, or have been deducted by the United States when making payment of other claims of said persons against the United States.

SEC. 3. No part of the amount provided for in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 9, strike out "$271.90" and insert "$315.80."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM A. WHEELER

The Clerk called the next bill, S. 1104, for the relief of William A. Wheeler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William A. Wheeler, of Hurricane, W. Va., the sum of $600 in full satisfaction of his claim against the United States for injuries suffered when acting on May 8, 1939, as a volunteer fire fighter in an explosion of a kerosene tank on a Works Progress Administration road project in attempting to save property endangered by the explosion: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROLAND BOUCHER

The Clerk called the next bill, H. R. 4250, to provide for the presentation of a medal to Roland Boucher in recognition of his bravery and heroism in rescuing five children from drowning in Lake Champlain.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in recognition of the valor, bravery, and heroism of Roland Boucher, aged 11, who on February 12, 1941, risked his life in rescuing five children who had broken through the ice on Lake Champlain near Juniper Island, saving the lives of four, and who in so doing displayed unusual bravery and presence of mind extraordinary in one of his age, the Secretary of the Treasury is authorized and directed to cause to be struck, and the President is authorized to present to the said Roland Boucher a gold medal of appropriate design with suitable emblems, devices, and inscriptions to be determined by the Secretary of the Treasury.

SEC. 2. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this act.

With the following committee amendment:

Page 1, line 4, following the name, insert "of Burlington, Vt."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARCEL STARK

The Clerk called the next bill, H. R. 4181, for the relief of Marcel Stark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence of Marcel Stark as of October 1, 1938, the date on which he was admitted temporarily to the United States. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Hungarian quota for the first year the said Hungarian quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEFFERSON BARRACKS MILITARY RESERVATION

The Clerk called the next bill, H. R. 3316, authorizing the Secretary of War to grant a revokable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War (hereinafter referred to as Secretary) is authorized to grant to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., debtor, and successors in interest (herein referred to as grantees) a license to maintain, operate, repair, renew, and construct, at grantees' expense, upon Jefferson Barracks Military Reservation, such passenger station, depot grounds, and sidings as, in the opinion of the Secretary, are reasonably necessary to serve said reservation and will not conflict with the use of said reservation for any governmental purpose: *Provided, however*, That nothing herein, or in such license, shall be construed as relieving said railroad from compliance with any of the provisions of the Interstate Commerce Act as amended, or as it may hereafter be amended. Any license so granted shall (1) be revocable at the will of the Secretary; (2) provide that the Secretary may, in lieu of revoking such license, require the grantees to relocate any such trackage or facilities for the purpose of preventing interference with the use of such reservation for governmental purposes; and (3) provide that the privileges granted thereby shall be exercised subject to such rules and regulations as the Secretary, or the commanding officer of such reservation with the approval of the Secretary, may prescribe in the interests of maintenance of good order, sanitation, discipline, public safety, and the interests of the United States.

With the following committee amendments:

Page 1, at the end of line 8, insert, "Missouri."

Page 2, line 4, after "purpose", insert the following: "and to maintain, operate, repair, and renew that portion of the existing main line right-of-way of said railroad on said reservation in excess of the sixty-foot right-of-way authorized by the act of Congress approved February 14, 1853 (10 Stat. 754), as amended by the act of Congress approved July 14, 1856 (11 Stat. 452)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OPAL JUNE LINDSAY AND OTHERS

The Clerk called the next bill, H. R. 446, for the relief of the estate of Opal June Lindsay, Luck A. Lindsay, Thelma Louise Lindsay, and Laura Kathleen Lindsay.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,279.30 to the estate of Opal June Lindsay; $10,569 to Luck A. Lindsay; and $6,000 to the legal representative of Thelma Louise Lindsay, and $5,000 to the legal representative of Laura Kathleen Lindsay, each of whom are infants under the age of 21 years, in full settlement of all claims for damages against the Government of the United States on account of bodily injuries and damages received by them and each of them on or about May 13, 1940, when the car in which they were riding was struck by a Work Projects Administration truck on United States Highway No. 25, near London, Ky.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$10,279.30" and insert "$4,000."

Line 6, strike out "$10,569" and insert "the sum of $5,000."

Line 7, strike out "$6,000" and insert "the sum of $1,500."

Line 9, strike out "$5,000" and insert "the sum of $1,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE S. WOLBERT

The Clerk called the next bill, H. R. 3831, for the relief of George S. Wolbert, receiver of the Neafie & Levy Ship & Engine Building Co.

Mr. HANCOCK, Mr. COCHRAN, and Mr. BARDEN objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MARIJO McMILLAN WILLIAMS

The Clerk called the next bill, H. R. 4073, for the relief of Marijo McMillan Williams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Marijo McMillan Williams, an employee of the Bureau of Engineering, Department of the Navy, be, and he is hereby, released from any liability to the United States by reason of being carried on the pay roll in two positions, that of postmaster at Sycamore, Ga., and as a clerk in the Macon, Ga., post office during the period August 24, 1924, to March 31, 1925. The Acting Comptroller General of the United States has certified that the sum of $868.01 is due the United States from the said Marijo McMillan Williams under the statute relating to the receiving of more than one salary.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, directed to refund to Marijo McMillan Williams any amount she shall have refunded to the United States prior to the passage of this act.

SEC. 3. There is hereby authorized to be appropriated, to be paid out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAFFEY ROBERTSON-SMITH, INC.

The Clerk read the next bill, S. 103, for the relief of Caffey Robertson-Smith, Inc.

Mr. HALLECK and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

A. B. CODRINGTON

The Clerk called the next bill, S. 216, for the relief of A. B. Codrington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. B. Codrington, of Palatka, Fla., the sum of $123.33, in full satisfaction of his claim against the United States for compensation for services rendered as an employee of the Works Progress Administration during the months of May, June, and July 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN G. HUNTER

The Clerk called the next bill, S. 248, for the relief of John G. Hunter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John G. Hunter, the sum of $1,181.43, representing deductions made from his retirement funds and deposited to the credit of the United States by certificate of deposit numbered 9187, dated October 27, 1939, in settlement of the disallowances in his accounts raised by the General Accounting Office in certificates of settlement numbered G-92328, dated January 11, 1939, and G-92985, dated May 25, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating

the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. MORRIS B. TOUBMAN

The Clerk called the next bill, S. 309, for the relief of Dr. Morris B. Toubman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Morris B. Toubman, of Hartford, Conn., the sum of $2,117.50, in full satisfaction of his claim against the United States for reimbursement of medical and hospital expenses incurred by him and for compensation for personal injuries and property damage sustained by him as the result of a collision which occurred when his automobile was struck by a United States mail truck, in West Hartford, Conn., on February 23, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAXIMO ABREGO

The Clerk called the next bill, S. 436, for the relief of Maximo Abrego.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maximo Abrego, Pina, Republic of Panama, the sum of $2,000 in full satisfaction of his claim against the United States on account of the death of his son, Manuel Abrego, and his adopted daughter, Marciana Abrego, as the result of the explosion of an old artillery shell, in the yard, near his home in Pina, Republic of Panama, on November 21, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

R. STERN

The Clerk called the next bill, S. 514, for the relief of R. Stern.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue is authorized and directed to consider and act upon the claim, heretofore filed by R. Stern, of Tomahawk, Wis., for a refund of processing taxes, under the provisions of section 15 (c) of the Agricultural Adjustment Act, as amended and reenacted, on account of having delivered a quantity of flour to relief clients of Lincoln County, Wis., during the years 1934 and 1935, in the same manner and to the same extent as if such claim had been filed prior to January 1, 1937, as required by section 601 of the Revenue Act of 1936.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NOLAND BLASS

The Clerk called the next bill, S. 788, for the relief of Noland Blass.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Noland Blass, of Little Rock, Ark., the sum of $4,271.57, in full settlement of all claims against the United States for a refund of income tax paid for the year 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WIDOW OF ARTIS J. CHITTY

The Clerk called the next bill, S. 991, for the relief of the widow of the late Artis J. Chitty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Artis J. Chitty, late a United States marshal for the western district of the State of Washington, the sum of $10,000 in full satisfaction of her claim against the United States on account of the death of her husband who was murdered on August 22, 1940, in the State of Washington while in the performance of his duty as a United States marshal: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment.

On page 1, line 7, strike out "$10,000" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. R. LEE

The Clerk called the bill (H. R. 188) for the relief of Maj. R. Lee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of Maj. (formerly first lieutenant) R. Lee, former disbursing officer, United States engineer office, Memphis, Tenn., in the sum of $740.94, representing the remaining amount disallowed in the accounts of the said Maj. R. Lee, disbursing symbol 230409, because of an overpayment of $790.44 made to F. D. Harvey & Co., Inc., Memphis, Tenn., on voucher No. 12108, dated December 7, 1932, under contract W-1092-eng. 2866, dated October 3, 1932, the said overpayment being uncollectible and the firm no longer in existence.

With the following committee amendment:

Page 2, at the end of the bill, strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLIAM E. THOMAS

The Clerk called the bill (H. R. 768) for the relief of William E. Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Thomas, of Washington, D. C., the sum of $5,000, in full satisfaction of his claim against the United States for personal injuries sustained when his right foot was crushed between a subway car and the loading platform beneath the Capitol Building, September 13, 1937.

With the following committee amendments:

Line 6, strike out the figures "$5,000" and insert in lieu thereof "$830.75."

Line 7, strike out "his claim" and insert in lieu thereof "all claims."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ARTHUR GOSE

The Clerk called the bill (H. R. 859) for the relief of Arthur Gose.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Arthur Gose, Bean Station, Tenn., the sum of $500, in full settlement of all claims against the United States, and in settlement of the judgments obtained against Michael Felotoirch in the circuit court at Tazewell, Tenn., as a result of property damage when the car of Arthur Gose was demolished when it was struck by a Civilian Conservation Corps truck driven by said Michael Felotoirch, a member of the Civilian Conservation Corps, at Arthur, Tenn., on April 27, 1935.

With the following committee amendments:

Line 8, after the word "States", strike out "and in full settlement of the judgments obtained against Michael Felotoirch in the circuit court at Tazewell, Tenn., as a result of property damage" and insert in lieu thereof "for damages sustained."

Line 15, after the figures "1935", strike out the comma, insert a colon and the proviso: "*Provided*, That the above sum shall be in full satisfaction of all judgments obtained by Arthur Gose, against Michael Felotoirch, driver of the Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GEORGE GEIS

The Clerk called the bill (H. R. 1646) for the relief of George Geis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Geis, Jamestown, Ohio, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by the said George Geis on April 28, 1938, on a farm in Green County, near Osborn, Ohio, when an unexploded photographic flare bomb was dropped on said farm by a United States Army airplane, the said George Geis being an employee and working on said farm at the time of the explosion.

With the following committee amendment:

Line 6, starting with the figures "$5,000", strike out the remainder of the bill, and insert in lieu thereof: "$3,500, and to Rose Glaser Zeller, of Osborn, Ohio, as the administrator of the estate of Joseph Glaser, deceased, the sum of $5,000 in full settlement of all claims against the United States for personal injuries sustained by George Geis, and injuries sustained by Joseph Glaser, which resulted in his death, on April 28, 1938, by a photographic flare bomb which was dropped on the farm of Joseph Glaser by a United States Army airplane: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "A bill for the relief of George Geis and the administrator of the estate of Joseph Glaser, deceased."

BERT AND MARIE FREEMAN

The Clerk called the bill (H. R. 1933) for the relief of Bert and Marie Freeman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, jointly to Bert and Marie Freeman, as the dependent parents of Arthur J. Freeman, the sum of $10,000, in full settlement of all claims against the Government of the United States arising out of the death of Arthur J. Freeman, caused by the negligent operation of an automobile truck driven by Dysle Adams, attached to the United States Soil Conservation, Civilian Conservation Corps, Camp Ross, Ross County, Ohio, while acting within the scope of his employment, on Ohio United States Highway Route No. 23, 1.6 miles north of the city of Chillicothe, Ohio, on October 17, 1939.

With the following committee amendments:

Line 7, strike out the figures "$10,000" and insert in lieu thereof "$3,500."

At the end of the bill, add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

H. B. WILSON

The Clerk called the bill (H. R. 2426) for the relief of H. B. Wilson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. B. Wilson, of Cordele, Ga., the sum of $2,500, in full satisfaction of all his claims against the United States for personal injuries suffered on January 25, 1940, when he tripped and fell over a heavy cord negligently left by Work Projects Administration workers on Work Projects Administration project numbered 5179.

With the following committee amendments:

Line 6, strike out "$2,500" and insert in lieu thereof "$1,506".

At the end of the bill, add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROY GARD

The Clerk called the bill (H. R. 2891) for the relief of Roy Gard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to waive the time limit for filing claim for benefits under the United States Employees' Compensation Act and amendments thereto in the case of Roy Gard, who sustained an injury to his left leg on July 2, 1938, while employed on a Works Progress Administration project at or near North Webster, Ind., and grant him compensation in accordance with the provisions of that act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, and supplemented, the United States Employees' Compensation Commission be, and is hereby, authorized and directed to receive and consider, when filed, the claim of Roy Gard, an employee of the Works Progress Administration, for disability alleged to have been incurred by him on July 2, 1938, in line of duty, and to determine said claim upon its merits under the provisions of said act: *Provided*, That no benefits shall accrue prior to the approval of this act: *Provided further*, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLIAM H. EVENS

The Clerk called the bill (H. R. 2908) for the relief of William H. Evens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized

and directed to pay, out of any money in the Treasury not otherwise appropriated, to William H. Evens, McGregor, Minn., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for losses sustained by the said William H. Evens on account of the death of his minor son, Leonard Evens, who died on April 9, 1940, as the result of injuries received when he fell into an unbarricaded excavation made by the Work Projects Administration in connection with the construction of an addition to the McGregor School, McGregor, Minn.

With the following committee amendments:

Line 6, strike out the figures "$5,000" and insert in lieu thereof "$2,500."

At the end of the bill add: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

HUGH C. RUSSELL

The Clerk called the next bill, H. R. 3084, for the relief of Hugh C. Russell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission be, and is hereby, authorized and directed to receive and consider, when filed, the claim of Hugh C. Russell, an employee of the Public Buildings Administration, for disability alleged to have been incurred by him in May 1938 in line of duty, such disability being diagnosed an undulant fever, and to determine said claim upon its merits under the provisions of said act: *Provided,* That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

IRENE TRAUERNICHT

The Clerk called the next bill, H. R. 3629, for the relief of Irene Trauernicht.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Irene Trauernicht, of Saint Louis, Mo., the sum of $5,600. The payment of such sum shall be in full settlement of all claims against the United States as the result of the death of Walter Trauernicht in a collision between a delivery car driven by said Walter Trauernicht and a United States Government truck driven by a member of the Civilian Conservation Corps camp at Babler Park, Mo., on March 17, 1939: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,600" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that completes the bills on the Private Calendar for today.

The SPEAKER. Calendar No. 199 is eligible for call today.

Mr. BARDEN. I have no objection to it being called, but that particular bill was placed on the calendar yesterday. I am not raising any objection to it being called.

The SPEAKER. The Clerk will report the bill.

ELIZABETH LIVELY

The Clerk called the next bill, H. R. 1268, to repeal the provision of law granting a pension to Elizabeth Lively.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that this bill has not been on the calendar for 3 days.

The SPEAKER. The Chair is informed that that rule applies only to bills on the Consent Calendar. The Chair is informed that that is not necessary for bills on the Private Calendar. The point of order is overruled.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors," Private Law No. 112, Seventieth Congress, approved May 3, 1928, as reads "The name of Elizabeth Lively, widow of John Lively, late of Company K, Fifth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month," is hereby repealed, effective the day following the date of last payment: *Provided,* That no recovery shall be made of any payment heretofore made to Elizabeth Lively and no disbursing or certifying officer shall be held liable for any amount paid to Mrs. Lively recovery of which is waived under this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE CHASE NATIONAL BANK

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I have taken this time merely to put into the CONGRESSIONAL RECORD an admission by the Ministry of Economic Warfare of Great Britain that an error had been committed in linking up the Chase National Bank with the American Express Co. I know nothing about the operations of this company in Germany, but I do know that the Chase National Bank has been divorced from the American Express Co. for a number of years, yet the Ministry of Economic Warfare indirectly denounced the Chase National Bank as being pro-Nazi or at least unfriendly to the British. The Chase National Bank is one of our greatest, wealthiest, and strongest American banks, headed by Winthrop Aldrich, a very well-known, able, and patriotic banker, who is also head of the British war relief in New York City, which has raised millions of dollars for relief purposes in Great Britain.

In all fairness to Mr. Aldrich and the Chase National Bank the refutation of this unfortunate and mistaken charge ought to be placed in the RECORD so that it will be there as a permanent record in case anyone in these days of war hysteria should seek to impugn the motives of the officials of one of our most important New York banks. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution of the State Lands Commission of the State of California, with which I find myself in complete accord.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

UTILIZATION OF FOREIGN IDLE MERCHANT TONNAGE

Mr. BLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4466, with Mr. COSTELLO in the chair.

The Clerk read the title of the bill.

Mr. BLAND. Mr. Chairman, may I ask how the time stands?

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] has consumed 58½ minutes. The gentleman from New York [Mr. CULKIN] has consumed 51½ minutes.

Mr. CULKIN. Mr. Chairman, I yield 9 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, the bill under consideration, H. R. 4466, authorizes the President to seize approximately 80 foreign merchant flagships with a gross tonnage of approximately 500,000 tons, that took refuge in the ports of this Nation since the war

started in Europe. Two of these flagships, with a gross tonnage of 9,133 tons, belong to Germany; 28, with a gross tonnage of 140,000 tons belong to Italy; 36 belong to Denmark, and the others belong to France, Holland, Belgium, and Norway.

Under international law, the merchant ships of neutral and belligerent nations may seek refuge and protection in the ports of a neutral country, and as long as these ships remain in these neutral ports, they cannot be attacked and taken over by another country. As a matter of law, the United States up to this time is a neutral nation. As we understand international law, this Nation would have the right to seize these ships for its own defense if it were at war. These ships sought refuge in our ports when our neutrality law was in effect. These foreign nations had the right to assume that their ships would be granted refuge and protection under international law in this country. Of course, if this Nation was at war, we could seize these ships for our own use by the payment of just compensation to the owners, or if these ships were being injured or destroyed by the owners, we would have the right to take protective custody, and under our law, these ships might be forfeited to the United States.

The President has announced that there would be formed a pool of 2,000,000 tons of ships and the ships to be seized would become a part of that pool, as we understand it, and we also understand that these ships are to be turned over to Great Britain or to be used to aid Great Britain in her war against Germany and Italy, although this bill says they will be seized for us—some more deception. The question arises: Can this Nation, while still a neutral nation, take over the ships of one belligerent nation and turn them over to another belligerent nation?

Mr. CULKIN of New York, Mr. BRADLEY of Michigan, and Mr. OLIVER of Maine, in their minority report against this bill, used this language:

> The undersigned state with confidence that there is no instance recorded in international relations of the seizure by a neutral of ships belonging to belligerents. We fully recognize the rights of the United States to take under protective custody ships that have been the subject of sabotage. Beyond that it is obvious that the Italian and German ships in our ports are not ours to deal with. We assert that that procedure which this legislation implements is one of the certain pathways to war.

They further state in their minority report:

> We voice with regret our belief that this legislation will tend to bring about a declaration of war or an undeclared war, and that, so far as the German and Italian flagships are concerned, that is the only purpose which this legislation will serve.

These gentlemen are very able Members of this House and members of the Merchant Marine and Fisheries Committee that has had under consideration this legislation.

My sympathies are, of course, for Great Britain. I have no interest in Germany or Italy or their warlords. I represent a constituency that is 99½ percent Anglo-Saxon. I am deeply concerned, however, that our Nation does not violate international law or commit an overt act of war. I desire to keep our country out of the European-Asiatic-African war. These ships sought refuge in our neutral ports. Now, this bill proposes that we violate our neutrality and turn the ships of one belligerent over to another belligerent or take them over for the use of another belligerent. I am advised that our colleague the gentleman from New York [Mr. CULKIN], and member of the Merchant Marine and Fisheries Committee, will offer an amendment that will provide that none of the ships of Germany and Italy may be turned over to Great Britain or be used for Great Britain, but that we keep for our own use all of these 80 ships if we take them over. We have no grievance whatsoever against Norway, Finland, Holland, Belgium, or Denmark. More than 50 of these ships belong to them. They took refuge in our harbors under international law. We gave them this refuge and assured them protection as a neutral, friendly nation. We have no right now, under international law or under plain, old-fashioned justice, to seize these ships unless our country was at war and such action was necessary for our own national defense. We are not at war and these ships are not to be used for our own national defense.

The bill provides that our country shall pay for the ships. The American taxpayers will pay for them and we shall then turn them over to Great Britain. If our taxpayers must pay for these ships, we should keep them for the benefit of our own country.

I have consistently opposed all measures which I honestly believed would involve us in the European-Asiatic-African war. I favor the Culkin amendment and if the Culkin amendment is defeated, I shall vote against the bill. This bill is a war measure and not a peace measure. I appreciate the very frank statement of our Democratic friend from Georgia [Mr. COX] who is supporting this bill. He said on yesterday in the debate that this was not a peace measure but that this bill was another long step towards war. He also frankly stated that the lend-lease bill and the $7,000,000,000 relief bill for Great Britain were distinctly war measures.

The administration started us on a definite course into the European-Asiatic-African war when it forced through the repeal of our Neutrality Act. In my opinion, the administration definitely expected to take this Nation into war when it conscripted 17,000,000 or more of the young men of this country. The die was definitely cast for war and against peace when the administration forced through the lend-lease bill, giving the President unlimited powers and unlimited resources to carry on undeclared wars for or against any nation or nations on the face of the earth. It gave him the power to dispose of all or any part of our Navy and all or any part of the equipment of our Army and air forces. The great object of our bounty was Great Britain. The lend-lease bill was greatly implemented by the $7,000,000,000 bill for aid to Great Britain. All of these measures were long and definite steps towards the involvement of this Nation in the second World War.

In 1936 Congress passed the Neutrality Act at the instance of the President. This made it unlawful to ship arms, munitions, or any war supplies to belligerent nations. The President took great pride in that act. He said its observance would keep this country out of war. He also said the time would come when persons seeking "fool's gold"—war profits—would urge its repeal. That time came in September 1939, when the President called Congress into extraordinary session and demanded that the Neutrality Act be repealed. The munitions makers had been busy. We were told that great quantities of war materials were piled up in our ports ready for shipment. There were many seekers for war profits, blood money, and fool's gold. We were told by the President and his leaders that, in order for this country to be neutral and keep out of war, it would be necessary to repeal the Neutrality Act and start the guns, planes, shells, and other munitions to Great Britain. Great Britain told us that they did not desire us to use our ships to carry these war supplies into the dangerous war zones of Europe. The act provided that Great Britain and other countries must come to our shores, buy and pay for the supplies, and take them away in their own ships. All that they expected of us was to furnish the supplies and they would pay us the cash. They were not asking for ships or any of our men. This, in my opinion, was the real beginning of our involvement in the second World War. This parallels the first great step taken in the last World War. Many of us insisted that it would not be long until they would be asking for money, credits, ships, and then our boys. The repeal of that act was an unneutral act. By that act we took a definite stand for Great Britain. I opposed that measure because I believed it was the first long step toward entrance into the second World War.

In September 1940 the President forced through Congress the Conscription Act, under the claim that it was a peace measure. Many of us asserted that it was another long step toward involving this country in the war. Millions of fathers and mothers and young men were led to believe that it merely meant a year's training, but that measure had a "joker" in it, as many of us pointed out at that time. The President can extend the time far beyond 1 year, and they are now beginning to say it will be necessary to extend that time—just another slick trick and bit of deception put over on the American people. Two of the great states of the British Empire—Australia and Canada—have not adopted conscription acts to aid the mother country of Britain. They do draft their men for brief periods of time for home service or defense, but none of the men can be sent out of Canada or Australia for overseas service except by the consent of the soldier or sailor himself.

PARTIES AND CANDIDATES MAKE STRONG PLEDGES

The campaign of 1940 came on, and it got hot. The Democrats, at their national convention in Chicago, placed a very definite plank in their platform

against our Nation's taking part in any foreign war. It said:

We will not participate in foreign wars, and we will not send our Army, Navy, or air force to fight in foreign lands outside of the Americas, except in case of attack.

The Republican Party, at its national convention in Philadelphia, adopted the following:

The Republican Party is firmly opposed to involving this Nation in foreign war. We are still suffering from the ill effects of the last World War—a war which cost us a $24,000,000,000 increase in our national debt—billions of uncollectible foreign debts, and the complete upset of our economic system, in addition to the loss of human life and irreparable damage to the health of thousands of our boys.

These are the pledges upon which President Roosevelt and the Democratic nominees for the House and Senate and Mr. Willkie and the Republican nominees for the House and Senate sought the support and votes of American men and women. Mr. Willkie in his many speeches pledged American fathers and mothers that if he were elected he would not lead us into a foreign war. He charged, however, that President Roosevelt would, if elected, more than likely get us into a foreign war by April 1941. So far as I can learn, every candidate for the House and Senate of both the major parties, including myself, in speeches and in statements promised the American people that we would oppose our entrance into the European-Asiatic-African war; that we would consent to go to war only in defense of the United States. President Roosevelt vigorously denied the charge that he would take this Nation into a foreign war. On October 30, at Boston, President Roosevelt pledged a great, cheering crowd of men and women—

and while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, again, and again: Your boys are not going to be sent into any foreign wars.

About 11 o'clock on the night before the election President Roosevelt reiterated in substance this and other statements to the effect:

Neither our Army, naval, or air forces will fight in foreign lands outside the Americas except in case of attack.

I made the same promise to the people of my district that Mr. Roosevelt and Mr. Willkie made to the Nation. I have kept my promise. I have opposed every measure which in my honest opinion would lead us into this second World War. The Republican Party made strong pledges in its platform, and as a whole, the Republican Party has kept that pledge. Mr. Willkie, in order to emphasize the pledges made by him and President Roosevelt, on November 12, 1940, more than a week after the election, issued a statement in which he said among other things:

Mr. Roosevelt and I both promised the people in the course of the campaign that if we were elected, we would keep this country out of war unless attacked. Mr. Roosevelt was reelected and this solemn pledge I know from him will be fulfilled and the American people I know will desire him to keep it sacred.

Early in 1941 the American people were amazed when Mr. Roosevelt proposed his lend-lease-give-away bill. This was the great, definite entering wedge into the European-Asiatic-African war, and they were further amazed when Mr. Willkie, as he had said many times during the campaign on other matters, "Me, too." I hear charges that both of these men repudiated the platform pledges and promises to the American people. It cannot be urged that there has been a change in the situation since the time they made those pledges. At the time they made those pledges, Poland, Norway, Holland, Belgium, France, and Czechoslovakia had been overrun and taken by Germany. Great Britain was in the greatest distress that she had been in since the war started. At the time they broke these pledges, Great Britain had proved that she could resist the German air attack. Greece was defeating Italy and the British were driving the Italians out of Libya and other parts of Africa. Mr. Willkie, to his everlasting shame to my way of thinking, excused his repudiation of his pledge by saying that "It was only campaign oratory." I agree with that great churchman who frankly said to Mr. Willkie that he owed an apology to every man and woman who voted for him last fall.

Mr. Roosevelt still continues to deceive the American people by claiming that he is opposed to involvement in this European-Asiatic-African war, while all of his acts and the acts of his official family and leaders, as well as their statements and speeches, are taking us into that war. He has turned over a part of our Navy and would have turned over many of our latest model submarines if he had not been prevented from doing so. He has been and is turning over to Great Britain ships, guns, planes, shells, and other munitions of war, and credits amounting to $7,000,000,000. When the lend-lease bill was up, the Congress and the American people were assured by the President that we would not resort to convoys to take these materials to Great Britain and other belligerent countries. As a matter of fact, we are actually convoying under the name of "patroling" today and the members of the President's Cabinet, Ickes, Stimson, Knox, Hull, Wickard, and others over the radio and in statements to the people are demanding that our Navy be used to convoy. The President has said time and time again that "convoying means shooting and shooting means war." We have not been fired on yet because we have not been in range of the enemy's guns. The President is stripping this country of its defenses in the way of guns, planes, ships, shells, and credits, and is turning them over to Great Britain. Neither Australia nor Canada has passed a lend-lease or give-away bill yet.

This bill is now being forced through to take the ships of belligerent nations as well as friendly nations and turn them over for the service of Great Britain. It certainly is another long step, and perhaps the last step, involving us directly as a belligerent in that great war. The American people have again been deceived, if not more grossly than they were in 1916 when President Wilson was elected on the pledge, "He kept us out of war." Millions of American citizens voted for President Roosevelt last fall on his promise to keep us out of war and that his election would mean that this country would not be involved in this second World War. We are being led into that war on the false assumption that it is our war. How could it be our war? We were not consulted by any of the warring nations before they entered the war. Our Ambassadors to England, France, and Poland informed those countries that they could not expect the United States to back them up if they got into war. Some of these warmongers tell us that our safety and our very existence depend upon the British Empire. We certainly did not depend upon Great Britain during the Revolutionary War or in the War of 1812 when we were just a small nation of heroic men who won the victory on land and on sea. We certainly did not depend on Great Britain when in the war, 1861 to 1865, her sympathies and help were in favor of the Confederacy. She permitted ships to be fitted out in Great Britain to prey upon the commerce of the United States. Our country demanded damages and Great Britain paid $15,500,000 for the damage she had done to our commerce during the Civil War. American resources, ships, and men went to her rescue in 1917 and helped to save the British Empire. No one can truthfully say that Great Britain, her army or her navy, ever came to the defense or rescue of the United States. The United States has always stood upon her own feet. If this Nation will hold only one-half of the ships, guns, tanks, planes, shells, and other implements of war she is making, for our own defense, this Nation will be impregnable against attack from any nation or group of nations. The trouble is that we are draining this country of its money, credits, its ships, guns, tanks, planes, shells, and other defense articles and sending them across the seas. A lot of our supplies were lost in France; more of them were lost in Greece.

My great concern is that we do not neglect our own defense on land, on the sea, and in the air. Does not our oath of office and loyalty to our country demand that we look out first for the defense of our own country? I am not against Great Britain; I am merely speaking and acting for our own country. I feel, as did the great leader and founder of the Democratic Party, Thomas Jefferson, who said, "The first object of my heart is my own country." I have no interest to serve except the welfare of our own country. I have never seen a great nation so completely taken over as Great Britain has taken over our country. I can now realize how wise were the words of George Washington, Father of Our Country, when he warned our forefathers against the dangers of foreign influence. He said to them more than 100 years ago, "History and experience prove that foreign influence is one of the most dangerous foes of republican government." If we do not divorce ourselves from these foreign influences and quit meddling in foreign wars, the beginning of the end of the glory of this Republic is not far away.

It is urged that those in charge of these German and Italian ships have committed acts of sabotage on some of the ships. If that be true, such ships as are being sabotaged could, under our laws, be forfeited to our Nation. We could take them over without paying anything for the ships.

Let us point out that France owes this Nation more than $5,000,000,000, Italy more than $2,000,000,000, and Germany and all these other countries each owe us a much larger sum than the value of these ships. If this Nation has the right to take charge of these ships at all at this time, we could take them over and credit these nations on what they owe us. If the opportunity presents itself, I shall vote for an amendment that in the event these ships are taken over that they be used for the defense of our own country and that these nations be given credit on what they owe us.

Our Nation really needs these ships. Why place this burden upon the taxpayers of our country and then turn these ships over to a foreign nation, violate international law, and commit an act of war?

UNITED STATES NEEDS MERCHANT SHIPS

President Roosevelt in his letter to the Congress of date April 14, 1941, urging the passage of legislation to take over these ships pointed out the great shortage of merchants ships suited to the needs of our national defense. He used this language:

> In view of the growing shortage of available tonnage suited to our national needs I am satisfied, after consultation with the heads of interested departments and agencies of the Government, that we should have statutory authority to take over any such vessels as our needs may require. * * * It is obvious that our own ultimate defense will be rendered futile if the growing shortage of shipping facilities is not arrested.

You will observe that the President himself is alarmed over the growing shortage of available tonnage suited to our national needs and that it is obvious that our own ultimate defense will be rendered futile if the growing shortage of shipping facilities is not stopped.

American taxpayers will be called upon to pay for these ships. Now, who needs these ships most—the United States or Great Britain? We are reliably informed that between September 30, 1939, and April 30, 1941, our cargo fleet, our merchant marine, coastwise, intercoastal, and foreign, declined from 5,560,000 gross tons to 4,417,000 gross tons. This is a decline of more than a million gross tons, although during that period there has been added to our fleet approximately 50 new vessels. We are informed that our Maritime Commission's construction program will not be able to bring our merchant fleet back to its 1939 level until late in 1942, more than a year hence. In other words, our seagoing merchant ships, coastwise, intercoastal, and foreign, altogether is less than 4,500,000 tons. The merchant marine of any nation is the second line of defense of its navy.

Now, what merchant-marine tonnage has Great Britain in which we express so much interest? On March 17, 1941, the Associated Press and other news agencies carried a report submitted by Lloyd's of London. Lloyd's is a great marine insurance company. It is the highest and best shipping authority in the world, and especially so far as it concerns British ships. We are advised that Lloyd's insures all of the British merchant ships. This report of Lloyd's, dated March 17, 1941, states that Great Britain had when the war began in September 1939 a total of 21,025,000 tons of merchant ships. This report also says that Great Britain got from Norway, Denmark, Holland, Belgium, and France after their defeat by Germany 12,320,000 tons, making a total of 33,345,000 tons of merchant ships. Great Britain also got from the United States 430 ships with a tonnage of 1,500,000. Since that war began, reports indicate that Great Britain has built more than 3,000,000 tons of merchant ships, making a grand total of 37,845,000 tons. Lloyd's Insurance Co., that pays the losses for damaged and destroyed British ships, in this same report of March 17, 1941, says that Great Britain had lost up to that date 3,171,273 tons. Let us assume that Great Britain lost 1,000,000 tons since March 17, 1941. That would make her total loss 4,171,273 tons. Subtract that sum from her total tonnage of 37,845,000 and it would leave Great Britain with 33,673,727 tons. Therefore at this date we can safely say that Great Britain has over 12,000,000 more tons of merchant ships than she had at the time the war started. That is not all. Under the terms of the lend-lease bill we are building for Great Britain 412 merchant ships of 3,000,000 tons, at a cost of $700,000,000 out of the pockets of the taxpayers of the United States. Recently we have turned over to Great Britain quite a number of our newest merchant ships. In addition to that, we turned over to her 50 of our American destroyers, some of our mosquito fleet, and other ships. Great Britain now has more than 7 times as much merchant-ship tonnage as the United States. She is still building rapidly and we are building for her. Now we propose to take over these 80 or more ships of neutral or belligerent countries, pay for them out of the pockets of the taxpayers of the United States, and put them into a pool of 2,000,000 tons and turn them over to Great Britain or to be used for the benefit of Great Britain, and we will thereby reduce our tonnage from 4,500,000 to less than 3,500,000 tons.

If these ships are taken over and paid for by our taxpayers, I want us to keep them for ourselves. The President says "There is a growing shortage of available tonnage suited to our national needs." He further says "It is obvious that our own ultimate defense will be rendered futile if the growing shortage of shipping facilities is not arrested." If this administration pursues the course it appears to have marked out, it will not be long until this country is an active belligerent in that war. We know that it is tremendously important in the defense of a country to have an ample supply of merchant ships to move its troops and its supplies. Guns, planes, shells, oil, other munitions and war supplies cannot be carried in warships—they must be carried in merchant ships. What is our country going to do if we persist in stripping this Nation of its merchant marine, and what will this Nation do for ships to carry on its commerce after the war is over if we turn our ships over to the British Empire which is now and has been all through the years our greatest competitor in the world's commerce? Britain has been able to rule the seas and to control largely the commerce of the world because of her great merchant marine. We now have a Navy equal to or superior to Great Britain but our merchant marine through the policy pursued by this administration and according to the President's own statement is growing less every day. Yes, we are turning over our ships, guns, shells, planes, and other defense supplies. This Nation is being stripped of its own defenses and strangely, too, in the name of national defense.

We are told that Great Britain needs these ships and our other ships to carry supplies to Great Britain. This is not true. Great Britain continues to operate her merchant marine lines from New York and other United States ports to the West Indies, Central and South America in competition with our American ships. She has a monopoly along these routes. They are not engaged in taking war supplies or food to Great Britain. They are engaged in strictly money-making commerce. British ships are also engaged in commerce on the Pacific coast to Alaska, and, in fact, they are carrying large supplies for the United States, and we are paying them for this service.

Great Britain has the good sense to keep her ships and to gobble up our ships and to urge us, through this measure, to take the ships of other nations and turn them over to her; and those of us who oppose this policy are denounced by some high administration officials.

With all of these warlike acts, some of our friends in this House indulge the notion that we are not going into this war. Every day we can see the clouds getting thicker and thicker, and hanging heavier over the world and this country. Let us not deceive the American people any longer. They should be told frankly that this second World War will be the longest, costliest, and bloodiest war in which the United States ever took a part. That is where the administration is taking the American people today.

One of our colleagues in his speech today places the blame on the President's Cabinet. Who appointed the Cabinet? Who has control of the Cabinet? Who has the power to kick the members of the Cabinet out if he desires? It is none other than President Roosevelt himself. Is anyone so naive as to believe that Secretaries Hull, Stimson, Knox, Wickard, and other members of the Cabinet are going on the air almost daily and in statements in the press urging that we convoy ships into the war zone and urging that we intervene in this war are doing so without the knowledge and consent of President Roosevelt? The President has said, time and again, that he approves of what these members of the Cabinet are saying. If he does not approve of their warlike speeches or their

warlike acts, he could remove them in the twinkling of an eye. In fact, Mr. Roosevelt selected Mr. Stimson as Secretary of War and Mr. Knox as Secretary of the Navy because they were known interventionists at the time they were named by Mr. Roosevelt about a year ago. In my opinion, Mr. Roosevelt is in favor of war and is determined to take us into war if the American people will submit to it, and he selected and maintains a Cabinet in harmony with his views.

In less than 10 months the American Congress appropriated and authorized and gave contract authority for more than $40,000,000,000 for defense purposes. This is as much as Great Britain, Canada, Australia, New Zealand, and the entire British Empire appropriated or authorized in the last 2 years, and British ruling statesmen say that British expenditure reached its peak some time ago.

British statesmen in England, in Australia, in South Africa assert with confidence that the United States will place her manpower and resources into this war. Prime Minister Churchill told the House of Commons the other day that Britain is bound to win because—

> There are only 70,000,000 malignant Germans and there are 200,000,000 English and Americans fighting Germany * * * 70,000,000 Englishmen and 130,000,000 Americans.

That is a very remarkable statement. Great Britain owns one-fourth of the earth's surface and one-fourth of the earth's population—in other words, there are 500,000,000 people living under the British flag, but, according to Mr. Churchill, only 70,000,000 will join with the 130,000,000 Americans to help defeat Germany. What about the other 430,000,000 British subjects? Why are they not fighting on the side of Britain? They are denied their freedom by the British Empire. Britain has refused to give them dominion status such as is enjoyed by Canada, Australia, and New Zealand. Included in this 430,000,000 is Ireland.

If the 500,000,000 British subjects would fight for Great Britain, she would not have to call on this country to finance her and for the manpower of our 130,000,000 people. Great Britain could get the support of these 430,000,000 English subjects if she would grant them more freedom. It is somewhat of a paradox to observe that Great Britain, the leader in the great fight for democracy, as we are told, cannot have the support in her war from these 430,000,000 British subjects because she refuses to grant freedom to them.

One or more members of the President's Cabinet tell the world that the manpower of this country is pledged to support Great Britain in this war. I deny that the American people or anyone authorized to speak for them has pledged the lives of American boys to fight to save the British Empire. Mr. Roosevelt and his leaders last year pledged the American people that their boys would not be called upon to engage in any foreign war. It is high time the American people rose up and denounced the warmongers.

That means that this war will be loaded on the shoulders of the American people. There is no other country in all the earth that is lifting a hand for Great Britain except the United States, and why? There must be some valid reason, ladies and gentlemen, that no country in all Europe, Asia, Africa, or the islands of the sea will take up the fight for Great Britain. It is true that Greece made a valiant fight after she had been invaded by the Italians. She is now out of the fight. We have been courting Russia and Turkey. It is a false hope. Russia is glutted with the loot of Poland, Finland, and other countries. Turkey, I am afraid, will make a deal with Hitler. The Government of Iraq that was under the control of Great Britain has revolted against Britain. The Balkans and Greece have surrendered. The Italians and Germans have driven Great Britain from nearly all the territory that Britain conquered in North Africa. There is no friendly shore on the Pacific and none in the Mediterranean in Europe, and very little in Africa, and none on the Atlantic, or the North or Baltic Seas on which troops and planes can be landed. It is a dark picture. America should prepare to defend herself with ships, guns, tanks, planes, and shells. We are not prepared. We are giving away the greater part of our defense materials, yet we are proposing here not only to plunge this country into another world war—the bloodiest, costliest, and longest in which it has ever engaged—and we are proposing by the steps taken by this administration to bankrupt this country and more than likely lose our own liberties. We cannot escape unless we look well after our own defenses. [Applause.]

We are following the identical pattern we followed in World War No. 1. Britain first called for supplies, then they called for credits, then they insisted on using our ships, and then they demanded that we send our boys in order to save them.

In the second World War we repealed our neutrality act and furnished them supplies. Then they demanded credits, and we have already voted more than $7,000,000,000. They have demanded our ships and we have furnished them our ships. They are now demanding our Navy. Secretaries Stimson, Knox, and Wickard, Mr. Willkie, and others are insisting that we have our Navy leave our shores and go into the war zone of Europe, Asia, and Africa to save the British Empire. What is the next step? God forbid that it may ever come, but it will come if we pursue the course we are following by passing bills like we have here—American boys to man the ships and planes, to fight on foreign soil in Europe, Asia, and Africa, and on the seven seas, in defense of the British Empire. That is what many of our people are insisting upon. I am afraid that the American people will have a rude awakening. We can defend our own shores and our own country but what will happen when we go from three to ten thousand miles to fight on unfriendly shores? [Applause.]

HELPING THE ENEMIES

Many of us have never been able to understand the contradictions of the administration's foreign policy. We lend China a few millions of dollars and at the same time furnish her enemy—Japan—hundreds of millions of dollars—57 percent of her munitions of war to overrun, destroy, and plunder China, and to kill and murder more than 4,000,000 of her citizens, half of whom are noncombatant—children, women, and old men. Although Japan has announced to the world that she is hooked up with Germany and Italy, we are furnishing to her 90 percent of the gasoline used by her in the prosecution of her war. We have furnished to her millions of tons of scrap iron with which to build battleships, guns, tanks, and other weapons of destruction. In the month of April 1941, according to press reports, there was shipped from this country 1,550,000 barrels of gasoline. We know that Japan could never have overrun China, burned her cities, or murdered her citizens without the war munitions and supplies received from the United States. Yes; we furnished thousands and thousands of tons of scrap iron and other raw materials to Germany and Italy to help them build up their war machines, and we have been shipping supplies and war materials to Russia, and these supplies have been funneled through Russia into Germany.

As President Roosevelt said in 1936, there is a lot of "fool's gold" circulating now in the United States. It is greatly influencing public opinion in many sections of this country. It is "fool's gold" because we are laboring under the delusion that we can fish billions of profits out of the blood and tears of other people like we did in the other World War, but I wonder if history will repeat itself and America will have to furnish its full share of blood and tears. Many of our citizens are expressing strong opposition to many of the proposed increases of taxes and new taxes and the rapid increase of the national debt. It has been estimated that the American people will pay, during this fiscal year, more than $22,000,000,000 in Federal, State, county, and municipal taxes. Secretary of Commerce, Hon. Jesse Jones, said the national debt will soon be at least $90,000,000,000. A great group of businessmen the other day declared that the national debt would go to one hundred and fifty billion. If we get into this war, the national debt and taxes will continue to increase by leaps and bounds. We came out of the other World War with a national debt of approximately twenty-six billions. We cannot come out of this war with a national debt of less than one hundred billion. I am afraid that we will pay in blood and tears and our children and our children's children with sweat and bowed backs will pay through the years to come.

Yes; I would like to see Great Britain win, but I am not willing to sacrifice the manhood of this Nation, to break the hearts of millions of fathers and mothers, to bankrupt our own country, and lose our own liberties in order to accomplish that end. No nation has ever helped another nation in such a very substantial way as we have and are helping Great Britain. Great Britain never went to war to save another country in all her history.

Mr. RAMSPECK. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, it is with the utmost reluctance that I take issue with my distinguished colleagues and members of my committee—namely, the gentleman from New York [Mr. CULKIN], the gentleman from Maine [Mr. OLIVER], and my distinguished friend from northern Michigan [Mr. BRADLEY]. We have given careful consideration to this particular bill, but I for one feel it my duty to be just as consistent in my way of reasoning and voting as these other gentlemen are in their way of voting. I have noted for every national-defense issue that has been proposed by this administration, with this one thing in mind first, last, and always, to put it above any consideration of party politics. I considered and voted on national-defense legislation not because it was a democratic piece of legislation but solely and only that it was an American proposition, as I analyzed it. I voted for national-defense appropriations, I voted for conscription, I voted for the lease-lend bill, I voted for the conferees' report and the $7,000,000,000, and I intend most enthusiastically to support this legislation. [Applause.]

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. BRADLEY of Michigan. Will the gentleman support a convoy resolution?

Mr. O'BRIEN of New York. Absolutely not; and when I say no, I mean no. [Laughter and applause.] Unfortunately there are some who come to the Well of the House, talk one way, but go back to their seats and vote another. I will not mention names, but we all know there are such people.

Previous to the time these ships were taken into protective custody their captains and masters had a perfect right to steam out of the harbor, and there was nothing to prevent these ships from being scuttled right within the harbor channels so they would render a serious impediment to our own shipping. Were it not for the alertness of the Coast Guard, under the distinguished guidance of Admiral Waesche, and the agents of the Maritime Commission, under Admiral Land, such might have been the result. Back in 1912 there was such a thing as international law, and it was respected by all the countries of the world, and such a tragedy as the destruction of ships in a port then would not have occurred, for, as the gentleman from Ohio stated the other day, they had sanctuary.

They, the belligerent countries, have violated that right of sanctuary, and the fact is they did try scuttling the ships, or tried to scuttle them in violation of the Sabotage Act. That was not, and is not, permissible under international law and by the law of 1917, which we enacted to guard against such an act. We are surely given the right, in my estimation, to the possession of these ships and to make disposition of them exactly and precisely as we see fit.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman, of course, knows that sabotage was only committed on the German and Italian vessels. What about the Danish ships, Yugoslavian ships, and the other ships?

Mr. O'BRIEN of New York. The gentleman realizes that these governments are going to be compensated under the provisions of this bill. This bill is not necessary if you go back to the lend-lease bill, which says:

> Such terms, defense articles, including articles described in this subsection, manufactured or acquired pursuant to section 3—

And so forth. Which necessarily means that we can take these vessels over and not pay for them. Under this particular bill, you have to pay for them.

Mr. VAN ZANDT. Does the gentleman interpret this bill to mean that the President, after having requisitioned these vessels, can assign them to Great Britain?

Mr. O'BRIEN of New York. In substance, if that answers the question, as it will be done, in my opinion, to strengthen our national defense.

Mr. VAN ZANDT. He has the authority?

Mr. O'BRIEN of New York. Yes.

Mr. OLIVER. Will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from Maine.

Mr. OLIVER. Did I understand the gentleman to say that the 1917 law gives this Government the right to acquire these ships?

Mr. O'BRIEN of New York. Under the Sabotage Act.

Mr. OLIVER. If they are sabotaged?

Mr. O'BRIEN of New York. Yes; in my opinion.

Mr. OLIVER. Then why is there any necessity for this further legislation to requisition them?

Mr. O'BRIEN of New York. Again let me state most vigorously that I honestly believe this is nothing more or less than an authorization to continue, and is a step further to bolster our national defense, for the primary purpose of furnishing ships to Great Britain. I would rather see them give these old ships to Great Britain, and keep our C–3's that we have built so that we can build up our own merchant marine, and when this is all over we will have a fine, new, strong merchant marine and they will have the junk.

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, the real question and the real issue involved is our right as a neutral nation to take the ships of one belligerent and then turn them over to another belligerent. As far as the American people are concerned, we are a neutral nation. This action, therefore, is in violation of the neutrality of the American people. Of course, we are going to be told there is no such provision in the bill, but we are realists. We are not children. We know what the score is. The proponents of the bill know what the score is, the opponents of the bill know what the score is and, as a matter of fact, we all know that it is the intention to take these ships, place them in a pool, then from that pool the ships are to be delivered to Great Britain.

If the proponents of this bill maintain that these ships are not to be delivered to Great Britain, then, certainly, they should have no objection to an amendment which will be offered by the gentleman from New York [Mr. CULKIN], which will prohibit the transfer of these ships to Great Britain. However, the proponents of the bill know very well that the ultimate consignee of these ships will be Great Britain in pursuance of an imperialist pro-war program which has been followed by the administration and by many, many Members of both Houses of Congress.

We were told yesterday afternoon by the gentleman from Georgia [Mr. COX] that this step is admittedly a war step. He was correct in that statement and in the statement that it is in the logical pursuance of a pro-war policy, of which he was in favor. Mr. Chairman, therefore, we are being plunged further into a war against the will of the American people and into a war which will be used to destroy our own democracy in the name of warring for it.

As you know, the war makers urge two arguments for this war program which the American people know to be false. The first is the fear of invasion. The people now know that we are not in danger of any invasion and that we cannot be successfully invaded, therefore the proposition of defense against invasion is falsely urged and urged only for the purpose of creating that hysteria which it is hoped will further an imperialist pro-war program.

Second, we are told that this war is being fought for democracy, democratic principles, and that therefore the war is our fight. Time and events have demonstrated that this war is being fought for imperialistic gains and not for any principle. On the one hand, one axis is seeking to take away the plunder that another axis has acquired in the past. As I have repeatedly stated on the floor of this House and throughout the country, this is a war between between two axes, the Rome-Tokyo-Berlin Axis and the Wall Street-Downing Street axis. Democracy? How much democracy can the advocates of our participation in this war and advocates of this war program really mean to defend? Since when have the Du Pont, the Morgan, and the Rockefeller interests been on the side of either American democracy or democracy anywhere else in the world?

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MARCANTONIO. Mr. Chairman, I want to give you an indication of the character of the democracy these gentlemen are asking American boys to spill their blood for. It was testified before the Senate committee by Mr. Joseph Curran, president of the National Maritime Union, that the Standard Oil Co. was delivering oil to Teneriffe Island for the Nazis. When Mr. E. B. Lyman, the publicity director of the Standard Oil Co. of New Jersey, was questioned about

this matter by a representative of the Federated Press on February 11 he said, and follow this language from the spokesman of Mr. John D. Rockefeller, this overnight defender of democracy who came out a week ago last Sunday insisting on convoys and everything that would get us into the shooting stage of this war—

> First of all, you must understand we are an international company—that is, Standard Oil of New Jersey is a holding company with subsidiaries in many countries. We must keep an international viewpoint. As a private company, we cannot declare our own boycott. As a general principle, we sell to anyone that wants to buy and can pay for it, until the State Department places an embargo on any country.

It is profits and more profits, exploitation and more exploitation, for which both Axes are contending. [Applause.]

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. HARRIS].

Mr. HARRIS of Virginia. Mr. Chairman, as a new Member of the House, I ordinarily might be expected to refrain from thrusting my views upon my colleagues so soon after taking my seat. My convictions are so strong on the fundamental principle involved in this bill, however, that I feel impelled to make my attitude a matter of record.

This being the first occasion I have essayed to take the floor, I trust my more experienced elders—from a point of service—will accord me the courtesy of permitting me to complete my brief remarks without interruption.

The basic question to be answered in the action of the House on this bill is whether we are going to take advantage of an opportunity to strengthen our means of protecting this Nation, its democratic institutions, and its people, with whose care and safety we are entrusted, from a grave and growing menace which is so obvious and so pressing that none should be so blind as not to recognize it.

That is the sole thought that should actuate us in our consideration of this legislation. All this talk of observing diplomatic niceties and conforming to the nebulous principles of international law, after it has been ruthlessly defied and trampled upon by the forces that threaten our future welfare, is beside the point. It beclouds the issue and should be cut through and cast aside as so much hamstringing red tape and legalistic technicalities.

And I do not mean to infer that we should ignore or violate any firmly established or generally recognized rule or practice among law-abiding nations nor commit any clearly wrongful act. My contention is that the taking of these ships under the terms proposed in this bill would not constitute an infraction of any binding law, nor offend any moral code governing the conduct of nations in their interrelationships.

My intensive study of the subject has convinced me beyond question that we have a perfect right to commandeer these vessels and utilize them to the best advantage of national defense, provided, as the bill requires, that we made due and just compensation to their owners.

The factors which motivated me in reaching this conclusion are these:

The United States vitally needs these ships.

It is fair and honest to take them, because in so doing we will treat their foreign owners exactly the same as we treat our own people who own ships that we requisition.

There is no inhibition in international law against taking them under the stress of the great national emergency which obtains today; in fact, there is ample precedent for such procedure in the records of the World War period of 1914 to 1918.

Now, let us analyze these factors in order:

There can be no gainsaying the fact that the United States needs these vessels. In his message to Congress, asking for authority to take them over, President Roosevelt said:

> It is obvious that our own ultimate defense will be rendered futile, if the growing shortage of shipping facilities is not arrested.

Spokesmen for the Maritime Commission and the War Department stressed, in the hearings before the Merchant Marine Committee, that a constantly growing shipping shortage threatens to become the great bottleneck to national defense. We were assured that, otherwise, the Army will be in a good state of preparedness within a reasonable time, but that there is a serious danger that transportation is going to fail miserably. Necessary and understandable withdrawals of foreign craft, sinkings, and increasing defense needs have contributed to the tremendous excess of tonnage over available bottoms.

Nearly everybody here has shouted his eagerness to do everything possible for national defense. This bill offers an opportunity to do probably the most vital thing at this time for national defense, for these ships would go a long way toward relieving the impending bottleneck in transportation essential to defense.

Equality of treatment as between the foreign owners of the vessels affected by this bill and American citizens whose ships are taken over by the Government is seen in a glance at the Merchant Marine Act of 1936, which clothes the Maritime Commission with authority, during any national emergency proclaimed by the President, to requisition any craft owned by citizens of the United States. Foreign nationals can have no justifiable complaint when they are treated on a par with our own people.

That brings me to the factor of international law as it affects the proposal to take over these vessels. In the minority report on this bill it is said:

> The undersigned state with confidence that there is no instance recorded in international relations of the seizure by a neutral of ships belonging to belligerents.

I have obtained from the Legislative Reference Service of the Library of Congress a report on a study of this identical question and related issues. This report says:

> The World War of 1914–18 produced instances of the seizure of foreign ships stationed in the ports both of neutral and belligerent countries. The most important cases of the seizure of belligerent vessels stationed in ports of neutral countries were those of 34 German vessels requisitioned by Italy in November 1915, of 72 German vessels seized by Portugal in February 1916, and of 42 German vessels seized by Brazil in May 1917.

There we have a direct precedent in which Italy—one of the belligerent owners of the vessels involved in our present consideration—did in 1915 in the case of its Axis partner of today, exactly what this bill proposes that the United States now do in its own interest and self-defense. The fact that Portugal and Brazil did the same thing removes from the precedent any degree of isolation that might rob it of effect and influence upon similar instances coming subsequently.

If Italy, which at the time was under no threat of attack, but which, on the contrary, was being wooed in the hope of holding her to her alliance with Germany, could seize ships of a belligerent immobilized in her harbors without having her action interpreted as an act of war, why should we have any fears or hesitancy about the United States proceeding in a similar manner when this country faces a grave menace to its security and independence?

The study of international law and precedents from which I have just quoted also sets forth the principles covering the entire matter of the seizure of merchant vessels in the ports of a foreign country. Among the principles cited are these, and I quote:

> A merchant vessel in the port of a foreign state is subject to the territorial jurisdiction of the latter state, and may be taken in custody, or forfeited, by order of the competent courts of the state of the port.
>
> Expropriation of foreign merchant vessels, in case of necessity, and their utilization for public purposes, is an exercise of the power of eminent domain on the part of the state of the port.

More directly in point with the purpose of the pending legislation here is this further quotation from the study of international law and precedents. I quote again:

> An exceptional case that has led to several instances of requisition of foreign merchant vessels by the state of the port is that of a war in which the state of the vessel is a belligerent and the state of the port a neutral. War conditions may have forced the belligerent vessel to remain idle in the neutral port, and the dislocation of maritime trade may create a shortage of tonnage resulting in grave inconvenience to the state of the port. As has been shown above, the state of the port occasionally considers that these conditions create an emergency sufficient to warrant the requisition of the vessels.

That ends the quotation.

A brief excerpt from the majority report on this bill will serve to show conclusively that our current predicament in this country is on all fours with the condition pointed out in the report on the study of international law and precedents. The majority report on this bill says one of the primary causes of our serious shortage of shipping facilities—aside from war sinkings—has been—

> the withdrawal of the foreign-flag tonnage from the shipping trades serving our com-

merce before the European war. This foreign-flag tonnage carried two-thirds of our ocean-borne commerce when the war began.

The report goes on to say that—

these withdrawals have reached the point where the tonnage needs of the United States become more critical day by day. Much of the foreign tonnage immobilized in our ports formerly served in our commerce with South American countries and the Far East, where urgent shortages of shipping facilities now exist, both for trade and for the import of commodities essential to national defense.

I submit that this statement of the conditions bearing down upon us brings us entirely within the scope of the principle that, where the dislocation of maritime trade creates a shortage of tonnage resulting in grave inconvenience to the Nation within whose ports belligerent ships are immobilized, the State of the port is warranted in requisitioning such vessels.

Much stress has been laid in this debate on the objection in the minority report that the ships, if taken over and paid for, may be given to Great Britain. The professed fear of the consequences of such action is reminiscent of the appeasers of Belgium and Holland and France. The tragic plight of these enslaved nations today is sufficient answer to that apprehension. Moreover, we will have a right to do with these ships as we will after they are in our possession and their owners fairly and adequately compensated.

The State Department feels that the Government's power with regard to these vessels should be complete. It is opposed to any unnecessary restrictions. Those who have been crying for leadership of late should not now try to cripple that leadership.

We are committed officially and absolutely to the policy that saving Great Britain is vital to the security and survival of the United States, and the prevention of the destruction of democracy throughout all the world. These ships are urgently needed to make possible the rendering of the all-out aid to Britain provided for in the Lend-Lease Act.

Seventeen authorities on naval and military affairs and world politics, who made public yesterday an analysis of war factors still operating in favor of the Allies, made this positive assertion:

The essential element of British survival and ultimate victory is the maintenance of a sufficient flow of shipping across the Atlantic.

Mr. Wendell Willkie said in an address in Nashville, Tenn., yesterday, and I quote his words:

If we keep the ship lanes open, Hitler, with all his forces, will never be able to invade the island of Britain.

And the Republican Presidential nominee of 1940 added what we all know:

If the free way of life and economy passes in England, the free way of life and economy will pass in America.

O Mr. Chairman, we need these ships to enable us to help strengthen Britain to carry on while we prepare for our own defense. Why quibble about whether or not Adolf Hitler will regard this bill as an act of war? We will gain nothing by meticulous dealings with the dictators of Europe. The great Nazi Fuehrer will need no excuse nor justification when he decides to make war on us. A casus belli with him is an appetite for further aggression and conquest. He will not strike until he is ready, and then he will need no act of war on our part.

We must fight the devil with fire. It is high time that we stop pussyfooting—and prating about international law. It is time to think about the grave menace which confronts the United States. Everything we have is at stake—our Government, property, our freedom, our democratic institutions, our very lives.

Let us have done with any unholy thoughts of appeasement. Let us be practical and realistic. Let us do whatever may be necessary, adopt whatever policy, and take whatever steps that, in the carefully considered judgment of our administrative and military leaders, best will insure our ability successfully to resist the tyrants from across the sea and protect and preserve our Nation and our people.

That is our sacred trust here in Congress. Let us not falter in the discharge of that solemn obligation. Let us make sure that if we ultimately have to defend ourselves in the theater of war, we may have the peace of mind that comes from a consciousness of having done all within our power to prepare. [Applause.]

Mr. CULKIN. Mr. Chairman, I yield 10 minutes to the gentleman from Maine [Mr. OLIVER].

Mr. OLIVER. Mr. Chairman, I am opposed to this bill as it is now written, and my reasons for this opposition are set forth in some detail in the minority views presented in the report accompanying this proposal.

It is with deep regret that after 5 years of service on the Merchant Marine and Fisheries Committee of this House, I find myself in rather violent disagreement for practically the first time with the able and distinguished chairman of that committee. Judge BLAND is a most conscientious, diligent, and capable Member of this House, and one for whom we all have profound respect and the highest esteem. [Applause.] He is intellectually honest and entirely forgetful of his own physical well-being as he applies himself to his official duties.

On this issue as presented here today, Chairman BLAND, and those Members of the committee supporting his position, are entirely convinced that the course of action which they advocate is in the best interests of the Nation. On the other hand, those who oppose this proposition are just as sincerely convinced that the procedure is illegal, immoral, and is another progressive step toward active participation and involvement in this foreign war.

The debate yesterday and today has clearly shown that many Members are willing to take this further step toward war, although they realize full well that they by doing so are driving another nail in the coffin of the urgent desire, the sincere hope, and the overwhelming mandate of the American people that the United States be kept out of the current conflict. The position of those Members is that we are already in an undeclared war with the Axis Powers. If this is the case, and there are good reasons for believing such, then certainly hypocrisy and downright deceit have been practiced upon the American people, for this entire foreign policy of all aid short of war has been sold to the people as a peace program and as a keep-out-of-war policy.

Here today we are being asked to sanction and approve this further step in the direction of hell itself. For the past 2 years we have been faced on several occasions with the same decision but now the hideous and ugly mask of misrepresentation is being lifted and we are able to view realistically the very face of the horrible creation itself, namely, war for our people. There are not 50 Members in this body who would today vote for a declaration of war unless we were attacked and yet you are being expected to support another warlike act which is a breach of faith with those who sought to find in our neutral ports a refuge for their property. How can any Member of this House return to his constituency and tell his people that he voted to keep this country out of war and at the same time face the justifiable criticism that he voted consistently for one act of war after another?

Seizure and requisition by a neutral nation of ships belonging to one belligerent and transfer of the same to another belligerent is clearly an act of war. International law or customs or precedents cannot be cited to justify such action and, even if they could, the use of common sense would undeniably label such procedure as partiality, unneutrality, and even belligerency. If two men were fighting in a street brawl and I intervened taking a blackjack from one, even though I paid for it, and then directly turned it over to aid the militant activity of the other, could it be conceivable that I have not become an active participant in that fight? Would the paying for the blackjack absolve me and cleanse me? Oh, no, Mr. Chairman, we cannot escape the consequences of the action we take here today. We are either for or against our active participation in this war. A vote for this high-handed action on our part while we are still officially at peace and neutral can have no other implication than that of further sanctioning the foreign policy of this Government as a war program.

There is another phase of this situation, however, which has not been discussed at any length. Briefly, I request your consideration of whether or not this seizure of the ships of nonbelligerents by our Government might be conceived of as an act of aggression. For example, Esthonia has ships which come under the jurisdiction of this bill. For centuries I suppose the ship of a nation has been considered as the soil of that nation when it sailed into a foreign port. So here today, in effect, we are asked to approve an invasion by force of that soil and take possession of property belonging to a poor defenseless small aggrieved country. All this is based on the pretext of self-defense, the identical reason given repeatedly by Stalin and Hitler as they trampled unremorsefully over the soil and the very bodies of Finland, Czechoslovakia, and all the other nations

so cruelly and illegally taken during the past few months.

The requisitioning power of this Government, while still at peace and neutral officially, excused on the basis of self-defense, smacks of illegality approaching highway robbery. Payment and compensation for highway robbery has never yet excused to anybody's satisfaction the forceful taking of the property of another. While we prate and preach of morality, law and order, and the American way let us for the benefit of the generations to come in our national and international history practice consistently that very same policy. Taking by compulsion the property of other nations, both belligerent and nonbelligerent while we are at peace and while we at the same time are unmercifully castigating the dictators for their banditry and brigandage, stamps us irretrievably not only as illegal takers and aggressors but also hypocrites of the first degree. The world expects America to support law and order, the American people expect Congress to keep us out of war, and we should keep faith with all. This resolution should be defeated.

May I say further that many of the arguments raised by the proponents of this measure seem to be focused on the thought that as a matter of national defense, as a matter of self-defense, if you please, we can condone this action which today we are asked to take. I repeat for your consideration what seems to me to be a most potent appeal, that in the name of self-defense you cannot commit a crime and expect to be absolved by simply paying for what you take. If morality of nations means anything at all, it seems to me that the morality of nations should be upheld by the United States of America at all times, regardless of what we consider to be the needs of our self-defense. If we are going to occupy a position of leadership in this world or of sponsorship for those things that we think are right and proper as among the family of nations, just because there is a murderer, for example, running wild, as we say, over the world, is that any reason for us to excuse acts of criminal immorality on our own part? I maintain to you in all sincerity that taking the property of another nation by force and compulsion can be considered as nothing else except immorality of the highest degree, at least on the part of a nation.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman for many years has served on the House Committee on the Merchant Marine and Fisheries and he knows the great effort that has been made by this Congress and other Congresses to improve the working and living conditions on board American vessels. Does the gentleman know that in section 5 (b) of this bill the Secretary of Commerce is granted the privilege of waiving all existing laws covering safety conditions, working and living conditions, and everything else? Surely the gentleman does not approve of that.

Mr. OLIVER. As a matter of fact, Mr. Chairman, this bill provides, as the gentleman from Pennsylvania has so very well said, for the actual sabotage of rules of safety and of regulations as to manning, and of labor conditions that have been established after hard fights by organized maritime labor on the part of this Nation. This bill sabotages those conditions. It seems to me that if there were no other reasons for defeating this proposal, that one particular element in this bill should require your opposition to the bill.

Mr. VAN ZANDT. If this bill becomes law, is it not possible that under such law strikes will again flare up in the maritime industry?

Mr. OLIVER. It seems to me without question that that may be the case. I do not question the patriotism of organized maritime labor, but it does seem to me that the conflicts that must necessarily arise as this bill is administered and executed may very conceivably result in the actual manning of these ships by individuals conscripted, if you please, for that purpose. [Applause.]

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, those Members who have today so vociferously called for the use of convoys and the passage of this legislation are the same ones who, prior to the election last November, voiced the "short of war" phrase in connection with their cries for aid to Britain. At that time they made statements that we would give aid "short of war," we would adopt measures "short of war," we would take steps "short of war."

I take the floor at this time to call attention to the fact that since the election last fall no responsible person in the administration, from the President down, and that includes the Members of this House on the majority side, has used that term one single time. As I have pointed out before, the phrase "short of war" has completely disappeared from the lexicon of the New Deal administration.

I consider the pending legislation just another of the administration's steps to involve the United States in actual warfare. In my opinion, it is just another step in the program that has been outlined for us by the shrewd politicians of Great Britain. I am wondering if this legislation was dictated by General Sir Arthur Salter, K. C. B., who is in Washington now, and whose job it is to coordinate the shipping interests of the United States and Great Britain. Just how good a job he is doing in the interests of Great Britain can well be imagined through the pooling of the shipping interests of both nations, and the proposal, under this legislation, to seize the vessels of all nations within our harbors for the purpose of turning them over for use by Great Britain.

I cannot overlook the fact that Gen. Sir Arthur Salter is the same Sir Arthur Salter who, on November 11, 1937, issued a brochure which definitely outlined the program for the United States in the world war to come. As long ago as November 11, 1937, Great Britain carefully laid plans to obtain American cooperation. How well her plans have been cultivated and carried out is shown by reviewing Gen. Sir Arthur Salter's brochure and the steps that this administration has taken in the passage of legislation such as the repeal of the arms embargo and the lease-lend bill.

In his brochure, which concerned the Anglo-American trade agreement, Gen. Sir Arthur Salter said:

> The technical negotiators naturally proceed with this as their main preoccupation; political advantages are not their professional concern. At the same time, the Foreign Office, which would naturally welcome an agreement for its political advantages, has some difficulty in making its point of view effective, because the negotiations are, in their nature, highly technical and complex and outside their professional competence to assess exactly.
>
> The issue will, therefore, probably depend upon whether the political advantages are adequately realized, and are given their full weight by means of constant pressure on the Prime Minister and Foreign Secretary, assisted by clear indications of the interest of the general public.

Now let me quote another paragraph which is carried under the title, "The Political Implications."

I quote:

> The political importance (of these trade agreements) can hardly be overstated. All those in America who are concerned to see an improvement of relations with this country attach the utmost importance to a successful conclusion of the negotiations. They regard it as a crucial test of the possibility of a real development of cooperation between the two countries; and believe that while success will give a strong impetus to this development, failure will no less certainly involve a very serious setback. Those who are most closely in touch with American opinion are aware that the importance attached to the negotiations in the United States of America is immensly greater than is generally realized here, and are bound to accept the evidence that America's attitude toward this country and, indeed, her policy generally in regard to external relations will be substantially affected by this particular issue.

Now, we come to the point in Sir Arthur Salter's brochure which, in my opinion, indicated very clearly the intention of carrying the United States into the present war, economically or otherwise. Remember, this brochure was written back in 1937, and this Congress has since amended the Neutrality Act, and passed the lease-lend bill and other prowar legislation.

> That being so, the importance of the question is obviously very great at this juncture. President Roosevelt is trying, as his great Chicago speech of October 5 showed, to arrest and reverse the strong movement toward complete isolationism reflected in the neutrality legislation. It is also obvious that he is encountering great resistance. It is evidence that an American movement toward cooperation can only proceed through economic, as distinct from political, action. Economic cooperation, however, inevitably has a political effect; it may, or may not, lead later to political action—e. g., a modification of the neutrality law or direct advise in a particular political dispute, or even in a particular case, economic action directed to a political purpose.

In my opinion, economic action directed to a political purpose means just one thing. That is our actual involvement in the present mess. The way this Congress has complied with the British

program indicates that this administration is willing for this Nation to become one of Great Britain's dominions.

I have heard it said on the floor during this debate that the majority of the American people approve the program we are following. I take issue with that contention. The American people never had a chance to vote on any of these issues. The only issue on which the people had a chance to register their will at the polls last November was on the issue of keeping America out of war. Both candidates, Mr. Roosevelt and Mr. Willkie, made speech after speech during the campaign with that as their sole platform. If either candidate had declared for the lease-lend program and other prowar legislation during the last Presidential campaign, he would have been overwhelmingly defeated at the polls. It is just plain silly for a Member of this House to declare that the majority of the people in America are for involvement. Nor do I believe that the majority of the American people are in favor of Mr. Roosevelt's undertaking to establish his "four freedoms" in every country in the world. If this Nation would attempt such a program it would certainly bite off more than it could chew.

Europe is today a madhouse. Undying hatreds are being developed in the present conflict and several generations will pass before these hatreds are wiped out. This war grew out of the hatreds developed in the last war and will, in turn, bring on revolutions and other wars. On promises of peace, the Roosevelt administration has carried us, step by step, to the very brink of involvement. These steps have been cleverly devised and when each step has been taken it carries an implicit argument for the next step. Therefore, we will be arbitrary wherever we stop "short of war."

Fairness to the American people demands definiteness now. If we are already convoying ships, then the people should be told by the President that we are convoying ships. If the plan is to convoy ships, then they should be told just how far those ships will be convoyed. And if our convoys are attacked, the people should be told by those in high authority whether we will confine our naval action to the area designated to convoying. In short, this administration should define a definite policy in its relations to the European war and this policy should be made known to the people of the United States. The people of this country are entitled to know just what the administration has in mind. Subterfuge, deceit, and misinformation have carried us to the brink. Let us have straightforward, honest, definite policy from now on.

Thank God my record is clear and consistent throughout this whole tragic prowar program. I spoke and voted against lifting of the arms embargo, denounced the illegal transfer of our 50 destroyers and voted against the peacetime Conscription Act, the lease-lend bill, and the subsequent $7,000,000,000 appropriation of money that we do not have and which places an unbearable burden upon the people of America and upon unborn generations. In my opinion, it would be supreme folly for the United States to be pushed forward into this futile, foreign war. Everyone knows we are not prepared to defend our own shores, let alone sending our troops to foreign shores. I have voted for every appropriation for national defense, and I shall continue to put forth every effort at my command to make America strong at home and invincible to any attack from abroad. I am convinced that the surest way to our national security and safety is to center our attention and our hearts in the United States and not in some foreign land. [Applause.]

Mr. CULKIN. Mr. Chairman, I yield 12 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, we are not yet in this war. We are never in war until the shooting starts. The greatest menace to our peace at this tragic hour is that many of the lovers of peace have been persuaded through insidious propaganda that we are in war; that we have been led down the road so far that it is impossible to turn back. I never turn back or walk back, and I will never go back until I am thrown back; this blatant babbling that we are already in war is exactly what the warmongers, the international financiers, and the interventionists want us to believe, feel, and talk. They have cultivated it. This is their weapon. "As a man thinketh, so is he"; and if we think we are in war, then we are in it. The greatest service we could perform at this moment is to turn our thoughts and attention from war to the defense of our own Nation and the promotion of peace. [Applause.] If any nation wants to fight us, let it come over here; we are not going over there. [Applause.] If we are dragged into this war, it will be against the overwhelming desire of a vast majority of the American people to stay out, and it will be our own fault. No nation on earth has yet insulted us; no American ship has been sunk; no American life has been lost; not one shot has been fired at us or by us. We are going to war only when we choose to go, because the belligerents have exercised meticulous care and the greatest caution not to drag us in. This is not out of their high idealism or love for us, but it is to their own selfish interests because they fear America, and because their masses of the people back home know what happened when we entered the war in 1917.

Mr. Chairman, while we are not yet in the war I will confess that, step by step, word by word, day by day, act by act, we have been led dangerously closer to the brink of actual involvement. We have called other people dirty names, denounced their philosophy, threatened to force our four freedoms upon them in the name of freedom, hurled epithets at them, pictured their black character, even gone so far as to say that we will give all aid that is necessary to insure their defeat—yet they have been careful not to commit any overt act which would justify our declaring war upon them. This administration yearns for them to declare war upon us. If we enter this war, it will be of our own choosing and nobody else. Remember wars are not won by words. Many high officials have repeatedly said that we will be in this war whenever Hitler chooses to have us in it. I deliberately declare in answer to this silly charge that these men are either stupid or dishonest. They cannot point to one step taken by the belligerents in the present conflict which threatens our sovereignty, security, or independence.

Mr. Chairman, what steps have been taken, and by whom have these steps been taken, that will lead us to actual involvement? The arms embargo has been lifted; destroyers and war materials have been illegally transferred by a supposedly neutral country to one of the belligerents; peacetime conscription has been enacted into law by a country that never had it before; lease-lend give-away bill has been passed by a Congress; $7,000,000,000 have been voted to one of the contestants and now it is proposed by a country hypocritically called neutral by itself to seize the ships of one belligerent and to transfer those ships to its enemy in the conduct of the war. By whom were all these steps taken? By the United States of America. In the name of neutrality! Oh, such hypocrisy! Such sophistry and subterfuge! Suppose the United States of America were at war with Great Britain as it has been in the past and that Germany, a so-called neutral country, would turn over many of our ships in its ports to Great Britain to use against us. How would the American Government interpret such an act? How would the American people consider such a dastardly deed? Does it not violate every rule of international law and principle of decency? Where is the Golden Rule? It does not appear in this bill! Would we treat others in a manner different from that with which they should treat us? Why bother so very much with the toothpick in our brother's eye when there is a saw log in our own?

Mr. Chairman, this bill regardless of what intentions may be behind it, irrespective of what motives might have dictated it, is just another slap in the face and kick in the pants to the Axis Powers. I am not pleading their cause, but I do want to see my own Government honest. On page 5, line 3, of this bill, subsection 3 reads:

> Nothing in this act shall be construed to modify or affect any provision of the Neutrality Act of 1939, as amended.

This language is nothing short of fraud and deception. Let us stop playing the role of the hypocrite; let us stop walking on egg shells. If any country is our enemy and threatens our security then the honorable and manly thing to do is to declare war and fight it out. Be honest and logical like my admirable friend the gentleman from Georgia [Mr. Cox]. Let us stop hiding behind high-sounding phrases of Christianity, democracy, and liberty. Let us declare war and fight as men should. What could we gain if we entered this conflict? What did we get out of the last war except thousands of killed and wounded; billions of dollars added to our debt; years of depression and unemployment; hatred sown throughout the world and the present debacle. As Will Rogers, that great American and lover of humanity, once said, "The United States never lost a war and never won a treaty." In the last scrap we asked for nothing

and got exactly what we asked for. If we enter this one all we shall get will be thousands of the young flowerhood of America killed, perhaps hundreds of thousands sacrificed, and their parents and loved ones will later learn that they receive citations or perhaps a few posthumous medals. What comfort will that be to them? And what gain will it be to this Nation?

We are told that Hitler is our enemy. Grant it! We are told that Great Britain is our friend. Well, yes. Who would not be under the circumstances? Is it wrong to ask when are we loved and when are we hated? Shall we play the fool or shall we just be smart?

Mr. Chairman, if we are realistic, if we face unpleasant facts, if we follow reason instead of emotion we shall do not so much what we want to do but what we are able to do. The United States of America is no more prepared at this hour to enter this conflict against the Axis Powers than I am to enter the ring against Joe Louis and I imagine we would last about as long as I would against the Brown Bomber. Certainly if we continue to give away all we produce or manufacture; spend our strength in fighting a foreign war instead of staying home, gearing up production to its maximum quantity and making ourselves invincible to attack from any nation or combination of nations from abroad, then, we too shall become bled white, weakened to the point where we no longer can defend ourselves. The hard, cold, cruel, and unpleasant fact is—much as I regret to admit it, much as I hesitate to announce it—that Germany alone is today manufacturing more modern first-class fighting aircraft in 1 week than we now have in both the Army and Navy of the United States.

In the last war we had Russia, Japan, and Italy on our side. We had France and Belgium where we could land troops—but pray tell me how could we transport an army to Europe today and how could we land them if we got them there and what would they use as fighting weapons in case we were lucky enough to land? Mr. Chairman, we cannot get over there and the people in Europe cannot get over here. If we stay at home, stop the strikes, go to work and make ourselves strong, we shall be safe and secure; but if we weaken ourselves and bleed ourselves white by giving away all that we manufacture in attempting to do the impossible, then we too shall be exhausted and rendered weak and vulnerable to attack.

The American people have not been told the truth. They are being misinformed, misguided, and hoodwinked. They have been led as innocent lambs to the slaughter by insidious and costly propaganda; by false hopes and impossible promises we have been lured down the blind alley to the point of death and destruction.

Not only have the people of our own country been deceived, but the millions of innocent victims in many countries abroad have been filled with false hopes and impossible promises that we could not fulfill. Yes, we promised aid to Jugoslavia and overnight ten thousands of her men, women, and children in Belgrade were slaughtered and in 3 days the Nation capitulated. We promised aid to Greece, but it was too late—and now the most glorious ancient civilization has been ruthlessly ground to powder and to dust. Our promises to these countries and to even England herself are very much the same as the promises made by Great Britain to Poland, which was blasted to bits in 3 weeks time.

Mr. Chairman, it is cruel to promise people aid when you cannot give it; it is unforgivable to hold out hopes that cannot be fulfilled. It is downright mean to say we will when we know we cannot.

Today the American people are confused and bewildered to such an extent that none of us knows exactly where he is or where he is going. There is no division among us so far as America is concerned. All of us are for Old Glory and the United States. All of us are willing to fight and, if need be, to die to defend these shores against foreign invasion; to protect, defend, and preserve the liberties, privileges, and rights won for us by our ancestors through the spilling of their blood on gory fields of battle. As long as we keep our allegiance to our own flag, our devotion to our own country paramount, there will be no discord among us. Only when we start to police the world or take sides in a foreign war; only when we "butt in" the other fellow's perennial battles will we find our people divided.

Mr. Chairman, our people in the United States are divided. We are no more psychologically or patriotically prepared for involvement in Europe's war than we are materially prepared to intervene in a conflict that is foreign to and against our own interests. Our greatest need at this moment is to center our thought, our attention, and our hearts in the United States of America and not upon some foreign land. No American should be called a "copperhead" by anybody because he places his own flag above that of some foreign flag. [Applause.] No American should be branded a "Vallandigham" because he places the blessings and beauties of peace above the ravages and ugliness of war. When the shooting starts, I, as every other American, will bend every effort and do everything within my power to win the war, but until that war is declared or the actual shooting begins I shall—in spite of all threats, ridicule, or consequences of ignominious epithets hurled at me by any arrogant, intolerant, ambitious, or proud person do everything within my power and reach to keep us at peace with the world and to keep this last citadel of freedom on earth still standing and intact. God bless America and help us with penetrating insight, broad vision, undying faith, and unconquerable courage to save this, our Republic. [Applause, the Members rising.]

Mr. BLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Chairman and members of the Committee, today we are considering H. R. 4466, entitled "A bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes."

Yesterday the gentleman from Georgia [Mr. Cox], a member of the Rules Committee, in his speech on behalf of the rule making H. R. 4466 the order of business, stated to this House in the most casual fashion the following:

> It is not a peace measure. It carries war powers. However, it is absolutely consistent with the destroyer transaction and with the lend-lease bill.
>
> Mr. Speaker, I have never referred to the destroyer transaction as a peace move. I think it was an open declaration to the world that we had entered upon the road that leads to war. When the lease-lend bill was before the House I referred to it as a war measure. That shocked some of my colleagues; nevertheless, I thought it carried war powers, and I still think so. I think it moved us further down the road toward war.
>
> This bill carries us even further. It is an announcement that we have at last arrived. It provides for the seizing of the ships of foreign owners that are now in our ports, we to make such use of them as we see fit. There is, of course, a moral question involved, but that is met by the provision that the owners shall be fully compensated.
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> * * * * *
>
> It happens that we cannot fulfill our promise short of convoy. What are we to do? Are we going to stop? Are we going to turn back at this point simply because convoying may involve us in war? Of course, we are not. They talk about the few who would vote for war. I make the prediction that there would be very few who would oppose convoying, if convoying were necessary to a fulfillment of the commitments we have made for the carrying out of our promises. [Applause.]
>
> Let us be reasonable, let us be sensible, let us cease playing politics, let us cease this effort to mislead our people back home. Let us walk right up and put ourselves in line and perform like men who have responsibilities on them; let us measure up to our responsibilities and fulfill our obligations. Of course, we are going to convoy and we are going to do it right away.

The above statement of the gentleman from Georgia [Mr. Cox] which was left unchallenged by the leadership of the House and by the Committee on the Merchant Marine, the committee in charge of this legislation, leave me no alternative but to vote against the pending bill.

Since entering Congress I have consistently opposed all measures which in my opinion lead away from peace and toward war. Many times in the past I have spoken on this floor and voted against proposed legislation which had for its object the amendment of the so-called Arms Embargo Act, the Neutrality Act, and the adoption of the principle of the lend-lease bill.

I plan to continue my efforts to promote peace, because I sincerely believe the vast majority of our citizens desire peace more than anything else in the world.

We cannot hope for peace while we are passing laws that may bring us closer to the conflict in Europe and Asia and at the same time neglecting our duty as a neutral to persist in our invitation to the warring nations to sit around the conference table.

The neutrals have nothing to gain by a continuance of the war, and everything to lose. Even the shabby hope of finan-

cial profit is illusory in the long run. It may be said that few of the nations which lie outside of the whirlpool are wholly neutral in their judgment. Even so, they are less wracked by passion than the countries which fight. And that tide of hate among the combatants is certain to increase rather than diminish. And so it does not seem to me that the spokesmen for those lands beyond the present area of slaughter should wait for hints or official requests from the combatants before making precise, practical, and immediate suggestions for a peace conference. It is a large order; but since it is life or death, it surely is worth trying.

Mr. BLAND. Mr. Chairman, I yield the remainder of my time to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, the gentleman from Missouri [Mr. SHORT] who has just preceded me, may be named SHORT, but he is long on adjectives and emotional phrase making. If I had no more faith in the people of the United States of America than he seems to have, I would run in a hole like a rabbit when a hound gets after him. [Applause]. You can boo if you want, my Republican friends, but he stood on this floor and said that the United States of America was helpless in the face of the aggression of the German nation. Do you believe that? I do not. I believe the United States of America will defend its rights and defend its people, and this bill is one of the things we need to do it with, and we are going to pass it. [Applause.]

I have sat here yesterday and today and listened to the debate from my friends on the minority, and it is the same old stuff that we heard when H. R. 1776 was here. It is the same old defeatist attitude. I do not question the sincerity of my friend from Maine [Mr. OLIVER]. He is one of the most conscientious men I have ever known, but I do not understand his logic, neither do I understand the logic of my friend from New York [Mr. FISH], who came on this floor yesterday and opposed this bill and at the same time commended the President of the United States for trying to keep us out of war, and yet in the minority report which he signed, with others, on H. R. 1776, he said this:

> Using the slogan, Aid to Britain, and under the title of promoting defense, this bill gives the President unlimited, unprecedented, and unpredictable powers, literally to seize anything in this country and to give it to any other country without limit of law.

Then the minority report quoted with commendation a statement from John Bassett Moore saying:

> The pending bill assumes to transfer the war-making powers from the Congress, where the Constitution lodged it, to the Executive.

If they believed that when the lend-lease bill was under consideration, the Congress having adopted the lend-lease bill as the program of this country, it seems to me they would be willing to help us carry out and effectuate that policy by giving the President the right to take over these ships which we need to carry out the policy of the lend-lease bill.

I think, Mr. Chairman, I can say without fear of contradiction that the most vital thing in the defense of this Nation—the most vital need to carry out the policy of this country as promulgated in H. R. 1776—is to have shipping facilities, and I do not believe anybody who is informed about that problem will deny it for one minute. But they say we are going to violate international law—that we have no right as a nation to take these ships—and yet any student of the law knows that the sovereign power of this Government has the right any time to take property for public use which is within our shores. We have the right at any time to take and pay for vessels within our harbors belonging either to ourselves or to anybody else. These ships have been put there; they are lying idle. We need them for our national defense and to effectuate the policy adopted by this Congress. Oh, but, they say, it violates international law. The majority in its report on H. R. 1776 said this:

> In the first place, it is a firmly established principle of international law that a nation is justified in acting in its own self-defense; secondly, mutuality is an accepted principle of international law, as well as of equity; and a nation which violates the basic rules of international law is not in a position to claim that another nation, in the interests of its own defense, is not complying with the less basic rules of international law.

They quote from the Briand-Kellogg Pact, which says:

> Its violation by any signatory gives another signatory the right to violate the duties prescribed by international law.

And Germany was a signer of that pact, and has violated that pact.

My friends, it seems to me that there can be no difference between the taking of these ships and the transfer of them—if that is what you say we are going to do—to Great Britain and the building of a new ship and transferring that to Great Britain. Personally, I cannot see any difference. If we are violating international law or if we are committing a nonneutral act when we build a ship in our own shipyards and transfer it to Great Britain, then of course we violate international law if we take these ships and transfer them. I do not know what is going to be done with them. I presume that the officials of this Government will use them to our best advantage and best interest in this period of emergency. I do not see any difference between the taking of these ships by our Government for the purpose of national defense and paying for them, and the taking by the German Government of the property of American corporations in that country for the purpose of national defense, which we all know they have done. I do not see why we should favor the aggressor nations, Germany and Italy, by exempting their vessels from this bill, and at the same time take the vessels of other countries, their victims, who are not engaged in this emergency and have not brought it upon us. Yet that is what is proposed here—that we should exempt Germany and Italy, and at the same time take the ships of nonbelligerent people who have their ships here in our harbors.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. McCORMACK. My recollection is that during the World War Italy seized the vessels of Germany that were in Italian ports at that time and used them.

Mr. RAMSPECK. There is no question about that. Now, let me get to the statement made by the gentleman from Kentucky [Mr. ROBSION]. That gentleman said that Great Britain had plenty of shipping facilities, that she was still competing with us in trade from South and Central America and Mexico on both of our coasts. I have not the time to read it, but I have a letter in my hand from the Chairman of the Maritime Commission saying that in 1939 Great Britain had 254 ships, with a tonnage of a million and a half, engaged in trade to the Far East and to South and Central America, and that, on January 1, of this year, only 71 of those ships remained, and only 3 of them in trade from this country to South and Central America on both coasts. I am further informed that since January 1 a reduction has been made, and the only ships in use are those vital to carry things for national defense.

Mr. Chairman, I voted for the lend-lease bill, not because I have any illusion about Great Britain, not because I want to aid Great Britain. I would not have voted for the bill at all for that reason. I voted for it because I was led to believe by people in whom I have confidence, by the President of the United States, by the Secretary of State, Mr. Hull, by the Secretary of the Navy, and the Secretary of War that the best way we could keep out of this war and prevent the sending of our boys to foreign shores, and prevent the war from coming to our shores, was to aid Great Britain and the other democracies fighting against the aggression of the Axis Powers, and it was solely for that reason and that purpose that I supported that bill, and that is why I am supporting this bill here today.

What is an act of war? We hear talk about this being an act of war. Japan sank one of our naval vessels over there in the Far East, and we did not go to war about it. If this is an act of war, I ask you what was the transfer of destroyers that we gave to Great Britain, and what is the transfer of the merchant shipping that we have recently made to Great Britain?

Mr. Chairman, we have engaged on a policy here that the American people approve in the lend-lease bill, and this is simply effectuating that policy by furnishing shipping facilities available in our ports and lying idle, which we must have in order to meet the needs of this situation. It seems to me that my friends on the Republican side who oppose this bill fail to understand that it is no ordinary conflict between nations that is going on in the world. The leader of the German people has told us what he expects to do. He has told the world what his purposes were. His purpose is to conquer the entire world if he can possibly do so; and yet they stand here advocating for the United States—and the gentleman from Missouri [Mr. SHORT], who recently took his seat advocates the same policy which has resulted in the swallowing up of one country after another on the Continent of

Europe by the leader of the German nation.

Belgium stood by and would not even consult with Great Britain and France about defenses before they were attacked. What happened to Belgium? Holland did the same thing. One country after the other has followed the false doctrine preached here by the gentleman from Missouri and others, "Let us attend to our own business and forget that there is a world revolution going on in this country and as long as we stick our heads in the sands like an ostrich nobody will bother us."

Certainly, Mr. Hitler would not bother us until he gets through with Great Britain and the other countries opposing him; but when he did get through with them, when he had them under his heel, like he has some 14 nations today in Europe, then our time would come, my friends, and then the United States of America would stand face to face with the military might of that nation, to which has been added by practical slavery the peoples of 14 other nations who are producing war supplies for him under coercion today; and America would stand alone to face that great military might, if we followed the false philosophy advocated here today by the gentlemen of the minority.

I reject that policy. I say the thing for the United States to do, if we can possibly do it, is to keep war away from our shores by helping somebody else who is fighting Hitler today and try to stop this world-wide revolution. [Applause.] If we can do it by furnishing ships, if we can do it by furnishing bombing planes, fighter planes, tanks, guns, and ammunition, then, my friends, we can save the boys of America. We can stop this world-wide revolution that way.

Therefore I hope the majority, as they have done in the past, will represent the vital fighting spirit of the United States of America and reject this defeatist attitude of my friend from Missouri [Mr. SHORT] and let the men who leads aggression in Europe, the man who has enslaved 14 nations in this campaign for world-wide domination, know that the United States of America is not made up of rabbits; that we are not people who will sit down and let our rights be defied, and wait for the execution; but let him know that we are going to aid those who are fighting for the principles of freedom and those who believe in the right of men to govern themselves, by aiding the people who are fighting against this world revolution.

It is for that reason, my friends, that I am glad to support this legislation. I hope that the amendment offered by the gentleman from New York, Mr. CULKIN, which would place restrictions on the use of these vessels, will be defeated and that the bill will be passed. Thank you. [Applause, the Members rising.]

The CHAIRMAN. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That during the existence of the present emergency, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States and which is necessary to the national defense: *Provided*, That just compensation shall be determined and made to the owner or owners of any such vessel in accordance with the applicable provisions of section 902 of the Merchant Marine Act, 1936, as amended.

With the following committee amendment:

Page 1, line 3, after the word "That", insert "for the purposes of national defense."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 4, strike out the words "present emergency" and insert "national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 1, after the word "requisition," insert "for any period during such emergency charter or requisition the use of."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. CULKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CULKIN: Page 2, at the end of line 10, after the word "amended", strike out the period, insert a colon, and add the following: "*And provided further*, That the flagships of nations now engaged in war taken over pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives."

Mr. CULKIN. Mr. Chairman, the distinguished gentleman from Georgia [Mr. RAMSPECK], in his very thrilling speech, formally declared war against Germany. Following that, he made the assertion that the attitude of the minority was that of defeatists. And then he again declared war. Doubtless, in common with the President of the United States, the gentleman took his seat pursuant to the last election on the formal promise to the American people that the American people would be kept out of war. Here today that promise is forgotten. Here today, in common with the gentleman from Georgia [Mr. COX], he, in effect, says that this is a war measure and by inference says we are already in the war.

My efforts here are an endeavor, and I hope not a futile endeavor, to keep the American people out of war, pursuant to the promises and declarations of the present occupant of the White House made in the last campaign. Now, I want the membership to follow me closely, if they will, in connection with my discussion of this amendment.

The foreign-flag ships that are authorized to be taken over under this bill are 231 in number. The effect of this amendment would be to exempt the flagships of Italy and Germany from being turned over to England or used to promote the material and naval objectives of England. In other words, these 28 ships may be taken over but must not be used for the purposes of war. They may be used in our domestic trade for our own purposes. These ships aggregate only 150,000 tons and their use has been limited because of the sabotage that has occurred on these ships. The question of that sabotage, however, has been fully discussed.

From the practical standpoint, the taking over of these ships and their operation in war is an unjustified—gloss it over as you will—it is an unjustified, illegal, and stupid act on the part of the United States, and it is inconceivable, be it said from a material and practical standpoint, that they can have any effect at all upon the fate of the democracies. The fact is, however, that the taking over of these ships causes the danger, the immediate danger, of our actual entrance into this war as a belligerent, and it would result in our participation in a war which the President of the United States said he would not take us into and to which the great majority of the American people whom you represent are at the present time and ever have been opposed.

We have already sold and transferred to alien ownership in aid of England some 430 vessels. I repeat, we have transferred to England's services and to alien flags for the purpose of aiding England, 430 vessels at a nominal cost of $77,000,000. These vessels, large and small, aggregate 1,500,000 gross tons. In addition, we are building 412 ships under the emergency program. These will cost about $700,000,000 and represent over 3,000,000 tons. We have been turning over the ships of the Navy, and the House is familiar with the recent transfer of the Coast Guard ships.

In view of these facts and in view of the very limited character of this tonnage so diverted from essential trade routes and services it would seem if anyone's conscience is troubled about the application of the lend-lease bill, it would seem that we are at present giving practically all-out maritime aid to the democracies.

[Here the gavel fell.]

Mr. OLIVER. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CULKIN. Despite the discussion here to the contrary, and as has been demonstrated on the floor, the taking over of these ships would be an act of war and would promote, if not cause, our actual entrance into the war. Have no illusion about that. This bill is simply another of the fatal steps toward war.

Nations as well as individuals should come into court with clean hands. The adoption of this amendment, as has been stated before, will have little effect upon the present unhappy condition of England. The adoption of this amendment will save America from getting down on all fours with the hated Hitler and would be a dignified act in keeping with our history in international affairs; and may I say to you that England under such circumstances would not take over these ships for our purposes if the conditions were reversed and we were the belligerent.

The passage of this amendment may save us from actual participation in the war which the people of the United States and your constituents so urgently desire. I trust that the House in its wisdom and the interests of our common country will write this amendment into this bill. [Applause.]

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret to have to disagree with my genial friend from New York. The adoption of this amendment would be a material recession from the position taken by this House when it adopted the lease-lend bill. It would be the first material recession. It will be the first step indicating weakening, or appeasement, or surrender, or yielding to the Führer who, not one week ago, declared his ability to conquer the world. The purpose behind the lease-lend bill was to render all material aid to the democracies and to Great Britain; but now, when Germany herself has violated our laws; when she has sabotaged and completely disabled one of her two ships in our harbors where, it is claimed, she is entitled to our protection; after she has defiantly flaunted our sovereignty, we are told we cannot do as we please with these ships that she has forfeited, even though we make provision that just compensation shall be paid. Every Italian ship that came into our harbors obtensibly asking our protection violated our laws and is subject to forfeiture, yet we are asked to provide that none of them shall be used to go to Great Britain.

I said yesterday, and I say now, that I do not know whether the Executive will so use them or not, but the lease-lend bill gives the right so to use them; and to deny that right now would be to write into this law a departure from a measure that was adopted by a majority of 95, or a vote of 260 to about 165.

Shall we set out on a policy similar to that which overthrew Czechoslovakia, Poland, Norway, Belgium, and all the other nations that have been overrun? The time has come for us to say affirmatively to the Nazi Powers and to all that are with them: "We will not yield; we will not surrender; we have committed ourselves to aid Great Britain, and we propose to go through with it regardless of any consequences." [Applause.]

Mr. RICH. Will the gentleman yield? Why do you not declare war, then, and get through with it?

Mr. BLAND. I hope, I pray, that war may not come.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

Mr. BLAND. Mr. Chairman, I believe our great President of the United States is doing all within his power to keep us from losing our boys, all within his power to protect this country and to save us from war.

For my part, if convoying ships is necessary to complete our commitments and to perform them, I am ready to convoy when the administration feels it is necessary. [Applause.] The question is, Fight this war ultimately without any allies, without any supporters, without any friends, against the rest of the world, or saving today those who can help us and who have helped us in the past. If war must come, I will accept the Bible in preference to Mein Kampf, and the religions of our country in preference to worship of the Führer. If war must come, I desire that we go down, if we must—and we will not—fighting for liberty, fighting for justice, fighting for truth, fighting for freedom. We will not surrender. We will not try to save our lives at the price of slavery.

The question will be the same that confronted America in the early days of the Revolution. I wonder how many defeatists or how many of those pleading the defeatist doctrine would have followed Washington on the plains of Valley Forge, when all seemed dark and when he determined to fight on until victory was won?

My countrymen, in the defeat of this amendment, our country stands where it has always stood. This section does not involve 430 ships as has been claimed. It involves 83 ships. The Danish shipowners would be willing to transfer those ships to us. That is true of every other nation, except, possibly, Italy and Germany. Those German and Italian ships are ours by reason of forfeiture. My colleagues, let us rise above party, for the salvation of our country, and in defense of our institutions, the perpetuation of our Government, and the salvation of the liberties of the world. Fight on under the measures that we present here and we save our institutions and we save our future. [Applause.]

Mr. FISH. Mr. Chairman, I rise in favor of the amendment offered by the gentleman from New York [Mr. CULKIN].

Mr. Chairman, it seems to me that we are straying far afield here on a very simple amendment that ought to be accepted unanimously. That is, if you are sincere in asking for unity. All the amendment does is to prohibit the turning over of 2 German ships and 26 Italian ships that we have in protective custody to the British.

The issue is very clear and very simple. Are you or are you not in favor of seizing belligerent ships, then turning those belligerent ships over to another belligerent nation, or to an enemy nation? There is not a single professor of international law or any single person who has any respect whatever for international law in favor of such an outrageous proposition. It is nothing but gangsterism and banditry. Yet those who are in favor of this bill and who want unity, refuse to accept this amendment, which affects only 28 ships.

We are not concerned in this House with what Mr. Hitler may think about it. We are not concerned whether it arouses his hatred, anger, or his enmity. We are concerned with America and with what is for the best interests of America. That is the only yardstick for us to use at the present time.

Mr. Chairman, the gentleman from Massachusetts [Mr. MCCORMACK], the majority leader, stated a few minutes ago that Italy seized some German ships in the last war. Yes, but Italy was in the war, and it seized those ships for its own use.

I am not opposing this bill, I am not opposing the seizure of these interned ships, I am not opposing what we call the protective custody of all these ships and the use of those ships for ourselves. I am merely supporting an amendment, a very proper amendment, from an American point of view, so that we will not follow Hitler's examples of gangsterism and aggression. But if we seize enemy ships in our ports and then turn those enemy ships over to another enemy nation we will be "out-Hitlering" Hitler.

If you would agree to this amendment, the bill would go through practically with a unanimous vote, and there would be some degree of unity in this Nation and before foreign nations. However, if you refuse to do this, of course, there will be substantial opposition to the bill. This particular amendment is of no great consequence, affecting only 28 ships, equivalent to a few days' war losses. I am in favor of merchant ships and still more merchant ships being turned over to the British. I am in favor of taking these 28 ships and using them in our own trade and turning our own ships over to the British to transport war material, but I am not in favor of having the United States commit such a direct violation of a fundamental principle of international law and commit an act which, in my humble opinion, is nothing more than banditry and gangsterism which will plague us for years to come.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that many of these German and Italian vessels come into our ports to escape the British men-of-war, and now we are simply taking the vessels and giving them to the British Fleet?

Mr. FISH. Right back to an enemy nation when we are still supposedly at peace.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. FISH. I am sorry, but I do not have much time left.

The distinguished chairman of the committee, the gentleman from Virginia [Mr. BLAND], said this would not be a violation of the lend-lease bill. There is nothing in the lend-lease bill whatever that refers to the seizure of belligerent ships and turning such ships over

to a belligerent nation, not one word. If it had been, the bill would probably not have passed either the House or the Senate. The trouble today is that people all the time are trying to misconstrue and put words into the lend-lease bill that were never there at any time, and there was never any thought of such action in the lend-lease bill.

This is a simple amendment, and I am appealing to the reason and common sense of the Congress. There is no partisanship in this amendment whatever. It is simply whether you are in favor of a dishonorable and un-American proposition of taking enemy vessels and turning them over to an enemy government. Although such an offensive action on our part would be a hostile act, I do not believe that war will result as Mr. Hitler does not want to declare war on us. It is a question of what is best for America, and I want the House to be guided by that one proposition and vote accordingly. [Applause.]

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word.

Since I have not spoken on the bill, Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, I am going to ask whether or not there will be a disposition to limit debate. There are quite a few Members that want to talk on this bill. I do not have the slightest objection to the gentleman's talking 15 minutes, if he wants to, but what about the limitation of debate?

Mr. BLAND. We would like to have a reasonable amount of debate, but I have not given consideration to limiting debate at the present time.

Mr. HOFFMAN. Will we on this side have an opportunity to speak, some of us who have not had any chance?

Mr. BLAND. Yes; if you do not take too long.

Mr. HOFFMAN. Well, 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Chairman, the opposition to this bill is using the same identical tactics that they have used against every measure that has been presented to this House for the defense of the United States during the crisis through which we have been passing.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now.

When we passed in 1939 the repeal of the arms embargo after a very bitter fight, in which the motives of those supporting the bill and the President were impugned, that fight was made against the bill on the ground that it was a war measure and meant war. Some of the opponents were so bold as to say that if the repeal of the arms embargo was adopted it meant that we would be involved in war within 60 days. We passed that bill and we are not yet at war. If we had not passed that bill we would probably have been at war at this time, because England would have fallen long ago and we would have had no opportunity to prepare for our own defense.

When we passed the lend-lease bill these same opponents who preached the doctrine, so well described by the gentleman from Georgia [Mr. RAMSPECK] of defeatism, which is sponsored throughout the Nation by the self-appointed and self-constituted leader, Col. Charles A. Lindbergh. [Applause.] I want the RECORD to show that the applause which the RECORD will reveal came from the vociferous clapping of hands of certain individuals on the Republican side. [Applause.] Is that a filibuster against my speech? I want the RECORD to show that the applause which followed the mention of Colonel Lindbergh's name came from only a few on the Republican side who have voted against every measure that we have brought up here for the defense of the United States in this crisis. [Applause.] If they want to follow the leadership of Charles A. Lindbergh in this crisis rather than that of the President of the United States, I would like them to tell their constituents so, and I would be willing to judge the results by the next election.

Mr. HOFFMAN. So would I.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now. I want to talk a little about this measure.

When we considered in the House the lend-lease bill this same crowd, headed by Charley Lindbergh and sponsored by him, came in here and said that it meant war and that we ought not to become involved in other people's wars, that if we passed it it would be war. They spent their time talking about the evils and the horrors of war and they impugned the motives of the President of the United States, of the Secretary of State, and of the Congress.

Using the same old tactics today, they bring that same fluent speaker from Missouri [Mr. SHORT], whom they always bring as the head of the shock troops when they get in trouble, who talks about the hypocrisy of those who are supporting the administration's measures for the defense of this country, and that the American people are being confused and are being misled and do not know what it is all about. I am not surprised. If everybody would talk as loosely and recklessly with the truth as some of these opponents of the administration's measures that they are carrying on, it is no wonder there is confusion.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not yet.

Mr. RICH. Mr. Chairman, I ask that those words be taken down.

Mr. LUTHER A. JOHNSON. Take them down.

Mr. RICH. When he impugns motives, I ask that those words be taken down.

The CHAIRMAN. The gentleman from Pennsylvania asks that the words of the gentleman from Texas be taken down. The gentleman from Texas will be seated and the Clerk will report the words objected to.

The Clerk read as follows:

If everybody would talk as loosely and recklessly with the truth as some of these opponents of the administration measures that they are carrying on, it is no wonder there is confusion.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COSTELLO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, certain words used in debate were objected to, and, on request, were taken down and read at the Clerk's desk, and that he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

If everybody would talk as loosely and recklessly with the truth as some of these opponents of the administration measures that they are carrying on, it is no wonder there is confusion.

The SPEAKER. As the Chair sees this language, it mentions no Member of the House of Representatives by name, and it is simply expressing the opinion of the gentleman from Texas [Mr. LUTHER A. JOHNSON] that these things do bring about confusion. The Chair does not see any violation of the rules of the House in these remarks. [Applause.]

The Committee will resume its sitting.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4466, with Mr. COSTELLO in the chair.

The CHAIRMAN. The gentleman from Texas will proceed.

Mr. LUTHER A. JOHNSON. Mr. Chairman, having been acquitted of violating the rules of the House, I shall proceed.

The same tactics with reference to this bill were used on the conscription bill, that that bill meant war, and the same method of trying to defeat the legislation is used here by adopting or offering amendments that will emasculate the bill just as the pending amendment would do. They said in their speeches in debate on the bill that the bill was an outrage, and one of the gentlemen said it was Hitlerism in America; that we were going to confiscate property and take it away from other countries. Oh, no; it is not Hitlerism; it is Americanism. It is following up the right we have under international law and under our domestic law by which we do not take property from anybody without paying for it. We are going to pay them every cent that is due them. We have the right under eminent domain to take not only the property of our own citizens away from them, whether they want it done or not, for a highway or a telephone line, or anything else when public necessity requires it, and pay them for it, and if we have the right to do that with our own citizens, we have the right to do it with reference to the property of any foreign nation. I say that not only under the first law of

nature, but under the law of constituted society a government has the right to appropriate, with due compensation, any property within its jurisdiction, whether it belongs to its own citizens or whether it belongs to some foreign government, and that is what we are doing here, and international law does not forbid but upholds that practice, the gentleman to the contrary notwithstanding.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not quite yet, thank you.

Mr. Chairman, we have the right to do it, why? Someone said because we need the ships. Yes; and someone asked me yesterday how you would defend, on moral grounds, taking from some other nation property that belongs to it. I said on the highest ground, the highest grounds on which any nation can take property away from its own citizens or anyone else—for its own defense and its own preservation. That is morality of the highest character because the preservation of this Nation is the highest duty that the Nation owes itself and owes its citizens.

So I say to you, this bill ought to pass because we need these ships, not to help England, not to make Hitler mad, but to save America in this crisis; and that is the motive that has actuated me in supporting all the legislation we have passed.

Oh, they have said it will lead to war. We know not what any act in this crisis will lead to. As I said when we passed the lend-lease bill, with conditions changing, no one knows what they will lead to. But I know this: I know, as careful, prudent people in a great crisis like this, when the world is burning up and our security is threatened, it is our duty to follow the Commander in Chief of the Army and the Navy of the United States and take every step we can to protect ourselves and prepare for our own defense in this the most critical period of our history.

I believe, while war is undesirable and horrible, and I pray it may not come, and while the President is opposed to war and I am opposed to war and the American people are opposed to war, I believe they prefer the preservation of America at any cost rather than peace at any price [applause]; and this measure is simply a defense measure to give us what the Army says we need, what the Navy says we need, what the President says we need; and we have the right to do this under international law and under domestic law, and I ask that these emasculating amendments, coming as they do from the opposition and the opponents of this bill, be voted down. [Applause.]

Mr. JONKMAN. Mr. Chairman, I move to strike out the last word and ask unanimous consent that I may proceed for 5 minutes additional.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan that he may proceed for 5 minutes additional?

There was no objection.

Mr. JONKMAN. Mr. Chairman, it is recorded in Holy Writ that the great Teacher said nearly 2,000 years ago:

> For which of you intending to build a tower, sitteth not down first and counteth the cost, whether he hath sufficient to finish it? Lest haply, after he hath laid the foundation, and is not able to finish it, all that behold it begin to mock him. Or what king, going to make war against another king, sitteth not down first, and consulteth whether he be able with 10,000 to meet him that cometh against him with 20,000?

Mr. Chairman, it seems to me that at no point in the progress of the course we are pursuing have we sat down and counted the cost of the undertaking. Nor have we reckoned the probability of the success of other courses which might attain the desired objective with less cost and danger. Instead of reckoning and reasoning we have been jumping at conclusions, each of which has proven erroneous and disappointing, until we find ourselves on the brink of the precipice of war.

Let us take just the two of the present arguments on which proponents of war are pinning their hopes at the present time: First and foremost proponents of war tell us it is wiser to defeat Hitler with the aid of Britain than to take a chance of England's defeat and later have to defeat him alone.

This argument seems very plausible, but it is just as misleading as its seeming plausibility. Its fallacy lies in that it assumes that attacking and defeating Hitler now is the same job as defeating him later in an attack on us. It is not the same job. All military experts will tell you that in modern warfare, an attacking army, to have reasonable prospects of success, must have at least, and this is the minimum, four times the strength of the defending forces. And this is the minimum; it may run as high as 10 to 1. Have we sat down to count what it will take to defeat Hitler? Conversely if in the remote future Hitler should ever attack us he would need at least the same ratio of 4 to 1. From the facts it is plain that if we get into this war our job will be at least 8 times as big, require at least 8 times the strength and 8 times the cost of men and money that a later defense from attack would cost. And this does not take into consideration all the "ifs" which must materialize before Hitler could get here. If this reasoning is sound, and I believe it is, it knocks the argument of the relative advantage of fighting with Britain and fighting alone into a cocked hat.

The second argument is that it is asinine to build seven billions of defense articles and see it go to the fishes. In the first place this shows that we did not count the cost of the lease-lend bill. It, of course, takes no consideration of the fact that to save some of this seven billions from the fishes we may send 7,000,000 men to the fishes and the worms. Aside from these considerations this second argument also sounds plausible. However, it does not take into consideration the fact that there may be an alternative to sending defense articles to the fishes. It ignores the argument of these same proponents of war that Britain is our protection on the Atlantic. In this conflict of reasoning does not one argument black out the other? Or do proponents of war mean that Britain is our protection on the Atlantic only when there is no danger on the Atlantic? Should we not after giving Britain seven billions of matériel free on board our ports explore the possibilities of our protector on the Atlantic getting them home? Of course we will admit that it could be done better with our help, but it is not our war. Our position should be that we have a very substantial interest in England's winning the war, but it is not a matter of life and death to us. Proponents of war, according to the newspapers of the last week, know England is doomed in the Mediterranean but is not licked as long as she can keep the life line to America in the Atlantic. Could not our protector of the Atlantic concentrate on this life line? Could the answer be found in statements in the newspapers for the same week—that England has passed the peak of her war expenditures and is easing down perceptibly since the passing of the lease-lend bill?

Before we go further, take any further steps amounting to acts of war, such as the present bill contemplates, should not we reckon the cost and consequences of such steps? Our reckoning, if such it may be called, has been very blundersome so far.

When we repealed the arms embargo despite loud protestations that it was the first step toward war, those protestations were smothered with louder shouts that it was a step toward peace. We are now on the brink of the precipice of war, and we know the arms embargo was the first step toward that precipice.

When aid to England "short of war" was proposed against the protestations of those who believed Europe's war was not our war, and that it was another step toward war, we were assured it was a peace measure designed to keep us out of war. We now know that it was another step toward the brink of the precipice of war, into which we may totter at any moment.

When the lend-lease bill was being considered, thinking Americans analyzed and marked it as another step toward war, to be inevitably followed by convoys, which the President has said "means shooting, and shooting means war." He could have said shooting is war. But the proponents of the bill assured us it was not a step toward war but a step toward peace. They offered to and did put on a provision that "the bill does not authorize convoys." Proponents now say that necessity, which is the highest law of nature, prescribes convoys. So we now know that instead of a step toward peace, the lease-lend bill was another step, and perhaps the last one, taking us to the brink of the precipice of war. Again we had failed properly to evaluate the step we were taking. We have missed the boat in every step we have taken if convoys means shooting and shooting means war. And this when 83 percent of the people of the United States are against our entry into the war. This when the President of the United States is under solemn pledge to keep us out of the war and is apparently trying to keep his pledge.

Shall we continue to follow this 17 percent who apparently have never counted the cost of our entry into the war or the relative cost and expediency of reaching our objectives without entry into the European holocaust? Is it not apparent that by undertaking this gigantic job of attack, at least eight times as great as that of defense, we may lose everything we count dear even though we win? And have we counted the terrible cost to ourselves and humanity if we should lose?

Let me give a partial answer by quoting the opinion of an eminent body, based upon testimony given a year ago by such competent authorities as Admirals Stark and Leahy, Chief and former Chief of Naval Operations; Admirals King and Cook, former Chiefs of the Bureau of Aeronautics; Admiral Laning, former president of the Naval War College; Admiral Taussig; and an outstanding national-defense expert, Maj. George Fielding Eliot:

We are not prepared to participate in the European war, as we do not possess the necessary weapons to make our efforts effective. We should not consider our naval needs with this objective in view. Some of our best-informed naval experts are of the opinion that the United States should never again engage in other than a naval war outside this hemisphere, and that American soldiers should never again be landed upon a foreign continent, except to defend the naval or air bases from which it may be necessary for our fleet and our air forces to operate. Can anyone see how we could possibly accomplish anything worth the sacrifices of human lives, of resources, and possible loss of our free institutions that will be demanded of us by our participation? We should certainly profit by the experience of the last World War and avoid becoming too greatly involved in European affairs. * * * If we allow ourselves to become engaged in the war in Europe as we did in the last war, one thing is certain—the whole energies of our people, of necessity, will be ordered, regimented, and directed by a single authority. Everything—manpower, industrial power, wealth, production, transportation, liberty itself—will be at the service of the Government. It makes no difference by what name such a government is called, it will assume absolute power over the life of every citizen. Bills to accomplish the above purposes have already been drafted and are probably ready for presentation to the Congress. If the proposed bills were enacted into law, they would take away the individual rights of every American cititzen and convert this country, within a few days, into a totalitarian dictatorship.

We now know that many of the predictions in that opinion and report have already materialized, and we are beginning to taste their bitter fruits. Technically, the administration is in all probability already in the war. The patrol system by which our ships and planes spot an Axis ship, report it to the English, and sleuth it till a British ship can fight and destroy it may be called an act toward peace by proponents of war, but proponents of American peace and safety will not be fooled by it.

We can still—although it will require eleventh-hour heroic action—avoid participation in the European war; and in behalf of the majority in my district and 83 percent of the American people, I remind the President that convoys "mean shooting and shooting means war," and therefore demand in behalf of 83 percent of the American people, and with all respect to the other 17 percent, that the President keep his pledge to keep us out of the European war. [Applause.]

Mr. BENDER. Mr. Chairman, I rise in support of the amendment.

Mr. BLAND. Mr. Chairman, will the gentleman yield so that I may see if we can agree upon some time for debate on this amendment. I ask unanimous consent that debate upon this amendment and all amendments thereto terminate in 30 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. BENDER] for 5 minutes.

Mr. BENDER. Mr. Chairman, in 1936 the President said that peace means money, that peace saves money for everybody, and that a prosperous world has no room in it for war. He further said that we can keep out of war if those who want and decide to do so have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war, and yet at the same time possess the courage to say no to those who selfishly or unwisely would lead us to war.

Mr. Chairman, I have not had a letter from my State regarding this bill or the amendment before us at the present time, either for or against, but as the gentleman from Georgia [Mr. RAMSPECK] knows the sentiment of his State, I know the sentiment of my State of Ohio, and my State of Ohio is overwhelmingly against war and against convoys and against doing the little things that the President referred to in his speech in 1936 which draw us closer to war. I had not intended saying anything about this bill until yesterday when our good friend the gentleman from Georgia [Mr. Cox] made the statement that this is not a peace measure, referring to this bill. The gentleman from Georgia [Mr. Cox] said, regarding this measure:

It is not a peace measure; it carries war powers. However, it is absolutely consistent with the destroyer transaction and with the lend-lease bill.

Mr. Chairman, he further said:

I have never referred to the destroyer transaction as a peace move. I think it was an open declaration to the world that we had entered upon the road that leads to war. When the lease-lend bill was before the House I referred to it as a war measure. That shocked some of my colleagues; nevertheless, I thought it carried war powers, and I still think so. I think it moved us further down the road toward war.

He said further:

This bill carries us even further. It is an announcement that we have at last arrived. It provides for the seizing of the ships of foreign owners that are now in our ports, we to make such use of them as we see fit. * * * I believe the people are entitled to know the whole story; they are entitled to know the truth. It is hard for me to understand that there are informed people who have a doubt in their minds but that we are headed for war. I believe we are.

Mr. Chairman, as I am trying to represent the overwhelming majority of the people of my State who are definitely against war and against convoys and against taking the action that leads us to war, I am speaking today for this amendment.

The gentleman from Texas [Mr. LUTHER A. JOHNSON] referred to the Republican side of the House and referred to our conduct. Let me say that Hitler has been on the loose not for 1 year, not for 2 years, but for 8 years. We knew what Hitler was driving at 8 years ago and 6 years ago the same as we know it today, but not until June of last year did the administration regard Hitler as a menace.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I will not be heckled by the gentleman.

In speaking of the Republican point of view on this measure the gentleman from Georgia [Mr. RAMSPECK] said that the arguments used were the "same old stuff." I have referred to his colleague from Georgia, who frankly said that this was a war measure. He said that about the lend-lease bill and other similar measures. Let the record show, however, that the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], has repeatedly referred to these measures as peace measures. It seems to me that the gentlemen on the Democratic side had better get together and compare notes before they speak.

For 8 long years, while Hitler has been building the finest war machine in the world, the present administration has devoted most of its time and our resources in nondefense pursuits. A year ago in June, when we were woefully unprepared, the President at his press conference suggested Congress go home, as there was nothing to do. Fortunately the minority Members of this House joined by a handful of the majority, raised their voices against adjournment, and we found that even though we had 924,000 men in the Regular Army and Navy and Reserves of the country we only had equipment for 75,000 of them. Before we talk big and act big, let us prepare so that we can properly defend ourselves and our neighbors in the Western Hemisphere. While we condemn Hitler's code as the robber's code, let us not adopt it for ourselves. Our job is to make this country strong. We can best make it strong by building the finest army and navy and air force in the world. When we are so equipped we will then be in a position to speak and have the rest of the world heed our words.

Some of the gentlemen on the other side would have us believe that the people are leading the President into war. Not so. The President has had quite a struggle keeping up with his own utterances, and the majority leader has joined him in not permitting his left hand to know what his right hand is doing. Let me read the President's own words and compare them with the administration's deeds. Here are a few juicy morsels:

New York Times, January 22, 1941, story by Frank L. Kluckhohn:

President Roosevelt said at his press conference today that he had never considered using American naval vessels to convoy ships bearing supplies to Great Britain. Sources

close to the White House indicated the official view to be that such convoying might lead to war.

Sources close to the White House said it was obvious that if the United States Navy convoyed ships, either under the American or another flag, into a combat zone, shooting was pretty sure to result and shooting came awfully close to war.

June 2, 1932, address accepting Presidental nomination, Chicago:

The appearance before a National Convention of its nominee for President is unprecedented and unusual, but these are unprecedented and unusual times.

My friends, may this be the symbol of my intention to be honest and to avoid all hypocrisy or sham.

August 14, 1936, Chautauqua address:

I wish I could keep war from all nations, but that is beyond my power. I can at least make certain that no act of the United States helps to produce or to promote war. I can at least make clear that the conscience of America revolts against war and that any nation which provokes war forfeits the sympathy of the people of the United States.

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

October 9, 1936, address at capitol in St. Paul, Minn.:

Peace makes money, peace saves money for everybody. A prosperous world has no permanent room in it for war.

November 4, 1938, radio address for Will Rogers Memorial:

During my 4 years as Governor and during my nearly 6 years as President, I am proud of the fact that I have never called out the armed forces of the State or Nation except on errands of mercy.

September 21, 1939, address to special session of Congress that repealed arms embargo:

It has been erroneously said that return to that policy might bring us nearer to war. I give to you my deep and unalterable conviction, based on years of experience as a worker in the field of international peace, that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict. * * * I believe that American merchant vessels should, so far as possible, be restricted from entering danger zones.

January 3, 1940, message to Congress:

In these recent years we have had a clean record of peace and good will. It is an open book that cannot be twisted or defamed. It is a record that must be continued and enlarged.

September 11, 1940, address to teamsters' union convention, Washington:

I hate war now more than ever. I have one supreme determination—to do all I can to keep war away from these shores for all time. I stand, with my party, upon the platform adopted in Chicago:

"We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

October 12, 1940, radio address on Western Hemisphere defense:

For many years, every ounce of energy I have has been devoted to keeping this Nation and the other republics at peace with the rest of the world. That is what continues uppermost in my mind today, the objective for which I hope and work and pray.

October 23, 1940, address in Convention Hall, Philadelphia:

To Republicans and Democrats, to every man, woman, and child in the Nation, I say—your President and your great Secretary of State are following the road to peace. We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat that I stand on the platform of our party. * * * It is for peace I have labored; and it is for peace I shall labor all the days of my life.

October 29, 1940, address opening draft drawing, Washington, D. C.:

Your Government will devote its every thought, its every energy, to the cause that is common to all of us—the maintenance of the dignity, the prosperity, and the peace of our country.

October 30, 1940, address at Boston Garden:

I have said this before, but I shall say it again and again. Your boys are not going to be sent into any foreign wars. They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores. The purpose of our defense is defense.

November 3, 1940, address at Cleveland:

The first purpose of our foreign policy is to keep our country out of war. At the same time, we seek to keep foreign conceptions of government out of the United States. The second purpose of this policy is to keep war as far away as possible from the shores of the entire Western Hemisphere. We make it clear that we intend to commit none of the fatal errors of appeasement. Through it all there have been two thoughts uppermost in my mind—to preserve peace in our land, and to make the forces of democracy work for the benefit of the common people of America.

December 2, 1940, fireside chat:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Over the Coffee (column), Harlan Miller, Washington Post, May 3, 1941:

President Roosevelt has often told his close advisers that he will never send an American Army overseas. But he has never said that he will never send American warships or air squadrons overseas.

On every proposition providing for the defense of our country the minority has stood as a man—every Member on our side voting for every defense appropriation, belated though those appropriations were. [Applause.]

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. BENDER. Mr. Chairman, I do not yield.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Chairman, the gentleman from Georgia [Mr. RAMSPECK] said:

The gentleman from Missouri [Mr. SHORT], who has just preceded me, may be named SHORT, but he is long on adjectives and emotional phrase making. If I had no more faith in the people of the United States of America than he seems to have, I would run in a hole like a rabbit when a hound gets after him.

Mr. Chairman, the President questioned the patriotism of Lindbergh. There was no justification for such action; no excuse except a loss of temper. With as much reason, and no more, might I charge that those who now propose to give so much to Britain should be likened to the man in Revolutionary history who would have turned over to Britain our stronghold of West Point. Both charges would be utterly baseless.

The gentleman from Georgia [Mr. RAMSPECK] evidently questioned the faith in America of the gentleman from Missouri [Mr. SHORT] who evidently does not belong to that class who are so lacking in faith in America, in her institutions, that they want to re-make America; that they consider the Constitution outworn; that for salvation of our country we must depend upon Great Britain. What shall be said of those who have so little faith in America that they are unwilling to assume the burden of preparing here at home, but hide behind Britain's skirts and say that we are going down to defeat unless we fight her battles, unless she fights ours. Every war of ancient or modern times tells us that the extended battle line is a weakened line.

With Germany in control of Europe; with no place upon which to land an expeditionary force, does military science demand that we fight there? Is it not the part of wisdom instead of provoking a war, to get ready for war? Is it not better to speak softly and prepare to our utmost rather than to provoke and engage in a war and send our ships, our munitions, our men thousands of miles from our base of supplies? Is there a navy or an army man of judgment and experience who believes that there is better chance of success fighting a war 3,000 miles from this shore than there is of winning that war here at home?

Never on this floor have I questioned the motive, the patriotism, the sincerity, or the ability of any Member on that side or on this, and never will I. Nor will I ever sit silent when the patriotism or sincerity of my colleagues on this side is questioned. We on the minority side who oppose going into this war do not yield in patriotism to any Member on the majority side or anyone outside who thinks that America is so weak and so lacking in ability or courage that she must hide behind another nation. For the people I represent, and that only because I am their elected Representative, let me say that we have faith in America. We have faith in her institutions. We have faith in her people. We have faith in her ability and from the bottom of our hearts we

believe that if we will follow in the footsteps of our forefathers, if we will abide by and live under the principles enunciated in the Constitution, if we will do away with selfishness, greed, and ambition here in America, keep ever burning the torch of liberty, keep flying the flag of freedom, live under that legend carved in stone over the door of the Supreme Court, "Equal justice under law," we need fear no "ism," no nation, or combination of nations. We would avoid war because we hate war and all its hideousness; because we know that seldom does lasting good come out of any war; because we realize that the policing of the world, the imposing of our ideas and our ideals upon all the nations, all the people of the world, is an almost impossible task—one not given us.

The gentleman from Georgia said the world revolution is on the way. Sure. Let me call the attention of the people of the South to the fact that, if you keep on coddling these Communists, let the administration and the First Lady of the Land continue to harbor and encourage them, you will find in two or three generations that you have a race in the South who will tell you what to do, when to do it, and how to live, and under communistic guidance and instruction it will be the dominant race. Future white generations of the South may live to curse the New Deal and its fostering of Communists, its overriding of the Constitution.

Mr. SOUTH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SOUTH. The gentleman has more Communists in his section than we have down in our section.

Mr. HOFFMAN. Yes; in the southeastern part of the State, not in other parts of Michigan, and we have more brought in from the South than ever were born or grew to manhood in Michigan. They are invaders, armed goon squads, C. I. O. wreckers who came in under the protection of the administration, with its Madam Perkins and its N. L. R. B. Frank Murphy, now Justice Murphy, is their godfather. He gave them his blessing in the sit-down strike in 1937. That is the reason we have them in Michigan—that and because the law prevails up there in the sense that they and the C. I. O. seem to have a monopoly of head cracking and lawlessness. We have not ridden them out on a rail. We have not beaten them. We have not tarred and feathered them.

Let the South criticize the North. But for the last 8 years, like poor relatives, the South has been living on the tax money of the North and now you want to drag us into war and let us provide the money to fight it. The gentleman from Virginia [Mr. BLAND] spoke about honesty and justice.

Talk about honesty! Where is the man on the Democratic side who did not promise, if elected, he would vote to keep us out of war? Talk about honesty! Is there such a thing as honesty only after election? Good faith. Are you keeping the faith today? What about the promise of the President, your promise and mine to keep our country out of war? I am speaking now only for myself, but how can you expect a poor, dumb, ignorant Congressman like myself to know what to do. [Applause.] I thank the gentlemen on the Democratic side for their applause, for I do not claim to be one of those all wise indispensable men now all too common in this administration. How do I know what to do when the gentleman from Georgia, Judge Cox, tells us that this is a bill to promote war, and the distinguished gentleman from Georgia [Mr. RAMSPECK] tells us that this is a bill to keep us out of war? Oh, boys, do not mislead me any longer. Do not further deceive me. [Laughter.] I want to stay out of war. Shall I follow the gentleman from Georgia [Mr. RAMSPECK] and so keep out of war or will I, if I follow him be voting for a bill for war as suggested by the gentleman from Georgia [Mr. COX]? Do not tell me either that this grand labor legislation known as the Wagner Act, which prohibits American citizens from working in defense of their country, which as applied prohibits collective bargaining in many instances, is for the forgotten man or for the benefit of the working man. Do not tell me you are patriotic when Buck Newell, operating in St. Louis, and his like hide behind your skirts and carry on their racketeering, and when this Congress refuses to free American workmen from the heel of labor politicians and labor racketeers, carrying the banner of organized labor. [Applause.]

Why does not the administration, the majority party, for once cast aside the mantle of hypocrisy, have done with subterfuge, and tell the American people now whether it intends to violate the solemn pledge given by its party, adopted by its President, endorsed by practically every Member of Congress who ran for office last November, whether it intends to wage war on foreign soil or whether it intends to prepare for national defense here in America; whether it intends to be the tail on Britain's kite or whether it intends to stand foursquare on the foundation built by our forefathers, which has served us for more than 150 years, there prepared to meet the enemies who may come from without and to annihilate the enemies who from within are far more dangerous than is Hitler and who sometimes in secret and more often openly and brazenly are undermining, destroying the fundamental principles which insure our existence? [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, on the last day this bill was before our Committee on the Merchant Marine and Fisheries, I read to the committee a perfectly bona fide letter written to me by Judge George A. Carden, who ought to be well known to many of the Members on the Democratic side of the aisle, because he was born in Mobile, Ala., and was Democratic national committeeman from Texas for a great many years. At the present time he represents some very large shipping interests in New York City. He wrote me a letter which I received the morning we voted on this bill in committee, in which he said very clearly that his clients were prepared to purchase outright for cash—and they had about $25,000,000 available with which to do it—every Italian flagship that is now in protective custody in this country and that they were ready to consummate such a deal when, as, and if it met with the approval of our Government, and that they could consummate such deal within 1 week.

Therefore, I offered an amendment in committee which stated that only such ships should be taken over under the bill now before us as might not be purchased within a period of 30 days by bona fide American interests for operation under the American flag, in the American service, and subject to the American laws.

You may say all you want to about whether or not this seizure—and seizure it is—of these belligerent flagships is an act of war, but I say to you that had my amendment prevailed in committee, and were it written into this bill today, this Congress would be doing the American people a real favor. [Applause.]

There is no use in offering that amendment today because it was voted down in committee by a vote of 12 to 5, and a proportionately large vote would defeat it here today. Hence, I shall not offer it.

But, Mr. Chairman, when anybody comes to me or comes to our committee and says these ships, now in protective custody, cannot be sold outright to bona fide American interests for use in the American trade for the defense of America, that man is either misinformed or is deliberately misrepresenting the truth.

Mr. Chairman, I hope, although I do not believe, that this important amendment will receive the careful consideration of the Congress in accordance with true American principles. Therefore, I say to you that we must remember that America has long been known as the melting pot of the world and we have within our borders countless thousands upon thousands of loyal Italian-Americans as well as countless thousands upon thousands of loyal German-Americans, who are loyal to their adopted land—the America we all love. Regardless of the consequences under international law, I sincerely feel that any refusal on the part of this Congress to permit the bona fide purchase of these belligerent ships by American interests is a direct slap in the face to these loyal Italian-Americans as well as German-Americans, and I hope that this Congress, in both bodies, will carefully consider this bill in that light.

I have said that I would not reoffer this amendment on the floor of the House, because you in the majority know full well that the word has come out of the White House that this bill shall be passed without any strings attached to it. In other words, it is another demand on the part of the President for carte blanche authority to do as he wants, when he wants to do it, and he wants no interference now or any time from the Congress.

Mr. Chairman, I feel very strongly that this Committee is not mindful for the best interests of America if it denies to bona fide American interests the right to purchase these belligerent-flag ships.

I hope this amendment—this American amendment offered by the gentleman from New York [Mr. CULKIN], ranking minority member of the Committee on the Merchant Marine and Fisheries—will prevail. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentlewoman from Montana [Miss RANKIN] is recognized for 4 minutes.

Miss RANKIN of Montana. Mr. Chairman, next Sunday will be Mother's Day. There is a great deal of sentiment about mothers and wanting to give mothers what they wish. There is nothing in the world the mothers of this country would like on this Mother's Day so much as assurance that their sons are not going to be taken to war. [Applause.]

This is an entirely new experience for the mothers of America. Never before have they been presented with a situation such as this. The men who are potential fighters in this war were little children in the last war, and the mothers have had 20 years to contemplate their sons being sacrificed as the sons in the past have been sacrificed. I am, therefore, going to offer a resolution, although I know there is little probability of getting it before the House for consideration, but I feel it represents the sentiments of the great majority of the men and women in this House. This is a concurrent resolution which reads:

> Congress hereby declares that it is the policy of the United States not to send the armed forces of the United States to fight in any place outside the Western Hemisphere or insular possessions of the United States.

It seems to me a resolution of this kind would bring more comfort to the women of America at this time than any action this House can take.

I have confidence in the mothers. The mothers are not going to have their sons sent to war if they can prevent it—and they can. You may think this Congress can declare war and send the men to Europe, but if the mothers of this country say "No," no matter what Congress wishes those men will not be sent to war. The mothers of America have the courage to stand up and protect their lifework. They are not going to have their sons sacrificed needlessly for issues that cannot be solved by violence. This is not the war of the mothers. The mothers of America are perfectly willing to protect our shores.

For years I have insisted that we state our military policy and have it conform to a national policy representing the convictions of the American people. The American mothers want to protect our shores from invasion, but they do not believe the war method can be used to settle disputes. The women must refuse to have the mothers' work sacrificed for the profits of a few or because some wish to decide the problems of Europe by the war method. I thank you. [Applause.]

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] is recognized for 5 minutes.

Mr. BLAND. Mr. Chairman, a great deal has been said about the use of these ships, as though it were definitely decided that these ships were going to be turned over to Great Britain. In the testimony before the committee the question was asked definitely as to the use of these ships. Admiral Land said:

> As a broad general statement we intend to put these ships in a pool, the same as if you had a stenographic pool. If you wanted an excellent combination of stenographer and typist, why you would call for that particular person in the pool. If you wanted a stenographer, you would call for a stenographer from the pool. We will put these ships in a pool, and if you want a small, fast ship for a certain purpose, or a larger ship for another purpose, we will send to the pool to get it. We propose to pull them out of the pool in such a way as to safeguard and protect the best interests of the United States. There is not anybody alive today that can tell you with exactitude just how these ships will be used and in what way they will be used, but they will be used, in the judgment of those you place in charge, to the best advantage of the United States Government. I anticipate that they will be used in many ways, but it is impossible to tell how they will be used, because we will draw them out of the pool without any restrictions on that pool, and we do not want anything except the widest selection for the best interests of the national defense.

Eighty-three ships are involved in this section. These ships are needed for various purposes. There is material to be carried to the bases we are building on the islands off our shores. Our naval and military forces have been authorized to build these bases. Ships are needed to carry the cargo required to build them. There is tonnage to be carried and ships are needed for that tonnage. There is no suggestion that these ships are going to be turned over to Great Britain, but we desire that there shall be no limitation, no restriction upon the power of the President of the United States to use these ships as he sees fit for the national defense and for the protection of America. That is the question here. Some of the gentlemen here yesterday, including one of the ablest on the Republican side, expressed utmost confidence in the President of the United States in his effort to keep us out of war. I agree with him. All that we ask is that these ships and all of the other ships that are involved in this section of the bill shall be used as the American interests shall demand. Why tie them up with restrictions? Why limit the use of ships when there is such a great demand?

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. PATRICK. Is it not a fact that these ships would replace 3 months' bottom destruction if placed in the hands of England?

Mr. BLAND. I am not prepared to answer. If the gentleman says that is true I will accept his figures. I have not the figures. I know what the newspapers tell us as to the sinkings.

If there is any danger of war in the use of these ships the President can use the ships we are building, he can take ships out of trade routes and substitute these. The point I want to emphasize is that the President will use these ships to the best advantage of America in his effort to carry out that policy which the gentleman from New York so highly commended yesterday and in this way help to save America from war. [Applause.]

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, the distinguished chairman of the Committee on Merchant Marine and Fisheries, the gentleman from Virginia [Mr. BLAND], just threw out the bait, if I may phrase it that way, that these ships might not be used in the war. My amendment, of course, will cure that, and that is all the amendment seeks to do. It seeks to eliminate these German and Italian ships from operation by England or to promote England's military and naval objectives.

As an index to what the real purpose of this bill is, I wish to quote just briefly from the hearings before our committee. The man who is most closely in touch with this shipping situation, the man who is technically equipped to handle it, is Admiral Land, the chairman of the Maritime Commission. He is the man who is running the show, the alter ego of the President. Here is what he said in the hearings. His statement will give you an index as to where these ships are going. I asked him in the committee hearings about international law and whether or not from his experience and instruction at Annapolis this was or was not a violation, a very definite violation, of international law. Admiral Land's reply indicates the state of mind of those in charge of this, and it is an epic reply. It smells of war. As I stated, it indicates the state of mind of Admiral Land and of those from whom he takes his orders and the palliative which the gentleman from Virginia has offered in this situation should be considered in connection with this statement of Admiral Land.

Admiral Land, in reply to my question as to the effect of this bill on international law, stated:

> As far as international law is concerned, I do not mind jumping off the deep end of the thing.

In other words, he throws discretion, international law, and all other purposes completely to the wind. That is what this bill means and that is what this bill will do. If this legislation is passed these belligerents' ships will go into the service of England overseas and then war will be the sequence.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Massachusetts [Mr. MCCORMACK] is recognized for 4 minutes.

Mr. McCORMACK. Mr. Chairman, it is difficult for me to understand why my Republican friends, or the great majority of them, should undertake to raise the issue that they have in connection with this bill. When the President proposed to Congress legislation to requisition the ships that had been seized, throughout the entire country the editorial comment of all the press, Republican, Democrat, and independent, was as near unanimous as humanly possible, and a survey of the editorial comment shows that 99 percent of the press of the United States supported the President in the message that he sent to Congress.

Mr. CULKIN. Will the gentleman yield?

Mr. McCORMACK. I dislike not to yield to the gentleman.

Mr. CULKIN. I knew the gentleman would be generous. He always is. If Wendell Willkie had had the support of all the newspapers he might have been elected.

Mr. McCORMACK. The gentleman from New York is too fair to make that statement. Certainly, it ill behooves a member of the Republican Party to inferentially condemn the candidate of his own party in the last election, and a man who has shown himself to all decent Americans to be a real outstanding American citizen. [Applause.]

It is interesting for the RECORD to note that no applause comes from the Republican side.

Mr. CULKIN. I thank the gentleman for his contribution.

Mr. McCORMACK. Mr. Chairman, as I stated, 99 percent of the press supported the recommendation of the President. This bill is before the House. Now, we have an amendment offered, not an out-and-out amendment saying that these ships cannot be requisitioned, but the old sniping method: "I am for aid to the democracies that are being attacked, but only to the extent of $2,000,000,000." That was the talk when the lend-lease bill was up for consideration. Now they have not the courage to come out against the bill, but they are sniping, attempting to put an amendment in so that after it is all over they may appear in the position of having played both ends and the middle.

Mr. OLIVER. Will the gentleman yield?

Mr. McCORMACK. That does not apply to the gentleman from Maine. I said most of those on his side.

Mr. OLIVER. I would like to make a contribution.

Mr. McCORMACK. I only have a few minutes left.

This bill is a part of our national defense. It is based wholly on the national defense of the United States, our defense against ruthless aggression, coldly, cruelly, deliberately planned and executed, upon the theory that might is right and through the use of the sword, a powerfully paganistic movement determined, if it can, to destroy not only countries that Hitler and his allies have already conquered, but destroy all the democracies of the world, to destroy a civilization which is ours, the origin of which is in God Himself; a materialistic ideology challenging the civilization of countless generations of peoples of all lands of the past, contributing to what we have today, the family life, the freedom of religious conscience, freedom of speech, freedom of the press, and the other rights that we in this country and all other democracies possess, all coming under the head of personal liberty.

Mr. Chairman, this bill is a minor bill for national defense, but this amendment, if adopted, is the best message we can send to Hitler, who would laugh with glee if this House were to adopt the pending amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CULKIN].

The question was taken; and on a division (demanded by Mr. CULKIN) there were—yeas 94, noes 131.

Mr. CULKIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CULKIN and Mr. BLAND.

The Committee again divided; and the tellers reported that there were—ayes 131, noes 161.

So the amendment was rejected.

Mr. OLIVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER: On page 1, line 7, after the word "to", insert the words "charter or", and strike out, on page 2, line 1, the word "requisition" and all of line 2 and the words "or the possession of," in line 3.

Mr. OLIVER. Mr. Chairman, the purpose of this amendment is to strike from section 1 the requisitioning authority with respect to the ships of any foreign nation now lying idle in our ports.

The majority leader in closing debate on the previous amendment referred to the fact that there has been no effort on the part of the opposition to this bill to eliminate from the provisions of the bill the requisitioning authority in toto. Here is the reply to his criticism.

Mr. Chairman, the United States is a powerful nation, a great nation, a nation which holds, or has held, at least, the respect of every other nation in the entire world. If the United States is to retain that respect on the ground that we conduct ourselves internationally on the basis of international morality and support of law and order, we must support this amendment, for by the action provided in this bill for requisitioning the property of foreign nations, both belligerents and nonbelligerents, we are taking a long step in retreat from that position of respect we formerly held.

Mr. Chairman, those ships sought sanctuary in our ports on the basis of the fact that we were a neutral nation, and so far as official statements are concerned, we still are a neutral nation. I do not believe the proponents of this bill can cite a single instance in world history where a neutral nation has seen fit to conduct itself on the basis of illegality and immorality and take the property of another nation merely under the pretext that its self-defense required it. I say that no neutral nation has done that, Mr. Chairman. Of course, we have had examples of belligerent nations doing it. We have had examples during the past 2 years which we have castigated most unmercifully of belligerent nations taking the property and the soil of small nations all over the world. That is the very reason why those who have supported this program have gone to the people and contended that the people of the United States should support this defense policy, so-called, which is now rapidly developing into a war program.

Mr. Chairman, these acts in and of themselves may not bring war, but is there a Member of this Congress who is so naive as to believe that the United States can continue with this program of cumulative and progressive acts toward war without eventually making it necessary for every single Member of this House to face the responsibility of making that terrible and fatal decision, which I hope will not come but which seems at the moment to be too close to our consideration right now?

Mr. Chairman, very briefly, these are the reasons why it seems to me we should very well consider at this time the vital issues involved in the proposal of this legislation.

The gentleman from Georgia in his remarks in general debate made a fighting speech. The gentleman from Virginia, the distinguished chairman of our committee, in his remarks throughout yesterday and today has made fighting speeches. I admire them for the stand they take. They are honest with the American people. But what are we going to say, those of us who believe we cannot take these steps day after day in this Chamber without their eventually bringing us up against the fatal decision and cumulatively and progressively leading to war?

Mr. Chairman, I hope this amendment will be adopted. [Applause.]

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, Admiral Land, of the Maritime Commission, testified before the committee that repeated efforts had been made to charter these vessels. Negotiations were carried on for some time, and every effort was made to work out a plan.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Virginia.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. RAMSPECK. I simply want the members of this committee to know that the Government agencies have made repeated efforts to charter these vessels and to get the use of them without resorting to this procedure. It is utterly impossible to do so; therefore, the adoption of the amendment offered by the gentleman from Maine would be tantamount to striking out the enacting clause of this bill and it would, of course, destroy the legislation. The gentleman is opposed to the bill, and I do not criticize him for adopting a procedure that would destroy the bill, but that would be the effect because we cannot charter these ships. It has been tried. The only way we could get the use of this tonnage is to adopt the procedure which this bill provides.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman says that it has been impossible to get these ships. How about the proposal the gentleman from Michigan mentioned as having been made in committee that these ships could be bought by private American interests?

Mr. RAMSPECK. The gentleman made that statement in committee on Friday a week ago. If his people are willing to buy, they have had more than a week now to buy. They have had months to buy those ships. I do not know anything about the details, and, of course, I am not questioning the good faith of the party who made the statement to the gentleman from Michigan, but they have had every opportunity to buy these ships. However, there are complications involving the governments and the control of those governments by the Axis Powers.

I believe without any question the only way we can get the use of this tonnage is by the passage of this bill, and I hope the amendment offered by the gentleman from Maine will be defeated. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. OLIVER].

The amendment was rejected.

Mr. OLIVER. Mr. Chairman, I offer another amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. OLIVER: On page 2, line 10, after the word "amended", strike out the period, insert a colon, and these words: "*Provided further*, That no vessels acquired under the authority of this act shall be transferred to the registry of any nation foreign to the United States."

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. OLIVER. Mr. Chairman, I shall not use all my time on this amendment. This amendment is introduced merely for the purpose of keeping such ships as may be acquired under the terms of this act for the use and the interests of the United States itself.

We were told in committee, and it has been repeated many times since then by individuals interested in the shipping business, that the intercoastal and coastwise services of this Nation require much more tonnage than is available at the present time. Our own national interests, our own direct and primary business interests require that we keep these ships, if we are going to acquire them, under the terms of this bill, for our own use. There are tons and tons and tons of strategic war materials piling up on the docks of foreign nations, awaiting transportation to this country for defense production. There are many more tons of shipping necessary if we are to service adequately the overseas bases which have been acquired during the past several months for military and naval purposes. In domestic and intercoastal services it has been said that these shipping interests are not able at the present time to carry 60 percent of the requirements for shipment which have been offered to them.

We have been told in addition to this that if it becomes necessary to transfer this tonnage to rails, the cost of transportation will increase, and one particular point I have in mind addressed particularly to those who are interested in agriculture in this country, namely, if the item of fertilizer is to be carried by rail because of lack of ships in our coastwise and intercoastal services, the farmer is going to immediately face increased cost of production which, in turn, will cut down his yearly income to a most deplorable point.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield.

Mr. MARCANTONIO. And we are all aware of the large number of American maritime workers who are roaming along the beaches of this country without work, and the taking away of these ships and turning them over to foreign registry means an increase in the number of the unemployed among the maritime workers.

Mr. OLIVER. The gentleman from New York is absolutely correct. There is no question that under the terms of this bill as written, with these ships being transferred to the registry of foreign nations, as a result there will be many, many more seamen forced upon the beach or walking the streets of our cities idle.

It seems to me without any question, Mr. Chairman, that if the urgency of the situation is as acute as it has been described to be, both by the Maritime Commission officials, by the shipping interests and by the Army and the Navy, there should be some restriction written into this bill whereby these ships cannot be transferred to the registry of any foreign nation. If we are going to violate international law, if we are going to commit this act of banditry and brigandage, why not keep the spoils for our own use? If it is a matter of self-defense, then for heavens' sake, let us not commit a crime in the name and interests of foreign nations. [Applause.]

Mr. BLAND. Mr. Chairman, it has been suggested that maritime workers are on the beach. Recently conferences have been held on the subject of shortage of seamen. The maritime unions are seriously confronted with difficulty in providing sailors and seamen for the ships. Seamen are going into the shipyards and other shore industries. There is a serious problem as to the number that would be available for work on the ships.

The gentleman's pending amendment in some respects goes further than the amendment that we voted on awhile ago. We propose by this amendment not to transfer to any foreign country. Why, even Ireland could not get a ship under the amendment suggested here, and as to the South American republics or some of the other nations with which we are trying to build up trade, we could not transfer these ships to them if our best interests demanded that we do so. It all goes back to the same question we have discussed before. We want to use these ships for national defense in the best possible way and for the promotion of our trade, for the carrying of our commerce, and for any other purpose for which we may need them. Foreign tonnage serving the United States has been reduced in two ways—by sinkings and by the withdrawal of vessels for other services, and, incidentally, by loss in efficiency.

Sinkings have now reached the 5,500,000-ton mark. This is half as much merchant shipping as was sunk during the entire 51 months of the World War. British, allied, and neutral losses are expected to run between 3,500,000 and 5,500,000 tons this year. Every vessel that is sunk aggravates the world shortage of ships, and in so doing reduces the ability of the United States to secure ships, or the use of ships, for its needs.

On the point of withdrawals, it must be remembered that Great Britain is the principal factor in world shipping. Great Britain, in order to maintain supplies and services essential to her national life and the defense of the realm, has been compelled to pull in Empire and allied tonnage from all over the world. Much of this tonnage served American ports. As sinkings go on, and perhaps increase, the process of withdrawal will continue, and thus throw additional burdens on American and other neutral shipping.

In addition there has been loss in efficiency. More frequent repairs, slow convoy movements, overstraining of machinery, frequent changes in routing, difficulties in loading and unloading, wartime red tape, inspection, and certification in connection with blockades, all have combined to lower efficiency and increase the difficulties of getting sufficient tonnage even when the same ships have continued in their usual services.

In a memorandum submitted to the committee, this problem was further discussed as follows:

Most of the American-flag vessels barred from their regular services to Europe and Mediterranean ports found employment in substitution for foreign-flag tonnage withdrawn from other services, such as to ports in South America, Africa, India, Australia, Far East, Netherland East Indies, and Malaya. But withdrawals of foreign-flag tonnage to meet war needs increased, and the demand for American and other neutral tonnage progressively increased. These withdrawals have necessitated American-flag lines doubling and quadrupling the sailings in many instances. Some neutral countries have no merchant marine, thus increasing the demand on other neutral maritime nations for tonnage. Demands have developed in practically every foreign trade open to American ships, east and west coast of South America, South and East Africa, India, Far East, and Dutch East Indies.

In connection with this demand for American ships, it should be kept in mind that when American ships were blocked out of services in European and United Kingdom trade, these gaps were filled in part at least by other (obsolete) American tonnage being sold foreign, thereby helping American-flag ships to meet the demands for American tonnage to take over other foreign-trade services, being left open by withdrawal therefrom of the foreign tonnage normally serving it. It should not be forgotten that American-flag tonnage carried just about one-third of the foreign commerce of the United States at the beginning of the European war. Withdrawals of foreign tonnage from the United States trade, combined with competitive demands for foreign tonnage on the part of other nations with insufficient or no merchant marine, reduces still further the ability of the United States to secure the ships needed to transport its foreign commerce. Transfers foreign of American ships continuing to serve our

foreign trade under foreign flags therefore did not reduce the ability of the United States to carry its foreign trade.

If transfers to foreign flags will help us to meet these problems, then those transfers should be permitted. The amendment would prevent this, and should be defeated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maine.

The amendment was rejected.

Mr. PEARSON. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. PEARSON: Page 2, line 10, after the word "amended", insert "*Provided further*, That in the event any vessel taken over under the provisions of this act belongs to any government now indebted to the United States, the compensation to be paid for such vessel or vessels shall be paid by crediting the same upon such existing debt and not by the payment of cash."

Mr. BLAND. Mr. Chairman, I make the point of order against that amendment as not germane to the bill.

The CHAIRMAN. The gentleman from Virginia makes the point of order against the amendment offered by the gentleman from Tennessee on the ground that the amendment is not germane to the purpose of the bill. The language of the bill provides that vessels may be purchased by the American Government, and the provisions of this amendment merely go to the method whereby that purchase may be carried out. It provides for one method of payment. Therefore, the Chair holds it is germane to the purpose of the bill, and the point of order is overruled.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that debate upon this amendment be limited to 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PEARSON. Mr. Chairman, I do not think anybody is suffering under any delusion that this bill does not go directly into the face of international law, as we have understood it since the inception of the foundation of this Government. Neither do I think that more than a few of us feel such action is not justified under conditions as they exist throughout the world today. If other nations are to confiscate and take over properties belonging to other nations, there is no reason why our Nation should not do likewise, if we are convinced that such a step is in our own national interest and defense. If we are to enact this legislation, there is no reason under heaven why this Government should act contrary to what any other creditor would act in dealing with one who is indebted to it. If you were transacting business with an individual who owes you money, and you entered into a transaction in which you expect to pay him, you would take credit on what he owes you before the transaction is completed.

There are 83 ships involved in this bill. Thirty-seven of them belong to nations that are overwhelmingly indebted to the United States Government. One is from Belgium, which owed us $453,000,000; 14 are from France, that owes us $4,000,000,000; 2 are from Germany, that owes us one and a quarter billion dollars; 2 are from Estonia; 2 from Italy, that owes us $2,000,000,000; 1 from Lithuania, which owes us seven and three-quarters million dollars, and 1 from Rumania, which owes us $64,000,000—37 out of a total of 83 from nations that owe us millions and billions of dollars and who have never offered us a sound reason for the nonpayment of these obligations. Mr. Chairman, if we are going to offend other nations by taking their property which is in our ports, we will not offend to any greater extent by saying to them, "You are going to pay us by delivering property to us in kind," and applying the obligation of that property to the indebtedness these nations owe us. I insist it is good business on the part of the Nation and the Congress, as its spokesman, to require them to pay us now while we have an opportunity to at least recoup some of the loss which we should not be called upon to suffer at their hands. I insist upon the adoption of this amendment.

Mr. FISH. Mr. Chairman, the argument the gentleman has just made is simply this: He says that because Soviet Russia practices communism therefore we should do the same thing, that we should seize private or foreign property, confiscate it, and not pay any compensation whatever.

Mr. PEARSON. Mr. Chairman, will the gentleman yield?

Mr. FISH. No. These ships belong to private individuals. They do not belong to the nations concerned, and even if they did the precedent would be bad.

Mr. PEARSON. Mr. Chairman, will the gentleman yield?

Mr. FISH. I cannot yield in 2½ minutes. They do not belong to Latvia or Estonia, or to the Dutch or the Danes, but they belong to individuals and the gentleman proposes that we should seize private property without compensation, which is highway robbery, which is communism in practice. That is the proposal of the gentleman because these ships are owned by private individuals, although there may be some government subsidies, for mail or other reasons, received by some of the ships seized.

I am not willing to vote to seize any foreign ships, which is bad enough practice in itself, and then refuse to pay compensation for them under the alibi that France, Belgium, or Italy had not paid their entire war debts to us. I believe on reflection that Members of Congress will realize that such an argument is flimsy, unjust, unprecedented, and adding insult to injury. We must not by an act of Congress put ourselves on a par with the Communists and virtually confiscate foreign property in America.

When any nation, including our own, seizes foreign property without just and adequate compensation it is highway robbery and communism and a deplorable precedent for us to establish.

I hope this House will vote down the amendment.

Mr. PEARSON. Will the gentleman yield to me?

Mr. FISH. Certainly I yield.

Mr. PEARSON. This amendment says "property belonging to any government," and not to any individual.

Mr. FISH. These ships are all owned by individuals. They are all privately owned ships but even if any are government owned it would be an evil and dangerous precedent for us to establish with the second greatest merchant fleet in the world and possibly the largest if the European war continues another year.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] is recognized.

Mr. BLAND. Mr. Chairman, I do not know of any amendment that could be offered on this floor that would place this Government in a more humiliating and difficult situation than the amendment under consideration. The gentleman from New York [Mr. FISH], has aptly said that this is private property. Here are the ships of France, torn, enslaved, bleeding, and crushed, and we stand like a Shylock saying, "My pound of flesh." At a time when the liberties of the world are extinct and freedom itself is in the balance we talk about credits or debts due us. In Heaven's name, defeat this amendment.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Without objection the Clerk will again report the amendment.

There being no objection, the Clerk again reported the amendment offered by Mr. PEARSON.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. BLAND) there were—ayes 103, noes 104.

Mr. PEARSON. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. PEARSON and Mr. BLAND to act as tellers.

The Committee again divided; and the tellers reported there were ayes 143 and noes 122.

So the amendment was agreed to.

Mr. MICHENER. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. MICHENER: After the comma following the word "defense", in line 3, page 1, strike out the remainder of line 3, all of lines 4 and 5 and all of line 6 preceding the word "the"; so that the amended part of the section will read as follows: "that for the purposes of national defense the President is authorized and empowered," and so forth.

Mr. BLAND. Mr. Chairman, a point of order. I make the point of order that the amendment has already been adopted. As I understand, that takes out the committee amendment which was voted in.

Mr. MICHENER. Not entirely, Mr. Chairman.

The CHAIRMAN (Mr. COSTELLO). The gentleman from Michigan is offering in his amendment language other than that which comes within the committee amendment. Therefore it is in order.

The gentleman from Michigan is recognized.

Mr. MICHENER. Mr. Chairman, section 1 of this bill makes the President's proclamation of a so-called limited emergency on April 8, 1939, a part of this bill by reference thereto. The only purpose of the amendment which I have offered is to strike that language from the bill. The substance of that language has been inserted in many bills sponsored by the administration since April 8, 1939. In some instances, the reference slipped through or was permitted to remain in the bill and, therefore, is now a part of the law. However, the language used made the proclamation effective only as to the specific law in which it is found.

The official copy of the limited emergency proclamation is found in the Federal Register of September 9, 1939. That proclamation is made pursuant to and for the purpose of carrying out the neutrality proclamation of September 5, 1939, found in the Federal Register of September 6, 1939. Both of these proclamations should be a part of the CONGRESSIONAL RECORD for future reference.

The neutrality proclamation of September 5, 1939, is as follows:

PROCLAIMING THE NEUTRALITY OF THE UNITED STATES IN THE WAR BETWEEN GERMANY AND FRANCE; POLAND; AND THE UNITED KINGDOM, INDIA, AUSTRALIA, AND NEW ZEALAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas a state of war unhappily exists between Germany and France; Poland; and the United Kingdom, India, Australia, and New Zealand;

And whereas the United States is on terms of friendship and amity with the contending powers, and with the persons inhabiting their several dominions;

And whereas there are nationals of the United States residing within the territories or dominions of each of the said belligerents, and carrying on commerce, trade, or other business or pursuits therein;

And whereas there are nationals of each of the said belligerents residing within the territory or jurisdiction of the United States, and carrying on commerce, trade, or other business or pursuits therein;

And whereas the laws and treaties of the United States, without interfering with the free expression of opinion and sympathy, nevertheless impose upon all persons who may be within their territory and jurisdiction the duty of an impartial neutrality during the existence of the contest;

And whereas it is the duty of a neutral government not to permit or suffer the making of its territory or territorial waters subservient to the purposes of war: Now, therefore,

I, Franklin D. Roosevelt, President of the United States of America, in order to preserve the neutrality of the United States and of its citizens and of persons within its territory and jurisdiction, and to enforce its laws and treaties, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from any violation of the same, do hereby declare and proclaim that by certain provisions of the act approved on the 4th day of March A. D. 1909, commonly known as the Penal Code of the United States, and of the act approved on the 15th day of June A. D. 1917, the following acts are forbidden to be done, under severe penalties, within the territory and jurisdiction of the United States, to wit:

1. Accepting and exercising a commission to serve one of the said belligerents by land or by sea against an opposing belligerent.

2. Enlisting or entering into the service of a belligerent as a soldier, or as a marine, or seaman on board of any ship of war, letter of marque, or privateer.

3. Hiring or retaining another person to enlist or enter himself in the service of a belligerent as a soldier, or as a marine, or seaman on board of any ship of war, letter of marque, or privateer.

4. Hiring another person to go beyond the limits or jurisdiction of the United States with intent to be enlisted as aforesaid.

5. Hiring another person to go beyond the limits or jurisdiction of the United States with intent to be entered into service as aforesaid.

6. Retaining another person to go beyond the limits or jurisdiction of the United States to be enlisted as aforesaid.

7. Retaining another person to go beyond the limits or jurisdiction of the United States with intent to be entered into service as aforesaid. (But the said act of the 4th day of March, A. D. 1909, as amended by the act of the 15th day of June, A. D. 1917, is not to be construed to extend to a citizen or subject of a belligerent who, being transiently within the jurisdiction of the United States, shall, on board of any ship of war, which, at the time of its arrival within the jurisdiction of the United States, was fitted and equipped as such ship of war, enlist or enter himself or hire or retain another subject or citizen of the same belligerent, who is transiently within the jurisdiction of the United States, to enlist or enter himself to serve such belligerent on board such ship of war, if the United States shall then be at peace with such belligerent.)

8. Fitting out and arming, or attempting to fit out and arm, or procuring to be fitted out and armed, or knowingly being concerned in the furnishing, fitting out, or arming of any ship or vessel with intent that such ship or vessel shall be employed in the service of one of the said belligerents to cruise, or commit hostilities against the subjects, citizens, or property of an opposing belligerent.

9. Issuing or delivering a commission within the territory or jurisdiction of the United States for any ship or vessel to the intent that she may be employed as aforesaid.

10. Increasing or augmenting, or procuring to be increased or augmented, or knowingly being concerned in increasing or augmenting, the force of any ship of war, cruiser, or other armed vessel, which at the time of her arrival within the jurisdiction of the United States was a ship of war, cruiser, or armed vessel in the service of a belligerent, or belonging to a national thereof, by adding to the number of guns of such vessel, or by changing those on board of her for guns of a larger caliber, or by the addition thereto of any equipment solely applicable to war.

11. Knowingly beginning or setting on foot or providing or preparing a means for or furnishing the money for, or taking part in, any military or naval expedition or enterprise to be carried on from the territory or jurisdiction of the United States against the territory or dominion of a belligerent.

12. Dispatching from the United States, or any place subject to the jurisdiction thereof, any vessel, domestic or foreign, which is about to carry to a warship, tender, or supply ship of a belligerent any fuel, arms, ammunition, men, supplies, dispatches, or information shipped or received on board within the jurisdiction of the United States.

13. Dispatching from the United States, or any place subject to the jurisdiction thereof, any armed vessel owned wholly or in part by American citizens, or any vessel, domestic or foreign (other than one which has entered the jurisdiction of the United States as a public vessel), which is manifestly built for warlike purposes or has been converted or adapted from a private vessel to one suitable for warlike use, and which is to be employed to cruise against or commit or attempt to commit hostilities upon the subjects, citizens, or property of a belligerent nation, or which will be sold or delivered to a belligerent nation, or to an agent, officer, or citizen thereof, within the jurisdiction of the United States, or, having left that jurisdiction, upon the high seas.

14. Despatching from the United States, or any place subject to the jurisdiction thereof, any vessel built, armed, or equipped as a ship of war, or converted from a private vessel into a ship of war (other than one which has entered the jurisdiction of the United States as a public vessel), with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation, or to any agent, officer, or citizen of such nation, or where there is reasonable cause to believe that the said vessel shall or will be employed in the service of such belligerent nation after its departure from the jurisdiction of the United States.

15. Taking, or attempting or conspiring to take, or authorizing the taking of any vessel out of port or from the jurisdiction of the United States in violation of the said act of the 15th day of June, A. D. 1917, as set forth in the preceding paragraphs, Nos. 11 to 14, inclusive.

16. Leaving or attempting to leave the jurisdiction of the United States by a person belonging to the armed land or naval forces of a belligerent who shall have been interned within the jurisdiction of the United States in accordance with the law of nations, or leaving or attempting to leave the limits of internment in which freedom of movement has been allowed, without permission from the proper official of the United States in charge, or wilfully overstaying a leave of absence granted by such official.

17. Aiding or enticing any interned person to escape or attempt to escape from the jurisdiction of the United States, or from the limits of internment prescribed.

And I do hereby further declare and proclaim that any frequenting and use of the waters within the territorial jurisdiction of the United States by the vessels of a belligerent, whether public ships or privateers for the purpose of preparing for hostile operations, or as posts of observation upon the ships of war or privateers or merchant vessels of an opposing belligerent must be regarded as unfriendly and offensive, and in violation of that neutrality which it is the determination of this Government to observe; and to the end that the hazard and inconvenience of such apprehended practices may be avoided, I further proclaim and declare that from and after the 5th day of September instant, and so long as this proclamation shall be in effect, no ship of war or privateer of any belligerent shall be permitted to make use of any port, harbor, roadstead, or waters subject to the jurisdiction of the United States as a station or place of resort for any warlike purpose or for the purpose of obtaining warlike equipment; no privateer of a belligerent shall be permitted to depart from any port, harbor, roadstead, or waters subject to the jurisdiction of the United States; and no ship of war of a belligerent shall be permitted to sail out of or leave any port, harbor, roadstead, or waters subject to the jurisdiction of the United States from which a vessel of an opposing belligerent (whether the same shall be a ship of war or a merchant ship) shall have previously departed, until after the expiration of at least 24 hours from the departure of such last-mentioned vessel beyond the jurisdiction of the United States.

If any ship of war of a belligerent shall, after the time this notification takes effect, be found in, or shall enter any port, harbor, roadstead, or waters subject to the jurisdiction of the United States, such vessel shall not be permitted to remain in such port,

harbor, roadstead, or waters more than 24 hours, except in case of stress of weather, or for delay in receiving supplies or repairs, or when detained by the United States; in any of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as the cause of the delay is at an end, unless within the preceding 24 hours a vessel, whether ship of war or merchant ship of an opposing belligerent, shall have departed therefrom, in which case the time limited for the departure of such ship of war shall be extended so far as may be necessary to secure an interval of not less than 24 hours between such departure and that of any ship of war or merchant ship of an opposing belligerent which may have previously quit the same port, harbor, roadstead, or waters.

Vessels used exclusively for scientific, religious, or philanthropic purposes are exempted from the foregoing provisions as to the length of time ships of war may remain in the ports, harbors, roadsteads, or waters subject to the jurisdiction of the United States.

The maximum number of ships of war belonging to a belligerent and its allies which may be in one of the ports, harbors, or roadsteads subject to the jurisdiction of the United States simultaneously shall be three.

When ships of war of opposing belligerents are present simultaneously in the same port, harbor, roadstead, or waters, subject to the jurisdiction of the United States, the one entering first shall depart first, unless she is in such condition as to warrant extending her stay. In any case the ship which arrived later has the right to notify the other through the competent local authority that within 24 hours she will leave such port, harbor, roadstead, or waters, the one first entering, however, having the right to depart within that time. If the one first entering leaves, the notifying ship must observe the prescribed interval of 24 hours. If a delay beyond 24 hours from the time of arrival is granted, the termination of the cause of delay will be considered the time of arrival in deciding the right of priority in departing.

Vessels of a belligerent shall not be permitted to depart successively from any port, harbor, roadstead, or waters subject to the jurisdiction of the United States at such intervals as will delay the departure of a ship of war of an opposing belligerent from such ports, harbors, roadsteads, or waters for more than 24 hours beyond her desired time of sailing. If, however, the departure of several ships of war and merchant ships of opposing belligerents from the same port, harbor, roadstead, or waters is involved, the order of their departure therefrom shall be so arranged as to afford the opportunity of leaving alternately to the vessels of the opposing belligerents, and to cause the least detention consistent with the objects of this proclamation.

All belligerent vessels shall refrain from use of their radio and signal apparatus while in the harbors, ports, roadsteads, or waters subject to the jurisdiction of the United States, except for calls of distress and communications connected with safe navigation or arrangements for the arrival of the vessel within, or departure from, such harbors, ports, roadsteads, or waters, or passage through such waters; provided that such communications will not be of direct material aid to the belligerent in the conduct of military operations against an opposing belligerent. The radio of belligerent merchant vessels may be sealed by the authorities of the United States, and such seals shall not be broken within the jurisdiction of the United States except by proper authority of the United States.

No ship of war of a belligerent shall be permitted, while in any port, harbor, roadstead, or waters subject to the jurisdiction of the United States, to take in any supplies except provisions and such other things as may be requisite for the subsistence of her crew in amounts necessary to bring such supplies to her peace standard, and except such fuel, lubricants, and feed water only as may be sufficient, with that already on board, to carry such vessel, if without any sail power, to the nearest port of her own country; or in case a vessel is rigged to go under sail, and may also be propelled by machinery, then half the quantity of fuel, lubricants, and feed water which she would be entitled to have on board if dependent upon propelling machinery alone, and no fuel, lubricants, or feed water shall be again supplied to any such ship of war in the same or any other port, harbor, roadstead, or waters subject to the jurisdiction of the United States until after the expiration of 3 months from the time when such fuel, lubricants and feed water may have been last supplied to her within waters subject to the jurisdiction of the United States. The amounts of fuel, lubricants, and feed water allowable under the above provisions shall be based on the economical speed of the vessel, plus an allowance of 30 percent for eventualities.

No ship of war of a belligerent shall be permitted, while in any port, harbor, roadstead, or water subject to the jurisdiction of the United States, to make repairs beyond those that are essential to render the vessel seaworthy and which in no degree constitute an increase in her military strength. Repairs shall be made without delay. Damages which are found to have been produced by the enemy's fire shall in no case be repaired.

No ship of war of a belligerent shall effect repairs or receive fuel, lubricants, feed water, or provisions within the jurisdiction of the United States without written authorization of the proper authorities of the United States. Before such authorization will be issued, the commander of the vessel shall furnish to such authorities a written declaration, duly signed by such commander, stating the date, port, and amounts of supplies last received in the jurisdiction of the United States, the amounts of fuel, lubricants, feed water, and provisions on board, the port to which the vessel is proceeding, the economical speed of the vessel, the rate of consumption of fuel, lubricants, and feed water at such speed, and the amount of each class of supplies desired. If repairs are desired, a similar declaration shall be furnished stating the cause of the damage and the nature of the repairs. In either case, a certificate shall be included to the effect that the desired services are in accord with the rules of the United States in that behalf.

No agency of the United States Government shall, directly or indirectly, provide supplies nor effect repairs to a belligerent ship of war.

No vessel of a belligerent shall exercise the right of search within the waters under the jurisdiction of the United States, nor shall prizes be taken by belligerent vessels within such waters. Subject to any applicable treaty provisions in force, prizes captured by belligerent vessels shall not enter any port, harbor, roadstead, or waters under the jurisdiction of the United States except in case of unseaworthiness, stress of weather, or want of fuel or provisions; when the cause has disappeared, the prize must leave immediately, and if a prize captured by a belligerent vessel enters any port, harbor, roadstead, or waters subject to the jurisdiction of the United States for any other reason than on account of unseaworthiness, stress of weather, or want of fuel or provisions, or fails to leave as soon as the circumstances which justified the entrance are at an end, the prize with its officers and crew will be released and the prize crew will be interned. A belligerent prize court cannot be set up on territory subject to the jurisdiction of the United States or on a vessel in the ports, harbors, roadsteads, or waters subject to the jurisdiction of the United States.

The provisions of this proclamation pertaining to ships of war shall apply equally to any vessel operating under public control for hostile or military purposes.

And I do further declare and proclaim that the statutes and the treaties of the United States and the law of nations alike require that no person, within the territory and jurisdiction of the United States, shall take part, directly or indirectly, in the said war, but shall remain at peace with all of the said belligerents, and shall maintain a strict and impartial neutrality.

And I do further declare and proclaim that the provisions of this proclamation shall apply to the Canal Zone except insofar as such provisions may be specifically modified by a proclamation or proclamations, issued for the Canal Zone.

And I do hereby enjoin all nationals of the United States, and all persons residing or being within the territory or jurisdiction of the United States, to observe the laws thereof, and to commit no act contrary to the provisions of the said statutes or treaties or in violation of the law of nations in that behalf.

And I do hereby give notice that all nationals of the United States and others who may claim the protection of this Government, who may misconduct themselves in the premises, will do so at their peril, and that they can in no wise obtain any protection from the Government of the United States against the consequences of their misconduct.

This proclamation shall continue in full force and effect unless and until modified, revoked, or otherwise terminated, pursuant to law.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 5th day of September in the year of our Lord nineteen hundred and thirty-nine, and of the Independence of the United States of America the one hundred and sixty-fourth.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,

Secretary of State.

The so-called limited-emergency proclamation of September 8, 1939, is as follows:

PROCLAIMING A NATIONAL EMERGENCY IN CONNECTION WITH THE OBSERVANCE, SAFEGUARDING, AND ENFORCEMENT OF NEUTRALITY AND THE STRENGTHENING OF THE NATIONAL DEFENSE WITHIN THE LIMITS OF PEACETIME AUTHORIZATIONS

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas a proclamation issued by me on September 5, 1939, proclaimed the neutrality of the United States in the war now unhappily existing between certain nations; and

Whereas this state of war imposes on the United States certain duties with respect to the proper observance, safeguarding, and enforcement of such neutrality, and the strengthening of the national defense within the limits of peacetime authorizations; and

Whereas measures required at this time call for the exercise of only a limited number of the powers granted in a national emergency:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do proclaim that a national emergency exists in connection with and to the extent necessary for the proper observance, safeguarding, and enforcing of the neutrality of the United States and the strengthening of our national defense within the limits of peacetime authorizations. Specific directions and author-

izations will be given from time to time for carrying out these two purposes.

In witness whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 8th day of September, in the year of our Lord 1939, and of the Independence of the United States of America the one hundred and sixty-fourth.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

The neutrality proclamation is most restrictive and was formulated for the express purpose of keeping this country neutral and out of this foreign war.

The purpose of the limited-emergency proclamation is to implement the neutrality proclamation, and in it the President proclaimed "that a national emergency exists in connection with and to the extent necessary for the proper observance, safeguarding, and enforcement of the neutrality of the United States and the strengthening of our national defense within the limits of peacetime authorizations." I repeat this part of the proclamation to call attention to the fact that two things are contemplated: A neutral Nation and a proper national defense for a neutral Nation. In fact, we have long since abandoned our neutrality, and we do not have an adequate defense. Why invoke the neutrality law in connection with this law, the purpose of which is to aid one belligerent?

The President has no inherent power to proclaim a national emergency, limited or otherwise, if and when it suits his fancy. His emergency power is found either in the Constitution or in the statute law of the land. When this country is officially at war the President undoubtedly has the authority to proclaim a national emergency. Otherwise, he must be controlled by the law of the land. I have not yet heard a lawyer contend that the President had any authority to declare a general emergency on September 8, 1939. Indeed, I think it is generally admitted that there is no legal foundation for that order.

On many occasions since the order was issued, however, the administration has presented legislation to Congress which contained reference to this proclamation, couched in such language as to make the President's unwarranted limited-emergency proclamation the declaration of the Congress and the President, if enacted into law. Many times committees have stricken such language from bills. I see before me the chairman of the Judiciary Committee, of which I am a member, and I am sure that the Judiciary Committee has eliminated language of this type from bills coming from that committee. I recall asking the Attorney General, when he was before the committee recently, as to the authority for this Presidential proclamation. He did not cite any authority.

It might be said that this bill, H. R. 4466, is divided into two parts. Sections 1 and 2 confer additional power on the President and make the $7,000,000,000 lend-lease appropriation available to the President for the purposes of this bill. The remainder of the bill is but a formula giving directions as to how the United States Maritime Commission, the Department of Commerce, and other Federal agencies shall function in connection with the ships, boats, and vessels to be confiscated by the President under the authority of section 1 of the bill.

There is no question but that if this bill is enacted into law as written, and if the ships of belligerent nations which sought sanctuary in our neutral ports are requisitioned or taken by our Government and delivered to other belligerents in the common war, international law as we have always known it will have been violated. Indeed, this hostile act on the part of our Government will be added to the acts of war already committed by our Government in the effort of this country to aid the democracies. I therefore supported the Culkin amendment, which would have removed this dangerous feature from the bill.

I fully realize that my amendment has no chance of succeeding unless it is accepted by the committee. The amendment is offered in an honest effort to clarify and make this law better. Nothing will be taken away from the potentiality of the law by the acceptance of this amendment. The inconsistency of making a neutrality proclamation a part of a bill, the purpose of which is exactly the contrary, will be removed. I would that I had more time to amplify. If this amendment is adopted, I shall offer perfecting amendments to the remainder of the bill to meet the changes brought about by this amendment.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if you will read the bill you will note that the language inserted by the committee limits the period during which the powers conferred under this bill can be exercised. If the amendment offered by the gentleman from Michigan is adopted then we would be passing a bill in this House which would give to the President power which would last for all time.

Mr. MICHENER. Mr. Chairman, will the gentleman yield right there?

Mr. McCORMACK. I yield.

Mr. MICHENER. I may say for the gentleman's information that I was cut short in my speech, that I have two amendments at the desk which will clarify this situation and take care of the very thing the gentleman from Massachusetts is talking about.

Mr. McCORMACK. I am glad of that because I have such profound respect for my friend that I would like to have the whole picture presented; but the amendment he offered of itself would give to the President power for all time, and certainly we do not want to grant the power beyond the reasonable period which has been stated in this bill.

On page 2 of the bill, furthermore, you will find in line 1 the language, "for any period during such emergency." Unless the gentleman from Michigan intends to strike out that language the adoption of this amendment would leave the bill in a meaningless position.

Mr. MICHENER. May I interrupt to say that I have at the Speaker's desk an amendment that would take care of the gentleman's criticisms?

Mr. McCORMACK. In any event, if the gentleman from Michigan has an amendment to take care of everything the committee has done in the bill, it seems to me it would be unnecessary to adopt any of the amendments the gentleman has offered. I hope this amendment will be defeated. I assume the other amendments are related to this, and I hope they will be defeated, too. Now, if I may be permitted, I should like to say a few words regarding the last amendment that was adopted.

I understand the state of mind that prompted the adoption of the last amendment, and I would like to have followed such a state of mind. We hear from our Republican friends the cry that this bill is a further step toward war, yet in the last amendment, the Pearson amendment, over 90 percent of the Republican Members present at the time the amendment was voted upon, voted for it. When you voted for that amendment you voted for an amendment that is along the very lines of your argument, an amendment that might well be construed as constituting an overt act; because under the bill we are taking vessels and providing payment for them, yet you voted for an amendment that would prohibit any of the payment money reaching the nation whose ships are to be paid for under the bill. In other words, under that amendment we would be taking the vessels and for all practical purposes not paying for them. You voted the very opposite of your argument; you voted in favor of an amendment which if anything might constitute an overt act. Again, it shows the inconsistency of the Republican Party. The great majority of them have time and time again, particularly on bills of this character during the last year and a half, spoken one way but voted another. [Laughter.] Oh, yes; you cannot take it; you cannot take it; you never could. [Applause.] Speaking one way and voting another. Ninety percent of the Republicans present voted for an amendment which was directly along the lines of your arguments condemning this bill.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. OLIVER. Is it not a fact that any money that might be due to a belligerent, even if this amendment were not in the bill, probably would be frozen? In any event it would not be turned over to the government under whose flag those ships are registered; it would be frozen here.

Mr. McCORMACK. That is immaterial. [Laughter.] The fact is that over 90 percent of the Republican Members voted for an amendment [laughter]—well, do not lose your good nature, do not show your intolerance; do not get to that point. When it comes to that day in this House then it is time for all of us to do a little thinking. But over 90 percent of the Republican Members voted for an amendment that in effect constitutes the very overt act they have been claiming this bill constitutes and which they have been arguing against. I want to call to your attention the fact that as usual the Republicans are talking one

way and voting another. [Laughter and applause.]

Mr. OLIVER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, in view of the remarks made by my good friend the distinguished gentleman from Massachusetts, it seems to me that we should stop and consider the actual possibilities under the Pearson amendment, which to my way of thinking, does not keep from belligerent nations any funds that we have paid them. The very consideration which has been given under the policies of this administration to the effect that the funds of all belligerents should be frozen in this Nation constitute an act of war more far-reaching than the Pearson amendment.

So far as consistency is concerned, it seems to me that anybody who voted for the Pearson amendment voted for the best financial interests of this country, and I suppose in the final analysis that is the motive we all have in mind when we support any amendment or legislation in this House. In any event, that is what motivated me in voting for the Pearson amendment, and I was pleased to have the opportunity to do so.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 12 minutes.

The CHAIRMAN Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I just want to call attention to the amendment that the gentleman from Massachusetts, the majority leader, referred to. The amendment was offered by the gentleman from Tennessee [Mr. PEARSON], a Democrat, and that is the amendment which the Republicans supported. It was not supported with the idea that it was a political amendment in any sense.

We believe that these countries long, long ago should have paid the money they owe the United States and we should give them credit if any of their ships are taken over.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, I take this time to reply to the very able and adroit majority leader who has drawn a red herring of political bigotry over every phase of this discussion. It is unlike him, it is unworthy of him.

We have attempted to approach this question, which in the last analysis may be a matter of the blood of our young people, with some degree of dignity. This is a national question, it is not a partisan question [applause], and I deplore the discussion of the gentleman, the distinguished majority leader, impugning our political motives when we are dealing with the blood of America and the subsequent fate of this Republic.

I hope in the future, in keeping with his great ability, he will pitch this debate on a much higher plane than he did in his last discussion. Open debate is the essence of democracy, as the very able majority leader knows—and to throw dust in the eyes of party does no service to national unity and the cause of peace which we all espoused before election. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, I hesitate to make the observation or rather the caution, but I have been watching the House and I observe the development of a dangerous attitude in a situation in which that attitude may become doubly dangerous. It is on each side of this aisle which separates the Democratic and the Republican Members. The Members of the House have been under a tremendous strain for a long time. That strain naturally is telling upon the temper, the restraint, and the forbearance of all of us. It is impossible for us to proceed as we ought to proceed and that fact we must keep constantly in mind. I hesitate to say this because I may appear to be lecturing, and I do not mean to do that. We have a big job ahead of us, not as Republicans or Democrats, and not as politicians either, but as statesmen; otherwise our country is lost.

We must all be conscious of the fact that day by day we are moving closer and closer to actual fighting contact with this great war. While this line divides us, Democrats and Republicans, and these preliminary skirmishes which we participate in today are unavoidable, perhaps we must not forget that we are moving toward the supreme crisis. There is no question about that, with the possibility that we may be the only nation on our side standing face to face with the greatest fighting machine ever organized on earth, and I apologize again for saying this, because I may seem to lecture. I do not mean it that way, but we must not permit ourselves to get out of hand. Ours is not a job which can be done by a membership divided by this aisle, divided by the consciousness that we are Democrats and Republicans with a party solidarity to preserve and a party interest to serve. In this hour we have a national solidarity to preserve and a nation to serve. That is our business—our only business now. I speak alike to Democrats and Republicans. I speak to myself and to you. It is a common strain we are all under. It is a common danger we are under, too. It is no time to play politics on either side of this center aisle. If we would each watch his side of the aisle as closely as we watch the other side of the aisle, there would not be much left for anybody to watch. I believe that is a fair statement. We confront a responsibility that sobers judgment and ought to eliminate that center line. We are going to have to, to the best of our ability, before we get through. I have seen these tests come before and we are going to meet them again. May I say to the country that whatever may be the appearance today, when that time comes under the supreme challenge, this line will not divide the patriots of America who sit in the House of Representatives. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Chairman, I take this time for the purpose of getting the record straight on this national-emergency proposal. I really do not know what is in the mind of the gentleman from Michigan when he sees red every time we talk about national emergency. He brought this question up in the Rules Committee and I looked the matter up.

The effective clause provision reading as follows:

During the national emergency declared by the President on September 8, 1939, to exist—

appears in sections 1, 2, 3, 4, 5, 6, 7, and 8, Public, No. 671, approved June 28, 1940. That was an act to expedite national defense, and for other purposes.

Section 12 of that act provides that the provisions of all preceding sections of the act shall terminate June 30, 1942, unless Congress shall otherwise provide.

Public, No. 671, contains the various emergency provisions relating to contract authority of the Army and Navy Departments, including the negotiation of contracts, the imposition of priorities, and the adjustment of existing contract.

Section 2 of Public, No. 873, Seventy-sixth Congress, establishing overtime rates of compensation for field-service employees of the War Department, provides that the act shall be effective—

during the national emergency declared by the President on September 8, 1939, to exist, and shall terminate June 30, 1942, unless the Congress shall otherwise provide.

Section 301 of the Second Supplemental National Defense Appropriation Act, 1941, approved September 9, 1940 (Public, No. 781, 76th Cong.), waived certain provisions of law—

during the national emergency declared by the President on September 8, 1939, to exist.

The effective period of sections 1, 2, 3, and 4 of H. R. 3252, Seventy-seventh Congress, approved very recently, making emergency provision for certain activities of the Maritime Commission, is—

during the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942.

The President's authority under the lease-lend law expires not later than June 30, 1943.

Thus we have authority after authority for the action of this Congress in recognizing a national emergency as declared by the President on September 8, 1939. To omit that language from this act would seem to indicate some other motive, some other purpose, than that which the gentleman from Michigan indicates. This language only brings it in line with legislation that has been frequently passed by this House, as I have shown in this memorandum.

Mr. Chairman, I ask that the amendment be defeated. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MICHENER].

The amendment was rejected.

The Clerk read as follows:

SEC. 2. Funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.),

are hereby made available to carry out the provisions of section 1 hereof.

With the following committee amendment:

Page 2, in line 14, after "hereof", insert "including payment of the costs of repair, reconstruction, or reconditioning necessary or incidental to the use or disposition under this act of vessels acquired, or the use or possession of which is acquired, under such section."

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have not taken any time on this particular bill, but I cannot help but call the attention of the committee to the statement made yesterday by the gentleman from Georgia [Mr. Cox], referring to House bill 4466.

It is not a peace measure. It carries war powers.

He further went on to state, and I quote:

When the lease-lend bill was before the House I referred to it as a war measure. That shocked some of my colleagues; nevertheless, I thought it carried war powers, and I still think so. I think it moved us further down the road toward war.

This bill carries us even further. It is an announcement that we have at last arrived. It provides for the seizing of the ships of foreign owners that are now in our ports, we to make such use of them as we see fit.

I do not agree exactly with the gentleman from Georgia, but I do congratulate him on having the nerve to come out and say what he actually thinks. I can disagree with a man if I know where he is, but when I do not know where he stands I do not know what to do with him. I like an honest, straightforward man.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I cannot yield.

Mr. RAMSPECK. I would like the gentleman to indicate to which gentleman from Georgia he refers.

Mr. RICH. Mr. Cox, a really fine American citizen. An honest, fearless Representative who says what he thinks, and votes as he talks.

When Italy went to war against Ethiopia we deplored the fact that it did not declare war on that country. When Germany went into Poland, when it went into Belgium, when it went into Holland, and into Norway, we deplored the fact that it went into these small nations without declaring war. When Russia went into Finland we deplored the same thing. When Japan went into China we deplored the fact that it was warring with another nation without declaring war.

If it is the desire of this administration to do the things you do when you are in war we ought to be big enough and honest enough and honorable enough to come out and declare war on the nations we are going to combat.

It seems to me that when statements are made on the floor of the House that because of political party and because we do not agree with the majority we are appeasers, surrenderers, or yielders, it is about time this country wakes up to such loose talk. Thank God we yet have free speech, and we will have it in this country, as far as I am concerned, until you declare war. If you men are big enough and honorable enough to declare war on those nations, then I will shut up, I will go along with you, but I will be blamed if I will go along until the time comes that you assert yourselves and do it in an honest and honorable way. Stop fooling the American people. Be honest. Keep us out of war. We are very unwise to be led into another European conflict. Never again for me or our country.

Mr. BLAND. Mr. Chairman, will the gentleman yield for a question?

Mr. RICH. I yield to the gentleman from Virginia.

Mr. BLAND. Is the gentleman opposing the amendment?

Mr. RICH. I have not had an opportunity to say anything on this bill, and I want you and the public to know where I stand on it.

Mr. BLAND. I am not criticizing the gentleman.

Mr. RICH. I have been trying to be consistent. I voted against conscription, I voted against the lease-lend bill, I voted against the $7,000,000,000 bill, and I am going to vote against this bill, because I believe in America and I am going to do what I can to save America first. I am more interested in America than I am in trying to get across in Europe with our boys to be slaughtered. [Applause.]

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. (a) During the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the United States Maritime Commission, whenever it finds that vessels in addition to those otherwise available are necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense, is authorized, notwithstanding any other provision of law, (1) to charter any vessel, whether undocumented or documented under the laws of the United States or of a foreign country, deemed by the Commission to be suitable for such transportation, without regard to the provisions of section 3709 of the Revised Statutes, on a time-charter or bare-boat basis, upon such terms and conditions, and for such period or periods, as the Commission may deem necessary or desirable in the public interest, and at such rate of hire as it may deem to be fair and reasonable in view of the attendant circumstances, and (2) to charter any vessel chartered by the Commission under clause (1) hereof to a private operator, a citizen of the United States (including a corporation, partnership, or association, only if it is a citizen of the United States within the meaning of section 2 of the Shipping Act, 1916, as amended), or to any department or agency of the United States Government, without regard to the provisions of title VII of the Merchant Marine Act, 1936, on time-charter or bare-boat basis, for use in any foreign trade or service or as otherwise hereinafter provided, upon such terms and conditions, for such period or periods, and subject to such restrictions as the Commission may deem necessary or desirable for the protection of the public interest, and at such rate of hire as it may deem to be fair and reasonable. All moneys received by the Commission under the provisions of this subsection shall be deposited in the construction fund of the Commission, and all disbursements made by the Commission in carrying out the provisions of this subsection shall be paid from such fund.

(b) The Commission is authorized to provide such insurance and reinsurance with respect to vessels (including any interest of the owner or charterer) chartered, purchased, requisitioned, or the title to which or the possession of which is taken over, under this act, as it may deem necessary in connection with the operation, use, or disposition thereof under this act, whenever it appears to the Commission that adequate and satisfactory insurance is not otherwise obtainable at reasonable rates and upon reasonable terms and conditions. The fund established pursuant to Public Resolution No. 94, Seventy-sixth Congress, approved July 18, 1940 (54 Stat. 766), shall be available for all purposes of this subsection; and all moneys received from premiums and from salvage or other recoveries and all receipts in connection with such insurance shall be deposited to the credit of such fund, and all disbursements made by the Commission in carrying out the provisions of this subsection, including the payment of return premiums and all liabilities incurred hereunder, shall be paid from such fund. The provisions of sections 225 and 226 (a) to (e), inclusive, of the Merchant Marine Act, 1936, as amended, shall be applicable in the administration of this subsection.

(c) Nothing in this act shall be construed to modify or affect any provision of the Neutrality Act of 1939, as amended.

With the following committee amendment:

On page 3, in line 22, after the word "reasonable", insert "Any department or agency of the United States Government is authorized to enter into such charters."

The committee amendment was agreed to.

Mr. BRADLEY of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, a few moments ago I listened with rapt attention to the remarks of the very distinguished gentleman from Texas [Mr. SUMNERS] who always gives forth words of real wisdom in the well of this House, and I join with him in expressing my regretful concern at the temper of this committee today as exhibited several times in this debate. For instance, I know that it was perhaps an oversight on the part of the majority, but when the gentlewoman from Montana [Miss RANKIN] was in this well several hours ago and talked about Mother's Day next Sunday and pleaded for the mothers of America in these critical times, all the applause emanated from my side, the Republican side, of the aisle. I am sure this was an oversight on the part of the majority, because for one I do not want to question the patriotism of any man in this House on either side of the aisle, nor do I expect that concern for nor sympathy with the mothers of America is lacking on the majority side, and, particularly, may I say at this time that those of us who are on the Merchant Marine Committee have the highest regard for the fairness of our chairman, the most estimable gentleman from Virginia [Mr. BLAND], for the gentleman from Georgia [Mr. RAMSPECK], and the other members on the majority side. But now, to keep the record straight, the gentleman from Georgia [Mr. RAMSPECK] has on numerous occasions during this debate referred to the fact that the Germans seized the Coca-Cola Co. trucks in Germany after this

war started, and he has used that as an argument in justification of our seizure of these foreign ships.

I have checked with the Legislative Reference Service in the Congressional Library and I find that the Coca-Cola Co. has many foreign branches operating and organized under the laws of foreign countries. For instance, we have the Coca-Cola Co. of London, the Coca-Cola Co. of South Africa and of Cuba and Canada, as well as a Danish Coca-Cola Co., as well as at least seven others listed which do not name their nationalities. Hence, while I am not a lawyer, I offer this as a thought in passing, namely, the German Government being a nation at war, a belligerent nation, was absolutely within its rights under international law and in the eyes of international law, in the seizure of these German-owned Coca-Cola Co. trucks, and that should not, therefore, in any sense of the word be used as justification for our seizure, a criminal seizure, in my opinion, in the eyes of international law, of these foreign ships. As a matter of fact, I would go so far as to say that in my opinion this law, if enacted, would be an ex post facto law in the eyes of international lawyers, and by that I mean a criminal law, because of the fact that since we closed our hearings on this bill and before the bill was even brought before this House for action, the President has taken the bull by the horns, as I pointed out yesterday, and already has ordered Admiral Land to seize these ships and proceed to put them into a pool for the trade to Great Britain. In fact, he did so just 3 days after his high departmental heads, one after another, told me in the hearings that "no man alive today could tell to what use these ships might be put tomorrow."

What have we become in this Congress? Has the Congress now in very truth become known as an accessory-after-the-fact Congress? We have long since been known as a rubber-stamp Congress and now I say to you that we have become an accessory-after-the-fact Congress. The President acts and then he comes to us for substantiating legislation afterward. If we will again function as a Congress—as the Congress—America may yet be saved. If we fail in our responsibility America itself may well fail. [Applause.]

[Here the gavel fell.]

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I have not imposed my remarks upon this body many times in either the Seventy-sixth or the Seventy-seventh Congress for the purpose of expounding any ideas about the international situation or the position that this country should assume in a chaotic world. I do feel at this time, however, that it behooves me to state once more the premises upon which I stood for reelection to Congress and to reiterate my determination to maintain that stand, unless we are attacked by a foreign foe.

I have many times attributed the fact that my all-time record majority was substantiated in the last election by the fact that I held constant and steadfast to the pledge I made to the people of my district, namely that I would do everything in my power to keep the United States out of the wars of Europe and Asia.

I have also followed up that argument constantly bearing in mind that this great Nation of ours would be much better off if we could maintain the peace which it has been our blessing to enjoy during the past 20 years. Also, at the end of the last Congress I stated persistently that I felt every measure coming before the House in the interest of establishing and strengthening the invulnerable defense of the United States should be entered upon with the most serious consideration. Now while we are debating one of the most ticklish problems facing us I want to say that every act of mine in the future will be directed as it has been in the past, toward the defense of the Western Hemisphere against the totalitarian governments, but at the same time will be directed to maintaining peace throughout the United States if it is at all possible.

Many questions will be brought up in the next few weeks that the Congress will be called upon to decide. We will enter upon terrible issues that will arise on the spur of the moment. We will be called upon to ponder the question of whether we shall keep the United States out of this devestating war or plunge the Nation into the bloodiest of struggles. Upon this occasion let me reiterate the stand I have taken ever since I have been a Member of the Congress, which is to continue steadfastly to maintain the total defense of America, and also to stay out of the troubles of Europe and Asia with the determination of remaining under our own form of government, a free and liberty-loving Nation. [Applause.]

Mr. BLAND. Mr. Chairman, may I ask whether there are any amendments on the desk to this section?

The CHAIRMAN. There are not.

Mr. BLAND. Are there any amendments pending to the next section?

The CHAIRMAN. No amendments are pending to the next section.

Mr. BLAND. Then, in the interest of getting through, I ask unanimous consent that the next section be considered as read and noted in the RECORD.

The CHAIRMAN. Is there objection? There was no objection.

SEC. 4. Whenever the United States Maritime Commission is authorized to charter vessels under section 3 hereof, it is further authorized, notwithstanding any other provision of law, to purchase any vessel, whether undocumented or documented under the laws of the United States or of a foreign country, deemed by the Commission to be suitable for transportation of foreign commerce of the United States or of commodities essential to the national defense, without regard to the provisions of section 3709 of the Revised Statutes, at such price and upon such terms and conditions as it may deem fair and reasonable and in the public interest. Such vessels and vessels otherwise acquired by or made available to the Commission may be chartered as provided in section 3 of this act, or operated by the Commission upon such terms and conditions as it may deem desirable and in the public interest, giving primary consideration to the needs of national defense; but no vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended, may be chartered to a private operator hereunder. All moneys received by the Commission under the provisions of this section shall be deposited in the construction fund of the Commission, and all disbursements made by the Commission in carrying out the provisions of this section or section 5 (f) shall be paid from such fund.

Mr. VAN ZANDT. Mr. Chairman, there are amendments to section 5 on the desk.

Mr. BLAND. I understand that, and I am trying to get through to section 5 as rapidly as possible.

Mr. CULKIN. And it is understood we will consider the amendments tomorrow?

Mr. BLAND. I would like to have section 5 read. Mr. Chairman, I ask unanimous consent that the committee amendment to section 4 be considered at this time.

The CHAIRMAN. Is there objection? There was no objection.

The CHAIRMAN. The Clerk will report the Committee amendment to section 4.

The Clerk read as follows:

Committee amendment: Page 6, line 5, after (f) insert (except as provided in section 2).

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BLAND. Mr. Chairman, I ask unanimous consent now that section 5 be considered as read and that the committee amendment be considered.

The CHAIRMAN. Is there objection? There was no objection.

SEC. 5. (a) Notwithstanding any other provision of law, during the effective period of section 3 of this act, any vessel (except a vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended), not documented under the laws of the United States, acquired by or made available to the Commission under this act or otherwise, may (1) in the discretion of the Secretary of Commerce be documented as a vessel of the United States under such rules and regulations or orders, and with such limitations, as the Secretary of Commerce may prescribe or issue as necessary or appropriate to carry out the purposes and provisions of this act; and (2) in accordance with the provisions of subsection (c) hereof engage in the coastwise trade when so documented. Any document issued to a vessel under the provisions of this act shall be surrendered at any time that such surrender may be ordered by the Secretary of Commerce. No vessel, the surrender of the documents of which has been so ordered, shall, after the effective date of such order, have the status of a vessel of the United States unless documented anew.

(b) Notwithstanding any other provisions of law, the Secretary of Commerce may, by rules and regulations or orders, waive compliance with any provision of law relating to masters, officers, members of the crew, or crew accommodations on any vessel documented under authority of this act to such extent and upon such terms as he may deem proper. No vessel shall cease to enjoy the benefits and privileges of a vessel of the United States by reason of the employment of any person in accordance with the provisions of this subsection. The Secretary of Commerce is hereby authorized to prescribe such rules and regulations and issue such orders as may be necessary to carry out the provisions of this subsection.

(c) Any vessel while documented under the provisions of this act, when chartered hereunder by the Commission to other Government agencies or to private operators, may

engage in the coastwise trade under permits issued by the Commission, which is hereby authorized to issue permits for such purpose pursuant to such rules and regulations as it may prescribe. The Commission is hereby authorized to prescribe such rules and regulations as it may deem necessary or appropriate to carry out the purposes and provisions of this act.

(d) The second paragraph of section 9 of the Shipping Act, 1916, as amended, shall not apply with respect to vessels chartered to other Government agencies or to private operators under section 3 or section 4 of this act.

(e) Existing laws covering the inspection of steam vessels are hereby made applicable to vessels documented under this act only to such extent and upon such conditions as may be required by the regulations of the Board of Supervising Inspectors with the approval of the Secretary of Commerce: *Provided*, That in determining to what extent those laws should be made applicable, due consideration shall be given to the primary purpose of transporting commodities essential to the national defense.

(f) The Commission may repair, reconstruct, or recondition any vessels to be utilized under this act.

(g) In case a voyage of a vessel documented under the provisions of this act is begun before the date of termination of the effective period of section 3, but is completed after such date, the provisions of this section shall continue in effect with respect to such vessel until such voyage is completed.

(h) When used in this act, the term "documented" means "registered" and "enrolled and licensed."

The CHAIRMAN. The Clerk will report the committee amendment to section 5.

The Clerk read as follows:

Committee amendment: Page 8, line 12, after the word "commission", insert "without regard to the provisions of section 3709 of the Revised Statutes."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BLAND. Mr. Chairman, there is an amendment pending at the desk to section 5 and I ask that that be reported.

The CHAIRMAN. There are two amendments pending on the desk to this section.

Mr. CULKIN. Mr. Chairman, I would prefer that we go over because the minority may offer an amendment in advance of those at the desk.

Mr. BLAND. Then can we agree on time for the consideration of the amendment? Can we make it an hour for the section and all amendments?

Mr. CULKIN. To the section.

Mr. BLAND. This is the last section.

Mr. CULKIN. Under urge of the minority leader, to whom I have listened attentively, the agreement for 1 hour will be satisfactory.

Mr. BLAND. On the section and all amendments thereto.

The CHAIRMAN. The gentleman from Virginia [Mr. BLAND] asks unanimous consent that all debate upon this section and all amendments thereto and upon the bill be limited to 1 hour. Is there objection?

There was no objection.

Mr. BLAND. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COSTELLO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill, H. R. 4466, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a petition from my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial appearing in the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HEFFERNAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter addressed to me by a resident of the Fifth Congressional District of New York.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent Mr. MURDOCK was granted permission to extend his own remarks.)

Mr. BLAND. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and to include certain excerpts and quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, owing to the lateness of the hour and the extreme fatigue of the Members, I ask unanimous consent to withhold the special order granted for me until some future date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article in the Sioux City Tribune, being a statement by my colleague [Mr. MUNDT].

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks and to include in the RECORD at this point the amendment which I shall offer to section 5, paragraph (b) of H. R. 4466 tomorrow.

The SPEAKER. Is there objection?

There was no objection.

The amendment is as follows:

Amendment offered by Mr. VAN ZANDT: Page 7, line 1, strike out paragraph "A", section 5, and substitute the following:

"SEC. 5, paragraph "A". In the operation of vessels acquired or chartered under this act, all employees shall be compensated at no less than the rates of pay, or worked more than the hours of labor, determined by the Commission to be prevailing upon vessels of the United States engaged in similar services. All charters or subcharters of vessels to which the Maritime Commission is a charter party shall provide for compliance with the provisions of this section. Seamen employed thereon shall be entitled to the protection of United States maritime statutes applicable to American seamen. Nothing contained herein shall be construed to limit in any way whatsoever the rights of employees to set or alter such rates of pay or hours of labor by collective bargaining."

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include certain excerpts and reports.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in the Committee of the Whole and to include therein certain excerpts.

The SPEAKER. Without objection it is so ordered.

There was no objection.

SPECIAL ORDER

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes.

Mr. DICKSTEIN. Mr. Speaker, due to the lateness of the hour I ask unanimous consent that the 15 minutes granted to me for today may be transferred to Tuesday next, that on Tuesday next, after the conclusion of the legislative business for the day, I may address the House for 15 minutes.

The SPEAKER. Without objection it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. WOLFENDEN of Pennsylvania (at the request of Mr. DITTER) indefinitely, on account of illness.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the years ending June 30, 1930, and June 30, 1931, and for other purposes";

S. 993. An act to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny a triangular parcel of land containing one-half acre, situated at Seattle, Wash.; and

S. 1123. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 59. An act for the relief of special tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 198. An act for the relief of William G. Sullivan;

H. R. 224. An act for the relief of Antone and Mary Lipka;

H. R. 438. An act for the relief of Hughey Parsley;

H. R. 701. An act for the relief of the Allentown Airport Corporation;

H. R. 1824. An act to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.;

H. R. 2006. An act for the relief of Ben Torian and Joe J. McDonald;

H. R. 2684. An act granting the consent of Congress to the Highway Department of Davidson County, of the State of Tennessee, to construct, maintain, and operate, a free highway bridge across the Cumberland River at a point approximately 1¾ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as Old Hickory Boulevard;

H. R. 2766. An act to extend the times for commencing and completing the construction of a bridge across the St. Louis River at or near the city of Duluth, Minn., and the city of Superior, Wis., and to amend the act of August 7, 1939, as amended, and for other purposes;

H. R. 2829. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 2830. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Middletown, Pa.;

H. R. 3066. An act to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes;

H. R. 3269. An act for the relief of Mary Fortune;

H. R. 3394. An act to authorize the Attorney General to grant easements to States over lands belonging to the United States under his supervision and control;

H. R. 3682 An act granting the consent of Congress to the Commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate a free highway bridge across the Mahoning River, in the village of Lowellville, Mahoning County, Ohio;

H. R. 3835. An act to exempt from internal-revenue taxes, on the basis of reciprocity, articles imported by consular officers and employees of foreign states for their personal or official use;

H. R. 3869. An act to authorize the furnishing of steam from the Central Heating Plant to the District of Columbia;

H. R. 3974. An act to authorize the Administrator of the Federal Security Agency to adopt an official seal, and for other purposes;

H. R. 3981. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4036. An act to amend the District of Columbia Motor Vehicle Financial Responsibility Act, approved May 3, 1935;

H. R. 4057. An act to authorize the Federal Security Administrator to accept gifts for the Freedmen's Hospital and to provide for the administration of such gifts.

H. R. 4063. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory;

H. R. 4065. An act for the relief of Martin F. Gettings;

H. R. 4083. An act to enlarge the powers of the property clerk of the Police Department of the District of Columbia to dispose of property coming into his possession;

H. R. 4221. An act for the relief of Charlotte E. Hunter;

H. R. 4239. An act to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; and

H. J. Res. 145. Joint resolution authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the St. Elizabeths Hospital reservation.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 7, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Wednesday, May 7: Proponents and representatives of the Corps of Engineers for the Arkansas, White, Red, and St. Francis River Basins.

2. Thursday, May 8: Lower Mississippi River; Gen. Max C. Tyler, president of the Mississippi River Commission, and Gen. Julian L. Schley, Chief of Engineers, on the lower Mississippi River and proposed modifications of the adopted project.

3. Friday, May 9: Proponents and representatives of the Corps of Engineers for the lower Mississippi River and tributaries other than the Arkansas, the White, the Red, and the St. Francis Rivers.

4. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

5. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

6. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Wednesday, May 7, 1941, at 10:30 a. m. in the committee room.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, May 7, 1941, for the consideration of H. R. 4215 (Mr. ALLEN) to exclude certain aliens.

Consideration of House Resolution 94 (LELAND M. FORD) and private bills Thursday, May 8, 1941.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the bridge subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Wednesday, May 7, 1941. Business to be considered: Public hearing on H. R. 4314.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold a public hearing on delays in national-defense preparations, on Wednesday, May 7, 1941, at 10:30 a. m., in room 346, House Office Building.

The special subcommittee on bankruptcy and reorganization of the Committee on the Judiciary will hold public hearings on H. R. 2673 (a bill proposing to amend the Municipal Bankruptcy Act, relating to preliminary stays), on Friday, May 9, 1941, at 10 a. m., in room 346, House Office Building.

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

513. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities; to the Committee on World War Veterans' Legislation.

514. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C., supp. V, title 34, sec. 842), and for other purposes; to the Committee on Naval Affairs.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 3195) for the relief of Frederick D. Dismuke, and the same was referred to the Committee on the Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 4658. A bill to amend and clarify certain acts pertaining to the Coast Guard, and

for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. ALLEN of Louisiana:

H. R. 4659. A bill to amend the Flood Control Act of August 28, 1937, as amended; to the Committee on Flood Control.

H. R. 4660. A bill to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935; to the Committee on the District of Columbia.

By Mr. RANDOLPH:

H. R. 4661. A bill to authorize and direct the Commissioners of the District of Columbia to close Van Ness Street between Connecticut Avenue and Reno Road NW., and Pierce Mill Road between Van Ness Street and Reno Road NW.; to the Committee on the District of Columbia.

By Mr. SOUTH:

H. R. 4662. A bill to authorize the establishment of a fish-cultural station in the State of Texas; to the Committee on the Merchant Marine and Fisheries.

By Mr. BURDICK:

H. R. 4663. A bill to provide additional compensation upon separation from the service for members of the armed forces of the United States serving during the existing national-defense emergency; to the Committee on Military Affairs.

By Mr. RANKIN of Mississippi:

H. R. 4664. A bill to establish a Civilian Air Reserve to be organized and trained by the War and Navy Departments, and for other purposes; to the Committee on Military Affairs.

By Miss RANKIN of Montana:

H. Con. Res. 31. Concurrent resolution establishing the policy of the United States with reference to sending armed forces abroad; to the Committee on Foreign Affairs.

By Mr. SMITH of Virginia:

H. Res. 198. Resolution providing for the consideration of H. R. 4139; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution 8, concerning the Revolving Fund Act, and for other purposes, a law of the United States dated February 11, 1936; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARDEN:

H. R. 4665. A bill for the relief of Harry Kahn; to the Committee on Claims.

By Mr. GAVAGAN:

H. R. 4666. A bill for the relief of Moukbil Kemal Tash; to the Committee on Immigration and Naturalization.

By Mr. HARNESS:

H. R. 4667. A bill for the relief of Charles E. Reyburn; to the Committee on Claims.

By Mr. KELLY of Illinois:

H. R. 4668. A bill granting a pension to Joseph J. Mann; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

989. By Mr. FISH: Resolution adopted by the Town Board of the Town of Crawford, Orange County, N. Y., opposing the appropriation of funds by the Congress of the United States for the development of the Great Lakes-St. Lawrence seaway program; to the Committee on Foreign Affairs.

990. By Mr. KRAMER: Petition of the City Council of the City of San Mateo, Calif., urgently requesting the Congress of the United States to take the necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense-highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

991. Also, petition of the Ventura (Calif.) Junior Chamber of Commerce, requesting Congress to take the necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense-highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

992. By Mr. McGREGOR: Petition of A. J. Conaghan and other residents of Centerbury, Ohio, protesting against the St. Lawrence waterway project as detrimental to the best interests of the State, particularly to the railroad labor and management interests; to the Committee on Foreign Affairs.

993. Also, petition of J. P. Grubb and other residents of Croton, Ohio, protesting against the St. Lawrence seaway project, as the present common carriers can take care of the situation and the completion of the project will increase the national debt and result in an additional tax burden; to the Committee on Foreign Affairs.

994. By Mr. MERRITT: Resolution of the Queens Chamber of Commerce, New York, requesting that when Congress considers sugar legislation in 1941 it maintain, without modification, the present flow of tropical raw cane sugar into this country for subsequent refining and distribution to consumers; to the Committee on Agriculture.

995. Also, resolution of the County Board of Queens, Ancient Order of Hibernians of America, favoring the passage of the anti-convoy bill and heartily endorsing the proposed legislation now being offered and sponsored in the Congress; to the Committee on Foreign Affairs.

996. By Mr. JOSEPH L. PFEIFER: Petition of the American Racing Pigeon Union of the United States, Hawaii, Canada, and Cuba, urging consideration of House bill 1790; to the Committee on Agriculture.

997. By the SPEAKER: Petition of the Dallas Southern Memorial Association, Dallas, Tex., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

998. Also, petition of the International Union of Operating Engineers, Local Union No. 3, San Francisco, Calif., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

999. Also, petition of the Washington Newspaper Guild, Washington, D. C., petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1000. Also, petition of the American War Mothers, Washington, D. C., petitioning consideration of their resolution with reference to legislation on foreign affairs; to the Committee on Foreign Affairs.

1001. Also, petition of the International Union United Automobile Workers of America, Cleveland, Ohio, petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

SENATE

WEDNESDAY, MAY 7, 1941

(Legislative day of Monday, May 5, 1941)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O blessed Saviour, who didst still the tempest with a word, and didst stretch forth Thy hand to heal the blind, the maimed, and the possessed: Lock, we beseech Thee, upon the unrest of the world; speak the word that will calm the nations, then perfect Thy healing work among them. For what are the nations, O Lord, but Thy wayward children? Do Thou open their eyes to see Thee as Thou art; open their hearts to receive Thy Holy Spirit; send among them a deeper and more lasting peace than the world has ever known, in which they shall be drawn to each other by the bonds of love, and realize that they are the children of our Father.

Grant, O Lord, that our Nation in all things may be a worthy example to the world. Save her from all those sins that would expose her to the just condemnation of mankind. By Thy direction, we beseech Thee, O Great Physician, grant that she may be the source of the healing of the world, leading it forth into the paths of Thy peace which passeth all understanding. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 6, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

ACKNOWLEDGMENT OF FELICITATIONS OF THE CONGRESS OF COSTA RICA

The VICE PRESIDENT laid before the Senate House Concurrent Resolution 29, which was read, as follows:

Whereas there have long existed historic ties of friendship between the United States of America and Costa Rica; and

Whereas these ties, based on respect and admiration of two free and independent nations, happily grow firmer day by day; and

Whereas on March 14, 1941, the Congress of Costa Rica graciously sent a message of congratulation to both Houses of the Congress of the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States express its deep appreciation to the Congress of Costa Rica, and to the people of the Republic of Costa Rica which it represents, for this message of fecilitation, which had as its inspiration the defense of this hemisphere and the preservation

of its democratic institutions; and be it further

Resolved, That a copy of this resolution shall be transmitted to the Congress of Costa Rica.

Mr. GEORGE. Mr. President, I have consulted with a majority of the Committee on Foreign Relations on both sides, and I therefore feel at liberty to move that the Senate concur in the House resolution without its reference to the committee.

The motion was agreed to.

ADVANCEMENT ON RETIRED LIST OF CERTAIN NAVAL OFFICERS OF THE LINE

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 376) providing for the advancement on the retired list of certain officers of the line of the United States Navy, which was, in line 10, to strike out all after "act" down to and including "officers" in line 11.

Mr. WALSH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PERSONAL PROPERTY OF DECEASED PATIENTS OR MEMBERS OF VETERANS' ADMINISTRATION FACILITIES

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities (with an accompanying paper); to the Committee on Finance.

LOANS, COMMITMENTS, AND ACTIVITIES OF EXPORT-IMPORT BANK OF WASHINGTON

A letter from the Administrator of the Federal Loan Agency, transmitting a statement of loans and commitments outstanding of the Export-Import Bank of Washington as of March 31, 1941, together with a general summary of activities of the bank (including the Second Export-Import Bank of Washington) from February 12, 1934, through March 31, 1941 (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Immigration:

"Senate Concurrent Resolution 27

"Concurrent resolution memorializing Congress to extend and to grant American citizenship to Samoans

"Whereas there are many natives of Samoa now living in the Territory of Hawaii who, because of their ineligibility to become citizens of the United States, are unable to secure employment on Government projects, and therefore must seek employment in fields of private enterprise; and

"Whereas they are of the same racial antecedents as the Hawaiians who, under the terms of the annexation treaty, were made citizens of the United States, enjoying all the privileges and benefits of such citizenship, while the Samoans are denied said privileges and benefits; and

"Whereas, for many years past, the Samoans have been under the protection and supervision of the American Government and have absorbed and have become inculcated with American ideals; and

"Whereas institutions of learning have been established in Samoa which are teaching and instructing Samoans in the American way of life, and the precepts and principles of the great Republic, which today stands foremost as the exponent of democratic principles of government; and

"Whereas the extending and granting to the Samoan people the rights of citizenship in the great American Republic would be but carrying into practice the very ideals and principles for which our Government stands: Now, therefore, be it

"*Resolved by the Senate of the Legislature of the Territory of Hawaii, regular session of 1941 (the House of Representatives concurring)*, That it does hereby respectfully request of the Congress of the United States of America that it enact such legislation as will grant to the people of Samoa citizenship in the United States of America so that they may enjoy all the rights and privileges that accompany such citizenship; and be it further

"*Resolved*, That certified copies of this resolution be transmitted to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of the Navy, and to the Delegate to Congress from Hawaii."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"Senate Concurrent Resolution 11

"Concurrent resolution memorializing the Congress of the United States of America to amend section 73 of the Hawaiian Organic Act so that said section 73 will apply to the setting aside of lands for the uses and purposes of the United States

"Whereas it is the opinion of the attorney general of the Territory of Hawaii (Opinion No. 1570, May 16, 1931) that the provision of section 73, subsection (q), of the Hawaiian Organic Act for the setting aside of lands for public purposes, to wit: 'All orders setting aside lands for forest or other public purposes, or withdrawing the same, shall be made by the Governor, and lands while so set aside for such purposes may be managed as may be provided by the laws of the Territory' does not contemplate or intend that lands may be set aside, by the method therein provided, for the uses and purposes of the United States; and

"Whereas section 91 of the Hawaiian Organic Act, which provides for the taking of lands for the uses and purposes of the United States, only applies to the public property ceded and transferred to the United States by the Republic of Hawaii under the joint resolution by annexation, approved July 7, 1898; and

"Whereas it is advisable that provision be made for the amendment of section 73, subsection (q), of the Hawaiian Organic Act, which applies to after-acquired lands as well as to ceded lands, so that lands may be set aside by the Territory for the uses and purposes of the United States by the method provided in said section 73, thereby enabling the Territory to provide lands for the uses and purposes of the United States regardless of the source of said lands and whether or not they be part of the public property so ceded to the United States: Now, therefore, be it

"*Resolved by the Senate of the Territory of Hawaii (the House of Representatives concurring)*, That the Congress of the United States be and it hereby is respectfully requested to amend section 73 of the Hawaiian Organic Act, substantially as set forth in the bill which is hereto attached and made a part hereof; and be it further

"*Resolved*, That certified copies of this resolution be forwarded to the Secretary of the Interior, the Delegate to Congress from Hawaii, and to both Houses of the Congress of the United States of America."

A resolution of the Legislature of Nebraska, requesting Congress to cause to be made a full, complete, and comprehensive survey and investigation into the claims of residents of the Republican River Valley in Nebraska for the building of flood-control and reclamation projects therein; to the Committee on Commerce. (See resolution printed in full when presented by Mr. NORRIS on the 5th instant.)

A resolution of the Legislature of Nebraska memorializing Congress to establish a bridge across the Missouri River at Florence, Nebr.; to the Committee on Commerce. (See resolution printed in full when presented by Mr. BUTLER on the 6th instant.)

A resolution of the Fourth Annual Convention of the International Longshoremen's and Warehousemen's Union, requesting that the United States match dollar for dollar the sums being appropriated for defense purposes, the funds accumulated by this plan be split: 50 percent to be reserved to create a fund to be expended to certain governmental agencies to aid the present unemployed and also those who will become unemployed when the war industries are shut down and citizens return to their own communities after completing terms of service in the armed forces of the United States; to the Committee on Appropriations.

A resolution of Local Union No. 6025, United Mine Workers of America, of Bishop, Va., protesting against the enactment of pending legislation relating to labor strikes; to the Committee on Education and Labor.

A resolution of the fifteenth continental congress, National Society of the Daughters of the American Revolution, at Washington, D. C., favoring the promotion of public community programs on the third Sunday of May, designated as Citizenship Recognition Day, for the purpose of welcoming into citizenship the native-born attaining maturity and the new naturalized citizens; to the Committee on Immigration.

A resolution of Local No. 226, Northwest Alaska Cannery Workers Union, Portland, Oreg., favoring the enactment of the bill (S. 783) to amend the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

A resolution of the Building and Construction Trades Council, of Missoula, concurred in by the Central Trades and Labor Council, of Kalispell and vicinity, in the State of Montana, favoring the establishment of aviation and Army training camps and defense industries at Fort Missoula, located in the Bitter Root and Missoula Valleys, Mont.; to the Committee on Military Affairs.

By Mr WALSH:

A resolution of the Council of the City of Gardner, Mass., approved by the mayor, favoring repeal of the provision of law providing a month's layoff after a period of 18 months' employment under the W. P. A.; to the Committee on Appropriations.

A resolution of the convention of the Massachusetts State Industrial Union Council (C. I. O.), protesting against the enactment of legislation to amend the wage-and-hour law so as to permit the employment of packing-house workers for a period of 16 weeks at 56 hours a week, without any provision for overtime; to the Committee on Education and Labor.

A petition of sundry citizens of Worcester, Mass., praying that the United States take all measures necessary to insure victory to Great Britain in the present war; to the Committee on Foreign Relations.

A letter from the city clerk of Peabody, Mass., embodying a resolution, approved by the city council, of Division No. 11, Ancient

Order of Hibernians, of Peabody, Mass., favoring the transmission of food, arms, and ammunition to the Irish Free State under the provisions of the lease-lend bill; to the Committee on Foreign Relations.

A resolution adopted by the four lodges of the Order Sons of Italy in America, of Milford, Mass., protesting against the convoy of vessels through war zones by United States armed ships, and requesting that the United States keep out of war; to the Committee on Foreign Relations.

A petition of sundry citizens of the State of Massachusetts affiliated with Harvard University, praying that the United States adopt a strong and effective policy with reference to the crisis in shipping to Great Britain; to the Committee on Foreign Relations.

A resolution of the Massachusetts Society of the Sons of the American Revolution, protesting against the enactment of legislation to restrict the use of firearms to citizens for purposes of sport or self-defense; to the Committee on the Judiciary.

A memorial of sundry citizens, members of the Rod and Gun Club of Winchendon, Mass., remonstrating against the enactment of any antifirearm legislation; to the Committee on the Judiciary.

Petition of sundry citizens of the State of Massachusetts, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

Petitions of sundry citizens, members of Branch 32, United National Association of Post Office Clerks, of Worcester, Mass., praying for the enactment of the so-called Mead bill, providing longevity pay for postal employees; to the Committee on Post Offices and Post Roads.

A resolution of the General Court of Massachusetts, memorializing Congress to adopt promptly the provisions of the Townsend recovery plan; to the Committee on Finance. (See resolution printed in full when presented by Mr. LODGE on the 6th instant.)

A resolution of the General Court of Massachusetts; to the Committee on Finance:

"Resolutions in favor of the adoption of the Geyer antipoll tax bill, so-called

"*Resolved*, That the General Court of Massachusetts hereby memorializes the Congress of the United States to enact, and the President of the United States to sign, the Geyer antipoll tax bill, so-called, to the end that millions of citizens of the United States residing in several of our Southern States shall have restored to them their democratic right to vote; and be it further

"*Resolved*, That the Secretary of the Commonwealth forthwith transmit copies of these resolutions to the President of the United States, to the presiding officer of each branch of Congress, and to the Members thereof from this Commonwealth."

A resolution of the General Court of Massachusetts; to the Committee on the Judiciary:

"Resolutions in favor of the adoption of an adequate Federal antilynch law

"*Resolved*, That the General Court of Massachusetts hereby memorializes the Congress of the United States to enact and the President of the United States to sign an adequate antilynching law which would enlist the powers of the Federal Government in learning the identity of and prosecuting those participating in lynch mobs, those responsible for inciting such mobs, and those local law-enforcement officers who remain lax or passive while a lynching is committed; and be it further

"*Resolved*, That the secretary of the Commonwealth forthwith transmit copies of these resolutions to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth."

A resolution of the Senate of Massachusetts; to the Committee on Naval Affairs:

"Resolutions memorializing Congress in favor of the bill restoring percentage wage differential for a leadingman and for a quarterman at any navy yard

"*Resolved*, That the Senate of Massachusetts hereby urges the Congress of the United States to pass H. R. 3301, entitled 'A bill restoring percentage wage differential for a leadingman and for a quarterman at any navy yard'; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the secretary of the Commonwealth to the President of the United States, to the presiding officers of each branch of Congress, and to the Members thereof from this Commonwealth."

FRANCHISE TO CITIZENS OF THE DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I present and ask unanimous consent to have printed in the RECORD, with the signatures and argument attached, and referred to the Committee on the Judiciary, a petition signed by officers of two-score of local organizations, presenting an argument in support of granting the franchise to the District of Columbia. I hope my colleagues will recall from a reading of this petition the reasons presented by the Senate District Committee in 1922 in support of giving the residents of this city a voice in their government.

I am wholeheartedly in sympathy with this effort on the part of the citizens of the District of Columbia to obtain the right of suffrage.

There being no objection, the petition, with the signatures and argument attached, was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

Your petitioners, the Citizens' Joint Committee on National Representation for the District of Columbia, and the presidents of its constituent and cooperating organizations, whose names are subscribed below, hereby reaffirm the principles proclaimed by the founders of our Republic that—

"Taxation without representation is tyranny"; that "governments derive their just powers from the consent of the governed"; and in order that "government of the people, by the people, and for the people" may become an accomplished fact for all the people of the United States, respectfully represent:

That the over one-half million totally disfranchised citizens of the United States resident in the District of Columbia, who obey national laws, who outnumber those resident in 12 States, who pay more national taxes than 21 of the States, who over 2 decades ago supplied to the Army and Navy of the United States a larger number of men than any one of 7 of the States and oversubscribed their quotas of all wartime funds, and who now have no voice in the National Government and none in their local government, are entitled to voting representation in Congress and in the electoral college, and to the same access to the Federal courts as citizens residing in States, and to have granted to Congress by the Constitution power to transfer to a local government such powers in respect to District legislation as Congress may determine to be consistent with the national interest.

We, therefore, respectfully petition the adoption of Senate Joint Resolution 35 and the identical House Joint Resolution 28, which propose a constitutional amendment empowering Congress to grant the above relief to cititzens of the United States resident in the District of Columbia; and in support of this petition we submit the appended argument:

Theodore W. Noyes, chairman, Citizens' Joint Committee on District of Columbia National Representation; James E. Colliflower, president, Board of Trade; Harry N. Stull, president, Federation of Citizens' Associations (65 member organizations); John Locher, president, Central Labor Union (150 local unions); Mrs. Ernest H. Daniel, president, Federation of Women's Clubs (132 clubs); Mrs. M. O. Lorenz, president, Voteless District of Columbia League of Women Voters; Arthur Sundlum, president, Merchants' and Manufacturers' Association; William Payne, Jr., president, District of Columbia Building and Loan League; Francis W. Hill, president, Bar Association; Mrs. Elizabeth M. Cox, president, Women's Bar Association; Louis J. Bowdler, president, Federation of Businessmen's Associations (21 associations); Joseph P. McCurdy, president, Maryland State and District of Columbia Federation of Labor (250 local unions); Fred Gast, chairman, Inter-Federation Conference; Theodore W. Noyes, president, Association of Oldest Inhabitants; William McK. Clayton, president, District Delegate Association; Evan H. Tucker, president, Northeast Washington Citizens' Association; Waverly Taylor, president, Washington Real Estate Board; George B. Burrus, president, Advertising Club of Washington; Mrs. Lawrence Martin, president, Twentieth Century Club; Mrs. Gladys B. Middlemiss, president, Women's City Club; Jesse C. Suter, honorary president, Society of Natives of the District of Columbia; Charles H. Dodd, president, Monday Evening Club; Mrs. Edward Sonneborn, president, Washington Section, National Council of Jewish Women; A. J. Brylawski, president, Motion Picture Theater Owners' Association of the District of Columbia; Harold W. Fangboner, president, Junior Board of Commerce; J. P. Stedehouder, president, Associated Retail Credit Men of Washington, D. C.; R. Earle Slye, president, Florists' Club of Washington; John Donley, president, Hotel Greeters of America, Charter 31; H. F. McLaury, vice president, Newcomers Club; Mrs. Lorraine Leese Good, president, Soroptimist Club; Miss Etta L. Taggert, president, The Washingtonians; Miss Mary L. Connelly, chairman of legislation, American Association of University Women (Washington branch); Leonard J. Bacon, department commander, Department of District of Columbia Veterans of Foreign Wars (14 posts); William Hargrave, department commander, Department of District of Columbia American Legion (40 posts); Col. Davis G. Arnold, president, District of Columbia Chapter, Rainbow Division of Veterans; Charles A. Murray, president, Young Democratic Clubs of the District of

Columbia; Malcolm S. McConihe, Democratic National Committeeman for the District of Columbia; Edward F. Colladay, Republican National Committeeman for the District of Columbia; Mrs. C. D. Lowe, president, District of Columbia Parent-Teacher Associations (71 associations); Wilbur S. Finch, president, District of Columbia Suffrage Association.

AMERICANIZE THE WASHINGTONIAN

ARGUMENT

The Americans of the District of Columbia constitute the only community in all the expanse of the continental United States—populous, intelligent, public spirited, of adequate resources—which is denied representation in the National Government.

The number of persons resident here is now so large, 663,091 by the 1940 census, that their claims can no longer be ignored.

National representation is a distinctive basic right of the American citizen—in a government of the people, by the people, for the people—in a government which roots its justice in consent of the governed—in a representative government which inseparably couples taxation and military service with representation.

Since the 663,091 Americans of the District pay national taxes, obey national laws, and go to war in the Nation's defense, they are entitled on American principles to be represented in the National Government which taxes them, which makes all laws for them, and which sends them to war.

In recognition and reaffirmation of the above-stated American principles we urge most earnestly the approval by Congress of Senate Joint Resolution No. 35 and the identical House Joint Resolution No. 28, which propose a constitutional amendment empowering Congress to grant representation in the House, Senate, and electoral college to the people of the District of Columbia, and grants them the same access to the Federal courts as citizens residing in the States, and grants to Congress power to transfer to the local government such powers in respect to District legislation as Congress may determine to be consistent with the national interest.

The reasoning of the Senate Committee on the District of Columbia in its favorable report in 1922 on an earlier form of joint resolution applies with equal force to the pending joint resolution.

The amendment proposed by Senate Joint Resolution 35 and the identical House Joint Resolution 28 is to add the following article:

"Article

"SECTION 1. The Congress shall have power to provide for the people of the District constituting the seat of Government of the United States representation in the Congress and among the electors of the President and Vice President no greater than that of the people of the States, and to delegate to such Government as Congress may establish therein all or any of its power over said District; and the judicial power of the United States shall extend to controversies to which citizens of said District shall be parties the same as to controversies to which citizens of a State shall be parties.

"SEC. 2. All legislation hereunder shall be subject to amendment and repeal: *Provided*, That no amendment or repeal shall affect the office of a Senator or Representative during the time for which he was elected.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States as provided in the Constitution, within 7 years from the date of submission hereto to the States by the Congress."

We urge with confidence the approval by Congress of this amendment for these reasons:

First. Because we ask at this time merely that Congress shall be given new constitutional powers without committing Congress as to when or how it shall exercise these powers. We ask two-thirds of Congress to vote to give a majority of Congress new powers which harmonize with and equitably round out the existing constitutional powers of Congress. No good reason can be assigned why Congress should not unanimously approve this proposal to enlarge on logical, wholesome lines its own powers.

The Constitution, as it stands, either gives or empowers Congress to give national representation to Territories or incipient States—in fact, to the whole area of the Republic except the seat of government, the National Capital. When the pending amendment is ratified, the power of Congress to grant national representation will be rounded out and perfected and extended to every part of the Republic.

The District, with its 663,000 Americans—intelligent, public-spirited, patriotic—is not merely the only area in the contiguous and continental United States which is without national representation and which does not participate in the National Government. It is also the only area in the whole expanse of the Republic to which Congress cannot extend the right of national representation to such extent as Congress wills.

This amendment corrects Congress' lack of power. It simply empowers Congress to grant this national representation and does not direct it or fix any time limitation within which these powers must be exercised.

Second. Because Congress, if and when in the future it shall exercise these powers, will deservedly bestow upon the Americans of the District the high privilege, right, and power of American national citizenship and will relieve the Nation of the shame of un-American, totally nonrepresentative government in the Capital City under the Nation's exclusive control, without disturbing that exclusive control except as Congress shall see fit and without creating a new State.

The 663,000 Americans of the District do not give their consent to their National Government through elected representatives in accordance with American principles like all other Americans of the continental and contiguous United States.

In respect to the 663,000 Americans of the District, representation is divorced from taxation and soldier service. We bear all the national burdens of citizens of a State in national taxes, in subjection to national laws, and as national soldiers sent to war. In genuine representative government, rights and obligations are inseparably wedded. We meet fully the national obligation. We bear cheerfully our share of the national burden. We are entitled to all vital national rights and privileges.

Washingtonians have paid their proportion of every national tax, direct or indirect, from the birth of the Nation. The only national taxes that fall directly and in ascertainable amounts upon the Americans are the internal revenue taxes, including income, excise, and other miscellaneous taxes. In the fiscal year 1939–40 the District of Columbia contributed to these taxes $20,192,784[1] exceeding 21 of the States, though it exceeded in population only 12 of them. Its contribution was $1,479,711 greater than those of 7 of the States combined. Those 7 States are represented by 24 Senators and Representatives who are participating in the decisions as to how this money is to be spent.

Washingtonians have risked life and shed their blood in every national war. In the Civil War the first volunteers came from the Capital, and Washingtonians supplied a greater percentage of troops in excess of their quota than nearly every State in the Union. The District was also a heavy contributor to the manpower of the Confederate Army. In the War with Spain they sent to Cuba a fine regiment, exceeding their quota in numbers. The same response was made when the summons to the Mexican border came. At that time the percentage of men of military age enrolled in the Organized Militia was greater in the District than in any State of the Union. Washington sent more soldiers to the border than 22 of the States.

In the World War no other American community responded more enthusiastically and effectively to the call to arms and universal service. They were eager volunteers of money for war through the Red Cross and other agencies, and of personal service through enlistment in Army, Navy, National Guard, or Home Defense League. They showed patriotic readiness to bear the burden of conscription, whether in the shape of taxes imposed on lines which caused the District of Columbia (1918–19) to contribute more than any one of 15 of the States, and more than 5 of the States combined; or in the shape of universal personal service and the selective draft.

In the World War the District of Columbia has made a record of which the Nation should be proud. The total voluntary enlistments in the Army, Navy, and Marine Corps for the District was 8,314, a number greater than that in 7 States, viz, Nevada, Delaware, Arizona, Wyoming, Vermont, New Mexico, and New Hampshire, and only a trifle less than 3 other States. The number of men inducted into the Army under the first and second registrations was 9,631, making a total of voluntary enlistments and inductions into the service of the Government of 17,945. In other words, the percentage of voluntary enlistments was 46.33 percent of the total inductions into the service.

The proportion which the voluntary enlistments bear to the total number of enlistments and inductions by way of registration was greater for the District of Columbia than for every State of the Union except Rhode Island, Oregon, Washington, California, and Maine, and more than one-third greater than the percentage for the country as a whole.

To every demand of devotion and self-sacrifice made upon Americans, Washington has rendered, is rendering, and will always render full, hearty, and unstinted response.

In notable particulars we are deprived of the rights and privileges of Americans who are citizens of a State.

As a suitor in the courts of the United States, the District resident has, the Supreme Court says, a lower standing than an alien.

In relation to national laws the sole function of the District residents is to obey. They take no part in making the laws which they must obey.

In relation to national taxes their sole function is to pay. They have nothing to say, like other taxpayers, concerning the amount and kind of taxes they shall pay and how the tax money shall be spent.

In relation to national war their sole function is to fight in obedience to command. They have no voice, like other Americans, in the councils which determine war and peace. They have no representation in the Government which requires them to fight, bleed, and perhaps to die.

The favorable report of the Senate District Committee in 1922 admirably summarizes the characteristics of the then proposed amendment when it says:

[1] This amount omits "pay-roll taxes" (collections under the Social Security and Carrier Acts) because these so-called taxes are a trust fund for the objects of these acts, and are not paid for the support of the Federal Government.

"Summarizing, we find and report:

"The proposed constitutional amendment does not reduce the power of Congress in respect to the Capital but adds a new power; it does not propose the admission of the District into the Union as a sovereign State; it does not propose the destruction of the '10 miles square' provision of the Constitution; it does not lessen in the smallest degree the control by the Nation through Congress of what remains of the '10 miles square'; it does not disturb in any way the financial relation of Nation and Capital; it is not based upon either the abolition or retention of the half-and-half law; it does not propose or involve changes in the municipal government of the District.

"It plans to bestow upon the 437,000 (census of 1920) Americans of the District a distinctive basic right of the American citizen—in a government of the people, by the people, for the people—in a government which roots its justice in consent of the governed—in a representative government which inseparably couples taxation and arms bearing as a soldier with representation.

"This distinctive American privilege decorates the American with a badge of honor and arms him with power. Its lack slurs the Washingtonian as unfit and defective and slurs the Nation as in this respect un-American and impotent.

"What the amendment proposes is equitable in itself and compulsory in accordance with American principles and traditions.

"It gives to residents of the District rights and privileges which, under our scheme of government, belong to all who pay national taxes and fight as national soldiers.

"It gives to residents of the District a self-protecting power in the national councils which is denied to the resident of no other community in all of the mainland and contiguous United States from Maine to Texas and from New York to California.

"In the matter of access to the Federal courts it raises District residents from a lower plane than that of aliens to the status of citizens of a State.

"National representation of the District will remove from the Nation the shame of impotency.

"It will proclaim to the world that the great republic is as devoted to the principles of representative government and as capable of enforcing them as other republics with capitals in nation-controlled districts, like Mexico, Brazil, and Argentina. These nations have not found themselves impotent to give full national representation to the people of their capitals.

"It will proclaim to the world that the people of Washington are as fit to participate in national representative government as the people of Rio de Janeiro, Buenos Aires, and Mexico City. Washington will cease to be the only capital in all the world whose people, slurred as tainted or defective, are unworthy to enjoy the same national representation as that enjoyed by all other cities of the Nation.

"Washington will cease to be the only American community—numerous intelligent, prosperous, public-spirited, and patriotic—in all the expanse of continental and contiguous United States whose fitness to exercise national privileges as well as to bear national burdens is denied.

"National representation will clothe the Washingtonian with a vital American privilege to which he is undeniably in equity entitled; will cleanse him of the stigma and stain of un-Americanism, and curing his political impotency, will arm him with a certain power.

"It will relieve the Nation of the shame of un-Americanism at its heart and of impotency to cure this evil.

"It will inflict no injury or hardship upon either Nation or Capital to counteract these benefits."

This report applies with even greater force today in support of national representation for the District of Columbia as proposed in the Sumners-Capper amendment and is supported by the facts on which that report was based.

Encouraging progress has recently been made in the campaign to correct this unjust and injurious discrimination against District residents. The Democratic Presidential nominating convention of 1940 inserted as one plank in its platform: "We also favor the extension of the right of suffrage to the people of the District of Columbia."

Many leaders of both parties in both Houses of Congress have very recently verbally declared in favor of empowering Congress to grant national representation to the people of the District of Columbia.

The Judiciary Committee of the House of Representatives reported favorably August 5, 1940, the Sumners amendment with amendment. The Sumners amendment, in original form, was imediately introduced in the Senate by Senator KING. But the pressure upon Congress for action upon defense and appropriation legislation, in its closing days, prevented action upon this amendment by the Senate Judiciary Committee.

The fundamental principle upon which the Government in our Nation is based is consent of the governed. This principle has been declared in forms accepted as self-evident truths, such as that governments derive "their just powers from the consent of the governed" and "taxation without representation is tyranny." Self-government is accomplished by the election by the people of those who make and administer laws.

The exception made with respect to the people at the seat of its Government was not because the principle is unsound or naturally admits of exceptions, but because the paramount interest of the National Government required that it be supreme at the seat of its Government, to the exclusion of any State or local sovereignty. Inasmuch as the national interest is the sole reason for excepting the District of Columbia from the otherwise universal rule of self-government, it follows that the people of the District should have such participation in their government as does not conflict with the national interest.

No impairment of national interest would result from participation by the people of the District in the National Government. None would result from participation in a local government provided the national Congress retains the power to revoke such control as may be delegated to a local government.

Constitutional amendment is necessary because there is now no power in Congress to provide for the people of the District representation in the National Legislature, Congress, or in the election of the Chief Executive. People of States have no greater participation in the National Government than this, and the proposed amendment therefore makes possible the grant to the people of the District participation in the National Government to the full extent of that now had by the people of the States.

The proposed amendment gives to citizens of the District the same access to Federal courts on the ground of diversity of citizenship now had by citizens of States.

For the people of the District to participate in national elections requires two steps: First, the adoption of an enabling amendment to the Constitution; and, second, the enactment of legislation granting national representation. For the adoption of the amendment the concurrence of two-thirds of each House of Congress and ratification by the legislatures of three-fourths of the States is necessary, whereas for the enactment of legislation granting national representation, after an amendment shall have been ratified, no more than a majority of Congress need agree.

ST. LAWRENCE RIVER DEVELOPMENT

Mr. DAVIS. Mr. President, a petition or memorial has just come to me, signed by 500 of my constituents in the Pennsylvania anthracite coal regions, protesting against the passage of legislation to build the St. Lawrence waterway. If the waterway is built, thousands of anthracite and bituminous coal miners will be thrown out of work. I do not believe that such action on the part of our Government would be fair to its citizens.

I ask that the two letters which accompanied the petition or memorial be printed as a part of my remarks and referred to the Committee on Foreign Relations.

There being no objection, the letters were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

CARBONDALE, PA., *May 5, 1941.*

Hon. JAMES J. DAVIS.
Hon. JOSEPH F. GUFFEY.
Hon. P. J. BOLAND.

DEAR SIRS: As a forerunner of coming events, I attach several petitions opposing the St. Lawrence seaway project. It is our belief that great harm will be done by such a project, and we are taking this means to endeavor to show you that the people of northeastern Pennsylvania are registering personal disapproval. There are approximately 500 names on these petitions, and you will receive many more protests in the near future. The peoples of this vicinity are keenly interested to know their Representatives' attitude, both in the House and Senate, and it was a pleasure recently to inform interested persons that Senator DAVIS was and has been bitterly against such a project.

Respectfully,

N. J. KIEFER,
Chairman of a Committee to Oppose the St. Lawrence Seaway Project.

Hon. JOSEPH F. GUFFEY,
Senate Office Building,
Hon. JAMES J. DAVIS,
Senate Office Building,
Hon. PATRICK J. BOLAND,
House Office Building,
Washington, D. C.

GENTLEMEN: Insofar as the navigation phase of the Great Lakes-St. Lawrence Basin project attains the aims of its sponsors, it would injure the commerce of Philadelphia and our other seaboard ports. Insofar as the hydroelectric phase of the project succeeds it will come in direct competition with our coal industry.

It would be idle for us to recite here all the reasons why we think it would be a mistake to ever build this seaway and why we think it would be treasonous for the Congress to authorize this worse than useless project at a time like this.

Suffice it to say that we oppose it for all the sound and patriotic reasons that animate the vast majority of the people of Pennsylvania, and in addition we, as railroad employees or other citizens whose interests are in some way related to theirs, fear this St. Lawrence project as a threat to railroad employment.

We have no doubt that, responsive to the overwhelming sentiment of your constituencies, and from your own common sense, you are as much opposed to this project as we are. Accordingly this memorial is submitted to place in your hands a sincere and concrete

expression of our sentiments. It may be useful in refuting the claims and resisting the blandishments of the small but powerful group that is promoting this project.

Respectfully submitted.

C. L. FALING,
Childs, Pa.
W. A. MONROE,
Childs, Pa.
N. J. KIEFER,
Carbondale, Pa.

ST. LAWRENCE RIVER DEVELOPMENT—EDITORIAL FROM THE NEW YORK SUN

Mr. DAVIS. Mr. President, an attempt is being made to justify the building of the St. Lawrence waterway on the basis that it is necessary at this time for our national-defense program. B. D. Tallamy, chief engineer of the Niagara Frontier Planning Board, refutes this argument. I ask unanimous consent to have printed as a part of my remarks, and referred to the Committee on Foreign Relations, an editorial entitled "Futile for Defense," from the New York Sun of May 2, 1941, which outlines Mr. Tallamy's refutation of the claim that the St. Lawrence waterway is needed in the interest of national defense.

There being no objection, the editorial was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

[From the New York Sun of May 2, 1941]

FUTILE FOR DEFENSE

Discussing the St. Lawrence seaway project, B. D. Tallamy, chief engineer of the Niagara Frontier Planning Board, did a thorough job of demolishing the pretense that this costly undertaking is needed in the interest of national defense. He showed that, on the contrary, it would actually hinder, instead of help rearmament in the United States. It would not only cost enormous sums of money and involve the labor of thousands of men, but would be, in the event of completion, particularly vulnerable to attack from the air. To say nothing of the proposed dam in the International Rapids section of the St. Lawrence River, it would include eight locks in the Welland Canal and nine in the St. Lawrence, the bombing of any one of which might close the waterway for an indefinite period of time.

In the international section alone, said Mr. Tallamy, some 92,000,000 tons of excavation would be required and more than 7,000,000 tons of cement would have to be used in addition to huge quantities of steel, earth for filling and the like. If this work were distributed over 7 years he figured that at least 43,000 men would be required daily at the site and behind the lines; at peak periods of construction 60,000 men would be required. This, however, would be only a beginning. A 27-foot waterway would be of no use without harbors in the Great Lakes of sufficient depth to accommodate vessels using it. Such deepening would have to be provided for as a necessary part of the scheme.

Attacking the Roosevelt administration's argument that the seaway is needed so that cruisers, other warships, and shipping in general may be constructed on the Great Lakes for national defense, Mr. Tallamy pointed to some facts which the administration ignores. So far as submarines, submarine chasers, mine sweepers, torpedo boats, and similar naval vessels are concerned, he said, these can be sent from the Great Lakes to sea through water routes already existing. Their construction in the interior of the country, he said, would leave yards on the coast open for construction of larger vessels. This, he argued, would eliminate the risk that larger craft might become land-locked through the bombing of vulnerable locks and dams on the seaway. Much more will undoubtedly be said on this point whenever the administration's scheme comes up for an airing in Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

S. 394. A bill to revise the boundaries of the Saguaro National Monument; without amendment (Rept. No. 263).

By Mr. HILL, from the Committee on Expenditures in the Executive Departments:

H. R. 3368. A bill authorizing expenditures for the Office of Government Reports in the Executive Office of the President; without amendment (Rept. No. 264).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1463. A bill providing for monthly payments to Stephen C. M. Appleby and his wife, or the survivor of them, in recognition of services rendered by him to the United States; to the Committee on Claims.

By Mr. GUFFEY:

S. 1464. A bill to provide that all candidates heretofore enlisted in the Reserve Officers' training camps under section 54 of the National Defense Act of June 3, 1916, shall be considered enlisted men and members of the military forces of the United States under certain conditions; to the Committee on Military Affairs.

By Mr. WALSH (for himself and Mr. LODGE):

S. 1465. A bill relating to the legality of the entry into the United States of certain persons born in a country contiguous to the United States; to the Committee on Immigration.

By Mr. WALSH:

S. 1466. A bill to further amend the act entitled "An act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes," approved August 29, 1935, as amended; to the Committee on Interstate Commerce.

S. 1467. A bill to amend section 12 (a) of the Selective Training and Service Act of 1940;

S. 1468. A bill to authorize the Secretary of the Navy to establish a fuel depot at Middle and Orchard Points, Wash.;

S. 1469. A bill to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), and for other purposes; and

S. 1470. A bill providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat; to the Committee on Naval Affairs.

By Mr. GLASS:

S. 1471. A bill to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes; to the Committee on Banking and Currency.

By Mr. MURRAY:

S. 1472. A bill to amend an act entitled "An act to provide funds for cooperation with the public-school district at Hays, Mont., for construction and improvement of public-school buildings to be available for Indian children"; to the Committee on Indian Affairs.

By Mr. BILBO:

S. 1473. A bill for the relief of the town of Coldwater, Miss.; to the Committee on Claims.

S. 1474. A bill to benefit farmers whose lands are within certain agricultural improvement districts by enabling such districts to make a reduction in the annual taxes, assessments, and other charges imposed upon such farmers by such districts; to the Committee on Agriculture and Forestry.

By Mr. NORRIS:

S. 1475. A bill granting an increase of pension to Allie Doll; to the Committee on Pensions.

By Mr. PEPPER:

S. 1476. A bill providing for Federal assistance in eradicating the cattle tick in the Seminole Indian Reservation in Florida; to the Committee on Indian Affairs.

ADDRESS BY SENATOR REYNOLDS ON THE PAN AMERICAN HIGHWAY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by him in Cincinnati on Thursday, April 3, 1941, entitled "The Pan American Highway in Relation to Hemispheric Defense," which appears in the Appendix.]

ADDRESS BY SENATOR MEAD ON LONGEVITY BILL

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address on the so-called longevity bill, delivered by him on May 2, 1941, which appears in the Appendix.]

ADDRESS BY DR. JOHN R. STEELMAN ON THE PLACE OF MEDIATION

[Mr. MEAD asked and obtained leave to have printed in the RECORD the address entitled "The Place of Mediation," delivered by Dr. John R. Steelman, Director of Conciliation, United States Conciliation Service, before the conference meeting on labor relations of the Chamber of Commerce of the United States, on April 30, 1941, which appears in the Appendix.]

ARTICLE BY FRANK R. KENT ON FISCAL POLICY

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Frank R. Kent on the subject of reducing nondefense spending and establishing a sound fiscal policy, published in the Baltimore Sun, which appears in the Appendix.]

RESOLUTIONS OF EXECUTIVE COMMITTEE OF AMERICAN LEGION

[Mr. HILL asked and obtained leave to have printed in the RECORD resolutions adopted by the National Executive Committee of the American Legion with reference to the shipment of raw material to aggressor nations and with reference to national defense, which appear in the Appendix.]

ARTICLE BY C. G. FERRIS ON ST. LAWRENCE RIVER DEVELOPMENT

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an article by C. G. Ferris, entitled "The Seaway Proposal and the Public Interest," published in the Illinois Journal of Commerce for May 1941, which appears in the Appendix.]

ADDRESS BY CHARLES A. LINDBERGH ON INVOLVEMENT IN WAR

[Mr. NYE asked and obtained leave to have printed in the RECORD an address by Charles A. Lindbergh in New York, on April 24, 1941, which appears in the Appendix.]

TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

The VICE PRESIDENT. The pending question is the amendment reported by

the committee at the beginning of line 7, page 51.

Mr. O'MAHONEY obtained the floor.

Mr. BARKLEY. Mr. President, I think we should have a quorum, and I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barkley	Gurney	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Shipstead
Brooks	Herring	Smathers
Brown	Hill	Smith
Bulow	Holman	Spencer
Bunker	Hughes	Stewart
Burton	Johnson, Calif.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Colorado [Mr. JOHNSON] and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The Senator from Utah [Mr. THOMAS] is addressing the National Association of University Extension Directors in Oklahoma City, and is, therefore, necessarily absent.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

SINKINGS OF CARGO VESSELS

Mr. VANDENBERG. Mr. President, will the Senator from Wyoming yield to me in order that I may present for the RECORD some rather important figures, with a very brief comment? I shall take only 2 or 3 minutes.

Mr. O'MAHONEY. I yield for that purpose.

Mr. VANDENBERG. Mr. President, the important, cardinal, crucial fact of accurate information which is necessary at the moment for the American people or the Congress adequately to assess the Atlantic hazard and the necessity for American convoys is the question of precisely how much of our aid to England is going to the bottom of the sea. The argument for urgent convoys and for more general and precipitate American participation in this effort is based upon the constant assertion that a large proportion of our material aid to England is going to the bottom of the sea.

I have only to refer to two or three sentences from an editorial on the subject this morning in the Washington Post, which I read:

> But what kind of a policy is aid to Britain when we see the fruits of our labor sent to the bottom of the sea? It is said that the sinkings amount to 40 percent of our exports.

Mr. President, for 3 weeks I have tried to obtain accurate information upon this very critical and significant and important phase of this problem, so that both Congress and the country might be accurately informed as a basis for their opinions and attitudes. I finally have this morning a letter from Emory S. Land, the Chairman of the United States Maritime Commission, in response to the question which I submitted to him when he was appearing before the Commerce Committee in connection with the pending ship bill. I wish to present this letter for the RECORD, and I wish to call attention to its contents.

I emphasize the fact on the authority of Admiral Land, the Chairman of the United States Maritime Commission, that between January 1 and April 30, 1941, 158 vessels of 781,914 gross tons were reported sunk in all parts of the world. That is the figure we are constantly given and which is constantly emphasized to measure the extent and the importance of our own obligation and emergency—158 vessels were sunk in 4 months. Mr. President, only 12 of these 158 vessels cleared from United States ports; so that the figures regarding the total sinking of 158 vessels, while very important in respect to the total British situation, pale into comparative insignificance compared to the other figure, which is that out of this total sinking only 12 vessels cleared from United States ports, only 8 of which were bound for Britain.

That is not all. Here is another figure bearing upon the same subject:

A total of 205 vessels cleared from United States ports for the United Kingdom between December 30, 1940, and March 31, 1941, carrying cargoes ranging all the way from canned soup and prunes to steel plate, rifles, airplane parts, gun barrels, and so forth. Out of these 205 vessels which cleared from the United States ports for the United Kingdom just 8 were sunk. We constantly hear about the figure of 205. I am calling attention to the fact that the significant figure, so far as the attitudes and opinions of the American people are concerned, is not 205 but 8, which is certainly a totally different picture and a totally different situation. The larger figure is definitely of vital importance to the general British situation and to the question of ultimate British victory. But the smaller figure is the only one which bears upon the question of what is happening to our own material aid to Britain. The larger figure bears on the ultimate availability of total ships to carry on the traffic. The smaller figure bears upon what is happening to our material on the British-American trade route where the necessity for convoys is being stressed.

Now, Mr. President, I am not disposed to minimize any hazard or any danger which exists, but I certainly am not disposed to maximize general over-all figures for the purpose of propagandizing the American people into fear and hysteria, when a break-down of the figures indicates that the situation is far less challenging than we are constantly given reason to believe.

I ask that Admiral Land's letter be printed in full in the RECORD at this point, Mr. President.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

UNITED STATES MARITIME COMMISSION,
Washington, May 5, 1941.

HON. ARTHUR H. VANDENBERG,
United States Senate, Washington, D. C.

DEAR SENATOR VANDENBERG: Referring to our discussion in the Commerce Committee last week, the following is submitted:

1. Between January 1 and April 30, 1941, 158 vessels, of 781,914 gross tons, were reported sunk in all parts of the world (according to our composite records, which we believe to be complete). Of these 158 vessels, only 12, of 66,782 gross tons, cleared from United States ports. A list of these 12 vessels is attached.

2. Cargo reports are available for 10 of these 12 vessels. These reports show an assortment of cargoes, ranging from canned soup and prunes to steel plates, bars and billets, copper bars and wire, zinc, wood pulp, chemicals to ammunition, rifles, gun barrels, airplane engines, and airplane parts.

3. Eight of the 12 vessels listed are included in a list of some 205 vessels which cleared from United States ports for United Kingdom ports between December 30, 1940, and March 31, 1941, and carried in their cargoes products subject to United States export license. This indicates that only a very small proportion of these vessels failed to reach their destination.

4. Of the four others, one (*Benjamin Franklin*) was left out of the foregoing list; two were Greek vessels destined for Greek ports (both sunk April 21); the twelfth was the Swedish tanker *Gastor*, which cleared for Goteborg March 11.

Cordially yours,

E. S. LAND, *Chairman.*

[Enclosure.]

Vessels which have been sunk after clearing United States ports for United Kingdom and European ports during the period Jan. 1 to Apr. 30, 1941, inclusive

Month lost and name of vessel	Flag	Type
JANUARY		
Bassano	British	Cargo.
FEBRUARY		
Calafatis	Greek	Do.
Maplecourt	British	Do.
Black Osprey	do	Do.
Siamese Prince	do	Do.
Silverfir	do	Do.
Benjamin Franklin	Norwegian	Do.
Empire Tiger	British	Do.
Total 7 vessels.		
APRIL		
Castor	Swedish	Tanker.
Ville de Liege	Belgian	Combination.
Grigorios C. II	Greek	Cargo.
Kassandra Louloudis	do	Do.
Total, 4 vessels.		

Grand total, 12 vessels.

Mr. VANDENBERG. I make this further request in conclusion: I have no notion that this brief letter from Admiral Land is conclusive in its testimony and evidence upon this one critical question; namely, How much of our aid to England is going to the bottom of the

sea? Indeed, even these figures do not reflect the actual tonnage of material sunk. Of course, it is not conclusive, although it is highly significant, and far more authentic than all the loose language which is being poured out upon the country in connection with this problem. I am saying that even this is not conclusive, but I am saying also that in a question which so fundamentally affects the peace and security of the American people, a question which so fundamentally affects the lives of Americans in and out of the service, I respectfully suggest that we ought to have all the facts laid before Congress and the country accurately, authentically, and in substantiated detail, so that we may be informed and reach informed conclusions, and not propaganda conclusions, in this critical moment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 216. An act for the relief of A. B. Codrington;

S. 248. An act for the relief of John G. Hunter;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 436. An act for the relief of Maximo Abrego;

S. 514. An act for the relief of R. Stern;

S. 788. An act for the relief of Noland Blass;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department; and

S. 1104. An act for the relief of William A. Wheeler.

The message also announced that the House had passed the bill (S. 392) for the relief of Joseph Dolak and Anna Dolak, father and mother of Gene Dolak, deceased, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, each with an amendment, in which it requested the concurrence of the Senate:

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock; and

S. 991. An act for the relief of the widow of the late Artis J. Chitty.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 188. An act for the relief of Maj. R. Lee;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 446. An act for the relief of the estate of Opal June Lindsay, Luck A. Lindsay, Thelma Louise Lindsay, and Laura Kathleen Lindsay;

H. R. 684. An act for the relief of Harold Byrne;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 735. An act for the relief of Aloha Motors, Ltd.;

H. R. 768 An act for the relief of William E. Thomas;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 843. An act for the relief of J. H. Atkins;

H. R. 859. An act for the relief of Arthur Gose;

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively;

H. R. 1356. An act for the relief of John I. Twehues;

H. R. 1541. An act for the relief of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia;

H. R. 1542. An act for the relief of Adolf Leon and his wife, Felicia;

H. R. 1646. An act for the relief of George Geis and the administrator of the estate of Joseph Glaser, deceased;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1638. An act for the relief of Herman E. Schorr;

H. R. 1727. An act to authorize the Secretary of the Interior to lease for the exploitation of silica sand, magnesite, and manganese, lands withdrawn by Executive Order No. 5105, dated May 3, 1929;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1753. An act for the relief of Maggie Lou Morse, administratrix of the estate of Exie Morse;

H. R. 1933. An act for the relief of Bert and Marie Freeman;

H. R. 1976. An act for the relief of J. W. and Robert W. Gillespie;

H. R. 2426. An act for the relief of H. B. Wilson;

H. R. 2716. An act for the relief of Karl Eduard von Vietinghoff-Scheel;

H. R. 2739. An act for the relief of Jack Y. Upham;

H. R. 2891. An act for the relief of Roy Gard;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3243. An act for the relief of John Klasek;

H. R. 3316. An act authorizing the Secretary of War to grant a revokable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 3810. An act for the relief of Neil Victoria Lea;

H. R. 4068. An act conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders;

H. R. 4073. An act for the relief of Marijo McMillan Williams;

H. R. 4144. An act for the relief of Capt. Walter L. Shearman;

H. R. 4181. An act for the relief of Marcel Stark;

H. R. 4250. An act to provide for the presentation of a medal to Roland Boucher in recognition of his bravery and heroism in rescuing five children from drowning in Lake Champlain;

H. R. 4254. An act for the relief of Mrs. A. O. Danneberger;

H. R. 4256. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War; and

H. R. 4270. An act for the relief of Margaret M. Cutts.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes";

S. 993. An act to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny a triangular parcel of land containing one-half acre situated at Seattle, Wash.; and

S. 1123. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 188. An act for the relief of Maj. R. Lee;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 446. An act for the relief of the estate of Opal June Lindsay, Luck A. Lindsay, Thelma Louise Lindsay, and Laura Kathleen Lindsay;

H. R. 684. An act for the relief of Harold Byrne;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 735. An act for the relief of Aloha Motors, Ltd.;

H. R. 768. An act for the relief of William E. Thomas;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 843. An act for the relief of J. H Atkins;

H. R. 859. An act for the relief of Arthur Gose;

H. R. 1356. An act for the relief of John I. Twehues;

H. R. 1646. An act for the relief of George Geis, and the administrator of the estate of Joseph Glaser, deceased;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1688. An act for the relief of Herman E. Schorr;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1753. An act for the relief of Maggie Lou Morse, administratrix of the estate of Exie Morse;

H. R. 1933. An act for the relief of Bert and Marie Freeman;

H. R. 1976. An act for the relief of J. W. and Robert W. Gillespie;

H. R. 2426. An act for the relief of H. B. Wilson;

H. R. 2739. An act for the relief of Jack Y. Upham;

H. R. 2891. An act for the relief of Roy Gard;

H. R. 2908. An act for the relief of William H. Evens;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3243. An act for the relief of John Klasek;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4068. An act conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claim of D. X. Sanders;

H. R. 4073. An act for the relief of Marijo McMillan Williams;

H. R. 4144. An act for the relief of Capt. Walter L. Shearman; and

H. R. 4270. An act for the relief of Margaret M. Cutts; to the Committee on Claims.

H. R. 1268. An act to repeal the provision of law granting a pension to Elizabeth Lively; and

H. R. 4256. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Pensions.

H. R. 1541. An act for the relief of Jacques Hailpern, Max Hailpern, and Sally Hailpern Zaharia;

H. R. 1542. An act for the relief of Adolf Leon and his wife Felicia;

H. R. 2716. An act for the relief of Karl Eduard von Vietinghoff-Scheel;

H. R. 3810. An act for the relief of Nell Victoria Lea;

H. R. 4181. An act for the relief of Marcel Stark; and

H. R. 4254. An act for the relief of Mrs. A. O. Danneberger; to the Committee on Immigration.

H. R. 1727. An act to authorize the Secretary of the Interior to lease for the exploitation of silica sand, magnesite, and manganese, lands withdrawn by Executive Order No. 5105, dated May 3, 1929; to the Committee on Public Lands and Surveys.

H. R. 3316. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation; to the Committee on Military Affairs.

H. R. 4250. An act to provide for the presentation of a medal to Roland Boucher in recognition of his bravery and heroism in rescuing five children from drowning in Lake Champlain; to the Committee on the Library.

TREASURY AND POST OFFICE APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

SHALL WE REVERSE NATIONAL AIR-MAIL POLICY?

Mr. O'MAHONEY. Mr. President, the pending question this morning is the amendment reported by the Senate Committee on Appropriations to provide an increased sum for the trans-Atlantic air-mail service. I should not undertake to address myself to this subject were it not for the fact that I feel very deeply that the arguments which have been made to date against the committee amendment have seriously and persistently confused the issue. It is, for example, argued that the Appropriations Committee in bringing in this appropriation is undertaking to determine a national policy with respect to trans-Atlantic aviation by an amendment on an appropriation bill, and that the matter should be postponed until there can be some investigation and hearing, either by a committee of Congress or by the Civil Aeronautics Authority.

Mr. President, exactly the reverse is true. If the Senate and the House should now defeat the amendment offered by the Senate Appropriations Committee, then the Senate and the House will be reversing a policy which has been adopted by the official board appointed for that purpose under a law of Congress.

The argument has been made also that to grant this additional appropriation would mean to confer a monopoly upon a ship line which, as it happens, owns an air line, and the Senate is asked to believe that this would be against the public interest.

The truth of the matter is, as I see it, that those who are arguing for the defeat of the committee amendment are taking the direct route to create and confirm a monopoly in the trans-Atlantic air-mail service. I should like to devote my attention to these matters.

Perhaps before I take them up I should refer to some of the arguments which have been directed against the American Export Lines and its subsidiary, the American Export Air Lines. We have been given to understand that the American Export Lines, the steamship line, is a monopoly, and that it is operating in violation of good public policy. The fact of the matter is that the American Export Lines is operating in strict conformity with the principles laid down by the Maritime Commission. The law of Congress establishing the Maritime Commission conferred upon that body the power, the authority, and, indeed, the duty to establish ship routes across the Atlantic Ocean. One trade route was awarded to the American Export Lines, another trade route was awarded to the United States Lines. One steamship line is not supposed under the law and regulations to invade the territory granted by the Maritime Commission to another. The purpose of that provision, of course, was simple. Congress recognized that when the Government of the United States undertakes to subsidize ocean-going vessels, then it ought to protect the ocean-going lines so that their earnings may, if possible, to some degree repay the Government.

Some comment was made yesterday or the day before upon an alleged $6,000,000 profit by the American Export Lines. The profit, under the law, until the subsidy is repaid to the Government, belongs 50 percent to the Government and 50 percent to the shipping line. The fact that a profit had been made is only proof that the policy adopted by Congress with respect to the establishment of these trans-Atlantic shipping lines was a wise policy, and that the payments made to support the ship lines are coming back into the Treasury of the United States.

It was pointed out that $1,200,000 was taken out of these profits for the purpose of establishing the air line. That is true. But the $1,200,000 represented the earnings of the company, and this fund was paid out of the company's 50 percent, and not out of the Federal Government's share.

The argument was also made, for example, that the American Export Lines, the steamship line, assessed some charge against the United States Lines when the United States Lines put a vessel upon the route to Lisbon. What are the facts about that? Let us bear in mind that the Maritime Commission set up several trade routes. To the United States Lines was granted one. The American Export Lines could not traverse that route. To the American Export Lines, the steamship line, was granted another route. The United States Lines, under the policy of Congress, could not travel that route. But the war came, the Neutrality Act became effective, the President's proclamation was issued, and the United States Lines was no longer able, under the law, to travel to the ports which had been awarded to it under the policy of Congress. Traffic naturally expanded on the other line to Lisbon. Did the American Export Lines resist the opening of that line to the United States Lines? Not at all. It welcomed it, and offered a contract under which not a single penny would be charged to the United States Lines on the business that it was doing, provided the United States Lines would agree that after the emergency had passed it would return to its own field of operations. The United States Lines declined to enter into that agreement, and a new agreement was made. This agreement was that the United States Lines should go upon the trade route awarded to the Export Steamship Lines, and then pay to the Export Lines, with the approval of the Maritime Commission—what? Its revenue? No. Fifty percent of the excess above $10 per freight-ton, which was the regular charge of the United States Lines.

It was recognized that in the emergency, freight rates would go up. Freight rates have gone up all over the world. The Export Lines was under obligation to repay to the Government the loans which had been made by the Maritime Commission to build its ships, and so it was unwilling to give away all its traffic, but it said to the United States Lines, "Take the regular freight rate, $10 per ton, on every dollar's worth of freight

that is carried, and above that we will share." What is wrong about that? Is that the action of a monopoly?

There is talk about passenger traffic. What about the passenger traffic? The Export Lines agreed with the United States Lines that the steamship *Washington*, one of the United States Lines steamers, should be permitted to operate upon the Export trade route, and that one of the Export Lines ships should operate in conjunction with it, and that the two lines should divide equally the passenger profit from both. What is wrong about that? What is unfair or monopolistic about that? The arrangement failed because the Maritime Commission refused to approve it. If there are any refugees in Lisbon who have been unable to obtain passage upon steamships, it is not because the Export Lines refused to carry them or refused to allow another line to come in and take part of the traffic, but simply because the Maritime Commission did not want the steamer *Washington* to traverse that route.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HAYDEN. My information is that the proposal not only included the *Washington*, but also the *Manhattan;* but that the Maritime Commission did not feel that it would be wise to allow the so-called luxury liners to run the risk of entering dangerous waters. In the meantime the *Washington* has been chartered by the United States Navy, and the *Manhattan* has been laid up for repairs.

Mr. O'MAHONEY. I thank the Senator for his contribution.

So much for the general type of attack which has been made upon the Export Lines. Let me add a few more words.

THE DECISION OF THE CIVIL AERONAUTICS BOARD

We are asked to believe that somehow or other this proposal is supposed to be a violation of the public policy laid down by the Civil Aeronautics Act itself. Mr. President, the facts scarcely seem to bear out that assertion. I have before me the opinion which was rendered by the Civil Aeronautics Board. We are told in the minority report that when the Civil Aeronautics Act was passed the Congress declared as a policy that a common carrier should not acquire and operate an air line, and that there was a divided opinion in the Civil Aeronautics Board as to whether or not the application of the Export Air Line was in violation of that law. The fact of the matter is that this argument is a mistake. Two questions were before the Board. The first was whether or not a certificate of convenience and necessity should issue. The second was whether or not it was necessary under the law for the Civil Aeronautics Board to give its consent in advance to the operation of an air-mail line by a steamship line, a common carrier.

It will be noticed that section 408 (a) of the Civil Aeronautics Act provided that it should be unlawful for a common carrier to acquire an air line unless approved by order of the Board—not that it was unlawful per se, but that it would be unlawful to make such acquisition unless the Authority approved. Mr. Ryan, a member of the Board, was the author of the dissenting opinion. Was his dissent directed to the issuance of a certificate of convenience and necessity? Not at all. He opened his dissenting opinion with this sentence:

> With the Board's disposition of the application for a certificate of convenience and necessity I am in agreement.

The only dispute before the Board was whether or not, under section 408, the shipping line should first seek the approval of the Board before acquiring the air line; and the majority of the Board—two members, it is true; there was a vacancy on the Board at the time—took the position that that was not necessary, because the shipping line had established the air corporation before the Civil Aeronautics Authority Act was passed.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AUSTIN. Let me ask the Senator to what part of the decision of the Board Mr. Ryan referred in the sentence which the Senator quoted?

Mr. O'MAHONEY. To the granting of the certificate of convenience and necessity.

Mr. AUSTIN. I notice that the Board made several different findings and refused several applications which were made by the same petitioner. My interpretation of Mr. Ryan's text is just the contrary of what the Senator now claims.

Mr. O'MAHONEY. Mr. President, I read the text very carefully. In order that there may be no question about it, I ask unanimous consent that the relevant portions of the two opinions be printed in the RECORD at this point.

I desire, however, to call particular attention to the following paragraph from the opinion with respect to the absence of any public regulation of passenger and express rates under the law:

> We are unable to find that the continued maintenance of an exclusive monopoly of trans-Atlantic American flag air transportation is in the public interest, particularly since there is no such public control over the passenger or express rates to be charged or over the standards of service to be rendered as is customarily provided in the case of a publicly protected monopoly.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

EXTRACT FROM OPINION OF CIVIL AERONAUTICS BOARD IN AMERICAN EXPORT CASE

NEED FOR COMPETITION IN THE TRANS-ATLANTIC SERVICE

It is therefore apparent that the fundamental issue is whether a second United States air carrier should be authorized to provide additional air-transportation service over the North Atlantic trade route or whether the opportunity of furnishing all such additional United States air transportation service should be reserved exclusively to intervener. The issue thus presented involves the entire underlying policy of the Civil Aeronautics Act of 1938.

The Civil Aeronautics Act of 1938 has for the first time established a comprehensive system of economic regulation of air transportation and has removed the threat of uneconomic and destructive competition in that field by providing that no air carrier may engage in air transportation without first receiving a certificate of public convenience and necessity. Intervener has contended that, when Congress imposed this requirement in the field of air transportation, it naturally expected that the Civil Aeronautics Board would be guided by the principles which underlie similar requirements in other Federal statutes and by the decisions of Federal administrative bodies and the courts under such statutory provisions.

Particular reliance is placed by intervener upon decisions under the Motor Carrier Act, 1935, by which Congress extended Federal regulation to highway transportation. In section 202 (a) of that statute its purpose is stated to be, among other things, to "* * * develop and preserve a highway transportation system properly adapted to the needs of the commerce of the United States and of the national defense; * * *." This language is somewhat similar to that found in section 2 (a) of the Civil Aeronautics Act of 1938.[1] Intervener directs attention to the case of Pan-American Bus Lines Operation, 1 M. C. C. 190, 203 (1936), where the Interstate Commerce Commission defined public convenience and necessity in the following terms:

"The question, in substance, is whether the new operation or service will serve a useful public purpose, responsive to a public demand or need; whether this purpose can and will be served as well by existing lines or carriers; and whether it can be served by applicant with the new operation or service proposed without endangering or impairing the operation of existing carriers contrary to the public interest."

Intervener also cites the case of Clark Common Carrier Application, 1 M. C. C. 445, 448 (1937), where the Interstate Commerce Commission said:

"It is likewise true, however, * * * that the maintenance of sound economic conditions in the motor-carrier industry would be jeopardized by allowing new operators to enter a field in competition with existing carriers who are furnishing adequate, efficient, and economical service. The record wholly fails to establish that the existing service is deficient in these respects."

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[1] Section 2, entitled "Declaration of Policy", directs the board in the exercise and performance of its powers and duties to consider the following, among other things, as being in the public interest, and in accordance with the public convenience and necessity:

"(a) The encouragement and development of an air-transportation system properly adapted to the present and future needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense;

"(b) The regulation of air transportation in such manner as to recognize and preserve the inherent advantages of, assure the highest degree of safety in, and foster sound economic conditions in, such transportation, and to improve the relations between, and coordinate transportation by, air carriers;

"(c) The promotion of adequate, economical, and efficient service by air carriers at reasonable charges, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices;

"(d) Competition to the extent necessary to assure the sound development of an air-transportation system properly adapted to the needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense;

(e) The regulation of air commerce in such manner as to best promote its development and safety; and

"(f) The encouragement and development of civil aeronautics."

Thus, intervener contends that the board may not, without violating established principles governing the regulation of transportation enterprises, authorize the service proposed by applicant, since such service would duplicate that of intervener, which stands ready to furnish whatever service the public interest requires. Applicant contends that, because of the dissimilarity between tests and standards prescribed under other statutes relating to certificates of public convenience and necessity and the tests and standards prescribed by section 2 of the Civil Aeronautics Act of 1938, decisions under such other statutes do not furnish controlling precedents.

Certainly, the declaration of policy contained in section 2 differentiates the act in many important respects from the usual form of public utility regulatory statutes. Particularly is the act differentiated from the Motor Carrier Act, 1935, under which Pan American Bus Lines Operation and Clark Common Carrier Application, supra, were decided, by reason of the provision of section 2 that competition "to the extent necessary to assure the sound development of an air-transportation system properly adapted to the needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense" is one of the factors which the Board must take into consideration as being in accordance with the public convenience and necessity.

This provision has no counterpart in the Motor Carrier Act, 1935. Applicant admits that the extent of competition requisite under this provision is within the discretion of the board, but insists that section 2 clearly requires that there be some competition in both foreign and domestic air transportation.

We conclude that competition in air transportation is not mandatory, especially when considered in relation to any particular route or service. Clearly, Congress has left to the discretion of the Board the determination of whether or not competition in a particular area is necessary to assure the sound development of an appropriate air-transportation system.

In a recent case we said, in denying an application by one of the three large transcontinental air carriers for approval of the acquisition of control of the only independent north-south air carrier in the territory west of the Rocky Mountains that

"Reference to both the legislative history and to the text of the act demonstrates the congressional intent to safeguard an industry of vital importance to the commercial and defense interests of the nation against the evils of unrestrained competition on the one hand, and the consequence of monopolistic control on the other."[3]

Thus, both the argument of intervener that precedents under other statutes are controlling, and the argument of applicant that the problems raised by this application can be solved merely by an interpretation of the word "competition" as used in the statute, fail.

The disposition of this case must depend on the particular facts which justify or condemn competition under the circumstances which are peculiar to this case. Those circumstances, moreover, must be evaluated by the particular standards set forth in the Civil Aeronautics Act of 1938.

The Board's regulatory power over air transportation is divided into two main categories, civil aeronautics safety regulation, which is governed by title VI of the act, and air carrier economic regulation, which is governed by title IV of the act. Under title VI the Board is fully empowered to promote safety of flight in air commerce (which includes air transportation), both foreign and domestic, by prescribing standards, rules, and regulations in the interest of safety. The economic regulatory power conferred by title IV is less comprehensive, particularly with respect to air carriers engaged in foreign air transportation. Whereas the Board may enforce the duty imposed on air carriers by section 404 (a) to provide adequate service, equipment, and facilities in interstate or overseas air transportation, its power in this respect does not extend to air carriers engaged in foreign air transportation, upon whom the act imposes no similar duty. Moreover, the Board's power to regulate rates, fares, and charges of air carriers does not extend to operations in foreign air transportation. Thus, economic regulation alone may not be relied on to take the place of the stimulus which competition provides to the advancement of technique and service in air transportation. Competition invites comparisons as to equipment, costs, personnel, methods of operation, solicitation of traffic, and the like, all of which tend to assure the development of an air-transportation system properly adapted to the present and future needs of the foreign and domestic commerce of the United States, of the Postal Service, and of the national defense. Although it does not appear that the quality of service rendered by intervener is at present inadequate in any respect, the record indicates that benefits to the public, in the shape of improved service resulting from advances in the industry, would be accelerated by competition between United States air carriers on the North Atlantic route.

It is the contention of intervener that competition from foreign air carriers is a certainty, and that it will be necessary to provide the existing United States air carrier on the North Atlantic with all the help available, financial and otherwise, to meet such competition. It is intervener's contention, moreover, that competition from foreign air carriers will satisfy the requirements of section 2 of the act, insofar as that section may require competition.

It is obvious, however, that competition by foreign air carriers will not have the same beneficial effect which competition by United States air carriers should have. The part which national loyalties may be expected to play in the routing of traffic must not be forgotten. Moreover, fundamental differences in background and technique between United States and foreign-flag air carriers may tend to distinguish their respective services by essentially noncompetitive basic characteristics, rather than by those differences of degree which stimulate progress through competition.

The addition of new and improved equipment by foreign air carriers will, to be sure, result in the necessity of United States air carriers equaling or bettering such equipment if they desire to maintain their competitive position. However, unless and until the United States air carrier can match a given improvement in the service rendered by a foreign air carrier, United States air transportation will not have been advanced. On the other hand, any addition to service or improvement of equipment by a competing United States air carrier will be an immediate and direct advantage to the air-transportation system of the United States.

Our national defense, in particular, can be benefited by competition between United States air carriers whose interests, patriotic and otherwise, are in the supremacy of this country's aviation. In Pan American Airways Co. (Delaware) New York-Marseilles-London Certificate, supra, we stated:

"From the evidence it appears that the experience and training to be derived by flight personnel from this long-distance operation over the North Atlantic, and the information relative to air operating conditions, aerological matters, methods, and necessary facilities in this area, are valuable to the national defense."

Upon the present record similar considerations are involved in the operation of the services proposed by applicant. Applicant contends, with merit, that no matter how many foreign competitors may be in the field, their research and development will not be available to the national defense of this country.

It appears that competition by applicant would induce the use of different types of equipment and make use of the facilities of a greater number of our manufacturers, thereby affording the War and Navy Departments valuable data concerning additional types of equipment. It would mean the training of additional American supervisory operations personnel and would provide an incentive to the development of new and different operating techniques.

At various times prior to the hearing, European air-transportation enterprises had operated experimental or seasonal services across the North Atlantic. With the outbreak of war in Europe, all such services were terminated, and the American carrier then operating has since rendered the only trans-Atlantic air-transportation service. Conditions in Europe have changed appreciably since the commencement of hostilities. These factors render it all the more desirable to take advantage of this opportunity to entrench American air transportation more firmly in the North Atlantic field by means of a second American air line.

It cannot be denied that, at the present time, the system comprising intervener and its affiliated companies enjoys a practical monopoly over the transoceanic air transportation conducted by United States air carriers. Applicant submits that the failure of the board to grant its application would be tantamount to closing forever the door to competition by any American air carrier over the North Atlantic route. Applicant and its parent company, American Export Lines, Inc., have expended large sums of money in extensive plans and preparations for applicant's entry into trans-Atlantic air transportation. Applicant's plans for eventual entry into this field antedate the inauguration of intervener's service by several years.

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[3] United Airlines—Acquisition of Western Air Express, Docket No. 270, decided June 19, 1940.

This conclusion receives support in the following remarks of Senator McCARRAN made in the course of the debate on the floor of the Senate prior to the enactment of the Act, (Vol. 83 CONGRESSIONAL RECORD, 75th Congress, 3rd Session, p. 9029-30, May 13, 1938):

"If it could be established to the satisfaction of the Authority which is about to be set up that another line could well be operated from Chicago to Salt Lake City, although that same territory is now served by the United Air Lines, and the demand for service was so great as to support another line, then the authority could investigate, reach a determination, establish a rule, and could say, 'There is sufficient demand, there is sufficient patronage, and there is sufficient commercial life to sustain the other lines. Therefore we can grant a franchise to another line.' But before that could be done, full and complete hearings would have to be had. So we are trying to set up a non-political agency that will go into matters such as this one I have tried to illustrate, and if the circumstances do not justify another line, say 'No, you cannot go in; you cannot set up another line, because if you do both lines will fail; both lines will go out of business, and the public that we are looking to primarily will not be served.' That is the object and purpose of this entire bill. It is not to say that any line may be 'frozen' nor that any line may be perpetuated nor that any monopoly over any terrain may be established to the exclusion of the necessity which the public may present."

We are unable to find that the continued maintenance of an exclusive monopoly of trans-Atlantic American flag air transportation is in the public interest, particularly since there is no such public control over the passenger or express rates to be charged or over the standards of service to be rendered as is customarily provided in the case of a publicly protected monopoly.

We have reached our conclusion as to the need for competition on the North Atlantic trade route primarily on the basis of the declaration of policy contained in section 2 of the Civil Aeronautics Act of 1938 and on the particular set of facts before us. However, we believe that the result that we have reached is entirely consistent with general principles of public-utility regulation. Competition does not necessarily involve a useless duplication of service.

It is true that where a territory is served by a utility which (1) has pioneered in the field, (2) is rendering efficient service, (3) is fulfilling adequately the duty which, as a public utility, it owes to the public and (4) the territory is so generally served that it may be said to have reached the point of saturation as regards the particular service which the utility furnishes, the trend today is to protect the utility within such field; but when any one of these conditions is lacking, the public convenience may often be served by allowing competition to enter the field.

Intervener has pioneered the route here under consideration and is rendering efficient service within the limits of its facilities, but the saturation point of available air traffic on this route is not yet reached. The territory to be served through the termini of the trans-Atlantic route is almost unlimited. The Interstate Commerce Commission, in the case of Santa Fe Trail Stages, Inc., Common Carrier Application (No. MC-30607) decided February 15, 1940, stated that "Regulated monopoly is not a complete substitute for competition. The latter fosters research and experimentation and induces refinements in service which are not likely otherwise to be accomplished." The Commission further stated:

"It must be accepted that as an exception or qualification of the rule laid down in the cases above mentioned (decisions of the Interstate Commerce Commission and other regulatory bodies to the effect that duplication of adequate existing service is unwarranted) that an additional service may be required in the public interest even though an existing operator is supplying in quantum what appears to be a sufficient service, where there is lacking any worthy competitor of such operator in its own field and where the available business is ample to support another operation."

After carefully weighing the foregoing considerations and all of the arguments advanced by applicant and intervener, we are of the opinion that the inauguration of a second trans-Atlantic service by a properly qualified United States air carrier is in the public interest.

* * * * *

APPLICATION UNDER SECTION 408

As heretofore stated, applicant requests approval by the board of its control by American Export Lines, Inc. under section 408 of the act, "if such approval is deemed necessary."

Applicant contends that section 408 of the act is not applicable in this case, since the control of applicant was acquired prior to June 23, 1938, the effective date of section 408 of the act, and that to hold that this section of the act is applicable would give it a retroactive effect which was not intended. The pertinent provisions of section 408 of the act are as follows:

"Section 408 (a). It shall be unlawful, unless approved by order of the authority as provided in this section—

* * * * *

"(5) For any air carrier or * * * any other common carrier * * * to acquire control of any air carrier in any manner whatsoever;

* * * * *

"(b) Any person seeking approval of * * * [an] acquisition of control, specified in subsection (a) of this section, shall present an application to the authority, and thereupon the authority shall notify the persons involved in the * * * acquisition of control, and other persons known to have a substantial interest in the proceeding, of the time and place of a public hearing. Unless, after such hearing, the authority finds that the * * * acquisition of control will not be consistent with the public interest or that the conditions of this section will not be fulfilled, it shall by order, approve such * * * acquisition of control, upon such terms and conditions as it shall find to be just and reasonable and with such modifications as it may prescribe: *Provided,* That the authority shall not approve any * * * acquisition of control which would result in creating a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier not a party to the * * * acquisition of control: *Provided further,* That if the applicant is a carrier other than an air carrier, or a person controlled by a carrier other than an air carrier * * * such applicant shall for the purposes of this section be considered an air carrier and the authority shall not enter such an order of approval unless it finds that the transaction proposed will promote the public interest by enabling such carrier other than an air carrier to use aircraft to public advantage in its operation and will not restrain competition."

American Export Lines, Inc. (hereinafter called the Steamship Company) is a common carrier other than an air carrier.

The evidence shows that applicant was incorporated in April 1937, and that from that time until June 1939, its outstanding stock, which is all of one class and entitled to one vote per share, was owned entirely by the Steamship Company. In June 1939, the Steamship Company distributed to its stockholders, as a dividend, 30 percent of such stock and it still holds the remaining 70 percent thereof. Applicant asserts that, because of the fact that the acquisition of its stock by the Steamship Company antedated the Civil Aeronautics Act of 1938, there is no acquisition before the board for approval. When it was argued by counsel for intervener and counsel for the board that, although there had been the prior acquisition of applicant as a corporate entity before the passage of the act, the acquisition of an air carrier would not take place until the corporate entity became an air carrier, namely, upon receiving a certificate and actually undertaking to engage in air transportation, applicant took the position that, since no acquisition of applicant as a corporate entity is presently involved, it is not material as to when applicant becomes an air carrier.

An examination of the provisions of section 408 (a) (5) leads us to the conclusion that it applies to cases involving the control of air carriers only where the acquisition of control of a corporate entity occurs at a time when that entity is already an air carrier. The operative language of the act in this respect is "to acquire control of any air carrier in any manner whatsoever." The transaction made unlawful by the section is an act of acquisition of a particular type of entity. In its usual sense, a corporate acquisition means some transaction such as the purchase of stock. We can find no indication in this section or in other parts of the act that the term is here used in any other than its usual sense, and, accordingly, we must attribute to it this meaning. A review of the evidence reveals that applicant was not an air carrier at the time control of applicant through stock ownership was acquired by the Steamship Company. It necessarily follows that since the acquired company was not an air carrier at the time such an acquisition of it took place the section does not apply and we so find. Accordingly, the application filed under section 408 will be dismissed.

We have carefully examined all of the particulars of the relationship between applicant and the Steamship Company as disclosed by the record in these proceedings. We do not find anything to indicate that such relationship will be in any way inconsistent with the public interest. We find that applicant will be fit, willing, and able properly to perform the air transportation for which certificates are to be issued herein, and to conform to the provisions of the act and to the rules, regulations, and requirements of the board thereunder, and that such air transportation is required by the public convenience and necessity, regardless of whether or not applicant continues in its present relationship to its parent company, American Export Lines, Inc., or becomes an independent company.

* * * * *

On the basis of the entire record and the findings hereinbefore made, we find that there should be issued to applicant

1. A certificate of public convenience and necessity authorizing it, subject to the provisions of said certificate, to engage in temporary air transportation with respect to persons, property, and mail between the terminal point New York, N. Y., and the terminal point Lisbon, Portugal: *Provided,* That either or both of the points Hamilton, Bermuda, and Horta, the Azores, may be included as intermediate points if and when required by weather conditions; and *Provided,* That during such times as New York, N. Y., is not usable as a terminal because of weather or climatic conditions, the holder shall use Baltimore, Md., as a terminal in lieu of New York, N. Y. Said certificate shall continue in effect for such time as the conduct of operations to France, England, Ireland, and Italy, or to any one or more of such states, shall be rendered unlawful by proclamation or proclamations issued pursuant to the provisions of the Neutrality Act of 1939, or any act amendatory thereto, and for 60 days after such proclamation or proclamations shall have ceased to render the conduct of such operations unlawful: *Provided,* That if at any time prior to the expiration of such 60 days the holder of said certificate shall make application for an alteration, amendment, or modification thereof and in said application shall request the removal of said limitation upon the duration of said certificate, said certificate shall continue in effect after the expiration of such 60 days and until the issues raised upon such application shall have been determined.

2. A certificate of public convenience and necessity authorizing it, subject to the provisions of said certificate, to engage in temporary air transportation with respect to property and mail between the terminal point New York, N. Y., the intermediate point Horta, the Azores, and the terminal point Lisbon, Portugal; *Provided,* That Hamilton, Bermuda, may be included as an intermediate point if and when required by weather conditions; and *Provided,* That during such times as New York, N. Y., is not usable as a terminal because of weather or climatic conditions, the holder shall use Baltimore, Md., as a terminal in lieu of New

York, N. Y. Said certificate shall continue in effect until September 1, 1941.

We further find that insofar as the application herein is not granted, it should be dismissed without prejudice to applicant's right to have the application reconsidered upon the present or a reopened record.

We further find that applicant's application for the approval under section 408 (b) of the act of its control by American Export Lines, Inc., should be dismissed because of the inapplicability of said section.

An appropriate order will be entered.

Branch, chairman, and Mason, member, concurred in the above opinion. Warner, member, did not participate.

Ryan, member, concurring and dissenting:

With the board's disposition of the application for a certificate of public convenience and necessity I am in agreement. I must dissent, however, from the conclusion of the majority that the board is without a duty or power under section 408 of the Civil Aeronautics Act to determine the effect upon the public interest of the interlocking relationship between the two companies. Such interpretation of section 408 in my opinion, is not sustained by an analysis of the statute, and in future cases would bind us to a limitation of jurisdiction over relationships of the type covered by section 408 which was not intended by the Congress.

It appears from the record that American Export Lines, Inc., is a steamship company and a common carrier by water. On April 7, 1937, it formed, under Delaware law, American Export Airlines, Inc., the present applicant, and took all of its capital stock. At present it owns 70% of such stock. One of the corporate purposes of the applicant was and is to carry on the business of air transportation. With the aid of advances from its parent, the steamship company, the applicant made preliminary surveys during and after the year 1937, signed on September 7, 1938, a contract for the purchase of an airplane, began survey flights in the summer of 1939, and on May 9, 1939, filed its present application for a certificate of public convenience and necessity—all preparatory to engaging in trans-Atlantic air transportation. The officers and directors of the applicant are, with two exceptions, the officers and directors of the steamship company, which has exercised control over the applicant's policies from the date of its incorporation. Upon our issuance of the certificate authorized in the present proceeding, the applicant "will undertake to engage in air transportation" and will certainly become an "air carrier."

The question is whether the applicant, before it enters upon the undertaking of an air carrier, must have our approval of the relationship of control which will then exist between a steamship company and an air carrier. I believe that approval is required.

Section 408 (a) (5) of the act provides that that "it shall be unlawful, unless approved by order of the authority as provided in this section, * * * for any air carrier or person controlling an air carrier, any other common carrier, or any person engaged in any other phase of aeronautics, to acquire control of any air carrier in any manner whatsoever." Section 408 (a) (6) imposes the same requirement upon an acquisition "in any manner whatsoever" of "any person engaged in any phase of aeronautics otherwise than as an air carrier." The majority holds that section 408 (a) (5) "applies to cases involving the control of air carriers only where the acquisition of control of a corporate entity occurs at a time when that entity is already an air carrier," and that since the acquired corporate entity in the present case, namely, the applicant, will become an air carrier subsequent to the date when its stock came into the possession of the steamship company, no acquisition will have taken place within the meaning of section 408; and that the board, therefore, has no jurisdiction over the consummation of the relationship which will exist between the steamship company and the air carrier.

It will be noted that this interpretation makes the date of the enactment of the Civil Aeronautics Act of no significance in the present case. For the majority finds, in effect, that section 408 is not applicable to the present case, not because there was no acquisition of an air carrier prior to the passage of the Civil Aeronautics Act, but because there will have been consummated no acquisition of an air carrier by the steamship company, even after the applicant has actually undertaken and embarked upon the business of air transportation.

The basic difficulty I have in accepting this interpretation lies in the assumption that an acquisition within the meaning of section 408 "means some transaction such as the purchase of stock" and that since, in the present case, "the acquired company was not an air carrier at the time such an acquisition of it took place," the section does not apply. I find no language in the section to justify placing such a limitation upon the content of the word "acquire" which in its ordinary dictionary meaning means to "gain," to obtain possession of," "to receive in any way whatsoever,"[3] "to receive or gain in whatever manner."[4] On the contrary, the section specifically refers to an acquisition of control "in any manner whatsoever." In view of the express language thus used, it seems to me to be an unwarranted interpretation which asserts that if a common carrier steamship company obtains, by stock purchase, control of another company which, at the time of such stock purchase is an air carrier, there is consummated an acquisition within the meaning of section 408, but that if such steamship company obtains control of a company which is not at the time an air carrier and later causes such controlled company, by appropriate acts, to become an air carrier, no acquisition of an air carrier has taken place. Certainly the results so far as the public interest is concerned will be the same in both cases since, in both situations, the steamship carrier obtains control of an air carrier.

The latter of the two situations above outlined describes the instant case. The single act of stock purchase of the corporate entity of the applicant constituted but the initial step in a process by which the steamship company will "obtain possession of" an air carrier. That process will have been completed when the applicant undertakes to engage in air transportation.[5] The direction of the act requiring us to pass upon acquisitions of air carriers "in any manner whatsoever," must mean that Congress intended that we should regard the series of events which will result in the control of an air carrier by the steamship company as constituting an acquisition.

It must be conceded that immediately after the steamship company obtained control of the applicant corporation, the steamship company did not at that time have possession or control of an air carrier. It is equally undeniable that after the applicant has actually begun to engage in the business of air transportation under its certificate, the steamship company will then have possession and control of an air carrier. Between these two dates some event or series of events will have occurred to produce this result. To hold that that event or series of events which will vest in the steamship company control of an air carrier which it did not previously control does not constitute an acquisition is to ignore the commonly accepted definition of the word "acquire," which means "to receive or gain in whatever manner." The majority's view involves us in the inescapable and, to my mind, unsupportable conclusion that although the steamship company will at some time find itself in control of American Export Airlines, Inc., as an air carrier, it will never have "received in any way whatever" control of that air carrier.

The construction which I have urged would seem to be consonant with the policy of the Civil Aeronautics Act with respect to intercorporate relationships of the types covered by sections 408 and 409.[6] It needs no resort to legislative history to reach the conclusion that it was the purpose of Congress in this Act to insure that air carriers should be kept separate from other enterprises such as aircraft manufacturing companies and common carriers engaged in surface transportation, except where an affiliated relationship shall have been found by the board to be not inconsistent with the public interest. The majority's construction of section 408 runs counter to such policy, since it permits interlocking relationships between steamship carriers and air carriers to be consummated without the board's approval except in those cases where the acquired company was an already existing air carrier. I find it impossible to reconcile the language and policy of the Act with the conclusion that the congressional purpose was limited to the maintenance of the identity of air carriers and aeronautical companies which had already acquired their business character at the time of the acquisition of their corporate entities.

One consequence of such restricted interpretation is that under it any existing air carrier will be able, without obtaining the board's approval, to acquire an aircraft manufacturing enterprise by the familiar method used by the steamship company in the instant case, namely, by organizing another corporation, taking over its controlling stock, and then causing such controlled corporation to engage in the manufacture of aircraft. For, under the doctrine of the majority opinion, the air carrier in such a case would not be acquiring control of a manufacturing company; it would be merely acquiring control of a corporate entity; and the subsequent embarking by that corporate entity upon the manufacturing business would not constitute an acquisition within the meaning of section 408.

For the reasons which I have set forth, I think the board should take jurisdiction of the application for approval of the proposed acquisition under section 408 of the act and should determine such application on the merits, applying the standards prescribed by section 408, which differ from those applicable to the determination of the application for a certificate of public convenience and necessity.

Mr. O'MAHONEY. Mr. President, it seems to me to be clear now, when we consider the matter of equity, that the

[3] Winston Simplified Dictionary, College Edition, 1939.

[4] Funk & Wagnalls New Standard Dictionary of the English Language, 1937.

[5] Section 1 (2) of the act defines "air carrier" as "any citizen of the United States who undertakes, whether directly or indirectly or by a lease or any other arrangement, to engage in air transportation."

[6] Section 409 requires approval of interlocking officers and directors with respect to relationships of the kind covered by section 408. Thus, although the board in the instant case has ruled that it is without jurisdiction to pass upon the acquisition of the applicant as an air carrier by the steamship company, the board, under section 409 (a), will nevertheless have to approve the interlocking officers and directors of the steamship company and the applicant before they may lawfully continue to occupy their positions.

announced decision of the Civil Aeronautics Authority—the body which was set up by the Congress for the purpose of administering the technical, involved questions of operations like the one we are considering—cannot be overthrown in the Congress by action upon an appropriation bill without establishing a new policy. I shall advert to that a little later.

Great emphasis has been placed upon the fact that there is this great overlordship of the air line by the steamship line. Let us for a moment consider the facts with respect to that. It is true the steamship line created a subsidiary corporation to carry on this trans-Atlantic air service before the Civil Aeronautics Authority was created, before Congress had announced any policy at all with respect to the problem, and while there could have been no possible question of the right and authority of the line to do it.

QUESTION OF CONTROL OF AIR LINE

It is also true that before there was any action by the Civil Aeronautics Authority the Export Steamship Corporation had undertaken to pioneer this air route and had expended a large sum of money in the effort. The steamship line was the owner of all the stock of the air line before the Civil Aeronautics Act was passed. When the certificate of convenience and necessity was granted and it looked as though a new line was to be established, then the steamship line distributed 30 percent of the stock to the steamship stockholders, thereby starting up on that process of divestiture which seems to be the policy of the law as to the future.

But more important than that, Mr. President, is the fact that at that time the steamship line entered into an agreement with certain underwriters, A. G. Becker & Co., of Chicago and New York, for an issue of $3,000,000 worth of stock for sale to the public, the issuance of which would finance the new line and would bring down the steamship ownership to less than 25 percent of the total—to 22 percent.

What prevented that from going on? The fact that the line which was already operating alone across the Atlantic undertook then to begin the fight which it has waged down to this very hour—to prevent the establishment of any competition in the air.

The failure of the appropriation at the last session of Congress to carry out the policy of Congress as enunciated by the Civil Aeronautics Authority, the appeal of the Pan American Co. from the decision of the Civil Aeronautics Board, and, finally, the fact that the State Department had not succeeded as yet in obtaining landing rights in Portugal for the new line, were three paramount reasons why the underwriters said, "We cannot go forward with the sale of this stock." And by the failure of Congress to make the appropriation the policy of the Civil Aeronautics Authority to establish a second line across the Atlantic Ocean was reversed.

REASON FOR NEW LINE

Is it to be said that there is no reason for establishing such a line? The Civil Aeronautics Authority in its opinion has set out clearly that its decision to issue this additional certificate of convenience and necessity was moved by the fact that it believed that in the public interest all of the trans-Atlantic air traffic should not be concentrated in one company. And in the opinion will be found set forth figures and statistics, about which there can be no dispute, demonstrating clearly that the traffic across the Atlantic is so great, the business between the United States and Europe has always been so great a portion of all of the international business of the United States, that there is more than enough for all.

Mr. President, my interest in this case has been promoted chiefly by the fact that I find here illustrated what I verily believe to be at the very root of all the economic, and I will also add, the military disasters with which the world is now confronted. We have been operating upon the theory that there is not enough to go around, and each one has been seeking to grab what there is for himself and exclude all the others, whereas, in truth and in fact, there is enough for all, if we would just stop being greedy.

Trans-Atlantic air traffic is just in its infancy. It is foolish to contend that there is not enough business for two lines. There is business enough for more. All one has to do is to read the story of the expansion of air traffic in continental United States to know that it grows by leaps and bounds. I venture to say that, come peace, which we all pray may some day come, the traffic by air across the Atlantic Ocean will be sufficient to require daily trips.

A WORLD-WIDE MONOPOLY

Mr. President, we have here what I believe to be an artful attempt, not clearly understood by Members of Congress, on the part of one line to secure complete and permanent domination of the airways of the world. I have here upon the wall of the Senate Chamber a map from the Post Office Department showing the air lines which are now operated by the Pan American. I am sure Senators will find it interesting to examine that map, and to see that the Pan American spans both the Atlantic and the Pacific Oceans—to China, to Australia, to New Zealand, across to Ireland, the British Isles, and to southern Europe. What more does this line want? As I suggested the other day, why should this line, which has been the beneficiary of the largess of the people of the United States, undertake to oppose a policy of Congress and of the Civil Aeronautics Authority? Because it seeks, as I verily believe, to dominate the air traffic of the world.

Ninety million dollars have been paid in air-mail pay to the Pan American. What has that done for Pan American? What has that contribution from the Treasury of the United States and the people of the United States to the Pan American Co. accomplished for the benefit of that company? The answer is clear. The testimony was given by Mr. Trippe that this enterprise started with a capital of something like $300,000, as I recall it. What is the situation today, according to the report of the Pan American? The company has sold 1,887,355 shares of stock. The receipts from that stock amount to $24,300,000, of which only $18,167,815 were in cash, the balance, something over $6,000,000, being in intangibles.

THE GROWTH OF PAN AMERICAN

The total investment in the shares of this corporation, according to its own balance sheet, is, therefore, $24,300,000. The significant thing is that it has been emphasized here, for example, that dividends have been comparatively small—only 2¼ percent, it is said—but 2¼ percent on what? Two and one-fourth percent upon what? What is the basis of measuring these dividends? It is said that the earnings have been plowed back into the corporation. That is true; earnings have been largely plowed back into the operations. I have before me a table, taken from the reports of the company, showing that the net income of Pan American Airways for the period from 1929 to 1939 was $6,893,438.03, of which $4,294,000 has been distributed to the stockholders. But listen to the story of the assets: According to the balance sheet of Pan American filed with the stockholders on the 30th of April last, a report which was summarized in the New York Herald Tribune of May 1, a story from which I quoted yesterday, on page 24 of the thirteenth annual report, the total assets of Pan American were listed as $56,081,668.63. Deduct from that the total amount received from the sale of stock, and there remains a balance of $31,781,668.63 which has been added to the assets of this international giant because a generous people have supported it in its operation.

Mr. President, why should the Congress of the United States now, after the Civil Aeronautics Board has acted, undertake to prevent the establishment of a competitive line?

We are told that an extra trip by Pan American will cost $9,000, and that the proposed trip by American Export Air Lines will cost some $21,000. From that statement are we to assume that the Pan American does not receive $21,000 for any trip? Not at all. The Pan American today receives $21,000 for its first trip.

Are we to assume that there is no need for competition across the Atlantic, and that the Civil Aeronautics Board was wrong in stating that there should be competition, and that a certificate of convenience and necessity should issue?

THE NEED FOR COMPETITION

Mr. President, the first consideration was that unless there is competition there is no means of measuring what should be the proper charges for freight and passenger service. Unless there is competition, the proper charges cannot be determined. When competition appears, the charges tend to come down where they ought to be; but without competition the public has no protection whatsoever.

The Commission, pointing out that under the law there is no power to control the passenger and freight rates in international aviation, stated that it was desirable that there should be a competitive line.

Now, let us get some evidence from the other side.

In the record there appears a letter from Mr. Trippe, of the Pan American, to the Postmaster General, dated December 10, 1940. This letter appears on pages 631 and 632 of the House hearings. It was inserted in the record by Mr. Trippe, so there can be no question of the verity of the letter.

Under date of November 29, 1939—

Says Mr. Trippe in his letter to the Postmaster General—

I had the honor to advise your Department that our company expected to increase the frequency of our trans-Atlantic service to six trips per week during the early spring and summer of 1941, utilizing the additional equipment ordered some months previously and then under construction.

Skipping a paragraph which is of no particular relevance to the particular point I now discuss:

In accordance with this suggestion, our company, on or about December 28, 1939, filed with the Civil Aeronautics Authority an application for the fixing of fair and reasonable rates of compensation on additional trans-Atlantic trips to be operated by our company. A copy of this application was served upon your Department, as required by the regulations of the Civil Aeronautics Authority.

Then, skipping one more paragraph, which is irrelevant for my present purpose, although I shall ask that at the conclusion of my remarks the entire letter be inserted in the RECORD, we find this interesting paragraph:

Since the additional trips would not require substantial additions in ground or overhead expenses, the rate of compensation for such trips can, of course, be much lower than for the initial trips. This was recognized in the application filed by our company last December—

That was December a year before—

which stated as fair and reasonable rates $14,100 per out-bound trip for the third and fourth weekly trips—

A fair and reasonable rate of $14,100, not $9,000—

and $12,800 per out-bound trip for the fifth and sixth weekly trips as compared with the existing rate of $21,600 * * *.

Now, listen:

However, as a result of the further increases in traffic resulting from the war, our company now believes that, as long as this condition continues—

Observe the little string upon the offer—

as long as this condition continues and all of such traffic remains available to us, rates for the additional trips considerably lower than those stated a year ago would be fair and reasonable.

In other words, "so long as you confirm us in the monopoly which the Civil Aeronautics Board seeks to offset we shall reduce the price." Is not that, Mr. President, always the way of monopoly, and is not that the very justification of the decision of the Civil Aeronautics Board? What was it that brought the Pan American to offer the lower rate? The appearance of competition upon the sea when the Civil Aeronautics Authority granted the certificate of convenience and necessity.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. HAYDEN. As the Senator pointed out the other day, even though the rate was made lower, if at any time the company could make a showing that it was not making money on such rate, it could come back to the Civil Aeronautics Board and have the rate raised.

Mr. O'MAHONEY. Certainly.

Mr. HAYDEN. It could do exactly as was done by a large number of transcontinental air-mail lines. They made an exceedingly low bid in order to get the business; then came to the Board to have the rate increased; and, as a strange coincidence, this company did that very thing on the route to Bermuda. They bid a very low rate, and because the Treasury could not pay anyone less than a cent they operated for 3 months to earn 1 cent. Then, after they had put the line in operation, they appealed to the Civil Aeronautics Board and said that, of course, that rate was too low, and the Board authorized a rate of $1,700 a trip and made it retroactive. Those are the facts, and that process can be duplicated again at any time when a proper showing can be made.

Mr. O'MAHONEY. The Senator is quite right.

I wish to make one more comment upon the matter of the rate. It has been argued and reargued here on the floor, in the effort to defeat the recommendation of the committee and the policy of the Civil Aeronautics Authority, that, upon this trans-Atlantic line, the Pan American, by reason of the revenue from the sale of air-mail stamps, is returning to the Government more than the Government is paying out; in other words, that the Government's receipts from the sale of air-mail stamps for the trans-Atlantic service have been more than sufficient to cover the mail pay to the Pan American line. That is true now, yes, and a great virtue is made of it; but in December 1939, when Mr. Trippe sent his proposal to the Civil Aeronautics Authority, and was asking that a new schedule be allowed, and was suggesting the rate that should be paid, it was then his statement that the rate should equal the receipts from the sale of air-mail stamps. Competition changes the picture, Mr. President. The appearance of competition means that the rates come down.

What is the answer? Look on the map and see. Pan American traverses the whole world, without competition, without regulation as to passenger rates and freight rates; it may operate according to its own sweet will unless competition appears. How easy it is to be misled by the argument that the first trip of a competitive line will cost more than a new and extra trip of the Pan American line, which would, if it were added now under the terms the Pan American asks, forever bar competition from the Atlantic airway. Mr. President, let us not deceive ourselves; if the Export Line, which has invested almost $3,000,000 in preparing to carry out the certificate of convenience and necessity granted by the authority of the Congress, is refused the opportunity by reason of the denial of an appropriation to make that expenditure good, then the Pan American need never again fear that any private enterprise will appear upon the ocean to challenge its right to levy passenger rates and freight rates upon those who seek the service.

PAN AMERICAN AND STEAMSHIP LINES

Mr. President, is this an idle statement? I call attention again to the map and to the countries in which the Pan American operates. The evidence before the committee showed that Pan American is a vast system, a system which, curiously enough, includes shipping lines as well as air lines, a vast system extending to all continents upon the globe. The Pan American Airways Corporation is a holding company. It holds the stock of about 18 or 20 subsidiary corporations, including Pan American Co., the present operator.

The Matson Navigation Co., which operates a Pacific steamship line, is the owner of 27,500 shares of Pan American stock. The Matson is also a holding company, operating an oceanic steamship company which receives a subsidy under the Maritime Commission Act.

The Interisland Steam Navigation Co., Ltd., another corporation which operates a competing type of travel, owns 27,500 shares of stock in Pan American, Inc., and, more than that, the International Mercantile Marine Co., which is likewise a holding company, owns the United States Lines, which cross the Atlantic, and is the owner of 27,500 shares in the Pan American Co. So here we have a vast international organization of air lines and steamship lines traversing both the Atlantic and the Pacific Oceans.

But that is not the whole story, Mr. President. There is another company which is engaged in the transportation of mail and passengers and freight by air—the Pan American-Grace Co. Fifty percent of the stock of this company is owned by W. R. Grace & Co., a shipping line, and another 50 percent by Pan American. Ah, Mr. President, I cannot help but feel that the arguments which have been made against the action of the committee have been made without a full knowledge of the facts.

We are dealing with a very complicated and technical matter, so complicated and so technical that the Congress of the United States by law conferred the duty and the responsibility of passing upon it to the Civil Aeronautics Board; the Civil Aeronautics Board has acted, and, because one of the petitioners before that Board is dissatisfied with the decision of the body set up by the Congress, the dissatisfied company appeals to the Members of Congress individually to overthrow it, and appeals are made to Members for this reason and for that reason to vote against the recommendation of the committee.

CONTRACTS TO BAR AMERICAN COMPETITION

Mr. President, I have pointed out that there are from 18 to 20 subsidiary corporations. On the floor the other day I declared that, according to my information, when Pan American negotiated for landing rights and privileges in other

countries in every instance it undertook to bar any other American corporation from entering the field, so that its position of single greatness could not be attacked. I call the attention of the Members of the Senate to the certified copy of the contract between Pan American and the Government of Portgual offered to the committee by Mr. Trippe and appearing in the record of the House hearings at page 634.

Mr. President, I regard this as one of the most significant and important public documents presented to this body in a long, long time, because it tells how industrial empires have grown so great that they are almost greater than the Government of the people of the United States itself. I say here, without any hesitation, that if the recommendation of this committee is defeated it will be a decision by the Members of this body that they want to raise Pan American—an industrial, exclusive, monopolistic empire—above the authority of the Civil Aeronautics Board.

On page 634 of the House hearings is found the contract entered into between the Portuguese Government and Pan American Airways Co., a corporation. I hope Senators will read this contract. I shall ask unanimous consent that it may be printed in the RECORD at the conclusion of my remarks. I shall not burden the Senate with reading it now, but I do want to read the third paragraph, or the relevant portions thereof:

> Third. The Portuguese Government obligates itself, during a period of 15 years, counting from the time when this agreement becomes effective, not to grant to any person or group of persons of American nationality—

Observe that not merely "to any group of persons," but "to any group of persons of American nationality"—

> or to any individual enterprise, company, or organizaation directly or indirectly subordinate to persons, companies, or organizations of American nationality—

Not content with barring citizens of the United States and organizations of the United States, Pan American negotiated an agreement with the Government of Portugal to close every door of opportunity to any free enterprise in America to engage in trans-Atlantic aviation, knowing well how the subsidiary company can operate when outside and beyond public regulation—

> provided Pan American Airways Co. produces sufficient proof of such subordination.

Now, this is what is denied:

> The right to operate regular airlines for the transportation of passengers, cargo, or mail between Portugal and North America.

Mr. President, it is inconceivable to me that the Congress of the United States, in this critical hour of economic trial, should undertake to deny the establishment of competition under a considered judgment by the Civil Aeronautics Authority.

Let me read the last sentence of this paragraph:

> This obligation on the part of the Portuguese Government will lapse immediately and automatically if on any occasion, and during the period for which it is undertaken, the Portuguese Government or the Government of the United States of North America should accept any international agreement relating to a combination (or union) of Governments, or if any agreement should be signed between Portugal and the United States of North America or between Portugal and England, which may be in opposition to the said obligation. Inversely, a treaty between Portugal and any other country other than the United States of North America or England will not, in itself, be the cause for the lapse of the consession granted in this clause.

And that concession was written into that contract, according to the testimony of Mr. Burke of the State Department, at the demand of the Government of the United States.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Maryland.

Mr. TYDINGS. Is it not a fact that in the contracts put out by the Post Office Department there is a clause which says that arrangements in foreign countries for termini, and so forth, must be made exclusively by the company concerned?

Mr. O'MAHONEY. I am not aware of that if the Senator is stating it correctly, that the arrangement should be made exclusively by the company concerned.

Mr. TYDINGS. That is true. That is in the postal contracts.

Mr. O'MAHONEY. I should interpret that to mean that the company should undertake it, and not the Post Office Department.

Mr. TYDINGS. That is correct—that the Government will not undertake it; that each company must undertake and arrange for its own terminal facilities in foreign countries.

Mr. O'MAHONEY. Certainly; but the Department does not ask the company to arrange for exclusive facilities and to bar other American lines, to bar groups of persons of American nationality and their subordinates from obtaining the privileges which Pan American enjoys.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. I had not touched on this phase of the matter; but in the event that arrangements are made with the Portuguese Government for a so-called competitive line, the Portuguese Government would have in the future the right to require reciprocal arrangements in the United States of America. That is, if the arrangement is made through any governmental agency, we could not ask Portugal to give us something that we would not be willing to give Portugal on this end; and if Portugal should fall into the hands of powers that might not be friendly to the United States of America, it would simply mean that Axis Powers might operate planes to the United States through such an arrangement, which could not be the case under the existing contract.

Mr. O'MAHONEY. Evidently the Senator does not seriously make that argument.

Mr. TYDINGS. I make it most seriously.

Mr. O'MAHONEY. Has the Senator heard of any of the orders of this Government freezing assets? Does the Senator believe for 5 seconds that if a government hostile to the United States of America should take charge of Portugal and overrun Portugal, we would for a single minute be bound by a contract negotiated by a corporation which dominates the air traffic of the world?

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. Of course the hostile government would not have actually to take Portugal. How do we know who would own the Portuguese company? It might be exclusively owned by German capital or Italian capital or Axis capital and still be a Portuguese company. That has all been brought out and debated in the hearings. The Senator from Wyoming was not present on the day the matter he has referred to was discussed.

Mr. O'MAHONEY. Mr. President, the Senator from Wyoming was present.

Mr. TYDINGS. Not on this day.

Mr. O'MAHONEY. When the discussion took place upon the question of what the report should be, the Senator from Wyoming was present. I will acknowledge that I was not present all the time when the distinguished Senator from Maryland was arguing with the witnesses.

Mr. TYDINGS. Mr. President, I do not want to interrupt the Senator. I prefer to wait and to take up in my own time the new phase he has brought out.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Just a moment, please. In order that the Senator from Maryland may have the full story before him when he undertakes to discuss the question of the contracts entered into by Pan American with the Government of Portugal to exclude corporations of American nationality, I ask him in addition to discussing paragraph third to discuss the tenth paragraph and then talk about subsidies.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. I shall be glad to discuss all the paragraphs when the Senator gets through.

Mr. O'MAHONEY. Mr. President, let me read the paragraph:

> Tenth. Pan American Airways Co. will grant to the Portuguese Government a participation in the gross proceeds from traffic of Portuguese origin in the following form:
> During the first 5 years, 1 percent;
> During the next 10 years, 2 percent;
> During the next 10 years, 3 percent.

So we have here upon the records of the committee an offer by Mr. Trippe of his contract, by which he has bound his company to let the Government of Portugal participate in the business of Portuguese origin. Out of the Treasury of the United States comes the $90,000,000 of air mail pay which makes it possible for this company, which now desires to prevent competition in the air, to carry

out the certificate of convenience and necessity issued by the Government.

What do we know about the contracts in South America? The Civil Aeronautics Authority at this moment is engaged in a study of the contracts in South America, at least of the rates.

Mr. TYDINGS. Will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. The provision about which the Senator from Wyoming is concerned is nothing more than payment to the Portuguese Government for an easement, such as is necessary in any one of the European or South American countries. One has to deal with a government before he can come in, and they make a charge as a revenue producer.

Let me point out to the Senator that 40 percent of the revenue from these lines comes from carrying the mail to foreign countries and 40 percent of the revenue comes from carrying mail from foreign countries. So, naturally, the Portuguese Government, furnishing the terminus on the eastern end, wants to be paid for the service if it originates in Portugal. That is all there is to it.

Mr. O'MAHONEY. Mr. President, the Civil Aeronautics Board, established by act of Congress, issued this certificate of convenience and necessity after a protracted hearing in which the applicant, the Export Lines, was represented by counsel, and in which the Pan American Lines appeared as an intervenor, beginning then its campaign to prevent the establishment of competition. That was a hearing which I am advised took weeks, involving careful study by the experts of the Government and careful study by the experts of the two lines to develop the facts. The Civil Aeronautics Authority, after reviewing the facts, reached its decision. It is now undertaking, as I have said, a study of the rates paid to the Pan American for air transportation in South America. It must be remembered that the rates which are being paid in South America are vastly in excess of the rates paid to companies traversing continental United States.

A technical problem, delegated by Congress to a technical commission, has been acted upon by that commission; its decision has been announced in the most free and fair manner possible, and the Committee on Appropriations, supporting the recommendation of the Bureau of the Budget, which approved the item, has recommended to this body that the whole item authorized by the Bureau of the Budget be approved. It is my feeling that it should be approved.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TOBEY. I know very little about this subject, and I realize that the McKellar amendment is a controversial part of the pending legislation. I now ask the Senator what the vote was in the committee on the McKellar amendment.

Mr. O'MAHONEY. If by "the McKellar amendment" the Senator means the motion to restore the Budget estimate, I think it carried by one vote. The exact parliamentary status was this: A motion submitted by the Senator from Maryland [Mr. TYDINGS] was defeated by one vote, and then the committee by an overwhelming vote reported the amendment which is now before the Senate. The Senator from Arizona [Mr. HAYDEN] will, I think, confirm my statement in that regard.

Mr. TYDINGS. Mr. President, I should have to make a slight correction in the statement of the Senator from Wyoming, and I know the mistake was unintentional on his part. He says that the final proposition was carried by an overwhelming vote.

Mr. O'MAHONEY. That is what I understand.

Mr. TYDINGS. The term "overwhelming vote" might be construed to mean it was almost unanimously carried. I think the figures will show that while it carried by a larger majority than that by which my amendment was defeated, there was considerable opposition to it. I merely make that correction in the interest of accuracy.

Mr. O'MAHONEY. Of course, I did not want to imply it was a unanimous vote, but the majority was very much larger than that by which the Senator's amendment was defeated.

Mr. TYDINGS. To tell the whole story, my motion was adopted in the committee——

Mr. O'MAHONEY. The Senator thought it was adopted.

Mr. TYDINGS. After the committee had left the room, we were called back and advised that the Senator from Pennsylvania had in the meantime changed his mind. So, although some of the members were absent from the committee, there was some little discussion, and the Senator from Pennsylvania said he wanted to change his vote, which gave a majority of one to defeat the amendment which would have prevented the waste of millions of dollars.

Mr. TOBEY. So that on the Tydings amendment the committee was practically evenly divided?

Mr. TYDINGS. The Tydings amendment originally carried by one vote, but finally lost by one vote.

Mr. O'MAHONEY. Mr. President, I think that in fairness to the Senator from Pennsylvania it should be clearly stated that in the subcommittee which passed upon this question the Senator from Pennsylvania voted exactly as he voted in the full committee. He voted in the subcommittee against the proposal of the Senator from Maryland, and when the vote was held in the full committee, and the Senator from Maryland, in such enthusiasm as he is always capable of, dashed from the room to convey the good word, the Senator from Pennsylvania asked the chairman of the committee how he was recorded, and he said, on being informed, "I voted under a misapprehension. I desire to be recorded against the motion of the Senator from Maryland."

I may say that almost anyone could be excused for being confused by the very able and persuasive and subtle arguments of the Senator from Maryland.

Mr. President, I ask unanimous consent to have printed in full at the conclusion of my remarks the letter of December 10, 1940, from Mr. Trippe to the Postmaster General, and the contract between the Portuguese Government and the Pan American Airways Co., from each of which I have read excerpts.

There being no objection, the letter and contract were ordered to be printed in the RECORD, as follows:

DECEMBER 10, 1940.

The honorable the POSTMASTER GENERAL,
Washington, D. C.

SIR: Under date of November 29, 1939, I had the honor to advise your Department that our company expected to increase the frequency of our trans-Atlantic service to six trips per week during the early spring and summer of 1941, utilizing the additional equipment ordered some months previously and then under construction.

On December 8, 1939, the Department replied to this letter, stating that it would be glad to authorize for mail service the additional trips which our company was planning to operate between New York and Lisbon if the Bureau of the Budget and Congress should grant appropriations for the purpose. The Department suggested that it would be advisable for us immediately to apply to the Civil Aeronautics Authority for the fixing of a mail rate on the additional trips, and stated that the rate set forth in our application would then serve as a basis on which the Department could make an estimate to submit to the Bureau of the Budget and the Appropriations Committee.

In accordance with this suggestion, our company on or about December 28, 1939, filed with the Civil Aeronautics Authority an application for the fixing of fair and reasonable rates of compensation on additional trans-Atlantic trips to be operated by our company. A copy of this application was served upon your Department, as required by the regulations of the Civil Aeronautics Authority.

Our company has recently been advised by the manufacturer of the aircraft ordered in September 1939, referred to in the above-mentioned correspondence, that such aircraft will be delivered on dates which will permit the addition of third and fourth weekly round trips in April 1941; of a fifth weekly round trip in May; and a sixth weekly round trip in June, so that after July 1, 1941, daily except Sunday service can be initiated, all such services to be nonstop between Bermuda and Lisbon.

Since the additional trips would not require substantial additions in ground or overhead expenses, the rate of compensation for such trips can, of course, be much lower than for the initial trips. This was recognized in the application filed by our company last December which stated as fair and reasonable rates $14,100 per out-bound trip for the third and fourth weekly trips, and $12,800 per out-bound trip for the fifth and sixth weekly trips, as compared with the existing rate of $21,600 for the first two trips. However, as a result of the further increases in traffic resulting from the war, our company now believes that, as long as this condition continues and all of such traffic remains available to us, rates for the additional trips considerably lower than those stated a year ago would be fair and reasonable. Accordingly we are submitting to the Civil Aeronautics Board an amendment to the said application in which we state as fair and reasonable rates the following:

	Per out-bound trip [1]
For the first 2 round trips per week the existing rate of	21,600
For the third round trip	13,800
For the fourth round trip	9,000
For the fifth round trip	8,500
For the sixth round trip	8,000

[1] Includes provision for self-insurance against war risk.

All such rates would cover a maximum mail load of 1,600 pounds, the rate for excess mail remaining at the present figure of $4 per pound. These rates assume that all foreign mail revenue earned on the trans-Atlantic route will be collectible, and if the efforts being made by your Department to effect collections of such revenues should not be successful, a substantial increase in these rates will be required.

It has been a source of great satisfaction to our company that the volume of mail transported on trans-Atlantic air service has been such that, as we are informed, the service is currently operating at a profit to the Post Office Department. Because of the economies incident to the operation of additional schedules, the Government would be able, under the rates which we have stated to the Civil Aeronautics Board to be fair and reasonable, to have trans-Atlantic air-mail service daily except Sunday at a very reasonable cost.

Respectfully,

J. T. TRIPPE, *President*.

[Translation]

CERTIFIED COPY

I, Alfredo Delesque dos Santos Cintra, major of the Aeronautical Force, secretary of the National Air Council, certify that the following is the text of the contract entered into between the Portuguese Government and the corporation, Pan American Airways Co., and published in the Diario do Governo, second series, No. 86, of April 14, 1937:

CONTRACT ENTERED INTO BETWEEN THE PORTUGUESE GOVERNMENT AND PAN AMERICAN AIRWAYS CO., A CORPORATION

I, Alfredo Delesque dos Santos Cintra, major of the Aeronautical Defense, secretary of the National Air Council, appeared at the offices of His Excellency, the president of the council, on April 3, 1937, there being present His Excellency, Dr. Antonio de Oliveira Salazar, president of the council, as first party, in representation of the Government, of the first part, and Pan American Airways Co., a corporation duly organized and existing in accordance with the laws of the State of Delaware, United States of North America, of the second part, represented by Sociedade Tecnica & Maritima, Limitada, whose head office is in this city of Lisbon, No 128 rua dos Sapateiros, first floor, in conformity with documents filed in the offices of the technical secretary of the National Air Council, His Excellency, Counselor Francisco Henriques Gois, attorney general of the Republic, also being present. The parties declared, in my presence and in that of the witnesses hereinafter named, and whose signatures appear at the end of this instrument, that they obligate themselves to observe and comply with the following clauses, strictly in accordance with the terms thereof:

First. The Portuguese Government grants to Pan American Airways Co.:

(a) The right to operate, for a period of 25 years, counting from the time when the present agreement becomes effective, air lines for the transportation of passengers, cargo, and mail between Lisbon and North America, and vice versa, either directly or via the Azores, it being understood that in the Atlantic crossing Lisbon will be the final point of departure and the first point of arrival on the European Continent.

(b) The right to operate, for a period of 25 years, counting from the time when the present agreement goes into effect, air lines for the transportation of passengers, cargo, and mail between Lisbon and Great Britain, and vice versa, either directly or via one or more points in Europe.

(c) Authorization, for a period of 18 months, counting from the time when the present agreement becomes effective, to make the necessary studies and investigations for the establishment of these lines.

(d) During the term of the present agreement: The right to fly over and land in Portugal and the adjacent islands and respective territorial waters; the free and gratuitous use of the radio-electrical installations presently existing or erected in future, belonging to the Government, and which may be necessary for the operation of the lines which are the subject of the present agreement, provided such use does not imply any special expense for the Portuguese Government and there is no interference with the services of the Government, nor any liability for the nonfunctioning or deficiency of the installations, or for any other reason; the free and gratuitous use of the airdromes and ground structures and facilities, including the meteorological information service belonging to the Government, but not open for public traffic, provided that these have to be used by reason of force majeure and provided that such use does not imply any special expense for the Portuguese Government and that there is no interference with the services of the Government, nor any liability for the nonfunctioning or deficiency of the installations, or for any other reason; the right to have such aircraft as may be necessary for carrying on its air-transport services, anchor, maneuver, and stay in the territorial waters of Portugal and the adjacent islands.

First paragraph: "Lisbon" is understood to mean the area of the city, the area of jurisdiction of its port and the lands bordering on the water, within a zone 5 kilometers long, it being understood that this area may be enlarged if this be made necessary by reasons of a technical nature.

Second paragraph: In case the result of the studies and investigations is favorable, the agreement (or authorization) will continue in effect for 18 months more, during which time Pan American Airways Co. will formally declare whether or not it will establish the line contemplated (or—the line provided for). If the company makes a declaration in the affirmative, the commencement of the regular operation of the line must take place as soon as this may be permitted by the conditions and circumstances on which its establishment depends; however, the period for its inauguration may not be longer than 5 years, counting from the time when the present agreement becomes effective. Everything granted by the Portuguese Government under the present agreement will be canceled immediately and automatically; if, during the period granted for the studies and investigations, or at the end of such period, it is recognized that the result of such studies and investigations is not favorable; if, during the additional period of 18 months, Pan American Airways Co. declares that it will not establish the contemplated air line, or if it does not make any declaration; or if, having declared that it will establish the line, it does not commence regular operations of the line within the maximum period of 5 years above indicated, counting from the time when the present agreement goes into effect.

Third paragraph: The Portuguese Government reserves the right to have its delegate accompany the technical investigations and studies referred to in the present clause. Pan American Airways Co. obligating itself to assist the said delegate in the discharge of his mission.

Second. The Portuguese Government, for the purpose of facilitating the efficient operation of the contemplated air services (or the air services provided for), will organize customs, police, and sanitation services at the airdromes to be utilized.

Third. The Portuguese Government obligates itself, during a period of 15 years, counting from the time when this agreement becomes effective, not to grant to any person or group of persons of American nationality, or to any individual, enterprise, company, or organization directly or indirectly subordinate to persons, companies, or organizations of American nationality, provided Pan American Airways Co. produces sufficient proof of such subordination, the right to operate regular air lines for the transporation of passengers, cargo, or mail between Portugal and North America. Single paragraph: This obligation on the part of the Portuguese Government will lapse immediately and automatically if on any occasion, and during the period for which it is undertaken, the Portuguese Government or the Government of the United States of North America should accept any international agreement relating to a combination (or union) of governments, or if any agreement should be signed between Portugal and the United States of North America, or between Portugal and England, which may be in opposition to the said obligation. Inversely, a treaty between Portugal and any other country other than the United States of North America or England will not, in itself, be the cause for the lapse of the concession granted in this clause.

Fourth. The Portuguese Government grants to Pan American Airways Co. for a period of 15 years, counting from the time when the present agreement becomes effective, the privilege of reexportation, subject only to the payment of the stamp tax on the respective clearance proceedings, for the aircraft, fuel, lubricants, motors, and spare parts for the use of the company's aircraft, as well as exemption from all municipal or other taxes and imposts of the Government, present or future (not including customs duties), with the exception of those representing remuneration for a service rendered, and taxes which may be incurred by the personnel of the company by virtue of any activity carried on in Portugal. It likewise grants demurrage exemption to fuel and lubricants carried on board the aircraft.

Fifth. Pan American Airways Co. obligates itself, upon the initiation of the regular operation of the lines, to notify the Portuguese Government as to the number of round trips to be made every year, and the company may not suspend these trips for a period exceeding 6 months, under penalty of the loss of the exclusivity referred to in clause third. In the event that Pan American Airways Co. should establish a line between Europe and North America during certain periods of the year over a route other than that passing via Lisbon and the Azores, it will be obligated to guarantee a connection between such route and Lisbon during such periods of the year, under penalty of the loss of the exclusivity referred to in clause third.

Sixth. Pan American Airways Co., when on Portuguese territory, will carry on its activities in conformity with existing laws and regulations covering commercial aviation or other public services related thereto, and in accordance with any laws or regulations which may be put into effect, provided that such laws and regulations are not in opposition to, or in any limit, the rights granted to the company by this agreement, and without prejudice to the dispositions or regulations which the Portuguese Government intends to establish pursuant to the International Air Navigation Convention.

Seventh. Pan American Airways Co. will have the right to transfer the rights, privileges, and facilities granted to it under this agreement to Pan American Airways Corporation, or, by virtue of authorization from the Portuguese Government, to any enterprise or company whose majority of capital belongs directly or indirectly to Pan American Airways Corporation or to any other company indicated by Pan American Airways Co., under the condition that all of the aircraft used in the contemplated air services (or the air services provided for) be registered in the United States of North America.

Eighth. Pan American Airways Co. will have the right to transmit and receive on

board its aircraft messages relating to the operation of the contemplated lines (or the lines provided for), and for the service of the passengers, but this right may not restrict or limit any other concession already granted by the Portuguese Government.

Ninth. The necessary agreements and contracts referring to the operation of the air-mail service and the accounting procedure with respect to the said service will be drawn up between the General Postal and Telegraph Administration and Pan American Airways Co.

Tenth. Pan American Airways Co. will grant to the Portuguese Government a participation in the gross proceeds from traffic of Portuguese origin in the following form:

During the first 5 years, 1 percent.
During the next 10 years, 2 percent.
During the next 10 years, 3 percent.

Eleventh. Pan American Airways Co., jointly with Imperial Airways, Ltd., obligates itself to organize a Portuguese company in accordance with any of the forms provided for in the Portuguese law, for the purpose of acquiring, constructing, maintaining, operating, and administering all of the ground structures and facilities which do not exist on Portuguese territory and which are necessary for the operation of the air lines contemplated (or provided for) in this agreement, provided that the Portuguese Government declares, within the period of 3 months counting from the date of the formal declaration made by the interested companies, pursuant to the terms of paragraph second of clause first, that it does not wish to take charge of all or part of the construction and operation thereof. In the event that the construction and operation of the ground structures and facilities should remain in charge of the Portuguese company provided for in this clause, the Portuguese Government grants exemption from customs duties on materials to be imported for the construction and maintenance of the ground structures and facilities, which are not manufactured, constructed, or produced in Portugal, or whose cost in Portugal may be 10 percent higher than that of merchandise imported from foreign countries, duty paid, and the Government will authorize, pursuant to existing legislation, the admission of such technical personnel as cannot be recruited among Portuguese citizens. In this case the Government will have the right to exercise strict supervision to the end that the service may be exclusively destined for air navigation, and the Government shall also have the right to requisition, occupy, and manage the ground structures and facilities in case of war or revolution, and to take them under lease, in whole or in part.

Twelfth. Pan American Airways Co. obligates itself to accept, whenever the Portuguese Government may consider advisable, the collaboration of a Portuguese air transport company, organized with capital proved to be Portuguese, and in a condition to operate regular transoceanic lines. The methods and the benefits and obligations resulting from such collaboration shall be equitably fixed by mutual agreement between the Portuguese Government and Pan American Airways Co. In the event of disagreement, recourse will be had to the arbitration mentioned in clause fourteenth.

Thirteenth. The nonperformance of the clauses contained in this agreement shall not be considered as failure to comply therewith in the following cases of force majeure, duly proved through official channels: strikes, fires, revolutions, war, epidemics, and interference by civil or military authorities, storms, tempests or bad flying conditions, fog, ice formations, accidents and disability, or inefficiency of the radio-telegraphic communications which are indispensable for the safety of the transportation.

Fourteenth. All questions or lawsuits resulting out of this agreement and which may in future arise between the Portuguese Government and Pan American Airways Co., shall be decided by a court of arbiters, consisting of a representative of each of the interested parties and presided over by a judge of the Supreme Court of Justice, designated by the respective president. This Court will render decision ex aequo et bono.

Fifteenth. This agreement will become effective on the date of its publication in the Diario do Governo.

Prior to the execution of this contract, drafts thereof were approved on December 3, 1936, and January 12, 1937, by resolution of His Excellency the President of the Council of Ministers, who approved the final draft, proof having been previously obtained that Pan American Airways Co. has been duly organized and is functioning in accordance with the laws of the State of Delaware, United States of North America, and that Sociedade Tecnica & Maritima, Limitada, is duly registered, and its authority is evidenced by power of attorney of June 12, 1935, and the substitution of October 15 of the same year, both documents having been filed and recorded in the office of Notary Tavares de Carvalho, of this district—all in conformity with the documents which were presented and are filed in the Department of the Technical Secretary of the National Air Council.

The present contract, containing the clauses above set forth, was concluded and accepted by the parties hereto, the witnesses being Messrs. Dr. Abel Pereira de Andrade, married, attorney at law, residing at 94 Avenida Almirante Reis, third floor, Lisbon, and Carlos Esteves Beja, major of the aeronautical force, member of the staff of the Technical Secretariat of the National Air Council, residing at No. 13 Rua Palmira, second floor, left.

In witness whereof I, Alfredo Delesque dos Santos Cintra, major of the aeronautical force, secretary of the National Air Council, sign the present contract, together with the persons above-mentioned, after having read the contract to them aloud.

Seals are affixed in the amount of 625 escudos.

ANTONIO DE OLIVEIRA SALAZAR.
CARLOS ESTEVES BEJA.
PEDRO F. PINTO BASTO.
FRANCISCO HENRIQUES GOIS.
ABEL PEREIRA DE ANDRADE.
ALFREDO DELESQUE DOS SANTOS CINTRA.

Approved April 3, 1937:

TECHNICAL SECRETARIAT OF THE NATIONAL AIR COUNCIL.
THE SECRETARY ALFREDO DELESQUE DOS SANTOS CINTRA.

In attestation whereof, and as a true and correct document, I issue the present certificate, which I sign and to which I affix treasury stamps in the total amount of 130 escudos, and authenticate with the white seal of this National Air Council.

TECHNICAL SECRETARIAT OF THE NATIONAL AIR COUNCIL.

August 23, 1937.

THE SECRETARY,
(Signed) ALFREDO DELESQUE DOS SANTOS CINTRA.

[Treasury stamps.]

Mr. TYDINGS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Maryland?

Mr. O'MAHONEY. I have yielded the floor.

Mr. AUSTIN obtained the floor.

Mr. TYDINGS. Mr. President, will the Senator yield a moment?

Mr. AUSTIN. Certainly.

Mr. TYDINGS. So that the facts may be made plain, first of all the Senator from Maryland did not offer his proposal in the subcommittee. So the Senator from Wyoming is 100-percent wrong in his statement about that. In the second place, the Senator from Maryland did not rush from the committee room until after the committee had adjourned. So the Senator from Wyoming is 100-percent wrong in his statement about that. In many other matters in his argument he has been a little more than a hundred percent wrong. [Laughter.]

Mr. AUSTIN. Mr. President, all we have before us for consideration is an amendment on page 51, line 7, to strike out a certain item and substitute another for it. That is all there is upon which this great debate is occurring, but principles of importance to government and policies of government and operations of government are involved.

Mr. TYDINGS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Vermont yield for that purpose?

Mr. AUSTIN. I yield for that purpose.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barkley	Gurney	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Shipstead
Brooks	Herring	Smathers
Brown	Hill	Smith
Bulow	Holman	Spencer
Bunker	Hughes	Stewart
Burton	Johnson, Calif.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The VICE PRESIDENT. Eighty-four Senators having answered to their names, a quorum is present.

Mr. AUSTIN. Mr. President, if the Senate should accept the amendment reported by the committee, it would strike out $15,477,831 and insert in lieu thereof $16,693,831, which would increase by $1,216,000 the appropriation for trans-Atlantic air-mail service, and I understand from the record and from the debate which has occurred that that sum of money would be paid for the subsidization of an additional air-transport company to perform a duplication of a public service for which the Government is already paying.

I am interested specially in three aspects of this question as it arises on debate. The first one is: Are we as a Congress about to ratify an act by an administrative agency of Government right in the face of the policy of the people of this country as found and declared by the Congress? Of course, it is not our duty to pass upon the legal issue which is now being tried out in a court of justice, an issue raised by the act of

the administrative agency, and probably it would be improper for me in discussing the matter from the point of view of a legislator, to express an opinion upon the merits one way or the other of what took place in 1940 in an agency of Government, in order even accidentally to affect the decision in that case, and in what I have to say here. I want to absolve myself of any such possible inference.

I wish to deal, if I may, with the question as it is presented to us, for it is quite a different question than that which is presented to the court, and that which was presented even before that to the Civil Aeronautics Board, for now we have a fact of great importance established which did not then exist, and that is a new company, which was not then engaged in transportation by air, now having that capacity. So, as a legislative body, we are not hampered by what was alleged by the majority of the Board in its opinion, namely, the nonexistence currently with the decision of a transportation entity which was already an air carrier. As we consider this policy we have before us a transportation company that is now an air carrier. In that respect the situation vastly differs from the condition of facts as they stand upon the record in the courts. I want to clear the decks of that and visualize this question on principle. What will be the effect of our vote on this amendment upon the public of the United States? That is the main question.

In the first instance, I think the debate has shown that economically the effect of the adoption of the amendment upon the public would be to add an additional burden of cost for transportation by air of mail across the Atlantic. There is no other view of the matter that seems to me to be reasonable at all. The addition of $1,200,000 to the subsidy already provided for a similar purpose would necessarily increase the cost to the public of transportation by air. That is strictly contrary to public policy as established by the Congress heretofore for many years, as clearly pointed out by the Senator from Maine [Mr. WHITE] yesterday. It would be trying to paint the lily to comment upon the same aspects of the matter which were discussed by the Senator from Maine, and so I shall try to avoid that, but necessarily I must go to some extent into the same field.

I make the claim that we are dealing with two kinds of monopolies. That is a fundamental fact to be nailed down solidly when we are answering the question whether we are about to reverse our policy with respect to transoceanic transportation.

One of those monopolies is a public monopoly, and the other is a private monopoly. One of those monopolies is the kind of monopoly that is created as a matter of policy by the Government of the United States for the benefit of its citizens. The public interest demands a monopoly in transportation; so such a monopoly is created. It is not created in order to enrich a corporation or a group of individuals who conduct the transportation. It is our policy and our interest, founded upon the idea that transportation of our goods and our persons must not be curtailed or restrained by another transportation company. So in the development of transportation to foreign lands, as in the development of transportation among the several States, we have established the definite policy that our agent, as it were, the private corporation that represents the public interest in conducting this character of business, shall be fostered and saved and upheld just so long as that agency needs a subsidy, and no longer. When conditions improve to the degree that the transportation agency or unit is competent without a subsidy, to carry the goods, mail, and persons that are required to be carried in the public interest, then the subsidy is to be eliminated.

We find that such a type of monopoly is a proper one. Of course, the word "monopoly" has come to be an opprobrious adjective. It is used to create prejudice. Often we hear men speak of monopolies as though we could get along without monopolies in the world and as though all monopolies are bad and none of them are servants of the people.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. TYDINGS. In connection with what the Senator is saying, when Pan American first started its operations in 1929 the amount of the subsidy was about 90 percent of the cost of operation. The subsidy has been systematically reduced every year, until today Pan American receives a subsidy of less than 50 percent of the cost of operation. Each year the subsidy percentage has grown less and less as the volume of air business has increased; and the day may come, as I hope it will, when it will be possible for the companies to operate without any subsidy from the Government of the United States, even in the form of mail pay.

Mr. AUSTIN. I thank the Senator for that helpful suggestion.

The Supreme Court has considered a great variety of cases involving public service, in which the capital of our people has been brought together in corporate form and private management has taken the risks and pioneered communication, transportation, or other aids to commerce; and our Government has granted monopolies and protected such enterprises. The Supreme Court has declared that such types of monopoly are lawful and are entitled to protection. I think the best editorial statement of it is found in an opinion by the United States Circuit Court of Appeals for the District of Columbia, in the case to which the Senator from Maine referred, before Chief Justice Groner and Associate Justices Miller and Edgerton. In that case the opinion states, among other things:

> To prohibit concerns "unlawfully to create monopoly" is to recognize that monopoly may be lawful, as most public utility monopolies are.

I shall not read the reasoning, but it is very fine, and would be interesting to anyone who might care to pursue it further in this discussion.

I claim that to break down the protection which our Government affords to one company which is a public monopoly by virtue of the law Congress passed creating the Civil Aeronautics Authority would be to reverse the policy of the people of this country, established by the Congress, and to reverse it without legislation, and by the devious method of raising the figures in an appropriation bill by $1,200,000. I am against the method, and I am against the effect of it.

On the other hand, we would be reversing our national policy with respect to private monopolies. We have declared that policy by law after law. I do not know that the beginning was in 1912, with the Panama Canal Act. I think the principle will be found back in the Clayton Act and in the Sherman antitrust law. As a lawyer, and remembering the laws, but not having lately reviewed them, I should say that the principle to which I have referred is the very essence of the laws which prevent interlocking directorates and undertake to prevent mergers and consolidations, and also those that undertake to prevent the giving of two different public concessions to the same corporation. All those laws were based upon the theory which we have hugged to our bosoms, namely, that transportation must not be subject to curtailment or restraint by any other transportation medium.

Mr. BONE. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BONE. A few moments ago the Senator from Maryland [Mr. TYDINGS] referred to the cost of operation. What is included in the term "cost of operation"? I was not present when the Senator from Wyoming [Mr. O'MAHONEY] cited some figures today. He said that the owners of the company had put some $24,000,000 into the company, and that it had assets of $56,000,000, or a difference of some $30,000,000. That property belongs to the owners of the company. It is an asset. It is their property. Is it part of the cost of operation or is it a gift from the Government to the company to build up a huge capital structure at public expense? It is more than a subsidy. It is a huge capital investment which in large measure is made up of funds from the United States Treasury. I am wondering if that is part of the legitimate cost of operation. I should like to operate a business on that sort of basis, regardless of whether it might be an airline company or a steamship company. For years we paid subsidies of that kind, which were a reproach, to steamship operators, including, I think, even the American Export Lines. I am wondering if we are to call such a contribution an operating cost when it is, in effect, as every lawyer knows, a gift to the company. We built up a huge capital structure and made a present of it to the company.

Mr. AUSTIN. Mr. President, I think I should prefer not to yield for speeches like that of the Senator from Washington. The matter to which he refers does not apply at all to what I am undertaking to say, and I should like to have the privilege of concluding as briefly as possible my remarks on this point.

If we adopt the pending amendment, we will thereby declare that we have changed our national policy with respect

to private monopolies, which we have denounced. As applied to the instant matter, we have denounced them in section 408 (a), which is a part of the record; and the part to which I call attention reads as follows:

SEC. 408 (a). It shall be unlawful, unless approved by order of the Authority as provided in this section—

* * * * *

(5) For any air carrier or person controlling an air carrier, any other common carrier, or any person engaged in any other phase of aeronautics, to acquire control of any air carrier in any manner whatsoever. * * *

That is the policy of this Government.

Mr. President, how did the pending amendment get before us? By what authority shall we proceed to appropriate money to this American Line—I do not even know its name. By the device of the Civil Aeronautics Board saying, "We do not need to pass on the question of acquisition at all, because the company to be acquired has not yet gone into the air-mail business or the air transportation business." I shall not discuss that, because I do not want to influence the judgment of the court on that question. That is one of the questions involved in court trial; but I submit that, as the problem confronts us, the claim made before the Commission cannot be made here; because now, as the problem is presented to us, the company which has been acquired is a carrier by air and now does come within the denunciation of the act in its very terms, as well as in its spirit. Yet, if we adopt the pending amendment, we are saying that now we approve of an air-transport company's being acquired by a company engaged in transportation on the ocean. That is what we would do if we should adopt the pending amendment. It would represent a complete reversal of our policy, which is the policy of the United States until we legislate to the contrary. In other words, the effect of adoption of the amendment would be that we would be placing in the hands of an ocean transportation company and, through it, in the hands of a great banking concern, the power to curtail or restrain transportation by the air-mail company which it owns. That is contrary to public policy. We would not adopt such a policy if it were clearly before us and we had to act on it at this minute; we would not take any such foolish action as that, because it would be against the interest of the public. The public must not be interfered with, or exposed to the danger of being interfered with to the extent that a competing transportation company, engaged in another form of transportation, can control the transportation by air of our goods and of our bodies from this country to another country. If we are to have competition, we want it to be free competition, or only regulated competition—and if the latter, then regulated only by government. We cannot bear to have it regulated or controlled by another private corporation.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. TYDINGS. Let me point out, in line with what the Senator from Vermont is saying, that if we should grant the steamship company the right to own the air company, we would be paying, in addition to the shipping subsidy, a mail subsidy to the steamship company and a mail subsidy to its air company operating on the same route.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. HAYDEN. I take it, then, that the Senator from Vermont stands opposed to the existing arrangement whereby the Grace Steamship Line and Pan American Airways jointly own—half and half—an air line operating on the west coast of South America. The Senator believes that is a bad arrangement?

Mr. AUSTIN. Yes; that is always a bad arrangement.

Mr. HAYDEN. Would the Senator go so far as to say that no steamship company should own stock in Pan American Airways, as do the Matson Line, the United States Lines, and other steamship lines?

Mr. AUSTIN. That question is not definite enough to give me a clear picture of the situation. I do not know what that situation is. I do not think it fair to take up other cases and undertake to try them out here during debate upon a matter which does not relate to them.

Mr. HAYDEN. It is not that; it is a question of principle.

Mr. AUSTIN. Well, on principle I adhere to what I have said at least six times, that transportation of the people's property must not be subject to curtailment or restraint by another transportation medium. That is the proposition, and I adhere to it.

Mr. HAYDEN. I take it, then, that the Senator would approve of the action taken by the Maritime Commission in requiring the Export Line to get its money out of its air-line business as soon as it possibly can.

Mr. AUSTIN. Mr. President, however the Senator from Arizona takes it, I think the attitude of the Maritime Commission is well shown by the testimony appearing at page 105, as follows:

Admiral LAND. Well, I gave you my heart's blood on my ideas of monopoly on sea transportation very definitely and very positively: that foreign flags will always give American-flag operators all the competition they want and more than they can stand; so therefore I consider that in normal times foreign air-line operators will always give American air operators all the competition they can stand, and more, and these United States, on the basis of standard of living, will have to subsidize that form of transportation, not only now but also indefinitely in the future.

I believe our policy must continue, until circumstances change materially, to be that when we subsidize one form of transportation it should attend to its business and make itself efficient and economical and able to perform the service for which we grant the monopoly, and that it should not reach over and try to get into another monopoly—a public monopoly, of course—by means of a private transaction for which afterward it gets the sanction of Congress. For this is a private deal; the acquisition of American Air Lines by the American Export Steamship Co., or whatever it is called—and Members of the Senate will understand to what I refer; I do not know the names very well—that acquisition was a private acquisition, and the Civil Aeronautics Board refused jurisdiction to pass upon the acquisition. I will not say what I think about their refusal.

Mr. TYDINGS. Mr. President, will the Senator yield there?

Mr. AUSTIN. I yield.

Mr. TYDINGS. In order to keep the RECORD straight, let me say that the case before the Senate is one in which the steamship company owns 100 percent of the stock of the air company. The case to which the Senator from Arizona [Mr. HAYDEN] referred was one in which a steamship company owned a few shares of stock but not control or domination of the competing company. It may be wrong to have it own any of the stock, but certainly there is a vast difference between a steamship company's complete ownership of a subsidiary and another steamship company's having only a mild voice in the operation of a competing air company.

Mr. AUSTIN. I thank the Senator from Maryland. I questioned the claim of the Senator from Wyoming [Mr. O'MAHONEY] about the position of the minority of the Commission, and I desire to read a portion of the minority opinion in order to show why I questioned it. I cannot state accurately the page on which appears the language which I shall read, because I am looking at something else; but this is the part of the minority opinion to which I refer:

The majority's view involves us in the inescapable and, to my mind, unsupportable conclusion that although the steamship company will at some time find itself in control of American Export Air Lines, Inc., as an air carrier, it will never have "received in any way whatever" control of that air carrier.

In other words, those members of the Board joining in the dissenting opinion held that they could not possibly agree to this shutting out of view of the ultimate result of control of air transportation between here and Lisbon by a steamship company. That is the very thing that is denounced by the policy of our law, and here we are asked to adhere to it on the ground that it is in accord with our national policy.

Mr. President, I am convinced, after listening to this debate, that approval of this amendment would reverse our policy with respect to both types of monopoly, those that have been regarded as legal because of coming from the Government and being granted by us, and those that are illegal because of being created by personal acts, private undertakings, such as the one entered into between the steamship company and the air-line company.

There is one question that occurs to me, and that is, if it be true, as it appears to be, that the company now having the monopoly, the legal form of monopoly, cannot continue to operate without subsidy for the carriage of the mail, if it be true that no other company doing a like service between the same points could operate or continue to operate without subsidy for carrying the mail, what

reason in the world is there that we may not mulct the public of the United States to the tune of three or four instead of two companies performing the same service? Why not have a riot of looting the people, for the money comes out of the people? So long as these monopolies can be created in duplicate and triplicate to perform the same service for the people, one of two things must happen: Either the people must pay more and more and more to maintain two services instead of one service or four services instead of one service, or else the business must grow by leaps and bounds to such an extent that the subsidy will not be necessary.

So, regardless of the principle that is being violated here, regardless of the policy respecting transportation that is being violated here, namely, that one transportation company shall not be authorized by us to curtail or restrain the acts of another transportation company, right down to that little thing that affects the pocketbook of the man who sends a letter or a postal card across the Atlantic Ocean, we ought to vote against the pending amendment.

Mr. DANAHER obtained the floor.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TYDINGS. I should like to suggest the absence of a quorum. A good many Senators would like to hear the Senator from Connecticut.

The VICE PRESIDENT. Does the Senator from Connecticut yield for that purpose?

Mr. DANAHER. It is an unusual honor, Mr. President, but I yield for that purpose.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barkley	Gurney	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Shipstead
Brooks	Herring	Smathers
Brown	Hill	Smith
Bulow	Holman	Spencer
Bunker	Hughes	Stewart
Burton	Johnson, Calif.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

Mr. DANAHER. Mr. President, it seemed to me that I might relate to the Senate a thought that is pertinent to the pending question by way of parable to be drawn from a reference to a pending bill, Senate bill 922, which is before the Committee on Territories and Insular Affairs.

Writing to the committee under date of September 26, 1940, the Delegate from Alaska, Hon. ANTHONY J. DIMOND, says:

The act of May 20, 1935, sought to be amended, Public Law 63, Seventy-fourth Congress, authorized the town of Seward, Alaska, to construct and operate a municipal electric system. Section 6 of the act gave authority, in the alternative, to purchase a privately owned electric system then and now being operated at said town by an organization described in the act of May 20, 1935, as Seward Light & Power Co., a corporation. Seward Light & Power Co. was not then and is not now a corporation but is merely the trade name under which the business is carried on. On May 20, 1935, the property in question was owned by a man named Samuel M. Graff, who has since died, and whose heirs or devisees have succeeded to ownership of the property.

In any event, the authority given in section 6 was not exercised, and the city instead constructed and has operated a municipal electric system.

Let me say, Mr. President, that the city did it by the use of public funds, as I am informed.

By the census of 1940 the population of Seward is given at 941. The town is not large enough to support two competing electric systems. Both are now being operated, one by the city and one by the heirs of Samuel M. Graff under the trade name of Seward Light & Power or Seward Light & Power Co. Obviously it would be to the advantage of the town of Seward to purchase and take over the competing electrical system and a telephone system therewith connected if purchase of the same could be made on reasonable terms. The privately owned system operates by water power, and thus a considerable saving could be made on the cost of fuel now necessary to operate the municipal plant.

In any event, if S. 4368 is enacted—

That was the number under which S. 922 was pending in the previous session—

it will be possible for the city to undertake negotiations looking toward the purchase of the privately owned competing plant. Unless some such legislation is passed both plants will continue to be operated until one or the other is driven out of business. In my judgment it would be much better all around if the private plant could be purchased on reasonable terms.

It will be noted that S. 4368 requires that any proposed purchase of the private plant must be approved by the holder or holders of not less than 75 percent in principal of the electric revenue bonds of the town outstanding and by a majority of the qualified electors of the town.

I hope that the bill may receive favorable consideration.

Mr. President, the Secretary of the Interior later wrote to the committee in connection with this very matter. The Secretary of the Interior was the person under whose aegis the Government funds had been used in that town of 950 people in the first place, and a public plant created with public money to drive out of business the privately owned plant then serving the people adequately. The Secretary of the Interior wrote to our committee:

Both electric plants now solicit patronage from the residents of Seward, a town of approximately 950 inhabitants. It need hardly be demonstrated that there is insufficient sale of electric current to support two producers and distributors. Due largely to the divided patronage, the town has with difficulty been able to meet its interest obligations. The present owners of the private utility—heirs of Mr. S. M. Graff, owner in 1935, have, I understand, indicated a willingness to sell.

So, Mr. President, having created the plant in the first place, using the funds of all the public to create it for the purpose of driving the privately owned plant out of business, the Secretary of the Interior now writes to us that there is insufficient revenue from the 950 people in the town to maintain both plants, and obviously the only and inevitable result was to drive out of business the privately owned and operated system, which obviously could not compete against the Treasury of the United States. Now there is pending before our committee a bill to authorize the acquisition of the privately owned plant.

Mr. President, there is a lesson for us in this incident. It applies particularly to the pending amendment. Here we have under direct subsidy by the United States Government, to be sure, but with the understanding and the intelligent cooperation of every official of every administration down through the years, the Pan American Corporation, which was the first to inaugurate the overseas flying service and put the United States in the position of competing with foreign air service overseas.

It is true there have been capital disbursements by the corporation as the result of the subsidy which has been collected by it, but in return the corporation has been able to gain for our country bases in countries which our Nation as a nation could not enter. It has been able to extend throughout South America, throughout both the Pacific and the Atlantic Oceans a system under which bases in the name of the corporation have been acquired, in places where our country simply had no entree whatever.

It becomes apparent in these days that the best investment the United States made in the field of assisting this Pan-American Trans-Atlantic Airchaft Corporation was the acquisition of those very bases, and the capital investment thus laid out has been returned to us manyfold over and above the original cost.

But that is not all. From the days when the corporation was earning only 10 percent of its operating expenses, there has been annually a constantly decreasing ratio of contributions by way of subsidies, and the net result is that the corporation is being put on a solid footing, able to compete, although privately owned, with the aircraft corporations, trans-Atlantic and trans-Pacific in nature, owned by other nations, or their nationals, and subsidized either in whole or in part by those nations. Is it not significant that the two boats which Germany has succeeded in shuttling through the British blockade to South America during the past month have both been laden from stem to stern with commercial aircraft? Is it not a significant touchstone with which to gage what should be our policy, foreseeing the day when possibly, on a world-wide basis, foreign-owned companies may be in a position to establish supremacy in the air, we should support a program to utilize our established bases to compete and to be ready in future to compete, in a field

which we as a Nation cannot and should not ignore.

Mr. President, as control of the seas in times past has been the basis, the gage, upon which to test the status of a nation, just so may control of the air in the future prove a bulwark by which we will support our position as a Nation and lay a foundation for our competition with other nations throughout the world.

We have achieved that supremacy at the present time in the name of the United States through the foresight of American stockholders in an enterprising, capably managed, efficiently run trans-Atlantic and trans-Pacific company, the Pan American. Our Nation has recognized the possibilities, and for years has given its support to the efforts of Pan American. Only recently have some interests appeared who would now undertake to ask us to subsidize a new line to drive the Pan American out of business, as in the case of the Seward Electric plant.

Do we have before us a question that the American Export Lines should receive a subsidy for a new line via Newfoundland and Greenland, the Orkneys, and Narvik, or to some other northern European port? Oh, no. Are we asked to allow them to pioneer in some new field? Oh, no. They ask at a time when they know that the Civil Aeronautics Authority has the power tomorrow, if it chooses, to curtail the license of Pan American; that they be put right into competition with an existing company, an existing service, between existing ports, on a basis which has been established by the Pan American.

The gross unfairness to the latter company itself is only one element of approach; more importantly, we would ignore the rights already accrued and the best interests of the American Nation as a nation in the establishment and continued—and I hope the perpetual—maintenance of our present supremacy in international air travel.

Far from our being asked now to consider a proposition of introducing a competing line which will tend to destroy an alleged monopoly, the Pan American, we should be asked to increase the subsidy to the Pan American and give it a chance to expand in order to meet the world needs of the present day. That is the question which should be before us, instead of seeking funds to develop a new and competing service by the American Export Lines.

Mr. President, there is an additional phase of this matter, it seems to me, which we should not overlook; that is, the phase that we have through Pan American trained overseas navigators, aircraft navigators, so valuable these days when our very existence as a Nation may be threatened. Pan American is the only line that has had such experience that our people have entrusted to it both their lives and our national property in overseas transit. It is the only line which is capable of training additional pilots for transoceanic flights these days, and at the present minute it is training, in behalf of the United States of America, at cost, 1,800 such pilots for the United States Navy.

Mr. President, the interest of the company itself and its personnel in such a venture is a natural one. I heard references made to Mr. Trippe. I have known Mr. Trippe for some 20 years. He was at college with me and I knew him well. He was a naval aviator during the last war. He and a group of people similarly minded, ambitious, fearless, willing to take a step which neither this Nation nor any interests in it had ever developed at all, got together the nucleus of this corporation—the Pan American—and they have steadily developed it on a businesslike, worth-while basis, pioneers in transoceanic flying service, safe, dependable, and badly needed.

I submit that in the light of all the record which has been made in the matter before us, the pending committee amendment should be defeated. Far from its stimulating a competition which would be worth while in its result, we have, quite the contrary, grounds for the condemnation which the President of the United States himself expressed with reference to competition on an unhealthy basis. In his message to the Congress on April 29, 1939, he said:

> Competition, of course, like all good things, can be carried to excess. Competition should not extend to fields where it has demonstrably bad social and economic consequences.

The New York Times on December 11, 1937, reported concerning a conference of the President of the United States as follows:

> A chapter earlier in the history of railroad building was sketched; how shippers had encouraged the construction of two roads where one would have sufficed. The shippers felt, he said, that if they had competing services their communities would receive better service. That situation had made for a bad condition, one which impaired the solvency of the Nation's railroad system. The President saw the country as gradually coming to the view that such competition, particularly that between parallel lines, should be eliminated if the rates were the same and the services comparable.

Mr. President, in the present case there is not even competition between parallel lines. This would be competition on the same line, on the same run. It would be competition, Mr. President, where the services are not comparable, because Pan American will be and is in a position to render an infinitely better and faster and more economical service than the American Export Air Lines.

The net result of the thing is that Pan American, in the face of this subsidized competition, obviously is going to be tested by a public yardstick, publicly funded, like the case of the Seward, Alaska, Electric Co., where with 950 people to serve, 2 utilities cannot operate, and the public plant with public funds will absorb the private plant.

So, Mr. President, in the face of competition, if you choose, with the United States Treasury—and that is the kind of competition that Pan American will have to face—the air line will fight and struggle; but eventually it will be marked down, its properties depreciated below the true value of the line and its holdings, and the line will finally succumb.

Mr. President, I wonder if by any chance the same type of mind and the same interests who established that public utility in Seward, Alaska, have been motivated in this present instance to seek ultimately that very end? There has been no discussion of it, to be sure. There is no evidence in the record of it, but one cannot but wonder about it, when one sees brought forward this common yardstick we hear talked of so much, by which public funds are utilized to test private operations, to compete with private business, and ultimately result in first reducing private ownership and finally eliminating it entirely. If there be any such purpose, or even the possible danger of such an ultimate result, Mr. President, we ought not to lend our aid to any such effort. I submit, Mr. President, that the amendment should be defeated.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barkley	Gurney	Russell
Bilbo	Hatch	Schwartz
Bone	Hayden	Shipstead
Brooks	Herring	Smathers
Brown	Hill	Smith
Bulow	Holman	Spencer
Bunker	Hughes	Stewart
Burton	Johnson, Calif.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Byrnes	Langer	Tobey
Capper	Lee	Truman
Caraway	Lodge	Tunnell
Chandler	Lucas	Tydings
Chavez	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The PRESIDING OFFICER (Mr. STEWART in the chair). Eighty-four Senators have answered to their names. A quorum is present.

Mr. HAYDEN. Mr. President, I desire to submit a unanimous-consent request, which is that no Senator shall speak more than once or longer than 15 minutes on the pending amendment.

The PRESIDING OFFICER. Is there objection?

Mr. TYDINGS. Mr. President, do I correctly understand that any Senator who has already spoken may speak once more?

Mr. HAYDEN. Certainly.

Mr. TYDINGS. Not longer than 15 minutes?

Mr. HAYDEN. Not longer than 15 minutes.

Mr. TYDINGS. I have no objection if other Senators who desire to speak have no objection.

Mr. AUSTIN. Mr. President, so far as I can ascertain, such an agreement would be satisfactory to the minority, and to those Senators who, I know, wish to address the Senate.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. NYE. Mr. President, this is most definitely not a contest for or against monopoly. However much effort may be expended to make it appear that the amendment of the Appropriations Committee is intended to break up a monopoly, the truth, nevertheless, remains that if the question of monopoly was ever involved, it has been thoroughly neutralized.

For 4 years the officials of American Export Lines, which now argues that Pan American Airways has a monopoly in air transportation across the Atlantic, have been striving with might and main to accomplish legislation that would give American Export Lines a monopoly—not only a continuation of the monopoly it now enjoys in oceangoing commerce but a monopoly as well on air transportation.

I wish to speak for not more than 3 or 4 minutes upon this move—which I cannot look upon as being other than a grab—which would make the United States Government, if the amendment should prevail, pay for a given service more than three times as much as it needs to pay to obtain the same service by authorizing additional trips by the existing carrier.

The proposal recommended by the Appropriations Committee would not save any money. Indeed, it would cost the Government money. It would increase the cost that must be paid by the Government for individual trips across the Atlantic. It would increase the expense to the Government to the tune of approximately $1,000,000 a year for a service that is counted essential, but a service that can be had for less than a third of the amount called for by the pending proposal.

This proposal would not aid defense in the slightest degree. It would only contribute to inefficiency and perhaps deficits. It would not improve service. Rather it would threaten materially to weaken the service that is being accorded. I am sure it must be admitted that one strong company can do a much more serviceable job than can two weak companies.

Coming back to the question of monopoly, I insist that to grant this contract to American Export Lines would not in any way end monopoly but would contribute in the end to the building of a greater monopoly than now exists.

It has been argued, and I think pretty definitely agreed, that American Export Lines, if it should win this contract, would be privileged to take the profits accruing from its operations as a water carrier and use them to cover any deficit which might be incurred by carrying the mail in competition with Pan American Airways.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. HAYDEN. I am very much interested in the last statement of the Senator, because my understanding is exactly the contrary. While the Maritime Commission allowed the shipping company to use certain of its assets in financing the air line, the idea was that the money was to be returned and that the shipping company would not take any of its profits and apply them to the air line. I do not think there is anything in the RECORD to that effect.

Mr. NYE. I am speaking only from what I heard in the debate on the floor of the Senate yesterday afternoon. I did not hear refuted the argument that American Export Lines would be privileged to draw from its surpluses as a water carrier to meet its deficits—if there should be deficits—in the operation of the air carrier.

Mr. HAYDEN. I am sure the Senator can find nothing in the printed record to justify that statement.

Mr. NYE. I must of necessity plead that the Senator may be correct; but I was basing my conclusions upon the argument to which I listened in the debate yesterday afternoon.

American Export Lines has striven with might and main to make it appear that its cause is that of breaking up a monopoly. Four years ago Mr. Slater, executive vice president of American Export Lines, was appearing before a congressional committee pleading that the water carriers across the Atlantic be given the first right in the matter of carrying mail by air over that same body of water. They wanted, argued for, and pleaded for a complete monopoly.

No one can convince me that Export Lines is to be content with having one trip a week across the Atlantic. It will not be content until it can have it all; and when it has all the air-carrying rights between New York and Portugal it will have a 100 percent monopoly on all carrying facilities across the Atlantic.

Mr. President, when times again are normal—as I expect they will be—and Pan American Airways is returned to its original route, I shall be the last to object to the institution of other services which would afford competition in trans-Atlantic service; but to parallel the competition, to run over the same identical route with two lines, is waste, and is squandering of the first water, with resulting injury to the service, to the public, and to the operators themselves.

With respect to the question of monopoly it is argued that Pan American Airways has a monopoly in carrying the mail across the Atlantic today. To some extent that is true; but it is also true that every air-mail carrier in the United States has a complete monopoly on the line upon which it operates, with never the need to compete against a competitor who is offering to bid.

There is not any competition there. We afford subsidies as a government. As has so well been said by others, we afford a subsidy because it is the only manner by which we can get a service which we want and which we need.

But having that service, why we should allow an existing company to buy a second company and why we should reach out and subsidize a second company is beyond my comprehension. I insist, Mr. President, that if the question of monopoly is involved here at all it is completely neutralized. Now it is only a question of one company's wanting a monopoly that another company has, but unprepared to take it for as little cost to the Government as that for which the present operating company is furnishing the service.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. HOLMAN. I desire to revert to the statement made by the Senator from North Dakota, as I understood it, wherein the Senator from North Dakota said that the resources of the steamship company, for instance, may be available as resources of the air-line company operated as a subsidiary to the steamship company. Did I correctly understand the statement of the Senator from North Dakota?

Mr. NYE. Yes. Yesterday, on the floor of the Senate, that statement was made, and I did not hear it refuted; but today, the Senator from Arizona makes the point that under the law the carrier could not draw from its water-commerce profits to pay any deficit that might be incurred because of its air-transportation operations.

Mr. HOLMAN. I desire merely to make the observation that the same individuals own the same companies. The companies have stockholders in common. I know that from my manufacturing business I draw funds to make up the deficits of my farming business.

Mr. NYE. I should like very much to have the Senator from Arizona expand upon and make clearer the point of why the Export Line could not use all its waterway-operations profits to meet any deficit that might be encountered in its aviation experiments.

Mr. HAYDEN. If the Senator will recall the testimony at the committee hearings, Admiral Land testified that when the steamship company proposed to put money into the air line, and submitted the matter to the Maritime Commission, it was denied that privilege, the Commission ruling that the steamship company could not use for that purpose the fund that it set aside. Then the way the steamship company handled the matter was that it created a new company, and made a loan from its surplus funds to the new company—only a loan—with the distinct understanding on the part of the Maritime Commission that the loan must be repaid. The testimony is further to the effect that it is proposed that as soon as this air line gets into such a position that it has a sound financial basis it will sell stock to the public and with the proceeds will retire its obligations to the shipping company. That is all in the record.

Mr. NYE. Then it comes down to this, as I take it: If Lehman Bros., carrying the mail by air across the Atlantic, encounter a deficit and if Lehman Bros. enjoy a profit by carrying commerce across the ocean in ships, there is not anything, is there, to prevent Lehman Bros. from using the profits in one operation to cover the deficit in the other?

Mr. HAYDEN. Oh, yes; they are totally separate and distinct agencies, one

regulated by the Maritime Commission and the other regulated by the Civil Aeronautics Board.

Mr. NYE. But both of them owned by the same, identical operator.

Mr. HAYDEN. Oh, no; not at all. So far as Lehman Bros. are concerned—to discuss them briefly—they do not own either one of these organizations.

Mr. NYE. Lehman Bros. rather thoroughly control them, do they not?

Mr. HAYDEN. Oh, no.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. TYDINGS. Mr. Slater, executive vice president of the American Export Lines, testified that the American Export Lines completely owned American Export Air Lines.

Mr. HAYDEN. Oh, no; he did not testify to that. The testimony will be found to be that 70 percent of the stock of the air lines is controlled by the steamship company.

Mr. NYE. Would not 70 percent be rather controlling?

Mr. HAYDEN. I am not questioning that, but I am attempting to say that Admiral Land justified what was done by stating that he insisted that the transaction should be a separate one, kept clear on the books, and that no cash belonging to the steamship company could be paid over directly to the air lines; and the further testimony is that as soon as the air company can be financed, as soon as it can offer its stock to the public, the receipts from the sale of stock will be used to pay off whatever they owe the steamship company.

Mr. NYE. The Senator from Arizona is not insisting that the actual ownership of the steamship line differs materially from the ownership of the aviation line, is he?

Mr. HAYDEN. Only to the extent of 30 percent; but I am insisting that the board of directors of the steamship company cannot meet and vote steamship-company money to pay a deficit incurred by the air company. They cannot do that.

Mr. NYE. May I inquire of the Senator from Maryland [Mr. TYDINGS] regarding the ownership and directorate of the two companies? Are they the same?

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. NYE. I yield.

Mr. McCARRAN. In reply to the question just asked by the Senator from North Dakota, let me state that all except two members of the board of directors of the two companies are the same.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

Mr. NYE. The Senator from Nevada has answered the question.

Mr. McCARRAN. In each instance the board of directors is the same with the exception of two members.

If the Senator from North Dakota wishes to yield his time, perhaps I may proceed.

Mr. NYE. I will yield the floor to the Senator from Nevada, but first of all let me say that I am back to where I began, and am quite convinced that the power will be with the Export Line to use its profits from operations as an ocean carrier to cover any deficits it encounters as an air carrier.

Mr. McCARRAN. Mr. President, addressing myself to the subject, I answer the Senator from North Dakota in the affirmative. I desire to read from Admiral Land's letter, which is contained in the minority report under date of March 14, 1940. On page 7 Admiral Land's letter read as follows:

> The amount which has been so invested by American Export in the notes of the airways subsidiary, namely, $1,200,000, is less than the company's unencumbered equity in the special reserve fund.

In other words, of the fund which, in keeping with the law, is laid away by the steamship company, they were entitled to have one-half. They did take one-half of that money, and invested it in the notes of the subsidiary company. In other words, Lehman Bros., the owners of the Export shipping line, borrowed from Lehman Bros., as the owners of the Export Air Lines, and put back into the Export shipping line the notes of Lehman Bros. It is a transaction between two boards consisting of the same members, both of which are controlled and owned—now 70 percent, but at that time 100 percent—by Lehman Bros.

It is useless to beat around the bush in discussing this question. To face the facts is very simple. It seems to me that much has been made out of it that was not necessary to bring into the picture at all. If I may review the whole situation as I heard it as a member of the committee and as I heard it on the floor of the Senate—and I shall be very brief—first of all, Congress in enacting the Civil Aeronautics Authority law had in mind the development and promotion of civil aviation in America in order that we might develop our own lines here and at the same time develop lines that would reach abroad into the ports of the world, thus to encourage commerce by air at home and abroad. With that in mind, it was specifically written in no uncertain terms and in no uncertain language into the civil aeronautics bill as it passed Congress that one form of carrier could not acquire an air line; that is, a surface carrier could not acquire control of an air carrier. The object of that was to prevent the railroads smothering the air lines and to prevent the shipping lines absorbing the air lines and smothering air commerce. That was one of the objects; indeed, it was the main object, the principal object; it was a worthy effort in the right direction, and, in my judgment, it has done much to promote commercial aviation in the United States. Not only that, but it has promoted commercial aviation from this country to foreign countries.

Permit me to illustrate. Great Britain at one time had three lines to this country. She found that it was a losing venture, and so the three lines were merged into one. Today only one line proposes to come from Great Britain, and it is ready to fly from there as soon as it can get the opportunity to fly with any degree of safety. At one time France had two lines coming to this country. It was found to be a losing enterprise, and so the two lines were merged into one, and today French ships are ready to fly as soon as the danger point is over so that they may fly with any degree of safety. More than that, the State Department, in my judgment, will not succeed in getting base privileges in Portugal unless, in turn, Portugal is permitted to operate a line from her territory to the United States.

Let me go a little further. Japan had a very serious experience along the same line. She put out two or three air lines operating to foreign countries, but she found them to be an economic failure, and she merged those lines into one so as to make a success of it. If this amendment shall be adopted, if the Export Lines—and I do not care by what name the organization is called—is permitted to fly in competition with the line that is now flying, as soon as the present war is over, the British line, which is now ready to fly; the French line, which is now ready to fly; the Portuguese line, which will be ready to fly; the Dutch line, which will be ready to fly; and the Italian line, which will be ready to fly, will all be flying in competition with the two air lines of America, which will be flying in competition with each other. Economically it is unsound; economically it is wrong; and that is what Congress realized when, in writing the Civil Aeronautics Act, it specifically provided, among other things, that a shipping line—I use shipping line as an example, although the terms of the law did not embrace shipping lines any more than any other common carrier—could not acquire control of air mail unless by special permission of the Civil Aeronautics Authority under certain conditions.

Let me go a little further.

Mr. WHITE. Mr. President, will the Senator yield there?

Mr. McCARRAN. I yield.

Mr. WHITE. Is it not also probably true that, when normal conditions are restored, British Imperial Airways will service the whole eastern Mediterranean rather than the two American companies which are now seeking to reach the western Mediterranean?

Mr. McCARRAN. I think that is entirely true.

Let me go a little further in relation to the economic side of the question. If this amendment shall prevail and if the Civil Aeronautics Authority, as appears in this case, shall prevail, then the railroads of America will be able to take over the airlines of this country, and the moment they establish air navigation America will receive one of its most severe blows, because competition in the air should remain in the air and competition on the surface should remain on the surface. That is the story as it comes to us. It seems to me to be so simple, so short, so decisive that it is not necessary to go into all the intricacies of the case.

I have heard it said that the United States has paid to Pan American $90,000,000. I take it that is about correct; in over 13 years it has paid Pan American $90,000,000. But what has the United States Government acquired for those $90,000,000? It has acquired air bases all over the world, the finest which

have yet been produced or will be produced for some time; all constructed by the invested capital of the Pan American Airlines. Today air lines extend to South America, across the Andes, and upon the west coast of South America; today air lines extend from San Francisco Bay to Hawaii, the Philippines, Guam, Australia, and the Orient as well. In every instance we have landing fields which have been built by private capital which has been encouraged by the $90,000,000 which have been paid by the Government.

In addition to that, the Government has achieved a service that cannot be put under value, for we have put the American flag all over the world, and we have brought to America more good will from foreign countries, growing out of our flag being carried by air, than has been brought by any one other agency.

Mr. AUSTIN. Mr. President, will the Senator yield for a brief question?

Mr. McCARRAN. Yes.

Mr. AUSTIN. I want to ask the question in connection with the Senator's remark, in which I concur. Considering the question of what the United States received for the money it expended, we must remember that air routes cost money, and are as tangible as are railroads. Is not that true?

Mr. McCARRAN. That is true, of course.

Mr. President, just one more thought along that line. It took courage to survey the North Atlantic. I hold no brief for the Pan American; I hold no brief for either of the companies named in this controversy; it would not make any difference to me what their names were nor who controlled them; but Pan American surveyed the North Atlantic at a time when it was regarded by the finest aviation experts in the world that the North Atlantic would prove a very difficult problem in the way of aviation, and, indeed, it has proven a difficult problem, so much so that today in place of flying to Lisbon and back to New York, the planes of the company returning from Lisbon are flying across to Africa and then back by way of South America, so as to go with the wind, because air currents are one of the great problems on the North Atlantic route. It has required engineering extending over 10 or 15 years to accomplish what Pan American has accomplished.

We did not hear of any competition in that engineering field; we did not hear of any competition when they first sought to fly across the North Atlantic; nobody wanted to go into that field then, because it was regarded as a hazardous field; there would be great loss of property, loss of money, and, perhaps, loss of life; but, be it said to the credit of Pan American, as I would say it to the credit of anyone else, the loss of life has been nil in that most adventurous field of all the fields of aviation, namely, the flight from American ports to Lisbon.

Mr. NYE. Mr. President, will the Senator yield at that point?

Mr. McCARRAN. I yield.

Mr. NYE. Is the Senator aware of the fact that when Export Lines undertook to establish oceanic operations, they were without the talent in their organization that would let them go out and conduct the kind of surveys which were equivalent to those afforded by their competitors, and that Export Lines had to borrow talent from the United States Navy in order to do that surveying?

Mr. McCARRAN. I have heard that statement, but I would not say it is true. However, the route had been surveyed, the engineering and meteorological work had been done; the Export Lines had the advantage of all the study that had been made by those who pioneered that route, so they could go forward with a great deal more assurance of being successful because someone else had been successful over that line.

Mr. President, let us consider the question of monopoly for a moment. Today the Export Lines have a monopoly to carry by water from American ports to Mediterranean ports and to Lisbon. There is no question about their monopoly. That monopoly has been granted by the spirit and principle of our law. The Maritime Commission granted them that shipping right from American ports to Mediterranean ports and to Lisbon. Now, to show how well fixed that monopoly is and how jealous Export Lines is of that monopoly, at a time of great emergency, when the European war broke out and refugees by the hundreds of thousands were seeking ports from which they could get away from European countries and come to a place of safety and haven in America, they went to Mediterranean ports and there the American Export Lines found itself without sufficient ships to carry the refugees from Mediterranean ports to American ports.

The United States Lines—another subsidized line, if you please, but not having the right, under the Shipping Board, to sail into Mediterranean ports—sent its ships into those ports to bring away the refugees. One would imagine that under such circumstances there would be no come-back to the American Export Lines; but, lo and behold, they not only demanded that the shipping should be limited, but they exacted $400,000 from the United States Lines. Four hundred thousand dollars was demanded and was paid as a bonus by the United States Lines to the American Export Lines. It was not gratuitously paid; it was demanded.

Talk about monopoly. If that is not a monopoly, I do not know what it is.

The concern which holds that shipping monopoly into Lisbon is subsidized, if you want to call it subsidy, by receiving pay for carrying the mails; and it has the exclusive right to carry the mails from the United States to Lisbon by water. Now it seeks to go into another line of transportation, one in which it has never before engaged. It seeks to do that against the spirit of the law and the letter of the law of the Civil Aeronautics Authority, when that Authority said that no agency having control of surface transportation should control an air-transportation line. Notwithstanding that, the American Export Lines now proposes to destroy what has been set up by the millions paid by the Treasury of the United States to the Pan American Airways.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). The time of the Senator from Nevada has expired.

Mr. ADAMS. Mr. President, it happened to be my duty to serve twice on the Appropriations Committee when this matter was under consideration—on the deficiency subcommittee in a preceding session of Congress, and on the full committee during the present session. Having voted in each instance against the additional air-mail line, after carefully listening to and reading the testimony, I wish simply to add a word as to my own reasons.

Mr. President, I am not interested in many things that have been said as to stock ownership and organization and personnel in these various lines. I am not concerned with their other businesses, with their steamship businesses or with their other air-mail businesses. We are dealing with one thing only, and that is a provision for an appropriation to the Post Office Department in the post office bill. We are seeking to add to the bill a large sum of money for postal purposes. The only question involved is whether we shall add this amount to the post office appropriations. It is not a proposed addition to a national-defense item; it is not a proposed addition to a commercial item; it is not a proposed addition to a maritime item; but it is strictly and solely a question of the addition of a sum of money, amounting to about a million and a quarter dollars, to the expenditures of the Post Office Department.

I am opposing the appropriation for the specific reason that the addition of this amount of money to the expenditures of the Post Office Department will not result in carrying in the trans-Atlantic mails one additional ounce of mail. In other words, the existing services are and have been adequate to carry all the mail which has been offered. The average amount of mail carried is about 3,000 pounds. The ships which are now flying have a capacity of some 14,000 pounds. I think only at one time, during a December pre-Christmas rush, did they ever approach their mail-carrying capacity.

The controversy, as I have seen it before the committee and on the floor, is one between two private corporations, one seeking to hold and one seeking to get a subsidy from the United States Government. If the payment of the additional subsidy were necessary for an adequate trans-Atlantic air-mail service, I should not be objecting; but I am objecting because there is to be imposed upon the United States Government the expenditure of a million and a quarter dollars which will go to an additional air-mail transport line without adding to the mail service of the United States Government. I think we have no right to go outside that phase in this particular bill and at this particular time; or, at least, that is the consideration that influences me.

I happen to be among those who are tremendously disturbed, perhaps more than many others, over our expenses, over our debts, over our deficits; and an in-

crease which does not bring with it a commensurate betterment in the public service I think should be postponed.

I am not concerned with the argument of monopolies or of competition, but solely with the one element of paying out money for the benefit of a group without compensatory benefits to the Government. I think everyone, whether a private individual or a Government official, who is interested in a matter pending before Congress, has a perfect right to express to the Members of the Senate his views. I am always glad to get information. I am not so glad to be the object of efforts to persuade me to do something because of reasons other than the public welfare. During my experience in the Senate I think I know of only two instances in which so many persons, public and private, have concerned themselves with an amendment or a bill, as in this case. I suppose that activity indicates tremendous interest in the public service. I am willing to accept it upon that basis; but the extent to which men outside of Congress, in public life and in private life, have taken a great interest in this appropriation item, has been quite remarkable.

I merely say that I suppose that is an indication of a revival of interest in legislation; but it is a very definite fact. It so happens—and I think there is no connection between the two things; it is merely a coincidence—that the controversy involves the financial welfare of two private corporations; and their agents and their representatives have been very faithful in presenting the cases of their respective employers. I wonder, of course, about this great effort.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ADAMS. Always, with the utmost pleasure.

Mr. O'MAHONEY. It indicates, as I think the Senator has said, a very deep and growing interest in public affairs.

Mr. ADAMS. I want to draw that inference. Of course, there are several kinds of interest. I will say both interest and principle. [Laughter.]

Mr. O'MAHONEY. Principally interest upon principal, I have no doubt, is what is being exhibited here.

Mr. ADAMS. Yes.

Mr. O'MAHONEY. Moreover, I assume from what the Senator has said that he does not believe that this widespread activity of private and public officials if it may be so, is stimulated by any particular desire to consider the elements of monopoly and competition. Are they terrifically involved in this question of interest upon principal to which the Senator has alluded?

Mr. ADAMS. As I have said, I have been somewhat amazed. It is the first time in some years when any of those interested have paid me the compliment to call me up or to come to see me in behalf of legislation. I have usually been regarded as somewhat of an outlaw, one who went his own way, the feeling being, perhaps, that it was useless to talk to me; but I have been complimented in this matter by a couple of instances—as I have said, I appreciate the compliment—in order that my own darkness might be illuminated, because I had gone through this record only twice. [Laughter.]

Mr. O'MAHONEY. Mr. President, if I may interrupt the Senator again, I personally was telephoned from the Pacific coast and from the Atlantic coast by individuals who I knew had no knowledge whatsoever of the facts which were presented to the Committee on Appropriations, considering this matter, or to the Civil Aeronautics Authority, which was considering the issuance of the certificate of convenience and necessity in the first instance. Thus from the Atlantic to the Pacific Ocean the interest was widespread—interest in interest upon principal. [Laughter.]

Mr. ADAMS. My curiosity was aroused as to why people should exercise so much activity about this matter. I know that some of them who spoke to me, as little as I knew about it, knew less about it than I did. They did not call on me to ask for information; they called on me to tell me, and I know that other Members of the Senate have been similarly importuned; I do not say "honored." In my case I accept it as an honor to be enlightened. Some other Members of the Senate were importuned.

One other thing, Mr. President, going back again to what I might call the sordid line, perhaps: Some of my colleagues know that at least the second greatest danger which confronts our country, next to its international hazard, is the internal financial hazard. Some of us are apprehensive that recklessness with the public money leads to catastrophe, and some of us are uneasy lest we are closer to the point of financial catastrophe than is believed. I do not find a betterment in the mail service through this proposed subsidy. Mind you, Mr. President, we are not paying the trans-Atlantic air carriers on a poundage basis; we pay them so much a trip. Then, after they reach a certain point, 1,600 pounds, we begin to pay them $4 a pound.

With their passenger loads, there have been trips which have netted them as much as $40,000. I have heard some speak about their losing money. I cannot figure that they are losing money. The Pan American started with $29,000 a trip. After the second trip it was averaged down until it was $21,000 a trip. As I understand—in fact, it is in the record—they now offer the extra weekly service for $9,000, and it is now proposed that we pay $29,000 to the company which seeks the competitive right in preference to getting similar service for $9,000.

It so happens that perhaps three-fourths of my ancestry came from New England, and this proposal does not fit in with those mental traits which I cannot escape. I am unwilling that the Government should pay $29,000 for what it can get for $9,000. I am unwilling to pay a million and a quarter dollars when we are getting no added mail services. Therefore I am forced to vote against——

Mr. O'MAHONEY. Mr. President, will the Senator yield before he commits himself?

Mr. ADAMS. Certainly; I withdraw any commitment.

Mr. O'MAHONEY. The Senator has just spoken again about the comparison between the cost of the first trip of the Pan American and the offer which is held out, as it were, to run an extra trip for $9,000. I am sure the Senator is well aware that that offer is a conditional offer, that it is not an offer without limit, that it is an offer which is dependent upon two conditions—first, that the emergency continue; and, second, that the Pan American be protected from any competition on the trans-Atlantic airways.

Mr. ADAMS. That is exactly the situation. I am assuming, necessarily, that we are dealing with a continuing emergency, and of course if the amendment shall not be adopted, there will not be the competition; so that as a matter of fact the two conditions will be met, and we will get the service for $9,000 for which the amendment would force us to pay $29,000.

Mr. O'MAHONEY. Mr. President, when the emergency is over, as the Senator so aptly said a few days ago, then the Pan American may make its application for a revision of the rates because the conditions of the offer will have changed, the emergency will have passed, and it will be necessary to raise the "ante" to that which was offered in December 1939, namely——

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. ADAMS. Mr. President, one word following what has just been said. I do not differentiate between the two companies, as to character or attitude. I think each of them is trying to get the most it can out of the Government, and I am in favor of dealing with the one from which we can get the most for the least money.

Mr. HAYDEN. Mr. President, I should like to ask whether any Senator desires to address himself to the issue at this time.

Mr. TYDINGS. We can not tell until we know what the Senator from Arizona and some others may say. No one can commit himself in advance of the argument.

Mr. HAYDEN. The inquiry I desired to make was whether there was any Senator who felt himself so burdened with a speech that he would have to relieve himself by addressing the Senate. If not, I shall take the floor. I do not want to take it from anyone else who desires to speak.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. HAYDEN. Mr. President, I think the best way to approach this question is to give a brief history of the American Export Lines, organized under the old Shipping Board, and under the control of a man by the name of Herbermann, who, as president and owner of the company, managed the line for a long time.

It will be remembered that the Senator from Tennessee [Mr. McKELLAR] as chairman of the Senate Committee on Post Offices and Post Roads, made an investigation of ocean-mail contracts, and in the course of that investigation

he discovered that, so far as the American Export Lines was concerned, under its then ownership, Mr. Herbermann had misused the subsidies paid by the Government in a most scandalous manner.

It was developed in the Senate committee hearing that between 1925 and 1931 Mr. Herbermann took out $1,254,530 in salary advances and expenses and that in the meantime the net loss to the company had been $375,000. When these matters were brought to the attention of the Shipping Board that agency forced Mr. Herbermann to give up his control of the company and to cease to be its president. Those Senators who know the Senator from Tennessee know he did a thorough job of investigating in that case.

The Senator from Tennessee, for whom I happen to be pinch-hitting today—if he were here I know that he would present this matter in a much better way, and I would be occupying my usual position on the side lines listening to him do it—the Senator from Tennessee, having developed that there had been crookedness in the operations of this company, was of course very much interested when this question came up, since the same company was interested again in an air-mail matter. He wanted to find out all about its present situation, and he started out with a feeling of antagonism toward the company merely because of its name. He knew that it had heretofore, under other management at least, robbed the Government by not having carried out its obligations under the subsidy. But what did he find? He found out that the old Herbermann organization was entirely eliminated; that the present owners, and those who control the company, are operating one of the finest of all the shipping companies under the jurisdiction of the United States Maritime Commission at this time.

That brings me to the statement which has been repeated over and over again that the ownership of the shipping company is vested in Lehman Bros., an investment banking house in New York. Now it is true that when the time came to reorganize that company, a new president having been elected by the name of W. H. Coverdale, as I remember, that he approached various investment houses in New York to refinance the company, and Lehman Bros., an investment banking company, about 1934 became interested in the matter, and they did just what had happened hundreds of times in that depression. Here was a firm in distress that had lost its credit, and someone who had credit stepped in and took over the refinancing. That is what Lehman Bros. at that time did; namely, furnished credit to put this company on its feet. I do not doubt that in putting it on its feet, by reason of the stock they acquired they have made money. There is no question about that. But at the present time they have disposed of their controlling interest, and they do not now control the company.

I wish to make that statement in a positive way in view of the representations made in the minority report as follows:

1. American Export Steamship Lines is controlled by Lehman Bros., investment bankers of New York City.

2. American Export Steamship Lines owns 70 percent of the stock of American Export Air Lines. Its control is absolute, and the two corporations are interlocking. The banking house of Lehman Bros. controls both.

Then again on page 2:

Why should this Government give the American Export Steamship Lines such a monopoly? Or why should it give such subsidies and such a monopoly to Lehman Bros.? It is a strong banking company and has political connections of great influence. But is not this too much, even so?

Now, as to that point of "political connections of great influence," there was a scandalous story spread about Washington here a year ago that Governor Lehman, Herbert Lehman, of New York, was a member of this firm, and that he came to Washington and used his influence with the President of the United States in an effort to have this company helped before the Civil Aeronautics Board. The truth is that Herbert Lehman ceased to be a stockholder in this company when he became lieutenant-governor of New York, 10 or 12 years ago, that he never has at any time, and this is a matter of record, taken any interest in this question whatsoever. And further, the truth is, as is shown by the hearings, that the Lehman Bros.' interest in this company at this time is limited to less than 30 percent. I am talking about the American Export Steamship Co. That is demonstrated by a tabulation appearing on page 164 of the hearings, which shows that Lehman Bros., of No. 1 William Street, own 25 percent of the stock, that the executors of the estate of Arthur Lehman had 3.35 percent, and that the administrator of the estate of Carrie Lehman had 1.46 percent. Only 28 percent—less than 30 percent of the stock of the steamship company belongs to Lehman Bros., the investment banking firm of New York City, and to any member or heir of the Lehman family.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TOBEY. The Senator is conversant doubtless with the method used by corporate management in setting out ownership and capital structure. He knows very well, does he not, the obvious fact, while it may be shown on the records that only 28 percent of the ownership is held by a certain organization, and that the remaining ownership is shown to be held in certain individuals on the record, that the organization may own the stock just the same, the stock being held in the names of brokerage houses and their customers, the organization having the actual control all the time?

Mr. HAYDEN. The Senator has stated exactly what is the true situation in this case. Of these 115,000 shares nominally carried on the books in the name of Lehman Bros., that firm actually owns less than 60,000 shares. The majority of the stock that is carried in their name belongs to people to whose investment business they attend. The Senator is simply proving what I am saying.

Mr. TOBEY. So that, in other words, they might control the company, although their name is not on the records.

Mr. HAYDEN. No; they cannot because all the stockholders of record are named in the Senate hearing. Lehman Bros. have less than 30 percent of the stock, and of the 30 percent which they have in their portfolios they actually own less than one-half; they actually own less than 15 percent of the stock of the steamship company.

Mr. TOBEY. I am speaking of actual control of the company. All too often we hear it said that a certain organization does not control a company; that only 30 percent of the stock ownership is in its hands, whereas certain brokerage interests and their customers hold a sufficient amount of stock to insure control in the organization. The public is told that it owns only 30 percent of the stock, and the word goes out that it does not control, when in reality it owns perhaps 99½ percent of the stock, because the stock is in friendly hands.

Mr. HAYDEN. That may be true in some instances, but that is not true in this case.

Mr. TOBEY. Is the Senator sure of that?

Mr. HAYDEN. I am positive, and it is so testified in the record. Let us get that matter straightened out. What is the other side of the picture? The only active member, the head of Lehman Bros., is Mr. Robert Lehman. He is not a director of the American Export Steamship Co. He is not a director of the American Export Air Lines Co. He is a director of Pan American Airways, and Pan American Airways has engaged in no kind of financing at any time in which Lehman Bros. has not participated. Every one of the syndicates that have helped to finance Pan American Airways has included Lehman Bros. as a participating firm. One of the directors of Pan American is the head of Lehman Bros.—Robert Lehman—and the testimony before the committee is that Mr. Robert Lehman is much more interested in Pan American Airways than he is in either of the other companies. I cannot understand why this name—Lehman Bros.—has been dragged into this, unless it was——

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TYDINGS. Is it not a fact that Lehman Bros. own 30 percent, as the Senator has just said, of stock in this company?

Mr. HAYDEN. They do.

Mr. TYDINGS. How much stock do they own in Pan American Airways?

Mr. HAYDEN. They own whatever interest the shipping company has in Pan American.

Mr. TYDINGS. How much? The Senator has been trying to show that Lehman Bros. are more interested in Pan American than they are in the other. What interest have they in Pan American?

Mr. HAYDEN. They have an interest in that they are stockholders in the shipping company.

Mr. TYDINGS. How much are they interested in Pan American?

Mr. HAYDEN. To the extent of 30 percent of the stock of the shipping company.

Mr. TYDINGS. That is the Export Air Lines. I am talking about how much stock Lehman Bros. own in Pan American.

Mr. HAYDEN. I do not know.

Mr. TYDINGS. Then why should the Senator say they are more interested in Pan Amerian, when according to the record they do not own a share of stock in it, whereas they own 30 percent of the stock in the other company?

Mr. HAYDEN. The Senator will remember the witness who appeared before our committee and of whom we inquired as to the attitude of Mr. Robert Lehman, head of——

Mr. TYDINGS. Mr. Robert Lehman is an individual.

Mr. HAYDEN. And a director of Pan American.

Mr. TYDINGS. Mr. Robert Lehman, let me point out to the Senator, is an individual. We are talking about the firm of Lehman Bros., the investment bankers.

Mr. HAYDEN. Who, I say, as investment bankers, participated in all the financing of Pan American.

Mr. TYDINGS. Participating in the financing as a mere broker is different from ownership. There is a very small profit in the one brokerage transaction, but there is a tremendously large profit in ownership in a separate steamship line which made $6,000,000 last year.

Mr. HAYDEN. They did own a lot of that, but they have sold it, and I am telling the Senator now, that the statement made in the minority report that Lehman Bros. absolutely control the Pan American Steamship Line is not founded on anything in the record.

Mr. TYDINGS. The Senator means American Export Lines.

Mr. HAYDEN. American Export Lines.

Mr. TYDINGS. The Senator keeps saying "Pan American." So far as the record shows, there is no evidence that Lehman Bros. own any stock in Pan American Airways, but there is evidence that Lehman Bros. own 30 percent of the stock in American Export Lines, the steamship line, which in turn owns control of the air line.

Mr. HAYDEN. That is far different from the statement in the minority report that Lehman Bros. control the steamship company. The statement is repeated about five times in the minority report, as though Lehman Bros. were the entire issue in this matter.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TYDINGS. If a concern owns as much as a third of the stock in any company, for all practical purposes it controls that company. That will be found to be true in any big corporation in America. Only a small percentage of the stockholders go to the trouble of sending proxies to the annual meeting at which the officers are elected, and the concern which has 20, 25, or 30 percent ownership names the president and directors and runs the whole show. That is all that it is necessary to have to control the whole works.

Mr. HAYDEN. The president is not a Lehman. The president is Mr. Coverdale. Mr. Thomas Hitchcock, Jr., is one of the directors and principal stockholders.

Mr. TYDINGS. Mr. Hitchcock is a junior partner in Lehman Bros.

Mr. HAYDEN. Certainly.

Mr. TYDINGS. The Senator did not know that when he read that name, did he?

Mr. HAYDEN. Yes.

Mr. TYDINGS. That only proves my point, does it not?

Mr. HAYDEN. It does not prove the point at all. It proves what I am trying to say. So far as the Lehman family is concerned, I still insist that its name should not be dragged into this debate, as though, as a family, it had done something discreditable.

Mr. TYDINGS. I concede that. It is good business for them. I am not saying that there is anything dishonest about the transaction, because I do not know that there is. However, I do know that if the amendment is adopted the Government will have to pay $1,000,000 out of pocket which it does not need to spend to obtain the service.

Mr. HAYDEN. We have argued that point until I think all the wheat has been threshed out of the straw.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. O'MAHONEY. It is now my understanding, as a result of the colloquy, that it is a great virtue for a person by the name of Lehman to own stock, much or little, in Pan American, but that it is a tremendous vice for a person by the name of Lehman to own stock, much or little, in American Export Lines.

Mr. HAYDEN. That is the only conclusion I can draw from the five-times mention of the name of Lehman Bros. in the minority report. I cannot draw any other conclusion.

Mr. President, let me conclude my remarks by stating what I tried to make clear in the beginning of this prolonged discussion. There has been a finding by the duly authorized authority appointed by the Congress to look into this matter—that is, the Civil Aeronautics Board—that there is business enough to justify the issuance of a certificate of convenience and necessity to the competing carrier. The certificate would not have been issued if there had not been business enough for both companies. The Civil Aeronautics Board found that situation to exist. It found that the additional service was necessary and issued the certificate.

The Post Office Department has found that the additional service is necessary to expedite the carrying of the mail, and that there is business enough for the additional carrier. It is also of record that the receipts from the air-mail postage will repay and compensate the Government for whatever we have to pay the two companies by way of subsidy. So we do not have to cry over the taxpayer of the United States in this instance, thank Heaven. In normal times the postal business across the North Atlantic is eight times as great as it that on all the other oceans in the world.

We are now in a wartime period, when people fear to travel on the surface of the sea because of submarines, and more and more of them desire to go by air. It is of record that there is a backlog of passengers in Europe and in the United States ready and anxious to fly any line that can operate. Again, it is of record by the War and Navy Departments that it is in the interest of the national defense that more than one company be engaged in transoceanic flying.

The PRESIDING OFFICER. The time of the Senator from Arizona has expired.

The question is on agreeing to the committee amendment on page 51, line 7.

Mr. TYDINGS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Nye
Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Glass	Pepper
Bailey	Green	Radcliffe
Ball	Guffey	Reynolds
Bankhead	Gurney	Schwartz
Bilbo	Hayden	Shipstead
Bone	Herring	Smathers
Brooks	Hill	Smith
Brown	Holman	Spencer
Bulow	Hughes	Stewart
Bunker	Johnson, Calif.	Taft
Burton	Kilgore	Thomas, Idaho
Butler	La Follette	Thomas, Okla.
Byrd	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Caraway	Lucas	Tydings
Chandler	McCarran	Vandenberg
Chavez	McFarland	Van Nuys
Clark, Idaho	McNary	Wallgren
Clark, Mo.	Maloney	Walsh
Connally	Mead	White
Danaher	Murdock	Wiley
Davis	Murray	Willis
Ellender	Norris	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

The question is on agreeing to the committee amendment on page 51, line 7.

Mr. VANDENBERG. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TYDINGS. Mr. President, let me inquire if the parliamentary situation is not as follows: Those who vote "yea" will vote to appropriate a sum of money which will permit the new air company to compete with Pan American. Those who vote "nay" will vote, of course, for the existing condition.

The PRESIDING OFFICER. It is the understanding of the Chair that by the adoption of the committee amendment the appropriation for transportation of foreign air mail would be increased by the sum of $1,216,000.

The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. WHITE (when Mr. BREWSTER'S name was called). I announce the necessary absence of my colleague the junior Senator from Maine [Mr. BREWSTER].

I am authorized to say that if he were present, he would vote for the committee amendment.

Mr. HOLMAN (when his name was called). On this question I have a pair with the majority leader, the Senator from Kentucky [Mr. BARKLEY]. It is my understanding that if he were present, he would vote "yea." If I were at liberty to vote, I should vote "nay." I therefore withhold my vote.

The roll call was concluded.

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness. The Senator from Kentucky [Mr. BARKLEY], the Senator from California [Mr. DOWNEY], the Senator from Colorado [Mr. JOHNSON], the Senator from Montana [Mr. WHEELER], the Senator from New Mexico [Mr. HATCH], and the Senator from Georgia [Mr. RUSSELL] are unavoidably detained. The Senator from Utah [Mr THOMAS] is addressing the National Association of University Extension Directors, in Oklahoma City, and therefore is necessarily absent. The Senator from Mississippi [Mr. HARRISON] is paired with the Senator from Montana [Mr. WHEELER]. I am advised that if present and voting, the Senator from Mississippi would vote "yea," and the Senator from Montana would vote "nay."

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is unavoidably absent. He is paired with the Senator from Tenneseee [Mr. MCKELLAR]. If present, the Senator from New Jersey would vote "nay," and the Senator from Tennessee would vote "yea." The Senator from Maine [Mr. BREWSTER], of whose absence an announcement already has been made, is paired with the Senator from Colorado [Mr. JOHNSON]. If present, the Senator from Maine would vote "yea," and the the Senator from Colorado would vote "nay." The Senator from New Hampshire [Mr. BRIDGES] is paired with the Senator from Utah [Mr. THOMAS]. If present, the Senator from New Hampshire would vote "nay," and the Senator from Utah would vote "yea." The Senator from Kansas [Mr. REED], who is necessarily absent, has a general pair with the Senator from New Mexico [Mr. HATCH]. If present, the Senator from Kansas would vote "nay."

The result was announced—yeas 35, nays 44, as follows:

YEAS—35

Bankhead	Guffey	Murray
Bilbo	Hayden	O'Mahoney
Bone	Hill	Overton
Brown	Hughes	Schwartz
Burton	Kilgore	Spencer
Byrnes	Langer	Stewart
Chavez	Lee	Thomas, Okla.
Connally	McFarland	Truman
Davis	McNary	Tunnell
Gillette	Maloney	Van Nuys
Glass	Mead	Wallgren
Green	Murdock	

NAYS—44

Adams	Bulow	Clark, Idaho
Aiken	Bunker	Clark, Mo.
Andrews	Butler	Danaher
Austin	Byrd	Ellender
Bailey	Capper	George
Ball	Caraway	Gerry
Brooks	Chandler	Gurney
Herring	Pepper	Tobey
Johnson, Calif.	Radcliffe	Tydings
La Follette	Reynolds	Vandenberg
Lodge	Shipstead	Walsh
Lucas	Smathers	White
McCarran	Smith	Wiley
Norris	Taft	Willis
Nye	Thomas, Idaho	

NOT VOTING—15

Barbour	Harrison	Reed
Barkley	Hatch	Russell
Brewster	Holman	Thomas, Utah
Bridges	Johnson, Colo.	Wagner
Downey	McKellar	Wheeler

So the amendment of the committee was rejected.

Mr. CLARK of Missouri. I move to reconsider the vote which was just taken.

Mr. TYDINGS. I move that the motion of the Senator from Missouri be laid on the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland to lay on the table the motion of the Senator from Missouri.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The bill is still before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill, H. R. 3205, was read the third time, and passed.

Mr. GLASS. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GLASS, Mr. TYDINGS, Mr. MCCARRAN, Mr. HAYDEN, Mr. BAILEY, Mr. LODGE, and Mr. WHITE conferees on the part of the Senate.

WIDOW OF ARTIS J. CHITTY

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 991) for the relief of the widow of Artis J. Chitty, which was, on page 1, line 7, to strike out "$10,000" and insert "$5,000."

Mr. BROWN. I move that the Senate disagree to the House amendment, request a conference with the House, thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

JOSEPH DOLAK AND ANNA DOLAK

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 392) for the relief of Joseph Dolak and Anna Dolak, father and mother of Gene Dolak, deceased, which were, on page 1, line 5, to strike out "$1,000" and insert "$2,500"; on page 1, line 6, to strike out "Joseph Dolak and"; on page 1, line 7, to strike out "father and"; on page 1, line 7, after "mother", to insert "and sole surviving parent"; and to amend the title so as to read: "An act for the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased."

Mr. GILLETTE. I move that the Senate concur in the House amendments.

The motion was agreed to.

RALPH C. HARDY AND OTHERS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 941) for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock, which was on page 1, line 9, to strike out "$271.90" and insert "$315.80."

Mr. CHANDLER. I move that the Senate concur in the House amendment.

The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House insisted upon its amendment to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FULMER, Mr. DOXEY, Mr. FLANNAGAN, Mr. HOPE, and Mr. KINZER were appointed managers on the part of the House.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 216. An act for the relief of A. B. Codrington;

S. 248. An act for the relief of John G. Hunter;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy;

S. 436. An act for the relief of Maximo Abrego;

S. 514. An act for the relief of R. Stern;

S. 788. An act for the relief of Noland Blass;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department; and

S. 1104. An act for the relief of William A. Wheeler.

CALL OF THE ROLL

Mr. DANAHER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Lodge
Aiken	Connally	Lucas
Andrews	Danaher	McCarran
Austin	Davis	McFarland
Bailey	Ellender	McNary
Ball	George	Maloney
Bankhead	Gerry	Mead
Bilbo	Gillette	Murdock
Bone	Glass	Murray
Brooks	Green	Norris
Brown	Guffey	Nye
Bulow	Gurney	O'Mahoney
Bunker	Hayden	Overton
Burton	Herring	Pepper
Butler	Hill	Radcliffe
Byrd	Holman	Reynolds
Byrnes	Hughes	Schwartz
Capper	Johnson, Calif.	Shipstead
Caraway	Kilgore	Smathers
Chandler	La Follette	Smith
Chavez	Langer	Spencer
Clark, Idaho	Lee	Stewart

Taft	Tunnell	Walsh
Thomas, Idaho	Tydings	White
Thomas, Okla.	Vandenberg	Wiley
Tobey	Van Nuys	Willis
Truman	Wallgren	

The VICE PRESIDENT. Eighty Senators have answered to their names. There is a quorum present.

EXECUTIVE SESSION

Mr. GLASS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McFARLAND, from the Committee on the Judiciary:

James Joseph Gillespie, of Iowa, to be United States marshal for the southern district of Iowa, vice George E. Miller.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the first nomination on the Executive Calendar.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of John C. Fitzgerald to be work projects administrator for Maine.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations for promotion in the Navy.

Mr. WALSH. I ask unanimous consent that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH. I ask unanimous consent that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

That concludes the calendar.

ADJOURNMENT

Mr. GLASS. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until tomorrow, Thursday, May 8, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received May 7 (legislative day of May 5), 1941:

UNITED STATES CIRCUIT JUDGE

Hon. Sherman Minton, of Indiana, to be judge of the United States Circuit Court of Appeals for the Seventh Circuit, vice Hon. Walter E. Treanor, deceased.

SUPREME COURT OF THE TERRITORY OF HAWAII

Hon. Samuel B. Kemp, of Hawaii, to be chief justice of the supreme court, Territory of Hawaii, vice Hon. James L. Coke, resigned.

UNITED STATES MARSHALS

Joseph H. Young, of Georgia, to be United States marshal for the southern district of Georgia, vice Henry Clayton Walthour, deceased.

Henry Robert Bell, of Tennessee, to be United States marshal for the eastern district of Tennessee. Mr. Bell is now serving in this office under an appointment which expired April 22, 1941.

COAST GUARD OF THE UNITED STATES

Alfred H. Thomas, Jr., to be a chief pay clerk in the Coast Guard of the United States, to take effect from date of oath.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named majors to be lieutenant colonels in the Marine Corps from the 1st day of March 1941:

Alfred C. Cottrell
Herman H. Hanneken
Arthur D. Challacombe

The following-named captains to be majors in the Marine Corps from the 1st day of March 1941:

Charles G. Meints
Hartnoll J. Withers
John H. Coffman
Walter L. J. Bayler
Earl S. Piper

First Lt. Henry B. Cain, Jr., to be a captain in the Marine Corps from the 1st day of October 1939.

First Lt. Frank P. Hager, Jr., to be a captain in the Marine Corps from the 8th day of July 1940.

Marine Gunner Ira Brock to be a chief marine gunner in the Marine Corps, to rank with but after second lieutenant, from the 14th day of January 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7 (legislative day of May 5), 1941:

WORK PROJECTS ADMINISTRATION

John C. Fitzgerald to be work-projects administrator for Maine.

POSTMASTERS

MISSOURI

Arvell F. Collins, Kirksville.

NEW YORK

Joseph Keenan, Babylon.
Andrew J. Hand, Endicott.
Lawrence W. Snell, La Fargeville.
Arthur Cosgrove, Lindenhurst.
John A. Kuchanske, North Syracuse.
Jules L. Friedman, Ronkonkoma.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

To be rear admiral

Augustin T. Beauregard

To be captains

Thomas J. Doyle, Jr.	Alfred P. H. Tawresey
William W. Meek	Theo D. Westfall
Carl H. Jones	Robert H. Grayson
Paul A. Stevens	

To be commanders

Gerald W. Thomson
Carlton R. Todd

To be lieutenant commanders

John A. Glick
Gordon A. McLean
John L. Woodbury

To be lieutenants

William L. Dawson
Dale Mayberry

To be lieutenant (junior grade)

Bethel V. Otter

To be medical director

Melville J. Aston

To be paymaster

Fred L. Haerlin, Jr.

To be passed assistant paymasters

Ross G. Linson
Thomas P. O'Connell

To be civil engineers

Henry F. Bruns
James T. Mathews
Paul J. Searles

To be chief boatswains

William O. Kuykendall
Alexis T. Terrio

To be chief gunner

Tribble R. Sanders

To be chief machinist

Pat N. Wilson

To be chief pharmacist

Charles H. Redfield

To be passed assistant paymaster

James E. Bullock

To be lieutenant commanders

Francis X. Forest	Robert G. Armstrong
Louis L. Vodila	Joe B. Paschal

To be chief pay clerk

John C. Le Clare

To be lieutenant

Burden R. Hastings

MARINE CORPS

To be brigadier general

Julian C. Smith.

To be colonels

Harold S. Fassett
Louis R. Jones

To be lieutenant colonels

William C. Hall	Floyd W. Bennett
Moses J. Gould	Norman E. True
James L. Denham	

To be majors

Ernest E. Shaughnessey	William W. Benson
Theodore B. Millard	Raymond C. Scollin
Benjamin F. Kaiser, Jr.	Samuel S. Jack
Francis B. Loomis, Jr.	Henry R. Paige
Robert H. McDowell	Joseph W. Earnshaw
James F. Shaw, Jr.	

To be captain

William S. McCormick

To be colonels

Karl I. Buse
Louis W. Whaley
Roswell Winans

To be lieutenant colonels

William J. Whaling	Paul A. Lesser
Daniel R. Fox	William D. Bassett
Vernon M. Guymon	James D. Waller
Edward G. Hagen	Cyril W. Martyr

To be majors

Archie V. Gerard	John H. Griebel
Chester B. Graham	Marion L. Dawson, Jr.
Thomas D. Marks	Harold G. Newhart
Wallace O. Thompson	George H. Potter

To be captains

Albert F. Metze
Harry A. Schmitz
Clayton O. Totman

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 7, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Holy Spirit of God, make our hearts a quiet place that we may hear Thy voice: Be still and know that I am God; do Thou come and dwell therein. Blessed be Thy holy name for all the hidden treasure in Thy presence. Lift us above the weakness of this mortal state, crucifying the things that make for self-aggrandizement, seeking that unity that breaks down the walls of separation, allowing the closest cooperation to prevail. This is Thy world. Within its strivings is Thy calm, around its restlessness is Thy rest; Thy purpose will ultimately fashion its achievements. We humbly pray Thee to walk with us through each day's duties. Help us to see them with a clearer vision and to hold them fast with a firmer faith. When the might of wrong seems to triumph, may we know that it is already perishing, chained under the tottering feet of those who have been the distributors of petrified hypocrisy and have profaned and destroyed human life. Heavenly Father, let us be real rescuers from the consciousless peril in our way. Make us enthusiastic exponents of Christian freedom. O God, we pray that this may be our glorious life task. In the gratitude of strength renewed and opportunity reborn, lead us through the avenues of public service. Grant that the blessed presence of Thy spirit may be very near our President. Do Thou preserve his strength and bless all institutions under his guidance. Through Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate disagrees to the amendment of the House to the joint resolution (S. J. Res. 60) entitled "Joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BANKHEAD, Mr. SMITH, Mr. THOMAS of Oklahoma, Mr. MCNARY, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive useless papers in the following departments and agencies:

1. Department of the Interior.
2. Department of Justice.
3. Department of Labor.
4. Department of War.
5. Post Office Department.
6. Federal Loan Agency.
7. Federal Trade Commission.
8. Federal Works Agency.
9. United States Civil Service Commission.

APPOINTMENT TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 199

Resolved, That JOHN C. BUTLER, of New York, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on Patents; Committee on Election of President, Vice President, and Representatives in Congress; and Committee on Invalid Pensions.

The resolution was agreed to.

ADDITIONAL URGENT DEFICIENCY APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 4669) making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 506), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. WIGGLESWORTH reserved all points of order on the bill.

DEFICIENCY APPROPRIATION BILL

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH].

There was no objection.

Mr. RICH. Mr. Speaker, may I ask the gentleman from Virginia a question? This bill carries $176,000,000, as I understand it?

Mr. WOODRUM of Virginia. One hundred and seventy-three million dollars.

Mr. RICH. It took the Appropriations Committee about 15 minutes to pass it. I just wonder where we are going to get the money.

Mr. WOODRUM of Virginia. I understood the gentleman was for this bill himself.

Mr. RICH. No; I was not for it, because I am in the minority. I just wanted to call attention to the fact that we are now over a billion dollars more in the red at the present time than we were at this time last year.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address on the subject Convoys Mean War.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by Gail Johnson, field director, defense savings, delivered before the postmasters' convention in Kansas City.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by myself made at the same convention.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend the remarks which I expect to make on the bill H. R. 4466 in Committee today and to include a speech by Alexander Hamilton Stevens.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There was no objection.

[Mr. ANDREWS addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include at this point in the RECORD a letter which I have received, and also a letter addressed to me and signed by Lewis B. Hershey, Deputy Director of the Selective Service System.

The SPEAKER. The Chair cannot entertain the request to insert the matter at this point in the RECORD. It may be inserted in the Appendix of the RECORD.

Mr. ANDREWS. Mr. Speaker, I withdraw the request and ask unanimous consent to extend my remarks and to include these letters in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There was no objection.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a citizen of my district on the national policy.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

(Mr. LARRABEE and Mr. MCGREGOR asked and were given permission to extend their own remarks in the RECORD.)

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include some data from the State Department on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by a committee of prominent citizens.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter and two resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by W. C. Mullendore, executive vice president of the Southern California Edison Co., entitled "Concentrating on Essentials in Defense."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am inserting in the RECORD a speech by Mr. W. C. Mullendore of the Southern California Edison Co., entitled "Concentrating on Essentials in Defense." I should like to draw the attention of every Member to this speech. He considers our position in 1916. At that time it cost $734,000,000 per year to run this Government and now it costs $8,500,000,000. At that time we owed a billion and a quarter. Now we owe over $50,000,000,000.

He also draws attention to priorities, to the meaning of total strength and total effort, and to the critical importance of national solvency. He also quotes excerpts from the Reynaud-Daladier report on what happened to France. I believe every Member in this House could read this address with great advantage to himself and to his country. It is nonpartisan. Both sides of the House can take this in, particularly that point where it is asked that the taxpayer be given consideration. [Applause.]

[Here the gavel fell.]

UNITED STATES INFORMATION SERVICE AND REVISION OF THE LAWS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, most of us are familiar, to a greater or lesser degree, with the invaluable assistance being rendered to the Members and the public by the United States Information Service, a division of the Office of Government Reports. In the work of the Committee on Revision of the Laws, of which I am chairman, we have found the United States Government Manual, which it issues three times a year, particularly useful.

I was pleased to learn recently that it maintains a New York office in the R. C. A. Building, Rockefeller Center, where it renders similar service, even to the furnishing of copies of bills introduced during this session.

On behalf of the Committee on Revision of the Laws, I have offered to the Honorable Harriet M. Root, Chief of the Information Service, the use of the classification of the current public laws, which is maintained by Charles J. Zinn, of the technical staff of the committee here in Washington. Duplicate classification tables are kept in New York by the Edward Thompson Co. and in St. Paul, Minn., by the West Publishing Co., and both companies will be pleased to cooperate with the field offices of the Information Service in those cities.

I am hopeful that in this way this committee shall be able to assist the Information Service in answering inquiries concerning the current laws and that the Information Service will likewise be able to make available to a greater number of people the classification service maintained by the committee. [Applause.]

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, I have two unanimous-consent requests. The first is that I be permitted to extend my own remarks in the Appendix of the RECORD and include therein an address delivered by Mr. B. D. Tallamy, chief engineer of the Niagara Frontier Planning Board, in opposition to the St. Lawrence seaway. My second request is that I be permitted to extend my own remarks in the RECORD and include therein a brief article published in the Montreal Gazette in that same connection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

STEEL PRODUCTION

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. SCHULTE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two speeches I made recently on national defense.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the Pulitzer prize-winning editorial from the New York News.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, Mr. Raymond Leslie Buell, formerly president of the Foreign Policy Association, 1933–39, is mad clean through because President Roosevelt has not advocated convoys and war. He said yesterday "President Roosevelt is in danger of becoming an American Chamberlain, whereas America needs another Churchill."

Why this personal tirade? Let us be honest, Mr. Buell, and stop the shadowboxing and deception. According to you, President Roosevelt leading us into war is a Churchill, but when he refuses to be pushed into European or Asiatic shambles by the war makers and interventionists against the will of more than 80 percent of the American people, he suddenly is an appeaser. Yes, Mr. Buell, the issue is crystal clear—peace or war—and I hope and believe that President Roosevelt will fulfill his promises to the American people to keep us out of war. But if he betrays the American people into war, he will go down in history as the greatest repudiator and warmonger in American history. [Applause.]

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. EDELSTEIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Times-Herald on the subject, Why Not a Separate Air Force?

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article on Three Schools of Thought.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Labor World of Chattanooga.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

UTILIZATION OF FOREIGN IDLE MERCHANT TONNAGE

Mr. BLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4466 with Mr. COSTELLO in the chair.

The Clerk read the title of the bill.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: On page 7, line 1, strike out all of subsection (b) and insert in lieu thereof the following:

"(b) Notwithstanding any other provisions of law, the President may, by rules and regulations or orders, waive compliance with any provision of law relating to masters, officers, members of the crew or crew accommodations on any vessel documented under authority of this act to such extent and upon such terms as he finds necessary because of the lack of physical facilities on said ships, and because of the need to employ aliens for their operation. No vessel shall cease to enjoy the benefits and privileges of a vessel of the United States by reason of the employment of any person in accordance with the provisions of this subsection."

Mr. BLAND. Mr. Chairman, I hope and confidently believe that with, possibly, an amendment that may be offered to this amendment, or even without it, this amendment will obviate the fight that was imminent last night because of objections to certain provisions that were in the bill. I have not considered this with the entire committee, but I have consulted some majority and minority members of the committee. We think we have found a solution. The great trouble about subsection (b) of section 5 is that there was a fear on the part of labor organizations that more would be done under the scope of that amendment than had been contemplated or than we believed was possible.

Certain of the ships proposed to be taken over, I am advised by the Maritime Commission, have a peculiar type of Diesel engine, with which our engineers are not familiar, or not sufficiently familiar as to operate them without danger of considerable repair or ruin. The result is that it will be necessary to employ some aliens in the operation of those ships, because of that peculiar condition. Of course, our existing laws require American officers and engineers to be employed on our vessels. There is also a possibility of shortage in seamen. There was some question about whether the ships were sufficiently supplied with quarters to accommodate the seamen for three watches. I have been in conference with some of the employees of the Maritime Commission, and we hope that three watches can be taken care of, but we do not know. The amendment I propose will enable the operation of the ships to go ahead. We will vest the responsibility for prescribing waivers and exemptions in the President of the United States. There seems to be complete confidence in him, and we provide that he, by rules and regulations—

May waive compliance with any provision of law relating to the master, the officers, the members of the crew, or crew accommodations on any of the vessels documented under the authority of this act, to such an extent and upon such terms as he may find necessary, because of the lack of physical facilities on said ships, and because of the need to employ aliens for their operation.

Then there is a provision that—

No vessel shall cease to enjoy the benefits and privileges of a vessel of the United States by reason of the employment of any person in accordance with the provisions of this subsection.

That last sentence is added because there are on the statute books of the United States certain provisions that would impose penalties and possibly forfeiture upon any vessel failing to comply with requirements as to manning and quarters. I am sure I may say to the House that the Committee on the Merchant Marine and Fisheries has been sincere in its effort to secure Americans on American ships. We have gone just as far as we could, and we are not willing to waive any provision either as to working conditions or other matters unless absolutely necessary. Furthermore, these waivers are limited to the ships that are acquired under this act. The waivers are limited by the terms of the act to June 30, I believe it is, in 1942. I think that this will meet the views of our friends, and if it does not, then I assure them I hope the Senate may inquire further into the question and do what is necessary to permit the vessels to operate and to afford protection to those on board.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. JOHNS. Mr. Chairman, I move to strike out the last word. I have an amendment at the desk to this section. The committee has rewritten the section so that I feel that it now covers my objections to it, and I ask unanimous consent to withdraw my amendment, and I shall support the amendment of the committee.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CULKIN. Will the gentleman state that that is subject to a subsequent amendment to be offered by the gentleman from Pennsylvania [Mr. VAN ZANDT]?

Mr. JOHNS. I am withdrawing my own amendment and I shall support the amendment of the committee. I don't know anything about the amendment of the gentleman from Pennsylvania.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

Mr. VAN ZANDT. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT to the amendment offered by the gentleman from Virginia [Mr. BLAND]: At the end of the amendment offered by Mr. BLAND insert *"Provided,* That in the operation of vessels acquired or chartered under this act, all employees shall be compensated at no less than the rates of pay, or worked more than the hours of labor, determined by the Commission to be prevailing upon vessels of the United States engaged in similar services. All charters or subcharters of vessels to which the Maritime Commission is a charter party shall provide for compliance with the provisions of this section. Seamen employed thereon shall be entitled to the protection of United States maritime statutes applicable to American seamen. Nothing contained herein shall be construed to limit in any way whatsoever the rights of employees to set or alter such rates of pay or hours of labor by collective bargaining."

Mr. VAN ZANDT. Mr. Chairman, for many years the United States has been trying to develop the merchant marine and to that end has established rules and regulations to promote safety, to improve working and living conditions of the ship crews. At the same time through collective bargaining, the shipowners and employees have perfected a wage scale satisfactory to both parties. The language of paragraph (b) of section 5 permits the Secretary of Commerce to waive all existing rules and regulations as far as they would apply to these employees, whether American or aliens, who would man these vessels.

The amendment which I had intended to offer would have eliminated the waiving of any of the rules and regulations. However, the chairman of the committee, the gentleman from Virginia [Mr. BLAND] offered another amendment in which he attempts to provide for the aliens who will make up a part of the crew on these vessels and at the same time take care of a situation that might develop in regard to crews' quarters because of the limited facilities of the ships in question.

The amendment which I offer at this time is an amendment to the amendment offered by the gentleman from Virginia. My amendment is designed to preserve the rates of pay that are now paid to American seamen. When I say "seamen" I mean masters, officers, and crews on each ship. It also seeks to preserve the hours of labor now in effect and determined by the commission to be prevailing upon vessels of the United States engaged in similar services.

My amendment also provides that nothing contained herein shall be construed to limit in any way whatsoever the rights of employees to set or alter

such rates of pay or hours of labor by collective bargaining. If my amendment is adopted, we will continue in effect the present wage scale and the right of collective bargaining.

It is my belief that this Congress owes this protection to the men who go to sea in ships flying the American flag. Frankly, I am fearful that if we approve this type of legislation, curbing the rights of American seamen and which we will do in approving the language that is now in paragraph (b) of section 5, it may be the initial step toward inviting chaotic conditions in the maritime industry.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. Yes; I yield.

Mr. CULKIN. It occurs to me that some exemption should be made of Government-operated ships. I am strongly in sympathy with collective bargaining, but I think those ships are in a distinct category. I do not think we want to put them on all fours with the merchant ships. Would the gentleman accept something in his amendment to except Federal-operated ships? Government-operated ships are performing a vital function in national defense. I do not think we should even indirectly glorify the status of any group in connection with the national emergency.

Mr. VAN ZANDT. That may be true.

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CULKIN. I have seen that situation operate several times. Without impugning the patriotism of those men, I believe they are at least 99 percent pure in all divisions; but there is some leadership that may be implemented in their trouble-making qualities by omitting an exemption of Government-operated ships. I am in thorough sympathy with the gentleman's amendment otherwise.

Mr. VAN ZANDT. The gentleman from New York, of course, must recognize the fact that for the first time in many, many years at least we have the Government of the United States becoming an operator of merchant vessels.

Mr. CULKIN. I do not believe anybody has any illusions about the purpose for which these ships are to be purchased. If it is not war, although no war has been declared, it is very close to the border line. I do not think the Government should be compelled to dance a minuet with any tempermental labor leader preparatory to sailing. I hope the gentleman will adopt language in his amendment to provide for the exception of Government-operated ships.

Mr. VAN ZANDT. The suggestion to modify the amendment will have my consideration.

Mr. CULKIN. May the gentleman from Pennsylvania modify his amendment?

Mr. VAN ZANDT. It is my intention to do so.

The CHAIRMAN. The gentleman from Pennsylvania may ask unanimous consent to modify his amendment.

Mr. VAN ZANDT. I make that request at this time, Mr. Chairman.

The CHAIRMAN. If the gentleman will indicate what modification is desired, it will be reported by the Clerk.

Mr. BLAND. Mr. Chairman, may I make a suggestion? I am compelled to oppose this amendment in its present form. While expressing my views, the gentlemen will have some time to prepare the amendment they wish to offer. I am not going to object to the unanimous-consent request to modify the amendment in any way that he wants to, but I will have to oppose the amendment in its present form.

The CHAIRMAN. If the gentleman from Pennsylvania desires to make a modification of his amendment, he must submit it to the Clerk in writing.

Mr. VAN ZANDT. I shall proceed in that manner.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman is very watchful of the interests of labor in the House. He is a member of this committee, and, as I recall, the distinguished labor leader the gentleman from Georgia [Mr. RAMSPECK] is also a member of the committee. Did the committee consider this matter?

Mr. VAN ZANDT. May I say that we considered a number of bills, possibly three or four, at the same time. I believe this bill was introduced about the close of the hearings.

Mr. BLAND. Which was practically the same as a bill that had already been introduced by the gentleman from Maine [Mr. OLIVER] with some modifications?

Mr. VAN ZANDT. That is right.

Mr. BLAND. There were a number of additions, but the bill that had been introduced formerly was considered, because the Chairman of the Maritime Commission explained to us at the hearings the reason.

Mr. VAN ZANDT. Does that answer the question of the gentleman from Michigan?

Mr. MICHENER. It does.

Mr. VAN ZANDT. May I say in conclusion that I trust the Committee will support this amendment so as to preserve the rights of the man who goes to sea under the American flag.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Georgia.

Mr. RAMSPECK. If I understand the response of the gentleman from Pennsylvania to the gentleman from New York, he proposes now to exempt from his amendment to the amendment all Government-operated ships. Is that correct?

Mr. VAN ZANDT. That is correct.

Mr. RAMSPECK. Then, what purpose would the amendment serve? Because the amendment offered by the gentleman from Virginia [Mr. BLAND] does not make any exception as to wages or hours; it simply is limited to two things: One, the employment of foreign personnel when necessary; and two, to such exemptions as are made necessary by the lack of sufficient quarters on these ships to comply with our laws.

Mr. VAN ZANDT. The amendment would serve as an expression by Congress that this exemption applies only to ships operated by the Federal Government and is not designed for the purpose of affecting ships operated by private interests though flying the American flag.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania. It would defeat one of the purposes of the amendment I have offered. In other words, as I recall the amendment of the gentleman from Pennsylvania, it would deal with the situation carried by my amendment; that is, with working hours and physical facilities on the ships, but would undo what my amendment proposes. The effect of the proposed amendment to my amendment would be that were the conditions such that we could not take care of the additional crews, this amendment would deny to the President any right to waive, such as is given him in my amendment. Such a waiver may become very necessary to the practical operation of these ships.

This, of course, is in addition to the colloquy that has already occurred about the Government operation of the ships. My own thought in connection with it is that my amendment deals with the specific objections that have been urged so far and tries to place jurisdiction in an authority to whom there can be no exception, to wit, the President of the United States, who has shown his liberality toward labor organizations. He could be trusted to handle this in such a manner as to conserve the interests of the Government and also the interests of the crews as well.

The effect of my amendment would be that only those exemptions and waivers would be made as would enable these ships to be used for the purpose for which they are being acquired.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. OLIVER. Is it not perfectly possible that under the terms of this bill the Maritime Commission might very well, and might very conceivably, become the operator of merchant ships?

Mr. BLAND. Yes; I think so.

Mr. OLIVER. And is it not possibly conceivable also that these ships, in turn, if a state of national emergency was proclaimed, might come under jurisdiction of some other agency of government which might not feel so sympathetically inclined toward labor?

Mr. BLAND. That is true.

Mr. OLIVER. Would there then be any objection to the amendment presented by my colleague, the gentleman from Pennsylvania, if he withdrew language referring to the collective-bargaining agency so that his amendment to the gentleman's amendment would only mean that the Maritime Commission would receive a mandate from this Congress that prevailing wages and hours should be paid and observed by the Commission if it becomes an operator?

Mr. BLAND. I am not so sure that is true. I would much rather have the amendment I have prepared and which

was worked out with the gentleman from Georgia, and the gentleman from Washington [Mr. JACKSON], who has been very active in his efforts to secure a modification and alteration of the subsection as reported. This bill is being considered in the Senate. While I do not like to transfer to them our responsibilities, I certainly think we should not go as far as the gentleman from Maine has suggested. I feel that my amendment ought to be adopted without modification or amendment; and the matter may be further considered in the Senate.

Mr. VAN ZANDT. Mr. Chairman, I ask unanimous consent to submit a modified amendment to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read as follows:

Modified amendment offered by Mr. VAN ZANDT to the amendment offered by Mr. BLAND: At the end of the amendment offered by Mr. BLAND insert *"Provided,* That in the operation of vessels acquired or chartered under this act all employees shall be compensated at no less than the rates of pay or worked more than the hours of labor determined by the Commission to be prevailing upon vessels of the United States engaged in similar services."

Mr. OLIVER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, as the Van Zandt amendment to the Bland amendment now reads it merely provides that prevailing maritime wages and hours of work shall be the labor standards for the seamen manning such ships as may be acquired under the provisions of this bill.

It does not seem to me there can be any legitimate or reasonable objection raised to the inclusion of the language of this amendment. The Maritime Commission can very reasonably, logically, and conceivably be considered as a potential operator of ships under the authority of this bill as it is now presented to us, and it would seem to me to be entirely reasonable to expect that the Maritime Commission in its operation of these ships when, as, and if it does take over the operation should pay the same wages and observe the same labor standards private operators must conform to under prevailing collective bargaining agreements.

There is no particular detriment to the acquisition program involved in this language. If it is the intent of the President and the Maritime Commission to conform to prevailing practices on those scores, then why should we not put this language in the bill? I am offering no criticism of the Maritime Commission. I make no suggestion that they are antilabor but, on the other hand, I can conceive of conditions arising as these ships are being operated where under the rather, shall I call it militant attitude and atmosphere of certain individuals connected with Government agencies, officials in charge may not be as sympathetically inclined toward labor as they expect private operators to be. It seems to me that unless this language is included in the amendment there will be no mandate directed to the Government agency involved to pay prevailing wages and work men no longer than they expect and practically mandate private operators to do.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from Pennsylvania.

Mr.. VAN ZANDT. The gentleman will recall that during the hearings on this bill Admiral Land, in reply to a question, stated the Maritime Commission intended to use the present personnel of the ships involved. As an illustration let us take the Danish ships, the Danish crew would be enlarged by the addition of American seamen. Now, the Danish sailor receives a wage about 25 percent less than the Americans and works 12 hours a day instead of 8 hours a day—as the Americans do. Therefore, if an American seaman is placed aboard a Danish ship he may find himself working 12 hours a day and at a wage much lower than the American standard.

Mr. OLIVER. Exactly.

Mr. VAN ZANDT. My amendment will take care of such a situation.

Mr. OLIVER. Exactly. It seems to me that the point raised by the gentleman from Pennsylvania has particular pertinence. For example, if the condition he suggests arose, you would have on the same ship one class of seamen receiving one standard of pay and working longer hours being in conflict with another group receiving a higher wage and working shorter hours. It seems to me that might possibly lead to endless conflict.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman's amendment would simply guarantee and protect the hours and wages of American seamen that might be employed on these ships?

Mr. OLIVER. Exactly. That is all the amendment seeks to do and it is not directed against any individual or any agency. This is merely protective phraseology incorporated in the amendment of the gentleman from Virginia which to my way of thinking does not cover the particular situation, and I think it should be covered.

Mr. CULKIN. Will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from New York.

Mr. CULKIN. Several times under the operation of the present law some rather peculiar complications have arisen in connection with the operation of Government ships. I do not think that has been healthy. Does not the gentleman believe that the exemption of these ships from the rules of collective bargaining is almost essential, if we are to be efficient on the water?

Mr. OLIVER. I fully appreciate what the gentleman says.

Mr. CULKIN. You do not let a man who has been brought in under the Selective Service Act prescribe what time he is to get up in the morning and what time he goes to bed at night.

[Here the gavel fell.]

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine [Mr. OLIVER]?

There was no objection.

Mr. CULKIN. May I say to the gentleman, as he knows I have been diligent in the committee in protecting collective-bargaining rights; but where the strong arm of the Government—and it is going to be stronger—is involved, I am somewhat concerned about the necessity for a differentiation. I saw not long ago in the paper where the distinguished mayor of New York, without doubt one of the strongest exponents of labor in America—he goes all out for them—suggests that municipal employees have no right to organize or to strike against the existing order—against the convenience of all the people.

Mr. OLIVER. I fully appreciate the force of the suggestion that the gentleman has made, and I wish to pay tribute at this time to the insistence which he has always evidenced in committee on behalf of organized labor. However, it seems to me that the point which has been raised is not at issue here. There is nothing in the language which the gentleman from Pennsylvania has introduced that in any way states that any Government agency must do business with a collective-bargaining agency. But if you exempt specifically by language in this bill Government agencies from collective-bargaining necessities you will immediately raise an issue, and that will, in turn, result in conflict which will agitate the very situation which the gentleman has suggested. This language that the gentleman from Pennsylvania has presented as an amendment to the bill only states that the Government agencies shall provide the same hourly wage and shall work its employees no longer than they expect private operators to do. Why should a Government agency be exempt from that stipulation? There can be no valid reason for objecting to this language.

Mr. CULKIN. May I say to the gentleman my discussion of this question does not waive or qualify my attitude against taking over these German- and Italian-flag ships.

Mr. OLIVER. I fully understand the gentleman, and I agree with him wholeheartedly.

Mr. CULKIN. What I am talking about are the Danish and other ships that, so far as I am concerned, are not in controversy here.

Mr. BLAND. Will the gentleman yield?

Mr. OLIVER. I yield to the gentleman from Virginia.

Mr. BLAND. An essential difference between my amendment and the amendment of the gentleman from Pennsylvania, as I see it—and on this I ask the gentleman's comment—is that my amendment waives the three-watch crew, if, and only if, no physical facilities exist; whereas the Van Zandt amendment will require a three-watch crew—crews on the basis of three watches—even when facilities do not exist.

Mr. OLIVER. I appreciate the point the gentleman has made. I do not have this information officially, but it is based on my understanding of some statements

that were made this morning, not very long ago, to the effect that the Maritime Commission officials believe a large percentage of these ships do conform to the physical necessity that is raised by reason of three-watch manning.

Mr. BLAND. May I say to the gentleman on that point that, as he recalls, that was a matter of some inquiry at the time. I heard the same statement made. I have been advised since that there is some question about that.

Mr. OLIVER. Then, Mr. Chairman, I suggest that this House adopt the language that has been presented by the gentleman from Pennsylvania and let this matter go further for legislative consideration in the other body. My point is that if this House does not adopt this language it is, it seems to me, thereby suggesting to the country that the Government of this Nation in its operation of commercial enterprise may not conform to the same requirements that it mandates on the part of individual private concerns.

I hope you will give consideration to these suggestions. [Applause.]

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Chairman, I rise in opposition to the amendment to the amendment.

Mr. Chairman, I call the attention of the members of the Committee to the fact that the Bland amendment, the substitute for section 5 (b), does not waive anything in regard to wages and hours, except that, as the gentleman from Virginia himself pointed out, as to the possibility of the use of two watches instead of three when there are no physical facilities available for the additional crew.

The amendment puts the power of waiving any laws applying to labor or to masters, officers, members of the crew, or crew accommodations solely in the hands of the President of the United States, and he is restricted so that he can waive these requirements only where he finds it is absolutely necessary on account of lack of physical facilities on the ships.

If the statement of the gentleman from Maine is correct that they have the physical facilities, then the three watches cannot be waived even by the President of the United States, under the Bland amendment. There is no right given here to waive any wage scales; therefore, the amendment offered by the gentleman from Pennsylvania is unnecessary. It does not serve any purpose, and it ought not to be attached to this amendment.

I do not believe there is anybody in this House who has been any more diligent in the interest of labor and good working conditions than I. I have supported all the labor legislation that has come up since I have been here, and I certainly would not take this position here if I thought it was going to bring about any reduction in wages or any elimination of the favorable working conditions that have been brought about in this country in recent years. I hope the committee may see fit to defeat that amendment.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Maine.

Mr. OLIVER. I would pay tribute to the tremendous and valuable support which the gentleman from Georgia has given to organized labor. During at least the time I have served in this House, I do not believe there has been any Member who has been more diligent in that respect. If this matter of handling seamen in the operation of ships were to be placed directly in the hands of the gentleman from Georgia, I would think there would be no need for this legislation, but it is not going to be in his hands.

I call the gentleman's attention to the fact that as far as wages are concerned there are no statutes governing the payment of wages, anyway, except insofar as the wage-hour law is concerned, and it does not apply in this case because the wages paid are higher than the minimum. Therefore, it seems to me that this House should give a mandate to the Maritime Commission or any other Government agency which may operate these ships that they should pay prevailing wages. Insofar as the hour requirement is concerned, if it were going to prove an impossibility in that physically speaking it could not be done, then there could be some exception made to that effect when the legislation is further considered.

Mr. RAMSPECK. Yes; but there cannot be an exception made under the amendment offered by the gentleman from Pennsylvania as to hours. If the gentleman is correct that we have no wage laws applying, then certainly we ought not to deal with that question as to these ships only; we ought to deal with it as to the whole maritime industry. Therefore, I believe this amendment, while such purpose may not be intended, is just another thing that will hamstring this program of getting aid to the people we in this country have determined to bring aid to. I do not want to see the legislation cluttered up with something that is unnecessary and that circumscribes the effect of the legislation and may delay the use of these ships because the physical facilities may not be available on some of the ships to comply with the manning requirements and the necessity for three-watch crews.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. MARCANTONIO. In other words, the gentleman is ready to sacrifice the three-watch-crew system in order to get this aid to Great Britain? Is that the purpose?

Mr. RAMSPECK. Yes; I am, temporarily, until the accommodations can be built. I believe labor is ready to do that. I may say to the gentleman that I believe 99 percent of labor in this country are just as loyal to the program of this Government as anybody else. [Applause.] I do not believe they want to ask for any such exemption when they know it is vital to get this shipping into use so that we can get the guns, the ammunition, and the planes over there to stop this dictator who wants to conquer the whole world. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT] to the amendment offered by the gentleman from Virginia [Mr. BLAND].

The question was taken; and on a division (demanded by Mr. VAN ZANDT and Mr. OLIVER) there were—ayes 45, noes 63.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. BOREN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it has been frequently said here that those who voted for the lend-lease program could not consistently vote against this bill. It was my personal opinion that there was merit in the lend-lease bill because of its provisions for hemisphere solidarity. It was also my personal opinion that the passage of that bill was necessary in order to execute properly a policy of material aid to Great Britain, a policy already definitely established by the transfer of 50 American destroyers by order of the President to Great Britain, a policy, whether right or wrong, that I consider no longer debatable.

Today, I find myself strongly for all-out material aid to Great Britain, because it is a policy once begun that only full execution of can carry this country to an avoidance of the hazards of the original establishment of that policy. On this bill today, however, I think an entirely different fundamental is involved. The seizure of another nation's goods to be transferred to a country belligerent with that nation is, in my opinion, definitely an act of war. I rose to take this opportunity to announce my personal position against this measure because I am unalterably opposed to sending American men where we are already sending our materials on a policy established by the hand of our President and upheld by our action here. I am willing to give them our materials but not our men.

I consider this measure definitely an act of war, one which will unavoidably bring us into the field of sending our men after our materials, and I propose to vote against it. [Applause.]

This and similar bills will take us unavoidably into war. If we are to vote on the issue of war, let us face it squarely, with our eyes open. Let us not back into the war with a blindfold on. This bill is, in my opinion, a definite proposal to enter the war as an active belligerent. I am opposed to it.

Mr. FITZGERALD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, during the last 2 days the debate on this bill has shown the desperate need of ships for this country and for Great Britain. I know it is a serious question and we are going to make a serious decision when we vote upon this bill today.

It has been brought out during the debate that over 22 of these Italian ships will require nearly 8 months to repair the damage caused by saboteurs, and the question that is arising in my mind and the one that I want to state and

have in the RECORD, as I have done before, is why are not the facilities that are in this country used at the present time. I am referring to the empty shipyards in this country.

We have been appropriating money for the building of ships and for the building of new shipways. This means that we will not have ships off those ways for at least 1 year or perhaps 2 years. I have been reliably told that the shipyards of this country are filled with orders for the next 2 or 3 years. I want to call to the attention of the Members of the House today the fact that in several parts of this country there are shipyards that are not being used, and one of them is in my district. It is one of the finest shipyards along the North Atlantic coast, and according to a survey that was made by the Maritime Commission in 1938—and I have a copy of their report—it is stated that the six shipways are in just as good condition as the day they were built and that the yard could be put into operation in 60 days, but that yard today is still idle.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I shall be pleased to yield to the gentleman.

Mr. CULKIN. In company with the gentleman on a visit to the Coast Guard Academy last week the gentleman pointed out these ways and facilities to me. They are of a very perfect character and in completely good condition, and I am in strong sympathy with the gentleman's suggestion.

Mr. FITZGERALD. I thank the gentleman for his contribution.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I yield.

Mr. SHANLEY. Is it not also true that we not only have the physical facilities but we have a reservoir of the best craftsmen in the country in this section?

Mr. FITZGERALD. Yes. According to the reports of the employment officers of the State of Connecticut and the Federal Government, only last week 10,000 men were reported as unemployed in this district, and, of course, the excuses offered are that these men are not trained, but they are American workingmen and they have brains. If we are going to build ships, we have to train these men; and if we are going to build guns and more guns and planes and more planes, we have to train the women of this country as we did in the last war. But I say to the House here today that, in my opinion, it is a crime that a natural and available facility of this kind is not being used, and this condition not only exists in my section of the country but I understand also in other sections of the country where such facilities are lying idle.

Mr. Chairman, during the World War ships as large as 25,000 tons were built at this yard. The help is available and they want an opportunity to be taken out of the C. C. C. camps and off of W. P. A. projects so that they can build these ships for the defense of America.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. FITZGERALD. I yield to the gentleman from Illinois.

Mr. BEAM. Has the gentleman called the attention of the proper authorities to the availability of the facilities which he has just described to the Members of the House?

Mr. FITZGERALD. I may say to the gentleman that for the last 4 months I have been taking this question up with all the departments, including the Maritime Commission, the Navy Department, the Office of Production Management, and the administration itself.

Mr. SHANLEY. Mr. Chairman, if the gentleman will yield, I may say that the gentleman's modesty will prevent him from really answering that question as it should be answered. There is not a man in this Congress who ever did as much, because I know that he has gone to every single department of the Government that is involved—the Navy Department, the Coast Guard, and all the others—in order to bring this matter before every available agency of the Government.

Mr. FITZGERALD. I may say to the Members of the House that it is a shame that a condition of this kind should exist in this country, especially when we are taking a chance on entering the war by grabbing these ships of foreign governments, and when we have not exploited properly our own resources and opportunities to build ships in our own yards and to give our own unemployed an opportunity to work. [Applause.]

[Here the gavel fell.]

Mr. GEYER of California. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

SHIP-SEIZURE BILL

Mr. GEYER of California. Mr. Chairman, I certainly am opposed to this measure to seize the ships of one warring nation and turn them over to her enemies. By what stretch of the imagination does anyone arrive at the conclusion that such an act is the act of a neutral country? How can we hope to keep out of this terrible conflict and commit such acts of war?

Almost every man in this House promised his voters that he would do all he could to keep this country free from the ravages of war. Is this the way we are going to keep our promises, by voting for every measure that brings us closer to the brink?

I fear there are some who really want to go to war but have not the courage to openly say so. Instead they are doing everything in their power to provoke the Axis Powers to attack us. Then these same people can go to their constituents and whiningly say, "We didn't do it; we were attacked by Hitler."

There has been all too much saber rattling in this House and elsewhere of late. Show me the man that wants convoys, and I will show you the man that is asking for war, even though he may try to "kid" himself and others that convoys are in the interest of peace. Show me the man who voted for the lend-lease bill, and I will show you the man who, whether he knew it or not, voted to bring the convoy subject and the ship-seizure bill into being. In the same way, the man who votes for this bill will bring the matter of our entrance into the conflict.

I, like all men in this House, desire to see Hitler stopped, not that I think that Britain is any friend of ours, except out of necessity, but because I hate his ruthless aggression, even as I disapprove of the British aggression of the past under the Kipling slogan of "Taking up the white man's burden."

I say that I desire to see Hitler stopped, but not at the cost of the years of agony that will be necessary for our own country to go through to bring it about. This is not our quarrel. We were fooled by the money-and-power-mad group once to try to make the world safe for democracy and to fight a war to end all wars, but the American people will not be fooled again. That is why we are entering this war by the back door by passing such measures as this and the other steps short of war.

Who in the country are those that are shouting loudest for such measures as this and for convoys? It certainly is not those who will do the fighting and dying. It certainly is not the parents of those who will do the fighting and dying. On last Tuesday there were four men in this Chamber that rattled the saber here on the floor. Not one of them has a son who would be called upon to enter the service. Either they have no children or their offspring are all girls. Yes; it is easy to tell someone else's boy to go and die for a cause that is not our own; but when one has someone involved that is near and dear to him, then that is a different matter. Let us wait for those that will do the sacrificing to be the first to clamor for such warlike measures. I am reminded of the little verse that goes something like this:

> The toad beneath the harrow knows
> Exactly where each tooth print goes;
> The butterfly along the road
> Preaches contentment to that toad.

Mr. MARCANTONIO. Mr. Chairman, I move to strike out the next two words.

In the debate on the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT], we have had a discussion which is an eye opener as to the character of this war program in its relation to labor and the interests of the American people. I asked the gentleman from Georgia [Mr. RAMSPECK] a question, to wit, whether he was willing to sacrifice this three-watch system, for which maritime labor has fought for years, in order to carry this so-called aid to Britain. The gentleman from Georgia very sincerely and earnestly expressed his sentiments on the matter and said that he was willing to sacrifice that three-watch system; that labor is ready to make sacrifices in order to carry out this program. That remark and that attitude is very revealing, because it shows what is happening with regard to labor, the farmer, the unemployed, and the average American as a result of the pro-imperialist war program. Labor has made many gains; it has made those gains as a result of its own strength and solidarity on the picket line in this country. It has had assistance from gentlemen such as the gentleman from Georgia [Mr. RAMS-

PECK], who has been assiduous and very persistent in protecting the rights of labor on this floor and in the various committees of which he is a member; but his remark today—and what I am about to say does not apply only to him, but is applicable to those Members of the House who have in the past been friendly to labor—is indicative of what is happening to those who now support this imperialist war program and who have supported labor, namely, that by their support of this imperialist war program they are subordinating labor's best interests to the interests of the war program, thereby finding themselves in support of a program which daily is developing to be more and more damaging to the best interests of labor. The friends of labor who support this war program expect labor to sacrifice their rights and gains on the altar of an imperialist war. Thus, on the floor of this House we witness the spectacle of friends of labor of yesterday sacrificing the best interest of labor to the demands of an imperialist war today. Hence, their attitude becomes the same as that which is being displayed on the part of the press, on the part of radio, on the part of those who sit in the seats of the mighty, on the part of the antilabor forces in this country, and that is that labor has to make the sacrifices, and all of the gains that labor has made, if necessitated by this program, must be thrown overboard. The interest of organized labor, the interest of the workingman, the farmer, the unemployed, must be subordinated to the interests of this war program. I feel that those of us who have been and desire to continue to be labor's defenders in Congress must repudiate such a position. Labor is not disloyal in refusing to give up its gain and its rights in the interests of a war which is being fought between two sets of labor's enemies. I do not deem it disloyal on the part of the American worker who sees his dollar shrink, who sees prices go skyward, who sees the millions and billions of dollars made by industrialists and monopoly financiers as a result of the war program, who sees these so-called dollar-a-year men have their concerns make huge profits out of this war program—I do not deem him disloyal when that worker insists on the maintenance of his rights and the increase of his wages as a worker, and when that worker fights so that the dollar which he receives shall match the high cost of living. I say that worker in so doing is not disloyal to the United States of America, but he is living up to and is loyal to the best American and best democratic traditions of these United States. You ask American workers to sacrifice their rights and their claims to a decent living.

Sacrifice? Sacrifice for what? Sacrifice for an imperialist war, sacrifice for a war between two contending imperialist axes, not contending for one system as against another system, but contending for preservation and acquisition of empire—commercial, financial, economic, and political—a war which is to determine only one thing, and that is whether the people of the world shall be ruled by governments subservient to one axis, or the other, both axes inimical to every concept of civilized society. For this imperialism, for a war between these contending axes, you are asking labor to make sacrifices. I say that labor must refuse to sacrifice for either of these axes or become slaves to either or both. But where is the sacrifice that you are asking to be made on the part of the war lords, on the part of the industrial barons, on the part of the financiers who never have been friends of democracy, who have never been friends of the New Deal, who have always been Bourbons, Fascists, and economic royalists, who now beat war drums and demand the shedding of blood of American youth and a sacrifice on the part of American workers, farmers, unemployed, and small businessmen? Where are they, and what sacrifice are you asking of them? You are going to pass a tax bill whereby the load will be passed to the consumer and the farmer and worker in this country. Yes, you call for sacrifices on the part of labor to prosecute a war ostensibly against Hitler, but which in reality will substitute another brand of Hitlerism all over the world, and particularly in our own country—the Wall Street-Downing Street brand. But where is the sacrifice on the part of the war lords and the industrial and financial barons of America? What sacrifice does this Congress force on the war makers, on these dangerous enemies of democracy? They are not making sacrifices, they are making profits. You do not force them to sacrifice. You permit them to profit and rule.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RAMSPECK. Mr. Chairman, I cannot permit to go unanswered the remarks of the gentleman from New York [Mr. MARCANTONIO], who has just taken his seat, when he construes the statement I made to him as an endorsement of the waiving of the advantages won by labor during the past few years. That is not what I said. I said in response to his question that I would waive the three watch system insofar as it applies to these ships—in order that we might make them useful, because of lack of facilities to house the necessary three watches, and that was the extent of my willingness to waive those things. I do not believe the gentleman from New York [Mr. MARCANTONIO] represents labor in the speech which he has just made on the floor of this House. I believe that the group to which he referred as "labor" is just as loyal to this country, is just as strong in its support of the policy which this Congress has adopted, as is any other group. [Applause.] I believe they are going to show this country that they are willing to make whatever sacrifices are necessary in order for us to protect the freedom which we enjoy in this country and to stop the aggression of the dictators on the other side of the water. [Applause.]

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, there is some question in the minds of the people of this country as to just who does represent labor. There is no dispute as far as I know about the loyalty or the willingness of labor to make sacrifices; no dispute at all. But there is some question, at least 80 percent of the people of the country have expressed their conviction, according to the latest poll, about the loyalty and the willingness to sacrifice on the part of certain so-called labor leaders and racketeers.

There are many men who have been charged with being labor baiters who, for the greater part of their lives, have worked with their hands, who favor legislation which will protect the men who work, but who are against protection for these men who are exploiting labor and who under the banner of labor, disguised as they are, hide behind the law and under cover of the support given them by this administration and the majority party; through legislation prey upon labor and hold up our national defense.

Now, it is the privilege of those who refuse to change the laws which are on the books behind which these men are hiding to do so. Let me cite you the facts which disclose what just two of these leeches who pose as labor leaders are doing. Let me remind the House that, were it not for certain provisions of the National Labor Relations Act and a lack of law enforcement, these two men could not carry on their racket.

JUST A GRAFTER, NEITHER PURE NOR SIMPLE

Every time legislation which would actually benefit the rank and file of organized labor, curb the grafting of labor politicians, end the reign of terror imposed by labor racketeers is proposed someone yells "labor baiter."

Those individuals, labor politicians, and labor publications which take this attitude are responsible for men like Willie Bioff. That the public may know the kind of a crook they are sheltering and supporting, let me give just a little of his record as set forth in charges made against him by the Government and on which he will go to trial in June next.

In 1936 Willie received a salary of $2,448 from the International Alliance of Theatrical Stage Employees. During the same year there was deposited in the name of Laura Nelson, but which it is charged went to him, $20,000 in cash. RKO radio studios gave him $4,066.54 worth of home furnishings. Individual members of the union made him presents of rugs to the amount of $1,334.47.

In 1937 he did a little better, his salary from the union being $3,000. He got $4,875 worth of oil stock, $100,000 in cash from Schenck and others, $10,000 worth of Hollywood Turf Club stock, $24,404.50 of Continental Can Co. stock, $22,000 worth of Twentieth Century Fox shares, $5,462.50 in another stock gift. Not so bad.

If there be speculation as to why these radio studios and a part of Hollywood should be so solicitous about Willie and his welfare, it is well to remember that Bioff is a representative of the International Alliance of Theatrical Stage Employees and that during the time these gifts were being made a major strike was threatened in the motion-picture industry; but the strike threat was terminated after Bioff and the producers "got together."

Often have I wondered about the mental processes of those who yell "labor baiter" when some of us offer legislation which would trim the wings and clip the claws of Willie and his kind.

How long is the Federal Government and Congress going to protect this particular brand of crooks, who prey upon the laboring man, the man who does the work? How long will the labor politicians and the racketeers be able to hide behind the law?

Just when will we amend the National Labor Relations Act and enact other legislation which will prevent some of these crocks holding up national-defense jobs, increasing the cost of national defense, and preying upon industrial workers?

Down in St. Louis, in the district where just a few days ago we provided for another Federal judge, is a foul-smelling person who, if the bill I introduced not long ago was enacted into law and the law enforced, would be unable to carry on his dirty work.

Why is it that here on the floor I cannot get adequate support for a measure which would end this robbery? Let me repeat again. I listened with a great deal of interest to the words of the gentleman from Texas [Mr. SUMNERS], the chairman of the great Judiciary Committee, to the effect that we have laws upon the books which would aid in the situation. Why is it, then, that Congress does not insist—and I refer now to the majority party—why is it that Congress does not insist that the laws which we have be enforced?

Why is it that the Judiciary Committee refuses to bring out the simple bill which I introduced and which, I repeat, if enacted and enforced, would at least lessen, if it would not completely put an end to, the extortion carried on in the name of labor?

Why is it that men who claim to be friends of labor, of organized labor, will not aid in cleaning labor's house, casting out these racketeers?

I am not making general statements. I have cited specific instances. Now, here is another of these crooks—Joe Newell, commonly known as "Buck," who has recently been exposed by the St. Louis Post-Dispatch and the St. Louis Times-Star. Both papers in their issues of May 2 carry the story.

Newell, in May of 1937, was convicted, on his plea of guilty in Federal court, of conspiring to defraud the Government by forging Federal employment cards. He was let off by United States Judge Charles B. Davis with a fine of $500, merely because there was no evidence that he had profited financially through the disposition of the cards.

He is business agent of the A. F. of L. Hoisting Engineers Union, No. 513. From the story as printed in these two papers, it appears that, by threats of personal violence to contractors and their employees, of damage to their equipment, and by other unfair and unlawful tactics, Newell has successfully intimidated not only the contractors and their employees but members of the A. F. of L.

The papers charge, and they give circumstantial details, that one group of three contractors paid him as much as $7,500 and made him additional gifts for the privilege of carrying on their work.

The way in which "Buck" Newell established and maintains himself as boss and chief racketeer in Local 313 is told in the St. Louis Post-Dispatch of Monday, May 5. I quote:

"As soon as 'Buck' was in the saddle he cemented himself in his job by handing out beatings to objectors and throwing beer parties for his henchmen," the Post-Dispatch informant related. "Three members who talked back were waylaid and beaten with clubs. The beer parties were real brawls, held at a saloon 'Buck' had run near Taylor and Delmar, which he turned into a club for hoisting engineers, and at a country place in Jefferson County. The members soon learned that it was best to go along with the new business agent."

Contractors learned that they, too, had better "go along" with the new business agent. "Buck" called a strike on the Hampton Avenue viaduct construction, a P. W. A. job, to enforce the use of A. F. of L. sand and gravel there. The job was tied up for months and was the subject of a Federal investigation.

Contractors and the public suffer in another way. Caterpillar operators and shovel operators on these construction jobs have a pay rate of $2 an hour for straight time and $4 an hour for time over 40 hours. Caterpillar operators and shovel operators draw $80 a week straight time and $64 for Saturday and Sunday.

Do not forget that these favored few draw more than twice as much for working on a Saturday and a Sunday as the conscripted boy or the volunteer gets for serving his country for 1 month. With that kind of pay, you can see the opportunity for "Buck" to levy tribute, not only upon the contractors but upon the members of his own union.

In justice to themselves, the Members of the House should read the St. Louis Post-Dispatch of May 2, 3, and 5, and the St. Louis Star-Times of May 2.

Not only has Buck Newell, the convict, assumed to exercise control and extort money from the contractors, but he has now grown so arrogant that he attempts to dictate who shall and who shall not be taken into the union.

Each of the papers to which I referred makes the charge that Newell, as agent of the Hoisting Engineers Union, Local 513, demanded $5,000 as a fee for taking a group of C. I. O. hoisting engineers and making them over into good A. F. of L. members. This was on a $250,000 job in the Mississippi River.

Again, let me ask, How do those who brand me and others who believe as I do, who are only endeavoring to free the rank and file of labor from those who are preying upon it, as "labor baiters," justify activities like this?

Oh, I know the answer. It will be said that they do not justify it. Then why do they not join in legislation to suppress it? Why do they not join in the demand that the guilty be prosecuted?

Here is another one: The Government is constructing a new TNT plant on the Missouri River, near Weldon Springs, in St. Charles County, Mo. Concrete Aggregates, Inc., is a corporation dealing in sand and gravel at Pacific, Mo. Heman & Boone furnish the ready-mixed concrete for the TNT plant.

Concrete Aggregates, Inc., on February 5, 1941, entered into a contract to supply 80,000 tons of sand and gravel to the Southampton Hauling Co. of St. Louis, which, in turn, was to deliver it to Heman & Boone, who would mix it, and it would then be delivered on the job.

Concrete Aggregates, Inc., employ 11 engineers and oilers and 7 laborers. They want to join the A. F. of L. union, controlled by Buck Newell, and twice they appeared before the union officials, with their entrance fees, amounting to around $1,500. Although they have made application to join the union; although they have the money to pay the initiation fees and the dues, Buck Newell, ruler of the union, convict-crook, sees to it that they do not get in.

On the 5th of February, at a meeting at the Kingsway Hotel in St. Louis, attended by representatives of Concrete Aggregates, Inc., and the Southampton Hauling Co., Newell, business agent of Local 515 of the International Union of Operating Engineers, told the representatives of Concrete Aggregates, Inc., that he did not need their men, and that Heman & Boone, who were supplying the ready-mixed, could buy all of the material they wanted from three other companies operating in that vicinity, that is, from either Missouri-Illinois Material Co., Stiers Material Co., or St. Louis Materials & Supply Co. He said further that he did not want any more material companies to operate in that vicinity.

He told Concrete Aggregates, Inc., in substance, that, so far as furnishing sand and gravel was concerned, they were "out."

Unable to get the material from Concrete Aggregates, Inc., Heman & Boone are buying material from St. Louis Material & Supply Co., but they are paying 10 cents a ton more than if they purchased it from the other company, and they estimate that it will cost them something like $10,000 more for sand and gravel than it would if their original agreement with Concrete Aggregates, Inc., had gone through.

Just why should this convict-crook, or, for that matter, any man, whether he is a convict or not, be permitted to hold up contractors engaged on Government or any other work?

C. B. Denton, president of Concrete Aggregates, Inc., has made application to William E. Maloney, international president of the A. F. of L. here in Washington, asking him to take these men into the union.

Just what sort of a monopoly is being operated? First, just why should any man here in America be required to buy a work permit from some organization or individual before he can obtain a job? Let us go just one step farther. If those who favor a closed shop, who oppose legislation which will let Americans work when and where they can find work, are to have their way, will they not tell us what justification there is for any man sitting at the door of employment and refusing men who comply with every rule, regulation, and demand which he or his organization has made, the opportunity to earn a livelihood?

There is not a Member of this body who does not know that it is contrary to every principle of our Government, that it is unjust and unlawful, for any man or any organization to insist that no man can work on a defense project or on any other project until he has purchased a permit so to do.

There is not a Member of this body who, in my opinion, can justify to his own conscience, the practice of permitting a labor racketeer, a man convicted of crime, an extortionist, like Buck Newell, to deny to contractors the privilege of working on a job; to their employees, the privilege of joining a union.

Be assured that the overwhelming majority of the citizens of this country do not believe in any such practice and that we are doing organized labor a disservice in refusing to enact and enforce legislation which will restore to the American workingman his constitutional right to earn a livelihood for himself and his family, free from interference from any source.

WAR OR PEACE

One more thought. The gentleman from Georgia [Mr. RAMSPECK] yesterday appealed to us to vote for this bill because he says it is a peace measure to aid in keeping us out of war. The day before the gentleman from Georgia [Mr. COX] asked us to vote for this bill even though the result would be war. He said:

Mr. Speaker, I have never referred to the destroyer transaction as a peace move. I think it was an open declaration to the world that we had entered upon the road that leads to war. When the lease-lend bill was before the House I referred to it as a war measure. That shocked some of my colleagues; nevertheless, I thought it carried war powers, and I still think so. I think it moved us further down the road toward war.

This bill carries us even further. It is an announcement that we have at last arrived.

Arrived where? At the door which leads to war. The gentleman would have us enter. Note his further statement:

Reference has been made to convoying. What are we to do? We make available billions of dollars of credit for Great Britain. We promised to give complete aid and assistance. We promised our support to the limit of our capacity * * *

It happens that we cannot fulfill our promise short of convoy. What are we to do? Are we going to stop? Are we going to turn back at this point simply because convoying may involve us in war? Of course, we are not. * * *

Of course, we are going to convoy and we are going to do it right away.

If we do it means war—a war for which we are not ready.

We who oppose going to war, we who believe that we should keep our promises to our people, do not lack faith in America. Our patriotism is questioned—on what ground I do not know. I am sure that we who oppose this bill regard the promises which we made last September, October, and November as something sacred, and a solemn covenant with the people.

We can see now no reason why we should think of some other country first. We believe that our first duty is to our country. God knows if we are to fight a battle we should be prepared. I doubt if there is a Member on the floor of this House or anywhere around the Capitol who does not know that we are not prepared. Instead of going around with a chip on our shoulder, with insults on our lips and hatred in our hearts, instead of doing everything we can to bring on a war, why should we not devote our energies, our resources, to preparation?

You gentlemen who want war or who insist on involving us in this war, must take the responsibility for the lives of a million or more men who will be lost if we insist on this drive to destroy the Axis Powers. But for me, I am going to keep that promise I made to my people prior to the election and I will not vote to strip my country of her defenses, lay her defenseless at the feet of a Hitler. [Applause.]

[Here the gavel fell.]

Mr. CULKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I desire to take just a minute or two in order to call the attention of the House to the fact that later, and at the proper time, I shall offer a motion of recommittal. In that motion I will incorporate the amendment which I offered in the committee to the bill. For the purpose of clarifying things and refreshing the memory of Members of the House I am going to read that amendment, which will be incorporated in the motion to recommit.

And provided further, That the flagships of nations now engaged in war taken over pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

There are 231 foreign flagships which are authorized to be taken by this bill. This amendment will except 28: Two German and 26 Italian; I repeat again that failure to incorporate this amendment in this bill, in my honest judgment, carries in it the definite seeds of war. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from New York has expired, all time has expired. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COSTELLO, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, pursuant to House Resolution 193, he reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. CULKIN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CULKIN. I am.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CULKIN moves to recommit the bill to the Committee on the Merchant Marine and Fisheries with instructions to report it back forthwith with the following amendment: At the end of line 10, page 2, after the word "amended", strike out the period, insert a colon, and add the following: *"And provided further,* That the flagships of nations now engaged in war taken over pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their material and naval objectives."

Mr. BLAND. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MARTIN of Massachusetts) there were—ayes 74, noes 123.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 160, nays 222, answered "present" 1, not voting 48, as follows:

[Roll No. 49]

YEAS—160

Allen, Ill.	Gilchrist	O'Brien, Mich.
Andersen, H. Carl	Gillie	O'Connor
Anderson, Calif.	Graham	O'Hara
Andresen, August H.	Grant, Ind.	Oliver
Andrews	Guyer, Kans.	Paddock
Angell	Gwynne	Pheiffer, William T.
Arends	Hall, Edwin Arthur	Pittenger
Bates, Mass.	Hall, Leonard W.	Ploeser
Baumhart	Halleck	Plumley
Bender	Hancock	Rabaut
Bennett	Harness	Rankin, Mont.
Bishop	Harrington	Reece, Tenn.
Blackney	Hartley	Reed, Ill.
Bolles	Heidinger	Reed, N. Y.
Bolton	Hess	Rees, Kans.
Boren	Hill, Colo.	Rich
Bradley, Mich.	Hill, Wash.	Rizley
Brown, Ohio	Hoffman	Robsion, Ky.
Burdick	Holmes	Rockefeller
Butler	Hook	Rodgers, Pa.
Carlson	Hope	Rogers, Mass.
Carter	Howell	Rolph
Case, S. Dak.	Hull	Rutherford
Chenoweth	Jarrett	Sauthoff
Chiperfield	Jenkins, Ohio	Scott
Clason	Jennings	Secrest
Clevenger	Jensen	Shafer, Mich.
Coffee, Nebr.	Johns	Shanley
Coffee, Wash.	Johnson, Calif.	Short
Cole, N. Y.	Johnson, Ill.	Simpson
Copeland	Johnson, Ind.	Smith, Ohio
Crawford	Jones	Springer
Crowther	Jonkman	Stefan
Culkin	Kean	Stevenson
Cunningham	Keefe	Sumner, Ill.
Curtis	Kilburn	Sweeney
Day	Kinzer	Talle
Dewey	Knutson	Tenerowicz
Ditter	Kunkel	Thill
Dondero	Lambertson	Tibbott
Douglas	Landis	Tinkham
Dworshak	LeCompte	Tolan
Elston	Ludlow	Treadway
Engel	McGregor	Van Zandt
Englebright	Maas	Vorys, Ohio
Fellows	Marcantonio	Vreeland
Fenton	Martin, Iowa	Wheat
Fish	Martin, Mass.	White
Gale	Michener	Wigglesworth
Gamble	Moser	Wilson
Gearhart	Mott	Winter
Gehrmann	Mundt	Wolcott
Geyer, Calif.	Murray	Woodruff, Mich.
		Youngdahl

NAYS—222

Allen, La.	Flannery	O'Brien, N. Y.
Anderson, N. Mex.	Fogarty	O'Leary
Arnold	Forand	O'Neal
Baldwin	Ford, Leland M.	O'Toole
Barden	Ford, Miss.	Patman
Barnes	Ford, Thomas F.	Patton
Barry	Fulmer	Pearson
Beam	Gathings	Peterson, Fla.
Beckworth	Gavagan	Peterson, Ga.
Beiter	Gerlach	Pfeifer, Joseph L.
Bell	Gibson	Pierce
Bland	Gore	Plauché
Bloom	Gossett	Poage
Boehne	Granger	Powers
Boggs	Grant, Ala.	Priest
Boland	Green	Ramspeck
Bonner	Gregory	Rankin, Miss.
Boykin	Haines	Richards
Bradley, Pa.	Hare	Rivers
Brooks	Harris, Ark.	Robertson, Va.
Brown, Ga.	Harris, Va.	Robinson, Utah
Bryson	Harter	Rogers, Okla.
Buck	Healey	Romjue
Buckley, N. Y.	Heffernan	Russell
Bulwinkle	Hendricks	Sabath
Burch	Hobbs	Sacks
Burgin	Holbrock	Sanders
Byrne	Hunter	Sasscer
Camp	Imhoff	Satterfield
Canfield	Izac	Scanlon
Cannon, Fla.	Jackson	Schulte
Cannon, Mo.	Jarman	Scrugham
Capozzoli	Johnson, Luther A.	Sheppard
Cartwright	Johnson, Okla.	Sikes
Chapman	Johnson, W. Va.	Smith, Conn.
Clark	Kee	Smith, Maine
Claypool	Kefauver	Smith, Pa.
Cluett	Kelley, Pa.	Smith, Va.
Cochran	Kelly, Ill.	Smith, Wash.
Cole, Md.	Kennedy, Michael J.	Snyder
Collins	Keogh	South
Colmer	Kerr	Sparkman
Connery	Kilday	Spence
Cooley	Kirwan	Starnes, Ala.
Cooper	Kleberg	Stearns, N. H.
Costello	Kocialkowski	Sullivan
Courtney	Kopplemann	Sumners, Tex.
Cox	Kramer	Sutphin
Cravens	Lanham	Tarver
Creal	Larrabee	Taylor
Crosser	Lea	Terry
D'Alesandro	Leavy	Thom
Davis, Ohio	Lesinski	Thomas, N. J.
Davis, Tenn.	Lewis	Thomas, Tex.
Delaney	Lynch	Thomason
Dickstein	McCormack	Traynor
Dingell	McIntyre	Vincent, Ky.
Disney	McKeough	Vinson, Ga.
Domengeaux	McLaughlin	Walter
Doughton	McLean	Ward
Downs	McMillan	Wasielewski
Doxey	Maciejewski	Weaver
Drewry	Maciora	Weiss
Duncan	Magnuson	Wene
Durham	Mahon	Whelchel
Eaton	Merritt	Whittington
Edelstein	Meyer, Md.	Wickersham
Eliot, Mass.	Mills, Ark.	Williams
Elliott, Calif.	Mills, La.	Wolverton, N. J.
Ellis	Monroney	Woodrum, Va.
Faddis	Murdock	Worley
Fitzgerald	Myers, Pa.	Young
Fitzpatrick	Nelson	Zimmerman
Flaherty	Norrell	
Flannagan		

ANSWERED "PRESENT"—1

Kennedy, Martin J.

NOT VOTING—48

Bates, Ky.	McArdle	Schuetz
Buckler, Minn.	McGehee	Shannon
Casey, Mass.	McGranery	Sheridan
Celler	Mansfield	Smith, W. Va.
Cullen	Mason	Somers, N. Y.
Dies	May	Steagall
Dirksen	Mitchell	Stratton
Eberharter	Nichols	Taber
Edmiston	Norton	Voorhis, Calif.
Gifford	O'Day	Wadsworth
Hart	Osmers	Welch
Hébert	Pace	West
Hinshaw	Patrick	Wolfenden, Pa.
Houston	Ramsay	Wright
Jacobsen	Randolph	
Jenks, N. H.	Robertson, N. Dak.	
Johnson, Lyndon B.	Schaefer, Ill.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Osmers for, with Mr. Wadsworth against.

Mr. Martin J. Kennedy for, with Mr. Celler against.

Mr. Stratton for, with Mr. Houston against.

Mr. Mason for, with Mr. Cullen against.

Mr. Welch for, with Mr. May against.

Until further notice:

Mr. West with Mr. Taber.

Mrs. Norton with Mr. Dirksen.

Mr. Mansfield with Mr. Wolfenden of Pennsylvania.

Mr. Patrick with Mr. Robertson of North Dakota.

Mr. Ramsay with Mr. Hinshaw.

Mr. Pace with Mr. Jenks of New Hampshire.

Mr. Somers of New York with Mr. Buckler of Minnesota.

Mr. Steagall with Mr. McArdle.

Mr. Hébert with Mr. Jacobsen.

Mr. Mitchell with Mr. Shannon.

Mr. Smith of Virginia with Mr. Nichols.

Mr. Wright with Mrs. O'Day.

Mr. Voorhis of California with Mr. Randolph.

Mr. Bates of Kentucky with Mr. Walter.

Mr. Casey of Massachusetts with Mr. Schuetz.

Mr. Dies with Mr. Eberharter.

Mr. Lyndon B. Johnson with Mr. McGranery.

Mr. Schaefer of Illinois with Mr. Edmiston.

Mr. McGehee with Mr. Sheridan.

Mr. MARTIN J. KENNEDY. Mr. Speaker, on this vote I voted "yea." I have a pair with the gentleman from New York, Mr. CELLER. If he were here, he would have voted "nay." I therefore withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLAND. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 265, nays 121, answered "present" 1, not voting 44, as follows:

[Roll No. 50]

YEAS—265

Allen, La.	Capozzoli	Durham
Anderson, Calif.	Cartwright	Eaton
Anderson, N. Mex.	Chapman	Edelstein
Andrews	Clark	Eliot, Mass.
Arnold	Clason	Elliott, Calif.
Baldwin	Claypool	Ellis
Barden	Cluett	Faddis
Barnes	Cochran	Fellows
Barry	Cole, Md.	Fish
Bates, Mass.	Cole, N. Y.	Fitzgerald
Beam	Collins	Fitzpatrick
Beckworth	Colmer	Flaherty
Beiter	Connery	Flannagan
Bell	Cooley	Flannery
Blackney	Cooper	Fogarty
Bland	Courtney	Forand
Bloom	Cox	Ford, Leland M.
Boehne	Cravens	Ford, Miss.
Boggs	Creal	Ford, Thomas F.
Boland	Crosser	Fulmer
Bonner	Cunningham	Gamble
Boykin	D'Alesandro	Gathings
Bradley, Pa.	Davis, Ohio	Gavagan
Brooks	Davis, Tenn.	Gearhart
Brown, Ga.	Delaney	Gehrmann
Bryson	Dickstein	Gerlach
Buck	Dingell	Gibson
Buckley, N. Y.	Disney	Gilchrist
Bulwinkle	Ditter	Gore
Burch	Domengeaux	Gossett
Burgin	Dondero	Granger
Byrne	Doughton	Grant, Ala.
Camp	Douglas	Green
Canfield	Downs	Gregory
Cannon, Fla.	Doxey	Gwynne
Cannon, Mo.	Drewry	Haines
	Duncan	

Hall, Edwin Arthur	McLean	Scanlon
Hall, Leonard W.	McMillan	Schulte
Hancock	Maas	Scott
Hare	Maciejewski	Scrugham
Harris, Ark.	Maciora	Secrest
Harris, Va.	Magnuson	Sheppard
Harter	Mahon	Sikes
Healey	Martin, Mass.	Smith, Conn.
Heffernan	Merritt	Smith, Maine
Hendricks	Meyer, Md.	Smith, Pa.
Hobbs	Michener	Smith, Va.
Holbrock	Mills, Ark.	Smith, Wash.
Holmes	Mills, La.	Smith, W. Va.
Hull	Monroney	Snyder
Imhoff	Mott	South
Izac	Murdock	Sparkman
Jackson	Myers, Pa.	Spence
Jarman	Nelson	Starnes, Ala.
Jennings	Norrell	Steagall
Johnson, Luther A.	O'Brien, N. Y.	Stearns, N. H.
Johnson, Okla.	O'Leary	Sullivan
Johnson, W. Va.	O'Neal	Sumners, Tex.
Kean	O'Toole	Sutphin
Kee	Patman	Tarver
Kefauver	Patton	Taylor
Kelley, Pa.	Pearson	Terry
Kelly, Ill.	Peterson, Fla.	Thom
Kennedy, Michael J.	Peterson, Ga.	Thomas, N. J.
Keogh	Pfeifer, Joseph L.	Thomas, Tex.
Kerr	Pierce	Thomason
Kilburn	Pittenger	Traynor
Kilday	Plauché	Treadway
Kirwan	Poage	Vincent, Ky.
Kleberg	Powers	Vinson, Ga.
Kocialkowski	Priest	Voorhis, Calif.
Kopplemann	Ramspeck	Vreeland
Kramer	Randolph	Wadsworth
Kunkel	Rankin, Miss.	Walter
Lanham	Richards	Ward
Larrabee	Rivers	Wasielewski
Lea	Robertson, Va.	Weaver
Leavy	Robinson, Utah	Weiss
LeCompte	Rogers, Mass.	Wene
Lesinski	Rogers, Okla.	Whelchel
Lewis	Romjue	Whittington
Lynch	Russell	Wickersham
McCormack	Sabath	Wigglesworth
McIntyre	Sacks	Williams
McKeough	Sanders	Wolverton, N. J.
McLaughlin	Sasscer	Woodrum, Va.
	Satterfield	Worley
	Sauthoff	Young
		Zimmerman

NAYS—121

Allen, Ill.	Graham	Pheiffer, William T.
Andersen, H. Carl	Grant, Ind.	Ploeser
Andresen, August H.	Guyer, Kans.	Rabaut
Angell	Halleck	Rankin, Mont.
Arends	Harness	Reece, Tenn.
Bates, Ky.	Harrington	Reed, Ill.
Baumhart	Hartley	Reed, N. Y.
Bender	Heidinger	Rees, Kans.
Bennett	Hess	Rich
Bishop	Hill, Colo.	Rizley
Bolles	Hill, Wash.	Robsion, Ky.
Bolton	Hoffman	Rodgers, Pa.
Boren	Hook	Rolph
Bradley, Mich.	Hope	Rutherford
Brown, Ohio	Howell	Shafer, Mich.
Burdick	Hunter	Shanley
Butler	Jarrett	Short
Carlson	Jenkins, Ohio	Simpson
Carter	Jensen	Smith, Ohio
Case, S. Dak.	Johns	Springer
Chenoweth	Johnson, Calif.	Stefan
Chiperfield	Johnson, Ill.	Stevenson
Clevenger	Johnson, Ind.	Sumner, Ill.
Coffee, Nebr.	Jones	Sweeney
Coffee, Wash.	Jonkman	Talle
Copeland	Keefe	Tenerowicz
Costello	Kinzer	Thill
Crawford	Knutson	Tibbott
Crowther	Lambertson	Tinkham
Culkin	Landis	Tolan
Curtis	Ludlow	Van Zandt
Day	McGregor	Vorys, Ohio
Dewey	Marcantonio	Wheat
Dworshak	Martin, Iowa	White
Elston	Moser	Wilson
Engel	Mundt	Winter
Englebright	Murray	Wolcott
Fenton	O'Brien, Mich.	Woodruff, Mich.
Gale	O'Connor	Youngdahl
Geyer, Calif.	O'Hara	
Gillie	Oliver	
	Paddock	

ANSWERED "PRESENT"—1

Kennedy, Martin J.

NOT VOTING—44

Bates, Ky.	Celler	Dirksen
Buckler, Minn.	Cullen	Eberharter
Casey, Mass.	Dies	Edmiston

Gifford	Mason	Schaefer, Ill.
Hart	May	Schuetz
Hébert	Mitchell	Shannon
Hinshaw	Nichols	Sheridan
Houston	Norton	Somers, N. Y.
Jacobsen	O'Day	Stratton
Jenks, N. H.	Osmers	Taber
Johnson, Lyndon B.	Pace	Welch
	Patrick	West
McArdle	Ramsay	Wolfenden, Pa.
McGehee	Robertson, N. Dak.	Wright
McGranery		
Mansfield	Rockefeller	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Celler for, with Mr. Martin J. Kennedy against.

Mr. Taber for, with Mr. Robertson of North Dakota against.

Mr. Cullen for, with Mr. Mason against.

Mr. Houston for, with Mr. Stratton against.

Mr. May for, with Mr. Welch against.

Mrs. Norton for, with Mr. Osmers against.

General pairs:

Mr. Mansfield with Mr. Wolfenden of Pennsylvania.

Mr. Hart with Mr. Rockefeller.

Mr. Ramsay with Mr. Hinshaw.

Mr. Pace with Mr. Jenks of New Hampshire.

Mr. Somers of New York with Mr. Buckler of Minnesota.

Mr. West with Mr. Gifford.

Mr. Patrick with Mr. Dirksen.

Mr. Bates of Kentucky with Mr. McArdle.

Mr. Hébert with Mr. Jacobsen.

Mr. Mitchell with Mr. Shannon.

Mr. Wright with Mrs. O'Day.

Mr. Casey of Massachusetts with Mr. Schuetz.

Mr. Dies with Mr. Eberharter.

Mr. Lyndon B. Johnson with Mr. McGranery.

Mr. Schaefer of Illinois with Mr. Edmiston.

Mr. McGehee with Mr. Sheridan.

Mr. MARTIN J. KENNEDY. Mr. Speaker, on this vote I have a pair with the gentleman from New York, Mr. CELLER. If he were present, he would have voted "yea." I withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CORN AND WHEAT MARKETING QUOTAS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate Joint Resolution 60, relating to corn- and wheat-marketing quotas under the Agricultural Adjustment Act of 1938, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. FULMER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from South Carolina tell us if this is agreeable to the Republican Members?

Mr. FULMER. Absolutely.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. FULMER]?

There was no objection, and the Speaker appointed the following conferees: Messrs. FULMER, DOXEY, FLANNAGAN, HOPE, and KINZER.

EXTENSION OF REMARKS

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include some brief excerpts in the speech I made yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. ROBSION]?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address which I delivered over the radio.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in committee today.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARCANTONIO]?

There was no objection.

ADDITIONAL URGENT DEFICIENCY APPROPRIATION BILL, 1941

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 4669, making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that the debate continue for 1½ hours, the time to be equally divided between myself and the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4669, with Mr. SPARKMAN in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the bill now before the House is an urgent deficiency appropriation unanimously reported by the Appropriations Committee, containing a few items that the committee regarded as being urgently needed for some of our regular operations and for the defense program. The amount involved in the bill is $173,749,630, and it is $608,100 less than the Budget estimate. One hundred and sixty-five of the $173,000,000 is for defense housing, consisting of $15,000,000 for temporary housing, such as trailers and portable units, and $150,000,000 for the more permanent type of housing.

The second Lanham Act, authorizing a second $150,000,000 for defense housing became law on April 29 last. It provides for the building of houses for defense workers where there is urgent need not supplied by the commercial or industrial housing agencies near plants, shipyards, and so forth, and also for housing for married noncommissioned officers at or near Army posts and Navy stations. The $150,000,000 appropriated under the first Lanham Act has all been allocated for 36,000 units and the second $150,000,000 in this bill is estimated to provide for 35,000 additional units.

Mr. Chairman, I certainly do not want to take the time of the Committee unnecessarily. I have a bad throat, but I will be glad to try to give any information requested. I will say that there is nothing is nothing whatever controversial in this bill. The items in it have been carefully gone over by the Committee on Appropriations. I am sure the gentleman from Massachusetts [Mr. WIGGLESWORTH] will concur in the statement I have made. There is a report available which explains each of the items, and I will be very glad to go into it just as far as the Committee would like.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. DONDERO. The gentleman made the statement that the second Lanham bill had passed. Is that the bill that includes community facilities such as schoolhouses and educational facilities?

Mr. WOODRUM of Virginia. No; it is the Lanham bill which became law on April 29, for defense housing, an additional $150,000,000 for defense housing only.

Mr. DONDERO. The other Lanham bill, the one that has been reported from his committee, also for $150,000,000, is for community facilities, including the educational facilities, schoolhouses, and so forth?

Mr. WOODRUM of Virginia. That bill has not passed yet.

Mr. DINGELL. Mr. Chairman, will the gentleman yield to me at this point? I have to go to a committee meeting.

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman recalls my appearance before the committee with regard to an allowance for the Consumers' Counsel?

Mr. WOODRUM of Virginia. Yes.

Mr. DINGELL. That has been definitely taken care of?

Mr. WOODRUM of Virginia. That has been taken care of, according to the Budget estimates. We also gave to the Bituminous Coal Division enough money to carry it through the remainder of this fiscal year on the basis of the present organization. They had appropriations for only 10 months of this fiscal year on account of the fact that the law expired on April 26. We renewed the law, as the Committee will remember, so this bill gives them additional funds for the remainder of this fiscal year.

Mr. DINGELL. I thank the gentleman.

Mr. HOLMES. Mr. Chairman, will the gentleman yield for an observation?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. HOLMES. It has come to my attention in connection with the construction of houses for defense workers and for civilian employees around camps and cantonments that the authorities are going in, in violation of ordinances relative to sanitation, plumbing, and so forth, and in disregard of such ordinances are constructing this housing as cheaply as possible. May I say as a member of the committee that reported this legislation that there was no intent on the part of the Congress to give them carte blanche authority to go in and ride roughshod over any community. It was our thought that they would cooperate with the communities, and especially live up to the rules and ordinances of the communities in relation to sanitation, school facilities, hospitals, and so forth. I hope the authorities will get down off their high horse and cooperate with the communities and conform with the building regulations and the sanitary regulations of the communities.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. SHAFER of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. SHAFER of Michigan. May I make the observation that in the State of Michigan the State sanitation laws are being violated by the Federal Government in the installation of septic tanks where there should be sewers.

Mr. WOODRUM of Virginia. Offhand I would say that condition should not be tolerated; however, I am not advised as to the facts in the case.

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Oklahoma.

Mr. BOREN. Is there any limitation on the amount of this housing appropriation that can be used in the District of Columbia?

Mr. WOODRUM of Virginia. I do not recall that they contemplate using any of it in the District of Columbia. May I ask the gentleman from Massachusetts [Mr. WIGGLESWORTH] if he recalls that any of this appropriation is to be used in the District of Columbia?

Mr. WIGGLESWORTH. My impression is that nothing could be used in the District.

Mr. WOODRUM of Virginia. I believe not, but I would not want to say definitely without checking the list.

Mr. BOREN. The point in my mind is that there has been a great deal of publicity about building everything from temporary structures up to recreational facilities.

Mr. WOODRUM of Virginia. They cannot do that under this appropriation, because there is a definite top limit on the cost per unit, which must include utilities. I cannot conceive how they could use any of it in the District of Columbia, because there is not an Army camp in the District, nor is there any Government defense establishment here except the navy yard, and no private manufacturing.

Mr. BOREN. There has been a great deal of publicity in the District about the shortage of housing for people brought here for defense work.

Mr. HAINES. Mr. Chairman will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. HAINES. Can the gentleman tell me whether any money is provided in this appropriation to take care of cities in defense areas where they have some problems of sewage disposal?

Mr. WOODRUM of Virginia. As I understand, that is in the bill of which the gentleman from Michigan spoke awhile ago, and over which the Committee on Public Buildings and Grounds has jurisdiction, where the Government is requested to give some financial assistance to communities that have had added responsibilities put on them for local facilities on account of the concentration of defense activities.

Mr. HOLMES rose.

Mr. WOODRUM of Virginia. The gentleman from Massachusetts, I am sure, can give that information.

Mr. HOLMES. The Committee on Public Buildings and Grounds has reported that bill, and a rule was granted this morning, so that it will be up for consideration sometime the latter part of this week.

Mr. HAINES. I thank the gentleman.

Mr. HOLMES. May I say also, Mr. Chairman, that I believe some of the money from this appropriation will be used for the housing of employees of the navy yard in the District of Columbia.

Mr. WOODRUM of Virginia. I think that is correct.

Mr. BOREN. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM of Virginia. I yield to the gentleman.

Mr. BOREN. On page 10 of the bill $580,000, apparently, is transferred from one bureau to another in the Department of Agriculture, and I wanted assurance from the gentleman that this does not represent any new appropriation for that purpose.

Mr. WOODRUM of Virginia. The transfer is from the Department of the Interior to the Department of Agriculture. This is merely to meet a ruling of the Comptroller General as to authority to allocate the funds. The Comptroller ruled Congress would have to do it.

Mr. BOREN. And it is money that we have already appropriated and does not entail any new appropriation.

Mr. WOODRUM of Virginia. That is right.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 10 minutes and ask unanimous consent to revise and extend my own remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, as the distinguished gentleman from Virginia has pointed out, this bill carries a total of $173,749,630, a total which is $608,100 less than the Budget estimates.

The total is composed of $165,000,000 for defense housing purposes and of a number of other items listed on page 2 of the report, amounting to $8,749,630. All of the items are said to be urgent and in character such that they cannot wait until the second deficiency bill.

I have no particular comment to make on the bill as a whole. I do want to refer very briefly, however, to two or three items which the bill carries.

The first item is the major item in the bill of $165,000,000 for national-defense housing. This item can be broken down into two parts, $150,000,000 to take care of the authorization under the second Lanham Act, approved April 29 of this year, under which housing units of permanent character it is estimated will be constructed at about $4,200 per unit; and a balance of $15,000,000 for urgent housing or housing of short duration, through temporary construction, including trailers, which have the advantage both of mobility and low cost. Experience with trailers indicates a cost of about $1,100 per housing unit.

The Members will find in the hearings a summary of the appropriations and of the progress made in respect to national-defense housing by the nine different agencies of Government which, to date, have cooperated in this work. They will also find a copy of the Executive order and existing regulations which define the powers of the Coordinator of Defense Housing. I want in this connection to quote one paragraph from the committee report, as follows:

> The committee is of the opinion that the housing facilities to be undertaken should be held to an irreducible minimum with these Federal funds. No permanent units should be undertaken in localities until it has been definitely ascertained that private capital will not assume all or some part of the requirements, and none should be provided in localities where the need can be met satisfactorily with housing of a temporary character. It seems inevitable that a considerable part of the cost of the housing will have to be written off and charged to national defense, and every precaution should be taken to see that such a cost, both in type and quantity of units, is held to the lowest figure consistent with the expedition of the defense program.

I quote this paragraph, Mr. Chairman, because I think it defines a policy which is of vital importance in this connection.

Under the terms of the Lanham Act, as the Members may appreciate, once the required finding of need has been made by the Coordinator and approved by the President, the Public Works Administrator is authorized to acquire land by condemnation or otherwise and to construct or demolish buildings by contract or otherwise, and—this is the important point—to do so without regard to any Federal, State, or municipal laws, ordinances, rules, or regulations relating to plans, specifications, forms of contract, and other matters. In other words, once the finding has been made, the Federal Works Administrator is practically all-powerful as to where defense housing shall be built, the nature of the housing, and other details.

I mention this fact particularly in the light of a specific instance which developed recently in my own congressional district where preliminary steps were taken to set up defense-housing units in

a town through the U. S. H. A. months before the local board of selectmen were consulted in any way about the project, with no apparent attempt to ascertain local sentiment in respect to the project, and despite the fact that other housing agencies of the Government, cooperating in this program, including the Coordinator, were and are definitely on record as opposed to placing the project in the town in question.

The instance raises, in my mind, the question of whether or not the Coordinator has sufficient powers to carry out the policy defined in the paragraph of the committee report which I have read. It is to be hoped, as we go along with this program, that all agencies involved will cooperate to that end.

Mr. Chairman, I want also to refer to the item of appropriation for the Government Printing Office, $970,000, as compared with the Budget recommendation of $1,130,000. Members will find in the hearings that Uncle Sam anticipates meeting, in the fiscal year 1942, a total printing and binding bill of $24,600,000, of which about $20,000,000 will be due for work done in the Government Printing Office and the balance for work done in outside firms. In addition, it is estimated that about $4,900,000 will be paid for duplicating, multigraphing, and so forth, in the various departments at wages which are about one-half of those paid in the Government Printing Office.

In the last public report of the Public Printer, the report for the fiscal year 1939, it is stated:

> No action has been taken to carry out the provisions of section 60, title 44, United States Code, which states that all printing offices in the departments shall be under the Public Printer * * * notwithstanding the fact that a great percentage of the work done in these plants, particularly that requiring the use of the multilith, is a direct violation of the law requiring that all printing be done at the Government Printing Office.

The Public Printer indicated that an interdepartmental committee is now at work hoping to iron out this situation. The fact is, however, that today some $4,900,000 worth of multigraphing and multilithing is to be done, over and above the printing and binding authorized by the Congress, and in a manner which is admittedly a direct violation of law.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 5 minutes more.

The report of the Public Printer for the same year also indicates that in many cases printing done outside of the Government Printing Office has been done at "exorbitant" prices. Under examination before your committee the Public Printer stated that outside work averages 20 percent higher than similar work done in the Government Printing Office, and that some of the estimates for outside work were as much as 600 percent above those for similar work in the Government Printing Office. It seems difficult to believe that this can be a fair picture of the situation. Further information is to be furnished by the Public Printer in the near future, which it is hoped will develop the situation more fully.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Yes.

Mr. HOLMES. The gentleman referred to the fact that many bids for outside work are higher than the cost of the same work in the Government Printing Office.

Mr. WIGGLESWORTH. Yes.

Mr. HOLMES. The gentleman must realize that the Government Printing Office pays no taxes and does not have to meet the various expenses that the private concern has to meet, which has an opportunity to do public printing, and when the gentleman says 20 percent, he will find that that average is not high, when we take into consideration the taxes and other expenses that a private concern has to undergo.

Mr. WIGGLESWORTH. I think the gentleman is probably correct. I think it is probably the stock argument of Government that work can be done more cheaply by the Government than it can be done outside. Because no consideration is given to the overhead expenses that a private concern must consider.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Yes.

Mr. CASE of South Dakota. And is it not also true, and was it not brought out in the committee, that some of this outside printing was of an emergency character, for which top prices are paid, whereas taking it in the long run, in the Government Printing Office, it figures on work that can be done during the time when a number of machines otherwise would be idle?

Mr. WIGGLESWORTH. That might also enter into the explanation. It seems curious, however, that private concerns of the highest standing, able and willing to do the required work at comparable prices, have not received consideration.

Mr. Chairman, I do not desire to take up more time. As the gentleman from Virginia [Mr. WOODRUM] has indicated, there is no substantial dispute in respect to the bill.

Members will find in the hearings a discussion of a new plan under the State Department for centralizing alien visa control, a plan said to have the approval of the Immigration Service, the F. B. I., the War and Navy Department Intelligence Services, and the President. It is a plan that the Department desires to adopt, with a view to better regulation of immigration, in the interest of national defense.

Members will also find in detail an explanation of the amounts allowed for the Coast Guard, and for the Bureau of the Mint, substantial items carried in the bill.

The testimony of the Commodity Credit Corporation will also be found in the hearings. The Committee has recommended an increase of $250,000 over the $2,000,000 previously allowed for administrative expenses, the increase coming out of the funds of the Corporation, and being due to an increase all along the line in the volume of the Corporation's work.

I call attention particularly to the estimate of losses by the Corporation up to April 30, 1941, based on the present market value of the commodities held by the Corporation. The total estimated loss as of that date is given as $155,000,000.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 5 additional minutes.

I do not think it is necessary to go into any of the other items unless there are some questions. They can be dealt with under the 5-minute rule.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BATES of Massachusetts. I note what the gentleman said about the Federal Works Agency going into his own district without any due notice to the Board of Assessors or other public officials in respect to building up these new defense-housing projects. I wonder why they do not consult with the local officials, especially in view of the fact that the Bureau of the Census a year ago made a complete survey of vacant tenements in all the cities of Massachusetts and throughout the country generally; and whether or not they are totally disregarding those vacant tenements, in the construction of these housing units, or what consideration they have given to those available vacant tenements?

Mr. WIGGLESWORTH. I will say to the gentleman that I hope it was an oversight. To me it is inconceivable that any Federal department should go into a local community to do work of this character without consulting with the local officials.

Mr. BATES of Massachusetts. In some of these communities, according to the Bureau of the Census, there is as high as 20 percent of all tenements vacant in some of the communities in that State. I hope the Federal Housing Department will take cognizance of that situation in every community.

Mr. WIGGLESWORTH. I cannot give the gentleman exact information. I may say, however, that I am advised in this instance that the reports of cooperative banks and savings and loan associations and a survey by the local area defense council indicate a very substantial number of available vacant dwelling units and furnished rooms which it is said would be suitable for the required purpose.

Mr. HOLMES. Mr. Chairman, will the gentlemen yield for a question?

Mr. WIGGLESWORTH. I yield.

Mr. HOLMES. I note on page 6 you make provision for what the chairman referred to a short time ago as $150,000,000 to the Federal Works Administration for housing. I would like to have the gentleman give me some information in connection with that item on page 3, under the heading "Independent agencies." I find there "for defense housing, an additional amount to enable the President of the United States to provide temporary shelter localities," a total sum of $15,000,000. Can the gentleman give me any light on that?

Mr. WIGGLESWORTH. The first item of $150,000,000 is for the more permanent character of housing under the

second Lanham Act. The second item of $15,000,000 is for housing of a temporary character partly in the form of trailers, extending the program for which $5,000,000 has previously been appropriated.

Mr. HOLMES. That is to be used entirely for temporary housing?

Mr. WIGGLESWORTH. Yes; including trailers, which have the advantage of mobility and cheap cost.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I take this time to ask a question or two of the chairman of the subcommittee.

Do I understand there is sufficient plan made whereby the provisions of the Wheeler-Case Act may be carried out with reference to water facilities in the West?

Mr. WOODRUM of Virginia. Yes; that is correct.

Mr. MURDOCK. There has been some hitch between the Department of the Interior and the Department of Agriculture as to these funds, but now that has been clarified?

Mr. WOODRUM of Virginia. It has been clarified in this bill.

Mr. MURDOCK. One further question: What is the relation between the Federal Housing Authority and defense housing? For instance, in the State of Arizona there are certain defense projects going forward, but at the same time there are certain slum-clearance projects going forward. Is there any coordination between the two?

Mr. WOODRUM of Virginia. There may be some coordination, but not necessarily any connection. There may be a slum-clearance project that has nothing whatsoever to do with defense housing; but, on the other hand, there may be some connection. I do not know without knowing further the facts to which the gentleman refers. The housing provided for here is strictly defense housing and has nothing whatever to do with the United States Housing Authority and the slum-clearance program.

Mr. MURDOCK. I thank the gentleman.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. REECE].

MOTHER'S DAY, MAY 11, 1941

Mr. REECE of Tennessee. Mr. Chairman, years ago, there lived in the little town of Grafton, W. Va., a woman so noble and so helpful to others that when she died her bereaved neighbors wished her memory to be forever perpetuated.

They were not quite sure how this could be done. A cold marble shaft was not enough. They wanted something truly symbolic of her great love, sympathy, compassion, and helpfulness. For this woman had been no ordinary person. To those who knew her best, she was a composite type embodying everything that was good and noble in a human being.

So, grief-stricken and in all humility, they pleaded with her daughter, Miss Anne Jarvis, to arrange some sort of a memorial in which all could take part.

Into Miss Jarvis' mind there leaped a God-given inspiration. What greater memorial to her mother than for all others to set aside one day each year in memory of their own mother?

Thus, Mr. Chairman, was born the idea for what you will agree with me is our greatest national holiday—Mother's Day.

Like a tidal wave, the idea swept across the land. Eventually, in May 1914, Congress designated the second Sunday in each May to be forever hallowed to the memory of our mothers, living and dead.

Next Sunday is Mother's Day. Everywhere flags will proudly unfurl to the Breeze. Wherever Americans may be—far over the seas, at work or at play in our bustling cities, hamlets, and rural districts, they will pause and remember with various degrees of emotion, that woman who has meant most to them in their lives; that priceless, precious, immortal soul who ventured down into the Valley of the Shadow of Death that they might live; the woman each of us calls mother.

Were I a poet or a master of oratory, I would ask for no greater moment in my life than to stand here and hold you briefly spellbound with sentences that would flood your mind with memories of this woman of all women and what she has meant to you.

As Kreisler handles a violin, I with stirring words would like nothing better from life than to make each one of us here remember our youth and the great and noble part our mothers had in shaping our futures. Of how she taught us the difference between right and wrong; implanted the seeds of courage and consideration of others into our hearts. How she fed our dreams, dried our tears, and healed our aches and pains. Beyond all things else, I would like to remind each one here what their mothers have meant to them in the past, the present, and mayhap the future to come.

Alas, I will have to leave that to others, as I endeavor to remind you of something else.

Although this coming Sunday is supposed to be a day of peace and contentment for all these mothers in the Nation, we assembled here today know full well that it will not be so.

All too well we know that as they receive the adulations and homage of their sons, a terrible thought will keep persistently gnawing at their hearts and minds—a thought that will require all their courage to hold back bitter, salty tears.

In their proud minds will be this peace-wrecking, harmony-devastating question, "Is this son of whom I am so vain soon to be sacrificed on the senseless, useless altar of war? Is this the last time I am ever again to see him whole—possessed of his arms, his legs, his eyes, and all his mental faculties? Is this perhaps the last time I am ever again to see him alive?"

Mr. Chairman, as a soldier in the American Expeditionary Forces of 1917, it was my lot to have spent two past Mother's Days on the sodden, gory battlefields of Europe.

Many of the events of those days are no longer very clear in my mind but I distinctly recall that I meditated long on the useless destructiveness about me. Ruefully I thought of my mother back among the peaceful hills of eastern Tennessee, and I asked myself, "Today, as I wear this flower from a battlefield in her memory, is she wondering whether she will soon have to wear a gold star in memory of her son?"

When the war-to-end-all-wars was over and democracy safely upheld again, I went back home to her. She wept a little in her great happiness before she asked questions of me or answered mine about her feelings on those two past Mother's Days.

Dreadful pictures and thoughts had flared into her mind on both those days. She had not only pictured me hanging bloody and mangled on cruel, barbed wire—she had also thought of me being torn to bits by screaming shells. Another picture had also kept coming to her—of some man whom I had never seen before and with whom I had no personal quarrel, repeatedly stabbing me with a vicious bayonet. Also, and infinitely worse—she wept for me during the nights at the horrible thought I might be lying on some desolate field, shattered, and gasping for water.

There is not much a man can say to his mother when she is recounting things like that, Mr. Chairman. You just sort of pat her on the back and say, "Now, now, mother, everything is all right, and I am home to stay."

No, there is not much a man can say, especially when he happens to be from the hills of Tennessee, because you know we are not overly emotional. Life has always been a struggle with plenty of grief.

But—and it is the biggest "but" I have ever used in my life—I took a solemn pledge right then and there that if the time ever came when I could prevent it, I would do everything in my power to keep other men's mothers here in America from ever having to see pictures like that on a Mother's Day or any other day.

It did not seem likely then that a time was coming when I would stand here on this floor as a Member of the House of Representatives. It did not seem possible that a time was coming when I might remember that pledge and be in a position where I might be able to raise my voice and plead for the peace of mind of American mothers throughout the land. But that moment seems to have come, and the memory of the past is spurring me hard.

We are living in terrible times. Once again Europe is wantonly squandering the blood of her men in one of her periodic wars. The same thing is taking place in dark Africa and far-away Asia.

Through no direct fault or desire of our common people, the sound of cannonading and the screech of falling bombs is drawing nearer to our shores, and I note with sorrow there are some among our leaders who are urging us to hurry out to meet the avalanche of death rather than wait to see if it can really travel this far

without exhausting itself, for wars are like forest fires, you know, whipped here and there by the winds of hate and lack of reason.

However, I have no intention of commenting on the right or wrong of these terrible things that are happening on the far side of the Atlantic and Pacific Oceans.

I know what war is fully as well as any man in this Chamber. I know how useless and vain and horrible and destructive it is.

I have lived long enough, seen enough, and read enough to know that sooner or later every war has to end where it should have first started from—around a peace table. I know that nobody ever wins a war; that millions of humble people must weep and mourn while a few others get rich, take consolation in following their unrestrained emotions—all this because of the greed and folly of a few who will not face logic or reason.

Sometime during this coming Sunday, when my colleagues will be wearing a flower in honor of their mothers, living or dead, I would suggest they spend one full minute asking themselves the following question: "While others round about me, lacking my terrible responsibilities, lose their heads in wild emotion, am I going to let words or actions of mine compel hundreds of thousands of American mothers to wear gold stars in memory of sons who must die on foreign battlefields?"

Mr. Chairman, I make that suggestion because I want to do all I can to ease the worries of American mothers during this coming holiday. I want to make it unnecessary for their happiness to be marred by imagining their sons in harrowing scenes such as my mother saw me in years ago in France.

Of all my acquaintances, out of all the mail I have gotten on this subject, I know of no mother who wishes her son to be sacrificed abroad for causes which they do not clearly understand and in which they have no personal interest other than great compassion for the sufferings of others.

But, Mr. Chairman, I have never met an American mother who would not only be proud to wear a gold star in memory of a son who had given his life over here to repel an invader from our shores but who would be prouder still to die at his side against such a common enemy.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I want to take this opportunity to urge the Members of the House to follow the advice of General Hershey, who is at the head of the draft.

I believe when the conscription bill was before us we made a great mistake in regard to the age limitation. At that time I urged that the maximum age be limited to 25 years. Since then the American Legion, the President of the United States, and General Hershey have all urged a lower limit on the maximum age, changing it from 36 to 25 years.

General Hershey has made various statements. At one time he urged setting the age from 21 to 25 years. The Associated Press of May 6 from Philadelphia says he favors draft exemption for men over 30 years. Everybody seems to be in accord, but I will say to my distinguished friend the majority leader that the Congress apparently is out of step or asleep at the switch. While the American people throughout the Nation, including the President, are demanding a change, the Congress is quiescent. In other words, it is doing nothing whatever. I think the Members of Congress are overwhelmingly in favor of reducing the age limit. It must be self-evident that a man between 30 and 36 is physically handicapped in the performance of strenuous war duties—just as a prize fighter has usually retired by 30. I do not think that the age limit should go below 21. If those between 18 and 21 want to volunteer, they should be encouraged. I doubt the wisdom of drafting boys below the legal voting age. I would make the age limit from 21 to 25. The reason for that is simple that at age 25, according to statistics, 50 percent of all men are married and at that time they have gotten into permanent jobs; certainly by 30 they are in some kind of permanent jobs. It is a great injustice and a great hardship upon those men to be called upon to sacrifice their jobs when they are not absolutely needed in the defense of their country. Those from 25 to 36 may be required, and have been required, to give up their jobs for 1 year, and they may not get those jobs back—and you know that many of them will not.

It might be necessary if we were in war and needed an army of 10,000,000 soldiers, and personally I think we shall need that vast number or more if we get into this war. However, there has been no green light or no go-ahead signal from the American people for our involvement in war. At least 80 percent or more of the American people are still against war. Meanwhile, if we do not need these men from 25 to 36 years of age, why continue these hardships, why continue this injustice? I cannot find anybody who wants to do it except some members of the Committee on Military Affairs, where action must be initiated. I do not know why they would not want to reduce the age limits except possibly from some pride of authorship. Well, if there is any pride of authorship let me say to the House that that bill in its original form was an abomination of desolation. That is a mild term for it. That bill as written called for taking in every male between 21 and 64 years of age and paying them $5 a month. Thank God the Congress wrote its own bill and passed a reasonable conscription bill. I voted for it once and voted against it the second time. I would gladly have voted for it the second time if the lower age limit of 25 had been in it instead of 36 or even if its life had been limited to 2 years instead of 5, so the next Congress would have something to say about the establishment of conscription as a permanent policy.

It seems to me that day after day as we hear of individuals and groups urging Congress to act that we should do so. The leader of the great majority party in the House, I know, wants justice done. The gentleman from Massachusetts [Mr. MCCORMACK] I am sure is not in favor of injustice or of imposing any kind of hardship on any American citizens when it is not necessary.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. MCCORMACK. The gentleman knows, of course, there is nothing the House can do until a bill is reported out of the committee. The gentleman has referred to that. Speaking for myself, speaking personally, I believe there is a great deal in what the gentleman says about going over a certain age. Whether the age should be 25 I am not prepared to say. Experience is a very good teacher and wise persons profit by experience. Expressing my own personal views, which I am glad to do, I believe, in the light of our experience to date, that the present maximum age is high for some of the reasons stated by the gentleman from New York, and for other reasons. I think one of the most important reasons is the question of intensive training, the ability of men, no matter how patriotic they are, the ability of men from a physical angle to put the required effort into the intensive training needed. In addition to that very important factor is the disturbance of the economic life of men above 25 whose lives are more or less planned on a basis laid for their further journey through life. My personal views are along this line, and if a bill comes out of the appropriate committee, then my jurisdiction, limited as it is, would come into operation and I would do everything I could to bring it up on the floor.

Mr. FISH. I am glad to have the gentleman from Massachusetts express such views. I am entirely in accord with him. I feel sure that if he would but express his views to certain members of the Military Affairs Committee he would get action in the immediate future.

Speaking of the proposition of exempting men over 30, General Hershey said:

> They are too settled after that age. They are past their physical peak, and others find it hard to learn new skills. That has been our experience in the draft to date.

When the matter was before the House originally, if I may be permitted to say so, I urged a limitation of 25 years, from my experience as a company commander in the last war. I told the House, although I have not time to go into it, that in any new war, as in the last war, I would not want any soldier in my outfit over 30 years of age. I do not know why the House compromised on 36, but I believe the reason that mistake was made was that it had taken it all the way down from 64, where it started, and thought it had done a pretty good job by halving it. Had it started at 45 we might have written into the bill a 25-year age limit. History proves that all wars in the last 150 years have been fought by boys between the ages of 18 and 25. The average has been 21 or 22. That was our experience in the Civil War and in the last World War, and that seems to be the universal experience of all wars in the last 150 years.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. FISH. Mr. Chairman, I hope none of the Members of Congress, particularly those on my side, will be at all alarmed, or that the American people will be at all alarmed, by the radio speech delivered last night by the Secretary of War, Henry L. Stimson, rightly called Wrong Horse Harry. There was nothing new in that speech. That was not a convoy speech. It was a war speech.

Henry L. Stimson has been consistently for war for the last year and a half, and this was his opportunity to try to persuade the American people that the time has come for convoys and war. He knows as well as we do that convoys mean war. The trouble with Mr. Stimson is that he is not satisfied to only have a war with Germany. He wants to take on other nations as well. He wants us to go to war with Japan, Italy, and Germany, all at the same time, and probably, if he continues his present interventionist course, that stumble-bum diplomacy of his, he will also take on Soviet Russia.

The following telegram is self-explanatory and reflects I believe the views of a vast majority of the American people:

PITTSBURGH, PA., *May 7, 1941.*

Hon. HAMILTON FISH,
House Office Building:

Stimson's address last evening bespeaks a determination to plunge our country into war through administrative policy in defiance of a power constitutionally delegated alone to the Congress and against the will of a vast majority of the people as reflected by every published test of public opinion. The salvation of this Nation therefore depends on your continued valiant and unselfish efforts against an involvement which forebodes the destruction of our own great democracy if we enter this war.

WILLIAM H. FOWLER.

Mr. Chairman, I want to ask every Member of Congress to read the Pulitzer prize-winning editorial of the New York Daily News, which I have received permission to place in the Appendix of the RECORD. This should be read by all people, particularly by those who have interventionist views, and above all I commend it to the Honorable Henry L. Stimson, Secretary of War, who now wants to use the Navy to get us into the war. What he has to say about the Army will come later when he will urge sending American boys to the shambles in China, Africa, and Europe. For the present he has taken it upon himself to deliver our Navy to a foreign country and to get us into war through the use of convoys, but he is not fooling the American people and the Congress. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, in connection with the question that has been raised as to the change in age for taking boys under the Selective Service Act, there is another observation I think should be made. If I may have the attention of the gentleman from New York [Mr. FISH] and the gentleman from Massachusetts [Mr. MCCORMACK], who participated in the colloquy on the subject, may I suggest that in addition to considering the top limit age at which men may be drawn under the selective service, attention also be given to reducing the period of reserve. The present law provides that after a man has been trained and has served his 1 year of active service he goes to the Reserve and is subject to call for an additional 10 years. That has all the elements of uncertainty that the present law has as far as the older men are concerned. It would seem unfair to those men who are past the age of 25 or 30 years, or whatever the new top limit may be, who have already been called and have served a year, to continue their eligibility for Reserve duty for an additional 10 years. If the top limit is changed with respect to call, something should be done also with respect to that 10-year period, especially for the older men.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 7 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, not by way of defense but merely for the purpose of keeping the record straight and the facts before the House, let me again call attention to the statement made by the gentleman from Georgia [Mr. RAMSPECK] on yesterday. He charged in effect, that the gentleman from Missouri [Mr. SHORT], who had preceded him, lacked faith in our people. No charge could possibly have less foundation.

Your attention is called to the fact—and it is a fact—that prior to the beginning of the last war the gentleman from Missouri [Mr. SHORT] was living in Stone County, Mo. At the beginning of that conflict, he volunteered with his two brothers and eight of his cousins and was inducted into service at Fort Sheridan, Ill.

It is a little unfair to indicate on the floor of this House that a man who volunteered and who served in the last war, as did the gentleman from Missouri [Mr. SHORT], lacks faith in our country, in our people, or in our institutions.

The gentleman from Georgia [Mr. RAMSPECK] stated—RECORD of May 6, page 3667—that the gentleman from Missouri [Mr. SHORT]—

stood on this floor and said that the United States of America was helpless in the face of aggression of the German nation.

The gentleman from Georgia [Mr. RAMSPECK] was in error in making that statement, for, if you will read the RECORD and the RECORD, as printed, is an accurate statement of what was said by the gentleman from Missouri, you will learn that what the gentleman from Missouri really said and the point he made was that this country of ours was not prepared—

at this hour to enter this conflict against the Axis Powers.

He further said:

Certainly, if we continue to give away all we produce or manufacture; spend our strength in fighting a foreign war instead of staying home, gearing up production to its maximum quantity, and making ourselves invincible to attack from any nation or combination of nations from abroad, then we, too, shall become bled white, weakened to the point where we no longer can defend ourselves.

He also said:

Mr. Chairman, we cannot get over there, and the people in Europe cannot get over here.

The gentleman from Missouri [Mr. SHORT] specifically stated:

The greatest service we could perform at this moment is to turn our thoughts and attention from war to the defense of our own Nation and the promotion of peace.

The gentleman from Missouri concluded his remarks with this statement:

When the shooting starts, I, as every other American, will bend every effort and do everything within my power to win the war, but until that war is declared, or the actual shooting begins, I shall—in spite of all threats, ridicule, or consequences of ignominious epithets hurled at me by any arrogant, intolerant, ambitious, or proud person—do everything within my power and reach to keep us at peace with the world and to keep this last citadel of freedom on earth still standing and intact. God bless America and help us with penetrating insight, broad vision, undying faith, and unconquerable courage to save this, our Republic.

Can anyone see that the foregoing remarks indicate anything other than a desire that our country bend her every energy toward national defense? There is not a word in the address of the gentleman from Missouri [Mr. SHORT] nor in it can there be found a thought, which indicates in any way a lack of willingness to defend our country; a lack of faith in our people; a fear that Hitler or any combination of Hitlers can defeat our country.

There is in that address a solemn, sound warning that, if we impetuously, foolishly, seek war and thrust ourselves into war at this time, the result may well bring us disaster. There is in that address an appeal to the common sense and the patriotism of every Member of this body; of every citizen of our Republic, to make every needed sacrifice to create here in America what every single man who has spoken on this floor says he desires—an impregnable Nation.

The foregoing has been stated by me, not because the gentleman from Missouri [Mr. SHORT] needs any defense from the charge made by the gentleman from Georgia [Mr. RAMSPECK], but because I, too, am one of those who believe in facing the facts; who before he would violate his promise so solemnly made, before voting for a measure which is another step toward war, would see our Nation prepared to defend itself, to meet what is certain to come when once the shooting war begins.

No, the gentleman from Missouri [Mr. SHORT] who, when this country once before engaged in war to make the world safe for democracy, knowing the danger, courageously and without hestitation, enlisted in the service of his country by volunteering, demonstrated that he was willing to follow where his country commanded, even though it meant the making of the supreme sacrifice, needs no defense by me to any charge that he lacks faith in his country.

He and all of us who would keep the faith, who would so act that our people may continue to rely upon our promises, know that we have the resources; we have

the men; we have the courage and the determination, and we have the faith to believe in our people and in their ability if we go about our business to prepare and to be prepared to meet any nation or combination of nations.

May we not hereafter in discussing the questions which will arise in this House and as tension grows and work and worry clouds our judgment and as feeling runs high, concede, each to the other, that all have but one desire—the preservation of our Nation—and that we differ only in the methods as to how our safety can be best insured.

I salute my colleague the gentleman from Missouri [Mr. SHORT]. I commend him for his honesty of statement, his sincerity, his patriotism, his moral courage in defying the wrath, the condemnation, the false charges of those who would involve us in this war—a courage which is as great as that which led him to volunteer his services and to serve this Nation in the first World War. [Applause.]

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I was very much interested in the humble statement of the distinguished majority leader when he assured the gentleman from New York that he would use his good offices in connection with certain suggested legislation. I am very happy that he is here today, for I should like to direct to him a similar request framed along slightly different lines, but which, in my opinion, has just as much importance as the projected change in legislation advocated by the distinguished gentleman from New York.

I have in mind suggesting to the distinguished majority leader that he use his good offices to carry out the program advocated by the Secretary of the Treasury that nondefense expenditures be reduced by about a billion dollars.

Mr. Chairman, I am very fond of my friend from Massachusetts. I am very appreciative of his ability and his persuasiveness. I know the power he wields, not only here in the House but with the executive branch of the Government. I know that the distinguished majority leader is called upon when the President has a program in mind, and that the President confers with the gentleman from Massachusetts on how that program can best be carried out.

In order that there may be consistency of purpose between the executive branch of the Government and this legislative body, in order that the will and the wish of the White House as expressed through the Treasury Department may be realized, I am wondering whether my friend the distinguished majority leader might not use his very persuasive abilities on his colleagues on the Democratic side of the House to bring about some of this economy that has been promised to the American people and that becomes very pertinent as we imagine what the tax bill is going to be.

I am interested in studying this report which comes to us in connection with this deficiency item. I pay my compliments to the distinguished gentleman from Virginia [Mr. WOODRUM] who is known as the field marshal of the economy forces on the Democratic side of the House. Were he able to have his way, I believe that economy would be a fact instead of a fiction.

May I remind the House today that a sum total of $608,100 was advocated and urged by the Budget, which is a part of the executive branch of the Government, for spending purposes over and above the amount the Committee on Appropriations actually approved.

Sooner or later we may as well tell the American people the truth, and the best time to tell it is right now before the tax bill comes. Since my friend the majority leader has so ably served on the Committee on Ways and Means, since he undoubtedly knows what this tax program is to be, and since he is chargeable, and his party with him, for the tax bill the American people must pay, I think the time is right at hand for him or somebody else on the majority side to tell us whether the tax bill we are about to get is a tax bill to continue the spending program which has been indulged in by the majority for 8 years. Is the profligacy and the extravagance, the excesses that we have had to bear for 8 long years to be continued? When will the majority show some concern for those upon whom the burden of taxation will fall?

Somebody has to pay this bill. The Republican Party is not responsible for it. All of this program lies definitely at the door of the majority. I can think of no more valiant, sincere, patriotic, wholesouled, and sacrificial service that can be rendered by the majority at the present time than to tell the people just where the responsibility rests for the privilege they are going to have in paying, not for the defense program of America, but for the extravagances and the profligacy and the waste of the last 8 years.

I had hoped that I might have from my distinguished majority friends some challenge to the statement I have made. I had hardly imagined that the declaration I have made to my friend from Massachusetts would go unanswered. I had hoped that he would ask me to yield, as he usually does, in a defensive effort.

It is not my purpose at this time to be unkind in my criticism. It is not my purpose to castigate. It is not my purpose to open old sores. I had hoped that some defensive word might be said, if not to explain, at least to excuse, to the American people this levy which is being made not upon the people of wealth but upon the wage earner of America to pay for this excursion—this wild excursion of extravagance lasting 8 long years.

These are nondefense expenditures in a great many instances which are suggested here. Thanks to my able friend from Virginia [Mr. WOODRUM], these excesses of the Budget Bureau have been cut. The Budget Bureau represents the executive branch of the Government. Thanks for men like our distinguished colleague the gentleman from Virginia [Mr. WOODRUM], who is willing to put a brake on this Budget Bureau. Were it not for a few men like him, God alone knows where this Budget would go. But let the people know where the responsibility rests; let them know that it does not rest with the legislative group alone. Let them know that it rests at the other end of Pennsylvania Avenue. Let them know that the executive branch is the one that is responsible for this tax bill when it comes. Let them know that the toil for taxpaying is a part of the administration's policy. Let them know that the talk of the Secretary of the Treasury will not reduce by a penny their tax bill.

The pennies that will be gathered by the taxpayers are the pennies that have been wasted, that have been frittered away, that have have been cast here, there, and elsewhere by the administration presently in power.

We have seen a great departure in the past 8 years from some of the homely philosophies we learned as boys. Some of us are old-fashioned enough to remember the days when in our copybooks, in learning to write, we had to write over and over again, "A penny saved is a penny earned."

We have had a distortion of that old, plain, homely, substantial philosophy. Instead of it being "A penny saved is a penny earned," it has become "A penny spent is a penny earned." Let us make saving a virtue again in our national life.

Now, in this hour of need, when the great reserve strength of America should be at hand, then it is that the belated cry is going up, "Save and save and save in order that the national defense be provided for." That cry would be more effective today had there been economy in the past, or any evidence of real economy in the executive branch of the Government today. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I feel very profoundly that it is important for the House of Representatives and the Congress of the Nation as a whole to keep its balanced judgment as nearly as it can in this period. For example, by way of comment on the speech just made, I should say that although I am sure every Member would agree that unnecessary expenditures should be avoided, there never was a time when it was as important as it is now for us to realize that national defense means the strengthening of all the sinews of the Nation in every part. It may be that by certain judicious expenditures of funds in order, for example, to employ otherwise idle men, you may strengthen those sinews and gain much more than a dollar in real value for the dollar spent.

What I asked the Chairman of the Committee to grant me this time for was to ask that we might take a sane and reasonable view of the situation with regard to the men that do the work of America.

We have got to remember that it is utterly impossible to carry forward this defense program without the men who do the actual work. We have got to remember that you can probably more easily replace a dozen people in supervisory positions today than you can replace one highly skilled mechanic, and I want to submit some evidence here on the other

side of the question from the one we hear discussed so much.

My first piece of evidence is taken from a release from the Bureau of Labor Statistics. It has to do with an agreement made on the west coast with regard to shipbuilding, and I shall read just a little of it. It says:

A master agreement involving all west-coast shipbuilding has been ratified by both employers and employees. Provision is made for a basic hourly wage of $1.12 for skilled mechanics and an 8-hour day and 40-hour week (Monday to Friday) with time and one-half pay on Saturdays and double pay on Sundays and holidays. The agreement is for 2 years or for the emergency, whichever is longer. Strikes and lock-outs are prohibited during this period, but wage changes may be negotiated. Thus, the incentive for labor pirating has been removed. This action points the way to the solution of one of the most difficult problems facing the Federal Government in 1917-18. The west-coast agreement was achieved voluntarily by the labor unions, both A. F. of L. and C. I. O., the shipbuilding employers, the United States Navy, the United States Maritime Commission, and the Office of Production Management. Conferences held in the Great Lakes, the Atlantic coast, and in the Gulf are attempting to work out similar master agreements.

For either 2 years or the period of the emergency, whichever is longer, this group of employers and employees has got together voluntarily, to say there shall be no strikes and no lock-outs. I think it is important for us to know about things like this and to say as much in praise of such constructive action as we possibly can.

In the second place, in the Washington Evening News, for Saturday, May 3, on an inside page, there is a little item that ought to have been on the front page. It has to do with a statement by Mr. Harry Lundeberg, who is president of the Seafarers' International Union, affiliated with the American Federation of Labor. Incidentally, Mr. Lundeberg has been a constructive leader of labor on the west coast for many years. I want to draw your attention to the statement that Mr. Lundeberg made and the attitude he expresses for the men who are liable to face greater dangers than anyone in America in the months that lie ahead.

Mr. Lundeberg says:

Our unions are ready to go along with the policy of the administration which in the last analysis is the wish of the people. We are part of the people and it's our duty. * * *

We know the dangers; * * * it was tough in the last war, but it's worse now. Then we had only submarines and mines; now we have dive bombers.

Sailors on battleships have a certain amount of protection; so do soldiers in battle. Merchant seamen have no protection at all except by convoys, and sometimes those work and sometimes they don't.

We manned ships without restriction in the last war. We're ready to do it again.

Courage like that is something you cannot legislate, and it would do some Members of Congress good to ponder on it.

The last example I want to give is a Statement of Policy, unanimously adopted by the general executive board of the United Rubber Workers of America, which was just sent to me by the president of that union.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. VOORHIS of California. This statement of policy is as follows:

STATEMENT OF POLICY UNANIMOUSLY ADOPTED ON APRIL 10, 1941 BY GENERAL EXECUTIVE BOARD, UNITED RUBBER WORKERS OF AMERICA

Whereas the very existence of our present Government is imperiled by the ominous events occurring abroad in the world today in its present poltical form, democracy, threatened with extinction; and

Whereas the right to organize workers into free and independent organizations such as our union is denied under any other poltical form of government; and instead in those nations dominated by political autarchy as exemplified by the so-called Axis Governments of Germany, Italy, and Japan and the Communist Government of the U. S. S. R., the attempt to organize workers is classified as a high crime punishable by imprisonment or death; and

Whereas notwithstanding or compromising in any part our condemnation of certain vested interests who have abused the privileges granted them under our Government, we affirm and restate our position of assisting the Government of the United States of America in its declared position to properly equip and defend this Nation and to assist those nations who are resisting the advance of totalitarianism, by supplying to these nations the implements of defense; and

Whereas certain reactionary elements in their shortsighted desire to injure the cause of labor are attempting under the guise of patriotism to bring about the enactment of laws denying to labor the constitutional guarantees and privileges, necessary for its protection and extension, among them the right to strike; and

Whereas our own experience in the few short years of our life as an international union have shown us that the right to strike was a right that imposed with it certain obligations to our democratic government and society and to our own membership in particular, so that we have considered it as a weapon of last resort and advised, cautioned, and imposed penalties against its unnecessary or capricious use (in proof of this the convention of this organization after due deliberation laid down certain hard and fast rules governing procedure in the event of the necessity of having to resort to a strike. These rules are laid down on the basis of the collective experience of our local unions and the international union. They are our expressed and printed word to the membership and the public generally as guarantees that the right to strike will only be invoked after all other reasonable and honorable means of settlement have failed, and then only providing that a large majority by secret ballot have decided such a drastic step is necessary); and

Whereas now more than ever the Government and the Public are entitled to a demonstration of responsibility as proof of the fact that no restrictive laws are required by the Congress, great care should be exercised by those in authority within our organization, to restrain the impetuous, no matter how provoked and to insist upon meticulous observance of rules of procedure governing the calling of strikes: Therefore be it

Resolved, That this general executive board notify all of our unions, employees, representatives, and officers that we must insist upon the strict observance of this section of the constitution and that deliberate violations of it will be met by quick and exemplary punishment to the offender; and be it further

Resolved, That where a strike would imperil the production of goods essential to the defense of this Nation or its Allies, that the international union be permitted sufficient opportunity to contact the agencies of Government to invoke their aid and assistance in preventing such strikes by removal or amelioration of the causes, and be it finally

Resolved, That the full text of this resolution be printed in the next edition of the United Rubber Worker as proof to our membership that the position of this general executive board is in conformity with the expressions of support for President Roosevelt and his foreign policy.

Respectfully submitted.

FRANK GRILLO,
General Secretary-Treasurer, for the General Executive Board, United Rubber Workers of America.

I think I need not elaborate the ardent sense of responsibility that pervades the whole document I have just read. Here is an international union requiring, in effect, that its locals give the international a chance to exhaust all mediation and other machinery in order to protect the defense program. Now I submit these things only for the purpose of indicating that within the responsible ranks of labor, and that is 95 percent of it at least, there are at work forces of the most patriotic and constructive nature, and to say that in my judgment it is fellows like these that are fighting the front-line battle against such communism and nazi-ism, and that therefore any attempt at legislation on the part of the Congress should only be done after men like these, whose example and efforts I have cited here today, have been fully advised and consulted, and until we know that whatever is done is going to strengthen their hands and not weaken them. [Applause.]

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I ask that the Clerk read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes, namely.

Mr. BENDER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BENDER: Page 1, line 4, after the word "supply", strike out the words "additional urgent" and insert the word "usual."

Mr. BENDER. Mr. Chairman, it seems that every time a deficiency bill or an appropriation bill is offered the words "emergency" or "additional urgent" are used, when, in fact, we ought to tell the truth and use the phrase "usual deficiency." We are in the habit of passing deficiency appropriation bills containing numerous items outside of the regular legislative deficiencies, and we label them "urgent." I am asking that this amendment be adopted substituting for the words "additional urgent" the word "usual."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SPARKMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4669, and had directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a speech made to the American Adjudicature Society by the Attorney General of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that I may extend the remarks I made today and include the full text of a resolution passed by the United Rubber Workers of America.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent also to extend my remarks in the RECORD and include a letter from a constituent.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks by including an article by Dr. John K. Rand on pacifism.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an extract from a letter I wrote to the Director of the National Office for Emergency Management, Executive Office of the President of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to extend the remarks I made today by including a report of the Social Security Board, and the State Unemployment Office of the State of Connecticut.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that after the special orders already set for today I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and include therein a speech made by Mr. Bibb Graves, and also an editorial from the Mobile Register.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next, after the conclusion of all legislative business and any other special orders, I may be permitted to speak for 10 minutes on the question of ccurage.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House the gentleman from Arizona [Mr. MURDOCK] is recognized for 10 minutes.

"STRAW MEN"

Mr. MURDOCK. Mr. Speaker, I did request of the House a few minutes ago a little time now after all other business for the day has been finished. I do not rise to speak on any pending bill or on any past bill, but to make known some of the thoughts that have been running through my mind for quite some time concerning debates.

I want to remind you gentlemen, especially if you have been out of school for many years, of some of the pranks we used to play as schoolboys, or at least as college boys. No doubt all of us remember having engaged in the pleasant pastime of debate. You may not think it now, but I debated more than a third of a century ago with able opponents.

This should be interesting to my Republican friends, because more than a third of a century ago I was a classmate of Glenn Frank, an outstanding leader of our Nation until recently—now deceased. Having met him in contest, I knew his ability. I have debated with him many times in student days at a school in northeast Missouri at Kirksville. I confess I attempted some of those pranks we boys used to pull in debate back in those days.

I refer particularly to the matter of the forensic trick known as the straw man. I do not need to explain it. All of us know about it. It simply means this: We college boys, in debate, not being able to produce the right amount of logic to refute our opponent, would resort to the straw-man trick. That is, we would put up a straw man, or a dummy, and try to make our judges and auditors believe that what we pictured in its worst possible form was what our opponents stood for.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I am sorry. I only have a few minutes.

Mr. HOFFMAN. Just for a question.

Mr. MURDOCK. Just for a question.

Mr. HOFFMAN. Is this deficit a straw man?

Mr. MURDOCK. No, indeed, it is not. But gentlemen have often used it trickily in debate as such. I will probably get to that in just a moment.

We school boys would put up a straw man and then we would proceed to bat the stuffing out of it, tear it all to pieces with great force and eloquence, of course, making it seem that thus we smashed the other fellow's case. Sometimes we were able to fool the audience into believing that the thing we knocked down was valid and really the main and only argument of our opponent. You know, that was a lot of fun.

I have seen it pulled not only in college debate, but I have seen that attempted in public discussions, especially between politicians of opposite political parties. If we should go back to a classic case, I would refer to that famous series of debates in Illinois in 1858, when Lincoln and Douglas indulged in a contest for the senatorship. I think it was at Ottawa, Ill., at which time Douglas spoke first. He put up a straw man and pretended that it was Lincoln's main argument. He tried to show the vast audience assembled that because Lincoln stood for the principles of equality, as enunciated in the Declaration of Independence, that Lincoln stood for all kinds of equality, and probably such social equality as would bring about intermarriage of the races. Lincoln showed up the fallacy and took the wind out of Judge Douglas' sails by this simple statement, as nearly as I can remember it:

> If I do not want a Negro woman for a slave, it does not necessarily follow that I do want her for a wife. I do not want her for either. Perhaps the Negro is not my equal in certain respects, but in the right to eat the bread which his own hands have earned he is my equal.

Lincoln took care of the situation pretty readily there, but it shows what will be done or attempted in political debate.

Now, this is what has been on my mind: In many of these public discussions in this Chamber I have sat here quietly trying to absorb it all, but time after time I have seen straw men put up by foes of the administration and batted down as if they were the main props and real foundations of the argument in the case. For instance, we were told, or it was implied, just a moment ago that the Democratic Party is to be charged with this: That during the last 8 or 9 years there has been the most extravagant, wasteful spending, with an evident design to plunge America into chaos of debt. In that case I assume the gentleman would have us believe that during the time balancing the Budget through saving money was the one paramount domestic issue. And, of course, all know this administration has not saved money. I contend that presentation is a straw man; that the paramount issue during the past 8 years has not been

saving money, but saving the life of our country. The American people are not fooled by this forensic trick.

Mr. DITTER. Mr. Speaker, will my distinguished friend yield?

Mr. MURDOCK. Well, I had another straw man or two I wanted to point out as emanating from across the aisle, and I fear my time is about to pass.

Mr. DITTER. Since the gentleman has referred to me, I think, out of his usual graciousness, he certainly would not refer to me and then refuse subsequently to yield.

Mr. MURDOCK. I hope the gentleman will be brief.

Mr. DITTER. I will try to be brief. The gentleman does not mean to imply that the increase in the national debt and the extraordinary tax bill we are about to have placed on our backs by the majority are in any way straw men. I feel that if he will inquire into the tax bill and if he will inquire of his constituents, he will find that they will very definitely, give him the impression that there is nothing straw about it.

Mr. MURDOCK. I will agree to that.

Mr. DITTER. That there is something very, very real and substantial about them.

Mr. MURDOCK. I will agree to that. The gentleman is exactly right; the taxes we are going to have to pay are not of straw; they are very real. I mean to imply that these very real things are often used in debate irrelevantly as straw men to condemn the administration.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I gladly yield to the majority leader.

Mr. McCORMACK. The straw man in the position taken by my very versatile friend from Pennsylvania, whom I profoundly admire, is the fact that he does not explain that in 1933 we had to take over a bankrupt Nation left by a Republican administration with millions of Americans starving, that the Republican administration would not spend one penny to relieve human suffering, that our banks were faced with closing, that the deposits of 20,000,000 Americans were in peril, that the family life of America was being threatened, the stability of our Nation depending upon a strong family life. The straw man is that he talks of debt but he does not say why the debt was incurred: To preserve the very basis of a strong society and a strong Government, the family life of America.

Mr. MURDOCK. The distinguished floor leader on the majority side has seen this in exactly its true light and expressed it much better than I could ever hope to. He sees the situation as it really was, as do many millions of Americans with memories.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I have only a minute left.

Mr. DITTER. My friend from Arizona has been most gracious at all times. Will he not be gracious at this time in order to afford me the opportunity of answering my versatile, amiable, and well-beloved majority leader?

Mr. MURDOCK. The gentleman from Pennsylvania is irresistible.

Mr. DITTER. I should like to remind the distinguished majority leader that, in spite of the long ago of 1933, the ghosts of W. P. A. come up to haunt the majority. The W. P. A. was not a matter of the making of 1933. All the leaf raking, all the other extravagances and excesses, all the rest of the profligacy did nothing to build family life nor the stability of the Nation. It only added one fearful chapter of shame—shame of the worst kind—to the magnificent record of American achievement.

Mr. MURDOCK. I feel that I must proceed unless my distinguished floor leader cares to reply, and that is good debating practice. I will again yield to him.

Mr. McCORMACK. Just to make the observation that my friend is to be congratulated on discussing the subject of straw men because my distinguished friend from Pennsylvania just gave another illustration of raising a straw-man argument.

Mr. MURDOCK. Now, Mr. Speaker, I cannot yield further, because I want to get on with my observations.

Mr. DITTER. Mr. Speaker, we have had a lot of straw in W. P. A., unfortunately—all too much chaff and not much in the way of real wheat.

Mr. MURDOCK. The gentleman from Pennsylvania will find over this vast country that even W. P. A. has created wealth as good as wheat, that the people are not starving, that they are more prosperous in their lives because of our endeavors during the past 8 years than they otherwise would have been.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona may proceed for 5 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. I yield.

Mr. DITTER. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona may have such time as he may desire as a result of his very gracious attitude in yielding so freely.

The SPEAKER pro tempore. The gentleman has already been granted 5 additional minutes.

Mr. McCORMACK. I just want to make this observation, entirely impersonal, but it grows out of the colloquy: It is rather interesting to have the gentleman from Pennsylvania place himself inferentially at least, to be kind to him in the RECORD, as condemning the W. P. A. Ninety-five percent of the beneficiaries of W. P. A. would take jobs tomorrow if they could get them. Ninety-nine and ninety-nine one-hundredths percent are real fine Americans, splendid people, the unfortunate victims of a depression. It is rather amazing to hear my kind-hearted friend inferentially condemn the money we have appropriated to save human beings from suffering and distress—American citizens, people of the North, East, South, and West, all good, fine American citizens, and, above all, the unfortunate victims of a condition over which they had no control.

Mr. MURDOCK. And the distinguished floor leader might have spoken of the C. C. C., the N. Y. A., and some other agencies that have helped save the country.

Mr. DITTER. Mr. Speaker, will not the gentleman from Arizona yield for just a brief answer to my friend from Massachusetts?

Mr. MURDOCK. I should like to proceed.

Mr. DITTER. Just one brief sentence. I ask the gentleman's further indulgence.

Mr. MURDOCK. Very well.

Mr. DITTER. I wish to say that, much as I would compliment the humanitarian spirit of my friend from Massachusetts, I do not in any way intend to permit him to claim for either his party or those associated with him a monopoly on the matter of the charities for the human needs of others.

I believe that we have just as great a soul, just as great a heart and just as great a concern as he has; but we do lament, sir, that the funds that should have gone for the needy suffering have been used by the majority party, not for the need of the suffering but for the advancement and the aggrandizement of purely political purposes.

Mr. MURDOCK. Mr. Speaker, that is another straw man. I have heard many, many times that in the expenditure of this money, it was expended solely for the purpose of getting votes, whereas generally, with mighty few exceptions, it was for the purpose of relieving human need.

Mr. McCORMACK. It is very interesting to note that the last observation made by our friend from Pennsylvania is an attempted alibi of his previous statement.

Mr. DITTER. That is hardly befitting the gentleman's ability.

Mr. MURDOCK. Mr. Speaker, we are all talking about the defense of our country. We say without regard to party that we will vote for every measure that will increase the safety of our country; yet, Mr. Speaker, time after time I have seen another straw man put up here. Every time the President has suggested a defense measure, whether it be a change in the neutrality law, or in the Selective Service Act, or whether it be the lease-lend bill, or the $7,000,000,000 appropriation to implement that bill, we have heard some gentlemen in this Chamber, also in the press and over the air, say: "The real issue is sending a second expeditionary force to Europe. The President intends to do that."

When they get up and say that, evidently with some conviction, there are millions of American people, especially millions of American mothers, who think that it really is true. And if not true, it is terribly cruel. The mere implication that such is the intent of the President is taken to be the real intent of the President and beclouds the real purpose of our action. That is a cruel straw man.

How many times have we heard men rise on this floor and picture the horrors of Dunkirk and the shores of Greece and say or imply that is what they are planning for our boys. It does not matter

that the President has said repeatedly he has no intention of sending our boys to Europe. I myself rely upon the President in this matter, and I join with any and all Congressmen to shield the President against any pressure which may be brought to bear to the contrary. Yet with this intent, put up as a straw man, the argument seems so logical that many people are persuaded that defense measures which are needed for the safety of America ought to be voted down.

In conclusion, Mr. Speaker, because I cannot mention all the dummy postulates put up as an excuse for fallacious arguments which I have heard in debate, I want to say that those I have thus touched on sketchingly will serve as examples of numerous others. Do not misunderstand my figurative language. I am not saying that the huge national debt or the heavy tax burden which confronts the American people is a matter of straw, and I am not saying nor implying for one moment that an American expeditionary force to Europe is a matter of no consequence, but I am saying that time and time again these dreadful things have spuriously been put up and used, as we college boys used to put up straw men to fool somebody. I have heard opponents of the administration bring out these false postulates, debate them at great length, and pretend that the things they were portraying were the very things which the administration chiefly considered, supported, or wanted. In that respect, such false issues are directly comparable to the straw men, or the debating dummies, which young college boys with more cleverness than logic resorted to in order to win a decision.

Again I affirm that in our domestic policy during the past 8 years the chief issue for which the administration has rightfully stood has not been the saving of money primarily but the saving of the very life of our people and the perpetuity of our free institutions. Again I affirm that in our foreign relations in this time of world struggle and hazard it has not been the design of the President to send our boys in a second American expeditionary force to the battlefields of Europe, but it has been the taking of every necessary step short of war to save our country, and incidentally the whole world, from the domination of brute force now about to engulf it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JACOBSEN (at the request of Mr. LE COMPTE), for 1 week, on account of personal business.

To Mr. DAVIS of Tennessee, for 2 days, on account of personal business.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 216. An act for the relief of A. B. Codrington;

S. 248. An act for the relief of John G. Hunter;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy;

S. 436. An act for the relief of Maximo Abrego;

S. 514. An act for the relief of R. Stern;

S. 788. An act for the relief of Noland Blass;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department; and

S. 1104. An act for the relief of William A. Wheeler.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 54 minutes p. m.), the House adjourned until tomorrow, Thursday, May 8, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Thursday, May 8: Lower Mississippi River; Gen. Max C. Tyler, president of the Mississippi River Commission, and Gen. Julian L. Schley, Chief of Engineers, on the lower Mississippi River and proposed modifications of the adopted project.

2. Friday, May 9: Proponents and representatives of the Corps of Engineers for the lower Mississippi River and tributaries other than the Arkansas, the White, the Red, and the St. Francis Rivers.

3. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

4. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

5. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Thursday, May 8, 1941, at 10:30 a. m., in the committee room.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Consideration of House Resolution 94 (LELAND M. FORD) and private bills Thursday, May 8, 1941.

COMMITTEE ON THE JUDICIARY

The special subcommittee on bankruptcy and reorganization of the Committee on the Judiciary will hold public hearings on H. R. 2673 (a bill proposing to amend the Municipal Bankruptcy Act, relating to preliminary stays), on Friday, May 9, 1941, at 10 a. m., in room 346, House Office Building.

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish-restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

515. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 20, 1941, submitting an interim report, together with accompanying papers and an illustration, on a preliminary examination and survey of Sacramento Valley, Calif., within the existing flood-control project authorized by the Flood Control Act approved June 22, 1936 (H. Doc. No. 205); to the Committee on Flood Control and ordered to be printed, with an illustration.

516. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1941, for the War Department, for the improvement of existing river and harbor works, amounting to $540,000 (H. Doc. No. 206); to the Committee on Appropriations and ordered to be printed.

517. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat; to the Committee on Naval Affairs.

518. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend section 12 (a) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Appropriations. H. R. 4669. A bill making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes; without amendment (Rept. No. 506). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 1062. A bill authorizing the Secretary of War to accept a gift of lands from the city of Tucson, Ariz.; without amendment (Rept. No. 507). Referred to the Committe of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. H. R. 4595. A bill to amend the Federal Crop Insurance Act; with amendment (Rept. No. 508). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4668) granting a pension to Joseph J. Mann, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 4670. A bill to establish a civilian air reserve, to be organized and trained by the War and Navy Departments, and for other

purposes; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. R. 4671. A bill to authorize a plant-protection force for naval shore establishments, and for other purposes; to the Committee on Naval Affairs.

By Mr. FOGARTY:

H. R. 4672. A bill to authorize postponement of payments of amounts payable to the United States by the Republic of Finland on its indebtedness under existing agreements between that Republic and the United States of America, dated May 1, 1923, May 23, 1932, and May 1, 1941; to the Committee on Ways and Means.

By Mr. IZAC:

H. R. 4673. A bill to provide for the advancement on the retired list of certain officers of the line of the United States Navy; to the Committee on Naval Affairs.

By Mr. STEAGALL:

H. R. 4674. A bill to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; to the Committee on Banking and Currency.

By Mr. TOLAN:

H. R. 4675. A bill to regulate private employment agencies engaged in interstate commerce; to the Committee on Labor.

By Mr. VINCENT of Kentucky:

H. R. 4676. A bill to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes; to the Committee on the Public Lands.

By Mr. VOORHIS of California:

H. R. 4677. A bill to provide more adequate credit facilities for independent small business, to encourage the return of private capital to commercial-investment channels, to discourage monopoly, and restore opportunity for the individual; to the Committee on Banking and Currency.

By Mr. BLOOM:

H. J. Res. 181. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941; to the Committee on Ways and Means.

By Mr. TOLAN:

H. J. Res. 182. Joint resolution authorizing executive departments to aid select and special committees of either House of the Congress; to the Committee on Expenditures in the Executive Departments.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Rhode Island, memorializing the President and the Congress of the United States to consider their resolution with reference to House bills 6 and 1019, concerning tax on all fuel oil for the generation of heat and power; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution with reference to taxes on incomes, inheritances, and gifts; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 4678. A bill for the relief of Mary S. Gay; to the Committee on Claims.

By Mr. BATES of Kentucky:

H. R. 4679. A bill for the relief of the dependents of James A. Fraley; to the Committee on Claims.

By Mr. CULKIN:

H. R. 4680. A bill granting an increase of pension to Harriett W. Cooke; to the Committee on Invalid Pensions.

By Mr. LELAND M. FORD:

H. R. 4681. A bill authorizing the President of the United States to present, in the name of Congress, a medal of honor to Charles A. McCoy; to the Committee on Military Affairs.

H. R. 4682. A bill for the relief of John D. Davis; to the Committee on War Claims.

By Mr. SASSCER:

H. R. 4683. A bill for the relief of Kenton L. Mullenax; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1002. By Mr. ENGLEBRIGHT: Senate Joint Resolution No. 15, relative to the improvement of the harbor at Crescent City, Calif.; to the Committee on Rivers and Harbors.

1003. Also, Assembly Joint Resolution No. 21, relating to conversion of fruit surpluses into alcohol; to the Committee on Agriculture.

1004. Also, Senate Joint Resolution No. 19, relative to memorializing the President and Congress to provide for the dredging of Bodega Bay and to reestablish harbor facilities thereat; to the Committee on Rivers and Harbors.

1005. Also, Assembly Joint Resolution No. 28, relative to encouragement of sugar-beet production in the United States; to the Committee on Agriculture.

1006. By Mr. FOGARTY: Memorial of the General Assembly of the State of Rhode Island and Providence Plantations, urging Congress to defeat two identical bills known as House bill 6, introduced by Representative BOLAND, of Pennsylvania, and House bill 1019, introduced by Representative FLANNERY, of Pennsylvania, which seek to place a 2-cent per gallon tax on the sale of fuel oil used for heating and for the generation of power; to the Committee on Ways and Means.

1007. Also, memorial of the General Assembly of the State of Rhode Island and Providence Plantations, urging Congress to pass the McNary bill (S. 869), to provide payment of annuities to blind persons; to the Committee on Banking and Currency.

1008. By Mr. GRAHAM: Petition of Butler County Assembly, No. 447, Slovak League of America, Inc., endorsing the recent address on the international situation by President Roosevelt as well as his address delivered to the Houses of Congress on the state of the Union; to the Committee on Foreign Affairs.

1009. By Mr. HARNESS: Petition signed by Paul H. Kutz, of Tipton, Ind., and 23 others, opposing Senate bill 860 and House bill 4000 on the ground that the enactment of these bills into law would establish an unwise and dangerous precedent and would be opposed to the general welfare of citizens of the several States and obstructive to the common defense of the United States; to the Committee on Military Affairs.

1010. By Mr. KRAMER: Petition of the Senate and the Assembly of the State of California asking that the United States Department of the Interior, fish and wildlife service, be memorialized to immediately adopt regulations permitting the feeding of migratory wild fowl on hunting clubs in the State of California for such period of time each year and under such regulations as may be advisable, and that provision be made by such fish and wildlife service for the raising by it of adequate quantities of grain or for the purchase of grain, if necessary, for the feeding of migratory wild fowl on wild-fowl refuges in this State; to the Committee on Interstate and Foreign Commerce.

1011. By Mr. O'NEAL: Petition of certain citizens of Louisville, Ky., opposing House bill 4000 and Senate bill 860; to the Committee on Military Affairs.

1012. By Mr. ROLPH: Petition of the State Lands Commission of the State of California, asking consideration of its resolution relating to position of the State of California with respect to submerged lands of California over which the United States of America proposes to assume jurisdiction; to the Committee on the Public Lands.

1013. By Mr. RUTHERFORD: Petition of sundry residents of Wayne County, Pa., opposing proposed legislation to restrict possession of firearms; to the Committee on the Judiciary.

1014. Also, resolution passed by the Presbytery of Lackawanna, Wilkes-Barre, Pa., urging Congress to amend or revise the Selective Service Act to provide living expenses for conscientious objectors while serving in the work camps which are a substitute for military camps; to the Committee on Military Affairs.

1015. By the SPEAKER: Petition of the class of 1896, New York University Medical Department, Dr. Hiram Williams, of Passaic, N. J., chairman, petitioning consideration of their resolution with reference to aid to Great Britain; to the Committee on Foreign Affairs.

SENATE

THURSDAY, MAY 8, 1941

Dr. Edward H. Pruden, pastor, First Baptist Church, Washington, D. C., offered the following prayer:

Our Father, we know that "the fear of the Lord is the beginning of wisdom," and at this noonday hour we look to Thee in deepest reverence and praise that Thou mayest grant to us that wisdom and understanding without which we cannot perform our duties intelligently or successfully. Confronted as we are with a world of confusion, may we look to Thee in every need, remembering that Thou art not only able to supply our needs but more anxious to grant our requests than we are to ask.

Give us, we pray Thee, the humble spirit, and may we, in the words of that wise man of old, be able to say, "Lord, I am as a little child; I know not how to go out or come in before this great people." May we be led by Thee in all things. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 7, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks,

announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4466. An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes; and

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Idaho [Mr. CLARK], the Senator from Colorado [Mr. JOHNSON], and the Senator from Georgia [Mr. RUSSELL] are unavoidably detained.

The Senator from Utah [Mr. THOMAS] is addressing the National Association of University Extension Directors in Oklahoma City, and is, therefore, necessarily absent.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

RESOLUTION OF MINNESOTA HOUSE OF REPRESENTATIVES ON THE DEATH OF SENATOR ERNEST LUNDEEN

Mr. SHIPSTEAD. Mr. President, I ask consent to have printed in the RECORD a resolution adopted by the Minnesota House of Representatives expressing the sorrow of that body and extending regrets and sympathy to the family of the late Senator Ernest Lundeen on his untimely death.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Almighty God, in His wisdom, called from this earth on August 31, 1940, the Honorable Ernest Lundeen, of Wayzata, Minn., who served as a Member of this House during the sessions of 1911 and 1931 and who later served as a Minnesota Representative in Congress and at the time of his death was serving as a United States Senator from Minnesota; and

Whereas he offered his life in the service of his country as a member of the Minnesota volunteers in the Spanish-American War; and

Whereas in his public life he was ever earnest and sincere and wholeheartedly devoted to the service of the best interest of the State and Nation; and

Whereas in his private life he was ever a kind and devoted friend and a gentleman in all his contacts with his fellowmen: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota, That it hereby expresses its regrets at his untimely death and expresses its deep sympathy to his bereaved family and that a copy of the resolution as adopted be sent to the family as a mark of our esteem and token of appreciation for the public services he rendered.

LAWRENCE W. HALL,
Speaker of the House of Representatives.

Adopted by the House of Representatives, the 23d of April, 1941.

HARRY L. ALLEN,
Chief Clerk, House of Representatives.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the convention of the Texas Cotton Ginners' Association, assembled at San Antonio, Tex., favoring the prompt enactment of legislation to curb the alleged attempts of certain labor leaders to gain advantage for labor at the expense of the Nation during the present period of emergency; to the Committee on Education and Labor.

A resolution of Local Union No. 101, United Brotherhood of Carpenters and Joiners of America, Baltimore, Md., favoring the enactment of legislation to set a definite amount of compensation per month for those persons who have attained the age of 60 years, and also that the sum allowed per month be in accordance with the American standard of living; to the Committee on Finance.

A resolution of the Council of the city of Los Angeles, Calif., requesting that the United States render necessary aid and supplies to the people of the Irish Free State; to the Committee on Foreign Relations.

By Mr. JOHNSON of California:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 42

"Relative to memorializing the United States Department of Interior, Fish and Wildlife Service, to permit controlled feeding of migratory wild fowl on hunting clubs in the State of California, and to provide for the feeding of grain on migratory wild-fowl refuges in this State, in order to relieve farmers from severe losses to grain crops caused annually by such wild fowl.

"Whereas the rice-growing area of California is concentrated in the counties of Butte, Sutter, Glenn, Colusa, and other counties in the general area wherein is situate, the Sacramento Valley Migratory Wild Fowl Refuge and the Gridley Migratory Wild Fowl Refuge, and in this area many thousands of acres of land are producing rice, wheat, and other grains in great quantities; and

"Whereas the annual migrations of wild fowl from Alaska and Canada down the Pacific coast and into California are on the increase; and

"Whereas, by regulation of the United States Department of the Interior, Fish and Wildlife Service, no feeding of grain in permitted on hunting clubs and insufficient feed for migratory wild fowl is found in this State, with the exception of the said Sacramento Valley area; and

"Whereas the millions of wild fowl in their annual flights to this State congregate in said Sacramento Valley area and are thereby causing vast and increasing damage to grain crops grown therein, due to the fact that such wild fowl cannot find feed elsewhere; and

"Whereas no provision is made by the United States Department of the Interior, Fish and Wildlife Service, for the raising of grain on wild-fowl refuges by such service or for the purchase of grain in lieu thereof so that migratory wild fowl will not leave such refuges to feed on grain crops of adjoining landowners; and

"Whereas the great flight of wild fowl now concentrated in said Sacramento Valley area could be scattered and spread out over a large portion of the State, particularly around the San Francisco Bay area and in the San Joaquin Valley, if feeding of grain were permitted on flooded areas in hunting clubs under a permit system or under such regulations as the Fish and Wildlife Service might adopt; and

"Whereas such diffusion of the flight of wild fowl brought about by said regulated feeding and land flooding would be of inestimable value to the farmers; and

"Whereas such feeding of wild fowl on hunting clubs and such diffusion of flight would not result in an increased killing of such fowl by sportsmen under proper regulations as to feeding and the enforcement of reasonable shooting restrictions; and

"Whereas, the California Farm Bureau Federation and other farm groups, together with Associated Sportsmen of California, have gone on record as favoring the adoption of a program by the United States Fish and Wildlife Service as herein set forth; and

"Whereas the migratory wild-fowl situation in California differs from the problem existing in other parts of the country and warrants regulations suitable to the peculiar situation existing in this State: Now, therefore, be it

"*Resolved by the assembly and senate, jointly*, That the United States Department of the Interior, Fish and Wildlife Service, be memorialized to immediately adopt regulations permitting the feeding of migratory wild fowl on hunting clubs in the State of California for such period of time each year and under such regulations as may be advisable, and that provision be made by such Fish and Wildlife Service for the raising by it of adequate quantities of grain or for the purchase of grain, if necessary, for the feeding of migratory wild fowl on wild-fowl refuges in this State; and be it further

"*Resolved*, That the chief clerk of the assembly is hereby requested to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the United States Department of the Interior, and to the Chief of the Fish and Wildlife Service, and to the Senators and Representatives from California in the Congress of the United States."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Agriculture and Forestry.)

By Mr. VANDENBERG:

A petition of sundry citizens of the Sixth Congressional District of Michigan, praying for adoption of the Townsend plan for old-age assistance; to the Committee on Finance.

A resolution of the Directors of the Manistee (Mich.) Board of Commerce, favoring the prompt enactment of legislation providing for development of the St. Lawrence River; to the Committee on Foreign Relations.

Petitions of sundry citizens of Oxford, Lake Orion, and Monroe County, Mich., praying

for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

LETTER FROM HIGHLAND PARK (MICH.) JUNIOR COLLEGE ON WAR AND THE INTERNATIONAL SITUATION

Mr. VANDENBERG. Mr. President, in the nature of a petition, I present a communication from the Student Council of the Highland Park Junior College at Highland Park, Mich., where, according to the covering letter, a very careful poll was taken of the students. From the letter I read this sentence:

The results, we feel, are fairly representative of all local attitudes prevailing, since our students are recruited from 75 schools in the greater Detroit area.

Differing from the Gallup poll, this presentation happens to include all the original ballots, so that one may inspect and intelligently conclude the value to be assessed to the referendum. I call attention to the fact that the students showed a 92 percent opposition to American entrance into the present World War. Sixty-four percent stated that they did not want war even if the defeat of England seemed imminent. Seventy-seven percent did not favor the use of American convoys; and 59 percent declined to aid Britain at the risk of war. I present the letter and exhibit as in the nature of a petition, for appropriate reference.

The VICE PRESIDENT. The letter and accompanying exhibit presented by the Senator from Michigan will be received and referred to the Committee on Foreign Relations.

SUPPRESSION OF VICE AND LIQUOR TRAFFIC IN VICINITY OF ARMY CAMPS—PETITIONS

Mr. CAPPER. Mr. President, I present for appropriate reference petitions from a number of Kansas citizens praying for the enactment of legislation to prohibit the sale of intoxicating liquors in or near Army training camps, and to provide for the suppression of vice in the vicinity of such camps. These petitions, bearing hundreds of signatures, are from residents of Minneapolis, Leonardville, Dickinson County, Redfield; from a dozen towns and communities in Greenwood County; from Bison; from Brown County; from Liberal, in the far southwest section of Kansas. They represent the earnest desire of a great majority of the people of Kansas that the sale of intoxicating liquors be prohibited in or near Army training camps, and that vice be suppressed in the vicinity of these camps—sentiments with which I heartily agree.

The VICE PRESIDENT. The petitions presented by the Senator from Kansas will be received and referred to the Committee on Military Affairs.

OPPOSITION TO PARTICIPATION IN WAR—MEMORIAL AND PETITION

Mr. NYE. Mr. President, I present a memorial signed by about 700 undergraduates of Princeton University, dated May 1, 1941, Princeton, N. J. The memorial reads as follows:

We, the undersigned, undergraduates of Princeton University, wish to register our protest against any use of the United States Navy for the purpose of convoying British ships during the present European war. We believe such convoying would place the United States actively in the war. We are utterly opposed to our military or naval participation in the defense of the British Empire.

I also present a petition, submitted by Mrs. Minnie E. Allen and other citizens, of Ames, Iowa, which prays for the enactment of Senate Concurrent Resolution 7, providing for an advisory war referendum.

I ask that the memorial and petition presented by me be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, it is so ordered.

FEDERAL PARTICIPATION IN GENERAL ASSISTANCE GRANTS

Mr. DAVIS. Mr. President, I present a letter from Ray E. Hutter, secretary of the Cumberland County Board of Assistance, calling attention to the fact that their experience in Pennsylvania indicates that participation in general relief would be much sounder, for the reason that it permits standardization of conflicting State statutes regarding settlement and residence.

I ask that the letter, together with a resolution passed by the Cumberland County Board of Assistance, be printed as a part of my remarks and referred to the Committee on Finance.

There being no objection, the letter and resolution were referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

CUMBERLAND COUNTY
BOARD OF ASSISTANCE,
Carlisle, Pa., May 6, 1941.

Hon. JAMES J. DAVIS,
United States Senate,
Washington, D. C.

DEAR SIR: Enclosed is a copy of a resolution adopted by the Cumberland County Board of Assistance.

The members of the Board hope that you will urge an amendment to the Social Security Act, as suggested in this resolution. This would be of great benefit to the people of Pennsylvania, both from the standpoint of taxation and the service offered by the Department of Public Assistance.

Respectfully yours,
RAY E. HUTTER,
Secretary, Cumberland County Board of Assistance.

[Enclosure.]

At a meeting of the Cumberland County Board of Assistance held April 29, 1941, the following resolution was adopted by unanimous vote:

"Whereas Pennsylvania has assumed full financial responsibility for general relief since January 1, 1938; and

"Whereas experience in Pennsylvania indicates that Federal participation in general relief would be much sounder for the reasons that it would permit standardization of the conflicting State statutes regarding settlement and residence, for equalizing the burden of care for migrant workers and their families, and ameliorate the hardships now confronting the worker who migrates for a legitimate reason and becomes destitute; and

"Whereas a general relief provision in the Federal Social Security Act would ease the heavy burden now shouldered by the few States which have accepted the responsibility of providing reasonably adequate care for destitute residents not cared for by other Federal programs, and would promote a reasonable degree of uniformity in general relief provisions throughout the country; and

"Whereas the Social Security Act provisions, with respect to old-age assistance, aid to dependent children, and aid to the blind, affect thousands of families whose need for help does not differ substantially from that of destitute families not covered by these programs; and

"Whereas Federal participation in the cost of general relief, accompanied by Federal leadership in establishing reasonably equitable and uniform standards of administration in all States, alone will insure adequate general relief, vocational training, and related activities which contribute to the strength and morale of the country: Be it

"*Resolved*, That the Cumberland County Board of Assistance favors the broadening of the Social Security Act to include general relief; and be it further

"*Resolved*, That a copy of this resolution be forwarded to all Pennsylvania Members of the two Houses of Congress in Washington, and to all other county boards of assistance."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HUGHES, from the Committee on Claims:

H. R. 327. A bill for the relief of Paula Liebau Anderson; without amendment (Rept. No. 265);

H. R. 336. A bill for the relief of Della B. Birnbaum; without amendment (Rept. No. 266);

H. R. 513. A bill for the relief of Paul T. Ward; without amendment (Rept. No. 267);

H. R. 682. A bill for the relief of Julius Springer; without amendment (Rept. No. 268);

H. R. 696. A bill for the relief of J. K. Love; without amendment (Rept. No. 269); and

H. R. 1678. A bill for the relief of W. A. Facht; without amendment (Rept. No. 270).

By Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs:

S. 1341. A bill authorizing a per capita payment of $10 each to the members of the Apache, Kiowa, and Comanche Indians in Oklahoma; with amendments (Rept. No. 271).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY:

S. 1477. A bill to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes; to the Committee on Commerce.

By Mr. LANGER:

S. 1478. A bill providing that no money due to persons in connection with national-defense contracts shall be detained by an officer of the United States except by injunction duly issued, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1479. A bill for the relief of Mary S. Gay; to the Committee on Claims.

By Mr. McCARRAN:

S. 1480. A bill to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended; to the Committee on Public Lands and Surveys.

By Mr. PEPPER (for himself and Mr. CLARK of Missouri):

S. 1481. A bill to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of

the Panama Canal; to the Committee on Interoceanic Canals.

By Mr. PEPPER:

S. 1482. A bill to provide for the retirement of any officer of the National Guard who has served an aggregate of 25 years in the National Guard and who has served as Chief of the Militia Bureau or Chief of the National Guard Bureau; to the Committee on Military Affairs.

By Mr. WALSH:

S. 1483. A bill to authorize the advancement of certain officers whose accomplishments have been outstanding; to the Committee on Naval Affairs.

WITHHOLDING OF MONEY ON NATIONAL-DEFENSE CONTRACTS

Mr. LANGER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I am preparing in support of Senate bill 1478, which I introduced earlier in the day.

The VICE PRESIDENT. Without objection, it is so ordered.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated.

H. R. 4466. An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes; to the Committee on Commerce.

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes; to the Committee on Appropriations.

SECRETARY OF LABOR FRANCIS PERKINS

Mr. BYRD. Mr. President, I have been requested by the American Legion, in a letter which I shall read, to insert in the CONGRESSIONAL RECORD the resolutions adopted by the national executive committee of the American Legion in Indianapolis on May 2. The letter is as follows:

MY DEAR SENATOR BYRD: Enclosed please find two resolutions adopted by the national executive committee meeting of the American Legion, on May 2, at Indianapolis, Ind.; one calling for the resignation of the Secretary of Labor and the other forbidding strikes and lock-outs in industries.

I shall appreciate very much if you will have these two read into the CONGRESSIONAL RECORD for the information of the Members of Congress.

JOHN THOMAS TAYLOR,
Director, National Legislative Committee, the American Legion, Washington, D. C.

The resolution on the subject of the resignation of the Secretary of Labor is as follows:

Whereas it is essential at this time of grave emergency that there should be no lack of complete confidence in any officer of the Government if we are to attain full unity of purpose in this Nation; and

Whereas it is becoming increasingly obvious that there is a growing lack of confidence on the part of the American people in the abilities of the present Secretary of Labor to fully exercise the high responsibilities of that office; and

Whereas it appears that as long as the present Secretary of Labor is in office there will continue to be trouble in defense industries: Now, therefore, be it

Resolved by the national executive committee of the American Legion, That it is the opinion of this organization that the cause of national unity in national defense will be best served by the tender and acceptance of the resignation of the present Secretary of Labor.

The other resolution on the subject of forbidding strikes and lock-outs in defense industries is as follows:

Whereas for 19 years the American Legion, representative of the veterans of the war of 1917–18, have advocated universal service if war should ever again be our Nation's lot; and

Whereas if this Nation is to be spared and our way of life is to continue our sacrifices must be universal. There are no private rights which transcend public safety. There are no material profits which cannot be recaptured, and there is no wage situation incapable of adjustment after the work is done: Now, therefore, be it

Resolved by the national executive committee of the American Legion, that we demand of the national administration and the Congress legislation forbidding strikes and lock-outs in national-defense industry during the period of this national emergency.

Mr. President, since I urged on the floor of the Senate on April 25 the resignation of Madam Perkins as Secretary of Labor I have received a large number of communications from every State in the Union, likewise resolutions adopted by local posts of the American Legion, Veterans of Foreign Wars, and numerous other organizations, as well as many editorials. These indicate to me an overwhelming sentiment on the part of the American people that Madam Perkins should be replaced as Secretary of Labor by one who has the courage, the inclination, and the capacity to meet the vital responsibilities that are placed upon the Secretary of Labor in the successful accomplishment of national preparedness.

I hope that what appears to be an overwhelming public sentiment will induce the President of the United States to request the resignation of Madam Perkins so that the Labor Department can be immediately reorganized to serve as an asset and helpful influence in our defense program.

Strikes today have closed more than 20 plants throughout the country engaged in important defense production, and other strikes are imminent.

In the past 3 months strikes in defense industries alone have lost 1,577,816 mandays of production. In this time lost 1,402,480 latest Garand rifles could have been manufactured, or more than 5,000,000,000 rounds of ammunition.

In this hour of national peril any official of the Government who has vital responsibilities to perform, and who has been incapable of meeting those responsibilities in an effective way, should give way to someone better equipped to perform such duties.

I ask that the resolution be referred to the Committee on Education and Labor.

The VICE PRESIDENT. The resolutions will be so referred.

TRIBUTE BY BISHOP A. FRANK SMITH TO THE LATE SENATOR SHEPPARD

Mr. ANDREWS. Mr. President, those of the Senate who attended the funeral ceremonies of the late Senator MORRIS SHEPPARD in Texarkana on May 12 will remember the very impressive, timely, and beautiful tribute paid to Senator SHEPPARD and his life by Bishop A. Frank Smith, of Texas. He reviewed the long, useful, public career of Senator SHEPPARD in such a way, in my judgment, as to leave a lasting impression on everyone present.

At my request, Bishop Smith subsequently reduced to writing his extemporaneous tribute, and it has reached me only in the last few days, too late to be brought to the attention of the Senate and placed in the RECORD at the recent memorial session of the Senate.

I now ask unanimous consent to present this tribute, and ask that it be printed in the RECORD, and, if possible, included in the permanent memorial to Senator SHEPPARD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

MORRIS SHEPPARD was born in old Wheatville, Morris County, Tex., in the northeastern section of the State, 66 years ago; he was educated in the public schools of the neighborhood, in the University of Texas, and in Yale University, from which he received his degree in law. In 1898 he settled in Texarkana, Tex., and entered into the practice of his profession. In October of 1902, in his twenty-eighth year, he was elected to the Congress of the United States, succeeding his father, who had died during his third term, as the Representative from the First Texas Congressional District. There followed 10 years of service in the House, after which he was elected to the Senate of the United States, by the State Legislature of Texas, succeeding the Honorable Joseph Weldon Bailey. Four times was he returned to this office through the suffrage of his fellow citizens, and when he came to the end of his earthly career on April 9, 1941, he was dean of the Congress by length of service, while in the respect and affection of his colleagues and of the citizenry of America no man was his superior.

MORRIS SHEPPARD was born well. The best blood of the Old South met in his veins; he was possessed of a graceful body, a vigorous intellect, and a winsome personality. He was reared in an atmosphere of culture, of mental awareness, and of solid Christian piety.

Early in life he revealed that he was possessed of a soul and a character to match his physical and mental gifts. There was not much of this world's goods in his boyhood home during those post-Civil War years, and young Morris had to gratify his desire for a college education by making his own way, which he did in conspicuous fashion; and while he met his own needs, and asked nothing of any man, at the same time he developed a high sense of obligation toward life and his fellow man. For him every privilege brought a commensurate responsibility and noblesse oblige became the law of his life. This became evident early in his public career and was increasingly manifest to the day of his death. The character of one of the great figures of all history is delineated in Holy Writ in this sentence: "David served his own generation by the will of God." In no fitter terms can the life of MORRIS SHEPPARD be pictured.

How well he served his own generation is attested by his amazing capacity for detail, which has been a tradition for a generation among his constituents whose needs he cared for without reserve, while his uncanny ability to feel the pulse of public opinion, and to voice the feelings of the average citizen demonstrated his ability to "walk with kings, nor lose the common touch," and accounted for the fact that "the people heard him gladly."

That MORRIS SHEPPARD conceived his service to his generation in terms of the will of God is revealed by the types of legislation in which he was particularly interested. Always he gave instant response to every proposal which sought to elevate the social and deepen the spiritual status of men and women. It was for this reason that he actively supported woman suffrage. It was not a popular cause when he became its ardent champion, but that made no difference to MORRIS SHEPPARD. He had passionate faith in the inherent dignity of personality, and he believed that woman had the right and the capacity to stand beside her brother and her father, her sweetheart and her husband as an enfranchised citizen of this land of ours. For the same reason he sponsored legislation giving maternity aid to needy mothers and looking toward the reduction of infant mortality.

The cause with which the name of MORRIS SHEPPARD will be most prominently linked, however, is the prohibition of the manufacture and sale of intoxicating liquor. He did not associate himself with this movement through any excess of crusading zeal—there was nothing of the professional reformer in the makeup of MORRIS SHEPPARD. He envisioned a social order freed of the things that pollute; he believed that man could do more and be more without liquor, and in keeping with this belief, he was himself a teetotaler all his life. He believed that salutary legislation was necessary to enable man to rid himself of liquor, and so he fathered the eighteenth amendment. When the pendulum swung, and the amendment was repealed, he did not change his convictions one whit, nor did he keep silent for the sake of political expediency. The political annals of this Nation reveal no more inspiring sight than that of MORRIS SHEPPARD, alone and unafraid, stumping Texas against repeal, not because he expected to stem the tide, but because a mere change in popular support of a measure was no ground for a change of conviction upon his part. Popular support had not led him to champion prohibition, and the lack of popular support did not lead him to abandon it, for with him—

"Right is right, since God is God,
And right the day must win,
To doubt would be disloyalty,
To falter would be sin."

And be it said, to the everlasting credit of Texas, he was returned to the Senate when next he stood for reelection by a tremendous majority. Men who differed from MORRIS SHEPPARD on this question and others voted for him consistently because their faith in his integrity outweighed any difference of judgment between them. When he stood upon the floor of the Senate each year that Congress was in session, upon the anniversary of the adoption of the eighteenth amendment, as he did from the beginning till his death, and raised his voice against the liquor traffic, it was not as a lone representative of a lost cause indulging in bitter memories and biting invectives. Rather was it as a watchman standing upon the walls, sounding the trumpet that proclaimed the coming of another day, for MORRIS SHEPPARD believed profoundly that the change in prohibition sentiment was but temporary, and that the tide was sure to turn once more, and he had the patience to bide his time. And some day, when the manhood of America has arisen to the moral stature envisioned by him, the Nation will hail him anew as a prophet ahead of his day and with his feet planted upon the imperishable foundations of human progress.

When Senator SHEPPARD lost a battle, he did not retire to his corner and sulk, neither did he refuse to play the game. He was one of the most loyal party men in the Congress; he never sacrificed principle to party expediency; he was always a Christian first, an American second, and then a Democrat; yet his party regularity made him one of the most valued men in national life. His friendly disposition, his boundless energy, and his genuine love for hard work enabled him to accomplish tasks beyond the grasp of most men.

It was this faithfulness to duty, and his determination to go the second mile with respect to every obligation laid upon him, that probably cut short his days in a service that ranks among the greatest of his life. It is the irony of history that MORRIS SHEPPARD, the most irenic of men, who abhorred war and all its accompaniments, and who could have struck hands with every human being and said "My brother," should have been called upon, as chairman of the Senate Military Affairs Committee, to give the closing years of his life to the task of arming America as no other nation in history has been armed. He gave himself to this task with complete devotion, directing the passage of the Selective Service Act and the lease-lend bill through the Senate, and cooperating with the military authorities in such fashion that Gen. George C. Marshall, Chief of Staff of the United States Army, is reported to have said that the present state of efficiency of the Military Establishment is due largely to his energy and vision. He was determined that America should be armed, not for territorial aggrandizement, nor in the name of spurious racial arrogance, but in order that America might be able to speak in terms the dictators could understand, and to cry in the name of suffering humanity and for the sake of all that is sacred in life, "Thou shalt not, in the name and through the power of God." And never did MORRIS SHEPPARD more accurately voice the spirit of his fellow countrymen than when he took this position.

Did you not know it for yourself, you would expect to be told that such a man as Senator SHEPPARD was a devout believer in God. His was an unfaltering personal trust that made religion a matter of daily living. He was a consistent churchman, an official member of the First Methodist Church of his home city for 40 years, and a regular attendant upon divine worship from Sunday to Sunday in his Washington church home. He was as much at home in the pulpit as upon the political forum, and his services were in constant demand in religious assemblies all over the land.

Never did his cleanliness of life and spiritual devotion rise to greater heights than in his domestic relations. Delicacy forbids that we should do more than lift the curtain for a moment, to reveal the rare understanding and love that pervaded the SHEPPARD home. In December of 1909, MORRIS SHEPPARD was married to Miss Lucile Ferguson Sanderson, of Texarkana, Tex., and it was in the holiest sense a union till "death shall us part." Three daughters were born of this union. Complete understanding and faith, based upon love in a Christian setting, ruled this household, and the wife and daughters reciprocated in full the boundless love the husband and father manifested toward them. From this haven the intrepid warrior went forth, inspired anew to battle for the rights of men. In their grief today these loved ones are sustained by their precious memories, and their sure hope of seeing again in the Father's house that one whom they have "loved long since and lost awhile."

It is a significant and appropriate coincidence that we shall lay MORRIS SHEPPARD'S body away upon the eve of Easter Sunday. Tomorrow the Christian world will celebrate the fact of the empty tomb and of the risen Christ, He who said: "Because I live, ye shall live also." In this faith Senator SHEPPARD lived, and in this faith he died. Only this week does a great religious weekly in America carry an article from his pen. Why I Believe in Personal Immortality, doubtless his last utterance upon a religious theme. We can no more think of the grave as confining such a spirit as this than we can think of the Judean tomb as being the end of the Carpenter of Nazareth. Because He lives, and for the same reason, MORRIS SHEPPARD lives.

We had not expected him to go so soon, and the Nation can ill afford to give him up, but we can believe that he had rather have gone in full stride than to have remained with a broken body, for life to him was service, and death but an entrance to a fuller existence. With Robert Louis Stevenson he could say, "Glad did I live, and gladly die, and I laid me down with a will."

When Mark Guy Pierce, the great British preacher, lay dying he gave directions for his funeral. "Bury me from the altar of my church," he said, "where I have seen multitudes 'bury the old man to be raised a new creature in Christ Jesus.' Do not play the Dead March; play the Gloria. Pull out all the stops on the organ and sing, 'Praise God,' and I shall be singing with you." So would MORRIS SHEPPARD have given directions for his funeral could he have spoken, and it is not difficult to believe that we can hear him singing even now, with the great multitude of the redeemed, the song of Moses and the Lamb.

In a few moments we will return the remains of MORRIS SHEPPARD to the earth from which it came. The soil of his beloved Texas will hold his body in tender embrace "till the trumpet of the Lord shall sound and time shall be no more," but MORRIS SHEPPARD will not be there. Having cast aside the body which served him so well in this physical world, he has entered a fairer realm, where, possessed of a spiritual body, his indomitable will and tireless energy will be driving him on to serve, in that land, as here, "his generation by the will of God," for he is one of whom the seer wrote: "They who have earned the right shall enter in through the gates into the city, and they shall see God face to face, and his name shall be in their foreheads. There shall be no night there; and they need no candle, neither light of the sun; for the Lord God giveth them light; and they shall reign forever and forever."

CONVOYS—ADDRESS BY SENATOR NYE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address delivered by Senator NYE on Wednesday, May 7, 1941, on the subject No Convoys; No War, which appears in the Appendix.]

NO FURTHER WITHOUT WAR—ADDRESS BY SENATOR NYE

[Mr. NYE asked and obtained leave to have printed in the RECORD an address delivered by him on Saturday, May 3, 1941, on the subject No Further Without War, which appears in the Appendix.]

ADDRESS BY SENATOR McCARRAN ON LONGEVITY BILL FOR POSTAL EMPLOYEES

[Mr. McCARRAN asked and obtained leave to have printed in the RECORD a radio address delivered by him on the postal employees longevity pay bill, on May 2, 1941, which appears in the Appendix.]

AMERICA—ADDRESS BY SENATOR BROOKS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an address delivered by him before the Chamber of Commerce of the United States on May 5, 1941, with the introductory remarks by James Kemper, president of the chamber of commerce, which appear in the Appendix.]

AID TO BRITAIN—ADDRESS BY SECRETARY OF WAR STIMSON

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio

address delivered by Hon. Henry L. Stimson, Secretary of War, on Tuesday, May 6, 1941, on the subject of aid to Britain, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR SHEPPARD BY DR. CLINTON N. HOWARD

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial on the late Senator Morris Sheppard, written by Dr. Clinton N. Howard and published in The Progress, which appears in the Appendix.]

BROADCASTING REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a statement by James L. Fly, chairman of the Federal Communications Commission, dealing with broadcasting regulations of the Federal Communications Commission, which appears in the Appendix.]

EDITORIAL FROM WASHINGTON POST ON CHAIN BROADCASTING

[Mr. LEE asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of May 8, 1941, entitled "Chain Broadcasting," which appears in the Appendix.]

ARTICLE BY DAVID LAWRENCE ON NEW BROADCASTING REGULATIONS

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an article by David Lawrence, published in the Evening Star of Washington, D. C., of May 7, regarding the recent broadcasting regulation of the Federal Communications Commission, which appears in the Appendix.]

IS AMERICA TO GO TO WAR—EDITORIAL FROM CHICAGO TRIBUNE

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an editorial from the Chicago Daily Tribune of May 5, 1941, entitled "Is America To Go to War," which appears in the Appendix.]

EDITORIAL FROM THE WASHINGTON TIMES-HERALD ON SECRETARY STIMSON'S SPEECH.

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial from the Washington Times-Herald of May 8, 1941, entitled "Our Secretary of War Outlines Our Naval Policy," which appears in the Appendix.]

PARTICIPATION OF THE UNITED STATES IN WAR

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD a letter from Kenneth B. Walton, of Atlantic City, N. J., and an editorial from The Dartmouth, newspaper of Dartmouth College, which appear in the Appendix.]

EDITORIALS FROM MINNESOTA LABOR ADVOCATE, PORTLAND (OREG.) JOURNAL, AND SALEM (OREG.) CAPITAL PRESS

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an editorial from the Minnesota Labor Advocate; one from the Portland (Oreg.) Journal; and one from the Capital Press of Salem, Oreg., which appear in the Appendix.]

ARTICLE BY GEORGE D. RILEY ON BRITISH AND AMERICAN CIVIL SERVICE PLANS

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an article by George D. Riley on British and American Civil Service plans, which appears in the Appendix.]

NOTICE OF HEARING ON NOMINATION OF HON. SHERMAN MINTON

Mr. HATCH. Mr. President, recently the Senate Committee on the Judiciary adopted a rule relating to judicial nominations. According to that rule, an opportunity to be heard must be given to anyone who desires to be heard either in behalf of or against a nomination for judge. Under that rule it is also required that 7 days' notice shall be given and published in the RECORD before the time of hearing.

In compliance with that rule of our committee, I now desire to make the following announcement:

The Committee on the Judiciary has received the nomination of Hon. Sherman Minton, of Indiana, to be judge of the Circuit Court of Appeals for the Seventh Circuit. As chairman of the subcommittee considering this nomination, and as required by rule I, which I have just mentioned, I announce that Thursday, May 15, has been set as the time for hearing this nomination in the Judiciary Committee room, at which hearing all interested parties will be given an opportunity to be heard. The hearing will be held at the hour of 10 o'clock in the morning. I may further say that the date set is the earliest possible date we could set and at the same time comply with the rule.

SENATOR FROM WEST VIRGINIA

Mr. CONNALLY. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 106, the resolution proposing the seating of a Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the resolution (S. Res. 106) seating Joseph Rosier as a Senator from the State of West Virginia, which is as follows:

Resolved, That Joseph Rosier, appointed by the Governor of West Virginia on January 13, 1941, to fill the vacancy created by the resignation from the Senate of the Honorable Matthew M. Neely, is entitled to be admitted to a seat as a Senator from West Virginia.

Mr. CONNALLY. Mr. President, the pending resolution relates to the controversy over the appointment by the Governor of West Virginia of a Senator of the United States to succeed former Senator Matthew M. Neely, who vacated his seat in the Senate by resignation.

As all Senators know, section 5 of article I of the Constitution provides:

Each House shall be the judge of the elections, returns, and qualifications of its own Members, and a majority of each shall constitute a quorum to do business.

Mr. President, that grant of authority to the Senate to pass upon the qualifications and eligibility of its membership is a very high and responsible power, and the Senate in exercising that power, of course, ought to, and I am sure will be extremely careful that its action and its decision shall be influenced only by the law and the constitutional provisions, and that no element of prejudice or personal pique, or personal fondness on the one hand, or aversion on the other hand, or even political or party considerations, should operate to influence the mind or the vote of any Senator. I am assuming, Mr. President, that that is true, and I make no charges that any other considerations or any other influences than those I have mentioned will operate upon the mind of any Senator, because to me it is inconceivable that any Senator conscious of his own responsibility to his particular constituency, and conscious of that high responsibility to the country and to the Constitution which we have sworn to uphold, would lightly regard the discharge of this high function of selecting, in a way, and passing upon the title of those who sit in this Chamber.

The seventeenth amendment to the Constitution providing for the election of Senators—I shall not read it all—is well known to every Senator, but for the benefit of the RECORD it might be well to remind Senators that a portion of the seventeenth amendment reads as follows:

When vacancies happen——

I would pause a moment at the word "happen" because its construction and what it means will probably take on some little importance in the later discussion of this resolution——

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

Therefore there is not entire uniformity among the States as to the methods adopted by the legislature with respect to the authority conferred upon the governor. But in the State of West Virginia the State laws provide that when the vacancy is for a shorter period than 2 years and 6 months in the Senate, the governor may appoint for the remainder of the term, or may fill the vacancy. So in this case there is no difficulty in that regard.

The controversy arises from this sort of a situation. Governor Homer A. Holt was the Governor of West Virginia, whose term expired on the 12th day of January, as I recall. There is some contention that it lapped over a few minutes, or a few seconds, by an eyelash, a sort of a photographic finish, as it were, into the 13th of January, but under the law his term of office was to expire on the 12th day of January 1941.

Governor Holt and former Senator Neely were not politically friendly. By that I mean that in West Virginia there are two Democratic factions, Governor Holt belonging to one and former Senator Neely belonging to the other. Each was very anxious to appoint a Senator, for reasons that were satisfactory unto themselves. Senator Neely under a law in West Virginia—under the belief that there was such a law—formally resigned as United States Senator in a written resignation which he filed with Governor Holt. The reason for that action was that there is a statute in West Virginia providing that no State officer can perform the functions of the State office while holding any other office. In other words, he must be free to assume the office without holding another office.

Senator Neely's resignation provided that the resignation was to become effective exactly at midnight of the 12th-13th of January, the midnight intervening between those two dates. Prior, however, to the filing of the resignation by Senator Neely, Governor Holt was informed of the proposed resignation—the question having been raised during the campaign for governor in West Virginia, and having been somewhat a political issue—Governor Holt having been informed that Senator Neely was to resign, before the resignation had been filed with him undertook to fill the vacancy by a written appointment of Clarence E. Martin, the terms of that appointment being that the appointment was to fill any vacancy which might occur, no time having been fixed, because the resignation had not been filed, but Governor Holt undertook to make at least a prospective appointment effective whenever and however a vacancy in the United States Senatorship should occur. Later on we will discuss that question.

The committee concluded, and I think with good reason, that no prospective appointment can be made to take effect after the term of the appointing officer shall have expired, for a very sound reason, because if the word "happen" means anything it means that when the vacancy happens, whoever the authority is that has the power to fill the vacancy shall be entitled to make the appointment. In other words, he cannot project far into the future and fill a vacancy which, when it occurs, the man who is then in office has the power to fill.

It was on the 10th of January that Governor Holt undertook to make that prospective appointment. In the meantime Senator Neely's resignation reached the Governor, in which he resigned effective at exactly midnight, 12 o'clock on the midnight between the 12th and the 13th. Thereupon, on January 11, Governor Holt undertook to make another appointment of Mr. Martin. In that case he provided that this appointment is to take effect upon the effectiveness of the resignation of Senator Neely; that whenever his resignation was effective then this appointment should take effect. The committee concluded, which we will develop a little more fully later, that that appointment was not effective, because it was also prospective, and would have taken effect at a time when Governor Holt would no longer have been in office.

When midnight of the 12th–13th arrived each of the Governors, the outgoing Governor and the incoming Governor, showing a remarkable zeal for the performance of the duties and functions of their office, were up at 12 o'clock exactly. [Laughter.] They were up that night at 12 o'clock exactly.

So that we may chronologically keep matters in order, I will say that there is a law in West Virginia providing that no State officer may assume the duties of the office unless on or before the assumption of the office he shall have taken an oath which is prescribed in the statute. Senator Neely, at 11:35, 25 minutes before the arrival of midnight, acting, as he asserted, upon the authority conferred by that statute, took a qualifying oath as Governor. At 11:45 he took another oath, qualifying him, making him eligible for Governor.

Then, upon the arrival of 12 o'clock, Governor Neely took another oath as rapidly as he could take the oath. In the meantime, it is the contention of the Governor Holt faction and those who support the appointment of Judge Martin that when 12 o'clock arrived Governor Holt had anticipated the situation and had already prepared and written out a formal appointment, and that all he had to do was to write his signature on it; that he could write his signature more rapidly than Governor Neely could take the oath of office as Governor, and that therefore, in that little twilight zone of a fraction of a second, to be determined astronomically rather than legally or by any particular statutory fixing of the time, Governor Holt had the right to appoint the Senator, on the theory that under the law of West Virginia outgoing officers serve until their successors qualify, and that the successors may not qualify until they take the oath of office.

I do not care to consume a great deal of time, because most of the debate will probably be developed later by questions and answers. I wish to state in general outline the conclusions of the committee.

First, the committee concluded that the anticipatory or prospective appointments by Governor Holt were not valid, for the reason that they were to take effect after the expiration of his term of office.

There are some Senate precedents with relation to matters of that kind prior to the adoption of the seventeenth amendment, but there is no precedent for this particular case. Prospective appointments have been made before a Senator's term actually expired; but, as I now recall, in every case—with possibly one exception—the vacancy finally occurred within the term of the Governor who made the prospective appointment. So the committee concluded that the prospective appointments were invalid.

The question finally resolved itself into the simple question as to when the term of Governor Neely began and when the term of Governor Holt ended. The Constitution of the State of West Virginia provides that the Governor shall hold office for 4 years, and that the incoming official shall qualify on or before the first Monday after the second Wednesday in January. The point I am trying to make is that the term of office is not an absolutely mathematical 4 years. It is approximately 4 years; but the termination of the 4 years is definitely fixed by the first Monday after the second Wednesday in January. So there is no controversy between the contestants on that point. They both agree that under the law the term of the outgoing Governor ended at 12 o'clock, and that the term of the new Governor began at 12 o'clock.

The committee also concluded that Governor Neely had to possess a number of qualifications to be Governor. First, he had to be a candidate. Then he had to be elected by the people. Then, under the West Virginia law, the legislature had to canvass the returns and certify the results. All those things were necessary to his eligibility.

The committee also concluded that the taking of the oath was simply another process through which he must pass, under West Virginia law, to assume the duties of the governorship.

The committee also concluded that if there had been no statute requiring an oath, he would not have had to take the oath, but would have been elected Governor, and instantaneously and automatically upon the arrival of 12 o'clock he would have been translated from a Senator into a Governor by the same process, just as Senators who are appointed to other positions frequently do not resign, or, if they do, they resign effective upon their taking the other appointment. They are Senators today and judges tomorrow—at least I hope some of them will be. [Laughter.]

What I am trying to say is that there is no interregnum. There is simply a translation from one office into the other; and with the assumption of the duties of the second office the first office is automatically vacated.

We concluded that Governor Neely would have been Governor instantly and automatically at 12 o'clock without taking any oath, except for the statutory requirement that he take an oath. The very statute which requires that he take an oath provides that he may take the oath before assuming the office. So we concluded that when he took the oath at 11:45—not because he was assuming the office at 11:45 but because he was going through one of the processes necessary to make him eligible to assume the office upon the arrival of 12 o'clock—that oath, under the West Virginia statute, was sufficient.

There is a case in West Virginia construing that statute. I refer to the case of Conley against Thompson. In that case the court said:

> Under our constitution and laws an officer holds over until his successor is elected and qualifies; and when the public interest demands, he may even be compelled to continue in office that a hiatus therein may not be created.

Following that line of argument, the court then said:

> As suggested in the argument, we think we may take judicial notice that it has been the custom in this State for elective or appointive officers to qualify by taking the required oath and giving bond before the beginning of their terms of office.

The taking of the oath is simply a qualification for eligibility, just as becoming a candidate is a necessary prerequisite, just as submitting himself to the voters in an election is a necessary step in order to qualify a candidate as Governor. So the committee decided that in view of the oaths of Governor Neely, taken prior to the arrival of 12 o'clock, upon the arrival of 12 o'clock he instantly became Governor of the State of West Virginia. Consequently, becoming Governor at exactly 12 o'clock, the vacation of the senatorship having occurred instantaneously therewith, his appointment of Dr. Rosier at any time after 12 o'clock was legal and valid.

On the other hand, it was contended that under the statute which says that State officers may continue in office until their successors are qualified, the outgoing Governor held over for the few seconds which were necessary to write his name. There is a constitutional provision in West Virginia as to officers holding over, and I shall read it to the Senate.

Article IV, section 6, of the West Virginia Constitution provides as follows:

All officers elected or appointed under this constitution may, unless in cases herein otherwise provided, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws; and unless so removed they shall continue to discharge the duties of their respective offices until their successors are elected or appointed and qualified.

Under that grant of authority to the legislature, the legislature enacted section 307 of the West Virginia Code, which provides as follows:

The term of every officer shall continue (unless the office be vacated by death, resignation, removal from office, or otherwise) until his successor is elected or appointed and shall have qualified.

Those are the statutes, and that is the constitutional provision upon which the supporters of Mr. Martin insist that Governor Neely had to take an oath of office, and that he could not take it until after 12 o'clock. That provision is of general application to all State officers; but in the constitution of West Virginia there is a special provision relating to the tenure of the Governor, and I will read it.

Article VII, section 16, of the West Virginia Constitution contains a specific provision relating to succession to the office of Governor in case of a hiatus in that office resulting from "failure to qualify." The provision is as follows:

SEC. 16. In case of the death, conviction on impeachment, failure to qualify—

Right there, I desire to suggest that the only possible basis upon which Governor Holt can contend that he held over is that at the time he undertook to make the other appointment Mr. Neely had failed to qualify—

failure to qualify, resignation, or other disability of the Governor, the president of the senate shall act as Governor until the vacancy is filled, or the disability removed; and if the president of the senate, for any of the above-named causes, shall become incapable of performing the duties of Governor the same shall devolve upon the speaker of the house of delegates; and in all other cases where there is no one to act as Governor, one shall be chosen by joint vote of the legislature.

That, being a special constitutional provision relating to the governorship, lifts it out, according to our contention, of the general constitutional provision which relates to all State officers in general; and the courts of West Virginia have so held.

In the case of *Carr* v. *Wilson* (32 W. Va.), this provision was construed to be an exception to the general hold-over rule. The court there said:

And, as to the general rule that all officers shall hold over until their successors are qualified that being a general rule would yield to a clause providing otherwise as to a particular officer, for instance, Governor, as there would be as to that officer, a provision applicable only to him, and as to him that particular provision would govern his particular case.

On search—

The court further says—

we find that section 16, article VII, of the constitution does, to the extent therein provided, take him out of the general rule by the language: "In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the president of the senate shall act as Governor until the vacancy is filled or the disability removed."

The court says:

I should say that under this provision, if General Goff—

This was a contest in West Virginia—

if General Goff had been declared upon the face of the returns elected and had failed to qualify—

That is the contention here—that Neely had been elected but had not qualified instantly upon the arrival of 12 o'clock. The court said:

if General Goff had been declared upon the face of the returns elected and had failed to qualify, the president of the senate would act as Governor, ousting Governor Wilson, for here would be a failure to qualify by the Governor elected and so declared, and under the language quoted, the president of the senate would come in. But the president of the senate can come into office of Governor, or rather, act as Governor, temporarily as president of the senate, only on the contingency—

And so forth, and so on.

If Governor Holt had any authority to hold over even for the split fraction of a second, it was because the man elected had then, at that moment, failed to qualify; and under this provision the president of the senate, upon the failure of the incoming Governor to qualify, would be authorized to act as Governor.

I think all Members of the Senate will agree that there cannot be two men—both the outgoing Governor and the president of the senate—who can have authority to act as Governor in such a contingency. There cannot be two. There is no double-headed arrangement. One or the other, either the outgoing Governor or the president of the senate, must first have the opportunity to take up the functions of the governorship. If there were two of them, there might be a situation in which each one of them would be seeing how fast he could get to the statehouse to assume the duties of Governor.

So it is our contention that this being a special constitutional provision regulating the performance of the duties of the governorship, it supersedes the general rule and lifts the governorship out and puts it in a special class, and that if the duly elected person fails to qualify—if a failure to qualify under these circumstances can be called a failure to qualify—the president of the senate would step in.

But I desire to submit to Members of the Senate this proposition: I have not examined the decisions and the law with great care, because we have had so much that we had to examine with care; but I lay down the proposition as a matter of common law and of sound public policy that when an official is elected to an office, and his term arrives, and he proceeds with all due diligence to qualify—whatever it takes to qualify, whether it is signing an oath, or holding up his hand, or doing anything else—when he proceeds with all due dispatch and diligence to do that, and does it, it then reverts to the beginning of his constitutional term. It would be unsound public policy, it would be contrary to all the finest political concepts, to have a little interregnum, that is not determinable by written records but is determinable by a stop watch, with someone sitting up at midnight to see whether John Smith crossed the "t" before Bill Jones put down the period.

So the old theory with which I think we are all familiar—and I think it is somewhat applicable in this case—the old theory that the law knows no fractions of a day, has had wide application throughout the country; and when a governor's term of office begins on a certain day, we all know that it is the usual custom that he is inaugurated at 12 o'clock noon; but when he is inaugurated he is governor for that entire day, back to the beginning of the day at midnight preceding. That is almost universally observed as a custom throughout the country. I have not lately examined the records, but Senators will remember the famous contest over the judges appointed by John Adams. The laws of the United States probably are not exactly like the laws of West Virginia; but when John Adams undertook to fill up all the judiciary appointments created under that legislation prior to the assumption of office by Mr. Jefferson, he did not wait until 11 o'clock, an hour before the inauguration exercises. He sat up at midnight, and had the appointments made prior to midnight, no doubt upon the theory that when midnight arrived he was out of office, and his term had ended.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. I do not desire to interrupt the Senator if he is in the course of developing a point.

Mr. CONNALLY. It is quite agreeable to me to yield.

Mr. CLARK of Missouri. The Senator from Texas is also familiar with the fact, I assume, that it was formerly the invariable custom for the President of the United States to come to the Capitol and take his post in the so-called President's room, which is now used by the representatives of the newspapers, on the 4th of March.

Does the Senator from Texas contend that the acts signed by the President on the morning of the 4th of March were illegal? Because, if they were, a great many laws would be invalidated. If the theory of the Senator from Texas is correct, the President of the United States, who was sworn in at noon on the 4th of March, would have his term revert to midnight of the 3d of March, and therefore any signature by the outgoing President of the United States on the morning of the 4th of March would be illegal.

Mr. HATCH. Mr. President, will the Senator from Texas yield to me for a moment?

Mr. CONNALLY. I yield.

Mr. HATCH. The rule the Senator from Texas has just announced is, I think, supported by the authorities, and the situation which the Senator from Missouri points out is also taken care of by the self-same authorities. It is universally held that the outgoing official does have jurisdiction to perform whatever acts may be necessary to wind up the business of his administration. I do not think there is much conflict on that.

Mr. CLARK of Missouri. The question is when the administration ends. If the President of the United States comes in at midnight on the 3d, then, according to the theory just enunciated by the Senator from Texas, any act performed after that time, such as signing a bill, making an appointment, or anything else—any act performed on the morning of the 4th would necessarily be illegal and without authority, because the incoming President's term would revert to midnight of the 3d.

Mr. HATCH. Not at all. I have just said that the authorities hold that those acts which are necessary are valid for the outgoing Governor to perform, but he has no right to perform an act not necessary to wind up his own administration or necessary to the conduct of the business of the State or of the Federal Government. There is a clear distinction.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. I should like to ask the Senator from New Mexico, for he has studied the question and I have not—I am asking for information—suppose a Governor whose term would expire at 12 o'clock noon on a certain day were to pardon or parole a criminal under sentence, say, at 11 o'clock in the morning of his last day in office, would that be construed as a necessary act to wind up his administration or would the parole be valid or would it be invalid?

Mr. HATCH. I think it would be considered probably as part of the necessary functions of his office if there was occasion for it, but the jurisdiction is limited, I think, to the performance of necessary duties, necessary either to wind up the business of the old administration or necessary to protect the welfare of the State and its people. For instance, there might be a riot, and the new Governor had not qualified; the old Governor would certainly have the power to take care of situations of that kind. That is the purpose and reason of the hold-over provision.

Mr. TYDINGS. Will the Senator from New Mexico outline what, in his judgment, would be an illegal act on the part of the retiring Governor prior to the hour when the new Governor took the oath of office?

Mr. HATCH. I think the appointment of a United States Senator is not an act necessary to wind up the business of the old administration or to care for the welfare of the people of the State, and the particular instance the Senator has in mind is an example, in my opinion.

Mr. TYDINGS. Can the Senator give me any other illustration of an illegal act except the appointment of a United States Senator?

Mr. HATCH. Yes; there are several of them in the books.

Mr. TYDINGS. I should like to know; I have never studied the precedents; I am asking information.

Mr. HATCH. The doing of anything which is not necessary to wind up the affairs of the old administration or is not necessary to protect the welfare of the State as a whole. That is the general principle. As to the authorities, presently I shall be glad to read them to the Senator, covering that exact point.

Mr. CONNALLY. I thank the Senator from New Mexico and other Senators for the interruption. As I have said, I have not gone back and read the exact occurrences in the case of John Adams. I simply cited that as an incident. Of course it is not on all fours, because there are differences in the laws of West Virginia and in the construction of the Federal laws. Of course, the laws of West Virginia control the term of the Governor and when he becomes qualified. We have nothing to do with that; we have to follow the laws of West Virginia; but as to the Senatorship, when the vacancy occurred and as to when the new appointment should take effect, of course, the Senate has plenary authority and power.

I will say to the Senator from Missouri the "lame-duck" amendment provides that—

> The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended, if this article had not been ratified; and the terms of their successors shall then begin.

Mr. CLARK of Missouri. If the Senator will permit me, I am very familiar with that amendment to the Constitution, but I understood the Senator at the time I interrupted him to be adverting to the old common-law rule that there are no parts of days. I think the present practice of the Federal Government under the amendment referred to is perfectly clear and conclusive.

Mr. CONNALLY. Certainly.

Mr. CLARK of Missouri. But there was for many years great dispute under the old common-law doctrine the Senator from Texas was stating as to when the actual term of President of the United States ended.

Mr. CONNALLY. I will say to the Senator that, so far as I recall, there was nothing in the original Constitution as to when the term of the President should end, but it provided that the President should serve for 4 years, and provision was made for an inauguration, as I now recall, which did not take place until 1789. There may have been originally some provision as to when the Presidential term should end; I assume there was; but the present "lame-duck" amendment specifically provides that the term shall end at noon on January 20.

Mr. CLARK of Missouri. I think that is perfectly conclusive at the present time. I am simply referring to the common-law rule to which the Senator himself was referring.

Mr. CONNALLY. I did say that there is very ample authority for the proposition that a fraction of a day in a case of this kind is of no consequence.

If an officer, a Senator, or anybody else has been elected to an office, and the term begins at a certain time, and he acts with all due speed and diligence to qualify and assume that office, I think, under those circumstances, the qualification reverts back to the beginning of the term; otherwise there would be introduced a period of uncertainty, and it would be necessary to depend upon parole testimony if the question arose "When did he sign this bill? What moment by the clock was it?"

Mr. TYDINGS. Mr. President, I should like to ask the Senator, who has made a study of this question, suppose, as a matter of record, Mr. Neely had resigned as Senator from West Virginia at 10 o'clock in the morning on whatever day he became Governor, and was sworn in as Governor at 12 o'clock noon on the same day, is it the contention of the Senator from Texas that the former Governor could not act to fill that vacancy in the 2 hours elapsing between 10 and 12 o'clock because that would not be a necessary part of his duties as retiring Governor, but that the vacancy would continue and drift over into the term of the new Governor? Am I correct in that?

Mr. CONNALLY. I do not quite understand the Senator. He says if Senator Neely had resigned effective at 10 o'clock but he did not assume the duties of the office until 12 o'clock.

Mr. TYDINGS. Probably the Senator did not get what I said. I am taking a hypothetical case in order to see what the law is purported to be by the Senator from Texas and the Senator from New Mexico. Suppose Mr. Neely, as Senator from West Virginia, had resigned as United States Senator at 10 o'clock in the morning, and that he became Governor of West Virginia a few hours later, namely, at 12 o'clock noon. Is it the contention of the majority of the committee that the old Governor would have no right of appointment at all between the hours of 10 o'clock and noon—a lapse of 2 hours—because the appointment of a successor of Senator Neely would not be necessary, and therefore there would be a 2-hour hiatus when nobody could appoint a Senator from West Virginia until the new Governor had assumed his duties? Am I correct in that assumption?

Mr. CONNALLY. The Senator is assuming that the term started at midnight.

Mr. TYDINGS. No; at 12 o'clock noon.

Mr. CONNALLY. Of course, if the term does not begin until 12 o'clock, the outgoing Governor could appoint anybody up to 12 o'clock.

Mr. TYDINGS. Let me take a case where the term expires at midnight; let us assume that the Senator from West Virginia resigned his office at 11:30 o'clock p. m. on the last day of the term

fixed by law for the Governor of West Virginia, and that at midnight promptly the Senator from West Virginia became the Governor of West Virginia but had resigned half an hour previously his Senatorship from that State. Is it the contention of the Senator from Texas and the Senator from New Mexico, so that I may understand, that in the half hour elapsing between 11:30 p. m. and midnight the old Governor could not fill the vacancy?

Mr. CONNALLY. Certainly not. The old Governor could appoint during that half hour.

Mr. TYDINGS. He could?

Mr. CONNALLY. Certainly.

Mr. HATCH. Mr. President, in that instance clearly the vacancy would have arisen during the term of the Governor.

Mr. CONNALLY. Certainly.

Mr. TYDINGS. Let me make a further inquiry, because I am not on the committee, and I am absolutely "green" about this whole procedure, as I am sure most of the Senators are, and I am anxious to get the facts. Is it the contention here that the term of the Governor of West Virginia expired at midnight and that he made the appointment after midnight?

Mr. CONNALLY. That is correct.

Mr. HATCH. The vacancy occurred in the new term, not in the old term.

Mr. TYDINGS. And does the other side maintain that the Governor's term did not expire until the new Governor came in and actually was sworn in?

Mr. CONNALLY. I am glad to answer the question. I do not think the Senator from Maryland was in the Chamber awhile ago when I covered that point.

Mr. TYDINGS. I was not.

Mr. CONNALLY. These are the two contentions:

The contention of those who are supporting Mr. Rosier—the one whom Neely appointed—is that when 12 o'clock arrived the term of the outgoing Governor came to an end, and that Governor Neely immediately taking the oath, just as rapidly as he could take it, and having previously taken the oath, became the Governor precisely at midnight. On the other hand, it is contended that it took longer for him to take the oath than it took for the outgoing Governor to sign a certificate, and it is contended that under their law the outgoing Governor had a right to serve about half a second after the expiration of his term until Neely qualified.

Mr. TYDINGS. I see the issue now. I thank the Senator.

Mr. CONNALLY. But, furthermore, let me say to the Senator from Maryland that the only reason why Mr. Neely was required to take an oath to become Governor—because he had already been elected, he filled all the other qualifications, and the legislature declared that he was elected and qualified, was that the law of West Virginia required the taking of an oath. In the statute requiring the taking of the oath, however, it said that he must take the oath on or before assuming the duties of the governorship. He took the oath at 11:45, prior to 12 o'clock, which met the demands of the statute, according to our view. He then took another oath as a safety valve, I suppose, after 12 o'clock. So, if the oath was taken before 12 o'clock, our contention is that upon the arrival of 12 o'clock he automatically became Governor. On the other ground, we contend that if he had to take the oath after 12 o'clock, having taken it with all due speed and dispatch, as quickly as Whirlaway could take it, his assumption of the office reverted to 12 o'clock.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. I think the Senator has made the matter plain; but I should like to ask a further question, because evidently the whole thing turns on the 15 minutes surrounding 12 o'clock midnight.

Mr. CONNALLY. Oh, not that!

Mr. TYDINGS. Well, whatever length of time it is, but a very short while. Is it the contention of the Senator from Texas that from 12 o'clock midnight on, before it was physically possible for Mr. NEELY to have taken the oath in the new day, assuming that he had not taken it before, the old Governor or the new Governor held office?

Mr. CONNALLY. The new Governor.

Mr. TYDINGS. The new Governor. That is what I understood the Senator to say. I heard the Senator, and I merely wanted to recheck on the matter.

Mr. CONNALLY. I make that contention for several reasons; but, if the Senator has another question, let him go ahead and ask it.

Mr. TYDINGS. But suppose the new Governor had not taken the oath of office until the following day: In that event, who would have been Governor during the day preceding the taking of the oath by the new Governor?

Mr. CONNALLY. I discussed that question before the Senator came into the Chamber.

Mr. TYDINGS. I will read the Senator's statement in the RECORD. I shall not ask the Senator to repeat it.

Mr. CONNALLY. No; I shall be glad to repeat it. This is still another question.

Under the Constitution of West Virginia, upon which the minority rely, it is provided that all State officers may hold over until their successors qualify. That provision applies to all State officers. In the case of the Governor, however, there is a special provision that upon the failure of the incoming Governor to qualify, or if he is impeached, or if he is removed, the president of the senate shall act as Governor; not the outgoing Governor.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. Just a moment. That, being a special provision applying to the Governor, lifts him out of the general rule as to other officers, and makes a special rule in his case.

Mr. TYDINGS. Is that automatic?

Mr. CONNALLY. It is in the constitution.

Mr. TYDINGS. I mean, does the president of the senate become Governor automatically?

Mr. CONNALLY. He has to assume the duties. Anybody has to assume the duties of an office before he can discharge them; but, as to the Governor, the Constitution provides that in case of failure to qualify—that is the only reason that would apply as a result of waiting a day, that he had not qualified—or in case of impeachment or removal, the president of the senate shall perform the duties of the governorship.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield, but I would rather get through with my statement first, because I know how controversial any yielding to the Senator from Kentucky would be. [Laughter.]

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. CONNALLY. No; I have to yield first to the Senator from Kentucky.

Mr. CHANDLER. Mr. President, in this case there was no failure to qualify, and only in the event of failure to qualify would the statute to which the Senator referred apply. I do not want the Senator from Texas to limit us to one issue here. There are numerous issues and they will be developed during the course of the argument. He has undertaken to limit the matter to one issue. There are many more, and I do not want the Senate to try to decide the matter on any single issue.

Mr. CONNALLY. One good issue beats a whole flock of poor ones. The Senator says there is no question of failure to qualify. Let me ask him a question. Why did not Neely become Governor instantly upon the arrival of 12 o'clock?

Mr. CHANDLER. Because he could not.

Mr. CONNALLY. Wait, now; I will hold the Senator to the line.

Mr. CHANDLER. The Senator has asked me a question. Will he not let me answer it?

Mr. CONNALLY. Yes.

Mr. CHANDLER. Very well. Neely was United States Senator every hour and every second and every minute of the 12th day of January, and he voluntarily tried to get rid of the Senatorship. He did not want to be Senator any more, but he could not put down that office and pick up the other one until he divested himself of the first one; and when he did put down one office and pick up the other one he left the other fellow sitting in there [laughter], unless he was chain lightning. Of course, if he was, he could beat Whirlaway.

Mr. CONNALLY. The Senator from Kentucky says there is no question here about the matter of failure to qualify. If there was not any failure on the part of Neely to qualify for one-sixtieth part of a second, he became Governor automatically and instantaneously upon the arrival of 12 o'clock.

Mr. CHANDLER. Will the Senator yield?

Mr. CONNALLY. Just a moment. Let me answer half of the Senator's question before he puts another one. But the minority say that when 12 o'clock arrived, Neely did not become Governor. Why? Because he had not taken the

oath of office; because he had not qualified; and therefore, for that split second, the outgoing Governor continued—for what reason? Because Neely had not qualified. If he had already qualified, as we contend, by taking the oath before 12 o'clock arrived, upon his ceasing to be a Senator he instantly and automatically became Governor. Why anybody should want to do that, I do not know; but that would be the result. [Laughter.]

Mr. CLARK of Missouri. Mr. President——

Mr. CONNALLY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I was intrigued by the explanation given by the distinguished chairman of the Privileges and Elections Committee a minute ago that he supposed Neely was taking three, four, or five oaths, as the case may be, simply as a safety valve. As a matter of fact, Neely's own explanation before the Senator's own committee was that he thought he was in a poker game, and he wanted as many aces as the other fellow had. In other words, he thought the other fellow already had four aces, and Neely was about to inject four additional aces into the game, according to his own theory. As a matter of fact, it appears from the record that Neely was playing bridge instead of poker, and he got the lead over in the wrong hand, and could not get back. [Laughter.]

Mr. CONNALLY. I readily accord the Senator from Missouri the position of an authority on both poker and bridge. [Laughter.]

Mr. CLARK of Missouri. Not at all; but I have observed the Senator from Texas at bridge sufficiently often to learn enough about the game to know that when the declarer gets in the wrong hand he cannot get back. What I really rose to ask the Senator, however, was this: On the Senator's theory of the old common-law doctrine that there are no parts of a day——

Mr. CONNALLY. That is not controlling in this case.

Mr. CLARK of Missouri. I understand, but the Senator announced that.

Mr. CONNALLY. I mentioned it as one of various issues here.

Mr. CLARK of Missouri. All I am trying to do is to find out the Senator's opinion about this proposition. If a part of a day reverts to a whole day, I call the Senator's attention to the resignation of Governor or Senator Neely, as the case may be:

> I hereby respectfully tender you my resignation as a United States Senator from the State of West Virginia to become effective at precisely 12 o'clock midnight——

When—on the 13th? No.

> on Sunday, the 12th of January 1941.

If the Senator's theory is correct, why does not that resignation revert for a whole day to the beginning of the 12th; and why was not the appointment already made by Governor Holt effective during that day when Neely's resignation was in force?

I frankly say that I do not agree at all with the Senator's theory about fractions of a day; but if it works in one case, why does it not work in the other?

Mr. CONNALLY. The whole question of the fraction could be forgotten, so far as this case is concerned. I merely mention that because there are court decisions on the point, one of which we will probably quote later on, and probably argument will be made on that theory.

I yield to the Senator from Kentucky.

Mr. BARKLEY. Is it not true as a matter of law that any man holding an office who resigns the office fixes the terms, and the moment when his resignation shall take effect?

Mr. CONNALLY. Certainly.

Mr. BARKLEY. A Governor, in accepting a resignation, cannot predate it, or have it become effective 1 minute before it has been stipulated in the resignation that it shall take effect.

Mr. CONNALLY. That is correct.

Mr. BARKLEY. So that that situation would not be analogous to any constitutional provision or any statutory provision as to whether there are fractions of days or not. If I resign, I fix the terms of my resignation. I say when it shall take effect, and neither the Governor nor any other officer accepting it, can change the terms upon which I resigned.

Mr. CLARK of Missouri. Mr. President——

Mr. CONNALLY. Let me make one statement, then I will yield.

Of course, the Senator from Kentucky is absolutely correct. Here is a man in the United States Senate, who does not have to resign at all unless he wants to. He can resign when and if he wants to, not when the Governor or someone else wants him to. When he resigns he can stipulate, if he desires, "This resignation shall be effective on a certain date, at a certain hour, at a certain minute."

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Texas yield to the Senator from North Carolina?

Mr. CONNALLY. I yield.

Mr. BAILEY. The Senator is arguing the right of a Senator or any other official to resign, and to fix the moment of his resignation. Is that the question here?

Mr. CONNALLY. That is the question a Senator propounded.

Mr. BAILEY. There is a law of West Virginia to this effect—and this is the common law, and the general law of the United States—that no man can hold two offices at the same time. No man can be Governor and Senator at the same time. The Senator agrees to that?

Mr. CONNALLY. Certainly.

Mr. BAILEY. Very well. Then, in order for the Governor-elect, Mr. Neely, to qualify as Governor, having taken the oath, in order to enter upon his duties and qualify as Governor, he must, prior to the moment of undertaking to do that, have divested himself of every quality of a Senator. That is regardless of his resignation. His very act creates a vacancy, and that vacancy is prior to the qualification as Governor. I should like to hear from the Senator on that point.

Mr. CONNALLY. The Senator propounds a question which in subtlety and wide understanding does credit to the Senators' reputation. The Senator contends that he has to divest himself of the governorship before——

Mr. BAILEY. Or the senatorship.

Mr. CONNALLY. Before what? Before assuming the duties of his new office?

Mr. BAILEY. Before undertaking to qualify. It is essential to qualification that he must be divested of every vestige of his qualities as a Senator and his prerogatives and his power. Otherwise he is disqualified to enter upon the office.

Mr. CONNALLY. I will answer the Senator. I did not assume the Senator was asking for information when he asked the question but that he was asking for an argument.

Mr. BAILEY. No; if I had wanted to potshot the Senator from Texas, I would have taken a shot at him when he spoke about Whirlaway just now. Whirlaway is a very slow starter, but is a pretty good finisher, and I think the Senator failed to make the proper distinction in his analogy between Whirlaway and this effort here.

Mr. CONNALLY. I am talking about speed.

Mr. BAILEY. I am very much interested in the views of my distinguished and very able friend, for whose views and capacity I have a profound and abiding respect.

Mr. CONNALLY. I thank the Senator.

Mr. BAILEY I have given this matter a good deal of thought, and when I propounded the question to the distinguished Senator I did so because it is the central question in my thinking. If the Senator could upset the premise of that question, I would then have to find some other ground on which not to vote for the Senator's report.

Mr. CONNALLY. I thank the Senator.

Mr. BAILEY. I started out in my thinking with the idea that I would pay no attention to this case, having many other things to do, and that I would be guided by the report of the committee. Unfortunately, however, the matter took hold of my mind, and I began to think about it, and I came down to just the issue I have suggested. And when we had provoked here this matter of the time of the resignation, I thought it would be appropriate for me to bring forward the thought, with a view to getting light from my distinguished friend. That is all I have to say. I am really not indulging in an argument. I was laying a foundation for discussion.

Mr. CONNALLY. I shall be glad to answer the Senator, so far as I can.

The Senator's contention is that there is some requirement of law somewhere that one must divest himself of his old office before he even undertakes to qualify for a new office. I think the law in West Virginia provides that upon assuming the duties of the office, the incumbent must qualify and take the oath before assuming the duties of office. There is no requirement whatever as to when that shall occur, except that one cannot hold both offices, as the Senator says, at the same moment. Very well. But if his transition from Senator to Governor is one of continuous process, he cannot hold two offices, he cannot be

both at the same time, and it is not our contention that he could be.

Let us assume the case of the Senator from North Carolina. Suppose tomorrow he were appointed to the Supreme Court of the United States, and went over and took the oath and assumed his duties. Would there be any hiatus? Would he not be translated from Senator to Supreme Court Justice without any interruption whatever? Would there be any time intervening in which he was neither Senator nor judge? Of course not. So it is our contention that when Senator Neely said, "I resign, effective immediately upon the arrival of 12 o'clock," and had then taken all that the law in West Virginia required him to take—the prequalifying oath before he assumed the duties of the office—it is our contention that when 12 o'clock arrived, he instantly became Governor of West Virginia.

I leave this further proposition to the Senator from North Carolina, which is not controlling in this case, but is a sort of a cornfield opinion of the Senator from Texas. My contention is that when a man's term of office begins at a certain hour, at a certain time, and with all due dispatch, all human dispatch, he proceeds to take the necessary steps and qualify, that qualification reverts to the beginning of his term. Otherwise, in every case of succession in any office there would be a twilight period during which we would be relying upon parole testimony as to what the outgoing Governor or outgoing judge did, or what the incoming one did, and what happened.

Let me dispel one other claim made by the opponents. They say that if Senator Neely undertook to take at 11:45 o'clock the oath which was required of an incoming Governor, he thereby vacated the senatorship. He could not vacate the senatorship by assuming an incompatible office, because he could not assume the office of Governor at that time; he could not assume it until 12 o'clock. The outgoing Governor was still Governor of West Virginia until 12 o'clock. So Neely's mere taking of the oath was simply preliminary, qualifying himself to be Governor. There were other qualifications. Under the West Virginia Constitution, one must be so many years old to become Governor. That is merely one of the qualifications. He must have that qualification before he is inaugurated.

Mr. BARKLEY. Mr. President, will the Senator yield? I do not want to interrupt the Senator's line of thought.

Mr. CONNALLY. Certainly, I will yield.

Mr. BARKLEY. With respect to the taking of the oath and the assuming of the duties of the office for which the oath is taken, is there not a difference between the mere act of taking the oath that when you do assume the duties of the incoming office you will perform the duties to the best of your ability, and the assumption of those duties?

Mr. CONNALLY. Certainly.

Mr. BARKLEY. All over this country men who are elected to office frequently take the oath before the actual beginning of the term. I recall that in my case, for instance, I was prosecuting attorney of my county years ago. I was elected judge of the county court. The term began on the first Monday in January. My term as prosecuting attorney ended at the very moment my term as judge began on the first Monday in January. On Saturday beforehand I took the oath of office as judge that when I assumed the office on Monday I would discharge the duties of that office to the best of my ability, but I did not automatically vacate the office of prosecuting attorney at all.

Mr. CONNALLY. Not at all.

Mr. BARKLEY. Now, in the case of the West Virginia statute, it seems that any incoming officer is required to take the oath on the day when he assumes the office, or beforehand. That is naturally supposed to apply to all incoming officers. That certainly would not mean that anybody else elected Governor, besides a United States Senator, could take the office beforehand but a United States Senator could not do it; that if he did, he vacated the office of United States Senator. The Legislature of West Virginia cannot determine when a Senator vacates the office if he is elected to a State office. While it is unusual, as the Senator from Texas suggested a while ago, for a man to go from Senator to Governor, and that it is much more usual for a man to go the other route, from Governor to Senator, yet it can be done and it has been done.

So Senator Neely was required to take the oath not later than the day on which he assumed office, but he was permitted to take it at any time before that date after he received his certificate of election. It seems to me that there is no more reason why a United States Senator should be required to resign and have his resignation take effect before he can even hold his hand up and swear that when he becomes Governor he will discharge the duties of his office, than that any other officer should be required to do so. Suppose the attorney general of West Virginia had been elected Governor, instead of Senator Neely, and his term as attorney general expired at the very moment when his new term as Governor would begin. Certainly under the law and under the Constitution of West Virginia he was permitted to take the oath before the date on which he assumed the office, but certainly he would not automatically vacate the office of attorney general by taking the oath to become Governor hours later or days later.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BAILEY. I think my friends seem to miss just what I have in mind. It probably is my fault. I am going to restate it. An essential, indispensable qualification for office, since the law proscribes the holding of two offices by one man, is the divestment of the office held, the utter divestment, before entering upon the office about to be taken. It is not a matter of assuming. It is a matter of divesting. That is the qualification.

Here is one case in point. Senator Holt, of West Virginia, was elected to the Senate when he was under 30 years of age, and he came here when the session opened in which ordinarily he might have qualified, still under 30 years of age. The question was immediately presented to the Senate as to whether we would vote to seat him. I looked into the matter at that time and made a decision for myself, and I am citing it now because it is perfectly consistent with the position I am taking now. I said, "If Senator Holt presents himself here for the oath of office, not having become 30 years of age, I shall vote against him, because he is clearly disqualified by the law; but if he waits until he is 30 years of age I shall vote for him to take his seat because then he is qualified."

By analogy, since the law denounces the holding of two offices by one man, absolutely prohibits it as being opposed to public policy, and it is opposed to public policy for the very profoundest reasons, we are not going to have a concentration of power in the hands of individuals in this country; we are not going to permit a man to be both Senator and Governor; we will never permit a man to be President and judge and legislator—since that is the law, whenever Senator Neely, being Senator, set out to become Governor, having been elected, having taken the oath, it was indispensable to his qualifications, and it is indispensable to the maintenance of the public policy, that he should stand there on the threshold of the new office utterly divested, even though it be for a moment, but utterly divested of every character, quality, privilege, and power of a Senator, and there was a vacancy.

I do not think that what has been said here has been sufficient to upset that argument. It is not a matter of assuming office. It is not a matter of an oath. It is a matter of the indispensable necessity of the divestment of yourself of one office before you take on the vestment of another.

I think I have made my position clear, and I will rest there.

Mr. BARKLEY. Mr. President, I do not want to interfere with the Senator, of course——

Mr. CONNALLY. I yield.

Mr. BARKLEY. But the reference by the Senator from North Carolina to former Senator Holt, of West Virginia, it seems to me, does not present an analogous situation. A United States Senator, to become a Senator, must present himself here and be given the oath here in our Chamber. He must be accepted. That is not true, probably, of any other officer. The Governor of Texas has appointed a Senator to succeed the late Senator Sheppard. He is not a Senator, because he has not presented himself here before the bar of the Senate and taken the oath, and he cannot take the oath down in Texas. He must be here to take it. It is a peculiar rule with respect to Senators. But does not the Senator from North Carolina, for whose legal ability we all have the profoundest respect, and for whose sincerity and character we have a great admiration, recognize a difference between assuming the office of Governor, or any other office, and the mere taking of the oath of office that when he does assume it he will perform the duties acceptably?

Mr. BAILEY. I have dismissed the oath, I may say to the Senator. By

statute you can take the oath in West Virginia prior to taking the office, and I think the oath is in terms of the future—"I do solemnly swear that I will."

Mr. BARKLEY. Yes.

Mr. BAILEY. That does not trouble me. I have passed that all by. The thing that lodges in my mind is just what I said before, and I will now repeat it and not repeat it again. In order that I may be invested with the character, the quality, the functions, the powers, and the privileges of the office of Senator I must have been divested of every quality, character, function, power, and privilege of any other office that I had theretofore, and in the moment of investment with one office and divestment of the other there is necessarily a vacancy. Senator Neely gave notice in his resignation of that vacancy. The then Governor of West Virginia, acting upon that notice, made the appointment in futuro, to take effect in the moment of that vacancy. That is the argument that persuades me, and I will thank the Senator to throw any light he can on it.

Mr. BARKLEY. If I may suggest to the Senator from North Carolina, the fact that the Senator from West Virginia resigned, effective instantly at 12 o'clock, when his term as Governor would begin, and the mere fact that 15 minutes before that he took an oath of office that when that instant arrived, at 12 o'clock, he would perform the duties of Governor did not, in my judgment, make a single moment when former Senator Neely occupied two offices.

Mr. CONNALLY. That is the point exactly.

Mr. BARKLEY. His resignation as Senator took effect immediately at 12 o'clock, and his term as Governor began exactly at 12 o'clock. The fact that he took an oath of office a few minutes before that would not in any way vest him with the habiliments of both Senator and Governor.

Mr. CONNALLY. Mr. President, I should like to have the attention of the senior Senator from North Carolina if I may. I shall try to answer the Senator. He has asked certain questions, and I shall try to answer them.

The Senator from North Carolina makes the suggestion that before Neely could become Governor he had to divest himself of the senatorship. I do not know how long that period of divestment would have to last; but a year is made up of flashes of time like that. If he divested himself of the duties of Senator and at the same moment assumed the duties of Governor, I cannot see why he was not just as well divested as though he had spent an hour somewhere divesting himself. I am not trying to be flippant. I want the Senator to listen to me.

Mr. BAILEY. I am listening.

Mr. CONNALLY. The law of West Virginia is not quite in the language in which the Senator from North Carolina evidently believes it is. The law of West Virginia says that no executive officer, including the Governor, "shall hold any other office during his term of service."

What does that mean? It means that while he is Governor he may not hold any other office—that of Senator or any other.

Mr. BAILEY. Therefore he must be divested of any other office.

Mr. CONNALLY. The Senator uses the word "divest." I do not know that there is any particular sanctity about the word "divest." I am trying to get down to the facts.

Mr. BAILEY. I will say to the Senator that there is a sanctity in the words "vest," "divest," and "invest." I use the word in its strict historical legal meaning.

Mr. CONNALLY. I respect the Senator's views.

Mr. BAILEY. It is not a matter of time, such as an hour, a day, or a year. It is a divestment which leaves a vacancy.

Mr. CONNALLY. The divestment could be instantaneous, could it not?

Mr. BAILEY. Yes; but it leaves a vacancy.

Mr. CONNALLY. Exactly.

Mr. BAILEY. There is bound to be some lapse. There is bound to be a vacancy. Senator Neely must have been divested of the office of Senator before he could become Governor. It is like coming in the door. I must cross the threshold before I get through the door.

Mr. CONNALLY. That is correct, but the threshold is an invisible line.

Mr. BAILEY. It may take one one-hundredth of a second, but I stand on the threshold. I am not in the door until I come in. There is a moment when I am out, and there is a moment when I am in. As the Senator says, I might take an hour to come in. It makes no difference whatever whether it takes an hour or a year.

Mr. CONNALLY. That is the point I am getting at. I am glad to hear the Senator admit that the process might be instantaneous.

Let us see if Senator Neely did not divest himself of the office of Senator. How does one divest himself of the office of Senator? He divests himself by resignation. Senator Neely did resign, and he stipulated the exact moment the resignation was to take effect. He said—

> At midnight of the 12th–13th of January I divest myself of the senatorship.

When that second arrived he was divested of the office. By the same act he said—

> When that time arrives, my term as Governor begins. I will take the oath in anticipation, as the statute of West Virginia permits and commands, and instantaneously upon my divestment, which happens exactly at 12 o'clock, I automatically become Governor.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. CHANDLER. The Senator is mistaken, because what the former Senator from West Virginia actually said was, "I want my resignation to be effective precisely at 12 o'clock midnight." When he undertook to qualify as Governor by taking the oath, he said, "I did it instantly after midnight." There is considerable difference between "instantly after" and "precisely at."

Mr. CONNALLY. The Senator from Kentucky is talking about the third oath, which admittedly was taken after 12 o'clock; but Senator Neely had already taken two oaths before that time, which he was authorized and permitted to do, and which, according to our contention, removed the necessity of taking another oath. Upon the arrival of 12 o'clock he automatically became Governor.

The law of West Virginia simply says that the Governor shall not hold any other office during his term of service. When did the term of Neely as Governor begin? It began at midnight of the 12th-13th. Has he undertaken after that time to hold any other office? The term of the Governor began at 12 o'clock midnight. Neely has not undertaken, after the arrival of 12 o'clock midnight, to perform any duties as Senator. He has not undertaken to hold any other office during his term as Governor. He assumed the office and the functions of the office immediately upon the arrival of 12 o'clock.

The Senator from North Carolina is an able lawyer, in addition to being a statesman. He is a real statesman, and I have a very high admiration for him, both personally and officially. Let me make a suggestion to the Senator from North Carolina. This is a new matter which may not have been called to his attention.

If Governor Holt, the outgoing Governor, had any authority to appoint a Senator in the fraction of a second between the expiration of his term——

Mr. BAILEY. He had already made the appointment.

Mr. CONNALLY. Does the Senator contend that the Governor could make an appointment to take effect after the expiration of his term?

Mr. BAILEY. Oh, no. I said that the term had expired. The vacancy occurred and the Governor of West Virginia had notice. He had received the resignation. Then he made the appointment.

Mr. CONNALLY. Before the expiration of his term?

Mr. BAILEY. No. The appointment was to take effect upon the vacancy; and the vacancy occurred.

Let me go a little further——

Mr. CONNALLY. The Senator introduces new elements before we get through with others.

Mr. BAILEY. I will leave the matter right there.

Mr. CONNALLY. I am glad to yield.

Mr. BAILEY. I think the Senator is correct. Let us finish this point before we get to another.

Mr. CONNALLY. I am willing to yield to the Senator, if it takes all day.

If the outgoing Governor had any authority to make this appointment after the vacancy occurred, which was after 12 o'clock, he had to do it as the hold-over Governor. I think the Senator from North Carolina will agree to that. He had to make the appointment as a hold-over Governor, holding over until his successor qualified.

Mr. BAILEY. I say that upon receiving the resignation of Mr. Neeley as Senator, the Governor made the appointment to take effect upon the occurring of a vacancy, and the vacancy occurred in the moment of divestment; but there was a

lapse of time in addition, to which I shall call the Senator's attention later in the argument. However, I should rather dwell on the point now under consideration, if the Senator wishes.

Mr. CONNALLY. The Senator from North Carolina has now gone back to the old prospective appointment. Practically all the authorities agree—and the committee was in general agreement, I think—that no Governor may make a prospective appointment to a vacancy when that vacancy is to occur after the expiration of the term of the Governor.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I have promised to yield to the Senator from Iowa. I now yield to him.

Mr. GILLETTE. Mr. President, I wonder if the Senator from Texas will help me to understand the position of the committee. The Senator from Texas has said that Senator Neely took an oath 15 minutes before 12 o'clock, and that he also, with all due dispatch, took an oath after the hour of 12 o'clock. Under the statute he must take the oath before he is qualified to act. Which of these oaths is it the contention of the committee qualified him to act and make the appointment?

Mr. CONNALLY. So far as that is concerned, the committee concluded that, since the laws of West Virginia authorized and allowed and directed him to take the oath any time before he assumed the office, either or all of them qualified him, because the law says he must take the oath on or before assuming office. The committee concluded that when he took that oath, it being merely a necessary qualification or the establishment of an eligibility, he was not undertaking to assume the office of Governor, because the old Governor held over until 12 o'clock, but that did qualify him to assume the duties of the office upon the arrival of 12 o'clock.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a moment.

Let me suggest to the Senator from Iowa and the Senator from North Carolina that all these oaths are in futuro. A person takes an oath that he will do thus and so in the future; there is nothing that he can do except to promise that in the future he will perform the duties of the office honestly and to the best of his ability.

So there is nothing incongruous or incompatible with the theory of allowing him to take the oath a few minutes before the actual beginning of the assumption of his office, because when he takes that oath he simply swears that when he does assume the duties of the governorship he will perform them according to the constitution and laws, and so forth and so on.

I now yield to the Senator from Kentucky.

Mr. CHANDLER. Mr. President, the distinguished chairman of the Committee on Privileges and Elections speaks for nine members of the committee. There were eight members of the committee who joined in the minority views, so it is a very close question. There is no member of the committee, unless my judgment is in error, who did not believe that the Governor could make a prospective appointment when the vacancy would most certainly occur within his term. That is the case here.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. LUCAS. In answer to the question asked by the Senator from Iowa, I think perhaps a little further information should be developed upon the question of the oath. I am not sure that the Senator from Iowa was present when the chairman of the committee was explaining the number of oaths that were taken by Senator Neely.

Mr. GILLETTE. Yes; I heard all the statement by the Senator from Texas, I am happy to say.

Mr. LUCAS. I understand he did take a fourth oath, too, at the inaugural exercises; but that is more or less immaterial. But Mr. Neely was attempting, as I viewed the evidence and listened to the testimony very carefully, to protect himself from a legal standpoint, just as Governor Holt was attempting to protect himself in making three appointments upon three different occasions. One of those appointments is valid and the other two are invalid, so far as appointments are concerned; and the oath upon which the committee relied in reaching the conclusion they did reach was the oath which Senator Neely took at 11:45, which met the last qualification under the West Virginia statute for him to assume the duties of governor precisely at the hour of 12 o'clock midnight, when his resignation became effective upon its own terms, and simultaneously and instantaneously, by his resignation as Senator and the expiration of the term of Governor Holt, Mr. Neely became governor. There was no interregnum, in my opinion, or any hiatus there, as I view the evidence and under the decisions as I have found them, which I shall discuss in my own time.

Mr. GILLETTE. Mr. President, will the Senator yield for a moment?

Mr. CONNALLY. I yield.

Mr. GILLETTE. I thank the Senator from Illinois. My reason for propounding the inquiry was that I listened to the argument by the chairman of the committee that an oath could be taken and qualification could be made on or before the assumption of the duties of the office, and that an oath was so taken at a quarter to twelve, but I also heard the Senator argue that Mr. Neely had proceeded with all due dispatch to take an oath subsequently, and present the argument that, having taken it with all due dispatch, it reverted to the hour of 12 o'clock, and qualified him. I was interested in knowing which oath, in the view of the committee, actually qualified him.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. In just a moment. I will say to the Senator from Iowa that I did say that for myself I adhered to the theory that when the officer's term starts, and when he with all due dispatch undertakes to qualify himself, I think the qualification reverts to the beginning of his term. But there is no necessity, as I see it, for one to put his finger upon any particular oath. All the oaths were practically the same; and if any one of them was valid of course Mr. Neely became Governor at exactly 12 o'clock. All the oaths are in future; all of them mean that when a man assumes the duties of office—and, under the statute, the oaths have to be taken before the man assumes the duties of office—they all mean that when a man begins to act as Governor he will do certain things; so there is no incompatibility between that and the other theory.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CHANDLER. I desire to say to the Senate that Mr. Neely took an oath at 11:35 and took another oath at 11:45 and took another oath instantly at 12 o'clock midnight, and he filed that at 12:50 a. m.; and under the circumstances the committee dealt him a much better hand than he was even dealing himself; because he did not file the oaths in the office of the Secretary of State until January 25, and he did not put them on record. They were slipped in the record in the absence of the clerk, and no one ever identified them. They just showed up after we started discussing the case.

Mr. CONNALLY. Let me say, Mr. President, that those are matters which I do not care to discuss, because they are immaterial, and are not vital to this matter. For that matter, Governor Holt made three different appointments of the same man; and if the taking of several oaths is something to be ridiculed as inconsistent with due propriety, of course the making of three different appointments is subject to the same charge. I do not care to discuss the matter.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, I wish to inquire of the able chairman of the committee whether I am correct in the statement of the facts and of the law which I am about to make. Mr. Neely, being elected Governor, had the right, under the West Virginia statute, to take the oath either on the 13th, which was the day when his term of office began, or before that date.

Mr. CONNALLY. That is correct.

Mr. OVERTON. He could take the oath at any time after election, or up to the day that his term began.

Mr. CONNALLY. The Senator is correct.

Mr. OVERTON. I take the position that the moment he took an oath, after his election and before January 13, when his term began, he put himself in the position that when midnight of the twelfth arrived he was qualified, having taken the oath, and he automatically, as it were, became Governor.

I further understand that Mr. Neely as Senator, had tendered his resignation to take effect at midnight of January 12.

Mr. CONNALLY. The Senator is correct.

Mr. OVERTON. So that according to the resignation submitted, Mr. Neely, as Senator, went out at midnight of the twelfth, and a vacancy arose.

I further understand that Mr. Holt's term expired, I think, the first Monday after the second Wednesday in January—at any rate, it was the 13th of January.

Mr. CONNALLY. That is correct.

Mr. OVERTON. So at midnight of January 12, Mr. Holt's term as Governor expired. Therefore three things happened simultaneously at midnight of January 12: Holt ceased to be Governor; Neely ceased to be a United States Senator; Neely became Governor; and there was a vacancy to fill by reason of his resignation from the United States Senate. It seems perfectly clear to me that Neely was the Governor when the vacancy occurred or at the instant it occurred and had the right to make the appointment. Am I right in that conclusion?

Mr. CONNALLY. I thank the Senator. He has stated it much more clearly and more logically than I could possibly do.

Mr. OVERTON. I thank the Senator.

Mr. CONNALLY. I agree with the Senator in every respect, and I thank him for that contribution to the debate.

Mr. President, I have no disposition to hold the Senate——

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I desire to conclude my remarks, but I want to yield to all Senators and I yield now to the Senator from Maine.

Mr. WHITE. I am not sure but that the questions asked by the Senator from Louisiana [Mr. OVERTON] and the answers made by the Senator from Texas have answered the question which was in my mind. I did want to make clear my understanding of the position of the committee. Do I rightly understand that it is the contention of the majority of the committee that the qualifying oath may be taken before the assumption of the office and that it also may be taken as well before the term may constitutionally begin?

Mr. CONNALLY. That is the conclusion of the committee. I will read to the Senator the law of West Virginia on that point if I can find it.

Mr. WHITE. I remember hearing the Senator read or say that the oath might be taken before the assumption of the office. The question in my mind was whether that meant that it could be taken before the term, either under the statute or under the constitution, could begin, whether it was not limited to taking the oath after the term had constitutionally begun but possibly before the newly elected Governor had sought to assume his office.

Mr. CONNALLY. I should like to refer the Senator to the decision of the Supreme Court of Appeals of West Virginia in the case of State ex rel Conley against Thompson, in which the court said:

> As suggested in the argument, we think we may take judicial notice that it has been the custom in this State for elective or appointive officers to qualify by taking the required oath and giving bond before the beginning of their terms of office.

"Before the beginning of their terms of office." I think that answers the Senator's question.

Mr. WHITE. I think that answers it.

Mr. CONNALLY. That is the decision of the West Virginia court.

Mr. President, probably during the discussion there will arise matters incidental to what the Senator from Texas has undertaken to discuss. The committee spent a great deal of time on this case; it held exhaustive hearings, and I think, on the whole, the committee undertook to approach the question impersonally and purely from a legal and constitutional standpoint.

In conclusion, let me say that the committee came to the view that Senator Neely had a right to stipulate when his resignation should take effect, and that he did stipulate that it should take effect at midnight on the 12th–13th of January. We also concluded that prospective appointments by the outgoing Governor to fill vacancies which could not occur during his term but must occur during the term of some subsequent Governor were not competent, that they were ineffective, because they deprived the legitimate authority who ought to make the appointment when the vacancy happened of the power to make it.

We also came to the conclusion that the term of Governor Holt, of West Virginia, expired at midnight, and that, under the special constitutional provision if, because of the failure of the new Governor to qualify, somebody else should act as Governor, the president of the senate and not the outgoing Governor would have the authority to perform the functions of the governorship.

We also concluded that the only reason on earth that Mr. Neely or anybody else would have to take an oath to entitle him to assume the duties of office would be that the statute requires the taking of the oath, and the very statute which requires the taking of the oath specifically provides that it may be taken on or before the beginning of the term. So we concluded that when Senator Neely took the oath at a quarter of 12 o'clock he had complied with the statute, because the statute says an officer can take the oath before assuming the duties of his office, and, under the decision of the court, that might be before the beginning of his term. So when Neely took the oath of office at 11:45 o'clock p. m., it was purely prospective; it meant "When I assume the duties of Governor I promise to do these things." It does not have to be instantaneous with the assumption of the duties of the office at all. The one taking the oath simply promises that when he undertakes to act as Governor he will act according to the law and the constitution, and so on, and so forth.

We came to the conclusion, therefore, that Neely, by taking the oath and having fulfilled all the other requirements of eligibility upon the arrival of 12 o'clock instantly and automatically became Governor; that, having already resigned effective at that same moment, there was no conflict between the senatorship and the governorship, and that under the law of West Virginia which said that he could not perform the duties of any other office while he was Governor there was no violation because he laid down the duties of the senatorship and assumed the duties of the governorship at the same moment, and, therefore, there could be no conflict.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator whether he has cited the statute which fixes the termination of the Governor's term and the beginning of the new one? I do not seem to find it in either report.

Mr. CONNALLY. I have a publication here which I will hand to the Senator which contains it; it is a printed memorandum. I think if the Senator will consult this pamphlet—I cannot put my finger on the place at the moment—he will find the statute there. The term of the Governor ends on the first Monday after the second Tuesday in January.

Mr. O'MAHONEY. That is a constitutional provision?

Mr. CONNALLY. That is the provision of the Constitution of West Virginia.

Mr. O'MAHONEY. Does the constitutional provision fix the hour?

Mr. CONNALLY. No; I think not.

Mr. O'MAHONEY. It merely fixes the date.

Mr. CONNALLY. That is the way I recall it.

Mr. O'MAHONEY. Then, the term of Governor Neely began on a certain Tuesday.

Mr. CONNALLY. That is correct.

Mr. O'MAHONEY. And it is the contention of the committee that his term began at the very beginning of that day?

Mr. CONNALLY. That is correct.

Mr. O'MAHONEY. That is to say, immediately after the preceding midnight?

Mr. CONNALLY. That is correct.

Mr. O'MAHONEY. Therefore, that when, by permission of the statute, he took the oath of office qualifying for the governorship before midnight it became effective immediately at midnight?

Mr. CONNALLY. That is correct.

Mr. O'MAHONEY. Was his qualification dependent upon any other facts?

Mr. CONNALLY. Nothing else. In every other respect he had done all the necessary things. He had been elected; the legislature had canvassed the returns and declared him elected, and he had gone through all the other processes.

Mr. O'MAHONEY. What about the question of filing the oath?

Mr. CONNALLY. That question is in the case. Those who support the other candidate insist that the oath should have been filed and that it was not effective until it was filed. There was an oath subsequently filed; it took about 50 minutes; but the committee took the view that that statute was directory in its nature, and that if an oath had never been filed, if the Governor had done all that he could do by taking the oath he was Governor immediately. But the oath was filed. In a case of that kind where one is merely going to file something which may take some time, such as filing a deed, we took the view that when the oath was ever filed its validity

related back to the time of taking the oath.

Mr. O'MAHONEY. Is there any West Virginia decision construing the provision of law with respect to the filing of the oath of office?

Mr. CONNALLY. I do not recall as to that. The Senator from Illinois [Mr. LUCAS] probably can answer the Senator's question.

Mr. LUCAS. In answer to the question of the Senator from Wyoming, there is a case—I think the Qualls case. In that particular case, decided by the Supreme Court of West Virginia, the court was pursuing a special statute dealing with a certain specific office involving a municipality. In that case the court held, as I recall, that, in view of the provision in the special statute, the municipal officer in question must, after he was elected, qualify by taking the oath and giving bond and filing them both within a period of 10 days thereafter; otherwise he would forfeit the office. In this particular case the elected official failed either to take the oath or to furnish the bond, and the office was forfeited, and a new official was appointed.

Mr. O'MAHONEY. Did the statute contain the provision for forfeiture?

Mr. LUCAS. It did. In this case there is nothing in the Constitution of West Virginia which says that if the Governor-elect fails to file the oath, there shall be any forfeiture of office. The constitution does not even require that the new Governor give a bond. I will say to the Senator from Wyoming that there is a section of the constitution which I am going to discuss in my argument dealing with that very question; and at that time I shall deal with it at some length. My contention is that there is no law in West Virginia or anywhere else which deals with the particular section of the constitution under which the Governor took the oath and under which he qualified, and this section of the constitution specifically prohibits any statutory qualification.

Mr. O'MAHONEY. Is there any provision of the West Virginia Constitution, or of the West Virginia statutes, which specifically sets forth what a Governor shall do to qualify?

Mr. LUCAS. Nothing other than taking the oath; that is all.

Mr. O'MAHONEY. And is that in the report?

Mr. LUCAS. I do not know whether it is in the report or not.

Mr. CHANDLER. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. If the Senator from Illinois has concluded.

Mr. LUCAS. I have.

Mr. CONNALLY. I thank the Senator from Illinois for answering the query of the Senator from Wyoming.

Mr. CHANDLER. Mr. President, with the permission of the Senator from Texas, I desire to say to the Senator from Wyoming that the minority of the committee is in sharp disagreement with the views expressed by the Senator from Illinois, and we merely want to have an opportunity at some future time to explain the position of the minority on that point.

Mr CONNALLY. I think I can assure the Senator from Kentucky that he will have ample opportunity to explain these matters.

Mr. President, I had reached the point where I had stated that the taking of the oath by Senator Neely in the method provided by the statute, which he would not have had to take at all except for the requirement of the statute, made him qualified; and that upon the arrival of the hour of 12 o'clock midnight he instantly and automatically became Governor, because he assumed the duties of the office at that time. Our opponents contend—I do not think very seriously—that if that were true, the taking of the oath by Governor Neely at 11:45 was an abandonment of his seat in the Senate. We, of course, do not agree to that, because the terms of the resignation specifically provide when the resignation is to become effective, and certainly that would be controlling. That cannot be true on the ground that Mr. Neely assumed the duties of an incompatible office, because he could not assume the duties of the governorship until 12 o'clock, because the outgoing Governor held over until 12 o'clock; and he could not, by taking over the duties of an office to which he was not entitled, assume the duties of an incompatible office.

So, on the whole record, the committee has concluded that Mr. Rosier, appointed by Governor Neely, in whose term as Governor the vacancy occurred, is entitled to be seated; and we submit Senate Resolution 106 to the Senate, and ask for its adoption.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUDLOW, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. MAHON, Mr. CASEY of Massachusetts, Mr. TABER, Mr. KEEFE, and Mr. RICH were appointed managers on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SNYDER, Mr. TERRY, Mr. STARNES of Alabama, Mr. COLLINS, Mr. KERR, Mr. MAHON, Mr. POWERS, Mr. ENGEL, and Mr. CASE of South Dakota were appointed managers on the part of the House at the conference.

SENATOR FROM WEST VIRGINIA

The Senate resumed the consideration of Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia.

The PRESIDING OFFICER. The question is on agreeing to the resolution submitted by the Senator from Texas [Mr. CONNALLY].

Mr. CHANDLER. Mr. President, I have an amendment in the nature of a substitute for Senate Resolution 106 which I offer at this time and ask to have read.

The PRESIDING OFFICER. The amendment, in the nature of a substitute, offered by the Senator from Kentucky will be read.

The CHIEF CLERK. It is proposed to strike out all after "*Resolved,*" and to insert in lieu thereof the following:

That Clarence E. Martin, appointed by the Governor of West Virginia to fill the vacancy created by the resignation from the Senate of Matthew M. Neely, is entitled to be seated as a Senator from West Virginia.

Mr. CHANDLER obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield to me in order that I may suggest the absence of a quorum?

Mr. CHANDLER. I yield for that purpose.

Mr. DANAHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The PRESIDING OFFICER. Eighty-four Senators having answered to their names there is a quorum present.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. O'MAHONEY. Before the conclusion of the remarks of the Senator from Texas I rose to address an inquiry to him, and after the question had been answered, the Senator from Kentucky indicated that he wanted in his time also to make answer to the question which I had in mind. If it is convenient for him I shall explain what I have in mind so that he may answer the question in his own good time. I should be very glad to have the Senator from Texas listen also to a repetition of the question.

I have before me the report of the majority. On page 4 it says:

Section 270 of the West Virginia Code of 1937 also provides in part—

Then appears what purports to be a quotation:

The oaths required by section 3 of this article shall be taken after the person shall

have been elected or appointed to the office, and before the date of the beginning of the term, if a regular term.

If that is a correct quotation from the statute, it seems to be a direct and explicit instruction to the person who is elected or appointed to office, if he is elected or appointed to a regular term, to take the oath of office before the beginning of the term.

If that be true, and if it be the fact that Governor Neely took the oath of office before the beginning of his term, in accordance with the provisions of the statute—and this is the question I should like to have the Senator from Kentucky discuss in his time—it would seem to me that the term of the new Governor would begin instantly upon the termination of the preceding term. Therefore I also ask, what is the provision of the statute or of the constitution with respect to the ending of one term and the beginning of another term? It seems to me that in the answers to these questions lies the whole case.

Mr. CHANDLER. If the Senator from Wyoming will indulge me, at a later time in my remarks I will undertake to answer the question.

Mr. President, this is known as the West Virginia senatorial election dispute or controversy. It is always a matter of regret to any Senator when he finds it necessary to disagree with the chairman of his committee. The Senator from Texas [Mr. CONNALLY], who has just preceded me, has made a great argument for his side. He is the chairman of my committee. There were nine members of the committee who voted with him, including the Senator from Texas. There were eight Senators in opposition. There was one Senator who requested that he have the right, when the question should come to the Senate floor, to change his mind if the arguments which would be presented in the future indicated to him that he should follow another course.

I agree, Mr. President, that the Senate of the United States is the judge of its own membership. It can seat a prospective candidate, or refuse to seat him, and from its order there is no appeal.

I should like to recount the facts, as I understand them, and then undertake to apply the law of West Virginia to the facts which we have at hand, and I think I have a right to ask that the Senate do what in justice it ought to do in consideration of all the circumstances.

I agree with the Senator from Texas that no political considerations should be involved. I would hate to think that any Senator would vote to seat a man, or deny him a seat, because he happened to vote on the wrong side or because he was connected with the wrong side.

At the outset of this controversy, at the request of the distinguished chairman of the Committee on Privileges and Elections, I was assigned to the task of undertaking to look up the law and giving it to the committee, without knowing either of the applicants, because they were both wholly unknown to me when this controversy arose. I reported back to the committee that I had examined the constitution and the laws of the State of West Virginia, and it was my deliberate judgment that Mr. Clarence Martin, was entitled, under the law, and under the Constitution of West Virginia, to be seated as a Senator from that State.

I want to pose some questions now, and not do as some Senators of whom the Senator from Missouri [Mr. CLARK] complains, but will stay here and undertake to answer those questions if it takes all afternoon.

Mr. President, I want someone to tell me, if he can, when this vacancy occurred, and then tell me who was Governor when it occurred, and I think therein lies perhaps the story.

Of this I am certain: The attorney general of West Virginia, when he came before the committee, said, and I quote his words contained in a direct message or an opinion to the Governor of West Virginia—

> As we have seen, it was necessary that you should cease to be a United States Senator before you were eligible to qualify as Governor of the State of West Virginia.

On three occasions I repeated the question. On three occasions he made the same answer. On one occasion the Senator from New York [Mr. MEAD] asked him the question, and he made the same answer to the Senator from New York.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. Since the Senator has mentioned the appearance and the testimony and the various briefs of the attorney general of West Virginia, it seems to me it would be important to bring out the fact that there was nothing in the duties, constitutional or statutory duties, of the attorney general of West Virginia, which made it necessary for him to be a participant in this hearing, was there?

Mr. CHANDLER. No; not that I know of.

Mr. CLARK of Missouri. So that he, by appearing here and filing various briefs, in effect appeared as the attorney for the claimant, Dr. Rozier; is that not correct?

Mr. CHANDLER. That is correct, sir.

Mr. CLARK of Missouri. In other words he did not appear in his official capacity as Attorney General of West Virginia, but as the partisan of one of the claimants?

Mr. CHANDLER. I understand the answer to that is that Governor Holt, the outgoing Governor of West Virginia, when asked why he had not submitted the matter to the Attorney General of West Virginia, who was also his attorney general, expressed the belief that it was not proper for the attorney general to act under the circumstances, and he did not take the matter up with him at all.

He was questioned by the Senator from New York [Mr. MEAD];

> It was your contention and it is your contention that Senator Neely had to quit, give up the office of Senator before he could qualify for the office of Governor?
>
> Mr. MEADOWS. Yes, sir.

I emphasize the word "qualify," because later they undertook to change it, just as they undertook to file oaths upon which they did not originally rely.

Then here is another matter which is significant. Governor Neely at another point candidly stated, and I will read his remarks:

> I am convinced that the weight of authority is to the effect that one must divest himself of his Federal office before he can properly perform the duties of the Governor of his State.

It is not contended that Governor Neely undertook to perform the duties of Governor of his State until after he was qualified. Mr. President, I have had a calendar placed on the wall of the Senate Chamber. I placed in the RECORD a certificate of the financial clerk of the Senate of the United States to the effect that Senator Neely was paid as a United States Senator for the first 12 full days of the month of January; and if he was a United States Senator every day during the first 12 days of January, then I submit to the Senate that he could not be a United States Senator and a Governor at the same time. He must divest himself of the senatorship before he could assume the governorship. I am encouraged by the statement made by the distinguished Senator from Georgia [Mr. GEORGE], who was chairman of the Committee on Privileges and Elections for so many years, and I am fortified in the belief that the former chairman was right, and the present chairman is wrong, that a man who cannot hold two incompatible offices ought not to be permitted to control them, and the issue on that point is clear.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Maryland.

Mr. TYDINGS. The Senator has pointed out that Senator Neely drew his pay for the first 12 days of January. So that we can follow his argument, is it the Senator's contention that the term of the old Governor expired on the 12th, or the 11th, or the 13th?

Mr. CHANDLER. I will give the law of West Virginia, as I understand it. The constitution of West Virginia says:

> All officers elected or appointed under this Constitution, may, unless in cases herein otherwise provided for, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws, and unless so removed they shall continue to discharge the duties of their respective offices until their successors are elected, or appointed and qualified. (Constitution of West Virginia, art. IV, sec. 6.)

Then in order to make it effective, a law was passed in 1937 which was stronger than that, and which provides:

> The term of every officer shall continue (unless the office be vacated by death, resignation, removal from office, or otherwise) until his successor is elected or appointed, and shall have qualified.

In the case of failure to qualify, which is not this case, then the special situation referred to by the Senator from Texas obtains.

Mr. TYDINGS. Mr. President, will the Senator yield.

Mr. CHANDLER. Yes; I yield.

Mr. TYDINGS. Did Governor Neely take the oath as Governor of West Virginia for the first time on the 12th, the 11th, or the 13th?

Mr. CHANDLER. Governor Neely took the first oath at 11:35 on the 12th day of January.

Mr. TYDINGS. Which was Sunday.

Mr. CHANDLER. That was Sunday. He took it at 11:35.

Mr. TYDINGS. At night?

Mr. CHANDLER. At night. I want to call this to the attention of the Senate: The contention has been made by the Senator from Texas, that at 12 o'clock midnight the Governor was up. I want to say that the Senator was also up at that time. They were both up at the same time, and if any guilt attaches to that, everyone who was up that night around midnight was guilty. [Laughter.]

Mr. TYDINGS. Then Governor Neely took the oath again on the morning of the 13th, which was Monday.

Mr. CHANDLER. He took an oath at 11:35.

Mr. TYDINGS. 11:35 p. m.?

Mr. CHANDLER. 11:35 p. m. on Sunday. He took another oath at 11:45, and he undertook to say in those two oaths that he was not abandoning the Senatorship.

Let me answer the Senator further. He let those two oaths stay temporarily; and after we started the hearing before the Senate he took them to the office of the secretary of state in West Virginia and filed them on the 25th of January, and had somebody take them there and slip them into the record. The clerk, Mr. Raymond Barnett, will testify that nobody ever identified them, nobody talked about them, and nobody ever knew they were there until they just turned up in the record.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. It is quite obvious that one of the three oaths which the Senator from West Virginia took as Governor was the right, legal, binding oath, and that the other two were either no good or superfluous.

Mr. CHANDLER. He did better than that. He took four oaths. He took another in the afternoon, which has disappeared. I do not know what happened to it. He took one instantly after midnight. I will ask the Senator from Vermont [Mr. AUSTIN] if that is not a correct statement.

Mr. AUSTIN. That is correct.

Mr. CHANDLER. He took one instantly after midnight. He sent a resignation to the Governor of West Virginia, Governor Holt, and he said, in effect, I want to quit being a United States Senator, and at precisely 12 o'clock midnight I am out. On the 10th day of January Governor Holt, anticipating that perhaps Neely would qualify as Governor, named Clarence Martin to be United States Senator from West Virginia. On the 11th of January he received Senator Neely's resignation, the resignation of which I spoke a moment ago. It was delivered to the Governor's office at Charleston, W. Va., by Arthur Koontz, Democratic national committeeman from that State; and there was nothing in the world for the Governor of West Virginia to do but to sign it and put on it the time he received it.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. How did the resignation read?

Mr. CHANDLER. The Senator can look it up in the record. I shall be glad to read it to the Senator.

Mr. TYDINGS. If I may interrupt the Senator, did the resignation of Senator Neely as United States Senator, delivered to the Governor of West Virginia on Saturday, January 11, state that he resigned as of that date, or as of midnight of the 12th, or as of the time of becoming Governor? Just what did the resignation say?

Mr. CHANDLER. I shall be glad to read it to the Senator:

> I hereby respectfully tender you my resignation as a United States Senator from the State of West Virginia to become effective at precisely 12 o'clock midnight on Sunday the 12th of January 1941.
>
> Very respectfully yours,
>
> MATTHEW M. NEELY.

There was a little postscript or a place for the Governor to fill in the time and sign his name. The Governor did fill in the time, 1:30 in the afternoon, signed his name, and sent it back to Senator Neely. Then he again appointed Mr. Clarence Martin.

Mr. TYDINGS. Let me ask the Senator from Kentucky one further question, and then, so far as I am concerned, I think I shall have the essential facts to enable me to follow his argument.

Is it the contention of the Senator from Kentucky that when Mr. Neely took the oath as Governor for the first time, which he says was at 11:35 p. m. on the night of Sunday, January 12, that oath was a good oath, and thereupon he was qualified to become Governor of the State?

Mr. CHANDLER. He was not; but I do think it was sufficient to get him out of the United States Senate.

In that connection I have a case which I wish to read. It is the case of Bunting versus Willis.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. As I understand the case, the Senator from Kentucky makes the contention that Senator Neely, by taking the oath of office at 11:35 p. m. on Sunday night, January 12, whether that oath was good or not, put himself in the position of attempting to qualify and exercise the office of Governor, which he could not do if he maintained that he was a United States Senator. Is that the contention of the Senator?

Mr. CHANDLER. Yes. Mr. President, I have practiced doing many things. I have been the Governor of my State, but I never practiced getting ready for it by taking oaths. I have practiced for baseball, fooball, basketball, and track, but I never heard of a man practicing getting ready to be Governor; and I never heard of taking oath after oath and calling it practice. [Laughter.]

The oath which former Senator Neely took at 11:35 did not make him Governor. It could not have made him Governor because he was still a United States Senator. But if it operated to have him get rid of the senatorship, he drew pay after that.

In the case of Bunting against Willis a man who had a lucrative Federal office was elected sheriff of his county in Virginia. The court did not know of the other office. He qualified and then undertook to perform the duties of his office. When the suit was filed, the court threw him out of office and said he had violated it, and would not let him get back in. The court took the office away from him.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. When did Governor Holt appoint a United States Senator to take Governor Neely's place? Was it after Senator Neely had first taken the oath of office, at 11:35 p. m., or was it before that time?

Mr. CHANDLER. Governor Holt first appointed Clarence Martin a United States Senator from West Virginia on the 10th, in anticipation of a vacancy which he had reason to believe would occur in his term. Then, when he received the resignation, he appointed Mr. Martin to fill the vacancy which he knew was going to occur in his term.

Mr. TYDINGS. How soon after he received the resignation did he make the appointment?

Mr. CHANDLER. Right away; on the 11th. He appointed Mr. Martin once on the 10th, once on the 11th; and then around midnight of the 12th, just as the clock was crossing the line, he appointed him again. The reason he filed the appointments the way he did was because he was asked, "What are you going to rely on?" He said, "I am going to rely on every one of them. I am entitled to whichever one is good."

Senator Neely did not rely on his oaths. He took one at 11:35 and another at 11:45. I am reminded of the fellow who wanted to have his cake and eat it, too.

Mr. TYDINGS. It sounds like taking medicine. [Laughter.]

Mr. CHANDLER. It is like taking medicine. If you eat your cake, it is gone. All my life I have tried to keep things and consume them, too. It cannot be done. If a thing is consumed, it is gone.

I want the Senate to know exactly what was done.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. I wish to advert to the reference which the Senator made a moment ago to the oath taken by Governor, or Senator, Neely—as the case may be—at 11:35 on the night of the 12th of January. Is it or is it not a fact that the law of West Virginia requires, as part of the qualification of a Governor, that his oath be filed in the office of the secretary of state?

Mr. CHANDLER. He must file it; and there is no exception known to the people of West Virginia or any of its courts. If the Senator wishes me to take up that point now, out of order, I shall be glad to do so.

Mr. CLARK of Missouri. I should like to have the Senator answer a question. He is a member of the committee. The chairman of the committee is now present, and I should be glad to have him explain the matter. It is a matter that intrigues me very much in reading the record of the hearings before the Senate Committee on Privileges and Elections.

I find that at a hearing on January 16, 1941, certain exhibits were included in the record. To my astonishment I found that among the exhibits included in the record of January 16 was the certificate of the secretary of state of West Virginia, dated January 25—9 days later—certifying to the filing in the office of the secretary of state of the oath taken by Governor-elect Neely at 11:35 on the night of the 12th, which, according to West Virginia law, should have been filed as one of the prerequisites to his qualification for office.

Mr. CHANDLER. I challenge any Senator to stand on this floor and state when those two oaths got into the record, and who put them there.

Mr. CLARK of Missouri. I have read the record from end to end, ordering the inclusion nunc pro tunc, as of January 16, of a certificate issued by the secretary of state on January 25.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. We want to be fair to both parties.

Mr. CHANDLER. I am anxious to do so.

Mr. HATCH. The Senator from Kentucky will recall that when the hearings were finished I happened to be presiding that day, and both contestants requested permission to file statements and exhibits, and to correct statements previously made. We told them to go ahead and file anything they wanted to file.

Mr. CHANDLER. I am sorry my friend from New Mexico cannot answer the question as to how those exhibits got into the record. They got into the record before that time, and I told the Senator from New Mexico about it. I thought it was a horrible breach of etiquette and of the fitness of things to have things slipped into the record in that way. I do not sanction such procedure. They were slipped into the record.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr CHANDLER. I yield.

Mr. CLARK of Missouri. Does not the Senator see a very essential difference between blanket authority to include at a later stage in the proceedings a certificate issued on January 25, 1941, which might be a vital issue in the authenticity of the qualification of the Governor-elect, and the inclusion of it as a part of the proceedings of January 16, 9 days before it was issued by the secretary of state?

Mr. CHANDLER. Mr. President, I had not intended to deal with that matter at this point, but the Senator from Maryland asked whether or not it was necessary that the Governor of West Virginia file his oath before he was qualified.

I desire to say to the Senator that it is absolutely essential; as a practical proposition, he must do all the law requires him to do before he is qualified to act as Governor. I do not know of any Governor who ever undertook to make appointments before he had first taken his oath and then put it on the books. When I became Governor of my State the first thing I did was to take the oath and put it on the books, and then appoint an adjutant general so I could be in charge of the army in the event anything happened. [Laughter.] That is the procedure.

I desire to call attention to the Qualls case. It is said that the proposition is a legal one. Not only is it a law of West Virginia pertaining to every officer, but in that case the reference is to two members who were elected to the board of education. They took their oaths but they did not file them; and after they waited so long as to indicate uncertainty, and the county superintendent did not know whether they were going to file them or not, he made two more appointments, to take their place. The court held that the provision with reference to filing oaths was not directive, it was mandatory, and that the failure to file the oaths disqualified them.

Listen to this:

Certificates of the oaths of all other officers shall be filed and preserved in the office of the secretary of state.

That is the Code of West Virginia, 1931. The Qualls case was decided on the 16th day of January 1923.

It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath, as provided in this section.

I have two letters which I received on the matter from judges of the West Virginia Supreme Court who participated in the decisions and helped write the opinion, and I desire to read them to the Senate and to let Members of the Senate know what they say:

I have been informed—

This is from Judge Lively, whose offices are in the Security Building, Charleston, W. Va.:

I have been informed that the opinion of the supreme court of appeals of this State in the case of *Quall* v. *Board of Education* (92 W. Va. 647), holding that the oath of office of a member of the board did ipso facto make him a member until that oath was filed with the proper officer, has been questioned as not a true concept of law.

Listen to this:

I was a member of the court at the time of the decision and participated in it. The court was unanimous in holding—

It was not a split opinion; it was a unanimous opinion—

and that decision stands as the law of West Virginia today and is based on reason and precedent. I think the legislature later carried that decision into a statute—

It did; the legislature later carried the decision into the statute I just read—

thus solidifying the public policy of this State in that regard. While that case dealt with membership on a board of education, the principle of the decision was not intended to be limited thereto, but the decision declared the public policy of the State of West Virginia with respect to the qualifying for public office and the necessity of the filing of the oath, whatever the office might be.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. CHANDLER. I yield.

Mr. LUCAS. Let me ask the Senator from Kentucky whether that is a matter of record?

Mr. CHANDLER. That is my own proposition. I did not put that in the record; I do not have to put it in any record. I am putting it in this RECORD.

Mr. LUCAS. I understand that, but this is the first time I have heard of it.

Mr. CHANDLER. Oh, well, the Senator will hear a lot of things from me that he did not hear before. [Laughter.]

Mr. LUCAS. I can appreciate that.

Mr. CHANDLER. I will give the Senator a powerful lesson before he gets out of here; he knows that I am good and powerful competition.

Mr. LUCAS. I know that we shall see a lot of the Senator as long as he stays here. But the opinion is a very important one and it comes, as I understand it, from the judge of the Supreme Court of West Virginia.

Mr. CHANDLER. That is correct.

Mr. LUCAS. I wondered why, in a case of that kind the judge of the Supreme Court of West Virginia was not called before the committee to testify.

Mr. CHANDLER. I cannot answer that but I will put in the letter.

Mr. LUCAS. May I ask how the Senator obtained the letter?

Mr. CHANDLER. I sent for it. I would have gone for it if necessary.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Maryland and then to the Senator from Missouri.

Mr. TYDINGS. I should like to ask the Senator this question: On the 12th day of January 1941, which was Sunday, what was there when the day commenced for the Governor-elect of West Virginia, Senator Neely, to do? What was it necessary for him to do that he had not already done up to that time in order to become Governor of West Virginia?

Mr. CHANDLER. He had to get rid of the senatorship which he had.

Mr. TYDINGS. Yes; but I mean exclusive of that.

Mr. CHANDLER. He had to take an oath.

Mr. TYDINGS. Is that all?

Mr. CHANDLER. No; he had to file it in the proper office before he could act as Governor.

Mr. TYDINGS. That is what I desired to ask the Senator.

Mr. CHANDLER. Yes.

Mr. TYDINGS. In other words, is it true or not that on the 12th day of January the only thing that Governor-elect Neely had to do, insofar as qualifying for Governor was concerned, outside of resigning from the Senate, was to take an oath as provided for by the statutes and constitution of West Virginia, and file it with the secretary of state? Is that true?

Mr. CHANDLER. I will answer the question of the Senator from Maryland, but I shall have to use a few more words in order to do so. My contention is that on the 12th day of January, all day, Homer Holt was Governor of West Virginia——

Mr. TYDINGS. I did not ask the Senator that.

Mr. CHANDLER. I ask the Senator to wait for a moment; I have to say that in order to get to what I desire to tell the Senator. Matthew Neely was United States Senator all day; Matthew Neely wanted to be Governor, and he was elected Governor. He wanted to find out any possible way on earth to make a valid appointment, and I do not think he did. It is my contention that the only effect of the 11:35 oath which Matthew Neely took was to make Holt's appointment of Martin effective just as soon as he took it—just "bang."

Mr. TYDINGS. I do not think I made myself entirely clear to the Senator. I am not for the moment concerned with the resignation of Senator Neely, or the time, or whether Governor Holt had the appointive power or not. What I desire to know is this: On the morning of the 12th of January 1941, what still had to be done so that Mr. Neely would become Governor of West Virginia, assuming there was no Senatorship concerned in it at all.

Mr. CHANDLER. If there had not been any Senatorship concerned in it, of course, he would have gone down to the Statehouse at noon on Monday and held up his hand and taken the oath, and then filed it in the office of the secretary of state. Then he would have been Governor.

Mr. TYDINGS. So that is the answer?

Mr. CHANDLER. Yes.

Mr. TYDINGS. The only thing he would have had to do would have been to take the oath and file it, if he had not been Senator?

Mr. CHANDLER. Yes; if he had not been Senator.

Mr. TYDINGS. Am I correct in that?

Mr. CHANDLER. Yes; I think so.

Mr. TYDINGS. Then, as I recall, the Senator testified that at 11:35 p. m. Senator Neely did take the oath, which was the one remaining thing for him to do.

Mr. CHANDLER. Yes; but does the Senator know what he did when he took that oath? He put on the oath a notation to this effect: "I do not mean this. I am taking this oath, but I do not want to get rid of my senatorship until I appoint the other Senator." He wrote that right on the back of the paper containing the oath, qualifying it. Oh, he was as clever as could be, but he was not clever enough. He appointed a Senator of his own State.

Mr. TYDINGS. But I mean the one remaining thing he had to do, after having taken the oath, was to file it with the secretary of state. Did he file it?

Mr. CHANDLER. He signed it at the instant of midnight.

Mr. TYDINGS. But he did not file it until the 25th?

Mr. CHANDLER. No; not until the 25th of January; and if it takes that to make him Governor, then he did not become Governor until the 25th of January, 13 days after he took the oath.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to my colleague.

Mr. BARKLEY. Who had custody of the oath? Whose duty was it to file it with the secretary of state?

Mr. CHANDLER. It was his duty. If he lets anybody else get it, that is his bad luck.

Mr. BARKLEY. I suppose that is a question of law.

Mr. CHANDLER. That is correct.

Mr. BARKLEY. I suppose it is a question of law, and not simply a physical fact as to who had it in his pocket.

Mr. CHANDLER. That is the law of West Virginia.

Mr. BARKLEY. Does the law require that the man who takes it shall file it, or that the man who administers it shall file it?

Mr. CHANDLER. The law requires that the man who takes the oath shall file it.

Mr. BARKLEY. If that be the case, and on the 13th, with his hand raised to Almighty God, and before the assembled multitude, he took the oath and swore to it, "So help me God," I suppose——

Mr. CHANDLER. He said it.

Mr. BARKLEY. Is it my colleague's contention that before he could act as Governor of the State he had to leave the platform, go to the office of the secretary of state, and file the oath?

Mr. CHANDLER. It not only is your colleague's contention but it is the law of West Virginia. I did not make it; it is the law of West Virginia.

Mr. BARKLEY. Is it my colleague's contention?

Mr. CHANDLER. It is your colleague's contention and it is the law of West Virginia.

Mr. BARKLEY. Now let me inquire about the oath taken before midnight.

Mr. CHANDLER. There were two.

Mr. BARKLEY. I do not care about that. I suppose he pursued the theory that if the outgoing Governor could make three appointments of Senator he could take three oaths.

Mr. CHANDLER. That may be.

Mr. BARKLEY. So it is a question of which one, if any, is valid. Is it my colleague's contention that the oaths taken prior to midnight on the 12th were invalid and a nullity so far as the Governorship was concerned?

Mr. CHANDLER. If they were valid to make him Governor they made him Governor and United States Senator at the same time and he drew pay for both, and he disqualified himself for the whole business.

Mr. BARKLEY. Let me say that no oath taken before 12 o'clock could make him Governor before 12 o'clock.

Mr. CHANDLER. He was not Governor until he qualified. He could not make himself Governor any day or hour or minute, and, according to the law of West Virginia, the Governor of West Virginia, who was there, continued to be Governor until his successor was elected or appointed and "shall have qualified," as the law of West Virginia provides.

Mr. BARKLEY. Mr. President, will my colleague yield there?

Mr. CHANDLER. Yes, sir.

Mr. BARKLEY. Is it my colleague's contention that by the taking of any number of oaths prior to 12 o'clock midnight on the 12th the Senator from West Virginia thereby became Governor before 12 o'clock?

Mr. CHANDLER. He could not be Governor so long as he was United States Senator. He held the United States senatorship. He himself said, "I have got to get rid of the senatorship." He wanted to get rid of it, but when it came to the time to get rid of it, he did not know how to do it. It reminds me of the story of the big colored man who said to the little colored man that he never got so tired of any one thing in his life but he could not put it down.

I do not know how short the time was, but there was an interval; in that interval the Governor of West Virginia, who was there, made the appointment, and when Neely became Governor, which he did when he filed his oath at 12:50 a. m. January 13, in my opinion, he undertook to make an appointment when there was no vacancy, for it had already been filled.

Mr. BARKLEY. Will my colleague yield further?

Mr. CHANDLER. I yield again.

Mr. BARKLEY. My colleague does not contend, does he, that Neely was Governor of West Virginia for one second before 12 o'clock or midnight?

Mr. CHANDLER. He was not Governor until 12:50 a. m., when he filed his oath in the office of secretary of state. He filed on the 25th day of January two more oaths he had taken. So, apparently, he thought that was necessary.

Mr. BARKLEY. Regardless of what he thought, I am trying to get at the law. He was not Governor from 11:35 on Sunday night, the 12th of January, until the hour of 12 o'clock; between those times he was not Governor.

Mr. CHANDLER. He was not Governor so long as he was Senator. That is my answer and continues to be my answer.

Mr. BARKLEY. If he had not been a Senator——

Mr. CHANDLER. He got paid for being a Senator for 12 days in January.

Mr. BARKLEY. He got paid up to midnight of the 12th.

Mr. CHANDLER. He got paid all day of the 12th.

Mr. BARKLEY. He was a Senator all day on the 12th.

Mr. CHANDLER. And he got paid for it.

Mr. BARKLEY. Nobody complains about that. He was Senator all day; he was not Governor and did not get paid as Governor until midnight of the 12th or 13th.

Mr. CHANDLER. I did not say he did.

Mr. BARKLEY. Let me ask the Senator, if the oath he took at 11:35, 11:45, or 11:59, or at any other time before 12 o'clock was a nullity so far as making him Governor was concerned, how can it be a valid oath so far as divesting himself of his title as a United States

Senator? It is either null or it is valid; it is either a good oath or it is not good. If it could not be good as to the governorship, how could it divest him of his title as Senator?

Mr. CHANDLER. My colleague knows much about many things that he has not had time in the same length of time to learn as much about this case as I know. [Laughter in the galleries.]

Mr. BARKLEY. I yield to my colleague when it comes to multiplicity of speech.

Mr. CHANDLER. Mr. Neely undertook to avail himself of 11:35 and 11:45 oaths. If one takes advantage of the benefits, then, if they limit him, he has got to accept the limitation.

Mr. BARKLEY. Those oaths were bound to be good for all purposes if they were good for any purposes at all; and, if they were null and void so far as the governorship is concerned, they were bound to be null and void as to the senatorship. The Senator is contending that there was a split second; he cannot contend that there was a split oath.

Mr. CHANDLER. It was a split second, and we split it.

Mr. BARKLEY. The Senator is trying to split the oath, too, as well as the second. [Laughter in the galleries.]

The PRESIDING OFFICER. The Chair wishes to admonish the occupants of the galleries that they are guests of the Senate and as such guests should not indulge in audible laughter or conversation.

Mr. TYDINGS. Mr. President——

Mr. CHANDLER. I yield to the Senator from Maryland.

Mr. TYDINGS. Assuming that the then Senator from West Virginia, Mr. Neely, had resigned to take effect at midnight on Sunday, January 12, and had taken the oath of office at midnight on January 12, that both events happened at the very identical instant, is it the contention of the minority that it is possible for him to cease being a United States Senator and to begin being a Governor in one instant, simultaneously, or is it the contention of the minority that there must be some interval, no matter how small?

Mr. CHANDLER. It does not make any difference what the contention of anybody is, let us see what he actually did. I do not want to contend something; I have the facts on my side. One makes contentions if the facts do not support him. I want the Senate to understand exactly what happened.

Mr. TYDINGS. Let me put it in this way: Assuming that the two oaths which the Senator from West Virginia took before midnight on Sunday, the 12th, were no good, then is it the contention of the Senator from Kentucky that when he took the oath at 12:10, as I recall, 10 minutes later in the morning——

Mr. CHANDLER. No, instantly after he made his resignation.

Mr. TYDINGS. Let us say 1 minute after.

Mr. CHANDLER. I am not a lexicographer; I am not an expert on English grammar or the derivation of words; but I think I know the difference between a fellow who says, "I want to quit precisely on the dead-level stroke of 12 o'clock precisely," and one who says, "an instant afterward, I took the oath as Governor." There is a difference between "precisely" and "an instant after." He got himself into that; nobody else did that—but he did not get to be Governor under any stretch of the imagination until 12:58 a. m., January 13, 1941, when he filed his oath in the office of secretary of state; and then he did not believe in that because he went into those back oaths and 12 or 13 days after the 13th he put those on record.

Mr. ADAMS. Mr. President——

Mr. CHANDLER. I yield to the Senator from Colorado.

Mr. ADAMS. I wish to make an inquiry. The senior Senator from Kentucky, as I caught his remarks, seemed to be of the opinion that an oath taken at 11:35, if it was effective for one purpose, must be effective for both. It is my understanding that the right of a Senator to separate himself from his senatorial office is entirely distinct from his going into office as Governor. It was entirely appropriate and entirely legal if Senator Neely saw fit to resign the Senatorship at 11:35 p. m., but it would not follow that he would have to become Governor at 11:35 p. m. If the taking of the oath at 11:35 was the equivalent of a resignation as Senator, then, by taking the oath he by implication resigned his office as Senator, but by having taken the oath as Governor, it would not be a necessary implication that he became Governor at the instant he separated himself from the senatorship. Am I correct in that?

Mr. CHANDLER. He had to divest himself of the Senator's office. He knew that; everybody he talked to told him he had to do that. I never saw a man so struggle in all my life to get rid of something he had and did not want.

Mr. ADAMS. Let me make myself clear. It was quite possible for Senator Neely to have ceased to be Senator at 11:35. If the act of taking the oath was by implication a resignation of the senatorship, then he would have been out of the senatorship, regardless of when he became Governor.

Mr. CHANDLER. All right; and if he was out, the appointment on the 10th was good, the appointment on the 11th was good, and Clarence Martin became, by appointment of Governor Holt, United States Senator; and when Neely qualified at 12:50, if he did, and filed his oath of office in the office of the Secretary of State, the vacancy had been filled, and Martin was Senator. There was not any vacancy left for him to fill.

Mr. ADAMS. I am still in doubt whether or not the Senator considers that there is any basis for feeling that taking the oath of Governor at 11:35 could be construed as an implied resignation of the senatorship, so that there was a period between 11:35 and midnight when there was a vacancy in the senatorship.

Mr. CHANDLER. This is the question, it seems to me: A vacancy occurred, because it is still existing, in the office of Senator from West Virginia. It occurred in the term of somebody. Who was Governor of West Virginia when the vacancy occurred?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. Yes.

Mr. CLARK of Missouri. I do not think the Senator from Kentucky has yet touched on the point which was raised, as I understood, by the Senator from Maryland and also by the Senator from Colorado; that is, whether the mere taking of an oath for an incompatible office did not, ipso facto, divest the then Senator Neely from his office as United States Senator, even though he did not by that fact become Governor, because his term did not begin until 25 minutes later. In other words, I have heard very high authority, the man who was himself concerned—namely, the distinguished Senator from Texas [Mr. CONNALLY]—express on this floor, concerning his own action, the opinion that when he himself was a Member of the House of Representatives during the late World War, and took an oath as major in the United States Army, he thereby by that act had taken an oath for an incompatible office, and vacated his seat as Representative from Texas, if the Governor of Texas had seen fit to treat that as a vacancy. Is not that what the Senator said? That is my recollection of his statement.

Mr. CONNALLY. The Senator is partially correct and partially incorrect. I did not distinguish between the taking of the oath and the assumption of the office.

Mr. CLARK of Missouri. I agree with that.

Mr. CONNALLY. I said that I construed my assuming to act as an officer of the Army as an abandonment of my seat in the House of Representatives. I certainly did not mean just the taking of the oath.

Mr. CLARK of Missouri. I was quoting from recollection what the Senator said on this floor; but I am calling to the attention of the Senator from Kentucky what seemed to me the point being made by the Senator from Maryland and the Senator from Colorado, that by the mere act of taking the oath for an incompatible office there is very strong legal probability that the Senator from West Virginia at that time vacated his seat in the Senate, even though he was not then eligible to take the office of Governor.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Maryland.

Mr. TYDINGS. A moment ago the Senator said that neither Mr. Neely nor Governor Holt could, of course, have filled the so-called vacancy in the United States Senate until there was a vacancy.

Mr. CHANDLER. When did it occur? That is the question.

Mr. TYDINGS. The whole point is, Did it occur under Governor Holt, or did it occur under Governor Neely? Obviously, it seems to me, it could not have occurred under Governor Neely, because it must have occurred before he became Governor. Otherwise he would have been both United States Senator and Governor together. That was the reason why I asked the Senator a moment ago

the hypothetical question whether or not a man could, in a single instant, without the lapse of even a flying split second, cease to be United States Senator on the one hand and at the same instant, without any loss of time or interval whatever, become Governor.

Mr. CHANDLER. He could not do it.

Mr. TYDINGS. It was the intention of Senator Neely to try to accomplish that feat. Now, therefore, if that could not be done, obviously Mr. Neely could not appoint, because when he became Governor he was not a United States Senator, and therefore he stopped being United States Senator before he became Governor.

Mr. CHANDLER. This is a rather homely illustration, but I hit upon it when we first started the discussion of this question. I said, "Here is a man who holds the senatorship. Here is another man who has the Governor's office." The man who has the Senator's office wants to put it down and wants to be Governor, and he cannot do it until he divests himself of the office of Senator. He said he would have to divest himself of it. The Attorney General of West Virginia said—

> As we have seen, it was absolutely necessary for you to divest yourself of the office of United States Senator, or cease to be a United States Senator, before you could qualify as Governor of West Virginia.

When he put down that office, which he did at some time, he did not pick up the second office just as soon as he put down the first one. He left a man in the Governor's office; and the law says that until he did all things necessary to qualify himself as Governor of his State, he could not be Governor. He could not be both Governor and Senator. The vacancy did not occur in his term. It occurred in the term of Homer Holt, and Homer Holt named Clarence Martin, and Clarence Martin is entitled to have this seat. It is just, it is fair, and the Senate ought to do it.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. Yes, sir; I yield again.

Mr. TYDINGS. The new Governor's term began on the 13th of January at some time. In order that the argument may be straightened out, suppose Governor Neely had not taken office for a week, until the 20th of January: Would not Governor Holt have held over until his successor qualified?

Mr. CHANDLER. He most certainly would have done so under the constitution and the law of West Virginia, because the 1937 West Virginia Code says so, and he did not know until a few days before the question came up whether or not Neely was going to quit the United States Senate, and nobody else knew, because Neely was not certain enough that he could quit the United States Senate and get the governorship and control this appointment. I desire to repeat that I do not think it is right to permit a man to control two offices when he cannot hold two, because they are incompatible.

Mr. GILLETTE. Mr. President——

Mr. CHANDLER. I yield to the Senator from Iowa.

Mr. GILLETTE. I have just been reading the hearings, and there is a reference in them to the West Virginia law which I quote:

> Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state.

Has the Senator any West Virginia law which makes filing the certificate a prerequisite to qualification for the office?

Mr. CHANDLER. Yes, sir; Qualls and Burdette against Board of Education of Curry District, Putnam County, West Virginia, and others.

Mr. AUSTIN. There is a code provision, found on page 235.

Mr. CHANDLER. I have the code provision.

Mr. AUSTIN. It is in the hearings at page 235.

Mr. GILLETTE. Will the Senator read that provision?

Mr. CHANDLER. I wish the Senator from Vermont would do so. I have not it handy.

Mr. AUSTIN. Code, chapter 2, article 2, section 10 (e)—

> An officer shall be deemed to have qualified—

this answers the question when an officer does qualify.

Mr. GILLETTE. That is what I want.

Mr. AUSTIN—

> An officer shall be deemed to have qualified when he has done all that the law required him to do before he proceeds to exercise the authority and discharge the duties of his office.

Mr. CHANDLER. Does that answer the Senator?

Mr. BARKLEY. Mr. President, is that the law, or a decision?

Mr. AUSTIN. That is the code, chapter 2, article 2, section 10 (e), copied on page 235 of the hearings, at the middle of the page.

Mr. GILLETTE. Mr. President, will the Senator further yield?

Mr. CHANDLER. I yield to the Senator from Iowa, and I desire to express my appreciation to the Senator from Vermont.

Mr. GILLETTE. Will either the Senator from Kentucky or the Senator from Vermont cite either the Constitution or the statutes of West Virginia which say what it is necessary for an officer to do before he can assume the office? What the Senator has just read says that he must perform all that it is necessary for him to do. Has the Senator anything that says what it is necessary for him to do?

Mr. AUSTIN. Yes. The Senator from Iowa read the other part of the Code which related to the filing of oaths of office. I will re-read it. I will read the two together. Then it will be clear, I think. I am reading from page 236 of the hearings:

Code, chapter 6, article 1, section 6:

> Certificates of oaths * * * certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state. * * *
>
> It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section.

Now I read the other one with it.

Code, chapter 2, article 2, section 10 (e):

> An officer shall be deemed to have qualified when he has done all that the law required him to do before he proceeds to exercise the authority and discharge the duties of his office.

It needs no comment at all. The code answers the question.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CHANDLER. In just a moment. The Senator from Vermont will agree that the decision in the Qualls case was followed by these judges in order to make it effective, and I was discussing, when I was interrupted a while ago by the question of the Senator from Illinois, the opinion of the judges of the court who helped write the opinion, and if I may be permitted, I should like to finish that, while I am on that point; then I will yield to my colleague.

I refer now to Mr. James A. Meredith, of Fairmont, W. Va., who was a member of the supreme court at the time this case was decided. He says that it clearly holds that one elected or appointed to an office in this State is required to do two things in order to qualify him, namely, take the oath of office and to file it with the designated officer. These requirements are not merely directory but they are mandatory and this is clearly the effect of the decision in the Qualls case.

The laws of West Virginia were revised. A man named Sperry and others undertook to revise the law, and to make the code law they were getting ready to write in West Virginia in 1931 correspond with the opinion in the Qualls case, because they said that ought to be the law and was the law.

The Qualls case was one where two members were elected as school commissioners. They took their oaths and did not file them, and after a delay and a failure to file, the county superintendent appointed two fellows in their stead. The court held that those elected were not entitled to have the offices because they had failed to file their oaths, that the provision was not directory, that it was mandatory, and that they were out of office, and that the other two appointees of the superintendent of instruction were entitled to the offices.

Mr. Sperry said:

> The object * * * was not to change existing law, but to state in concise, unambiguous language that law as interpreted by the supreme court of appeals in the case of the State, ex rel., and others, against Board of Education of Curry District, Putnam County, and others, decided January 16, 1923, and reported in West Virginia Reports, volume 92, page 647.

That was the law of West Virginia. Those men slept on their rights. They were guilty of laches, as the Senator from Maryland suggests, and they slept so long that when they woke up, others were in their places.

Now I yield to my colleague.

Mr. BARKLEY. Mr. President, is it not the theory that the filing of the certificate in the proper office is notice to the public that the particular person is entitled to hold the office, just as if one

writes me a deed to some property, and I have it in my possession, but do not take it to the courthouse and have it recorded, if later he sells the property to someone else, I have no right against the grantee, because I have not filed my deed in the office of the clerk so as to give notice to the public that it is my property.

But that is not the question I desire to ask the Senator. I want the Senator from Vermont also to take heed of this. The section which has been read says:

It shall be the duty of every person who takes an oath—

In the Constitution of West Virginia the language is "make oath," but the code says "take oath." I do not know that there is any legal difference between those terms, except that probably it might be construed that to "make oath" one might have to sign a written oath, whereas if one "takes" an oath, he raises his hand and swears a thing, without any written document having to be signed.

Be that as it may, the section reads:

It shall be the duty of every person who takes an oath of office to procure and file.

That presupposes that someone else has possession of that oath, that certificate, because if the officer taking or making the oath had it in his possession, as was indicated a while ago by the Senator from Kentucky as a requirement, that the person taking the oath had to himself take it and file it—if he had it in his possession from the time he made it, he does not have to procure a certified copy of it from someone else. I assume this language quoted shows that the oath is in the possession of someone else, and that it was required to be in the possession of the officer who administers the oath.

If the Governor, in this instance, had to procure from that person a certified copy of the oath—and it would have to be certified by the officer administering it, because the Governor could not certify to his own oath—suppose that by some act of God or by any intervention between the actual taking or making of the oath and any given hour later, without the fault of anyone the oath is destroyed, is burned up, or is lost, or the person who administered it is killed, or something happens which makes it impossible for the incoming officer to secure a certified copy of the oath, then in what position would the officer be? Would he be denied the right to hold the office because of those circumstances?

Mr. AUSTIN. May I answer?

Mr. BARKLEY. Yes.

Mr. AUSTIN. Mr. President, I understand from the decision in the West Virginia case that if there intervened rights of others, the effect of the accident referred to would be the loss of the office. Assume that such intervention had not occurred, and that the officer had exercised part of his duty. I have no doubt at all that a court would sustain those acts as acts of a de facto officer, and if that person who was a de facto officer, having discovered the loss, cared enough for his office to make it de jure, he could do it immediately and become a de jure officer upon filing.

Mr. CHANDLER. Under the secondary-evidence rule observed by the courts, if one cannot do the best thing, he has to do the next best thing; but that did not happen in this case.

Mr. BARKLEY. It was not the case of an election. No man can become a de jure Governor of a State, even where by some act of God he is prevented from filing with the secretary of state the written oath which he has taken, because a Governor cannot be appointed; he must be elected, unless in a case like that of the constitutional provision of West Virginia, under which, where he fails to qualify, the president of the senate automatically assumes the governorship during any interval of failure. But in the case cited by my colleague, it is the case of an appointment.

Mr. CHANDLER. Oh, no; my colleague is mistaken. The men were elected. I have the case here. The two men were elected. I will ask the Senator from Vermont if that is not the case.

Mr. AUSTIN. I will not undertake to testify to that, because I cannot remember.

Mr. CHANDLER. I will read the case; I have it.

Mr. BARKLEY. I am seeking information as to whether they were elected by the people or whether they were appointed by someone in authority.

Mr. CHANDLER. They were elected by the people.

Mr. BARKLEY. I will not ask the Senator to delay his remarks on that account. We can look that up later. I got the impression from what he said that these were appointive officers, and that because the previous appointees had failed to file their oaths of office, the appointing power appointed other officers in their stead. I may be under the wrong impression.

Mr. CHANDLER. No. Kiff and Neal were duly elected to the office of commissioner of the board of education, to fill vacancies. They later took their oaths, but they failed to file them. Then the superintendent of public instruction appointed two men in their places.

Mr. BARKLEY. That is the point; that is what I thought. The original two were elected.

Mr. CHANDLER. That is correct.

Mr. BARKLEY. They failed to file their oaths, so that the public or anyone would have notice that they were elected. Then later some appointing power appointed two men to succeed them.

Mr. CHANDLER. That is correct.

Mr. BARKLEY. And the court upheld that appointment.

Mr. CHANDLER. The statute says in section 9 of chapter 10:

If any person elected or appointed to an office fails to qualify within the time prescribed by law, the office shall be deemed vacant.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. As I follow the junior Senator from Kentucky, it seems to me that in opposing the majority report he lays down the premise that if that report were sound it could be only because the Governor of West Virginia, Mr. Neely, became Governor before he resigned as United States Senator. Am I correct in that?

Mr. CHANDLER. That is correct.

Mr. TYDNGS. And that would be a physical impossibility?

Mr. CHANDLER. It could not happen.

Mr. TYDINGS. That the only way he could fill an office during his term as Governor would be in the case of a vacancy that was made during his term as Governor, or which had not been filled by the preceding Governor. Is that correct?

Mr. CHANDLER. That is correct.

Mr. TYDINGS. And that Governor Neely could not fill this office because obviously he had to cease being United States Senator before he was Governor.

Mr. CHANDLER. He most certainly had to. The Senator from Maryland has accurately stated the case.

I have first relied in this case upon the fact that the vacancy occurred during the term of Governor Holt; that he was authorized to fill the vacancy; that he did fill it; and appointed Clarence Martin United States Senator from West Virginia; that when Neely became Governor there was no longer any vacancy, it had already been filled; that Neely not only had to take the oath, but he had to file it; he had to qualify, and, as the Senator from Vermont said, and as I have heretofore said, he had to do all things necessary, and the things necessary were to take the oath and to file it in the office of the secretary of state.

Let us consult the precedents of the Senate of the United States. The United States Senate has passed on matters of this kind many times. I do not know why my distinguished friend, the Senator from Texas [Mr. CONNALLY] did not read the leading case on this subject, which came from his own State, the Chilton case in 1891.

Mr. John H. Reagan, who was elected Senator from Texas for the term of 6 years from March 4, 1887, resigned his office, the resignation to take effect on June 10, 1891. The Governor, after the receipt of the resignation of Mr. Reagan, appointed Mr. Horace Chilton to fill the vacancy, the appointment to take effect on the 10th day of June 1891. The certificate bears date April 25, 1891. The appointment was made presently, to take effect in the future, and within the term of the appointing power of the Governor undertaking to make the appointment. December 7, 1891, and after the 10th day of June Mr. Chilton appeared and took his seat, and on the same day his credentials were referred to the Committee on Privileges and Elections. That committee reported on January 25, 1892. The committee made a rather exhaustive study of the cases that had gone before in the Senate of the United States. That committee reported:

So far as the precedents are concerned, it appears that in three cases persons so appointed have been admitted to their seats without question; that Mr. Tracy was admitted and Mr. Lanman rejected, where the executive made the appointment in anticipation of a vacancy, there being a discussion in the Senate, but no satisfactory evidence of the grounds of the judgment.

The decision was not made on that ground in those two cases, one favorable, one unfavorable to my contention. It was made on some other ground. It was not made on the ground that the Governor in office did not have a right to anticipate a vacancy occurring in his office and making the appointment. The report continues:

> That in one case, that of Mr. Sevier, a person so appointed has been admitted, when the validity of the appointment was questioned, upon other grounds, without raising this question specifically; and that in modern times the practice has been uniform for the Senate executive to delay appointment until the actual happening of the vacancy; * * * that where the power is given to fill vacancies in public offices it has been the uniform practice to permit resignations of such offices to be made, to take effect at a future day, and to hold that the appointing power is entitled to make the appointment in advance to fill the vacancy, to take effect when the resignation becomes operative, unless the language of the constitution or statute provision under which authority is exercised forbids such construction.

It was held that the same rule should be applied to the case of resignations and vacancies in the Senate, and that therefore Mr. Chilton was entitled to retain his seat.

January 27, 1892, the resolution reported by the committee was agreed to (Contested Election Cases, vol. I, p. 48).

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. LUCAS. Of course, the Senator knows that in every one of the precedents cited the appointing power still remained the Governor of the State. Not only when the appointee took the office, but even when he took the oath of office, the appointing Governor was still the Governor of that State, and that there was no such change made as we have in this case. I should undertake to say that there is not a single Senate precedent which the Senator has cited that is on all fours with the present case.

Mr. CHANDLER. It is difficult to find a case on all fours with the present case. The other side, however, did not cite a single precedent. It stayed religiously away from doing so. I am at least willing to give the Senate the benefit of its own decisions.

Mr. LUCAS. It is perfectly all right for the Senator to quote decisions, but I undertake to say that there is not a single Senate precedent or a single Senate decision that has been handed down by the United States Senate with respect to the appointment of Senators, that comes anywhere near squaring with the facts in the present case. There has never before been a case in which the sole question was whether the outgoing or the incoming Governor had the power to make the appointment. This is the first time such a situation has arisen.

Mr. CHANDLER. We always have a first case. This is an unusual case.

Mr. LUCAS. That is why I say the precedents cited do not square at all with the facts in the present case.

Mr. CHANDLER. Let me answer the question, and then I will yield further to the Senator from Illinois. I cited the Senate decision in a case where a Governor is in office, and a vacancy will occur in his term, and that is the case here.

Mr. LUCAS. Well——

Mr. CHANDLER. Let me answer the Senator first, and then I will yield to him.

Mr. LUCAS. Pardon me.

Mr. CHANDLER. The Governor knows the vacancy will occur in his term. He is the Governor. He has the right to anticipate the vacancy that will occur in his term. He did anticipate it in this case. He made the appointment, and the Senate ought to confirm it, because according to its own rule that is one of the things that a Governor who is in office when a vacancy occurs in his term is entitled to do. He can fill the vacancy during his term. Governors always do that. They make appointments so long as they remain in office, until someone else is qualified to make the appointments. Everyone who has the power to make appointments to fill vacancies does so. So does the President of the United States.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. CHANDLER. I yield.

Mr. LUCAS. Of course, the sole question is—and the Senator and I agree on this matter—whether Governor Holt had the power to make the appointment, and did make the appointment, while serving as Governor of West Virginia.

Mr. CHANDLER. The vacancy occurred in his term.

Mr. LUCAS. That is where we disagree, and that is the sole question here, and that is why I say the precedents cited do not apply.

Mr. GEORGE and Mr. AUSTIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. CHANDLER. I yield first to the Senator from Georgia, and then I shall yield to the Senator from Vermont.

Mr. GEORGE. Mr. President, I wish to ask the able Senator from Kentucky if Senator Neely's resignation as Senator did not have to be a completed act within the term of Governor Holt?

Mr. CHANDLER. Yes, sir; and he knew it.

Mr. GEORGE. Because he resigned to Governor Holt.

Mr. CHANDLER. Yes. What did he do it for?

Mr. GEORGE. He resigned to divest himself of the office, of course, and it must have been a completed resignation. It could not have been a partial resignation.

Mr. CHANDLER. The Senator is correct.

Mr. GEORGE. Very well. His resignation was handed to Governor Holt some time prior to midnight of January 12.

Mr. CHANDLER. It was handed to him on the 11th day of January.

Mr. GEORGE. On the 11th day of January, but it specified that it should become effective precisely at 12 o'clock on January 12.

Mr. CHANDLER. At precisely 12 o'clock.

Mr. GEORGE. Therefore the resignation, in order to be a resignation at all, must have been a completed act, a completed resignation. It was offered to Governor Holt, and Governor Holt, prior to midnight, made an appointment, did he not?

Mr. CHANDLER. Yes, sir.

Mr. GEORGE. Prior to midnight—not exactly at midnight, although he did say that in the first moment after midnight he made a second appointment, or a third; but prior to that time he actually made an appointment.

Mr. CHANDLER. Yes.

Mr. GEORGE. After Senator Neely's resignation had been received by him, conditioned to become effective precisely at midnight, or at 12 o'clock, he then made his appointment.

Mr. CHANDLER. Yes, sir.

Mr. GEORGE. To become effective precisely at that time.

Mr. CHANDLER. Whenever his resignation became effective.

Mr. GEORGE. Exactly.

Mr. CHANDLER. Whenever his resignation became effective, then the appointment was made?

Mr. GEORGE. Yes; exactly. Then does not the whole case boil down to this, that the appointment of Governor Holt was a continuing act? It became effective immediately upon the completion of the resignation by Senator Neely of his seat in the Senate.

Mr. CHANDLER. That is quite correct.

I now yield to the Senator from Vermont.

Mr. AUSTIN. My question was intended to be asked on the same point. I have only one further question to ask, and that is, Does not the Senator from Kentucky understand that in order for a Senator of the United States to make an effectual resignation, there must be an authority having the power to fill the vacancy to whom he must go in order to tender his resignation for the purpose of having it accepted?

Mr. CHANDLER. The Senator from Vermont is exactly correct, and the hearings will bear out abundantly all he has said. Senator Neely had to resign to somebody if he was going to resign at all, and he elected to resign, and he resigned to the only person in the world he could resign to, the Governor of West Virginia, and when he gave the Governor his resignation it had to be effective, and he could not be Senator and Governor at the same time.

Mr. AUSTIN. He could not have made an effective resignation if he had gone to the President of the United States and said, "I tender my resignation," could he?

Mr. CHANDLER. No. If he could, he would have done it.

Mr. AUSTIN. The only man alive and in office who was qualified to receive the tender of that resignation was Governor Holt, was he not?

Mr. CHANDLER. That is exactly correct.

Mr. President, the Members of the Senate have been most charitable and generous toward me. I now wish to conclude. I do not believe that the Senate will say that Clarence Martin, who has been

president of the American Bar Association, who is a learned lawyer, who is a fine citizen, and who is here with credentials from a Governor of West Virginia who had the right to appoint him and who did appoint him, is not entitled to a seat in the Senate. I ask Senators, when they cast their votes, to do what justice requires them to do under the circumstances. I have every faith in the vote of the Senate. I believe that the Senate will say that Clarence Martin is entitled to be seated as a Senator from West Virginia.

Mr. KILGORE obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	Nye
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Chavez	McFarland	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

Mr. KILGORE. Mr. President, a Member of the United States Senate has been variously described by able statesmen. Two descriptions that have always impressed me are, first, that he is an ambassador from his State to the National Government; and, second, that he is the advocate of his State in the legislative body of our Nation. But describe him as you will, under our democratic form of government, he is sent here to speak and vote as a representative of the people of his State. Under the two-party system he is the one selected by the majority of the voters of his State to reflect the wishes of his people in the National Congress.

In the case we are now considering, due to the laws of the State of West Virginia, it is impossible to call a special election to elect a Member of the United States Senate to fill an unexpired term, it being provided in such cases that he shall be appointed by the chief executive of the State to serve until the next general election, when his successor can be elected and qualified.

From a study of precedents handed down by the Senate in election contests, I have reached the conclusion that at all times it has been the desire of this body to seat the person whom the majority of the people of the State might ordinarily have selected in a free and untrammeled election. This appears to be the major guiding star in all such cases, and quite properly so. In the pending contest I consider it my duty as a Senator, representing the people of West Virginia, to explain to this body certain things with which Senators may not be familiar, and to demonstrate that the people of my State have expressed their will with reference to this contest.

In the primary election of 1940, even before the then Senator Matthew M. Neely announced his candidacy for Governor of my State, there was considerable discussion among our citizens as to whether or not he would run, and if he should run and be elected who would select his successor. As soon as he announced his candidacy the newspapers of the State made a campaign issue of the appointment of the successor to Neely. Those who were hostile to him charged that he would name his successor, and accused him of trying to assume dictatorial powers in the State.

His campaign was very short, but in his opening speech, and in succeeding speeches, he met this charge by stating frankly that he fully expected to name the man who would take his place in the United States Senate. This became one of the principal issues of the campaign. In the primary election, out of the 361,008 votes cast, Matthew M. Neely received 200,653, his nearest opponent receiving 152,544. In other words, Neely received a clear majority of all the votes cast in a four-way election and a majority over his nearest opponent of 48,109. Immediately after the results of the primary were announced Republican newspapers of the State again made a campaign issue of the same question, and again Senator Neely met the issue, fairly and squarely.

In the general election of November 1940, with more than 879,726 votes cast for Governor, Matthew M. Neely received 496,028, as against his opponent, who received 383,698, or a majority of 112,330.

I can draw only one conclusion from all this. As the matter had been made a distinct major campaign issue, the only interpretation I can place on the results of these two elections is that the people of West Virginia, feeling that Senator Neely would, if elected, name his successor in the United States Senate, ratified and endorsed that declared action, first, by nominating him by a large majority in the Democratic primary, and then by electing him in the general election by a still more substantial majority. What other reasonable interpretation can be offered? Had the newspapers not charged that such a thing would happen, and had he not met the issue by stating that he intended this action, another conclusion might be reached. The people of West Virginia said to Neely by their ballots, "You have our permission to name your successor, and we will abide by whomsoever you shall choose." This is made doubly certain by the fact that Hon. Homer A. Holt, Governor of West Virginia in 1940, actively opposed Governor Neely in the primary election, which opposition, in the minds of many, finds expression in the appointment attempted to be made by him as one last parting shot at a victorious political foe.

Recognizing, as we must, the expressed will of the whole people of my State, it then appears to me that the only question before the Senate in deciding which of these contestants should be seated lies in determining whether the will of my people can here be fully carried out upon some reasonable and just legal basis. In other words, could Gov. Matthew M. Neely legally appoint a man as his successor in the United States Senate? Certainly he could not appoint a man during the incumbency of the Honorable Homer A. Holt as Governor, nor could the Honorable Homer A. Holt appoint a successor to Senator Neely until Mr. Neely ceased to be a United States Senator.

In the normal course of events in the State of West Virginia it seems to be conceded that the term of the Governor—and, incidentally, this was not questioned in the hearings before the committee—ended at the instant of midnight on January 12, provided there was a successor at that instant qualified to take his place. To be eligible to take his place, of course, that successor must hold no incompatible office, and must have the following other qualifications: First, he must have been legally elected by the people of West Virginia; second, he must have been declared so elected by the Legislature of the State of West Virginia; and, third, having all the other necessary statutory qualifications under the Constitution of West Virginia, he must, before exercising the duties of his office, take the oath prescribed in the constitution.

Under the facts in this case, Matthew M. Neely tendered to Gov. Homer A. Holt his resignation to take effect "at the instant of midnight January 12, 1941." This resignation was accepted by Governor Holt without qualification. Therefore, since it has never been questioned that a United States Senator, duly seated, has a right to determine in his resignation the method and hour on which he leaves the Senate, if he leaves before the expiration of his term by resignation, at the instant of midnight Mr. Neely ceased to be a Member of the United States Senate. The rule to that effect was laid down by the United States Senate in the Clay case in Kentucky in 1852 and has been followed consistently ever since.

The Clay case was peculiar also in that in that case the Senate permitted two succeeding Senators to be seated in the United States Senate in sequence, in order that the will of Senator Clay could be fully carried out. Senator Clay, having resigned to take effect in futuro, died before the effective date of his resignation. The legislature of the State having selected a successor to take office on the effective date of his resignation, the Governor appointed a Senator for that interim, and the Senate seated both gentlemen.

This rule was also pointed out in the State of Virginia in the Bunting case, which has been somewhat discussed be-

fore, and which I will discuss a little later, in which it was stated that certainly an official resigning his office had the right to fix the time at which his services should cease. Having so fixed the time for the ending of his services in the United States Senate "as of the instant of midnight" and since, under the law, the term of Gov. Homer A. Holt would expire at the same time unless artificially extended, it follows that if Mr. Neely were qualified at that time to be Governor, both terms expired simultaneously.

At this point I feel it necessary to say a few words with reference to the theory I have heard discussed before the committee and in the corridors with reference to split seconds existing in the qualifications of an executive official. There may be lapses of time between sessions of a legislative body and between sessions of a term of court, but since the establishment of our Government there have been no split-second intervals in government. The whole theory of civilized government revolts at the idea of intervals without government. Our laws are designed to prevent such intervals, and it is not necessary to stage a foot race, to watch a clock, or to see who can write his name more swiftly, to determine when an official term of office begins and when another one ends. The idea is best expressed by the saying, "The king is dead! Long live the king!" There is no interregnum. One executive's term ends and another instantly begins, under the theory of our existing law. If we must go into the matter of the exact time of the completion of the taking of an oath and the completion of the signing of a commission appointing an official, who would determine if the clocks themselves were correct? Is this great legislative body to be put to the task of splitting seconds or determining whose watch was correct in the keeping of the time?

In West Virginia an outgoing official would normally—for limited purposes, at least—hold over until his successor took his place. However, under certain conditions this does not apply in the case of the Governor. No other official in the State of West Virginia has a substitute who can act in his stead, but in the case of the Governor the president of the senate may act; and it is to be noted that in the laws of West Virginia it is not stated that the president of the senate automatically, by the elected Governor's failure to qualify, becomes the Governor. The law says that he acts as Governor, without qualification of any kind. Automatically, upon failure of the elected Governor to qualify, the president of the senate acts as Governor and performs the official acts that the elected Governor would have performed had he qualified. But if an outgoing official's successor were, at the instant of the ending of the statutory term, qualified and ready to take over, there could be no interval of time during which the outgoing official would hold over beyond his statutory term. This seems to be the generally recognized rule everywhere.

Under the laws of West Virginia elective officials, including State executive officials, are permitted to take their qualifying oaths on or before the dates on which their terms of office begin; and, with this in mind, Matthew M. Neely took the oath, as prescribed in the constitution, at 15 minutes before 12 o'clock on January 12. On that point there has been considerable discussion with reference to the taking of the oath, and I desire to read the exact statutes governing the matter. Section 7 of article 1, chapter 6, of the West Virginia Code of 1931, the official code, says:

> No person elected or appointed to any office, civil or military, shall enter into the office, exercise any of the authority or discharge any of the duties pertaining thereto, or receive any compensation therefore before taking the oath of office: *Provided*, That this section shall not apply to members of the legislature of this State.

Section 6, of the same article and chapter, reads as follows:

> Certificates of the oaths—

This is one thing to which I desire to call attention, because only part of this section has been included in the brief of counsel filed in this case, and therefore only part of the section is included in the report of the committee.

> Certificates of the oaths of all magisterial, district and county officers, and judges of courts of limited jurisdiction within any county, shall be filed, recorded, and preserved in the office of the clerk of the county court of the county. Certificates of the oaths of members of boards of education—

Here is something to which I desire to call especial attention—

> and school officer of any district or independent school district shall be filed, recorded, and preserved in the office of the secretary of such board—

This should be borne closely in mind—

> and certified copies thereof filed and recorded in the office of the clerk of the county court of the county of such district.

The point I am making is that in the record of this case that part is not included, but this part is, and great play was made on it:

> It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies—

Referring back to school districts, to which I have previously referred, where it is said that they shall file certified copies—

> the certified copies of his certificate of oath as provided in this section.

I have before me another section, on "Failure to give bond."

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HATCH. With reference to the section of the West Virginia statute which the Senator is reading, does it refer to any other certified copies?

Mr. KILGORE. It refers to no other certified copies whatsoever.

Mr. HATCH. It refers only to the school officials?

Mr. KILGORE. As to certified copies. It says:

> Certificates of the oaths of all municipal officers—

Included in that class are State elective officers' certificates of oaths; but with reference to school officials it says that certified copies of the certificates of oaths shall be filed; and the last sentence is the one which makes it the duty of the official to procure the certified copy of the certificate, that referring to school officials.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. STEWART. Is the certified copy required to be filed with the secretary of state?

Mr. KILGORE. No; that requirement applies only to school officials. Inasmuch as the office of board of education is not an office of public record, the law requires that a certified copy of their certificate of oath shall be filed with the county clerk of the county, so that the certified copy will be a public record. That is the only reason it is made the duty of the official to get a certified copy and file it.

Mr. STEWART. The Senator is calling our specific attention to that provision for the reason that the Qualls case, to which reference has been made, construed that statute?

Mr. KILGORE. No. The Qualls case construed an earlier statute of which this was an outgrowth. I will come to that later.

Mr. STEWART. Was it a similar statute?

Mr. KILGORE. It was similar but far more drastic.

Mr. STEWART. Do I understand that there is a decision in the State of West Virginia in respect to the filing of oaths with the secretary of state determining whether or not that might be a condition precedent?

Mr. KILGORE. No, sir; there is no decision in the State of West Virginia requiring the filing of an oath at any time with the secretary of state.

Mr. HATCH. The law does require the filing of a certificate, though, does it not?

Mr. KILGORE. It does not fix any time, though.

Mr. HATCH. Who makes that certificate?

Mr. KILGORE. It is the certificate of the official who takes the oath; that is, the one who administers the oath.

Mr. HATCH. The officer who administers the oath makes a certificate to that effect?

Mr. KILGORE. To that effect; yes.

Mr. HATCH. Is that the certificate that is filed?

Mr. KILGORE. Yes.

Mr. HATCH. Very well. Assuming the officer who makes it——

Mr. KILGORE. Just a moment. The certificate includes the form of the oath which is always signed by the man taking the oath.

Mr. HATCH. But the certificate is made by the officer who administers it?

Mr. KILGORE. Yes, sir.

Mr. HATCH. Suppose that the officer who administered the oath neglects or fails or refuses to make the statutory certificate, it would be impossible then for the Governor-elect, we will say, to file that certificate, would it not?

Mr. KILGORE. That is absolutely correct.

Mr. HATCH. Then an officer who was so minded, by simply refusing to made the certificate, if the argument that has

been made here today is correct, could unseat the Governor elected by a sovereign State?

Mr. KILGORE. If that argument is correct; yes; but I take great issue with that argument.

Mr. HATCH. I do, too. I thoroughly agree with what the Senator from West Virginia is saying.

Mr. KILGORE. Mr. President, now I wish to consider something else than the question of the oath.

Mr. STEWART. Mr. President, will the Senator yield for one more question before he goes into another field? The statute requiring the filing of a certificate of office with the secretary of state, as I understand the Senator, has been judicially construed?

Mr. KILGORE. No, sir.

Mr. STEWART. Then, the Senator having been a judge in the State of West Virginia, what is his opinion as to the filing of such certificate? Suppose the certificate is filed subsequent to the taking of office, as in the case of Governor Neely; suppose, as a matter of fact, the certificate had not been filed for a week or 10 days or a month, does it not relate back to the date upon which the particular official assumed the duties of his office?

Mr. KILGORE. Most certainly, because the law does not require the filing of the oath as a qualification; it requires the taking of the oath. The statute provides how it shall be preserved. "Preserved" is the word used.

Mr. STEWART. Then I will ask the Senator whether or not this is true: It is not, as I understand, a condition precedent to the vesture of title of office?

Mr. KILGORE. No, sir.

Mr. STEWART. Then, so far as the Senator knows, is it a condition subsequent to the vesture of title?

Mr. KILGORE. There is no penalty; there is no forfeiture; the only forfeiture we have is for failing to file bond.

Mr. STEWART. What would be the purpose of filing the oath of office with the secretary of state?

Mr. KILGORE. For preservation as evidence to the people at large that the oath had been taken. I believe it could be proven by parole evidence if the oath were lost; unquestionably it could be.

I desire to call attention to section 5, article IV, of the Constitution of West Virginia:

Every person elected or appointed to any office, before proceeding to exercise the authority—

"Before proceeding to exercise the authority;" it does not say anything about taking over anything; it says, "proceeding to exercise the authority."

or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment; and no other oath, declaration, or test shall be required as a qualification—

"And no other oath, declaration, or test shall be required as a qualification"

unless herein otherwise provided.

And there is nothing else provided. In the constitution there are some sections prescribing how the oath may be administered.

Mr. STEWART. Mr. President, does the Senator have before him the statute about which we talked so much today, which directs that the oath of office shall be taken before entering upon the office?

Mr. KILGORE. Yes; I shall read it.

Section 7 of article 1 of chapter 6 of the Code of West Virginia provides that:

No person elected or appointed to any office, civil or military, shall enter into the office, exercise any of the authority, or discharge any of the duties pertaining thereto, or receive any compensation therefor, before taking the oath of office.

That is, the oath required by section 3; and section 3 provides:

Except as provided in sections 1 and 2 of this article.

Those sections and exemptions have reference to Members of the House of Representatives and the United States Senate.

Except as provided in sections 1 and 2 of this article, every person elected or appointed to any office in this State before proceeding to exercise the authority—

"Before proceeding to exercise the authority"—

or discharge the duties of such office, shall take the oath or affirmation prescribed in section 5 of article 4 of the constitution of this State.

Section 5 reads:

The oath required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office, and before the date of the beginning of the term, if a regular term; but if to fill a vacancy, within 10 days from the date of the election or appointment, and in any event before entering into or discharging any of the duties of the office.

In other words, it requires the elected or appointed official to take the oath at some time after he has been elected and before he proceeds to exercise the duties of his office. So, at any time in the interval, is the correct time to take the oath under the laws of the State of West Virginia.

Mr. STEWART. Mr. President, will the Senator yield for a moment?

Mr. KILGORE. I yield.

Mr. STEWART. I understand, as the Senator read it, it is provided that an officer may take the oath at any time between the day on which he is elected and the day on which he is inducted into office.

Mr. KILGORE. That is correct—

The oath required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office, and before the date of the beginning of the term.

Mr. STEWART. That is, before the day or date when the term commences?

Mr. KILGORE. Before the date of the beginning of the term.

Mr. STEWART. Then, before the date of the beginning of the term, to comply with the statute, Governor Neely would have been forced to have taken the oath prior to the 13th day of January?

Mr. KILGORE. Yes, unless he wanted to have a lapse in the office before he qualified.

As I have said, Matthew M. Neely took the oath as prescribed by the constitution at 15 minutes before 12 o'clock on January 12. It is true he took other oaths. Prior to 12 o'clock he took an oath to become effective at the instant of midnight, and, of course, at the instant of midnight he was again sworn in. This in addition to the formal taking of an oath at the regular inaugural ceremony. However, any one of these oaths which became effective makes all the others surplusage, and, under the laws of West Virginia, in my opinion, the oath taken at 15 minutes before 12 became the necessary qualifying oath under the constitution and statutes, making him eligible to become Governor at the instant of midnight when his resignation took effect simultaneously with the end of the term of his predecessor.

From a layman's viewpoint, the situation arising at the instant of midnight would appear thus: The mathematical definition of a point is something having no length, breadth, or thickness.

The instant of midnight is a point of time. Therefore it would be a unit of time having no length. If, as I have said, Neely was in other respects qualified at the instant of midnight, he naturally became the Governor at the same instant he ceased to be the Senator. At the same instant Homer A. Holt ceased to be the Governor and became a private citizen. Until the expiration, either by resignation or otherwise, of the term of office of Neely in the United States Senate, there was no vacancy. Therefore, the vacancy could not arise until the instant of midnight. At that time M. M. Neely was the Governor of West Virginia.

With reference to the appointment of Clarence E. Martin there was a multiplicity of these appointments, two of which appointments were what might be called anticipatory appointments, executed by Homer A. Holt as Governor of West Virginia prior to midnight on the last day of his term, specified to take effect at the instant of midnight in one case and in the other case to take effect on the occurrence of a vacancy in the office of the United States Senate. Still a third appointment was executed by the signing of the name of Homer A. Holt to a predrawn appointment instantly after midnight when his term ended. If any one of these appointments was good, then of course the appointment of Dr. Joseph E. Rosier, having been made subsequently, would be an invalid appointment.

However, we must get back again to the question of who was Governor when Matthew M. Neely ceased to be United States Senator. If Homer A. Holt was still Governor, then his appointments are good. But his term ended simultaneously with the ending of the term of Senator Neely. Therefore, he could not have been Governor during the vacancy occasioned by that resignation. It is an established principle, laid down by the Senate of the United States, that no Governor may make an appointment in anticipation when he could not, at the time the vacancy occurred, actually have made the appointment. The Clay case from Kentucky, and numerous other cases, propound this rule. In other

words, the theory laid down by the United States Senate only permits an executive to anticipate something he could normally do at the time a vacancy occurs.

It was contended before the committee that the Virginia case of *Bunting* v. *Willis* (27 Gratt. (Va.) 144) prohibits this action by Governor Neely.

Mr. President, the Bunting case rests upon an entirely different state of facts. It is a case under a statute of Virginia prohibiting a State official from holding office under the Federal Government. In it, a deputy port collector named Bunting was elected to the office of sheriff of his county; and, having been so elected, he qualified by taking the oath insofar as he could qualify, and submitted to his superior a resignation to take effect on the day before his duties would begin as sheriff of the county. The court commented on the fact that there was no evidence in the case that his resignation had ever been received by his superior. Nevertheless, on the first day of his term he took over the office of sheriff, and later in that day proceeded to carry on with the duties of the port collector by clearing a vessel. The reasoning of the court in the case was that if he had resigned his Federal office he had revoked his resignation by carrying on the duties of that office after having taken over as sheriff of the county; and I point to the significant fact that the court vacated his office of sheriff on the ground that he still held his Federal office. Also, it was true that after that, and before the trial of the case, he had checked over his Federal office and given it up.

At this point I desire to read from Bunting against Willis what is really the gist and substance of that case:

> The plaintiff was elected to the office of sheriff on the 27th of May, and he tendered his resignation on the 19th of June thereafter. But it was not to take effect immediately. It was to take effect on the 30th of June, 1875, the day before the term of the office of sheriff legally commenced. But did it then take effect? Or was it held longer? If it was held any longer, no matter how short the period, he was incapable of holding the office of sheriff.
>
> That he had a right to resign his Federal office, and that such right—

Note this—

> does not depend upon the consent or acceptance of the Government or its agents, seems to be very well settled. That after such a resignation becomes complete it cannot be withdrawn by the officer, even with the consent of the Government, seems also to be settled, though he may receive a new appointment, which may perhaps be given to him in the form of a withdrawal by consent of his resignation of his former office.
>
> But a prospective resignation may be withdrawn at any time before it is accepted; and after it is accepted it may be withdrawn by the consent of the authority accepting, where no new rights have been intervened. This was held by the Supreme Court of Indiana, in *Biddle* v. *Willard* (10 Indiana R. 62), and seems to be a reasonable principle. We have seen no case to the contrary, while there are other cases which tend to sustain it.
>
> The resignation of the office of deputy inspector and collector in this case was prospective; to take effect June 30, 1875.

That being the first day of his term of office as sheriff. It is significant to point out at this time that the Supreme Court of Virginia vacated his office as sheriff of the county of the State of Virginia; but the contention has been made that taking that oath vacated the Federal office. Nothing was said about that, because he pretook the oath, just as Governor Neely, of West Virginia, pretook his oath, and as, in a celebrated case from Kentucky, the oath was pretaken.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. KILGORE. Yes.

Mr. LUCAS. If I correctly understand the case which the Senator is now discussing, the individual involved actually attempted to perform the duties of two incompatible offices; that is, the office of sheriff and the office of collector of internal revenue. Is that correct?

Mr. KILGORE. He not only attempted to perform but did perform those duties.

Mr. LUCAS. He did perform the duties of both of those offices; and, as a result of that, the court finally determined in a suit before them that he could hold only one office, and threw him out.

Mr. KILGORE. The court threw him out of the State office, because that was the office over which the court had jurisdiction.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. KILGORE. I yield.

Mr. LUCAS. The Senator from Kentucky [Mr. CHANDLER] has used this case as an argument in behalf of Mr. Martin. I undertake to say that this case is not in point at all. In other words, no one that I have heard testify before the committee or make an argument on the floor of the Senate has ever said that Matthew Neely attempted to assume the duties of the office of United States Senator and the duties of Governor at the same time.

Mr. KILGORE. That is absolutely correct.

Mr. LUCAS. There is no evidence whatever of that kind. Consequently, the case which has been cited here by those speaking in behalf of Mr. Martin is not in point at all. It went off on an entirely different ground.

Mr. KILGORE. That is correct; and I thank the Senator from Illinois. I brought that matter up merely to bring to the attention of this body the fact that the case is not in point.

In the contest we have before us, there is no allegation that Governor Neely even attempted to perform any duties as United States Senator after the beginning of his term of Governor. The evidence is entirely otherwise.

It was contended before the committee that the taking of the oath by Governor Neely at 15 minutes of 12, under the terms of the Bunting case, amounted to a vacating of his office as United States Senator, thereby creating a vacancy to be filled by Governor Holt prior to midnight. Governor Neely, in taking the oath prior to midnight, was merely carrying out the mandate of the laws of his State. It was a qualifying act preparing him to take over his new office.

Let me point out that if we take the stand on this matter that taking the oath 15 minutes before midnight, to take effect at the instant of midnight, vacated an office in the Senate, we must also take the stand that Mr. Neely's announcing his candidacy for Governor of West Virginia back in April of 1940 vacated it, because it is a qualifying step just the same as taking the oath. You must first announce, you must be nominated, you must be elected, you must take the oath. Those are all qualifying steps.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. KILGORE. Yes.

Mr. CONNALLY. I call the attention of the Senator to a subject which I am sure is already in his mind with reference to the matter of taking the oath at a quarter to 12. The Senator is aware that section 270 of the West Virginia code provides as follows:

> The oath required by section 2 of this article shall be taken after the person shall have been elected or appointed to the office, and before the date of the beginning of the term, if a regular term.

Mr. KILGORE. Yes, sir.

Mr. CONNALLY. So that Senator Neely was in the attitude of having to take the oath before 12 o'clock, or else he would not be qualified to act as Governor.

Mr. KILGORE. Yes, sir.

Mr. CONNALLY. And because he did what the law required that he do, it is said that he thereby vacated the office of Senator by accepting an incompatible office, when, as a matter of fact, he could not begin upon the performance of the duties of Governor until 12 o'clock, because Governor Holt was Governor until 12 o'clock.

Mr. KILGORE. The Senator is absolutely correct.

Mr. CONNALLY. In taking the oath at a quarter to 12 he was simply complying with the statute which required that in order to be eligible to become Governor at 12 o'clock he had to take the oath of office before 12 o'clock.

Mr. KILGORE. That is absolutely correct. The Senator was out of the Chamber at the moment, but I read that particular section from the code.

It seems to be universally recognized that a person who has been elected to an office may, and oftentimes is, directed to take his oath of office and perform other qualifying acts, such as the giving of bond, before the beginning of his term of office. I can find no case which holds that an official occupying one office, who has been elected to another, is disqualified from the office he presently holds just because he takes the oath for his future office before the term begins.

Mr. CONNALLY. Mr. President, will the Senator permit me at that point to go a step further to supplement the other matter with another reference?

Mr. KILGORE. Certainly.

Mr. CONNALLY. I call the attention of the Senator to what I am sure he already has in his prepared remarks, section 5 of article IV of the Constitution of West Virginia requiring the oath, which reads as follows:

> Every person elected or appointed to any office, before proceding to exercise the authority, or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the constitution of this State, and that

he will faithfully discharge the duties of his said office to the best of his skill and judgment, and no other oath, declaration, or test shall be required——

This is the constitution—

no other oath, declaration, or test shall be required as a qualification, unless herein otherwise provided.

The point I wish to make is, that being the constitution, and the constitution providing that when a person takes the oath no other qualification, no other test, no other requirement, shall be made, all this talk about filing the certificate, which is required only by a statutory act, is absolutely of no effect whatever, because the constitution provides that when one takes the oath, no other qualification or requirement or test shall be made of him; furthermore, that even the statute which says that the certificate of his oath shall be filed does not say when it shall be filed, but merely says that it shall be filed, and when it is filed, our contention, of course, is that it reflects back as of the time when the oath was taken and the duties were assumed.

Mr. KILGORE. The Senator is absolutely correct. At that point I wish to discuss the Qualls case for a little while.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from West Virginia yield to the Senator from Illinois?

Mr. KILGORE. I yield.

Mr. LUCAS. I merely wish to corroborate what the Senator from Texas has said, because the section of the constitution which he has just quoted in my opinion absolutely eliminates any question of the filing of the oath, for that section of the constitution cannot be qualified by a statutory declaration, which is exactly what the opponents of the committee report are attempting to do when they contend that it is essential and necessary that an oath be filed. If that be the case, it is the case of a statute flinging itself into the teeth of a provision of the constitution, which every one who is a lawyer knows cannot be done.

Mr. KILGORE. It cannot be done, and the constitution in this case is not negative, it is positive.

In the Qualls case, which has been discussed, where members of a board were appointed to fill unexpired terms, the case was stated as having been heard in 1923, and I wish to call attention to the changes in the code of West Virginia in 1923. The Qualls case was good law at that time.

At that time there was a special set of laws with reference to members of boards of education and school officials, one of which was section 44 of chapter 45, and that is the section cited in the Qualls case:

Every president and commissioner of the board of education elected or appointed within the State shall, before exercising any authority or performing any duties of his office—

I emphasize this—

qualify as such by taking and subscribing to the oath of office prescribed by section 5 of article 4 of the State constitution, which oath shall be filed with the secretary of the board of education of his district.

That was a part of the qualification with reference to members of the board of education in 1923. Such is not the case now.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HUGHES. As I understand, the oath was to be filed with the clerk of the board.

Mr. KILGORE. With the secretary.

Mr. HUGHES. It was not a court of record, and not a place where one could get a certificate.

Mr. KILGORE. No. Now we provide that the oaths shall be filed there and a certified copy filed with the clerk of the county court.

Mr. LUCAS. Do I understand from the Senator's last statement that the Legislature of West Virginia, following the Qualls case, have written into the law legislation which is different from that involved in the Qualls case?

Mr. KILGORE. Absolutely. The statute upon which the Qualls case was decided was entirely different from the Code of 1931, and I was reading that to illustrate the basis of the Qualls case.

Mr. LUCAS. The Qualls case went off solely on a special statute?

Mr. KILGORE. On a special statute, which applied only to the members of the board of education, and that statute is not in effect at this time.

Mr. LUCAS. In that case there was a penalty involved in the event the oath was not filed. That is not the case before us here. There is nothing I can find in the statutes or the constitution of West Virginia which provides a penalty of ouster of the Governor if he does not file his oath.

Mr. KILGORE. No.

Mr. LUCAS. If he never filed it, he would still be Governor.

Mr. KILGORE. The Senator is absolutely correct. Let me read the penalty.

Mr. CONNALLY. Mr. President, let me ask the Senator a question on that point.

Mr. KILGORE. Very well.

Mr. CONNALLY. It is said he shall file his oath, but no time is stated as to when he shall file it, and who shall file it. How can the question as to whether a man is still Governor be raised in any way except by a direct proceeding of ouster?

Mr. KILGORE. It cannot be.

Mr. CONNALLY. It is not possible collaterally to attack the acts of a Governor who has taken the oath, and is ostensibly the de facto Governor, by saying, "Oh, well, we will attack it collaterally, and none of his acts are legal because he has not filed his certificate." If his title to office were to be challenged on that ground, the point could only be raised by a direct attack in the nature of an ouster, to throw him out of the Governorship because he had not filed the certificate of the oath which he had taken prior to entering upon the duties of his office. It is not possible collaterally to attack the act of any public officer who is acting in full possession of his office by saying, "Oh, well, so and so, this act of his is void. He could not sign this bill. He could not pardon this man." It is necessary to raise that question by a direct attack in the nature of an ouster, or by quo warranto.

Mr. KILGORE. The Senator is absolutely correct. One other thing I wish to read in furtherance of the Senator's idea. He has mentioned the penalty clause. In the 1923 Code we find this:

If any person elected or appointed to an office fails to qualify within the time prescribed by law, the office shall be deemed vacant.

In another section in the same code there is prescribed for appointments to fill vacancies the period of 10 days. I will not read that unless someone wishes to have me do so.

Directly in point with the idea of pretaking of an oath is the Kentucky case of *Taylor* v. *Johnson* (148 Ky. 649). In that State there is a constitutional provision prohibiting one person from holding two offices, which is similar to the one in West Virginia which prohibits the Governor or a Senator from holding two offices. There the officeholder, during the term of his office, was elected to another office, and before his old term expired he took the oath for his new office and gave bond therefor. It was contended that his act in so doing vacated the office he then held, but the highest court of the State of Kentucky, which we all recognize as good authority, held that the taking of the oath and the giving of the bond for the new office while he held the old was merely a preparation to enter into the duties of the second office, and did not in any manner vacate or affect his right to hold the first office.

While this discussion has been taking place I have been thinking of that one feature. The oath is given to the witness at the beginning of a trial to tell the truth, the whole truth, and nothing but the truth. The taking of that oath does not preclude the witness from going back to the witness room and telling an untruth. The taking of that oath does not preclude the witness from telling his lawyer in the back room an untruth. Why? He cannot be prosecuted for swearing falsely if he tells a lie to his lawyer in the back room. If he could, then I believe our jails would have to be expanded in order to hold all those who would be placed in them for violation of such a law. He takes the oath to tell the truth when he goes into the witness room in the trial of that case. That is a perfect parallel to the matter we are discussing. The pretaking of an oath for taking an office is on all fours with the taking of an oath in the trial of a case.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. NORRIS. Not only is what the Senator has said true, but in the trial of an ordinary lawsuit, which may last several days, or weeks, or even months, the common practice in all courts, I think, especially when there is to be a separation of witnesses, which is an ordinary occurrence, is for the oath to be administered to all the witnesses at once before the trial really begins.

Mr. KILGORE. As soon as the jury is sworn in my State the oath is administered.

Mr. NORRIS. Yes. And that the witnesses may not testify for weeks afterward.

Mr. KILGORE. Yes.

Mr. NORRIS. Then a witness may go on the stand and be excused, and later called again and perhaps testify as many as half a dozen times. The witness does not take a new oath every time he goes on the witness stand.

Mr. KILGORE. No; and he cannot be prosecuted for false swearing if he tells a lie between the times he appears on the witness stand.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. LUCAS. The Senator does not consider the taking of the oath, which is the last step in a chain of events before he can be qualified, as greater than getting elected to the office, does he?

Mr. KILGORE. No. As I said, the pretaking of an oath for taking an office is very similar to the administering of an oath to a witness in a court of law. The oath given a witness does not require him under penalty for false swearing to tell the truth, the whole truth, and nothing but the truth in the witness room or the attorney's office before his going on the stand. If it did, I feel sure there would be many people tried for false swearing. It is merely an oath to tell the truth in the trial of the case when upon the witness stand as a witness, and Neely's oath at 11:45 p. m. on January 12 was an oath to support the constitution beginning at the instant of midnight when his term of office as Governor began.

It was contended that the fact that he had not filed this particular oath in the office of the secretary of state until the beginning of the hearing before the committee made his oath meaningless.

On that line, it was stated here that that oath had been slipped into the record. I have not had time to check that point closely, but I do find that that oath taken at 11:45 p. m. was slipped into the record without anybody knowing anything about it. On page 71 of the record I find the following:

Senator WILEY. Was it the same as the oath you took which says, "instantly after midnight"?

Governor NEELY. Yes; it was the same, excepting that the certificate did not have the statement "instantly after midnight on the 12th day of January."

Senator WILEY. When did you take that oath?

Governor NEELY. I took it January 12, 1941, at 11:45 p. m.

The CHAIRMAN. Is that in existence?

Governor NEELY. Yes; it is right here. It was taken before Judge Kenna, president of the supreme court of appeals, and on the back of it are the initials of four witnesses who were present when it was taken. Those four witnesses are Howard Caplan, assistant district attorney, A. Hale Watkins—

I will omit reading those names. I continue:

Senator BRIDGES. Did you take, Governor, a regular oath; hold up your hand and swear?

Governor NEELY. I did. Here is the oath I took.

The oath at this point is in the record.

Mr. STEWART. Will the Senator read the oath that was placed in the record?

Mr. KILGORE. Yes.

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA,
County of Kanawha, to wit:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of the office of Governor of the State of West Virginia to the best of my skill and judgment so help me God.

MATTHEW M. NEELY.

(Signature of affiant.)

Subscribed and sworn to before me, in said county and State, at 11:45 p. m., this 12th day of January 1941.

JO N. KENNA,
President of the Supreme Court of Appeals.

The same oath is found in the earlier part of the record, where it is shown that it was recorded some 12 days later, I think.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. STEWART. That oath was taken within 15 minutes before the term of Governor Holt expired?

Mr. KILGORE. Yes, 15 minutes before what I would class as the dead line.

Mr. STEWART. Yes; and previous to that Governor Neely, then Senator Neely, had filed with Governor Holt his resignation, worded so as to take effect precisely at midnight?

Mr. KILGORE. Yes; 12 hours before that, Senator, as I recollect the record.

Mr. STEWART. Twelve hours before the time it was to take effect?

Mr. KILGORE. Yes.

Mr. STEWART. But the wording of the resignation was that it was to take effect precisely at midnight?

Mr. KILGORE. Yes.

Mr. STEWART. The word "precisely" was used?

Mr. KILGORE. Yes.

Mr. STEWART. In the appointment of Judge Martin, or in one of the commissions issued to him, as I remember the hearings we held, and perhaps it is set out in the printed hearings, it was stated that he was appointed, his appointment to take effect precisely at midnight. It used the word "precisely," did it not?

Mr. KILGORE. Yes, the word "precisely" was used.

Mr. STEWART. Then, what my mind now seeks, and has sought ever since the hearings were begun before our committee, is whether or not there could be an interval, an interim, a time between the resignation of Senator Neely as a Member of the United States Senate, and his induction into office as Governor.

Mr. KILGORE. In my opinion, you would have the same interval between 2 seconds that you had there. There is no interval. It is a point of time, and a point has no length. It is just a mark on the dial of time.

Mr. STEWART. Does the Senator, as a lawyer and as an ex-judge of the State of West Virginia, know anything about the history of the statute that has been referred to here, which provides that the oath of office shall be taken prior to or before the date of induction into office?

Mr. KILGORE. No, sir. There is no particular history attached to that section, except it is based on the constitutional provision providing for the taking of the oath before exercising the duty. There has been in the past, on numerous occasions in the State, conflict of authority around the hour of midnight, and other Governors have taken the oath the same way.

Mr. STEWART. The reason I asked that question is that I was wondering whether or not the legislators of West Virginia in their wisdom in the years past had made such a provision simply to prevent the occurrence of an interval?

Mr. KILGORE. I think it was unquestionably made that way for that reason. I will cite another statutory provision that was made. Back in 1916 the Honorable John J. Cornwell was elected Governor of West Virginia, and following his election, which was somewhat of a surprise election, the legislature of West Virginia was convened by the outgoing Governor, which immediately eliminated and blotted out, by what we commonly call there the Ripper bill, every single appointive office in the State of West Virginia, and reconstituted the same offices, beginning their terms then, and extending them from 5 to 6 years. As the result of that, the legislature and incidentally a Republican legislature, in the session of 1921, passed an act prohibiting such action by giving to the Governor the power to remove appointive officers at will, even though they had been confirmed by the Senate, even though they had been appointed for definite terms, and he still has the power. Going back, reinterpreting everything, this election appears to me to be an expression of the will of the people on that one subject.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HATCH. Of course, the Governor could not remove a United States Senator.

Mr. KILGORE. No.

Mr. HATCH. But does not the statute to which the Senator has just referred, giving the incoming Governor the power to remove all appointive officials, indicate that it was the intention of the lawmaking body, as representatives of the people of West Virginia, that the incoming Governor should not be embarrassed or hamstrung by the action of his predecessor in office trying to reach over and control appointments in the term of the incoming Governor?

Mr. KILGORE. The Senator is absolutely correct. Not only the lawmakers but also the people insisted on that. The most unpopular thing in the State of West Virginia was the old Ripper bill; and that was used, and is still being used, against any member of the legislature which passed it who seeks any political office.

Coming back to the other statute, the statute we have just been discussing states, in substance, that before exercising any authority or performing any duties the person must qualify by taking and subscribing to the oath and filing it

with the secretary of the board. In that instance the statute specifically said that the filing of the oath was a necessary step in the qualification. But such is not the case here. Nowhere in our constitution or statutes is it provided that as a qualifying step the oath must be subscribed to and filed.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. O'MAHONEY. I interrupt the Senator because he is now dealing with what seems to me to be one of the crucial points in this case. It has been pointed out this afternoon on the part of the minority of the committee that it is an essential requirement for the Governor to file a certificate of his oath before he may undertake the duties of his office. As I now understand the Senator, he has stated that, in his opinion, that is not the fact.

Mr. KILGORE. That is correct.

Mr. O'MAHONEY. What is the specific requirement of the constitution and the law of West Virginia with respect to qualification of the Governor?

Mr. KILGORE. The provisions with respect to qualifying are the same in the case of the Governor as in the case of other officials. In the first place, I wish to lay a foundation by citing the law behind the Qualls case, on which reliance is placed. The Qualls case, which I was discussing, referred to a member of the board of education appointed to fill an unexpired term. At that time, in 1923, we had a section in our code which has long since been repealed, to the effect that every president and commissioner of a board of education elected or appointed within the State shall, before exercising any authority or performing any duties of his office, qualify as such by taking and subscribing to the oath of office prescribed by section 5, article IV, of the State constitution, which oath shall be filed with the secretary of the board of education of his district. It also provided that if any person elected or appointed to an office should fail to qualify within the time prescribed by law, the office should be deemed vacant.

I have the other section here, which prescribes the time. There are two sections, one of which prescribes the time for regularly elected officers as 60 days. The other prescribes the time for officers appointed to fill vacancies as 10 days. In the Qualls case Qualls failed to take his oath or file it within 10 days, and his office was declared vacant.

Mr. O'MAHONEY. Were there separate statutes, or was there only one statute?

Mr. KILGORE. There were separate statutes referring to the same thing.

Mr. O'MAHONEY. As the Senator just read the language a moment ago, it was not clear to me that the exact language which he read prescribed that the oath should be filed before the particular official whose right to hold office was in question could be qualified to act. Will the Senator read it again?

Mr. KILGORE. The provision was that—

> Every president and commissioner of a board of education elected or appointed within this State shall, before exercising any authority or performing any duties of his office, qualify as such by taking and subscribing to the oath of office prescribed by section 5 of article IV of the State constitution, which oath shall be filed with the secretary of the board of education of his district.

Mr. O'MAHONEY. And the Supreme Court held that the filing was a prerequisite.

Mr. KILGORE. The requirement was included in the same section and was set forth in the opinion of the Court, which held that under that section the filing was a prerequisite.

But West Virginia does not now operate under the same code. It operates under the code of 1931, which is entirely different.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. LUCAS. Even in the case referred to, the statute upon which the Supreme Court rendered that decision was a special statute.

Mr. KILGORE. Yes.

Mr. LUCAS. In that case a penalty was attached.

Mr. KILGORE. The penalty was forfeiture of office.

Mr. LUCAS. The penalty was forfeiture of office in the event the oath was not filed.

Mr. KILGORE. Yes.

Mr. LUCAS. Furthermore, in that case reference was made to section 5 of article IV of the constitution.

Mr. KILGORE. That is correct.

Mr. LUCAS. Which provides that every person elected or appointed to any office, before proceeding to exercise the authority or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the constitution of the State.

Mr. KILGORE. Yes.

Mr. LUCAS. That is the oath which the commissioners took.

Mr. KILGORE. Yes.

Mr. LUCAS. It was further provided, and this is the important part so far as the Government is concerned, that he should take an oath faithfully to discharge the duties of his office to the best of his skill and judgment, and that no other oath, declaration, or test, should be required as a qualification "unless herein otherwise provided."

"Herein otherwise provided" means in the Constitution of West Virginia, and not in some statute. As the Senator from Wyoming [Mr. O'MAHONEY], who is a good lawyer, knows, a statute cannot in anywise overrule the constitution. I seriously contend that the only thing the Governor of West Virginia has to do under the statute, which does not qualify the constitution itself in any respect is to take the oath; and that no further test or declaration is required. The filing of an oath is a further test or declaration. The Constitution of the State of West Virginia specifically provides that a prohibition of that kind shall not in any way hinder the matter of taking the oath. All the Governor has to do is to take the oath. He does not have to give a bond. There is nothing in the Constitution of West Virginia as to when the Governor shall file the oath.

As I see it, the office of Governor is in an entirely different situation from the office of a member of the board of education, about which the Senator was speaking a moment ago. The office of Governor is the highest office in the State. It does not require all the things required of a justice of the peace or a constable. The very dignity of the office itself is such that such requirements are not made. If the Governor of a State is not required to give a bond, why should he be required to file an oath with the secretary of state before he may become Governor? I think that is one of the most absurd arguments to which I have listened, in view of what the law plainly says in the particular section of the constitution to which reference has been made. I have read it and reread it in my research, and I cannot get away from it. The case upon which reliance is placed is so special and peculiar in its nature, under the special statute which was passed, that it has nothing to do with the question before us. How is a Governor to be removed from office if he does not file an oath? Is there anything in the statutes or in the Constitution of West Virginia which provides that he shall forfeit his office if he does not file an oath? Absolutely not.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. KILGORE. I yield.

Mr. O'MAHONEY. I feel quite clear in my mind that the Qualls case has no relevancy at all to this issue, because, as the Senator from West Virginia has said and as the Senator from Illinois has just said, it came up under a special statute referring to a special case, and not to the governorship. My questions were directed to the Senator because of the argument which was made here earlier in the day with respect to certain statutes of the State of West Virginia which are set forth in the record of the hearings on pages 235 and 236; and if the Senator will be good enough to bear with me, I should like very much to direct his attention to them.

Mr. KILGORE. Certainly.

Mr. O'MAHONEY. Because the construction of these statutes, so far as the governorship is concerned, seem to me to have a great deal to do with the conclusion which must be reached in this case.

Attention has been called to the fact that in the West Virginia Code, chapter 2, article 2, section 10 (e), it is provided—this is the second paragraph under the heading "Statutory provisions"—and I am quoting the code:

> An officer shall be deemed to have qualified when he has done all that the law required him to do before he proceeds to exercise the authority and discharge the duties of his office.

Of course, that is just good common sense. It merely is stating that before an officer shall undertake to discharge the duties of a position, he shall have qualified by performing all the acts which the law requires him to perform before he assumes the duties.

On page 236 there appear certain extracts from section 6 of article 1 of chapter 6 of the code, which read as follows:

Certificates of oaths. * * * Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state. * * *

It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section.

My question is whether that provision has ever been construed by the courts of West Virginia as requiring, in general cases, that the certificate of the oath shall be filed by the person before the person shall undertake to discharge the duties of the office.

Mr. KILGORE. No, sir; it has never been so construed. The question has never been raised; but I desire to make the point that in the brief that was filed there were too many asterisks and not enough text to make the law clear. In other words, too much was left out and not enough was put in. All of us know that it is possible to leave out certain sentences and make matter read almost in any way.

Mr. O'MAHONEY. Is the Senator referring to what I have just read?

Mr. KILGORE. The part that was left out is further up in the section. It goes back to the old board of education:

Certificates of the oaths of members of boards of education and school officers of any district or independent school district shall be filed, recorded, and preserved in the office of the secretary of such board, and certified copies thereof filed and recorded in the office of the clerk of the county court of the county of such district.

Now let us go down to the last that is printed:

It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section.

That could only mean those who filed certified copies; and since the oath provision in the section is for the members of the board of education who filed their original certificates in an office that is not an office of record, it imposes on them the duty of getting certified copies of them.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. But, if I understand the Senator, he is omitting in his construction certain language which appears here.

Mr. KILGORE. I am explaining the words "It shall be the duty."

Now, let us refer to the preceding text.

Mr. AUSTIN. Mr. President, will the Senator yield for a correction?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from West Virginia yield to the Senator from Vermont?

Mr. O'MAHONEY. Mr. President, will the Senator pardon me until I make this point clear?

Mr. AUSTIN. Either the record of the hearings is wrong or the reading is wrong, and it should be straightened out.

Mr. O'MAHONEY. That is just what I am trying to do.

The PRESIDING OFFICER. Does the Senator from West Virginia yield? If so, to whom?

Mr. KILGORE. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Will the Senator from Vermont pardon me if I continue for just a moment?

In reading from the statute to which the Senator refers, in which he adverts to what has been omitted from section 6, chapter 6, article 1, on page 236, the Senator read, as I understood him, certain provisions dealing with certain boards.

Mr. KILGORE. Yes.

Mr. O'MAHONEY. But in the hearings we find some language which the Senator did not read. The following is the language to which I direct the Senator's attention:

Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state.

Does that provision require the Governor to file a certificate in the office of the secretary of state?

Mr. KILGORE. That is the point I was trying to explain, the explanation being as follows: That is a very long section; it is divided into sentences, each of which sentences refers to a particular group of officers. For instance, the heading of the section is:

Where certificates of oaths filed:

Certificates of the oaths of all magisterial district and county officers, and judges of courts of limited jurisdiction within any county, shall be filed, recorded, and preserved in the office of the clerk of the county court of the county.

It does not say who shall file them.

Certificates of the oaths of members of boards of education and school officers of any district or independent school district shall be filed, recorded, and preserved in the office of the secretary of such board, and certified copies thereof filed and recorded in the office of the clerk of the county court of the county of such district.

It should be noted there that provision is made for the filing of certified copies.

Certificates of the oaths of all municipal officers shall be filed, recorded, and preserved in the office of the clerk or recorder of such municipality, or other officer created or acting in lieu of such clerk or recorder, and certified copies thereof filed and recorded in the office of the clerk of the county court of the county in which such municipality is situated.

It will be noted that there is a provision there for certified copies.

Mr. O'MAHONEY. Yes; but let us get to the provisions with reference to the Governor.

Mr. KILGORE. I ask the Senator to wait until I have finished this part of my discussion.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. KILGORE. I read the following:

Certificates of the official oaths of the members of the State senate and house of delegates shall be filed and recorded as provided in section 16 of article 6 of the constitution of this State. Certificates of the oaths of all other officers shall be filed and preserved in the office of the secretary of state. At any time after the expiration of the term of office for which the oath was taken, the original certificate or certified copy thereof, but not the record, may be destroyed, unless further preservation thereof shall be required by the order of some court, in which event the same may be destroyed when the preservation thereof is no longer required.

The next sentence reads as follows:

It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section.

The last sentence put in there is attached to the wrong group of officers. It refers only to school officials and municipal officials whose certificates are preserved.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. But the Senator from West Virginia overlooks the language to which I am directing his attention, namely:

Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state.

Mr. KILGORE. Certainly.

Mr. O'MAHONEY. Does that require the person who desires to be Governor to file a certificate of his oath in the office of the secretary of state?

Mr. KILGORE. I do not think so, and it has never been so held.

Mr. O'MAHONEY. Now, let me ask this question:

The Senator has just read something about the filing of certificates of the oaths of members of the legislature, of the senate. Would a member of the senate be ineligible to discharge his legislative duties if the certificate were not filed?

Mr. KILGORE. The Senator from Wyoming must realize that, as in the United States Senate, those oaths are taken in the senate chamber by the clerk of the senate and are preserved by him. They are oral oaths, signed there, just exactly as in the United States Senate.

Mr. O'MAHONEY. I understand the Senator to contend that it has never been construed in West Virginia that the filing of the certificate of the oath of a Governor is a prerequisite to his discharging the duties of the office.

Mr. KILGORE. Certainly not the filing at any particular time.

Mr. O'MAHONEY. Suppose it were never filed. Would the Governor be ineligible to discharge his duties?

Mr. KILGORE. No, sir. How could his action be attacked?

Mr. O'MAHONEY. The Senator is not arguing with me.

Mr. KILGORE. I know it.

Mr. O'MAHONEY. Of course, the Senator understands that I am merely trying to get his contention in my own mind and to interpret what has already been said here.

What, in the Senator's opinion, is the effect of section 10 (e), article 2, chapter 2, of the code, which I am about to read, having in mind what has been said with respect to the filing of the certificates of oaths? This is on page 235:

An officer shall be deemed to have qualified when he has done all that the law required him to do before he proceeds to exercise the

authority and discharge the duties of his office.

Mr. KILGORE. My interpretation of that provision is that when the officer has taken his oath, held up his hand and signed the place on the oath, if he is otherwise qualified, he goes ahead and discharges his duties. There is only one reason for preserving that oath, and that is for his protection, to show that he is legally discharging the duties of the office.

Mr. AUSTIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from West Virginia yield, and, if so, to whom?

Mr. KILGORE. Will the Senator wait for a second?

Mr. O'MAHONEY. I shall be through in a moment.

Mr. AUSTIN. I ask if both Senators will yield.

Mr. O'MAHONEY. Mr. President, will the Senator from Vermont be good enough to let me ask a final question?

Mr. AUSTIN. Certainly; but we shall be so far from the question I wanted to ask that it will not amount to anything. I have been trying for a long time merely to get an accurate basis——

Mr. KILGORE. Go ahead.

The PRESIDING OFFICER. Does the Senator from West Virginia yield, and, if so, to whom?

Mr. KILGORE. I yield to the Senator from Vermont.

Mr. AUSTIN. My question is simply this: When the Senator from West Virginia read something purporting to come from the Code of West Virginia, was he reading from chapter 6, article 1, section 6?

Mr. KILGORE. Section 6, article 1, chapter 6 of the Code of West Virginia of 1931, which is section 271.

Mr. AUSTIN. Is the record incorrect when it quotes in this manner:

> Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state.

Is that an incorrect quotation?

Mr. KILGORE. That is a correct quotation.

Mr. AUSTIN. I am satisfied with that, Mr. President. I shall have something to say in argument about this matter later.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Now let me ask my final question.

Mr. KILGORE. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. So far as the discussion which has gone forward today upon this issue is concerned, it would appear that the only allegation of any provision or qualification of the Governor in the Constitution of the statutes of West Virginia is that he shall take an oath, unless the contention of the minority is correct that the certificate should be filed. Are there any other qualifications?

Mr. KILGORE. No, sir; except the usual qualifications of citizenship, age, and he cannot discharge the duties of Governor while he holds any other office.

Mr. O'MAHONEY. Have those statutes been set forth anywhere in the RECORD?

Mr. KILGORE. I believe every one of them has been. Most of them have been. I know I have them all here.

Mr. O'MAHONEY. I have been unable to find them in the RECORD. I was anxious to know whether there was any specific constitutional or statutory provision dealing with the governorship, saying, "These are the qualifications of the Governor."

Mr. KILGORE. Nothing except what is in the constitution.

Mr. O'MAHONEY. And the constitution sets forth age, citizenship——

Mr. KILGORE. And that he must reside in the capital city.

Mr. O'MAHONEY. And that he shall not hold——

Mr. KILGORE. That he shall not hold any other office while exercising the duties of his office as Governor.

Mr. O'MAHONEY. So it is the Senator's contention that unless the two statutes which we have been reading now change the situation, the only requirement for the Governor, having filled these qualifications as to age, citizenship, and so forth, is that he shall take the oath before his term begins?

Mr. KILGORE. Yes, sir.

Mr. O'MAHONEY. I thank the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield to me for a question?

Mr. KILGORE. Yes, sir.

Mr. BARKLEY. There seems to have been some confusion injected, growing out of the fact that two sections deal with the Governor's duties with respect to the matter of qualification. One section provides that before he shall enter upon the duties of his office he shall take an oath. If it had gone on and said, "and shall file that oath in the office of the secretary of state," I think it would be obvious that he could not enter upon the duties of Governor until he had done both those things.

Mr. KILGORE. That is the point I was about to make.

Mr. BARKLEY. But the requirement that the certified copy shall be filed in the office of the secretary of state is not one of the mandatory things set out in the section stating what he must do before he proceeds to act as Governor. Even if the language read by the Senator from West Virginia and by the Senator from Wyoming and by the Senator from Vermont should include the Governor when it says that all other officials shall secure certified copies of the certificates of oath and file them in the office of the secretary of state, if we may assume for the sake of argument that that includes the Governor, I think it is bound to be admitted that he must secure that certified copy from somebody who has it.

Mr. KILGORE. That is correct.

Mr. BARKLEY. He does not have it. He cannot certify to his own oath of office. He must procure that certificate from somebody else; and naturally that person would be the officer administering the oath—in this case, the judge of the supreme court.

If the Governor signed the oath immediately, and instantly upon beginning his term of office at what we call an inauguration, which frequently happens in the middle of the day, although the legal term begins at midnight before, it would be manifestly ridiculous and impossible to require that he should get down off the inaugural platform, go out and hunt up the judge who had administered the oath, get a certified copy of it, take it over to the office of the secretary of state, file it there, get the receipt of the secretary of state, and then come back and complete his inaugural address before he should become Governor of the State.

Mr. KILGORE. That is correct.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. CLARK of Missouri. If the oath that was filed at 11:35 on the night of the 12th of January——

Mr. KILGORE. Not filed, if the Senator please. The oath was administered at that time.

Mr. CLARK of Missouri. I mean, taken at 11:35 on the night of the 12th of January—if that oath did not need to be filed, if it was not a requisite, why was it slipped into the record of the Senate Committee on Privileges and Elections as of the date of January 16?

Mr. KILGORE. Does the Senator mean 11:35 or 11:45?

Mr. CLARK of Missouri. I mean the one taken at 11:35—the one that was certified by the secretary of state as of the 25th of January, which was relied on here today. Why was that oath put into the record of the Senate committee as of the date of January 16 if it was not a prerequisite? It was never put into the record at all until after the question had been raised in the hearing.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. KILGORE. I yield to the Senator from Illinois.

Mr. LUCAS. I do not know what the record shows, but I distinctly remember——

Mr. CLARK of Missouri. It is in front of every Member of the Senate, on his desk.

Mr. LUCAS. That is all right. I did not yield to the Senator from Missouri.

Mr. CLARK of Missouri. The Senator from Illinois did not have the floor. I did not ask him to yield.

Mr. LUCAS. I know; but the Senator from Missouri has not the floor, either. The Senator from West Virginia yielded to me. I have the floor, and I am going to keep the floor, notwithstanding the remarks of the Senator from Missouri to the contrary, inasmuch as the Senator from West Virginia yielded to me. That is one of the chief traits of the Senator from Missouri—rising——

Mr. CLARK of Missouri. Mr. President, I make the point of order that the Senator from West Virginia has no right to yield for anything except a question, under the rules of the Senate.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and if so, to whom?

Mr. KILGORE. I yielded to the Senator from Illinois.

Mr. CLARK of Missouri. For a question. That is all the Senator has a right to yield for.

Mr. LUCAS. I raise another point of order—that the Senator from Missouri

has no right to tell anyone here just what he can or cannot do.

Mr. CLARK of Missouri. I make the point of order, and I give notice, that if the Senator from West Virginia shall yield for anything except a question I will make the point of order.

Mr. LUCAS. The Senator is one who wants to run the Senate all the time; and if he cannot, he is not having a good time.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Illinois?

Mr. KILGORE. I yield to the Senator from Illinois for a question.

Mr. CLARK of Missouri. I make the point of order that the Senator from West Virginia has no right to yield for anything except a question.

Mr. LUCAS. Very well. Assuming, in compliance with the very technical parliamentary situation which the Senator from Missouri now wants me to follow—assuming that the record does not show anything about what the Senator from Missouri has said was slipped into the record, I wish to say——

Mr. CLARK of Missouri. I make the point of order that that is not a question.

The PRESIDING OFFICER (Mr. HATCH in the chair). The point of order is overruled. The Senator from West Virginia may yield for any purpose he desires. He may yield the floor, if he desires.

Mr. CLARK of Missouri. I call attention to the fact, then, that it is customary in the Senate to give notice, and I give notice that if the Senator from West Virginia yields for anything except a question, I will make the point of order that he has yielded the floor.

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Illinois?

Mr. KILGORE. I yield for a question, and I certainly think the Senator has a right to state the preamble to his question, the base on which it is founded.

The PRESIDING OFFICER. The Senator will proceed.

Mr. LUCAS. Assuming that the record the Senator has in front of him does show that the oath that was taken at 11:45 is now in the record—regardless of that fact, while I do not know what the record shows, I distinctly remember that when Matthew Neely came before our committee—I do not know whether the reporter got this or not—I distinctly remember that when he came before our committee that oath, taken at 11:45, was discussed before the committee.

Mr. KILGORE. The Senator from Illinois——

Mr. LUCAS. Mr. President, I raise the point of order that the Senator from Missouri is out of order. Does the Senator from West Virginia remember what I have just stated?

Mr. KILGORE. I remember it, and it is in the record. Evidently the record has not been very carefully scanned.

Mr. CLARK of Missouri. At this point I make the point of order that the Senator from West Virginia has yielded the floor.

The PRESIDING OFFICER. The point of order is overruled.

Mr. KILGORE. I yield for a question, and the necessary preamble.

Mr. LUCAS. I should like to have the Senator read the record for the benefit of the Senator from Missouri.

Mr. KILGORE. Mr. President, may I read from the record? I read from it once.

Mr. CHANDLER. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Kentucky?

Mr. KILGORE. Not until I finish reading from the record.

On page 71 of the record will be found these questions and answers. I read this once; unfortunately the Senator from Missouri and the Senator from Kentucky were out of the Chamber. After the question had been raised as to this having been slipped into the record, I began to inquire into it. I have not completed my research as yet, but I have found two places to which I wish to refer.

Mr. CLARK of Missouri. I make the point of order that under the rules of the Senate anything to be read shall be read from the desk by permission of the Senate.

The PRESIDING OFFICER. The point of order is overruled.

Mr. KILGORE. Mr. President, this question was asked by the Senator from Wisconsin [Mr. WILEY]:

> Was it the same as the oath—

He was referring to the 12-o'clock oath:

> Was it the same as the oath you took which says, "instantly after midnight?"
>
> Governor NEELY. Yes; it was the same, excepting that the certificate did not have the statement "instantly after midnight on the 12th day of January."
>
> Senator WILEY. When did you take that oath?
>
> Governor NEELY. I took it January 12, 1941, at 11:45 p. m.
>
> The CHAIRMAN. Is that in existence?
>
> Governor NEELY. Yes; it is right here.

Then on page 80 of the same record we find this. I have not had time to check all these references.

> You were sworn in three times, were you not, Governor?
>
> Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Kentucky?

Mr. KILGORE. Not until I finish this reading.

> Governor NEELY. Yes; I was.
>
> Senator TUNNELL. When did you take the second oath?
>
> Governor NEELY. I subscribed to three oaths. Two before 12 o'clock midnight, and one, instantly after midnight. This one [indicating] is the first. It was executed at 11:35 p. m., January 12, 1941, and I wrote into it, after "so help me God," the following:
>
> "This oath is taken with the intent that it shall become effective the instant after I am completely divested of my office as United States Senator by virtue of my tender of resignation of the said office of Senator to Gov. Homer A. Holt."

Now I yield.

Mr. CHANDLER. Mr. President, I was the one who said that the oaths were slipped into the record, and I said it on the authority of Mr. Raymond Barnett, the clerk of the committee. They were slipped into the record, and they were not put there until after the matter was discussed, and they were not put there until sometime between the 23d and the 25th of January. The present Governor of West Virginia took four oaths, and after we began to discuss it in the committee——

Mr. KILGORE. I merely yielded for a question.

Mr. CHANDLER. Very well; I will make the statement some other time.

Mr. KILGORE. Getting back to the question, the statutes involved stated in substance that before exercising any authority or performing any duties the person must qualify by taking and subscribing to the oath and filing it with the secretary of the board. There the statutes specifically said that as a step in the qualification the filing of the oath was a necessary one. But such is not the case here. Nowhere in our constitution, nowhere in our statutes, does it say that as a qualifying step the oath must be subscribed to and filed. To demonstrate the truth of this statement, I refer you to section 7, article 1, chapter 4, Code of West Virginia, 1931, which provides that no person shall enter into an office or discharge the duties thereof, and so forth, before taking the oath of office.

There is no mention of filing the oath. That filing statute was put in for the preservation of oaths. Please note that the statute does not say that a person must not only take his oath but must subscribe to it and file it before entering into his office and discharging its duties. Further, section 5, article IV, of the West Virginia Constitution, which prescribes the oath to be taken, states in substance that every person elected or appointed before—and please note the word "before"—proceeding to exercise the authority or discharge the duties of that office shall make oath, and so forth, "and no other oath, declaration, or test shall be required as a qualification unless herein otherwise provided." The constitution does not require the filing of an oath. If, as contended by the supporters of Mr. Martin, the filing of the oath is a necessary step in qualification, it is indeed strange that the framers of our constitution omitted to so state in the constitution.

It, therefore, appears to me that there is just one conclusion to reach. From a study of the election returns of the State of West Virginia it appears to be unquestioned that the voters of that State, well knowing the desire of appointment, and the intention of Neely to appoint a man to succeed him in the Senate if he were elected, went ahead and nominated him by a substantial majority and elected him by a still more substantial majority.

Mr. LUCAS. Will the Senator yield?

Mr. KILGORE. I yield.

Mr. LUCAS. I will wait until the Senator has finished the trend of his thought.

Mr. KILGORE. There is no question that under the laws of West Virginia it is not only possible but proper for the Senate of the United States to carry out

the express wishes of the people of West Virginia. I yield.

Mr. LUCAS. I should like to ask the Senator whether he was in the Chamber this afternoon when the supreme court judge of West Virginia testified, by way of a letter, which was introduced into the RECORD.

Mr. KILGORE. He is not a supreme court judge. Neither of those gentlemen is on the supreme court, nor has been on the Supreme Court of West Virginia for some 9, 10, or 12 years. I know both of them. I know both Judge Meredith and Judge Lively. They were on the court at the time the Qualls decision was written.

Mr. LUCAS and Mr. CHANDLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from West Virginia yield; and, if so, to whom?

Mr. KILGORE. I yield to the Senator from Illinois.

Mr. LUCAS. My only reason for asking the question——

Mr. CLARK of Missouri. Mr. President, I again make the point of order that the Senator from West Virginia yielded the floor by permitting a statement, not once but twice, from the Senator from Illinois.

The PRESIDING OFFICER. The Chair cannot anticipate what the Senator from Illinois is going to say.

Mr. CLARK of Missouri. The Senator from Illinois has already proceeded far enough by way of statement to show that he is not asking a question; he is stating his own views. I make the point of order that the Senator from West Virginia has yielded the floor.

The PRESIDING OFFICER. The point of order is overruled.

Mr. KILGORE. I yielded for a question.

Mr. CLARK of Missouri. I appeal from the decision of the Chair.

The PRESIDING OFFICER. The Senator from Missouri has appealed from the decision of the Chair.

Mr. CLARK of Missouri. Pending that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate; and the Senator from Missouri suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

During the calling of the roll the following occurred:

Mr. CHANDLER. Mr. President, with the consent of the Senator from Missouri [Mr. CLARK], I ask unanimous consent that the suggestion of the absence of a quorum be withdrawn.

Mr. CLARK of Missouri. I agree to the request of the Senator from Kentucky. My only reason for making the point of no quorum was that the Senator from West Virginia [Mr. KILGORE] violated the parliamentary practice by yielding twice to the Senator from Illinois [Mr. LUCAS] to make a personal attack on me.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

Mr. BARKLEY. Has the roll call developed the absence of a quorum?

The PRESIDING OFFICER. The roll call has not been completed.

Mr. BARKLEY. The roll call has not been completed, and the only thing the Senate can do in that posture is either to require the attendance of Senators or adjourn. Certainly, we cannot engage in a promiscuous debate here when there is no quorum developed.

Mr. CHANDLER. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CHANDLER. The Senate, by unanimous consent, can do anything it can do in any other way, and I have asked unanimous consent that the suggestion of the absence of a quorum be withdrawn.

The PRESIDING OFFICER. The Chair will rule that in the present status of the calling of the roll the only matter properly before the Senate at this time is the request of the Senator from Kentucky for unanimous consent that the order for a quorum call be vacated, that request being made with the consent and approval of the Senator from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. I insist that that request be stricken out.

Mr. CHANDLER. I make the request that the order be vacated on my own motion.

The PRESIDING OFFICER. The junior Senator from Kentucky requests that the order for a roll call be vacated. Is there objection to the request?

Mr. GUFFEY. Mr. President, what is the request?

The PRESIDING OFFICER. That the order for a quorum roll call be vacated. Is there objection? The Chair hears none, and hearing no objection, the order is vacated.

The Senator from West Virginia is recognized.

Mr. BONE. Mr. President, I ask the Senator from West Virginia to yield. If there is objection I shall not ask it. Will the Senator yield while I ask the Chair a parliamentary question?

Mr. KILGORE. I yield.

The PRESIDING OFFICER. Does the Senator from Washington desire to interrogate the Chair?

Mr. BONE. Yes. If I happen to be making one of my very infrequent speeches on the Senate floor, and I should yield to a Senator to ask me a question, and he should then make a statement, by reason of that fact would I be taken summarily from the floor, when I have no control over the question the Senator intends to ask, or the statement he makes? Is it my duty to stop him by force, if necessity demands it, or am I to be made helpless as a Senator because some other Senator proceeds to make a brief statement before asking me a question? I should like to be informed with respect to the procedure in such a case.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that in such a situation, if the statement leads to the point that the Senator having the floor is aware that it is not a question, he could reclaim the floor in his own right.

Mr. BONE. Then he should suppress the question. Is that correct?

The PRESIDING OFFICER. Yes.

Mr. BARKLEY. Mr. President, may I ask the Senator from West Virginia whether he desires to conclude his remarks this afternoon? Does the Senator want to finish his remarks or wait until tomorrow to conclude?

Mr. KILGORE. I would like to defer until tomorrow. I yield to the Senator now.

Mr. BARKLEY. So far as I am concerned, I am ready to move now to take a recess.

Mr. TOBEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from New Hampshire?

Mr. BARKLEY. I was about to move that the Senate proceed to the consideration of executive business.

Mr. TOBEY. I was getting ready to make a 10-minute speech.

Mr. BARKLEY. Could not the Senator defer it until tomorrow?

Mr. TOBEY. Under the circumstances, I think I shall.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER (Mr. HATCH in the chair). If there be no reports of committees, the clerk will state the nominations on the calendar.

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOBEY. What is the situation as to who has the floor?

The PRESIDING OFFICER. The Senate is now in executive session, preparing to call the calendar.

Mr. TOBEY. I rise only because I was told that I was to be recognized by the Chair at the conclusion of the remarks of the Senator from West Virginia [Mr. KILGORE].

The PRESIDING OFFICER. The present occupant of the chair was informed by the preceding occupant of the chair that the Senator from New Hampshire desired recognition. The Chair has recognized the Senator from Kentucky. The Chair thought that the Senator from Kentucky and the Senator from New Hampshire had some sort of an understanding.

Mr. BARKLEY. I asked the Senator from West Virginia whether or not he would be able to conclude his remarks tonight. He indicated that he would not. Of course, that would not interfere with the recognition of the Senator from New Hampshire at the conclusion of the remarks of the Senator from West Virginia; but I think in all fairness the Senator from West Virginia ought to be permitted to conclude his remarks when we resume tomorrow.

Mr. TOBEY. I understood that the Senator from West Virginia had concluded his remarks.

Mr. BARKLEY. No.

Mr. TOBEY. Is it the desire of the Senator from Kentucky that the Senator from West Virginia first conclude his remarks?

Mr. BARKLEY. Yes.

Mr. TOBEY. I concur in that view. I misunderstood the situation. When he shall have concluded his remarks, if it is not too late, I shall then seek recognition.

Mr. BARKLEY. I am sure they will be concluded early tomorrow.

Mr. TOBEY. Is the Senator referring to the remarks of the Senator from West Virginia?

Mr. BARKLEY. Yes. The Senator from West Virginia advised me that he was not able to finish his remarks tonight, and therefore I plan to move for a recess until tomorrow.

Mr. TOBEY. I beg the Senator's pardon. I did not understand.

Mr. BARKLEY. I presume the Senator from West Virginia will be able to conclude his remarks within a reasonable time tomorrow.

Mr. TOBEY. Mr. President, the Senator is more familiar with the situation than I am. I should particularly like to speak to the Senate tonight on a certain subject, for about 10 minutes. Could that be arranged?

Mr. BARKLEY. I certainly have no objection to the Senator speaking tonight. If the Members who are present are willing to remain, I should rather have the Senator speak tonight than tomorrow.

Mr. TOBEY. What is the modus operandi?

Mr. BARKLEY. After we shall have concluded the Executive Calendar, I shall move that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY—UNITED STATES MARSHAL

The legislative clerk read the nomination of James Joseph Gillespie to be United States marshal for the southern district of Iowa.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

LEGISLATIVE SESSION

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to.

SINKINGS OF CARGO SHIPS AND NEED FOR CONVOYS

Mr. TOBEY. Mr. President, first I wish to thank the majority leader for his cooperation and kindness to me. I regret that because of circumstances of a personal nature I must make this speech this afternoon or not at all. In my humble opinion, if the Senate and the country at large should lose this speech, it might not be a great disaster, but they would miss some information and facts which I deem very pertinent in this crucial epoch.

Mr. President, for many weeks members of the President's Cabinet, beyond peradventure speaking with the sanction of the President, have been crying out for convoys. They have been joined by Wendell Willkie, Chairman Vinson of the House Naval Affairs Committee, Admiral Land of the Maritime Commission; Hon. Sol Bloom, chairman of the House Foreign Affairs Committee; Mayor LaGuardia, who has frequently been in conference with the President; and others. The whole argument has been that ships in large numbers are being sunk in the Atlantic and that therefore it is imperative that this country embark on convoys, even though convoys admittedly mean war.

The Washington Post, in an editorial of yesterday, said that 40 percent of our exports to Britain were being sunk. Yesterday the Senator from Michigan [Mr. VANDENBERG] placed in the CONGRESSIONAL RECORD a letter from Admiral Land, dated May 5, giving the official information on shipments from the United States to Great Britain. This official information revealed the amazing fact that from December 30, 1940, to March 31, 1941, only 8 out of a total of 205 vessels cleared from the United States to the United Kingdom were sunk.

These official figures were available to the President and his Cabinet members, and yet for the past several weeks they have hidden them from the people. Why has not the President been frank with the people on this issue? In September 1939 he broadcast to the millions of Americans, saying:

> You are, I believe, the most enlightened and the best informed people in all the world at this moment. You are subjected to no censorship of news, and I want to add that your Government has no information which it has any thought of withholding from you.

Words! Words! Words! Meaningless words! Misleading words coming from the lips of the President of the United States.

No better evidence could be offered than that of the timely remarks of the able senior Senator from Michigan giving the factual information which the President has been keeping back from the people all these weeks.

On April 9 Admiral Land, the man who gave these official figures to the Senator from Michigan, and who knew the true situation, spoke over the radio to the American people. He spoke of the huge bonfire of submarines and urged an "all out" aid to Britain which would put out the fire on the Atlantic Ocean. Why did Admiral Land convey the impression that many vessels were being sunk, in the light of the figures which he had and which he kept back from the people?

Again I say, words; words; words; deceitful words at a time when the people have a right to know the facts. The American people are not children. They have been promised the truth. Why was it not given to them? This situation shows the means that have been used to steal the minds of the American people in this matter of war or peace. Let a man like Lindbergh speak from conviction and give factual information and he is called a copperhead. Let the President and Admiral Land withhold vital information from the people, and what have you? You have an example of the administration's anesthesia and soporific breathed upon the American people to lull them to sleep and to cloud their vision and obscure the real truths from them and from Congress. In the last analysis it is we, who are the servants of the people and who have a solemn duty to represent the people; and that goes for the President as well.

Let the administration's spokesmen mislead the American people on the amount of shipping losses, and you have what the administration calls freedom of speech; but let Colonel Lindbergh speak his honest convictions and give the facts that he knows, and what have you? In reality you have democracy in action; but in the words of the President you are a copperhead.

Where is our vaunted freedom of speech, if officials of the Government are so gagged that they cannot speak their minds? As was so well said by Thomas Joseph McSpadden, of Lexington, Va., who recently wrote to me:

> A one-way freedom of speech is not freedom, not American, not democratic. If we must first find out what is in the mind of the President, much as we admire him, and then speak that mind and nothing else, what are we to claim as a distinction between our brand of dictatorship and that of Hitler?

There is something just as essential as freedom of speech in this country, and that is candor, frankness, and honesty with the American people. The President has not displayed it. The administration has withheld from the American people the true facts about the ship sinkings. Why?

Let me read some of the statements made by some of the administration leaders during the past month. These are taken from the Washington Daily News of May 7, 1941:

> April 9: Maritime Commission Chairman Emory S. Land—"In the field of shipping aid to Britain, there is a huge bonfire burning—the submarine menace. * * * We might well ask ourselves in our all-out aid to Britain if we could not give greater help by aiding the British to put out the fire rather than by concentrating most of our efforts on feeding it with fuel."

Did he give us the facts about the ship sinkings? He did not.

> April 24: Secretary of State Hull—"It is high time the remaining free countries should arm to the fullest extent and in the briefest time humanly possible and act for their self-preservation. * * * Aid (to Britain) must reach its destination in the shortest time in maximum quantity. So ways must be found to do this."

Did he give us the facts about the ship sinkings? He did not.

> April 24: Navy Secretary Knox—"We have declared the fight that England is making is our fight * * *. Having gone thus far we cannot back down. * * * Hitler cannot allow our war supplies and food to reach

England. We cannot allow our goods to be sunk in the Atlantic. We must make our promise good to give aid to Britain * * *."

Did he give us the facts about the ship sinkings? He did not.

April 25: President Roosevelt at a press conference—"United States neutrality patrols will be sent as far into the waters of the seven seas as may be necessary for the protection of the American hemisphere."

Did he give us the facts about the ship sinkings? He did not.

April 29: President Roosevelt at press conference—"Legal authority exists to send American warships into combat zones. * * * This does not necessarily mean such action will be taken."

Did he give us the facts about the ship sinkings? He did not.

April 30: President Roosevelt in broadcast opening defense savings campaign—"We must fight this threat (of aggression) wherever it appears."

Did he give us the facts about the ship sinkings? He did not.

May 3: Wendell Willkie at Washington—"The state of sinkings is so serious that we should protect our cargoes of arms and foods to England."

Did he tell us the facts about the ship sinkings? He did not.

May 4: President Roosevelt in speech dedicating birthplace of World War President Woodrow Wilson at Staunton, Va.—"* * * Freedom of democracy in the world * * * is the kind of faith for which we have fought before, for the existence of which we are ever ready to fight again."

Did he tell us the facts about the ship sinkings? He did not.

May 5: Chairman CARL VINSON, of the House Naval Affairs Committee—"I am for convoys now."

Did he tell us the facts about the ship sinkings? He did not.

May 5: Representative E. E. Cox (Democrat, Georgia) in House speech—"* * * Of course, we are going to convoy, and we are going to convoy right away."

Did he tell us the facts about the ship sinkings? He did not.

May 6: Senator CLAUDE PEPPER (Democrat, Florida), who pioneered all-out aid to Britain, in Senate speech—"The American people are 'willing to spill their blood' to crush Hitler and are eagerly awaiting 'responsible and authoritative Government leadership to put forward a program to defeat the Axis Powers.'"

Did he tell us the facts about the ship sinkings? He did not.

Just 8 days ago a motion was made by the Senator from North Dakota [Mr. NYE] in a closed meeting of the Foreign Relations Committee to invite officials of the State Department, Treasury Department, Navy Department, and the Office of Production Management to appear before the committee and give information to the committee which would let us in the legislative branch of the Government know the facts about the extent of ship losses. This motion was voted down. Why did the Foreign Relations Committee vote against getting this information?

Why did the Senator from Kentucky [Mr. BARKLEY], who is a member of that committee, say on the Senate floor during consideration of the lend-lease bill?—

He—the President—has already announced that he will not use the Navy for convoy service in connection with the defense articles provided for in this bill.

Did he mean by that statement that the President will not sanction convoys to get the goods to England? If not, what did he mean?

In the light of Admiral Land's figures, the question of convoys resolves itself into the question of whether we shall convoy, and thereby get into the war, in order to prevent 4 percent of the ships which leave our shores for England from being sunk. Is it worth while to make such an immeasurable and enormous sacrifice for such a small and questionable gain?

A United Press dispatch of April 29 reported in part the following remarks of the Senator from Florida [Mr. PEPPER], which he made in an address to the women democratic leaders attending a regional conference for 16 Southern and border States. I quote:

The people of the country have kept the Congress from impeaching the President for what he has already done in connection with the European war.

Mr. President, to my knowledge this is the first time that an administration member of this body has publicly stated that the Congress has a desire to impeach President Franklin Delano Roosevelt for his activities in connection with the European war.

What was on the mind of the Senator from Florida when he made that interesting observation?

The United Press further quotes the Senator from Florida as follows:

Congress is paralyzed. It doesn't know what to do. It is afraid of what it must do.

Mr. President, can the Congress be blamed for being paralyzed, in the light of the forceful, swift strides which the administration is taking to plunge the Nation into war at a time when the Chief Executive remains silent on the issues of the day?

Mr. President, in recent weeks more than 19,000 letters have poured into my office in the Senate Office Building on the matter of convoys and war. I now read one of them, which to me is impressive not only on account of the content of the letter, but on account of the personality, character, standing, and position of the man who wrote it. It comes from Cornell University, Department of Physical Education and Athletics, and is signed by Carl G. Snavely, coach of football of Cornell University:

CORNELL UNIVERSITY,
Ithaca, N. Y., April 24, 1941.

Hon. CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SENATOR TOBEY: Let me thank you personally for your commendable efforts to keep the United States out of further involvement in the European conflagration. Please carry on. Our people must see the light before it is too late. I wish I could aid and encourage you in this vital endeavor, but I am afraid that my powers in that respect are very limited. Possibly you might be interested in these enclosures, which are self-explanatory, and which I am sending to a number of our public officials.

Wishing you every possible success, I am,

Sincerely yours,

CARL G. SNAVELY,
Coach of Football.

One of the enclosures is a letter addressed by Mr. Snavely to his Senator, the Senator from New York [Mr. MEAD]. I read the letter:

APRIL 23, 1941.

Hon. JAMES MEAD,
United States Senate,
Washington, D. C.

DEAR MR. MEAD: I am sending you the enclosed editorial and letter to the editor because I feel that they represent not only the almost universal convictions of the young men of military age in the United States but a most intelligent exposition of the views and interests of the vast majority of all the citizens of the country.

Without questioning the conscientiousness or patriotism of those who think otherwise, I am one of the millions of individuals who believe that it will be a deadly, tragic, foolhardy, impracticable, and possibly suicidal blunder if the United States becomes actively engaged in the European holocaust, even to the extent of convoying war materials. The theory that we can engage in this war to a limited extent is ridiculous and inconsistent with the lessons of history and the processes of human nature. An attempt to do so will promptly engulf us to the limits of manpower and material resources in a struggle which, in all probability, will last for years and lead to nothing but terror, butchery, impoverishment, and the near extermination of everyone concerned.

Our leaders have no right to gamble further with the lifeblood and, indeed, the very existence of our Nation. Let us arm America to the teeth and defend our own hemisphere to the death, but, in order to do so, let us conserve our resources for these purposes instead of dissipating them all over the face of the globe in a mad and fantastic crusade to police and reform the world. The American people do not want to enter this war.

Yours sincerely,

CARL G. SNAVELY,
Coach of Football.

That is only one of many letters. It is an unusual letter from a man who has a passion for the youth of America, who has been a coworker with youth in its interests; and sitting up there on the heights of Utica, at Cornell University, Carl Snavely, friend and colaborer with young men, worker with them, pours out his soul and his apprehensions and his fears in this letter, and it ought to command the attention of all of us. So I ask permission to insert in the RECORD at this point not only his letter but also the editorial to which he refers.

The PRESIDING OFFICER. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

[From the Cornell Daily Sun of April 15, 1941]

STRATEGIC EVACUATION

As Axis military and diplomatic blitzkriegs continue to modify the political face of Europe, Asia, and Africa, it grows increasingly important that the American people demand two things of their Nation's foreign policy: That it be judged by its effect on the security and prosperity of our Nation; that it be kept realistically abreast of a changing world and above domination by selfish interests.

Today it is important that we look at our foreign policy in this practical light. Our

aims are neither the preservation of the British Empire nor the policing of the world. Our primary interest is in the security and prosperity of our Nation.

Considered from this point of view, it is vital that we withstand the efforts of vicious pressure groups which are operating within our Nation for the purpose of diverting our policy from these true American aims to a course more favorable to other interests. At this time it is obviously important to consider the British "fifth column" machine as foremost among those in operation, for its demonstrated effectiveness makes it a dangerous obstacle working to separate America's foreign policy from America's best interests.

In the past several years it has seemed wisest to give aid to anti-Axis forces in Europe as the best method of protecting the United States. This was, however, merely a means to an end. Since this means was first adopted, the world situation has changed, and it becomes vital that we ask ourselves whether the original means is still the best possible for our end. This is a question of the greatest practical concern to the United States and must be decided by practical, clear-thinking men.

In meeting this challenge we must remember that we are in a Nation no longer emotionally stable. Our prejudices, biases, and emotions have been manipulated to a point making it difficult for us to clearly appraise the respective alternatives before us. Yet we must make the decision—our Nation's future rests on it. Moreover, we must stand ready to make such decisions for each new development in international affairs.

It is imperative that we ask ourselves at all times not "what is the best way of preserving democracy in Europe, of defeating the Axis, of saving Europe's down-trodden nations"; but instead we must constantly make our policies measure up to the practical standard of "what is the best way of safeguarding the security and prosperity of our Nation." These other ideals may be worthy, admirable, backed up with historical and religious support, but above these stands the fact that, today, we must first secure our own future, and then concern ourselves with the future of others.

We must stand honest to the reality that the Axis victories may make it strategically wise for us to withdraw from our present interventionist course to one of consolidating and improving our position in this hemisphere. We have learned much in recent years from the British about "strategic evacuation," and as American citizens interested primarily in America's future, we must stand ready to perform such an evacuation from our present interventionist policy if Europe's events should make it necessary for our protection.

CORRESPONDENCE

To the EDITOR:

Since the passage of the lease-lend bill on March 25 the main emphasis of our foreign policy has been placed on unity of action through this established policy. Recently, however, other questions have arisen (especially the convoy) which are about to afford us another opportunity to define the foreign policy of our country. And it is important that we realize that such is still our privilege.

The strategy of the interventionists has been, briefly, to identify the interests of the United States more and more with those of the anti-Axis countries, particularly Great Britain, rather than with the best interests of the American people. First we were told that we must supply the Allies with all aid short of war; we were to give to others the implements with which to fight "our" war, remaining out of the conflict ourselves. Then the interventionists gradually threw off their disguise and openly advocated all-out aid which, though it might lead to war, was necessary. By that time, the emphasis was placed not on the desirability or undesirability of America's entrance into the struggle, but rather upon the necessity of underwriting the victory of one of the contestants. Since that time, policies have been approved because they will benefit Britain, Greece, and Jugoslavia (with whom our interests are identified) or condemned because they are just what Hitler wants. Thus, our decisions are now seemingly dependent upon the effect they will have upon the governments involved in this war and their acceptability to foreign statesmen. But what about their effect on America?

All of us know of the tremendous consequences of modern war. By armed intervention into World War No. 2, the United States would: (1) incur war-material costs far in excess of those of 1917; (2) incur the costs resultant from loss of normal production; (3) lose, in all probability, a terrific number of men; (4) and endanger the civil rights of its citizenry, and possibly even its form of government.

Therefore, every American must make one vital decision. Shall American foreign policy be governed according to its ability to protect democracy in America or according to its acceptability to a friendly foreign power? I feel that it is the duty of every citizen to ask himself how our present foreign policy will affect the democratic ideals and the security of the United States.

(Signed) AN AMERICAN.

Mr. TOBEY. I also ask unanimous consent to insert in the RECORD at this point certain data pertaining to convoys and war.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

CONCORD, N. H., *May 5, 1941.*

Senator CHARLES W. TOBEY.

DEAR SIR: I am just one more voice added to the many asking that you do all in your power toward keeping America out of war.

Sincerely,

(Miss) MILDRED W. SAWYER.

HANOVER, N. H., *May 6, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: You deserve great praise for your courageous stand as an American in this crucial hour. I sincerely believe that defense, not war, is the will of the majority of the American people. Thus, for instance, friends of the family formerly for all aid of Britain, having seen what that now means, have recently returned to approval of neutrality. Student opinion here, despite the war-demanding student newspaper, has recently become outspoken in opposing a European war by this country. Your own speech was commended by several members of the faculty.

The 17's statement of faith in Britain which appeared in yesterday's New York Tribune does not face the issue, it seems to me. It is not a question of our being able to outfight Germany (which some even doubt), but a question of: Can we afford to win England's war? Will it not be better for this Nation to make itself impregnable and to give by its example the proof of democracy's worth? I think the answer is "yes." Can we fight a European war without a base in Europe to start from and not end up in economic and spiritual chaos? The answer to this is an almost unqualified "no."

Respectfully yours,

STUART ATKINS.

CONCORD, N. H., *May 6, 1941.*

Senator CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SIR: May I thank you for your good work so far to keep our country out of war? I hope that you will allow nothing to change your conviction nor cause you to slacken your efforts.

Very truly yours,

(Miss) CARYL E. JONES.

LACONIA, N. H., *May 7, 1941.*

DEAR SENATOR TOBEY: I want to congratulate you with all my heart on the radio address which you gave on Tuesday, May 6. You are what we call a real, a great American. I would be very grateful to you if you would kindly send me a copy of the address which you gave on that date, May 6. The State of New Hampshire ought to be very proud of having such a great Senator in Washington. My folks are greatly opposed for convoying ships to England, or any other form of activity which will bring us closer, or into war. I am a student at the Laconia High School in your home State, and am greatly in favor of you.

Yours truly, a friend,

GERARD TRUCHON.

THE PILGRIM CONGREGATIONAL CHURCH,
NASHUA, N. H.

DEAR SENATOR TOBEY: We are endeavoring to present an unpopular side when we insist on Lindbergh's right to speak; protest against convoys and refuse to defend someone and their stolen apples when they are unwilling to make restitution, but are determined to keep them or die. I am writing to tell you to "stand fast." I admire your guts (pardon the undignified word). Surely no one, not even Mr. Stearns, can really accuse you of political expediency in your opposition. Political expediency would be to beat the drum and shout. I am so disappointed in our President. Does he ever keep a promise? It is his war, not the American people's war. "Stand fast," Senator, "stand fast."

Sincerely yours,

WILLIAM T. KNAPP.

MAY 6.

VINDSVALE KENNELS,
Richmond, N. H., April 22, 1941.

The Hon. CHARLES W. TOBEY,
Senator from New Hampshire,
Washington, D. C.

DEAR SENATOR TOBEY: On two previous occasions I ventured to write to you in the matter of the draft and in that of the so-called lend-lease bill. Today I am writing for the sole purpose of congratulating you on the high patriotism and fine statesmanship which wrote the Tobey resolution on convoys and on the ability with which you have brought it, through radio and the press, before the country. It is a great pleasure for us your constituents to know that a Senator from New Hampshire is speaking not for us only but for the overwhelming majority of his countrymen.

Since I think it may interest you to know how one citizen felt on reading of the President's treatment of your letter to him I am enclosing a copy of a letter which I wrote to him on this subject.

Believe me,

Yours faithfully,

BAYARD BOYESEN.

VINDSVALE KENNELS,
Richmond N. H., April 22, 1941.

The PRESIDENT,
Washington, D. C.

SIR: If the New York Times be correct, the President of the United States no longer deigns to read letters from Members of the United States Senate, if, like Senator TOBEY, they happen to be in disagreement with him; and therefore, I presume, he can have no interest whatever in a communication from one of the common herd who listened so eagerly and hopefully to the solemn pledges and assurances that fell from his lips last autumn. Yet I venture to think that a

simple statement now of the President's intention in the matter of escorting convoys with American ships would do more to produce a much-needed unity in our country than all the clever verbal fencing with which he delights and amuses the White House reporters. In a time of dire crisis, a forthright statement of the administration's policy would surely be preferable to an agility in avoidance of the questions of Senators and reporters alike, all of which can be summed up in the one question: Mr. President, are you taking us to war?

I have the honor to remain, sir,

Yours faithfully,

BAYARD BOYESEN.

APRIL 25, 1941.

BAYARD BOYESEN, Esq.,
Richmond, N. H.

DEAR MR. BOYESEN: Thank you for your letter of April 22 enclosing a copy of your letter to the President, which I have read with interest and appreciation.

For your interest, I enclose a copy of my last radio address, together with a copy of a telegram which I sent to the President last week. The day after the telegram was sent to him, he had a press conference and, upon questioning by the press correspondents, he stated he had not read my telegram but instead, had had it referred to the Navy Department.

I will be glad to hear from you at any time and appreciate your interest and support on this crucial matter.

Sincerely yours.

WASHINGTON, D. C., *April 25, 1941.*

Senator CHARLES W. TOBEY:

I thank you so much for sending me copy of your speech on your anticonvoy resolution. I am sending the speech on to a sensible man in my home State, Texas, today. I think he and his group can be of great assistance to us at this time in getting your convoy resolution passed. Wonder if you could send out more copies of your speech? Hope you can. If you can, I wish you would. I'm sending this one by air to a man in Texas who has brawn and brain like you. He and his group probably can wire President Roosevelt to resign. That would be a great help, for there is no sense or reason in we, the American people, being ignored and mistreated by the Roosevelt war mongers any longer. We, the people, are the Government, and it's we, the people, who are to blame for ever listening to this Roosevelt scheme at first. We should have known all this Santa Claus was of Sodom and Gomorrah.

I feel that your have done something that is going down in history books as the resurrection of our Savior, in the year 1941 that was superthinking and acting on your part to come out in the open and let the public know the President was convoying warships to the warring nations without the legal right to do so. Our Nation is to become the aggressor of all time if we, the people, don't stand up and assert our God-given rights to be the government for the people and by the people. Roosevelt thinks he's made the people believe so many fool schemes he thinks he can work anything off on us. He must be stopped, and I believe your resolution is the greatest resolution ever to be sponsored by a Congressman.

Wish I could get over to your office. Maybe I can Saturday morning. If you could get out some more copies of your speech and send them to various people in various States, especially in my State; I know folks in my State who are able and capable of understanding Roosevelt's schemes, and they are in a position to wire him and ask him to resign. Whether he did resign or not, they would help the rest of the world to understand what's happening, and, too, that would give the entire Roosevelt family an idea of what was in the minds of the American people at this time. I am so glad you can go right ahead and sponsor an anticonvoy resolution. It's wonderful you got it staged together. I believe you will get it passed. I will be praying, and I know millions in this Nation who are praying morning, noon, and at bedtime, to God to uphold your hand and to be with you and the millions in this Nation, and especially with the Senate that day to vote with you to prevent President Roosevelt from sending our sons to convoy their war guns and warships to the warring zones.

The English care nothing for us. All they want is to get us to send our sons into another Hindenburg line for them. I know, for see, I sent one fine son to their rescue before. I believed this propaganda the English were putting out then, but I learned they were telling us big falsehoods then as they are now. I thank God for you and your group, especially for you for putting those plain facts in the minds of the people. Would to God I could do something to assist you all. This war Roosevelt is getting up will ruin this Nation if we can't stop him. I have been taught all my life that we can do all things if only we will hold onto God and humble ourselves and ask God's guidance. All of us recognize there are no problems with God. He knows all things and loves us all.

I thank you. All we are supposed to do is our very best and God will take care of the results—that's His business, and I know He, our God, is with us even if it's best for us to be buried in the earth, and we, you, will rise in a fuller way. God can do all things. Well, to do our part we must. I thank you so much, and I shall always be so thankful to God for you and your resolution.

Could you mail me one of your cards that will help me to see you probably tomorrow or Monday?

MRS. J. L. EVANS.

MAY 6, 1941.

MRS. J. L. EVANS,
Washington, D. C.

DEAR MRS. EVANS: Thank you for your letter of April 25. I am enclosing a copy of a speech which I made on the floor recently in which I thought you might be interested.

I believe that the fight against convoys has slowed up the President considerably, and that we have a chance of staying out of the war if the people continue to work and make their voices heard against it in letters to their Representatives in the Congress.

I pledge my best efforts to the continuation of the fight against convoys, and against entrance into the war.

Sincerely yours,

CHARLES W. TOBEY.

BROOKLYN, N. Y., *April 18, 1941.*

Senator TOBEY of New Hampshire,
Washington, D. C.

HONORABLE SENATOR: Oh, what a pleasure it is to hear of your courageous fight for Americanism. New Hampshire has again produced a real American. The State that produced Daniel Webster now gives us another champion of American principles. Right now I'm with you in the Senate today and may the spirit of Daniel Webster be there to inspire and sustain your courage and give you the success that he always won when fighting for American principles.

We want no Oriental or British suavity or diplomacy in our Government—just plain American aversion for kings and subtlety. It seems that every time the British international group now calling itself the "government" gets caught up with and forced in the open it resorts to all sorts of evasive answers. Henry Ford was right when he said: "It's not the military boot but the sandaled foot that we need beware of."

God prosper you in your fight for the preservation of American principles, especially of nonintervention in Europe's wars.

Very sincerely yours,

(Miss) ANITA KIMBALL,
From New Hampshire.

MAY 6, 1941.

Miss ANITA KIMBALL,
Brooklyn, N. Y.

DEAR MISS KIMBALL: Thank you for your encouraging letter of April 18.

I am glad to know that you feel as I do about keeping out of the war. I am enclosing material for your interest.

I am interested in knowing that you come from New Hampshire and would like to include you on my New Hampshire mailing list if you would advise me what your New Hampshire address is.

Sincerely yours.

UNITED MOTHERS OF AMERICA,
Cleveland, Ohio, April 23, 1941.

Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

HONORABLE SIR: The United Mothers of America wish to inform you that we sent the following telegram to the President on Monday, April 21:

To FRANKLIN D. ROOSEVELT,
President of the United States of America,
Washington, D. C.:

We have read of the visit of Canada's Prime Minister in your home and while we rejoice over the friendly relations with our border neighbor, we have heard rumors of a "union now" with Canada in which these United States would lose their freedom as a self-governing entity. We ask for your denial of these rumors.

Yours respectfully,
UNITED MOTHERS OF AMERICA.

Will you please read this letter on the Senate floor, have it entered in the CONGRESSIONAL RECORD, and give it publicity in any manner open to you? We will inform you as soon as we receive our answer from the President.

* * * * *

MRS. D. STANLEY.

MAY 6, 1941.

MRS. D. STANLEY,
United Mothers of America,
Cleveland, Ohio.

DEAR MRS. STANLEY: I am in receipt of your letter of April 23 quoting a telegram which you have sent to the President and will take pleasure in inserting this in the CONGRESSIONAL RECORD.

When you receive the reply from the President, if you will send it on to me, I will be glad to present this to the Senate through the CONGRESSIONAL RECORD.

Sincerely yours.

SUGAR HILL, N. H., *April 17, 1941.*

Senator STYLES BRIDGES,
Washington, D. C.

DEAR SENATOR: I have before me a letter written by you on February 27, in protest to my objection to the passage of the lease-lend-give-away bill, which you eventually openly supported. In this letter you say, "* * * I most sincerely want to avoid war for this country." When a man says he acts sincerely, I have nothing more to say.

However, it is this sincerity that I am again interested in. President Roosevelt in a recent press conference stated that, "Convoying meant shooting and shooting meant war." Your colleague, Senator TOBEY, has a bill before Congress which would forbid convoying, and thus eliminate the chances of war as admitted by the President. Since you sincerely want to avoid war, and since convoy-

ing means war, I shall watch with interest your vote on this bill, whether you really are for or against sending our boys into hell to die.

I am hoping that your sincerity may remain unquestioned by this writer, as I assure you it is at the moment.

Very truly yours,

MYLES D. BLANCHARD,
Minister, Community Church.

Copy to Senator TOBEY.

APRIL 29, 1941.

Rev. MYLES D. BLANCHARD,
Sugar Hill, N. H.

DEAR BROTHER BLANCHARD: Thank you for sending me the copy of your recent letter to my colleague.

If you hear from him, I will be very much interested in having an opportunity to learn what his answer is.

I believe that we can stay out of the war, and am giving the best that is in me to that end, realizing that I will be severely and personally attacked by some individuals. The rank and file of the people do not want to be taken into war and have been promised by the administration that they will not be taken into war.

Faithfully yours.

[Enclosure: Record of Senator BRIDGES' votes during lease-lend debate.]

BOSTON, MASS., *April 20, 1941.*

DEAR SENATOR TOBEY: I ran across the enclosed article in the Sunday Herald tonight, and although I haven't any decent stationery upon which to write to you about it, I want to write to you tonight, even upon notebook paper like this. I am temporarily located in Boston studying for my Ph. D. degree at Boston University.

As a citizen of New Hampshire who is extremely proud of your courageous and forceful stand to keep America from dashing headlong into the European conflict, I hereby congratulate you on your logical policy and hope you will continue it. I have the greatest confidence that you are doing your very best for the happiness and prosperity of the people of the United States and New Hampshire, and that you represent their ideals closely. If you appear to differ at times, I am sure that those who had the facts that you have to base your judgment on would agree with you.

Several portions of Mr. Pier's open letter interested me, as well as several omissions. In the first place, he says you misrepresent the State of New Hampshire, but doesn't say how, although he implies that why you do it is because you fear that if we use our Navy to convoy ships we shall be drawn into war. In the second place, he does not quote a single thing you say. In the third place, he goes to work to psychoanalyze Hitler's mind, but doesn't get to first base doing so, because he doesn't go at it scientifically or logically. I have had three or four courses in psychology—one of them in social psychology—and two courses in social philosophy which analyzed nazi-ism, fascism, and communism, and I know whereof I speak. He does hint broadly that the United States is doomed immediately to ruthless Nazi rule if England is conquered. He hasn't got the confidence of a louse in America's ability to defend herself alone.

Do you want me to answer this bird by an open letter to the Herald? If so, I shall be glad to do so. If your recent radio address is what irked him, please send me a copy of it so I can quote extracts. Do you know who he is? Is he the son of the man who used to write those delightful stories in the Youth's Companion?

British propaganda is likely to make us confuse our well-being with Britain's, and the first thing we know we'll be defending the British Empire in Asia as well as in Europe. If you can't stop this emotional appeal by reason, deflect it and slow it down all you can. If we must fight for our liberty, give us a chance to be well trained and equipped first. I am willing to fight for my country, and my country is these United States.

Yours truly,

JOHN S. SHEPARD,
Son of your late friend, John S. Shepard, of Franklin.

[From the Boston Herald of April 20, 1941]

OUTLINES OF A HITLERIZED WORLD

To the EDITOR OF THE HERALD:

Senator TOBEY, who so grievously misrepresents the State of New Hampshire in the upper branch of Congress, would like to forbid our Navy to convoy ships carrying supplies destined for Britain, Greece, or China. He favors aid to those nations "short of war," but fears that if we use our Navy to convoy ships we shall be drawn into war. That fear is undoubtedly shared by far too many Americans.

If Senator TOBEY and those who think and fear as he does could be persuaded to put aside their obsession and face reality with clear and courageous eyes, the menace that hangs over this country would soon diminish. The reality of the present situation may be most clearly understood through examining the mind of Hitler.

It may seem paradoxical to suggest that the way to objective grasp of reality is through analysis of a man's mind, yet the history of the last few years shows conclusively that neglect to read the open book that is Hitler's mind led to France's grievous plight and Britain's desperate battle for survival. Hitler had exposed his mind to the world; he had told the world precisely what he proposed to do and how he would do it; and with incredible stupidity the governments of Europe sat back and let him go ahead. Now, with similar incredible stupidity, our isolationist statesmen like Senators TOBEY, WHEELER, NYE, and CLARK, and such gifted amateurs as Colonel Lindbergh, failing to read the mind of Hitler, would like to have our Government sit back and let him go ahead.

The mind of the ordinary obscure citizen is a closed book; not so the mind of a world conqueror. To organize not only Europe but the entire world in his "new order" is, of course, Hitler's aim. For his own safety he cannot stop short of doing that. If he conquers Britain he cannot be content with that achievement, even if he would like to be; he must have the resources of this hemisphere at his disposal and the peoples of this hemisphere as his slaves in order to hold what he has won.

The notion that he would live at peace with us, were we willing to live at peace with him, is absurd. With the deliberate conqueror it must be all or it will be nothing.

Now, what sort of a conquest will it be if Hitler succeeds in it? His operations in those countries that he has already subjugated give a clue which we may profitably study. Reports coming out of those miserable lands are meager, but they reveal certainly the fact that no method of oppression, suppression, and persecution is neglected. Each conquered nation is being forced gradually to yield its traditions and its cultures; schools and universities are closed; young men and women are taught only what the conqueror prescribes for them.

Hitler has already announced that he has made the position of Germany secure for the next thousand years. He has not accomplished this yet, but if Britain goes down before him because the United States has been unwilling to risk everything — including war — to aid her, he may well succeed in his fell purpose. Once he has made himself supreme master, it will not be difficult for him and his successors to maintain their overlordship. A highly organized ruling caste, with all the raw materials and all the machines of the world at their disposal, with their perfectly equipped and trained army, their spies and secret police, ought to be able to keep mankind under their heel until doomsday.

There will be plenty of citizens of every nation willing to assist them. Just as Norway has its Quisling, France its Darlan, so will the United States have its—but there are so many competitors for the post of first American Gauleiter that it would be invidious to name him.

Let us consider the history of Carthage. It need not detain us long. All we know is that Carthage has no history—except that which was written by its conquerors and destroyers, the Romans. It is not fantastic to predict that within a very few years, should Hitler conquer Britain and then the United States, the only history of the war and of the events leading up to it will come from Nazi pens. Undoubtedly, to make his fame eternally spotless and secure, the conqueror will command the systematic collection of all newspapers, pamphlets, periodicals, and books that touch in any way upon the war and that present another point of view than the Nazi point of view. They will all be destroyed, and no such publications will ever be permitted to see the light again.

Oral transmission of heretical history will be visited with the most severe punishment. For years the Gestapo in every land will be diligently ferreting out hidden copies of newspapers, periodicals, books—even novels—of a forbidden character, and bringing the possessors to the prison cells or the headsman's ax.

Eventually the work will be complete. Future generations will know that in the years 1939–42 (?) the predatory war-mongering democracies and plutocracies attacked a poor and peaceful Germany; and that then arose the second savior in the person of Adolf Hitler, a man of chaste and blameless life, animated with a divine compassion for the weak, the humble, the downtrodden, and that this greatest and noblest of all human beings that ever lived wrought the miracle of the glorious unified civilization which gratefully acknowledges and always will acknowledge a beneficent and enlightened Germany as its lord and master. And, therefore, annually on the 20th day of April, the birthday of Adolf Hitler, all over the world at the appointed hour every knee shall bow, every right hand shall be upraised, palm out, and every voice shall proclaim, "Heil Hitler!"

A minor feature of this civilization of the future will be the substitution of a German rendering of the works of Shakespeare for the English original, which will disappear as completely as the English documents relating to the war will have done. Shakespeare, as all English and American boys and girls in the year 2050 will learn, was born and lived all his life in Berlin. Singularly enough, his birth occurred on April 23, 3 days later than the birthday of the savior.

That is the sort of history and the kind of literature that the efforts of Senators Tobey, Wheeler, Clark, Nye, Colonel Lindbergh, General Robert E. Wood, and God knows who or what are preparing the world for.

ARTHUR S. PIER.

CONCORD, N. H.

APRIL 25, 1941.

JOHN S. SHEPARD, Esq.,
Boston, Mass.

DEAR MR. SHEPARD: I was very much encouraged and pleased to hear from you as one of the Shepard family of Franklin.

I held your father in highest regard—he was one of my best friends, and it is good to

hear from you on an issue which is so important to the American people, namely, whether we shall send convoys and thereby get into the war.

I have done a great deal of reading in the past several years, and it is my honest conviction that it would be an immeasurable calamity for us to attempt to project ourselves into the European hostilities which would weaken us militarily and economically. If we follow that path it is not improbable that we will have economic disaster here which may be followed by loss of all the things we hold dear in our form of government.

I would be very glad to have you reply to the Pier letter, and if you write to the Boston Herald I think it would be helpful if you could write the same letter to the Concord Monitor, and possibly the Manchester Union.

Enclosed are copies of my resolution and my last two radio addresses. I believe that we can stay out of the war, and am giving the best that is in me to that end, realizing that I will be severely and personally attacked by some individuals.

The rank and file of the American people do not want to be taken into war and have been promised by the administration that they will not be taken into war.

Faithfully yours.

ANTRIM BAPTIST CHURCH,
Antrim, N. H., April 16, 1941.

Hon. CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I am especially interested in S. 860 and hope you may use your influence to secure its passage. From considerable experience in military camps, I am well aware of the danger to the men from beer, liquor, and women on or near military reservations; and I sincerely hope that all that is possible may be done to safeguard our boys at this time.

Furthermore, I am very anxious that the President's promises not to send American boys to fight in Europe be redeemed. I believe that for us to enter the war in Europe would be a great tactical mistake and a tremendous wrong to our manhood. I hope you may employ all your influence in opposition to any such move. The move to prohibit the use of our Navy to convoy arms to Europe has my hearty approval.

Very truly yours,

RALPH H. TIBBALS.

APRIL 25, 1941.

Rev. RALPH H. TIBBALS,
Antrim Baptist Church,
Antrim, N. H.

DEAR MR. TIBBALS: This will acknowledge receipt of your letter of April 16.

The extent of the support by the people of the anticonvoy resolution has been surprising to many of the Senators who report to me they are receiving more mail against convoys than they are on any other subject. Certainly, if the will of the people were to prevail, the President would make forthwith a definite public statement that he will not embark on a policy of convoys with American seamen on board.

For your interest, I enclose a copy of Senate Joint Resolution 62, together with my latest radio address.

The Senate Foreign Relations Committee is meeting on Wednesday, April 30, to take a vote on the resolution. They may do one of several things:

1. Report it out for a vote by the Senate.
2. Pigeonhole it (which means that the resolution would "die" in committee).
3. Vote to hold hearings on the resolution.

Many people advise me in their correspondence that they have written to their Senators and Congressmen for definite statements on this issue and gradually the support of the anticonvoy resolution in the Congress is mounting. It would not be honest dealing for the administration to deliberately set forth on a convoy venture which, as the President said, would mean war for this country, after having given solemn assurances to the people that they will not be launched into the war.

For my part, I pledge the best that is in me in this fight to keep the people from being drawn into the war, and I want to express my appreciation to you for your interest and support.

With regard to S. 860, I appreciate your writing to me on the subject, as I am sympathetic with this movement to ban liquor and other immoral conditions in the vicinity of Government camps and will be glad to do all I can to be helpful. It is receiving attention from several sources here.

I recently conferred with Mr. Paul V. McNutt on this subject, and he has assured me that the matter is receiving the immediate attention not only of his office but also of the War Department's Committee on Education, Recreation, and Community Service.

S. 860 will have my close attention and support when it comes before us, and I am glad to tell you this.

Sincerely yours.

MANCHESTER, N. H., *May 1, 1941.*

Hon. CHARLES H. TOBEY,
House of Senate, Washington, D. C.

DEAR SIR: Let me urge you to use your influence to block the movement to convoy vessels carrying goods to England, or the patrol of waters now in the war zone.

I wish to go on record as being definitely opposed to any action which will inevitably lead these United States into war.

Very respectively,

V. P. WAGNER.

LEBANON, N. H., *May 1, 1941.*

MY DEAR MR. TOBEY: It was indeed a pleasure and a thrill to meet you fact to face again, even if briefly. My wife was also delighted to have met you.

Your talk and subsequent open forum was timely and left a good impression, and in a few talks with some of the boys, I think some have turned to our way of thinking. God bless you in your fight for peace and for keeping our boys out of Europe. I have two brothers who are already drafted—one at Camp Edwards, one at Fort Bragg—and I've already turned in my questionnaire. Please write when you get time, and don't overwork.

Most sincerely,

PETER LIHATSH.

STAGECOACH ROAD FARM,
SUNAPEE, N. H., *May 1, 1941.*

Hon. CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR TOBEY: I want to tell you that I think you are making a fine American stand and that, if there is anything I can do to help you, I hope you will let me know.

It occurs to me that a bill redefining the crime of treason might be a useful public service. We are being forced into a war against the wishes of the American people—a people whose morals had been so lowered by the New Deal that a considerable portion were willing to be merchants of death at a profit. For that is what "short of war" meant. The reactions to war—and especially to defeat or a long war—will be violent. The people will want to search out and hang those who tricked them. And so might it not be salutary to frame a law right now defining as treason certain acts, whether by public or private individuals, which have as their object the getting of the Nation into war? It ought to be possible to phrase a pretty comprehensive bill and I think most of the Members of Congress would have trouble in justifying a vote against it.

With my regards, I am

Sincerely yours,

SAMUEL CROWTHER.

MANCHESTER, N. H., *April 29, 1941.*

Senator CHARLES TOBEY.

DEAR SIR: I am against the warmongers who want to send convoys across the Atlantic. I am thankful to you for the efforts you are doing in trying to keep us out of war.

The Tobey resolution must be passed.

MRS. ALBERT DIONNE.

TILTON, N. H.

DEAR SENATOR TOBEY: I hope, and I believe we can stop the warmongers from forcing us into Europe's quarrel.

ALBERT G. MAIRS.

LACONIA, N. H., *May 5, 1941.*

The Honorable CHARLES W. TOBEY,
Senator from New Hampshire,
Washington, D. C.

SIR: In view of the volume of favorable publicity being received by those in favor of convoys, I wish to add my voice to those who are in an apparent minority—though it is my belief that we are actually in the majority—and are emphatically opposed to the convoy system or any approach to it. Please accept my thanks and appreciation for the fight you are carrying on in your effort to keep this country out of the war. I earnestly hope that your efforts will meet with success.

Very truly yours,

ROBT. C. MORRISON.

CONCORD, N. H.

Senator TOBEY.

DEAR FRIEND: Just a word to thank you for your efforts in keeping our country out of this most hideous war. We, the people, do not want to do anything that would get us into it. Thank you; and we beg of you to keep on doing all you can.

Sincerely,

MRS. R. C. WIGGIN.

Hon. CHARLES W. TOBEY,
Washington, D. C.

MY DEAR SENATOR TOBEY: It has been with a keen satisfaction that I have followed your bill and addresses over radio re convoys, etc., and I wish to thank you for your courteous and kind reply to my note to you enclosing your address of April 8 regarding the (to my mind) most vital subject with which Congress has to deal.

Until I received your response with enclosures, I was not aware you had the bill in hand.

The whole matter of delivery to Great Britain of our elaborate aid does not make sense as I feel this question of delivery should have been decided upon when the lend-lease bill was passed. Then was the time and not now.

I am only one small voice of the people, but as you so sensibly state "the action of the people is already having its effect," and "if enough individual letters of outstanding minds are sent to Members of Congress, etc."

On the other hand, there is so much of political wrangling and scattered views of the matter of how to deliver our all aid to Great Britain, will be of little matter now, as I feel Great Britain has lost the fight, and for that reason if for no other, we should keep our ammunition ships and all else for our own defense which I fear we shall need and soon.

That you may know how deeply the interest of all that concerns this United States I have at heart, you will find me in Who's Who in America in 1930-32, vol. 16, and Who's Who in American Education, 1931-

32, and American Women, vol. III, etc., 1939–40, and my work in international affairs.

I wish Godspeed in your getting across your very sound bill.

This is a nightmare of a world today.

Very faithfully yours,

FLORENCE BROOKS-ATEN.

APRIL 30, 1941.

HEROD'S COVE FARM,
Newington, N. H., April 23, 1941.

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: There can be no doubt of the sympathies of the American people for the British cause. There is equally little question of the deliberate intention of the administration and the President's intimate advisors to edge our country into active participation in the war. But is this the sober, considered wish of the people?

Does it mean anything that the commonest statement heard in discussions among plain working people is? "I don't see why those fellows in Europe can't get together and work out their own answer. What business is it of ours to fight their war for them?" Does it mean anything that organized labor is suspicious of the Government's future intentions and is trying to capitalize as many gains as possible now? Or that the stock market registers a new low in businessmen's appraisal of the future?

Is it in any way reassuring to a nation that is being told that we must risk war in order to save the American way of life (which I take to be a high degree of civil liberty and free enterprise) to learn each day of some new totalitarian proposal emanating from Washington? Price fixing, compulsion in labor relations, "voluntary" censorship of the news by both press and radio, a spirit of reckless disregard for the ultimate consequences of the economic dislocation inherent in pushing our national productive facilities to extremes in the production of a few war goods—these are only a few of the most recent demands. Meanwhile, it transpires with equal regularity that the Executive is, and has been, denuding us of our own war equipment while making secret moves toward an open state of war for which there is no constitutional authority.

Will it surprise you, Senator, when the administration throws off the mask entirely and dissolves a helpless Congress? Do you know that keen academic students of government at Harvard are predicting that the Executive will be ruling by decree within this calendar year, even to the extent of levying taxes? How much longer will dissidents, no matter how patriotic their motives, like Colonel Lindbergh, be allowed the privilege of free speech?

Have you come to the conclusion that the danger to Britain really warrants the sacrifice of all solicitude for our own future? Before you abdicate your constitutional prerogatives, will you not publicly give us the reasons why a miserable little driblet of foreign trade, a few islands in the Indian Ocean that we have never wanted, and the maintenance of the integrity of the British Empire are worth the lives of our young men the confiscation of our savings, and the inevitable sowing of the seeds of a violent social upheaval?

Very truly yours,

H. MAYNARD REES.

NASHUA, N. H., *April 30, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR TOBEY: Your fearless stand in the present crisis is appreciated by all Americans of undivided patriotism. There is little doubt in the minds of many people but that the efforts of you and your colleagues have at least stemmed the tide, and history will record the errors of today.

I am not a pacifist unless one who believes in the unnecessary shedding of another's blood falls in that category. I believe in peace to the extent that I would be willing to fight for it as you are fighting now.

Don't let the venom that is being sprayed by the opposition get you down.

If our people must experience "blood, tears, and sweat," let it be in defense of American principles and ideals, and not based upon the support of the ideology of a tottering European empire whose history is steeped in piracy and aggression.

I note that His Excellency recently returned to the use of the historical term "copperhead" in describing those who were not noted in his book of "yes men." As I recall his fireside chats, he used this same term in a domestic economical issue in describing some of the same Senators who are now members of his war council. It appears that the term "copperhead" in the accepted "Groton-Harvard" language applies with equal force in domestic economical issues and foreign affairs in describing those who do not feel that we should be ruled by proclamation in times of peace.

I hope for your success.

Respectfully yours,

WALTER P. MCLAUGHLIN.

TUCSON, ARIZ., *May 2, 1941.*

Senator TOBEY,
Washington, D. C.

DEAR SIR: I have just read the sorry reception that your convoy bill received in the Senate. I am also enclosing a column written by George Rothwell Brown, and it would be well to have that column read in the Senate, for they are certainly ignorant of the feelings of the American people. Every word in this article is the absolute truth, and the men in Washington would do well to listen to the American people.

I fail to see the difference in Roosevelt—after 8 years of buying votes from Communists, relief, and others—and Stalin and Hitler. Mr. Roosevelt is showing his real self when he refuses anyone the liberty of disagreement with him, and he could never have done anything to do more to awaken the American people to the fact that Mr. Roosevelt has for 8 years surrounded himself with Communists, for he is now showing that strain, so dominant in the dictators, and the American people are really getting awake, thanks to Senator WHEELER and a few of the other real men in Washington. We all know now that it is Roosevelt's war to cover up the mess that he has made in the past 8 years. He said when elected 8 years ago that he would either be the best President of the United States or he would be the last, and I am of the opinion he is trying to be the last from the failure he has made for 8 years, for he has surrounded himself with sick men in his Cabinet. Is that any credit to him? He has built up a government to tax the American people to death to support the parasites that have been given political jobs for life. Show me the difference in Hitler, Stalin, and Roosevelt. Power-crazed men being pushed by power-crazed politicians.

We all know, of course, that Russian influence in Washington is shameful. Every American knows that Russia is the tool of Germany, and yet our State Department seems ignorant of the fact. Why is it ignorant? Who in the Government is a high-ranking Communist—one that can do the will of Russia here in face of the Americans' wish? Why has our country for 8 years coddled and pampered Communists? Who is responsible?

How can men—if they are men—in Congress fail to know that this country is not back of Roosevelt? If he should run today, results would be overwhelmingly different. He has shown, after all, that England is more to him than our own America. He and Churchill are running the things to suit themselves. Why should we be taxed to death to support a country that laughs at us? Why should our men go over there to certain death? Why didn't Mr. Roosevelt listen to Lindbergh 3 years ago when he told him that Germany was prepared for war to a greater extent than anyone knew? Our money was wasted to buy more votes for a sick Cabinet—for a Cabinet full of sick men—instead of for fighting forces. Now he sits in high office, condemning all who disagree with him. If we go to war, it will be Roosevelt's war, pushed by Winston Churchill; and Mr. Roosevelt has evidently long before election told him to what extent he would go as soon as he could get these dumb sheep of Americans to follow blindly. He would do well to listen and hear a few Americans before he goes all out to war.

Well, thank God, there are a few real men in Washington that aren't putting the rank of England above our own Americanism. May God help you in your fights.

Very sincerely,

REBA SEALES.

FORT THOMAS, KY., *May 2, 1941.*

Hon. CHARLES WILLIAM TOBEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I thought you might have passing interest in the enclosed carbon copy of my letter to our own Senator. It possibly contains one more argument against the use of convoys.

Whenever you are passing through your own New England and happen to see any disturbances of earth in ancient graveyards, you will know it is another Kimberly turning over in his grave at the thought of the New Deal endeavoring to return our country to its former status of a British colony. Down this way Simon Kenton has already flopped over three times because of the actions of and . We shudder at the thought of two Kentuckians with such a thirst for tea that they must stand on their heads to be invited to partake of a cup now and then at the British Embassy. The rest of the Commonwealth still prefers juleps.

The people are behind your courageous antiwar bloc in decidedly increasing numbers. Out this way we hear more and more talk to the effect that this is not our war and that American blood must not be again spilled to maintain the supremacy of the British Empire.

No convoys, no patrols of trans-Atlantic shipping lanes beyond reasonable limits; no war.

Appreciatively yours,

LEWIS R. KIMBERLY,
Chairman of Publicity, Metropolitan Cincinnati Chapter, America First Committee.

CONCORD, N. H., *May 5, 1941.*

Hon. CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR TOBEY: I have been following with interest various statements which you have made with reference to the course of the United States with regard to the present war. I believe that your attitude is entirely correct and proper, and I only hope that you continue in your present beliefs and that you continue to express them as effectively as you have in the past.

Very truly yours,

JOHN H. SANDERS.

DETROIT, MICH., *April 25, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: I don't think any real American will vote against your anticonvoy resolution.

We should have immediate public hearings on same. If the British cannot get the ships across safely, how is the American boys going to do it? I say no convoys. Keep our boys at home and keep our supplies here, too, if they can't get them across without our help. I think we have already been imposed on far too much. The very suggestion of starting our boys out like this is like all the rest of this nonsense. It just does not make sense. Our President and Congress know that the people of our country did not want anything to do with Europe's war. Now they seem to think because they have gone this far they can't stop. Well, if they will give the people a right to vote on it, they will see that we can stop. Maybe some of them are tied up with England more than we know, but no true American, from the President and the first lady down to the lowliest of us, is bound to any country at the risk of getting America into war. God grant that we will not get any deeper in and that the truth will soon come to light.

ADDIE EVANS.

BALTIMORE, MD., *May 1, 1941.*

Senator TOBEY,
Senate Office Building,
Washington, D. C.:

Congratulations anticonvoy fight. Convoys mean shooting. Shooting means war. The American people, bitterly opposed to war, are strongly behind you. Keep up good work.

FRED D'AVAILA,
Editor, Baltimore C. I. O. News.

LOS ANGELES, CALIF., *May 2, 1941.*

Senator TOBEY,
Washington, D. C.:

Open forum, 300 present, vote and demand no convoys. President promised to keep out war, nor has mayor New York or Wallace or Knox any right to declare war.

R. C. W. FRIDAY,
Delegated Committeeman.

CHICAGO, *April 30, 1941.*

Hon. WALTER F. GEORGE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Senate Committee on Foreign Relations is today the most important legislative body in the Congress of the United States. You as its chairman, Senator, are the most important figure in influencing a most vital decision which involves the fate of our Nation.

The fate of our Nation rests more on you than it does on the shoulders of our confused President. It seems that he has lost control of himself and all sense of etiquette and diplomacy in his castigation of Colonel Lindbergh.

As a citizen who has a sovereign right to seek the truth, I appeal to you because I consider your responsibility at the present time above that of the President.

With all due respect I seek an answer to several extremely important questions, knowing that it is your avowed duty to reply to my request in direct and single-meaning words.

During the congressional debate on H. R. 1776 you are on record as having said, "I would never vote for convoys until I was ready to vote for war, as convoys would lead directly to war."

Question No. 1: Are you now ready to vote for war?

Question No. 2: If you are ready, why?

Question No. 3: Assuming you want to win the war if you vote for it, would it be possible in view of our utter unpreparedness occasioned by our altruistic and generous aid to the imperialistic democracies?

Question No. 4: How long would it take to win this hypothetical war?

Question No. 5: How much would it cost, and where would the money come from?

Question No. 6: How much would it cost, measured in lakes of blood—the blood of our duped American boys?

Question No. 7: How much would it cost, measured in rivers of tears shed by the mothers and loved ones of the duped American boys who will have to do the dying?

Question No. 8: Assuming that this war would result in victory, what would we have won? The return of Christianity?

Now, my dear Senator, in replying to my question No. 2, I beg you not to expound any fantastic, theoretical threats of invasion, either militarily or economically. None of those arguments can be even slightly substantiated. If your answer should be in the affirmative, I think you should be honest with your constituents and send out the following news release:

SENATOR GEORGE VOTES FOR WAR

"Senator WALTER F. GEORGE (Democrat, Georgia) pigeonholes Tobey anticonvoy resolution, thereby denying the American people the right to be heard through their elected representatives on the floor of the Senate on the vital question of war.

"Both the President and Senator GEORGE have previously announced that convoys mean shooting and shooting means war.

"This act of Senator GEORGE and those Members of Congress subservient to the administration has finally terminated the era of democracy in the United States."

In conclusion, Mr. Senator, I wish to point out that in military circles, convoys and patrols mean one and the same thing, shooting, and shooting means war.

I know you are very busy, and so am I, but the impending horrors of war is most vital to me and all my neighbors. Will you not be good enough to reply promptly?

Respectfully yours,

A. R. BORN.

P. S.—Senator TOBEY, this is a public letter, and you may use it in any way you see fit.—A. R. B.

NORTH CANTON, OHIO, *April 29, 1941.*

DEAR SIR: I heard your discussion a couple of weeks ago with Colonel Breckenridge, and I wish to thank you for your stand. When you said the boys back in '17 were suckers you were right. I was one of those boys. I know what we were fighting for. And now these warmongers (he is one of the worst; please tell him so) are again set to get us into it. And some of these Senators are just as bad. Too old to fight, money in munitions, they all have a chestnut to roast.

I would rather see the boys of '17 start a revolution here and send these warmongers to England where they belong.

Very truly yours,

R. W. EISH.

U. A. W.-C. I. O., OLDS LOCAL NO. 652,
Lansing, Mich., April 29, 1941.

Senator CHAS. W. TOBEY,
Senate Office Building,
Washington, D. C.

Honorable SIR: With this action we wish to make known our unanimous support of the Tobey resolution regarding convoys to England, and urge its recommendation to the Senate.

Also request admittance of A. P. M. representatives at next hearing.

Respectfully yours,

GREGG HALL,
Recording Secretary.
HARRY AYERS,
Chairman, Political Actions Committee.

ST. LOUIS, MO., *April 25, 1941.*

Senator CHAS. W. TOBEY,
Senator BENNETT CHAMP CLARK,
Senator BURTON WHEELER,
Congressman JOHN J. COCHRAN,
Washington, D. C.:

Our St. Vincent Orphan Association, established in 1850, and comprising some 4,000 active members and 100 percent American citizens have passed a resolution and wish to enter a most vigorous protest against our sending convoys with shipments to England or a thousand miles, or any distance that might precipitate us into this European war. Present unfortunate happenings to innocent people and our previous experience should guide our judgment now. Let's fight for uncompromising American peace and protect our own Nation.

JOSEPH G. HILKE, *President.*
FRANK L. ROGLES, *Chairman.*

STATE TEACHERS COLLEGE,
Valley City, N. Dak., April 29, 1941.

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: Even in a little prairie town such as this, tonight's evening local press carries a few paragraphs on your very fine defense of Col. Charles A. Lindbergh's right to state his views on the war. Personally, I only regret that your statement did not also appear in the headlines.

A Pennsylvanian by birth, I hope you will pardon my writing you from this distance to express my deep appreciation of your courageous stand on this and other vital issues in recent months.

With thousands of other Americans, many of whom unfortunately are inarticulate, I believe firmly that the first line of defense of our democracy is right here at home, in the many seemingly unimportant transactions of our daily lives. If we cannot put our democracy into practice here and, furthermore if our present administration does not set us a better example in this respect, how can we be expected to "defend" it by means of guns and bombs? Down that road lies totalitarianism, and I am glad that you, for one, are standing so steadfastly against our inching into this war via convoys or any other means.

Yours very truly,

M. C. MORRIS.

CHRISTIAN CHURCH,
Faben, Tex., April 28, 1941.

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: We have had some experience in getting people's convictions about our getting into this European war. We find that a majority do not want our Nation to be involved. Let me urge that this anticonvoy resolution get an immediate hearing.

The people must be heard or we will have no democracy.

Yours sincerely,

W. W. WITTHAMPER, *Pastor.*

WEST PALM BEACH, FLA., *April 28, 1941.*

Senator TOBEY,
United States Senate,
Washington, D. C.

DEAR SENATOR TOBEY: Enclosed are two letters printed in Sunday's Post-Times, a daily newspaper published in West Palm Beach, Fla., which express my exact sentiments and that of millions of other mothers.

I have followed with keen interest your fight against convoying ships to England, and wish it were possible to aid you in this noble effort. However, in this great democracy of ours the civilian seems to have no voice, but at least we are praying for your success in this most vital matter.

Very sincerely yours,

MRS. C. HAROLD RALLS.

NEW YORK, N. Y., *April 30, 1941.*
Senator TOBEY,
United States Senate,
Washington, D. C.:

We support 100 percent your anticonvoy resolution. We must keep America out of war. Convoys mean shooting and active warfare.

NEWKIRK PEACE ASSOCIATION.

ANN ARBOR, MICH., *May 1, 1941.*
Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.:

As men who have already had coffins ordered by the administration, we feel that we have a right to speak. You have our support and that of many of the other students here at the University of Michigan, in your fight against convoys. We're Americans, not British, and we refuse to do Britain's fighting in Britain's war. Let's not make the same mistake as in 1917. Your convoy resolution is a long step toward preventing America entering Europe's war.

RICHARD H. MARTIN.
LOUIS W. TOTH.

DULUTH COUNCIL, AMERICAN
PEACE MOBILIZATION,
Duluth, Minn., April 24, 1941.

DEAR SENATOR: The American Peace Mobilization in meeting Monday, April 21, join their voices in protest with millions of other Americans the use of convoys bound for belligerent nations, and see it as a future step toward war. Such moves on the part of our Government will pave the way for an "incident" (sinkings and loss of American lives) and would mean complete participation.

We heartily support the resolution introduced by Senator TOBEY forbidding the use of United States naval vessels for protecting convoys bound for belligerent nations and ask you to take favorable action on it.

Respectfully yours,

———— ————,
Secretary, Duluth Council,
American Peace Mobilization.

P. O. BOX 5423,
Houston, Tex., April 27, 1941.
Senator WALTER F. GEORGE,
Chairman, Senate Foreign Relations
Committee, Washington, D. C.

DEAR SIR: Houston Peace Mobilization urges you to support the Tobey Resolution and to recommend it to the Senate. Our organization has approved the no-convoy resolution passed by the American People's Meeting, in line with our program of keeping out of war and preserving our democracy, we are unalterably opposed to any American convoys or American expeditionary force.

Yours truly,

ESTELLE ASHTON,
Secretary, Houston Peace Mobilization.

CHICAGO, ILL., *April 28, 1941.*
Hon. WALTER GEORGE,
Chairman, Senate Foreign
Relations Committee,
Washington, D. C.:

What possible objection can there be to holding immediate public hearings on the Tobey anticonvoy resolution. It seems to me that we have our neck out far enough now, that we should stop, and make sure the public understands all sides of this question with time to decide what they want to do before it is too late.

OWEN L. COON.

ROCKVILLE CENTRE, N. Y., *April 28, 1941.*
Senator TOBEY, of New Hampshire,
Senate Office Building,
Washington, D. C.

YOUR HONOR: Your good work in trying to keep our country out of war is greatly appreciated. The President himself should sponsor this anticonvoy bill, as it was one of his 1940 campaign promises.

This is a Christian country, and we have taught our boys "Thou shalt not kill." We cannot now say mass murder is your duty to preserve civilization. War is not in the program for a civilized Christian country.

I wish your bill success. Let out boys live for America. It is their birthright to live.

Very truly,

BELVA P. BROWN,
(Mrs. E. C. Brown, Jr.).

SIOUX FALLS, S. DAK., *April 28, 1941.*
Senator TOBEY:

DEAR SENATOR: Please know, as a mother, I appreciate your fight against convoying.

Wouldn't it be a wonderful Mother's Day gift for American mothers to have the anticonvoy bill passed?

Sincerely,

Mrs. H. L. ADEN.

CARMEL, CALIF., *April 28, 1941.*
The Honorable CHARLES WILLIAM TOBEY,
Senate Offices, Washington, D. C.

DEAR SENATOR TOBEY: Congratulations on your splendid patriotic work.

Enclosed is a copy of a letter which I am sending to the President and to Senator GEORGE.

With the immeasurable hope that our country may be spared the horror of a long, devastating war,

Sincerely,

ETHELWYN CARY COCKE.

CARMEL, CALIF., *April 28, 1941.*
Mr. FRANKLIN D. ROOSEVELT,
President,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: Mr. Winston Churchill's speech was beautiful, lofty, and deeply touching. I had to steel my reason against my emotional reaction to his seductive plea and continually say to myself, "it is beautiful, it is impressive, but if it inflames the hearts of American citizens it may mean our men will lie in blood on the battlefields and our country will be impoverished while this talk will be a forgotten speech of the past."

I do not believe, Mr. President, that the majority of the people in this country wish to send convoys, which means war and an A. E. F.

The only people I know who are shouting for an all-out war are a few emotional theorists and persons of wealth and influence who believe by such means they will continue to keep the present special privilege afloat.

Our course is to build an adequate defense so no nation will dare attack us, to concentrate on developing our internal economy rather than sacrifice our young men and devastate our self-sustained, flourishing country.

I beg of you, Mr. President, not to send convoys and an A. E. F. to Europe.

Sincerely,

ETHELWYN CARY COCKE.

TULLY, N. Y., *April 28, 1941.*
Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: We urge you to work for immediate hearings on the Tobey anticonvoy resolution.

We expect the administration to keep its promises—no convoys. We do not want them in any form or by any name.

For a group of women voters in the Tully Baptist Church.

Sincerely yours,

ETHEL J. CHASE.
(Mrs. H. L. Chase.)

BLOOMINGTON, ILL., *April 29, 1941.*
Senator CHARLES W. TOBEY,
The Dodge, Washington, D. C.

DEAR MR. TOBEY: I have herewith enclosed a copy of a letter which I have addressed to Senator ———, who is in favor of convoying British merchantmen leaving Atlantic ports for Europe.

I thought this letter might help to stimulate and give you more courage to fight the battle against the bloodthirsty, warmongering politicians that are in Washington, trying with every hook and crook to get this country of ours in the conflict now raging in Europe, without regard and consideration to the pleadings of the American fathers and mothers to save their sons from this horrible slaughter.

I just read a letter in my daily paper that was signed a "Doughboy of '17." Below is a few paragraphs that read as follows:

"I have often wondered how many of the Congress of this country know what war is. The President says he does and that he hates war. Grant made that remark in 1873 in Berlin; so it's not original with F. D. R. I never heard anyone say they liked war, but I think that goes with the rest of the boloney being served out today.

"I would love to have the power of Christ for an hour. All these great (?) Americans who so heartily agree with those who want war, would be transported to Verdun, France, where there are buried 2,337,445 men who once breathed as members of the human race.

"I would like to show them how it looked around there, at the time I saw it—arms, legs, heads, and guts on the wire; and after one look one thing they would have to admit, they had a lot of guts." (No doubt he meant they had a lot of guts to send the boys over there.)

I would have been glad to give you all of this letter but it is quite long.

I sure think of you and your colleagues every day that are putting up such a valiant fight to keep this country out of the European conflict in which we have no business in.

May a merciful and gracious God give you and your colleagues physical strength to carry on this good fight until it is won is my hope and prayer, and father of three sons and one son-in-law that are in the military age. The one son has already taken his physical examination and was put in class A, and is now waiting for his call.

I sure do not want these poor boys to be slaughtered on a bloody European battlefield to fight a war that is not ours, nor had anything to do in starting same. I am not only thinking of my own boys, but also of the boys of other fathers and mothers that love them the same as I do mine. And believe me dear Senator TOBEY that the bitter tears are flowing down my cheeks while I am writing this letter to you. And when it is all said and done for what?

Yours very sincerely,

W. B. KLOPFENSTEIN.

APRIL 21, 1941.

———— ————,
United States Senator,
Washington, D. C.

DEAR ————: A few days ago I read an article in my daily paper where you favor and advocate the United States Navy convoying British merchantmen leaving Atlantic ports for Europe. Giving your reason that it is an injustice to lay a burden upon the American taxpayers for the $7,000,000,000 to pay for war materials and than have it sent to the bottom of the ocean.

You seem to be very much concerned about the $7,000,000,000 that must be raised by the American taxpayers. But forget all about the fact that the President said himself, "Convoying means shooting and shooting means war." So it should be obvious to the most stupid mind that if the United States will enter this European conflict now raging, it will not only cost the American taxpayers $7,000,000,000, but 10 times that amount, and

on top of it have a million or more of our young men slaughtered.

I have three sons and one son-in-law in the military age, and I sure do not want them sent to this horrible slaughter to be sacrificed on the altar of greed and selfishness. And remember Senator ———, that I am not only pleading for my sons alone, but also for the sons of other fathers and mothers that love their sons as I do mine.

Do we have to lose our liberty, lives, and property just to save England's imperialism? No indeed. The real American people are not afraid to fight for their liberties and are going to revolt.

Cash and carry seemed to be neutrality fair and sensible. What is wrong with it now? If the United States is going to do financially as proposed in this war, why cannot England and other needy countries deed or present to us the islands along our two ocean rights-of-way?

Heaven help us if we cannot help ourselves any better than we did in the last war against propaganda and past masters of undermining intrigue. We were called dumb Americans then, and this was later demonstrated to be true. Now here we are again—bemuddled victims of a largely subsidized and controlled press—foreign double-crossers and propagandists who just take us for a bunch of suckers, same as last time, are getting us ready for a ride the same as in the first World War.

Again I will repeat in this letter as in my former letters, the assurance that Franklin D. Roosevelt gave to the fathers and mothers October 20, 1940. Quote: "Fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again and again. Your boys are not going to be sent to any foreign wars."

To my mind as it appears in the present set-up, these were only preelection promises to get the fathers' and mothers' vote, with no thought in mind of keeping them after elected. This, however, would have applied to Mr. Willkie if elected, as he made the same kind of promises to the fathers and mothers as well as to all the American people over the air, through the press, and otherwise. But his actions after the election has proven it beyond a shadow of doubt that he had no thought in mind of keeping this promise to the fathers and mothers, and God only knew what would have happened if he were elected. So if He will forgive me for voting for Mr. Willkie this time, it will never happen again.

I wonder if we realize just how far America has dropped the pioneer spirit of freedom? We condemn Hitler and Mussolini, and then condone a totalitarian trend in this country. This and soft-pedaling Mr. Stalin is, in my opinion, the crime of the ages.

In closing will suggest Senator ——— that you follow the Golden Rule more closely and this idea of convoying British merchantmen with our Navy will vanish from your thoughts. And above all, give a little more thought and consideration to the crushing heartaches and pain that you are causing to the American fathers and mothers due to your actions and the actions of the other Senators and Congressmen advocating the same policy.

Yours very truly,

W. B. KLOPFENSTEIN.

KRAFT CHEESE CO.,
Chicago, April 30, 1941.

Hon. WALTER GEORGE,
Chairman, Senate Foreign Relations Committee, Washington, D. C.

DEAR SIR: I wish to urge as strongly as possible the holding of immediate public hearings on the Tobey anticonvoy resolution.

There is no question that convoys mean our getting into this war which would be the ruination of America and the sending of American boys to foreign battlefields.

Must the American people be made the suckers (and note this is not spelled "succors") of this generation as they were of the last? A minority of old men are beating the war drums and the vast majority of the American people want no part of it.

Very truly yours,

ROSCOE A. PAGE.

LONG BEACH, CALIF., *April 25, 1941.*

DEAR SIR: What a chuckle and what satisfaction the ego of Dictator Hitler must have had yesterday when he witnessed the spectacle in this country of two top Cabinet officials telling the world that the United States of America, the wealthiest and most powerful country on earth, has the jitters and scared half to death—notwithstanding that he (Hitler) is still 3,000 miles away and has no boats to get anywhere, not even 20 miles to England.

Referring to Dictator Hitler's failure to invade England, Mr. Hull told us that England maintained absolute control of her coastal waters and Hitler could not get across. If that system works over there, all that we have to do is maintain control of our waters. Let us take care of our own defenses first and when they are invincible think about those elsewhere.

We have a lot of problems of our own right here at home, too many in fact, and if these are not solved, our democracy, the last this world will ever have, will join the others that have disappeared. The pages of history give us some worth-while advice, why not profit by that advice before it is too late.

Very truly yours,

L. S. PETERMAN.

P. S.—Personally I think both speeches where trial balloons sent up at the order of the President. We are still opposed to convoys or war, regardless. More power to your efforts.

L. S. P.

APRIL 30, 1941.

Senator TOBEY,
United States Senate,
Washington, D. C.

DEAR SIR: May I take this opportunity on behalf of myself and friend to say that we are wholeheartedly behind you in your efforts to keep the United States out of war. We urge that you keep up the good work.

Yours very truly,

MARGERY LOWENSTEIN,
Brooklyn, N. Y.

APRIL 30, 1940.

Senator WALTER F. GEORGE,
Chairman, Senate Foreign Relations Committee,
United States Senate,
Washington, D. C.:

Twelve hundred members this union support the Tobey no-convoy resolution and urge favorable committee action. Also request that American peace mobilization be heard.

ALASKA CANNERY WORKERS UNION No. 5.
R. AGUIRRE, *Secretary.*

WASHINGTON, D. C., *April 30, 1941.*

Hon. Senator TOBEY.

DEAR SENATOR: Filled with anxiety over the intention of sending our naval vessels for patrol into combat zones, I am still hoping your anticonvoy resolution may be adopted and the seemingly inevitable drift into the war (which Great Britain is so stealthily saddling on our shoulders) can still be averted.

That you and your courageous coworkers may succeed in saving our American manhood from being sacrificed is the earnest wish of

Very sincerely yours,

CHRISTINE WALTER,
Hoboken, N. J.

SWARTHMORE COLLEGE,
Swarthmore, Pa., April 25, 1941.

Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR TOBEY: A great many of us here at Swarthmore feel strongly that convoying foreign ships through combat zones is an action which would lead United States directly into Europe's and Asia's war. In fact, many of us who were in accord with Congress' decision on the lend-lease bill are astonished that convoys would even be considered.

We want you to know that we stand fully behind your resolution and are doing all we can to urge the holding of immediate hearings on it. We are especially anxious that these meetings be made public, because we are sure that as soon as Americans realize that convoys mean war, there will be a greater and greater protest against them.

Yours very sincerely.

BETTY BOWEN.

NORTHAMPTON, MASS., *May 5, 1941.*

DEAR MR. TOBEY: My voice is not as loud as Dr. Stearnes', nor is it as important as his. But it is just as clear. Possibly when I get to be as old as the doctor—and well out of the "fighting age"— it will be. I doubt it. I heartily approve of your stand. And as a customer of mine in Clearfield, Mass., (a Mr. John Heam who operates a furniture store there) said today—"God bless you for it."

And there are really so many others who believe with you too! Last week end at a house party at a friend's here in Northampton there was a Charles Whiteside, aged 32, occupation, traveling man for the Lyer Rubber Co. There was another ex-Manchester boy, George Struthers and his wife. George is 27 and a buyer in New York for Sears & Roebuck. And there was a Jean Webb, a writer from New York. He is 31. And all of us want to stay out of this war.

What can we do—besides constantly talk to people we meet—and write feeble letters like this to you?

It's getting so late.

Most sincerely,

DONALD GRAF.

Age 31. Occupation: Traveling man for French & Heald Co., Milford, N. H.

CAMBRIDGE, MASS., *May 5, 1941.*

DEAR SENATOR TOBEY: I have read in this morning's paper the letter Dr. Stearns wrote to you deploring your antiwar speeches. I graduated from Phillips Academy last year and respect and admire Dr. Stearns. But I emphatically support for this country the same foreign policy that you do. Noninterventionists have often to fall back on the so-called realistic arguments, and apparently your references to practical aspects of the issue have led Dr. Stearns to believe that your idealism and conscience have faded away.

I cannot agree with Dr. Stearns. I think that even on purely idealistic grounds the noninterventionist case is by far the strongest. The warring course of history will not be so easily changed by fighting another crusading war against an enemy made symbolic of all evil as by keeping this country out of the war and maintaining in at least one part of the world comparative social, political, emotional, and spiritual stability and perspective.

I write this to thank you as an individual and as a citizen for your work. If war does come, the picture will not be all black; liberal ideas may have a chance. But we need not even be as discouraged as that. I like to think that there is still time to awaken

people to demand peace as both possible and desirable on grounds of practicality and human welfare.

Sincerely,

JOHN E. REYNOLDS.

CINCINNATI, OHIO.
April 29, 1941.

Hon. CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: Enclosed is a copy of a resolution which was adopted at a recent meeting of the Greater Cincinnati Council of Youth. I believe the resolution is self-explanatory. We are firmly opposed to convoys and we heartily endorse the Tobey resolution.

A copy of this resolution has also been sent to Senator WALTER F. GEORGE. We are anxious to do what we can to bring about favorable action on the Tobey resolution, and through such action to keep this country at peace.

Very truly yours,
JOANNE STEVENS,
Executive Secretary,
Greater Cincinnati Council of Youth.

Whereas the young people of this country feel grave concern about the acts and speeches of the administration, Congress, and the press to involve our country in the war now raging in Europe; and

Whereas the convoying of ships to the Allies will result in the bombing and torpedoing of these convoys and of our naval and military personnel and equipment and the killing of American citizens and therefore plunge us fully into military participation in this war: Therefore be it

Resolved, That the Greater Cincinnati Council of Youth protest the false agitation of the press and radio for convoys and for war, and that we take a firm stand against any law or Presidential decree permitting our ships and men to enter nonneutral waters either with or without convoy; and be it further

Resolved, That we actively support the Tobey resolution, now before the Senate Foreign Relations Committee, which resolution prohibits the use of American equipment and men in convoy activity.

Passed unanimously at the meeting of the Greater Cincinnati Council of Youth.

BURBANK, CALIF.,
April 28, 1941.

DEAR SENATOR TOBEY: As a New Hampshire woman, I wish to tell you how thoroughly I as one voter, am for your "no convoy" bill. Roosevelt's alternative is only another of his lovely methods of sticking out the neck of America. I suppose if he gets our ships near enough to the war, he may succeed in endangering American life and property.

Why this passionate concern for the British Empire? We'd get on fine without the British Navy. What has it ever done for us but hamper our having an adequate sea power of our own?

More power to you.

The feeling out here is strongly against our getting into this. Roosevelt is certainly trying his utmost to make a cause of war. If our ships are just doing "patrol," although pleasantly engaged in tipping off the British ships in any clash, it would be the Germans that were attacking. It's clever. I wish he were as interested in the welfare of America as he is in the British Empire.

Very truly,
FRANCES DUNCAN.

MORRISVILLE, N. Y., *April 28, 1941.*

Senator CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: Believing that the people ought to be given an opportunity to speak, I wish to urge that public hearings on your anticonvoy resolution be held at once and that representative American citizens be invited to testify. I am opposed to the use of convoys.

Very truly yours,
LLOYD F. SHEPHARD.

Rev. LLOYD F. SHEPHARD, *Pastor,*
First Methodist Church.

CLEVELAND OHIO, *April 28, 1941.*

DEAR SENATOR: This is to ask you to work toward having Senate committee hearings on your Tobey resolution. I am an American and of English descent, on mother's side, but do not want this U. S. A. to convoy or patrol any boats in any sea for benefit of England. This is not our war. We can handle Hitler single-handed when time comes if we arm ourselves in right way instead of sending to England.

Sincerely yours,
J. B. BRADLEY,

NEW YORK CITY, *April 30, 1941.*

The Honorable Senator TOBEY,
Senate, Washington, D. C.

DEAR ESTEEMED SENATOR TOBEY: Time has come where your hands need strengthening by our support. You are a gallant upholder of the Constitution, the rights, and the liberties of our people. For the sake of these I do ask you, as a pastor of two churches, that you continue to oppose convoying and intervention in this war. My congregations are asking me to write in their behalf, and I am writing also on my own initiative.

We also resent the President's attitude and expressions against Lindbergh, as well as the acceptance of his resignation. Every citizen of the United States is privileged to enjoy the right of free speech and press. I feel that Lindbergh, as well as we, has just as much right to express his opinion and truth as those who blindfold our people with propaganda of intervention. You have our full support in this matter, and we hope that you will be able to prevent such disasters. We hope and pray that you will be successful in your attempt; and I remain,

Devotedly yours,
D. YOUNGMAN, *Pastor.*

STANISLAUS COUNTY PEACE COUNCIL,
Modesto, Calif., April 28, 1941.

In re Tobey convoy resolution.

Hon. CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

DEAR MR. TOBEY: This council favors passage of your resolution opposing American convoy of ships sailing to belligerent ports. We oppose the use of the American Navy for any patrol purposes beyond those absolutely necessary to preserve our neutrality.

We believe that our taking part in the convoy system will surely and inevitably take the United States into war. It is necessary for Germany's strategy to prevent supplies and munitions from reaching England. If it permits American convoys to escape, this whole plan will be thwarted. German submarines must sink American convoy ships or give up the war.

Germany will not declare war on this country. Nevertheless, American convoy ships will be sunk and American men killed. German regrets will be expressed, but this will not raise sunken ships or dead men. American temper will grow hot and American blood boil. Only a few sinkings will be necessary to arouse the war hate. The history of January to April 1917 will be repeated and the United States will find itself in the war.

We believe this country should remain at peace. This must be done for our own benefit. We must also remain at peace so that at the conclusion of the war the United States will be the one powerful neutral which can use its good offices in bringing about a just peace among the belligerents.

We must avoid convoys if we are to preserve American peace and neutrality.

Very truly yours,
CARL B. BENSON, *President.*

INDUSTRIALLY UNEMPLOYED
WORKERS UNION (C. I. O.),
San Francisco, Calif., April 23, 1941.

Whereas indications are growing every day that the next big step to involve the American people directly in the war will be the use of the naval and military forces for convoy services, and

Whereas, during the election campaign and the debates on the lease-lend bill, both Presidential candidates and Congressmen and Cabinet members all promised and denied that they had any intention of engaging in convoying ships and especially denied that the lease-lend bill was intended to permit the employment of United States naval and military forces and equipment for such purposes, and

Whereas the employment of naval and military personnel and equipment for the convoying of ships to the Allies, either all the way across the Atlantic, around the African Horn and through the Red Sea, or only part of the way, in cooperation with British convoys must directly result in torpedoing of American convoys, bombing of American naval and military forces and equipment, and killing of American citizens and naval and military force: Therefore be it

Resolved, That the membership of the Industrially Unemployed Workers Union (C. I. O.) is unconditionally opposed to any law, decree, or Presidential fiat which permits American merchant ships and seamen to enter nonneutral waters, with or without convoys; and be it further

Resolved, That we go on record as opposed to further transfer of American merchant ships to Great Britain and any other government; and be it further

Resolved, That immediate steps be taken to secure legislation strictly prohibiting the employment of United States naval or military equipment of any kind of convoy activity and the prohibition of the use of a single American soldier, marine, or naval personnel in such convoy activity; and be it

Resolved, That it is the sense of this body that convoying means "full participation in the current war" and that we dedicate ourselves to an immediate campaign to secure legislation prohibiting it; and be it finally

Resolved, That we call for the support and passage of the resolution introduced by Senator CHARLES W. TOBEY, to forbid the use of United States naval vessels for protecting convoys bound for belligerent nations.

Respectfully submitted,
ALLAN ELLIOTT,
President.

Cc. to Senator CHARLES W. TOBEY, Washington, D. C.

NORTH PRESBYTERIAN CHURCH,
North Tonawanda, N. Y., April 30, 1941.

Senator TOBEY,
The United States Senate,
Washington, D. C.

HONORABLE SIR: I am glad you are making the fight to prevent convoying by the American Navy. I hope you succeed. To convoy means to fight, to fight means war, and war means the end of democracy and the ruin of America. If patrolling leads to convoying, we are equally opposed to that.

Sincerely yours.
REV. G. H. MICKELSEN.

COUNTY BOARD OF QUEENS, ANCIENT
ORDER OF HIBERNIANS IN AMERICA,
May 1, 1941.

Hon. CHARLES TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR: Please be advised that the County Board of Queens County (N. Y.) of

the Ancient Order of Hibernians has passed a resolution favoring the passage of the anti-convoy bill and heartily endorse the proposed legislation now being offered and sponsored in Congress by Senator TOBEY with respect to the question of convoys and will appreciate any action that you might take in joining with the efforts of Senator TOBEY in the enactment into law of anticonvoy legislation.

Will you please acknowledge receipt of this communication?

Very truly yours,

DENNIS MCINERNEY.

MANCHESTER, N. H., *April 23, 1941.*

Hon. Senator TOBEY.

DEAR SIR: Will you please do all in your power to stop war trend that is sweeping through Washington, especially from the administration down through rubber-stamp Congressmen who would rather bask in the Roosevelt smile than do their duty to their country.

Stop the convoy idea, because once that starts that means war. Also any man joining the armed forces should have written in his induction papers that he will not be sent to Europe, only defend this country and its possessions and Western Hemisphere from attack.

Remember, every dog has its day. England took India, Africa, and the rest of her possessions by the sword. Now she is about to lose her ill-gotten gains by a means greater than the sword. We are not supposed to defend her ill-gotten gains.

I have no use for Hitler, and I pity the English people in what they are going through, but the Government is to blame for the condition England is in.

Sincerely yours,

JOHN F. O'LEARY.

MANCHESTER, N. H., *April 26, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: I feel that the matter of use of American convoys to supply Britain's needs is too drastic a change in public policy to undertake without consulting the opinion of the American electorate.

Assuming we still have a democracy, it is our privilege and duty to discuss vital matters openly or have this done by our Representatives.

I trust we will not be disappointed in this. I believe your anticonvoy bill has very strong public support and should be given very careful consideration.

Yours truly,

Mrs. CLAIRE E. FRITZSCHE.

CLAREMONT, CALIF., *April 29, 1941.*

Senator CHARLES TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: You may be interested to know that I have just sent to the President a night letter protesting against the use of American ships and crews in convoy service.

This letter was signed by 36 members of this small community—college professors, professional men, ministers, etc.

I am glad to note your activities in this matter, and hope they may be crowned with success.

Yours very truly,

A. E. BRUCE.

HINGHAM, MASS., *May 2, 1941.*

The Honorable CHARLES W. TOBEY,
The United States Senate,
Washington, D. C.

DEAR SIR: I urge you, as one of our New England Senators, to do all in your power to talk against, vote against, and resist convoys, patrols, and all other specious and devious devices aimed to draw us into the present European war.

The great majority of the American people don't want to be herded into this war against their will. And they look to you, their Congress, not to be a rubber stamp but truly to represent them and uphold the Constitution of these United States.

Very truly yours,

PHILIP B. TERRY.

BEVERLY HILLS, CALIF.,
May 2, 1941.

Senator CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SIR: I note with regret press reports that your anticonvoy resolution received unfavorable action in the Senate Foreign Relations Committee.

I realize that this issue is of such vital importance that it may mean war or peace for our country and I earnestly hope you will be able to get it to the floor of the Senate for a vote in the near future.

Please accept my sincere appreciation of your splendid efforts to keep America out of the war. If it were not for the good work the noninterventionists have done undoubtedly American troops before this would have been sent into the thick of the fighting in Europe, Asia, and Africa.

No matter how unavailing it may seem to be now, no effort is ever wasted, but will in time be fruitful of even more decisive results.

Sincerely,

Mrs. ROXANE E. STEWART.

BROOKLYN, N. Y.,
May 3, 1941.

Senator TOBEY,
United States Senate,
Washington, D. C.

DEAR SENATOR TOBEY: You are putting up a grand fight and are a true representative of the 83 percent of the American people that want no part of the European war.

With your fight and that of the other very few true representatives of the people's wishes, it may be likely that we can keep from sending another A. E. F. I was in the last one and what besides headaches, depressions, and lower standards of living did that bring?

More power to you—keep up the good work. The Americans who do the dying are back of you 100 percent.

Sincerely,

GEORGE J. LEECH.

ANGERSTEIN & ANGERSTEIN,
Chicago, May 2, 1941.

Hon. CHARLES TOBEY,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The writer, as well as everyone with whom I have discussed the matter, greatly appreciate the wonderful work you are doing to keep this country out of war.

Regardless of all the propaganda, the overwhelming majority of the American people want this country to stay out of war.

Please continue the good work you are doing.

With all good wishes, I am

Sincerely yours,

GEO. W. ANGERSTEIN.

BRONX, N. Y., *May 1, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

HONORABLE SIR: Just a few lines to ask you to keep up your fight against convoying British ships. I very much regret that the two resolutions were voted down. That Secretary Hull thinks an anticonvoy bill at this time would embarrass the President is just too bad, but should not deter the Congress from passing one just the same. It should be remembered that the President has embarrassed the American taxpayers to the extent of making us the most hated Nation of peoples on earth.

That an anticonvoy bill "would be misconstrued abroad" is as it should be; nothing would give more pleasure to thousands of good Americans than to have the British know that the American people are no longer the fools they were in the first World War. So do not be discouraged nor intimidated by anyone in high or low place, though you may be insinuated to be a "copperhead," even as was Col. Charles A. Lindbergh. We are familiar with the persecutions of his late father; they are trying the same on the son. Let us all good Americans stand together and shout for peace. United we stand. The best is with you.

Very truly yours,

Mrs. JOHN W. PENDLETON.

WINNETKA, ILL., *May 4, 1941.*

The Honorable CHARLES W. TOBEY,
United States Senator from New Hampshire, Senate Office Building,
Washington, D. C.

DEAR SENATOR: I thoroughly support your anticonvoy resolution and want to thank you for your efforts in its behalf.

I am enclosing copy of letter just written to Senator GEORGE in this regard.

Wishing you every success, I am

Faithfully yours,

ELSIE W. HUNT.
(Mrs. L. C. Hunt.)

WINNETKA, ILL., *May 4, 1941.*

The Honorable WALTER F. GEORGE,
Chairman, Foreign Relations Committee,
Washington, D. C.

DEAR SENATOR: In regard to the letter read by you from Secretary of State Hull before the Foreign Relations Committee, in which the Secretary recommended action against the Tobey anticonvoy resolution because its passage would be misunderstood abroad.

This is most preposterous. Whom are our legislators elected to represent and support—the people of this Nation or those of some foreign government? Surely this Government is not run to please the ambitions and objectives of any people but those of the United States of America. Nor are the desires of the American people to be cast aside just to arouse consternation in the mind of some foreign dictator. This Government is for the people of this Nation, and if it is their desire that convoys should not be used and that this Nation should not be taken into a foreign war, that opinion should hold regardless of its effect on some foreign power.

Now the President has said that convoys mean shooting and shooting means war. Yet his Cabinet Members say in support of convoys that having gone thus far in aiding Britain, we can only go on. Well, we have got to stop some time or we shall find ourselves totally in the war, with another expeditionary force on its way. We have come to a precipice in our path and only the foolish and suicidal will insist on going on. The intelligent will heed the sign "Stop—Danger Ahead."

Faithfully yours,

ELSIE W. HUNT.
(Mrs. L. C. Hunt.)

BUTLER, PA., *May 4, 1941.*

DEAR MR. TOBEY: Enclosed is a clipping which explains my letter. I am protesting against convoys. I am protesting the idea of entering this war. On the positive side I favor:

Using the time we have while Europe fights to make ourselves impregnable militarily.

Raise taxes enough to pay for it, or as much of the cost as possible, as we rearm.

Iron out a few of the wrinkles in our own democracy.

Do these things resolved among ourselves, and declared publicly, to fight anyone who makes a pass at this hemisphere.

Your efforts are changing the public opinion in the country. This is a fairly small town and may not count for much as an indication, but I know that many "aid short of war" people are now seeing that it is impossible to have aid short of war. Furthermore, if they have to fight they would rather fight for this country. Neither do I find any fears that Hitler will invade this country and make slaves of us, except on the radio.

Sincerely yours,

FRANK M. ELLIS.

'GUFFEY ON CONVOYS

Pennsylvanians know JOE GUFFEY so well that they're apt not to pay much attention to what he says.

Familiar with his lack of originality or imagination, and his policy of watching for an administration cue before making up his mind, they're apt to dismiss his remarks with a shrug or a grin.

But that's just the reason why his speech advocating American convoys should not be lightly dismissed.

Some other Senator might have made the statement on his own.

But with JOE GUFFEY there is the reasonable suspicion that he was prompted. In other words, that it was a "trial balloon."

It will be recalled that Mr. GUFFEY was the first to urge a purge of Senators who opposed the court-packing bill. The unsuccessful purge attempt followed.

Now he urges convoys. Depending on the public reaction, convoys may follow. That's why his remarks are important in this instance.

PUYALLUP, WASH., *May 1, 1941.*

Senator CHARLES TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: Let me tell you that the great majority of the American people stand with you on this issue of convoys. Emergency peace committees are being organized all over our State as a means to arouse people to express themselves since the administration forces will not permit us the privilege of voting on the most vital issue of our lives.

To my mind, Mr. Fulton Lewis, Jr., is one of the outstanding patriots of our time. April 29, in spite of the fact he knew he was putting his neck out, he told the Nation about the propaganda campaign to be launched by the law firm of Root, Clark, Buckner & Ballantine, 31 Nassau Street, New York City, who represent the J. P. Morgan and other capitalist interests, who would suffer losses in the event Britain fell. Surely the lives of America's finest sons are worth more to the Nation and the world than all the foreign investments.

I note Senator GUFFEY states that it was the mandate of the people to aid Britain no matter what the cost. Has the Senator forgotten the words "short of war"? That was the mandate, but has it been mentioned since November 5?

Keep up the fight. The people are with you. Needless to say that I am an American by birth, wife of a veteran, and mother of four children.

Very truly yours,

Mrs. J. J. KERWIN,
Member Emergency Peace
Committee of Tacoma.

COLUMBUS, OHIO.

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: We of the Ohio Peace Committee and the many organizations throughout the State are still fighting for the Tobey anticonvoy resolutions.

Could you suggest to us just what the most effective means of pressing the issue would be at this time? If you can pass on this information to us, we shall be glad to inform other Ohio groups.

In the few days before the committee considered your resolution we were able to get several thousand letters out from central Ohio to Senator GEORGE and some 100 other cities in Ohio did likewise.

This week Senator BURTON came out against convoys in a speech here which encourages us that our work is doing some good. I enclose a clipping which will interest you. The writer is editorial director of the politically potent Columbus Dispatch. Please pass this on to Senator NYE.

Sincerely,

DOUGLAS DOBSON.

[From the Columbus Dispatch of May 2, 1941]

GAG ON CONVOYING DEBATE NULLIFIES DEMOCRATIC RIGHT—GOVERNMENT BY COMMITTEE SUBSTITUTED FOR VOTE OF ENTIRE CONGRESS

(By Elmer P. Fries)

Interment of two anticonvoying proposals by the United States Senate Foreign Relations Committee is an illustration of one of the evils of the American parliamentary system permitting government by committees to be substituted for democratically reached decisions in which the whole body of the people's elected representatives participate. It's a device enabling a majority party in control of committees to deny a minority party's spokesmen the right to debate any measure publicly.

When it is not abused, such parliamentary procedure can serve a useful purpose by killing off inconsequential bills or resolutions which do not merit time-consuming discussion.

But as it has just been employed in the Senate committee with respect to the Tobey and Nye resolutions, it becomes a slick trick permitting administration strategists to duck major issues which may involve the destiny of 130,000,000 people.

Convoying, according to Mr. Roosevelt's own words, means shooting, and shooting means war.

But neither the President nor his pliant Secretary of State, Mr. Cordell Hull, desired to have the Nye and Tobey resolutions prohibiting convoys considered and voted upon by 96 Senators and 435 Representatives—or the slightly smaller membership of Congress due to temporary vacancies.

So the administration-controlled committee's vote of 13 to 10 disposes of the proposals by preventing them from reaching the floor of either House.

Thus, on the specious plea of Mr. Hull that adoption of the proposed ban "would be misunderstood abroad," one of the privileges of democracy is nullified by the decree of 13 Senators.

And the so-called sovereign citizenry loses its right to know by a record vote which Members of the Congress favor and which ones oppose another long step toward formal involvement in war.

The gag was imposed in contemptuous disregard of the protest of congressional noninterventionists, whose views were expressed by Mr. ROBERT A. TAFT, Ohio's senior Senator, when he said:

"Surely this vital issue should be debated for the information of our Nation before 130,000,000 people are dragged into war by professors and pro-war columnists."

It is somewhat difficult to discern the basis of Mr. Hull's professed fear that a Senate declaration against convoys "would be misunderstood abroad," in view of the fact that every nation in the world has been told by the highest authority in this country—Mr. Roosevelt himself—that there will be no convoying.

Last January 21, the day after he was inaugurated for a third term, the President informed his press conference there would be no authorization of convoys—not even halfway across the Atlantic.

He derided convey talk as cow-jumped-over-the-moon stuff.

These pronouncements were made to reassure skeptical Congressmen who were then debating the lease-lend-or-give bill and favored writing a convoy prohibition into it.

Several times since, and as recently as 2 weeks ago, Mr. Roosevelt has reiterated this view. He told his April 15 press conference that discussion of convoying was nonsense.

On April 25, when he revealed his extension of the United States neutrality patrol and announced the American Fleet would police the seven seas, he insisted this move was in no sense comparable to convoying and that convoys were not contemplated.

But these assurances are offset by the disquieting resistance to any congressional action translating the Presidential pledges into law.

And now comes the Committee to Defend America by Aiding the Allies, which often reflects White House policies in advance, announcing it will whoop up sentiment for convoying at a Madison Square Garden mass meeting next Wednesday.

Mr. Ernest Gibson, national chairman of the intensely pro-war committee, expresses distress over his feeling that the American people have not yet been sufficiently scared by the idea that "Hitler can come over here."

And Dr. Frank Kingdon, chairman of the New York chapter of the committee, explaining the purpose of the meeting, beats the propaganda drum thus:

"So we move into a period in which we must prepare the mind of America for the next step—if it should be made necessary, not by us, but by Hitler—the convoying of our goods across the Atlantic."

By what authority the committee has been licensed to assume it "must prepare the mind of America" is not made clear.

BAD AXE, MICH., *May 2, 1941.*

Hon. CHARLES W. TOBEY,
Senator of New Hampshire.

HONORABLE SIR: As the last survivor of G. A. R. Post No. 70, wish to congratulate you, for the whole post, for your stand against war. I was bugler and secretary of Post No. 70 about 25 years. My membership is only honorary, but am mighty proud of it, also my relationship to Abe Lincoln.

The convoy system means war. More than 85 percent of the people of the United States are firmly opposed to becoming entangled in a foreign war. The United States is now split worse on the war question than it was during the Civil War in 1861-6.

Internal trouble is now our great danger. Your splendid work may even save us from revolution. I earnestly pray God that you be granted the wisdom and power to put across your bill, which is simply heeding the words of George Washington to "keep free of foreign entanglements."

At the close of the last war, we were told to go home where we belonged, and mind our own business. We will get the same out of this "Roosevelt war," and a lot more of it.

Pardon me for taking your time, but during the last war my business was to bury the fine young boys, who gave their lives in vain. It should never again happen to a sane people.

I thank you for all the Boys in Blue, whose great love for the United States saved our Nation.

Gratefully yours,

CHESTER HEY.

Please read enclosed editorial.

MAY 5, 1941.

The Honorable WALTER GEORGE,
Chairman, Senate Foreign Relations
Committee, Washington, D. C.

DEAR SENATOR GEORGE: This is the first letter which I have written in well over a year to any Member of Congress. As a whole, I believe that there are more effective means of political action open to citizens of conscience,

However, the events of recent days have been so disturbing that I cannot but express myself.

It seems almost inconceivable to me that after all the promises which the President has made and which, as a matter of fact, were largely responsible for his reelection, he is still willing to come before the American people urging a convoy system. If an epitaph has to be written for American democracy, it will read, "Killed by leadership without integrity."

If any valid reconstruction is to be done after this period of confusion, I covet for our country the service of binding up the wounds of the nations. If we permit ourselves to become another misguided and divided people, the reconstruction will be done by other powers, probably hostile to the principles which we represent.

I strongly urge the passing of the Tobey resolution.

Sincerely yours,

FRANKLIN H. LITTELL.

CC: President Franklin D. Roosevelt, Senators CHARLES W. TOBEY, ARTHUR H. VANDENBERG, FRENTISS M. BROWN.

NEW YORK CITY.

Hon. CHARLES W. TOBEY,
Senate House, Washington, D. C.

DEAR MR. TOBEY: I was fortunate enough to hear your speech over WQXR this evening as I was writing various letters to my Representatives in Washington, from the President down, and to the various local papers, and I want you to know that hearing your outright exposé of the true American attitude in this crisis was a great stimulus to me. We are at a terrible crisis now, one as dangerous as any the founding fathers faced, and I want you to know that there are countless true Americans who are heartened by your fearlessness.

Sincerely,

FRANCIS J. T. LEDDY.

BERLIN, N. H., *May 5, 1941.*

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: You are a true patriot. We must not use convoys. For God's sake, keep America out of war.

Yours truly.

Mrs. VICTORIA COMTOIS.

PORTSMOUTH, N. H., *May 7, 1941.*

Senator TOBEY,
Washington, D. C.

DEAR SENATOR: Fight this convoy business to the bitter end, as the security of this country was never in danger until the lease-lend bill was passed.

The third term has gone to Roosevelt's head, and he thinks he is invincible, and that is Hitler stuff, so fight to the end.

Respectfully.

R. JOHNSON.

WARNER, N. H., *May 7, 1941.*

MY DEAR SENATOR: I cannot speak for many, but I wish to assure you that at least one New Hampshire family is solidly behind you in your magnificent fight to keep this country from a suicidal adventure.

You are making a courageous fight. You will not only have the lasting satisfaction of trying to save our young men, our resources, and our economic future; but time will show, I believe, that you were right in every detail, and before another major election comes around many of these sawdust patriots will be fawning over you and trying to explain.

I fear that we are hopelessly in the war, despite what you and other thinking men can do. But your record is clear and fine.

Yours very truly,

FREEMAN TILDEN.

SAINT ANSELM'S ABBEY,
Manchester, N. H., May 7, 1941.

Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: It was a pleasure to watch personally your gallant fight against war. Since my return to Manchester I have been following your noble work. It may be in vain, but it is a fight worth losing. I would rather fight against evil than succumb to evil without fighting. I am sure that many people in New Hampshire admire your stand.

I wish to thank you, your family, and associates for the kindness and hospitality you showed me during my recent visit to Washington.

With kindest personal regards, I remain,

Yours sincerely,

EDWARD F. ANGLUIN.
Rev. EDWARD F. ANGLUIN, O. S. B.

[From the Beacon Journal, of Akron, Ohio, of April 16, 1941]

A FACT TO BE FACED

The President was quite petulant in his discussion of the convoy question at yesterday's press conference. He observed that the Government is obligated by law to protect American merchant vessels wherever they operate outside actual combat zones. That's true. The Navy was established for that very purpose.

Then a correspondent asked the President if he thought the need for use of the Navy to protect shipments of material en route to Britain was growing more acute. Mr. Roosevelt refused to answer, elaborating as follows, according to the United Press:

"He said that more nonsense has been printed and more printer's ink has been spilled on this subject by people who don't know a hill of beans on the subject than he has ever noticed before in his experience.

"He said that he personally knows a little something about the subject, but that even with his knowledge he would hesitate to comment on the question of convoys."

Why not? Haven't the people a right to hear what convoys mean?

There are probably 129,000,000 Americans who, judged by Mr. Roosevelt's standards, don't know a hill of beans about the subject, but they are going to be vitally affected if the United States is sucked into a foreign war, as it will be if the convoy question is decided the way the President's most faithful supporters say it should be.

Outside actual combat zones American merchant ships are entitled to protection. So far they haven't needed it there. The aspect of the convoy question that needs full and free discussion is the certainty that shooting will begin when American ships are sent into waters which are a combat zone to the belligerents, though possibly not recognized as such by the President.

[From the Helena (Mont.) Independent of April 17, 1941]

MR. STIMSON'S "FEELER"

It would appear that Secretary Stimson has put out a feeler, one of a long series, to see whether the people are worked up yet to the point where they will approve the sending of American forces to Europe, to Africa, or where would you? At the congressional hearing Tuesday on defense problems, the War Department chief declared we may have to fight outside the Americas, in our own defense. "Our forces," he told the Senate committee, "must be prepared for the possibilities of war in many and varied terrains, it being quite uncertain in what part of North or South or Central America, or even possibly other regions, it ultimately may be necessary to act in defense of this Nation and its possessions."

Senator WHEELER, speaking the same night in Denver, intimated the early use of convoys might plunge us into the struggle. This utterance was not the first of the sort by Mr. WHEELER, to be sure, but then the Stimson feeler is not, either, the first in its category.

Slowly but surely the day comes when whether we mean to fight must be decided. Though just what we should fight with, if it has to be on two fronts, it is difficult to say. While the British hold the Atlantic the outlook is not too blue. But with out half-armed and equipped Army—not too large, even now—to hint at participating in actual war about the globe would appear, to some, to be foolhardy—just that.

However, seemingly we are to take more dangerous steps, because President Roosevelt, at the press conference of Tuesday, is said to have indicated that the ships we send through the Red Sea to Egypt "would have protection." In other words, whatever the disguise of the system to be adopted, we may have convoys soon. Convoys mean war.

[From the Columbus (Ohio) Dispatch of April 17, 1941]

CONVOYS MEAN WAR—SUCH A CONCLUSION CANNOT BE ESCAPED

The defeats suffered by England in Greece, in Africa, in the Mediterranean, and in the Atlantic have all served to force prematurely the issue of United States convoys for merchant ships carrying aid to Britain.

The Balkan campaign, which, pretty obviously by now, was supposed to provide a background through the spring months to illustrate the need of some kind of convoy service by the United State Navy is drawing to a close much sooner than was expected. There has been no opportunity by reason of a 2 or 3 months' long period of fighting in Yugoslavia and Greece to use that even as a means of justifying convoyed shipments of goods to Egypt via the Red Sea. Circumstances have altered cases and the problem which now faces the administration is to speed up its convoy plan in the face of a law which forbids the entry of United States vessels into the combat zones and in the face of an almost Nation-wide opposition to sending out armed ships to engage in shooting combat with German subarines harassing the commercial ocean lanes.

President Roosevelt has revealed the intention of the administration to supply convoys for goods shipped to England from the United States by his flat assertion that American merchant ships carrying war supplies through the newly opened Red Sea route to Egypt will have armed protection. His justification for this decision lies partly in the fact that the Red Sea has been declared outside the combat zone. Although this perhaps is technically true at the moment since Italy has been defeated in Ethiopia, in a practical sense the Red Sea remains in the danger zone and any American ship venturing into it either by way of the Pacific and Indian Oceans or by the Atlantic around the southern tip of Africa clearly sails through areas raided again and again by German surface, undersea, and aircraft. American ships going to the Red Sea stand in danger of being sunk or captured and any convoys going with them stand in danger of having to shoot it out with submarines, airplanes, or warships of the German armed forces.

At the first exchange of shots a state of war exists in reality, whether diplomatically that fact is recognized or not.

President Roosevelt further justifies his decision by referring to the legal right of the United States to send merchant ships to neutral ports. Again, the President is technically right. But if it is international law to which he refers, and it is the assumption among most observers that this is his meaning, there is no protection there against any ship bearing contraband being sunk or captured. And any American ships carrying aid to England, whether they be bound for Liv-

erpool or the Red Sea, invite that danger. Likewise, any convoy ships accompanying them invite an armed clash with German craft engaged in enforcing the blockade against England.

Bluntly speaking, the use of United States naval convoys for merchant ships bearing aid to England, whether they be bound for so-called neutral ports or to ports of openly belligerent nations, constitutes an indirect declaration of war on Germany by the United States. There is no other way of looking at the issue involved. And if the administration insists upon sending convoys along with merchant ships, whether they are American, Canadian, or British, it risks war in a very real sense.

Bluntly speaking again, this Nation is not desirous of war. It has the very natural and understandable desire to help England to the limit of its ability to do so. It has accepted willingly the aid-to-Britain policy of the administration, but with a reservation, namely, with the proviso that it be aid "short of war." That, it seems, is the clearly understood consideration for whatever aid might be supplied. To cast that consideration aside and deliberately to invite war by the use of armed convoys through waters which everyone knows are patrolled by German warcraft ordered to sink or capture all contraband bound for England is to fly in the face of fate.

To decide to convoy shipments destined for England is to decide to become involved in the war. And that decision is one which is beyond the Presidential power. The determination to enter a state of war is wholly the responsibility of Congress.

The Senate Foreign Relations Committee has deferred action on a proposed resolution which would forbid the use of American naval vessels for convoy use. Why it has seen fit to delay action is a question which has not been answered except that it is the wish of the committee to hear the Department of State's views on the issue. Since the deferment has been made, however, it affords the American public time also in which to be heard on the issue, and all Americans who desire to remain out of the present European conflict have every opportunity now to make themselves heard in Congress by letter, telegram or personal contact with their Congressmen.

Aid to Britain short of war is one thing. Aid to Britain guaranteed by force of arms is another, and one which carries with it the fearsome prospect of war to the bitter end.

[From the Boston Post of April 18, 1941]

THE CRUCIAL HOUR

The Washington reporters have been trying to tell us, without causing hysteria or alarm, that the United States is nearing a perilous hour in its history.

The news from abroad is black, indeed.

It is so bad that people who want us to enter the war are making a supreme effort to get us in before the public recoils.

It is so bad that the suspicion is rising that the vast program of helping England will be too late, and also that it is too late right now.

There is no question that the advocates of the convoy policy are now getting in their mightiest efforts. They, however, are not telling the whole truth when they speak of "convoys" as a guaranty that the lend-lease matériel reaches England.

The truth is that such a move is the declaration of a naval war against Germany.

The primary object of sending armed vessels to sea to insure the safe pasage of merchantmen, is not to sail alongside the convoys to frighten the enemy.

The primary object is to sink enemy submarines and surface craft and to shoot down airplanes.

Sometimes in convoys the guarded crewmen never see the warships which are escorting them. These warships go where there are submarines and other hostile elements.

They hunt down the enemy, and do battle wherever the enemy is found, near convoys or away from them. Thus the public is misinformed if it thinks that our convoying warships will only fight off attacks.

The American Navy does not do business that way.

If convoys are authorized they will do what they did in the last war. They will come to grips with the enemy and we will be actively at war.

The conviction has risen among many competent Washington observers that this sort of move is being planned.

Probably it will start with convoys across the Pacific into the Red Sea, where our interests are now said to lie.

Certainly it will not be hard, after the public gets used to seeing our ships going half-way around the world with little or no trouble, to order them to take the short and perilous route to the British Isles.

The interventionists speak out quite frankly in private, saying that all America needs is a little blood-letting to get her in the proper state of mind to go to war.

But from all appearances the American public is not in the proper temper to stand for this sacrifice of lives.

In this crucial hour the public knows to enter the war, by any avenue, open or shaded, is the suicide of the American Republic.

[From the Denver News of April 18, 1941]

CONGRESS SHOULD DECIDE

Administration Senators have postponed a show-down on the Tobey resolution which would put Congress on record against American warship convoys for munitions shipments to Britain and other belligerents.

The administration leaders, of course, have every right to pick their own time for testing this issue.

There seems to be little doubt that the President, as the Commander in Chief, has the constitutional authority to order United States naval vessels to sail anywhere on the high seas, outside the combat zones which the President himself fixes.

Yet the President has publicly declared that convoying means shooting, and his Secretary of the Navy is on record as believing that establishment of convoys would be an act of war. That being true, the President, no matter how desperately he may be urged to do so at some future time, should never consider inaugurating warship escorts without first submitting the proposition to Congress.

Under the Constitution, Congress has the responsibility of declaring wars and raising and maintaining armies. Since establishing a convoy system admittedly would be likely to make war inevitable, then Congress should have the responsibility of saying whether that last fateful step should be taken.

[From the New York Daily Worker of April 19, 1941]

LET THE PEOPLE KNOW THE TRUTH

Senator CHARLES W. TOBEY'S charge that the administration agreed a month ago to the use of convoys—and is in fact using them—is of great significance. Of still greater significance is the failure of President ROOSEVELT to give any frank, satisfactory reply.

It is not clear whether Senator TOBEY'S charge is true, but it might as well be. For the administration is doing everything under the sun to employ convoys. It is trying to hamstring debate, even in a Senate that usually jumps to the crack of the President's whip. The people are not consulted although their sons and husbands would do the dying, just as they were not consulted about putting the country in the conflict.

Any scheme, like convoys, that looks certain to place America in the "shooting stage" of the war, is the one the administration seizes upon. The warmongering Daily News in an editorial yesterday admitted that the sending of 35 marines to guard the American Embassy in London "could be the * * * advance guard * * * of another American expeditionary force." The people should speak out against all these schemes, concentrating on a crushing defeat of all convoy proposals.

[From the New York News of April 20, 1941]

THE PULL OF PATRIOTISM

Breathes there the man with soul so dead
Who never to himself hath said,
This is my own, my native land!
Whose heart hath ne'er within him burn'd
As home his footsteps he hath turned
From wandering on a foreign strand?
If such there breathe, go, mark him well!
For him no minstrel raptures swell;
High though his titles, proud his name,
Boundless his wealth as wish can claim—
Despite those titles, power, and pelf,
The wretch, concentered all in self,
Living, shall forfeit fair renown,
And, doubly dying, shall go down
To the vile dust from whence he sprung,
Unwept, unhonor'd, and unsung.

—Sir Walter Scott; Lay of the Last Minstrel, Canto 6, Stanza 1.

The above is one of the most famous poems ever written in any language, and one of the most heart stirring and emotion compelling.

ANCIENT EMOTION

The main reason why it is such a stirring poem is that it appeals to one of humanity's deepest, oldest, and fiercest emotions—patriotism.

Patriotism began, no doubt, with love of and loyalty to one's own family back in the dim days of the old Stone Age, or thereabout. From that point it must have spread out to loyalty to one's clan or tribe. Eventually patriotism came to mean loyalty to one's country and willingness to die, if necessary, in its defense.

Most of us can still be swayed by appeals to that emotion, and swayed to the depths of our beings. It was that emotion that fired men of military age and other qualifications in 1917–18 to go overseas and fight the Germans. They thought they were defending the United States.

WHERE'S THE 1917 SPIRIT?

All of which should throw some light, we believe, on the question why there is so much American apathy toward the present war.

We are in the present war, but we are in it short of shooting. Our present leaders have laid far more stress on the idea of helping Great Britain fight off the Germans than on the idea of preparing curselves to defend our own country. To many a draftee or expectant draftee this must mean that he is to get ready to fight, not for his own country, but for another country.

Men don't get emotional over such a prospect as that. The average unpolished gent likes his own country and dislikes all other countries instinctively. And he doesn't want to fight for some other country.

Karl Marx came along some 90 years ago with the idea that national patriotism ought to give way to human brotherhood; that men of all nations ought to love one another and hate nobody but the well-to-do. That idea has its appeal to some people. But it hasn't yet shown anywhere near the capacity to fire up do-or-die emotions that patriotism has shown for ages. And it hasn't yet inspired any such soul-stirring poem as Sir Walter Scott's masterpiece above-quoted.

Hence, we believe, the widespread American failure to work up a 1917 style war fever. The answer seems to us to be mainly psychological.

It begins to look, though, as if this trouble, if trouble it be, is going to be remedied fairly soon.

CONVOY REMEDY

Debate has begun in Congress on whether United States Navy vessels shall convoy shipments to Great Britain. Our hunch is that

convoying is going to begin in the administration's good time, for all the frenzied argument we may look for in Congress.

When and if that happens, American sea fighters are almost sure to be killed.

Woodrow Wilson was able to argue that we should go into the World War because our people were getting killed at sea by German submarines. Our interventionists are not yet able to put forth that argument.

But the convoys should remedy that defect in short order. By starting to convoy we shall place ourselves in position to get some of our people killed at sea by German subs, surface raiders, and/or bombers.

Thereupon the old patriotic arguments can be hauled out again, and the old war fever should mount to 1917–18 temperatures, if not higher, in jig time.

[From the Colorado Springs (Colo.) Gazette and Telegram of April 20, 1941]

SHIPPING AND CONVOYS

With the way for action cleared and $40,000,000,000 appropriated for British and American armaments, the war group finds the battle to save the Atlantic from the dictators not going so well. They say shipping is being destroyed more than twice as fast as it possibly can be replaced; that the British Navy (in which, incidentally, lies America's defense) is too weak to offer further protection; that unless American supplies reach her in full amount, Britain will be defeated: and that, therefore, the United States must deliver the goods with its own warships as convoys.

Mr. Roosevelt has said that convoys mean shooting, and that shooting "comes pretty close to war."

Thus the propagandists reach their objective, which is only now being admitted, through a long succession of seemingly logical steps, each posed as an isolated instance of what America might do, with complete regard for its own interest and safety, to help a friend. It is the old American game of flimflamming the public, and the flimflam continues.

It is on the word of our war makers alone that shipping losses are offered now as threatening imminent defeat of Britain. What these losses are is not stated, nor yet what is Britain's capacity to offset them. The case is presented on much the same basis as the lease-lend bill and the seven billions for Britain. The argument for that was that Britain was exhausting her resources and in the course of the year would need financial assistance. So great was the desire to give aid that the extent of those resources was never asked, and British orders already placed and covered by cash in the bank were actually taken over and made an obligation of the American people.

The shipping problem is serious, of course, but on the face of things it can hardly be called critical. The German U-boat toll is heavy but it cannot be marked down as seriously impairing the British war effort, for British merchant ships are still plying far-flung trade routes, carrying on normal commerce. Were Britain's needs urgent, she would call in that large fleet to supply the home front. American ships can serve Pacific trade, but it is not Britain's purpose to yield profitable routes unless need compels.

Much the same circumstances attend the problem of convoys. Britain detached powerful units of her home fleet to elevate the Mediterranean squadron to a battle fleet. She did this deliberately and in full knowledge of the requirements of the battle of the Atlantic. She cannot consider the home front critical and at the same time develop a full-scale offensive operation thousands of miles away.

Britain would relish American shipping and American convoys as she would relish America as a fighting ally. The question is whether the American people want to fight a war on this basis. They say no, but they have been shoved so far that it will take only one more little push to send them in head over heels, and that well-placed kick is just about to be applied.

[From the New York Daily Worker of April 20, 1941]

WHO IS RESPONSIBLE FOR THE PERILOUS SITUATION?

In warning the country of the perilous situation that faces it, President Roosevelt wants the people to overlook one little fact.

That fact is that it is his policies, and his subservience to Wall Street, which are directly responsible for this situation. Step by step, and under the guise of keeping out of war, he has placed the Nation into it. Now the White House is pulling all kinds of strings to put through convoys, in order to bring American involvement to the shooting stage. When the President speaks of the dangerous situation, it is to shield his own responsibility, and at the same time to stampede the people into accepting convoys and all other total-war proposals.

Meanwhile, maneuvers of a highly dangerous character are going on behind the scenes. Mark Sullivan in the Herald Tribune yesterday asserts wishfully that Senator Tobey's anticonvoy resolution is almost certain to be blocked in the Senate Foreign Relations Committee, and that from this the President will reason that the whole Senate is in favor of convoys. (It is true that the people cannot rely on the war-minded Senate, but the attempt to block open discussion on the Senate floor is to prevent mass protests from gathering momentum.)

Senator Gerald Nye now talks of a so-called compromise which does not oppose convoys but which would leave it to Congress to authorize convoys. The people, who are 83 percent against involvement, are opposed to anyone declaring for convoys, as can be seen in the no-convoy demand of the American Peace Mobilization. A letter to your Senator, Congressman, and to the White House will let them know that you want nothing less than a flat rejection of all convoy plans.

[From the Wall Street Journal of April 21, 1941]

NO SUBTERFUGE

One of the arguments for using American naval vessels as convoys is that the action is necessary to make the lease-lend law policy effective. It does not make sense, say sponsors of the plan, to allow material for Britain to pile up on docks or to be sunk by submarines after we have manufactured it. We should ship it in American vessels and convoy those vessels.

When the lease-lend bill was before Congress some of its opponents envisaged this situation. They predicted that the next step would be a demand for convoys. Most of the advocates of the measure denied that the question of convoys was implied in any of its provisions.

We are recalling that, not for the purpose of raking among the ashes of arguments about things settled, but the course of the past may very well indicate the future.

Suppose we can get the ships to haul material to Britain. Suppose we can safely convoy those ships. Then are we likely to hear something like this:

"Getting a lot of materials to the British is useless unless she has the men to make use of those materials. Planes need men to fly them; guns, men to fire them. So let's send troops."

We have heard that Britain does not need men. So far as defense of the British Isles is concerned, that is probably true. Current developments do not indicate that it is true in Africa or in the Balkans.

Long ago, we insisted that this country cannot be half in and half out of a war. Either we are all the way in or we are not in. Despite statements to the contrary, we are not now in. The sentiment of the majority is for not going in.

No one seriously denies that convoys will be the first actual war step. Once it is taken, there is no drawing back. And once in the war, there is no choice except to go in with all we have.

We have said and we intend to repeat:

"Only by constitutional methods, that is by enactment of Congress, should this country initiate a state of war.

"It follows that only by act of Congress should this country take steps which will cause another nation to attack it and thus force war."

Any other course is the course of subterfuge.

[From the Vincennes (Ind.) Post of April 27, 1941]

THE BUILD-UP

In spite of the President's undeniable statement that "convoying means shooting, and shooting means war," the country is evidently now being "softened" through public statements made by his official appointees, Secretaries Hull and Knox, who follow up La-Guardia's well publicized pronouncement for half-way-across-patrol, by dramatically raising the ante with a duet declaration for all-the-way-convoy—exactly as if the people had spoken for war, (instead of the other way round), and utterly disregarding both pre-election promises and post-election polls of public sentiment.

For in spite of adroit urging and constant pressure toward war, the public remains overwhelmingly opposed to involvement, and only the same willful little bunch of warmongers and their complement of swivel-chair soldiers, continue to "sound the tocsin." Naturally to these latter, war presents a rosy picture, with its additional pomp and power, and with none of its red flowing from the veins of themselves or theirs. So every day has seen this group become bolder and more insistent, until now they have stopped even pretending to carry out the will of the majority, by whose sufferance alone those in office derive their power.

But war means an entirely different proposition to the general public whose standard of living will have to be lowered for years to pay the bills to which this country is already committed, and whose sons it is, that would be sent for sacrifice, and not properly equipped for even self-defense. Yet now, puffed with power, these officials—made by the people and supposedly working for the people—have the "guts" to discuss openly whether it shall be all-the-way or half-the-way, when they themselves admit that either way means the very thing they have committed themselves to be against, regardless of whether one names the baby "convoy" or "patrol."

We say—and rightly—that if the people under totalitarian government are dumb enough to stand a dictator ,they deserve what they get. Yet in the matter of involvement, our people are being deliberately deprived of their right of choice. The method is like that of a shyster who forces a helpless witness to self-conviction by such questions as, "Do you still beat your wife?" or the gangster, who having you in his power, asks whether you would rather be stabbed or shot.

Granted that, in our country there may still be trusting souls who find hope in the President's declaration at his press conference that "the administration is not now thinking of convoys" and who can fondly believe that Messrs. Hull and Knox were just voicing their personal preferences, instead of merely saying what was "in the script." Not so in England, where the Evening News frankly declares that both Secretary Hull and Secretary Knox, with the authority of the

President and the United States Cabinet, have given definite assurance that America will not allow arms meant for Britain to be sent to the bottom of the Atlantic, and United States Ministers pave way for big war move by Roosevelt.

That, sad to say, is exactly what alert Americans must feel is being done to them. Judging by the evidence, they are obliged to think that our country is being deliberately rushed into a state of war, in spite of official denials, in spite of an undeniable condition of unpreparedness and in spite of the fact that time plays with us, even if it is being wasted. For after all, the dictators are only mortal and every smidgeon of liberty guarded until they have passed on, will continue to live instead of requiring the travail of new birth.

What may be the next movement planned in this dance of death, remains to be seen. The trial balloon has already been sent up on a little visit to Canada for the President, though some hesitate to believe he would leave the country with conditions as they are here, while others sarcastically point out that "Miss Perkins gathered seashells" while strikes bogged down our national-defense program. At any rate, every possible effort is undoubtedly being made to "sell the country" at least on the idea of war, when even London's Evening Standard, headlines the fact that United States of America builds up convoy idea—Cordell Hull prepares ground.

[From the Vincennes (Ind.) Post of April 30, 1941]

LINDBERGH ATTACK

Among the many regrettable results of President Roosevelt's attack on Colonel Lindbergh, perhaps the most unfortunate is that it has served to convince many people beyond a reasonable doubt of certain charges which from time to time have been more or less openly made in connection with the Chief Executive, and which until this occurrence they had been able to disbelieve or at least to discount.

Like Lindbergh, these had expected and hoped to continue in the exercise of their established rights as American citizens, and to hand the same privileges unrestricted to future generations. Like Lindbergh, they do not think (as the President expressed it) "that there is a new order and a new form of government in the world to which democracy must yield." Like Lindbergh, they feel and have proven by their actions—which ever speak louder than words—that the democratic way is the right way and, indeed, the only way that can or should be followed by the people of the United States. For the fact that dictatorship is rampant abroad constitutes no valid reason either for ambitious usurpation or supine yielding of arbitrary power to any person in this country, since our Government has already proven its ability to function properly without entering upon that perilous course through which other republics have been wrecked in the past.

Like Lindbergh too, these people would feel themselves guilty of treason against all they hold most dear if, having been in a position to obtain information of vital significance to our people, they cravenly held their peace because that was the "easiest way." Unlike Lindbergh, these people have not had an opportunity to see existing conditions abroad, which have a direct relation to the lives and welfare of millions of our citizens and by which our national security could be jeopardized. As a matter of fact, even if they had been able to get such an inside view as Lindbergh had, they would have lacked the necessary expert knowledge to interpret it properly. But they know enough to know that the same intelligent application of available information (which was what enabled the Lone Eagle to succeed where others had failed) becomes our solemn obligation under existing circumstances and cannot be lightly disregarded just because somebody who personally has everything to gain and nothing to lose wishes to make a name for himself.

This European war has not come on since election. It was in progress then, and before entrusting the Presidency to Mr. Roosevelt again, the voters exacted and received from him the public assurance that he had not yet made any "secret commitments" and that if elected President again, he would not involve our country in war. There are millions of Americans who felt then and who are even more sure today that not only the welfare of United States but of the entire civilized world, lies in the concentration of our efforts on proper preparedness for defending our own shores and, above all, in not sending our citizens beyond them to seek involvement. These people want United States so strong that no other nation could hope to attack us successfully, and functioning so smoothly that other countries will be led to follow our example—not forced to interpret our actions unfavorably. In other words, they believe in a man or a family or a country, following the precepts of the Book that advises: "Physician, heal thyself."

In any case, they realize that war—like a major operation—sometimes does become necessary but is not the sort of thing to be courted. Granted there have been many people who let themselves become so thorough psychologized by some doctor that unless prevented from so doing, they would let him undertake to cut out everything they have except their disposition. But those who are not mentally unbalanced themselves, will consider well before undertaking such a risk, just as a physician who is honest or right mentally, will advise against such a course. And just as faith in the physician may play a determining part in whether or not a patient comes safely through a crisis, so in times of stress, faith in our elected officials has much to do with the people's ability to carry on successfully. So along with the Nation-wide regret that Colonel Lindbergh should have been made the object of such unwarranted statements because of giving his fellow countrymen the benefit of information he alone possessed, there is voiced a deeper regret that our already too slender supply of faith has been definitely lessened, for faith is something that no amount of appropriations can buy.

[From the Vincennes (Ind.) Post of May 1, 1941]

"SPILLING THE BEANS"

Beans and our fighting forces—especially those on the high seas—have always been closely associated, and it must be admitted that Admiral Harold R. Stark, Chief of Naval Operations, did a first class job of "spilling the beans" in his talk before the United States Chamber of Commerce (now meeting in Washington)—just as it can be readily seen why the occurrence is said to have caused such consternation at the White House.

People will remember that only last Friday, the President was questioned on the disquieting rumors that he was having our ships used for convoy service although Congress had not authorized such action, and in the face of Mr. Roosevelt's own well-remembered statement that "convoys mean shooting and shooting means war." People will remember, furthermore, that the President turned aside Friday's questioners, with the statement that "at one time last year warship patrols extended 1,000 miles from Delaware," although he declined to be more definite about their present extent. So the reaction at the official residence on Pannsylvania Avenue, can easily be imagined, when the voice of Admiral Stark was heard assuring members of the Chamber and anyone else who happened to be listening, "I wish I could tell you about convoys. I'd like to tell you about our patrols. 3,000 miles from our shores, from the high latitudes to the equator in both oceans."

Such an admission, coming on the heels of the President's Friday statement, was indeed a shock. Many had been reassured by Mr. Roosevelt's words, inferring them to be an honest admission of a preelection fault, from which, fortunately, no harm had befallen us, and which had been discontinued after the "one time" last year. Such an inference, too, was quite natural, in view of the people's own plainly expressed opposition to convoys, and the President's never-to-be-forgotten promise, on which he was reelected. Further reassurance also was taken from the President's other statement that those who were responsible for all the rumors, are so dumb they "don't know beans" about what is really happening. But with this speaker being Chief of Naval Operations, even Mr. Roosevelt could scarcely hope to laugh off his words or to discredit them, nor could the President expect those who heard, to be sufficiently dumb not to know "beans when they were spilled."

It is very natural that Admiral Stark, as a patriotic American citizen, should wish most desperately that he could tell those leading business representatives of the people all over United States about a danger to which he, as Chief of Naval Operations, knew of our country being subjected, so that his fellow Americans, being free to act, could try, before it became too late, to protect themselves and each other from the consequences. But the lips of an officer in either the Army or Navy are effectually sealed unless the President, as Commander in Chief, gives him permission to speak. So after the admiral's opening remarks, a set speech which he had been scheduled to deliver, was presented as written with all the words properly pronounced.

By the time this chore had been duly chored a message arrived from the White House for the speaker. So the admiral, as was his military duty, called the reporters together and explained that he had not meant to mention "convoys"—a word regarded as dynamite by the administration because of the American public's objection to its Navy being put to that use. Also the officer explained that he had not meant to say our warships were patroling 3,000 miles from shore—which would have shown they were guarding munitions cargoes from German subs and bombers all the way to England—but that he had only intended to tell that the patrol was going 2,000 miles. And within an hour the President was assuring the reporters that what Admiral Stark had said "doesn't mean a thing," regardless of whether the warships are being sent all the way or two-thirds of the way.

Granted that such may "not mean a thing" to the President. Nevertheless, it does mean unspeakingly much to a people by whose sufferance Mr. Roosevelt was elected to, and is permitted to remain in, his present exalted position. What the outcome will be time alone can tell. For many Americans who gave Mr. Roosevelt their votes on his assurance that he would do nothing to involve our country in the European war, as well as many who could not bring themselves to support him, all definitely heard him assert his full understanding that convoy meant shooting and shooting meant war. Also many of these people feel that while quibbling or bluffing may afford good sport on occasion, it has no place with the lives of Americans at stake, even though these will agree with the President that, under the circumstances, it is more nearly correct to use the word "patrol" rather than the word "convoy."

For "convoy," according to the dictionary, means "to go along and protect," while "patrol" means just "to go along to protect." And it must be admitted that ships sent out equipped with antiaircraft guns which will only carry 3 miles against modern bombers that operate at 5 miles altitude, have about as

much chance as if the men were armed with beanshooters. So for the sake of those whose sacrifice would accomplish nothing but to put into operation the already passed M-day law that would automatically make our own country a dictatorship "for the duration," which admittedly may be many years, for their sake, as well as for the sake of all of us, it may prove a godsend that the admiral "spilled the beans."

[From the Arizona Daily Star of May 1, 1941]

THE PRESIDENT AND COLONEL LINDBERGH

The exchange of compliments between President Roosevelt and Colonel Lindbergh adds an unfortunate and unnecessary blight to an already bewildered and embittered situation. That the President of the United States should descend to the level of name calling and impugning the patriotism of those who differ with his policies sets a sorry precedent and only adds to the fires of hate that seem to be consuming mankind.

To say the least the President's designation of Colonel Lindbergh and others as "Copperheads" was unwarranted. At no time has Colonel Lindbergh in his speeches expressed a single word of personal abuse. He has done nothing but discuss issues. His words have been calm and temperate. He has had the daring to express sentiments which millions of Americans share but are afraid to express. His words on military aviation call for serious appraisal instead of heated scorn.

Let us not forget, in the months prior to the last war, how insanely we vilified those who expressed the slightest doubt about German atrocities in Belgium. Let us not forget how we turned the Kaiser into a demon, and how all would be lovely as soon as the Kaiser was finished. Let us not forget our humiliation after the war when we learned how we had swallowed such falsehoods. Yet we are forgetting and are repeating the identical mistake of damming up hatred.

Who knows that Colonel Lindbergh in later years may be proven to be correct, perhaps partially correct? Has there been a single American Army or Navy officer who has challenged Colonel Lindbergh's judgment on military matters? Remember how Colonel Lindbergh was vilified when he reported on the weakness of the Soviet air force and the strength of the German air force? Has he been proven incorrect? And now when we as a nation are rapidly approaching the task of breaking Germany's military power what if Colonel Lindbergh is proven to be correct—after a million lives have been lost and our society regimented into the necessary dictatorship to wage such a war? How will those who now vilify him feel? Will their regrets bring back the lives that are lost due to heedless and incompetent planning? If by that time Colonel Lindbergh is dead, he will be a national martyr; if he is alive, he will be a national figure unequaled in influence.

If Colonel Lindbergh is a copperhead, then there are millions of former soldiers who went through the battles of France in 1917 and 1918 who are copperheads, not to speak of scores of millions of American citizens. At a time when national unity is needed, at a time when the right of free speech is still an American privilege, it is a sorry spectacle to have the President of the United States question the patriotism of a man who happens to differ, but differs openly without apologies or subterfuges.

In all seriousness we say that, after seeing the lack of candor in Washington, the lack of known objectives, and the evident plan to trick America into war, into a war whose magnitude is almost incomprehensible, without the slightest effort toward using the power and might to bring about a negotiated peace or to inform the American people fully, in all seriousness we say future events may prove Colonel Lindbergh to be right. We fervently hope he is wrong, but events so far have confirmed what he has said, and if America allows many more weeks to slip by without acting, Colonel Lindbergh will probably be proven to be right. Even if he is proven to be wrong, as let us hope he will be, as an American citizen he has the right to speak until the emergency forbids all free speech, particularly when he confines his speeches to issues and indulges in no personal vilifications. To castigate and vilify him while allowing Communists to engage in sabotage and to speak with impunity is a contradiction too evident to overlook.

[From the Los Angeles Examiner]

THE POLITICAL PARADE

(By George Rothwell Brown)

It is a serious thing that Mr. Roosevelt doubtless will contemplate in the seclusion of his study, when a mass meeting of more than 10,000 men and women in such a typical American city as Chicago can send to him a telegram serving upon him blunt notice that if he leads this country into war it will be behind a "reluctant and divided nation."

These are words of the gravest import. The President will do well to heed them as he stands today on the seesaw of fate, balanced between peace and war.

When that Chicago mass meeting last Sunday afternoon by a unanimous and enthusiastic rising vote authorized the sending to the President of a telegram embodying that ominous phrase, the people of that city were merely expressing what is in the minds of millions of people in the heart of America which lies between the Rockies and the Ohio River.

This writer within the month has traveled several thousand miles throughout this vast region and back again. If he had discovered that these people want war and are ready to go to battle to fight to save the British Empire he would report it here.

But he made no such discovery. Coming fresh from the war-filled atmosphere of Washington he was prepared to believe that the Government in Washington was truly reflecting the will of the people. He had not traveled far when he learned by unmistakable evidence that this is not so.

This country so far as it is represented by the great Middle West is so unalterably repugnant to war that in the opinion of this writer it is perfectly true, as was declared by the Chicago mass meeting last Sunday, that if Mr. Roosevelt persists in carrying out his war policy and getting this country into a European conflict he will find himself confronted by a people reluctant and divided.

Mr. Roosevelt's course is costing him the support and allegiance of thousands of Americans who voted for him only 6 months ago. They are losing confidence in him day by day. They are saying about him not only in confidence but openly and publicly things they would never have dreamed of saying about Franklin D. Roosevelt as recently as last November.

They are saying that his actions do not square with what he says. They are fearful that after promising them that he would not lead them to war, that after having won his third-term election on that promise he has now broken it.

But they are saying something even worse of the President of the United States. They are saying that when he made that promise he did not mean it but intended to break it.

Mr. Roosevelt would do well not to plunge this country into war when the people do not want war. He could serve the interests of this country far better by getting some representative citizens of this western country on the long-distance telephone than he could by getting Winston Churchill on the trans-Atlantic telephone.

Mr. Churchill and Mr. Roosevelt obviously are playing the same game. Both are astute politicians. Both know how to get as much as they can when they can and, having got it, how to move forward to another position.

Mr. Churchill now tells his American radio audience that when he said that all England wanted was the tools he really meant "give them to us." The people in this part of America realize that this is using language with trickery. They know perfectly well that Mr. Churchill wants convoys, and they know that when Mr. Churchill says with regard to Mr. Roosevelt's patrol that "I felt for some time that something like this was bound to happen," what he really means is that he has known all along, from his telephonic conversation with the man in the White House, just what he was going to get from Mr. Roosevelt when Mr. Roosevelt felt that the time was right to give it to him.

Churchill's radio address coming on the day of the Chicago mass meeting, addressed by Senator WHEELER on behalf of the noninterventionists of Congress, suddenly brought home to our people the amazing revelation that two men, Churchill and Roosevelt, are now determining their destiny without consulting them.

[From the Los Angeles Times of May 4, 1941]

THE POET LAUREATE WRITES FROM HIS GREEN VERDUGO HILLS

(By John Steven McGroarty)

It was in Santa Paula that we heard of the three cypress trees planted some years ago and still growing on the grounds of the women's clubhouse in Somis.

Somis is not far from Santa Paula. It is a lovely spot in the clasp of low rolling hills yonder in the country of the Camarillos. Near by is the vast expanse of the fat bean lands of Ventura. I have often passed through it, always lingering for a soul-satisfying breath of its beauty. But I had never heard the story of the three cypress trees until told of it at Santa Paula.

It is a sad yet strengthening story that may well be told anew in the Synagogue this blessed Sabbath morning.

The way it was, notice was served on three boys of Somis summoning them to war against Germany, a country 3,000 miles away across the American Continent and 3,000 miles more across the Atlantic Ocean. A country and whose people they had never seen. They were told they were needed to save the world for democracy. They didn't quite understand the idea, but there was no way by which they could avoid the summons, even if they wanted to do so.

So off they went across the continent and the great sea, bravely bidding farewell to home and loved ones, little dreaming that it was a last good-bye and that they would never see the hills of Somis again.

They were young, just boys, really. That's all they were. Had they survived the war they would still not be old, but only in the prime of life. They doubtless would be in Somis still, among those they loved, with children of their own to cherish and care for.

But it was not to be. They were killed in battle. The poppy fields of alien Flanders and not the poppy fields of Somis bloom above their graves.

And, to remember them, the women of Somis planted three cypress trees which, if you pass that way, you may behold. That's the story.

Will anyone say it is not a story to be told in the synagogue on a Sabbath morning, or any other morning, because it is not uncommon and that like stories can be told by every community of the land? Well, in a way this may be true, but it does not change the fact that there once were three boys in Somis who had a right to life, happiness, and love of which someone robbed them without any shadow of justice. They did not die in defense of their own country, but for a blunder that was foisted upon them. Their death did not save the world for democracy. They were the innocent victims of stupid theorists who kept on living, safe from harm. Except for three cypress

trees in Somis the world has forgotten all about them long ago. Those whom they fought for and died for have not only forgotten them but never even thanked them.

This is the bitter truth. And no man should fear the truth, no matter how bitter it be.

The supreme egotism and arrogance that sent these boys and others like them to death again is in motion. There is great danger that the error of the first World War is to be repeated. Throughout America there is the belief that our Nation again will be involved, although fully 90 percent of the population is opposed to it.

How helpless we appear to be as a people. We don't want to engage in this war, but feel that we shall be forced into it. The question naturally arises, Who is it that can again send our young men to the slaughter regardless of how the people feel about it? Is this a government of and by the people or a dictatorship? If it be a government of and by the people, why do not the people themselves decide this matter?

There is a large and highly respectable segment of the American people who have contended and still contend that the best foreign policy for our Government to pursue is to stay at home and mind our own business, which is exactly what we have not done and are not doing. The advice of George Washington to avoid foreign entanglements has been thrown to the winds. We are entangled up to our necks.

When the first World War ended Winston Churchill, now Prime Minister of Great Britain, said that if America had kept out the war would have ended a year sooner and a million lives would have been saved.

Was not that a fine gesture of contempt? And no word about the money we loaned and will never get back. No word about the 100,000 American boys killed in battle and lying dead in France and Flanders.

We wonder if God ever will give us sense. It is notorious that every nation of Europe without exception regards Americans as nincompoops.

Wise old Will Rogers once declared that America had never lost a war nor won a conference. Think back and consider what a monkey they made out of Woodrow Wilson at the peace table of Versailles. The craziest patchwork of alleged diplomacy was that solemn conclave at which poor, well-meaning Woodrow Wilson was jollied to his face and laughed at behind his back. Those birds over there are old at the game and we are new at it.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 9, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate, May 8, 1941:

UNITED STATES MARSHAL

James Joseph Gillespie to be United States marshal for the southern district of Iowa.

POSTMASTERS

MASSACHUSETTS

Michael J. Costello, Franklin.
William S. Arnold, Nantasket Beach.
Edward E. Cooney, Northampton.

OKLAHOMA

John E. Gwinn, Butler.
Thomas A. Holland, Cushing.
Rose B. Hayes, McLoud.
Lee Garner, Jr., Red Oak.

WEST VIRGINIA

Jacob Seitz, Jane Lew.
Howard Mahan, Oak Hill.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 8, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of mercies, teach us to love Thy sacred word: "Thou shalt love the Lord thy God with all thy heart, with all thy soul, with all thy mind, with all thy strength, and thy neighbor as thyself." May the heavenly pages of the Holy Bible, the way of wisdom, the path of learning, the way of the prophets, the apostles, and the way of the saints spread forth from shore to shore. Light up the future years with Thy precepts, quicken and inspire the god-like nature within us with greater zeal, with greater courage, and with deeper assurance. Grant that the evil within us may be diminished and the good accentuated that unity and harmony may prevail in every State and in every home in all our broad land; that the excellency of our ideals, our moral convictions, and our holy faith may come unto the measure of the stature of the fullness of our Lord and Master. O Love that will not let us go, we pray that we may enter into the peace of a truly Christian life wherein stormy words melt into silence, aching hearts are mended, and tearful eyes become springs of hope and promise. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 29. Concurrent resolution acknowledging the felicitations of the Congress of Costa Rica.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy;

S. 392. An act for the relief of Joseph Dolak and Anna Dolak, father and mother of Gene Dolak, deceased; and

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. TYDINGS, Mr. MCCARRAN, Mr. HAYDEN, Mr. BAILEY, Mr. LODGE, and Mr. WHITE to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 991) entitled "An act for the relief of the widow of the late Artis J. Chitty," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER to be the conferees on the part of the Senate.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1942

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SNYDER, TERRY, STARNES of Alabama, COLLINS, KERR, MAHON, POWERS, ENGEL, and CASE of South Dakota.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1942

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate, and that the Speaker appoint conferees on the part of the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. LUDLOW, O'NEAL, JOHNSON of West Virginia, MAHON, CASEY of Massachusetts, TABER, KEEFE, and RICH.

PUBLIC WORKS MADE NECESSARY BY THE DEFENSE PROGRAM

Mr. COLMER, from the Committee on Rules, submitted the following privileged resolution, which was referred to the House Calendar and ordered to be printed:

House Resolution 200

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4545, a bill to provide for the acquisition and equipment of public works made necessary by the defense program. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Buildings and Grounds, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted,

and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. HOUSTON asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, while what I am about to say is by way of anticlimax to the ship-seizure bill we passed yesterday, yet I wish to call the attention of the House to a development that just came to my attention this morning.

Published in last Monday's Washington Post was a news item that the Coast Guard had boarded seven ships of Yugoslavia to determine whether the officers and crews were loyal to the boy King Peter or to the new government of Yugoslavia, the strong inference being that we will seize these ships if the Coast Guard, in the exercise of its solemn judgment, ordains that these sailors are traitors to the King.

This incident strikingly illustrates the extent to which our Government is going in carrying out the high-handed policy of ship seizure. These alien ships, ships of a country with which we are still at peace—and may the Lord grant that we remain at peace—trustingly sail into our ports, expecting to find sanctuary and hospitality and, instead, they find that they have sailed into pirate ports. It was argued in support of the ship-seizure bill that we are justified in confiscating alien property because similar acts have been committed in other countries. In brief, we subscribe to the unmoral thesis that two wrongs make one right. Mr. Speaker, I say that if that is right, then every rule in the copybook is wrong. The enactment of the ship-seizure bill, without the Culkin amendment, is a blot on the honor and integrity of our Government which can never be erased. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an appeal addressed to the German people that a certain group of Germans in this country planned to broadcast to the people in Germany. It is a very fine appeal.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

Mr. RANDOLPH. Mr. Speaker, it is very natural that on the days when District of Columbia legislation is considered not a large number of Members are present for the debate on those bills. I say this is natural because usually the legislation considered has to do strictly with the District of Columbia, and many times it deals with subjects that are not of extreme importance to the House as a whole.

However, I call your attention to the fact that on this coming Monday, which is a regular District day, there will be before the House a discussion of the fiscal affairs of the District of Columbia and we will consider the so-called Overton formula, a bill which has passed the Senate of the United States without a dissenting vote and has been approved by the House Committee on the District of Columbia. This bill will be brought here for debate and a vote either up or down. It deals with a matter of extreme importance, the Federal contribution to the District of Columbia. I trust that Members will find it possible to be present. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SATTERFIELD. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. SATTERFIELD and Mr. GEHRMANN asked and were given permission to extend their own remarks in the RECORD.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, judging from the scare headlines in the press this morning quoting Mr. Knox about sending our boys to Europe I think it is apropos at this time to again call attention to a statement by President Roosevelt when seeking reelection. I quote the President of the United States in his speech at Boston, October 30, 1940:

> While I am talking to the fathers and mothers I give you one more assurance. I have said this before, but I shall say it again and again and again, your boys are not going to be sent into any foreign wars.

Mr. Speaker, this was a solemn pledge given by the President of the United States at a solemn hour on a solemn subject to a solemn class of people, namely the fathers and mothers of this country. A violation of this pledge will do more to destroy democracy in the United States than Hitler's legions, his bombing planes and his boats. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a poem relative to the dedication of Woodrow Wilson's birthplace.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article by Neal L. McGinty, of Monterey.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article by Mr. George H. Cabaniss, Jr., of San Francisco.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an editorial from the Times-Herald of today.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an address delivered by the Most Reverend Joseph P. Hurley, Bishop of St. Augustine, Fla., at the Florida State Convention of the National Council of Catholic Women.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein resolutions on the Great Lakes-St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, about a week ago the Secretary of the Treasury suggested to the Ways and Means Committee that the pressure might be taken off of some of the tax situation if we had a little bit of the spirit of economy. He stated that we might save $1,000,000,000 if we went at it right. I believe that if we went at it right and cut down the things that could be cut down without a bit of hurt to the people of the United States, but to their everlasting benefit, we could save $2,000,000,000. I am going to take a little more time in going into this pretty thoroughly in the course of the next day or two, but I think this is an item that should have the prime attention of this Congress. [Applause.]

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial published under date of Saturday, May 3, in the Sheboygan (Wis.) Press, in reference to the St. Lawrence seaway, entitled "Let the Cat Out of the Bag."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CIVILIAN CONSERVATION CORPS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent that I may be permitted to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Speaker, supplementing the remarks just made by the gentleman from New York [Mr. TABER], may I call attention at this time to a matter that recently came to my observation as a member of the Committee on Appropriations? The Civilian Conservation Corps, which we all believe in, came before the committee recently asking for an appropriation based on an enrollment for the fiscal year 1942 of 259,000 junior enrollees. Upon cross-examination of the head of that organization, it was disclosed that by no stretch of the imagination does the Civilian Conservation Corps expect they will be able to enroll more than 200,000 junior enrollees. As a matter of fact, the evidence discloses, to my judgment, that they will be fortunate if they are able to enroll 175,000. There is one item where there can be a cut of at least $75,000,000 without doing any damage whatsoever to the Civilian Conservation Corps and its activities.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix, and include an open letter to the Congress signed by 53 prominent Americans.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Harold M. Graves, Assistant Secretary of the Treasury, in reference to the sale of Government securities.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that today, after the disposition of the legislative business and other special orders heretofore made, I may address the House for 25 minutes.

The SPEAKER. Is there objection?

There was no objection.

THE AUTOMOTIVE INDUSTRY

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RABAUT. Mr. Speaker, 2 weeks ago it was my privilege to be present when they launched an army tank at the great new Chrysler plant on the outskirts of Detroit, and to the astonishment of the officials of the Army present, a second tank was rolled out for inspection. That tank plowed its way through buildings with unbelievable ease, took telephone poles down in its track, and plowed through a forest that had been left standing there on the original farm property, which was a cow pasture just last November. Yesterday, to the bewilderment of many we learned of the statement presented by Leon Henderson, Administrator of the Office of Price Administration and Civilian Supply, before the House Ways and Means Committee wherein the proposal was made to raise the tax upon automobiles from 3½ percent to 20 percent or more with coverage, mind you, extended to used cars.

Perhaps it would be enlightening to make known the fact that most motorists earn less than $30 a week but they are already taxed as though they were millionaires.

Secondly, the automobile industry showed its greatest determination at the lowest ebb of the depression.

Thirdly, it was one of the few industries of the country ready to take on the war program.

And last but not least, it is among the foremost in the purchase of farm commodities.

It was Secretary of Commerce Roper who told me during his tenure of office that if we could find another industry that would so take hold of the American people as has the automobile industry, a depression would be unknown in this Nation for the next 50 years. Is it now to be dealt the body blow from the taxing organ of this Congress because this suggestion has been made? Personally, I feel the Congress will be most solicitous and careful not to kill the goose that lays the golden eggs.

May I refer, particularly those of you from agricultural districts, to my remarks in the CONGRESSIONAL RECORD of the first session of the Seventy-sixth Congress, on page 5833, wherein the benefits of the automobile industry to the various sections of the country are enumerated. One-seventh of all the workers in the United States are employed in this industry; over 4,000,000 are employed in truck transport alone; ribbons of concrete, the great stop-and-go signal system of the Nation, the good roads to market, and countless other innovations are the result of the geniuses and the artisans in the automobile trade.

This is a subject worthy of great study by this distinguished body.

EXTENSION OF REMARKS

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by the inclusion of a statement by Mr. R. J. Tipton, an eminent engineer, made before the Committee on Appropriations.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by including an article by Mr. Simon T. Lake on underwater carriers.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHANLEY. Also, Mr. Speaker, I ask unanimous consent to extend my remarks by including an article about the pan-American nations and idle foreign ships.

The SPEAKER. Is there objection?

There was no objection.

GRANTING OF PRIORITIES

Mr. SABATH. Mr. Speaker, I call up House Resolution 189, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 189

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4534, a bill to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I yield 30 minutes to the gentleman from Michigan [Mr. MICHENER].

I shall not take more than a few moments. This rule makes in order H. R. 4534, to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material. It is the so-called priorities bill.

During the last session of the Congress, in 1940, we passed a bill giving priority to Army and Navy material necessities; but, unfortunately, the bill was not broad

enough. Consequently the Committee on Naval Affairs, by unanimous vote, upon the recommendation of the various departments concerned, has reported H. R. 4534, which obviates the deficiencies of existing legislation. This rule that would make H. R. 4534 in order provides for 1 hour of general debate, after which the bill would be taken up under the 5-minute rule.

I am satisfied that notwithstanding this additional power, which is actually needed and reasonable, it does not mean that we are going to do what several gentleman, day in and day out, claim, namely, enter the war. I have the utmost confidence, I repeat, in the President of the United States, and I believe that he meant what he said in Boston, and what he has repeated many times. I am satisfied that to his very best and thorough ability he is endeavoring to keep the country out of war.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am glad to yield to the gentleman.

Mr. O'CONNOR. I fully agree with the gentleman; but I do not want the American people to be permitted to forget the pledges that not only the President of the United States made, but nearly every Member of the Congress made to the American people, namely, that if they were reelected they would not send our boys to Europe.

Mr. SABATH. In view of the fact that the President's statement has been repeated on the floor about 57 times, I think all the people of this Nation, literate and illiterate, are familiar with it.

I repeat, I have the utmost confidence that he meant what he said and that he is going to continue to try to the best of his great ability to prevent our country being drawn into the war.

Naturally, it is our duty to do everything within our power to protect ourselves and to prepare ourselves against the danger that is unmistakably close to our doors. I believe we are doing the right thing and our plain duty in strengthening our existing and preparing new defenses. It is not more than right that we should. The aid that we are giving to Great Britain and others, I maintain, is for our own protection as much as for the protection of Great Britain.

The gentleman from New York stated sometime ago that we have unfairly taken over some ships belonging to the Government of Yugoslavia. Does the gentleman hold that they should have been turned over to Hitler for the purpose of using them against us or against the other democracies?

I am confident that we have done the right thing and within law; that the owners of those vessels will be fully compensated for them; and that under our own law and under international law we have a right to take over those vessels. Surely every well-informed man appreciates the reasonableness of the laws of eminent domain and grim necessity.

I shall not detain the House longer. This bill was unanimously reported by the Committee on Naval Affairs, and I do not believe there is any opposition.

I now yield to the gentleman from Michigan [Mr. MICHENER], and I do not expect to use any more of my time.

Mr. MICHENER. Mr. Speaker, I shall support this rule. It was reported unanimously and the bill was reported unanimously, but the House should not pass such far-reaching legislation without at least knowing why it is being passed and what the bill provides.

In the first place, this bill amends the act of June 28, 1940, which is the present Priority Act. That permits priorities in materials in our own defense in the Army and the Navy. There is a limitation of time in that bill. It expires in 1942. This bill, if passed, will be subject to the same limitation. Therefore, there is no object in discussing an amendment which has been suggested to limit the life of this bill. I would not vote for the bill without this limitation.

The next thing to which I wish to call attention is that this bill is a corollary to the lend-lease bill.

It would not be here if we had not enacted the lend-lease bill. If the obligations assumed in that bill are to be fulfilled arbitrary action of this kind is essential.

Previous to the enactment of the lend-lease bill, our country had embarked upon an extensive national-defense program. The country was for all-out national defense and, in response to that general sentiment, the Congress enacted the necessary legislation. In that legislation was authority to declare and enforce priorities in the pursuit of our own national-defense program. There is today sufficient legislation, so far as priorities are concerned, to cover our Army and Navy programs.

With the advent of H. R. 1776, our country started on a new pattern. We are to be the arsenal for all the so-called democracies in the world, limited only by the discretion of the President. In no instance in American history have such broad, far-reaching, and plenary powers been given to a President over the industry of the country as are found in this bill. This is a venture in an unknown field. No course is charted. There are no mileposts. The President alone is the pilot. I hope this is not a venture in futility. Time alone will tell.

The bill is short, not intricate, and is easily understood. However, I want to read just one sentence from the bill which accentuates just what the President can do with industry if he so elects:

> The President shall be entitled to obtain such information from, require such reports by, and make such inspection of the premises of, any person, firm, or corporation as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section.

Pretty drastic, is it not?

It then provides that the President may exercise this plenary power through any agency upon which he may decide. It may be a Hopkins, a Perkins, or a Stettinius. Now, we are going a long way in a democracy when we say to the Chief Executive—whoever he may be—that he may require any industry, any farm in this country, to be operated in such manner, on such conditions, and under such supervision as he may think advisable. When the lend-lease bill was before the House, I called your attention to the fact that it could be written in much shorter language. For instance:

> The President of the United States is hereby authorized and directed to do that which to him seems best for the best interests of the national defense of our country, all laws, national and international, to the contrary notwithstanding.

That is in substance what the lend-lease bill does. No one challenges this interpretation, no one did challenge it, no one will challenge it.

Mr. DEWEY. Mr. Speaker, will the gentleman yield for a question?

Mr. MICHENER. I yield.

Mr. DEWEY. Is there any time limit on the duration of the authority here granted? And what is it?

Mr. MICHENER. Yes. I stated in the beginning that this bill amends the act of June 28, 1940. The act of June 28, 1940, is limited. I yield to the chairman of the Committee on Naval Affairs to give us the exact language.

Mr. VINSON of Georgia. Section 12 of the act that is amended reads:

> The provisions of all preceding sections of this act shall terminate June 30, 1942, unless the Congress shall otherwise provide.

Mr. MICHENER. That is as clear as it could be. The country is now operating under the lend-lease law as interpreted and directed by the President and those agencies which he has designated in accordance with the law. The policy has been outlined, and this bill simply writes a formula for some of the things the President is now doing under the lend-lease law. In my opinion, it does not increase the broad Presidential powers but, to some extent, defines and, I hope, limits them.

The priorities section of the Office of Production Management is presently directed by Mr. Edward R. Stettinius, Jr. We who have come in contact with Mr. Stettinius and who know of his accomplishments in the past realize the manner of man that he is. I think the Congress and the country have confidence in him. He does not want to attempt to do those things about which there is question as to his legal authority. We are told that under the Presidential direction priorities are today being invoked in connection with some of the lend-lease requirements, and this bill will clarify that situation. The Congress is rightfully wary about bestowing these vast powers on the President, yet if we could only be assured that Mr. Stettinius will be permitted to carry out the power herein granted, so far as priorities are concerned, without let or hindrance on the part of the President or anyone else, then I think we would all feel much easier about this drastic action. I hope this bill can be amended to require Senate confirmation of any successor to Mr. Stettinius.

Mr. RICH. Mr. Speaker, will the gentleman yield for a question?

Mr. MICHENER. I yield.

Mr. RICH. Is this a war measure?

Mr. MICHENER. Well, no. For one, I do not want to get to discussing or arguing the whole war question over

again. This is not the time or the place. My personal view is, as I said when the lend-lease bill was before us, that bill put this country into the war morally. No one will question that. It put this country into war economically. No one will question that. As to whether it put the country into the war officially might be questioned unless one interpreted the lend-lease bill as I did, as giving the President authority to make and carry on undeclared war anywhere in the universe, just so long as he felt that what he was doing was for the best interests of our national defense. He alone was the judge.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. RICH. Just a minute, if the gentleman please. Will he not yield to permit me to finish my thought?

Mr. MICHENER. I am sorry; I have yielded to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Does the gentleman feel that the country shares the opinion the gentleman has just expressed?

Mr. MICHENER. There is a difference of opinion. The majority of the Congress did not accept that view at the time the lend-lease bill was enacted, but everything that has transpired since the enactment of the lend-lease bill carries out the prophesy I made at that time and to which I have just referred. We are going to convoy. We are convoying now in one form or another. We are going to convoy directly or by subterfuge. This is evidently the policy of the administration.

If I were guessing I would say that just the minute the President feels that he has enough votes in the Congress to put over either a convoy resolution or a declaration of war, he will come to Congress with a message suggesting that he is opposed to war and that all the steps he has taken, including the amendment of the neutrality law, the transfer of the destroyers, the lend-lease bill, and so forth, were done in an effort to avoid war. This suggestion will be followed by the statement that conditions have now reached the point where it is evident that the Presidential endeavors have failed and that the Congress must pass upon the question of convoys or war. I do not mean that the question of convoys is coming to Congress before we do convoy. I do not mean that a war resolution is coming to Congress before we are in a shooting war. I do believe that we are not only convoying but that we are going to do everything contemplated in the lend-lease law, regardless of where it takes us, so far as war is concerned, and all this without the affirmative approval of the Congress, unless the President feels assured that he has the votes in the Congress. The recent speeches of Secretaries Hull, Knox, and Stimson, to say nothing about the utterances of Churchill and Halifax, all tend to this end. Of course, the President can keep us out of war if he will, but this will not happen if the President himself and the spokesmen for his administration continue these war sales talks to the American people.

Mr. DITTER. Mr. Speaker, will the gentleman yield further?

Mr. MICHENER. I yield.

Mr. DITTER. As a result of the last observation I can take it then it is the gentleman's opinion that if the President felt the country understood we were at war he would not hesitate to send up a resolution for war, but it is because of his conviction the country does not feel it is at war that he hesitates to send up such resolution.

Mr. MICHENER. Many in the country have relied upon the President's promise that he would not lead us into any foreign war. Every person has a right to his own view, however.

Mr. DITTER. My friend acknowledged that, did he not?

Mr. MICHENER. Yes; certainly. My view is that the American people do not want to get into this war, that the American people, believing they understood what President Roosevelt meant when he said that convoys mean shooting and shooting means war, took him at his word. They do not want to get into this war. They thought the President was like minded. If, however, one listens to the propaganda over the radio day by day and night by night, one must be convinced that the American people are becoming mighty frightened and so jittery they are very apt to go along and accept that which they are told is inevitable under the course now being pursued by the administration.

Mr. DITTER. Mr. Speaker, will the gentleman yield further?

Mr. MICHENER. I yield.

Mr. DITTER. I assume the propaganda to which the gentleman has just referred is for the purpose of arousing that which primarily does not exist—a war hysteria.

Mr. MICHENER. I have made it clear that my view is, the rank and file of the American people do not want to get into this war.

Mr. O'CONNOR. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Montana, who has made a fearless and courageous fight to keep us out of war. There should be more like him.

Mr. O'CONNOR. I called the attention of the House some few days ago to the conclusive argument made by the gentleman who is now addressing the House on the lease-lend bill. I only regret that they all did not hear his splendid and patriotic argument. I am thoroughly convinced that the people of the country did not get the full import of that bill. I am likewise convinced that many Members voted for it with not as full knowledege of its sweeping contents and powers as the gentleman from Michigan [Mr. MICHENER] stated. Let me also call attention to this morning's paper. We find now that Secretary Knox comes out and says that the American people "are committed," if you please, to furnish manpower to Europe. I call the gentleman's attention also to the fact that I made the statement during the time the lend-lease bill was under discussion that when Churchill called for ships he would get them, and that when Churchill called for men he would get them. I am afraid that statement is coming true.

Mr. MICHENER. Yes; and right there, may I say that I recall well, and those who keep abreast of these things recall, that when Mr. Hopkins went to England as the personal representative of the President he was received by Churchill, who made a great speech. In that speech Churchill said, "We need ships, we need munitions, now. We will not need any men in 1941." When Mr. Churchill asks for these men after 1941, we will be reminded that we have never had assurances from any official source in Europe, particularly England, that they will not in the end ask for men. The men will follow as lend-lease followed cash-and-carry.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. The gentleman has pointed out some alleged inconsistencies upon the part of the President in what he said and in what he has done. As I understand the gentleman, he says that with the full knowledge that the lease-lend bill was economic warfare, he voted for it. Is that correct?

Mr. MICHENER. I did not vote for the lend-lease bill.

Mr. CASEY of Massachusetts. The gentleman did not vote for the lease-lend bill?

Mr. MICHENER. I did not. I did everything I could to prevent the passage of the lease-lend bill, because I was thoroughly convinced in my own mind that those things were going to happen which are today happening.

Mr. DITTER. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Pennsylvania.

Mr. DITTER. The gentleman, of course, knows that the proponents of the lease-lend bill very definitely assured the House and attempted to assure the country that it was a peace measure?

Mr. MICHENER. There is no doubt about that. Those gentlemen either did not study the bill carefully or they were too anxious to go along with the administration in anything the administration asked for.

Mr. DWORSHAK. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Idaho.

Mr. DWORSHAK. The gentleman has just expressed complete confidence in the ability of Mr. Stettinius to act as Director of the Priorities Section. Has the gentleman any assurance that Harry Hopkins will not soon assume that responsible position?

Mr. MICHENER. No, No, No, That is the trouble. I have not the confidence I ought to have in the frankness of some of our public officials today, and, as I have ofttimes said, honesty, forthrightness, frankness, and candor are still virtues, even in those in high places.

Mr. RICH. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Pennsylvania.

Mr. RICH. This bill, H. R. 4534, grants extensive powers to the President of the

United States. Have any similar powers ever been given to any President of the United States at any time in any war?

Mr. MICHENER. Similar powers, but none so all inclusive. This bill goes further than any previous law. I think I speak by the card when I say that this bill gives more authority over industry than was ever given a Chief Executive of the United States before. The industrial mobilization plan, which has been in ccurse of preparation since the last war but which has not been advocated openly, was contemplated and worked out largely by the Army and Navy, but it has never been presented to Congress. I think the gentleman from New York [Mr. WADSWORTH] is very familiar with that fact. You will find that these powers were contemplated in that plan.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from New York.

Mr. MARCANTONIO. I am certain that no one who favored or opposed the lend-lease bill ever contended that the lend-lease bill gave the President or anyone else the power to commit the manpower of this country to Great Britain; yet last night the Secretary of the Navy, Mr. Knox, stated that this country stands committed to Great Britain as far as the manpower of the United States is concerned. In that connection, I think it is high time that the President stop these warlike statements which are not compatible with responsible government on the part of the Secretary of the Navy and on the part of "Light Horse Harry" Stimson.

Mr. MICHENER. A lot of water has gone under the bridge since the lend-lease bill was enacted. When that bill was enacted the die was cast, and I am just wondering how our good colleagues who stood on the floor here and assured the country, assured the Congress, and assured those who would vote for that bill that that bill would not lead in the direction of war, can justify their position now.

Mr. O'CONNOR. I would like to have the gentleman or any Member of the House give us information as to who or what officer of the Government or of the people of the country, authorized to speak for Government or the country, ever committed this Government or any part of it to furnish manpower to conduct this war in Europe in line with what Mr. Knox said last night. I would like to find out who made such commitment on the part of the American people to send our boys to be slaughtered over in Europe.

Mr. MICHENER. I know of no such commitment, but my memory goes back to the debate on the conscription bill. That was called a training bill. Much stress was laid upon the fact that the boys were to be drafted for 1 year's military training. The health of the boys, the discipline, and the cooperation were spectacularized. They were to be the strong, robust citizens of the future. But that bill provided that they were to serve not less than 12 consecutive months and as much longer as the Congress might feel they were needed.

I was one of those who wanted to eliminate from that bill the word "service" and make it a training bill. I conferred with the author of the bill and others. Under a training bill you could not send these men beyond the limits of the United States. Under this service bill a man is first inducted, then he is infiltrated into one of the Regular Army units. He is in service. He goes where the Commander in Chief of the Army has the right to send him. No one will contend that the Commander in Chief of the Army and the Navy does not have the right to send our Navy anywhere on the seven seas to protect American interests; at least, it has always been that way until the neutrality law.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentleman knows, of course, that under the Selective Service Act the young man receives 12 months' training and 4 years' service, and then is in the Reserve for 5 more years.

Mr. MICHENER. Yes, there is no question about that, but these boys now in the service are not going to be home in a year. They are Reserves after the year, under the law, but they are going to be gone more than a year. The Congress is going to require them to stay more than a year. The National Guard is going to stay more than a year. If present indications mean anything, we will possibly have a war of from 4 to 10 years' duration.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Iowa.

Mr. JENSEN. Is it not a fact that when the farmer has hay down he does not fire his help, and is it not also a fact that the warmongers of this country have a lot of hay down right now?

Mr. MICHENER. The gentleman is right as usual. I am not using the term "warmongers." I am trying to talk in a temperate manner. The time for emotionalism is gone. We are now confronted with the gray dawn, and it is a cold dawn, of the morning after a few weeks of the lend-lease bill.

When we passed the lend-lease bill we determined upon a course that will be very difficult to abandon. In other words, the old ship of state is going up this 9-foot cement highway. It is straight. The President is at the steering wheel. Secretaries Stimson, Knox, and Hull are in the car with him. We can see only the top of the hill. We cannot see what is beyond. Is the road too narrow, so that ship of state cannot be turned around? I am sure the President has no reverse on the machine. If it cannot be turned around, where are we landing? That is what is bothering the American people who accepted the lend-lease bill as a peace measure.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Washington.

Mr. MAGNUSON. I may say to the gentleman that I am somewhat in a quandary in my own mind about some of the things of which the gentleman speaks, but I want to know if the gentleman is clear on this one point, and I think it will help clear up a lot of things. Does the gentleman believe that it was morally right for the European war machine to invade Norway, for instance?

Mr. MICHENER. No. I do not care to discuss the European situation further, other than to say that I am unalterably opposed to Hitlerism and everything it stands for. I have no use for any of the things this madman Hitler has been doing. I said when the matter was up for debate, and I have not changed my mind, that they have been having these fights over there for 2,000 years. Their conditions are different from ours. Whether this country should embark upon a policy of making the entire world better and making every country in the world conform to our ideas as to the type of government it should have is one thing. But those things are all back of us. It is now a matter of national defense. We are where we are. We confront a condition and not a theory. Idealism must yield to stern reality.

Mr. MAGNUSON. What, then, is our duty, if we have any?

Mr. MICHENER. There is a difference of opinion. If I were to take the opinion of the majority of the American people and answer the gentlemen, it would be this: That we should keep out of any foreign war so far as sending our soldiers beyond the limits of the Western Hemisphere is concerned.

Mr. O'BRIEN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I must yield to my friend from Detroit.

Mr. O'BRIEN of Michigan. I observe that the gentleman and also the Republican minority leader voted for the conference report on the lend-lease bill, now the Lend-Lease Act. I wonder if the gentleman has changed his position in regard to the Lend-Lease Act.

Mr. MICHENER. No; I have not changed my position at all. I voted for the Senate amendments. When that bill came back from the Senate, the conference report was either going to be accepted or we were going to have the bill in the form that it left the House. Along with the gentleman I voted against the bill in the House. The Senate amendments made the bill less dangerous for the American people. I voted against the lend-lease bill but I voted for the Senate amendments. I am sorry that the gentleman did not understand the parliamentary situation and do likewise. I am sorry that he acted under a misapprehension of the facts. I am sorry that he opposed those Senate amendments which his constituents wanted in the bill if the bill was to become a law.

Mr. O'BRIEN of Michigan. Will the gentleman answer me this categorically: Did not the gentleman vote for the lend-lease bill as amended in the Senate?

Mr. MICHENER. No. I voted for the Senate amendments to the lend-lease bill. The gentleman can fuss around all he wants to about technicalities, but if he will study the parliamentary situation he will find that everything I have

said as far as that matter is concerned is justified by the facts. [Applause.]

Mr. SABATH. Mr. Speaker, there are few men in the House for whom I have as great respect or in whom I have such great confidence as I have for the gentleman from Michigan [Mr. MICHENER], a valuable member of the Committee on Rules. Usually the gentleman does not make violent statements or statements that he cannot justify, but a little while ago he stated positively that if the President had enough votes or believed he had enough votes in the House he would immediately ask for authority to convoy, and, possibly, ask for a declaration of war. I am satisfied the gentleman has no authority and no evidence on which to base any such statement. Personally, I am of the opinion that if the President should make any recommendations he would have, as he has had before, sufficient votes to effect any of his recommendations. He has had this support in the past, and he will continue to have it.

Not only this, but I believe there are only a handful on this side of the House who do not agree with his policy; and, moreover, I believe that a majority of the Republicans will go along with him.

I know that the President desires to keep his promises and pledges to the American people, and no publicist or propagandist will sway him from his high purpose to keep us out of war.

I repeat it as my honest conviction that what we are doing now and what we have been doing has been with the object of keeping us out of war and giving Great Britain all possible aid, so that she may cope with the situation brought about by this madman, as the gentleman from Michigan so aptly identified him, and prevent his declared aims of only a few weeks ago to control the world. We know what Hitler is doing in South America. We know what he and his agents are doing in our own country by way of trying to undermine the patriotic views and beliefs of the American people and inject poison into and create prejudice in our national life. We must be on our guard. This is our duty. Any aid that we may give Great Britain and others is really in the interest of our own country.

Mr. Speaker, personally I feel that our country is indeed fortunate that President Roosevelt was persuaded to stand for reelection and was reelected. Had Mr. Willkie been elected, judging from his preelection and later statements, I am satisfied that our country now would be in the war. It is only due to the strong determination on the part of President Roosevelt to keep us out of war that the influence of those who realized more than others the danger to our institutions has not prevailed in actually embroiling us in the conflict. I know that the President is against convoying and is against war; but he does feel that the aid we are sending to Great Britain and China should not find a resting place at the bottom of the seas.

It is unfortunate that there are in this country many people with good eyesight and yet they fail to see what is transpiring throughout the world. They refuse to take notice that the same tactics employed by Hitler in Austria, Czechoslovakia, Danzig, Poland, Norway, the Low Countries, even in France and England, and lately in Yugoslavia, are being used in this country. In this country, also, many well-meaning men are being used for the self-same purpose and to the same end as have the so-called leaders in the countries which I have named. If these honest and well-meaning men in the United States would heed the import of the last Hitler speech, in which he proclaimed unequivocally that he can positively defeat the world, meaning thereby that he intends to control the world, and if he succeeded in defeating Great Britain, the full force of realization should come to them that we will be the only democratic free nation left to oppose his lust plan to control the world. Consequently, I feel, as I have stated before, that we must of necessity do anything and everything to aid Great Britain. On the other hand, there are many well-meaning persons—and I do not mean bankers—who, in their earnest desire to help the cause of Great Britain, feel that we should declare war. In this connection I cannot help reading into the RECORD a letter which I just received today from a very loyal and patriotic lady in Chicago, Mrs. Anita McCormick Blaine, which letter I strongly urge persons with pacifist leanings to read. It says:

MAY 5, 1941.

MY DEAR MR. SABATH: On the question of the relation of the United States to the war now in the world I have been feeling the impact of opinions expressed in our country so variously from the extreme points of the isolationists to the recently formed Committee to Fight for Freedom. I feel thankful that each can freely express his thought with no let or hindrance.

I have not seen clearly what our ultimate course should be. The all-aid to Britain has been so sure as to be almost satisfying.

I feel horror in the facts of war. I feel greater horror that war can still be the process for decisions between men.

Out of the welter of facts and of thoughts there now comes to me clearly the conviction that the United States should now declare war against what is being done and attempted by the forces of aggression in the world.

This to array the United States in the struggle on the side where the United States belongs; and to add the full force of the United States to help those free peoples who are now holding the line of freedom.

There are two fundamental principles at issue today. One is freedom; or prevention of the domination of men by men. The other is truth; or the prevention of the triumph of falsehood.

These two principles constitute the foundation on which human society can be built. Their loss would undermine the possibility of the continuation and construction of the human society we have seen and worked for.

In the efforts of the aggressors many units of free society have been undermined. They are proceeding to carry on their process as far as possible on the earth.

We are the heirs of these qualities: Initiative, independence, determination, courage. Our institutions are the outgrowth of these qualities.

We are the heirs of these objectives: Freedom for all; opportunity for all; education for all; protection for all.

These qualities and these objectives are being attacked.

It is not the land we live on; it is the life we live on it that matters. This life and the similar life of others is being attacked. We are being attacked.

We are an able people. We can accomplish great things. When we put our hands to a plow we do not turn back. We should now take our full responsibility.

For the instantaneous, beneficial effect for the world, in this course, I would rather risk the present effects of our former delays than the future effect of longer waiting for our complete action.

It has become clear to me that we should wait no longer but should declare war at once against those countries who have followed their rulers in the subjugation of free countries by force; and against those rulers who have betrayed the world by their falsehoods.

And that it should be stated that it is against the extension of these practices that we are declaring war.

And that it should be understood with the other democracies that in the arrangements after the war the United States has a part.

I put this conviction which has come to me before everyone freely for whatever it may mean to each one and for such action in our Nation, for our Nation, and for the world as may be the judgment of the majority of our people.

In the high purpose of defending freedom and truth on this earth, and in the faith that light will be given for the steps to take, we should now declare war on those who are attacking our principles and let come what must.

In the wealth of our heritage of principle may our contribution in this generation be worthy of our great past.

I am faithfully yours,

ANITA MCCORMICK BLAINE.

HON. ADOLPH J. SABATH,
The House of Representatives,
Washington, D. C.

Mr. Speaker, I feel that Mrs. Blaine has stated the case against the aggressor nations; but I do not go so far as she does in advocating a declaration of war; nonetheless we should, I think, at this time render all-out aid to Great Britain.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 4534, with Mr. THOM in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I want to express my deep appreciation to the distinguished gentleman from Michigan [Mr. MICHENER] for the explanation that he made in his time of the objective and purpose of the bill.

This bill is here at the request of Mr. Knudsen, Mr. Hillman, and Mr. Stettinius, and also at the request of the Navy Department. I shall, in the time I occupy, try to explain the bill so that every one of you may thoroughly understand it.

I am frank to admit that this is a very important bill, very far reaching, and under the hands and jurisdiction of a board that was not of the high type and character of the Priority Board, could cause industry a great deal of trouble in this country, but, fortunately, the President has selected, in my judgment, one of the most outstanding men in America, Mr. Stettinius, to head this Board, and I may say that there might have been some hesitancy on the part of the committee if this Board had not been headed by such a distinguished man as Mr. Stettinius.

In order to avoid such a situation, a system of priorities has become necessary to assist in the production and acquisition of defense material for the armed forces, and to assure that the defense program was dovetailed into the problem of civilian economy. Fundamentally, a priorities system is simply a method of putting first things first—a technique for making sure that the finished weapon and the many parts thereof are produced promptly, on schedule, and without delay. The Seventy-sixth Congress, therefore, in section 2 (a) of the act approved June 28, 1940, Public, No. 671, granted to the President mandatory power to assign priorities to Army and Navy contracts over deliveries under contracts for private account or export.

That bill is known as the speed-up bill, reported from the Naval Affairs Committee, and that section 2 provides in part:

> All naval contracts or orders and all Army contracts or orders shall, in the discretion of the President, take priority over all deliveries for private accounts or for export.

That is the section of the bill to which we are adding these additional provisions set forth in H. R. 4534.

On January 7 of this year the President by Executive Order No. 8629 created the Office of Production Management and delegated thereto his authority under Public, No. 671, of the Seventy-sixth Congress to establish these priorities. In the same Executive order he provided for the establishment of a Division of Priorities, in charge of a director. Since that time the Division of Priorities, under its Director, Mr. E. R. Stettinius, Jr., and working in close collaboration with the Army and Navy Munitions Board, has been administering a priorities system for the prompt delivery of defense material and other material important to the defense program.

Gentlemen will bear in mind that from January 7 down to date this Board has been trying to do by Executive orders and regulate the priorities by Executive order when it is far preferable in this country to do things by law instead of by Executive order. Therefore we are coming in here and by statute clothing the O. P. M. with the authority the Priority Board desires to have to administer the priorities. I hope that it is possible that this House will enact statutory provisions wherever it can possibly do so in lieu of Executive order.

The Executive order delegating to O. P. M. the authority to establish mandatory priorities sets forth in considerable detail the duties of that office in respect to the priorities system. But it is important for us to note, however, that already the urgent need is felt for clear and positive statutory provisions to enable O. P. M. to adequately fulfill its important contribution to the defense program. The necessary administrative machinery cannot be left to Executive order alone.

The purpose of this bill is to amend section 2 (a) so as to clothe the Office of Production Management, and particularly the Priorities Division thereof, with the needed statutory authority.

As previously indicated, the only mandatory power for the establishment of contract priorities is derived from section 2 (a) and that power extends only to Army and Navy contracts.

As you are all well aware, the supply of defense materials to Great Britain and other foreign countries is a matter of national policy. The contracts for these materials are a part of our defense program. Yet they are clearly not covered by existing mandatory priority provisions. Heretofore priority, or preference ratings, as they are often called, for this class of contracts have of necessity been issued merely upon a basis of voluntary cooperation on the part of the manufacturer. Such a basis is admittedly inadequate and subparagraph (A) on page 2 of the bill will put the contracts of any country whose defense the President deems vital to the defense of the United States under the terms of the Lease Lend Act upon the same footing as Army and Navy contracts.

Let us see what subsections (A) and (B) do:

> (A) Contracts or orders for the government of any country whose defense the President deems vital to the defense of the United States under the terms of the act of March 11, 1941, entitled "An act to promote the defense of the United States."
>
> (B) Contracts or orders which the President shall deem necessary or appropriate to promote the defense of the United States.

So, if it had not been for the lease-lend bill, had it not been for that policy that Congress has adopted, it would not be necessary for this aid to be inserted in the bill. That is merely carrying out the mandate of the American people expressed through Congress by the enactment of the lease-lend bill.

Next, there are the contracts vital to the defense program which are placed by Government agencies other than the War and Navy Departments, such as the Coast Guard, Geodetic Survey, Maritime Commission, Panama Canal, and so forth. Heretofore, in order to prevent many such vital contracts being postponed to the entire military and naval program it has been necessary to again seek voluntary consent to the preference ratings.

Likewise, there is a large class of domestic contracts which, though essential to national defense, are neither military nor naval, nor even Government; for example, contracts for equipment for the expansion of production facilities of critical materials such as aluminum, magnesium, tin, and so forth; or for additional power-producing facilities. That these should be left to priorities established only upon a voluntary basis is most certainly a dangerous procedure.

Still another class of contracts, priorities for which can only be established on a voluntary basis, are those for civilian needs; as, for example, a contract for replacement machinery in the water system of a large city which is an important defense center. Such a contract could not be said to be connected with defense in any sense, and yet a delay in obtaining such machinery from already overloaded industries, because of lack of authority to establish a priority, might be very disastrous.

Further, it may be of the utmost importance for the protection of our Western Hemisphere defense to see to it that contracts for vital requirements of our Latin American neighbors are filled in instances of special importance.

It is impossible to predict in advance the exact classes of contracts which it may be essential to fulfill. But we do know that as a result of the impact of the defense program, it may be difficult or impossible to fulfill any particular contract without a preference rating.

At the present time none of the foregoing classes of important contracts can be given preference ratings which are effective, except insofar as the manufacturer is willing to comply. It is necessary that this situation be remedied by giving authority to establish priorities for any contract, when it is found necessary or appropriate to promote our defense. Subparagraph (B) on page 2 of the bill will accomplish this purpose.

In addition to the objectionable features in this voluntary status of priorities, which I have just pointed out, there is another angle to these voluntary priorities which, in all fairness, should be corrected. The manufacturer who complies with a voluntary priority rating assigned to one of these other defense contracts, may find himsef with a damage suit on his hands. Many private customers may not be willing to accept postponement of deliveries under contracts which were placed with the manufacturer before the rated contract. If the manufacturer can obtain the consent of the private customer to having deliveries put off, all well and good—but there is no assurance that he can. And, furthermore, much valuable time may be lost while the manufacturer is appealing to the patriotism of his private customers.

Every manufacturer who takes a Government contract and accepts voluntarily a preference rating on it may be putting his head on the chopping block. He cannot be sure, for the ax may not fall until 6 years hence, at the expiration of the period of the statute of limitations. It becomes apparent, therefore, that the present situation, in which reliance is now placed on the voluntary preference ratings, must be corrected without delay. Correction is offered in this bill, in subparagraphs (A) and (B), which would grant authority to establish mandatory

priorities with respect to all of these other contracts, so important to the defense program.

Subparagraph (C) of the bill has a dual purpose regarding subcontracts or suborders. First of all, it will clarify section 2 (a). That section authorizes priority ratings on contracts of the armed services. It does not make clear that it covers any but the prime contract for naval and military items. It appears obvious that similar importance attaches to deliveries of the great variety of materials, which enter into the manufacture of those furnished articles and which must be acquired through the medium of subcontracts or suborders. That authority should be made clear by statute.

Further, this subparagraph is required to authorize the establishment of priorities with respect to the subcontracts or suborders which are necessary to all the other important defense prime contracts covered by section 2 (a) and by this bill. In short, establishing priorities as to prime contracts, without following this up with priorities as to the subcontracts necessary to their fulfillment, would be completely ineffective. We would be attempting to prosecute the defense program by half-measures.

In order to establish a complete, workable priorities system, another step is necessary. Section 2 (a) permits contracts of the Army or Navy to be placed ahead of contracts for private account or for export. Subparagraphs (A) and (B) of this bill would authorize the same priorities on contracts for foreign countries whose defense is deemed vital, and on all other contracts when necessary or appropriate to the promotion of the defense program. But section 2 (a) does not permit priorities to put one Government contract ahead of another. We must provide for fitting together the three general classes of priorities, so that between them it is also possible to put first things first. This will be accomplished by the sentence set forth in lines 14 to 16 on page 2 of the bill.

Coming to the next sentence of the bill, a priorities system, in its broadest aspects, must contain safeguards against acute shortages of essential materials arising. An effective safeguard will provide for taking steps to conserve the supply of such materials before the shortages become acute.

Under the broadest interpretation of section 2 (a) the best that can be done now is to exercise industry-wide control over supplies of materials and products in which acute shortages have occurred. That is not sufficient.

As the set-up is today the Priority Board can only deal with it after this shortage has occurred. Therefore in this bill, by making surveys of the industry and making it mandatory and obligatory on the part of the industry, the Priority Board can be apprised of the shortage in any material, such as aluminum, tin, zinc, copper, and so forth, and can therefore allocate them throughout the industry.

Furthermore, the mere mention of an acute shortage implies that during a national emergency civilian needs must suffer at the expense of defense needs. But this does not mean that civilian needs are to be disregarded. It is very important, therefore, that authority exist for allocating from available supplies, first, to fill vital defense requirements, and secondly, to civilian needs in the order of their importance.

As I have said before, we must assure that the defense program is geared into civilian economy, so that their various needs receive the consideration which is due them, and so that items of private luxury are not allowed to get out of hand to the detriment of our national security and well-being.

The sentence beginning on line 16 and ending on line 22, page 2 of the bill, if enacted into law, will furnish this important contribution to our national-defense structure.

Intelligent and effective operation of this complete priorities system demands full information of such matters as supplies and requirements of materials, productive capacities, inventories, and uses. This information can be obtained only from industry.

It is idle to say that full information can be had on a voluntary basis. Experience has taught the Priorities Board that a supply of information, necessary to the administration of statutes, must be mandatory. So the next sentence of the bill, beginning on line 23, has been included. It will give a statutory right to get the information needed to operate the priorities system.

I have heretofore explained the dangers inherent to manufacturers in the acceptance of voluntary preference ratings on Government contracts. In all fairness to them there is also need for protection with respect to mandatory ratings. In this situation the manufacturer knows when he accepts a Government order that he may be required to postpone deliveries under orders from private customers which he has already negotiated, or he may even have to abrogate the private contract.

There is some legal doubt whether, under such circumstances, he could, in certain jurisdictions, plead impossibility of performance as an answer to suit on the private contract. It might well be argued that he accepted his Government contract, well knowing that it invclved a default on his private contracts, and that he, not the Government, caused the default.

To save harmless the manufacturer, by giving him clear statutory protection, is the purpose of the sentence beginning on line 2 of page 3.

The last provision of the bill will authorize the President to delegate his authority thereunder to the appropriate department or agency for its administration.

It is the committee's contention that H. R. 4534 should be enacted into law, in order that clear statutory authority will exist to deal adequately with all the complex problems of preparing an all-out defense for this country of living up to our policy of serving as the arsenal for democracy, and of doing all this with intelligent consideration for civilian economy.

Mr. Chairman, I think that covers fully all phases of the bill. If there are any questions that any member of the committee desires to ask, I should be glad to endeavor to answer them.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mrs. BOLTON. If I understood the gentleman correctly, he said that under the terms of the bill it is possible that real harm might be done in this respect.

Mr. VINSON of Georgia. I am frank to say this bill is far-reaching, because, as pointed out by the gentleman from Michigan [Mr. MICHENER] under the administration of someone who is reckless a great deal of harm could be done. We must rely upon proper administration of this by the proper officials. As long as we have Mr. Stettinius at the head of it I am willing to grant to him this far-reaching power.

Mrs. BOLTON. What certainty have we that he will remain at the head of it?

Mr. VINSON of Georgia. I am hoping that the President is so impressed with the great work he is doing that he would hesitate to remove him. Of course, we have no guaranty that Mr. Stettinius is going to be there.

Mrs. BOLTON. The committee, then, would expect us to back a man——

Mr. VINSON of Georgia. A man like Mr. Stettinius.

Mrs. BOLTON. And make a law on that principle when we pass a bill here in the House?

Mr. VINSON of Georgia. Every bill is based upon that. As far as the Congress is concerned, a Congress with bad men in it could almost wreck the country.

Mrs. BOLTON. Perhaps it is.

Mr. VINSON of Georgia. So it is with reference to every board where human ingenuity is involved. Of course, you have to rely upon the men who administer it. That is true of the courts. You could ruin the country with bad men as judges.

Mrs. BOLTON. But we never have passed a bill on that principle.

Mr. VINSON of Georgia. We are not passing this bill entirely on that principle. The main principle of this bill is to organize industry and coordinate it in its proper part to the national-defense program.

Mrs. BOLTON. And it is most necessary?

Mr. VINSON of Georgia. Yes. I think we have to trust somebody. We are fortunate in having a board of this type and to be able to place the administration of this bill in the hands of such a board.

Mrs. BOLTON. Though we have no assurance that it will stay there.

Mr. VINSON of Georgia. Not a bit, any more than we have that people will send you and me back and not send somebody who might wreck what we are trying to do.

Mrs. BOLTON. I thank the gentleman.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes; I yield.

Mr. DEWEY. May I ask the gentleman if the advice and consent of the Senate is required in the appointment of the

coordinator or chairman who is to wield these powers?

Mr. VINSON of Georgia. No; it is not.

Mr. DEWEY. Would it be advisable, as we are doubtful as to who will be there in perpetuity?

Mr. VINSON of Georgia. Of course, it is not in perpetuity. This act is only for 2 years. This act expires on June 30, 1942.

Mr. DEWEY. But during that period a great deal of damage might be done.

Mr. VINSON of Georgia. But you see the bill is merely amending section 2 of the act which provides that "whenever the President of the United States finds it to be in the interest of national defense," and so forth, he may authorize to negotiate contracts, and so forth. In that act we conferred upon the President priority over domestic account and exports. Then the President on January 7 created a Priority Board in the O. P. M. We are merely backing up that Board that the President has created. We are not creating any new board at all by this act. We are merely adding some additional priorities in the act that I have referred to. But, as I pointed out, the President did establish priorities by Executive order. Now, we are coming along and trying to clothe by statute the same authority in that Priority Board.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. TREADWAY. One thought occurs to me in listening to the very excellent description which the gentleman has given of the measure. I understood him to say that the contractor was practically putting his head on the chopping block.

Mr. VINSON of Georgia. Yes. Now, this is very important.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. VINSON of Georgia. I yield myself 5 additional minutes, Mr. Chairman.

Suppose a contractor today has a contract from you and at the same time has a Government contract, and the Government, through its Priority Board, says to him, "You must fill our Government contract." Therefore the contractor has obligated himself to deliver your goods on a certain date. You might say to him, "Why, you did not perform your contract and therefore I have suffered damages."

By making it mandatory and by passing a law dealing with that we relieve the manufacturer of that uncertainty and of that liability.

Mr. TREADWAY. In other words, are you not taking his head off of the chopping block by relieving him of his liability under his contract?

Mr. VINSON of Georgia. But when he follows the voluntary system today he is putting his head on the chopping block.

Mr. TREADWAY. Then by making it mandatory to fulfill the Government contract you are relieving him?

Mr. VINSON of Georgia. We relieve him of any legal obligation because the Government by this law has made it impossible for him to fill his contract for you.

Mr. TREADWAY. One more idea: Suppose there is a marked difference in the price at which the contractor is offering goods to the private individual and the price under the Government contract, he would then lose, would he not?

Mr. VINSON of Georgia. Well, that is not involved in this question.

Mr. TREADWAY. I think the explanation the gentleman has given of the chopping block is that the contractor is relieved?

Mr. VINSON of Georgia. Why, certainly. This bill is in the interest of every contractor who is trying to do what the Priority Board wants done.

Mr. COLE of New York. On that same subject, the very fact that the contractor may be relieved from any damages on waiver of his liability contemplates that somebody must have suffered some damage some place because of the exercise of this priority.

Mr. VINSON of Georgia. That is right.

Mr. COLE of New York. Why should we think this law is necessary in the interest of national defense? Why should we expect any private businessman who may have entered into a contract which was affected by some priority order and through that order he suffered a damage, why should we expect a private concern, firm, corporation, or establishment to bear the entire burden of the damage?

Mr. VINSON of Georgia. On the principle that everything must stand aside for the national-defense program. The individual must make sacrifices, everybody must make sacrifices.

Mr. COLE of New York. Has any consideration at all been given to the question of the Government's bearing the expense of any damage?

Mr. VINSON of Georgia. No, not at all. We would not be justified in doing that, because then nobody would have made any sacrifice.

Mr. COLE of New York. If damage has resulted from an order issued in the interest of national defense, it would seem to me that the Nation itself should bear the damage.

Mr. VINSON of Georgia. I do not agree with the gentleman at all. I feel that everything must give way for the national defense, and if the goods of a private customer cannot be delivered because priority must be given to the national defense, then it is just one of those things where the rights of the Government must come ahead of those of the individual.

Mr. HALLECK. At any rate it is definite that there is no contemplation of reimbursement.

Mr. VINSON of Georgia. Not a bit.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. HALLECK. If performance of a contract is excused by passage of this legislation, does not that involve the taking of a valuable right from an individual even as the taking of property for an Army camp involves the taking of a valuable property right?

Mr. VINSON of Georgia. That question of whether he had been deprived of some right might arise, but one of the purposes is for industry to understand that if they take a Government contract and have a private contract, and if they must postpone that private contract, the private individual has not any grounds for bringing suit against the manufacturer because the Government has stepped in and made it impossible for him to fulfill his contract.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, how much more time have I?

The CHAIRMAN. The gentleman from Georgia has consumed 30 minutes.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman from Minnesota yield me 2 minutes?

Mr. MAAS. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia.

Mr. HALLECK. Does not the gentleman think that if under the provisions of this legislation we take a valuable right from an individual, even though it is for the purpose of national defense, we ought to follow the practice that has been uniformly established, as I understand it, of compensating the individual who has been adversely affected?

Mr. VINSON of Georgia. Let me explain it this way: It has all been done voluntarily so far. If a manufacturer gets two contracts, one from the Government and one from a private contractor, and the Priorities Board says to him that it is necessary for him to get out the Government work first, he might not be able to fulfill his contract with the private individual. We are removing the voluntary feature and making it obligatory, mandatory on the manufacturer to fulfill, if the Priorities Board thinks it should be filled first, the Government contract before he touches the private contract. Under certain phases, as the gentleman suggests, I can see where a private individual might possibly bring suit against the manufacturer on the ground that he had suffered damages; but I am not trying to adjudicate such a question; I am only trying to make it compulsory on the part of the manufacturer to deliver the Government's orders when the Priorities Board says they have preference.

Mr. HALLECK. Has the gentleman given any thought to the constitutional inhibition against the impairment of a contract?

Mr. VINSON of Georgia. No.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. HOFFMAN. As I gather the purpose of this bill, it is to compel industry to perform its contracts for national defense.

Mr. VINSON of Georgia. Without getting into any litigation.

Mr. HOFFMAN. How can they perform—the gentleman gets the rest of it?

Mr. VINSON of Georgia. Yes; I get the rest of it.

Mr. HOFFMAN. How can an industrialist perform when, as Mr. Green said before the Judiciary Committee yesterday or day before, you cannot compel a man to work in a factory?

Mr. VINSON of Georgia. That is true, you cannot compel a man to work anywhere, but just as soon as the House passes the so-called Vinson labor bill the

condition will pick up far better for the defense program.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill is essential to carry through the defense program. It is true that there is a Priorities Board at present, which is endeavoring to allocate the various raw materials and partially finished products in a system of priorities to assure orderly defense production. However, there is great limitation on what can be done with the limited authority that does exist by law, and most of it is being done by Executive order. While it is true that virtually all of the things that are sought in this bill are in effect being done today, it would be far wiser to do this by law. I think the essence of a democracy is to rule by law and not by Executive order. The things that must be done in the Priorities Board are absolutely essential if our defense program is to be carried out, so it must be done either by Executive order with the consent of those involved or by law. On the basis of the proposed law, everyone will know exactly the situation. It is unfair to expect some concerns to comply voluntarily with priorities requests and other concerns who may be competitors refuse to do so, thereby putting the patriotic concern in a most disadvantageous position.

This bill assures that all will be treated alike; and, of course, it is essential that we absolve concerns from liability under private contracts by reason of their compliance with the priority orders. I see nothing controversial in the bill. The priority law that exists today relates only to Army and Navy orders, yet, that, of course, does not begin to meet the problem. It must be extended to all industry and to the lease-lend program, as that is now a definite part of our national policy.

Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, I was rather alarmed when the very distinguished chairman of the Committee on Naval Affairs said, in substance, that there would have been some hesitancy on the part of the Committee on Naval Affairs to report this bill out had Mr. Stettinius not been in charge of the program. I believe we all have a great deal of faith and confidence in the ability of Mr. Stettinius, but I believe the statement of the gentleman lends all the more weight to the argument which is being used today that if the United States goes to war, by that act we destroy the American form of government.

Some years ago we were asked to give consideration to what has been commonly referred to as the I. M. P. program—the industrial mobilization program—which was advocated, I understand, by the War and Navy Departments, and which was so far-reaching that we would not even consider the proposal because we knew that if that plan was enacted into law it would mean the end of the American form of government. I am not so sure but that we are being asked to adopt piecemeal the industrial mobilization plan.

Last year, you recall, we had a bill before us which authorized loans of $500,000,000 to the South American republics. At that time it was found necessary or expedient to acquire some excess stocks of strategic materials—rubber, manganese, nickel, tin, and so forth—and so we added to that bill a provision that the Reconstruction Finance Corporation would have the authority to set up subsidiary corporations to acquire and hold these strategic materials.

There has been set up under that plan the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Company, and the Rubber Reserve Company, all of which today, in addition to the powers contained in their charters to purchase and hold strategic and critical materials, are exercising the right to administer a program of priorities to independent business.

We are going to be asked within the next week to broaden the powers of these corporations in language which this House repudiated last year when these corporations were set up. The bill is known as H. R. 4620, reported out of the Committee on Banking and Currency yesterday. It provides that, in addition to the powers already granted to these corporations, they shall have such powers as may be necessary in order to expedite the defense program, including, but not limited to, the powers contained in the act by which they were created. In other words, the sky is the limit.

Let us develop, therefore, the whole picture of which this bill is one very important part. We set up corporations to acquire and hold excess stocks of strategic materials. They have assumed the power to deal these strategic materials out to industry as they see fit. This bill is the third very important phase of a program which, if it is maladministered, and it may be as maladministered as are several other agencies in this country, can create a Fascist state in America by the socialization of American industry. I think we have given very superficial consideration to this program. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I believe that the Congress is confronted with the most serious condition of affairs that has ever confronted this Nation. We have men in appointive positions who assume the power to make commitments on behalf of the American people to foreign governments—men who have never had the intestinal fortitude to go before the American people for the election to any position. Who is this man Knox, who is making the commitment to Great Britain that we must furnish her our boys to do her fighting in violation of every pledge to our people? Who ever gave him the authority to make such a monstrous statement?

I call your attention to something else, and I hope you will remember his words. They appear in the testimony offered before the Subcommittee on Appropriations of the House when the hearings were being held on the $7,000,000,000 bill. Get his words. Mr. Knox is on the witness stand:

Mr. DITTER. Now, I should like to ask a question of the Secretary of the Navy: Mr. Knox, is it anticipated at this time that the Coast Guard is to be transferred from the Treasury Department to the Navy?

Pay attention to the reply:

Secretary KNOX. Not at this time; no, sir.

Mr. DITTER. In other words, nothing has been done toward that end?

Secretary KNOX. No, sir; except that we have the plans all ready, in case of war—

In case of war that transfer will be made. That is his testimony.

He goes on—

whereby the Coast Guard will become a part of the Navy.

Now what do they do?

I hold in my hand a copy of the Baltimore Sun, and from it I read this article:

WASHINGTON, May 7.—Exercising once again its prerogative in time of emergency, the Navy today announced the taking over from the Treasury of the seagoing craft of the United States Coast Guard.

The action, approved by the President, makes available to the Navy 34 large cutters, 7 of which may be regarded as potential combat vessels, and a variety of small craft capable of performing highly useful naval service.

Mr. Chairman, that was to be done only in case of war, according to him when he was asking for the $7,000,000,000. Has the Secretary of the Navy, Mr. Knox, whom the American people do not know except a few of them know him as a newspaperman in Chicago and a Cabinet officer, the power to put this country into war? Now he considers that he and Mr. Stimson have put us in the war and that we are in the war and therefore he makes the transfer. I am not objecting to the transfer, but I am objecting to this man attempting to speak with such authority. If I can read the Constitution, the power to declare war rests with Congress only? We have that power. It is being usurped, and we are letting him get away with it. That is the danger with which we are confronted today. Men without legal authority but assuming authority are committing this Government to a policy that means the slaughter of the flower of our young men of this country.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What is this Congress doing about it?

Mr. O'CONNOR. That is what I want to know, What we are doing about it? We are taking it lying down.

Mr. HOFFMAN. The gentleman belongs over on the majority side.

Mr. O'CONNOR. There is no politics in this. I do not know who authorized him to speak, but we are letting an appointed officer try to commit 130,000,000 American people to a policy to which none of us has subscribed.

I do not think there was a single man running for Congress in a debatable district or for that matter, from the President down, who did not try to assure the American people that he would keep your boys out of Europe and out of foreign wars. I recall distinctly the statements of Mr. Willkie and Mr. Roosevelt, the President of the United States, then a candidate for reelection, although I may say that so far as Mr. Willkie is concerned, his words did not amount to much then, they do not amount to anything now as he admits they were campaign oratory, but Mr. Roosevelt was trying to assure the American people that if he was elected the boys would not be sent to Europe. But here Mr. Knox comes out with the statement this morning that we are committed to send our manpower to Europe. That is what is going on. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the membership of the House knows of course, that there is a tax proposal before the Ways and Means Committee which, if the rates are embodied in legislation and enacted by the House, as submitted, the measure will raise $3,500,000,000.

The theory upon which the tax is being imposed is that it must take from the people a sufficient amount of revenue to prevent them from purchasing consumer goods—just think of that—so their spending money may be diverted from the things that they may want into national-defense channels. The theory of that, of course, is to prevent inflation, and to some extent perhaps it will, but although the same theory was pursued in England it failed to prevent an inflation of prices. I have not the time to go into that now, but it is sufficient to say that under controls and taxation the prices soared in Great Britain in spite of the theory of having the government take over the spending power of the people in order to prevent inflation.

Now, there is not any question as to where we are being taken at the present time. I am not relying on information that is coming from our own Government sources. There is so much subterfuge and fraud in the information that is being passed out to the people that, of course, their thoughts are confused and they still think that all of these steps may be taken without our getting into war, but there is one source of authentic information which any Member can examine and know the truth. If you will read the more conservative publications of Great Britain, you will understand exactly where we are going and when the final step will be taken and exactly what the American people are expected to do and will have to do and that, of course, includes the manpower of the United States. I have had photostatic copies made of pages from the London Economist, in which they state that we will be nonbelligerent in 1941, belligerent in 1942, with the full armed power of this continent engaged in the war. I put this in the RECORD, as I recall it, once before.

As we are going down this path to bloody war, this foreign war, of course, priorities are essential, but priorities can be greatly abused. Why are we in this situation? Why have we a shortage of essential war materials that requires this drastic legislation in regard to priorities? The President tells us that he saw this thing coming for a long time. He tells us that and, of course, if he saw it coming for a long time, I wonder why we were shipping these essential war materials to the Axis Powers. We have sent enough of our scrap iron and our copper to enable Japan to equip a large fleet of battleships and planes. We were able, as I gave the figures once upon the floor here, to send our copper and our supplies to that great democracy, Russia, pouring them in there to help defeat some of the countries like Finland, Norway, and other countries. The figures showed that many of the essential war materials that we exported were finding their way directly into Germany. It was only shortly after that famous speech about being stabbed in the back that shipments were stopped to Italy.

So we have been pouring these essential war materials into these countries, but, of course, now we face a situation where we have to have priorities, and if they are not applied with great care we are going to close down the small industries that are the economic power and strength of this country. We are going to eliminate pay rolls upon which the very life of our communities depend, and we are going to have unemployment and relief problems following in the wake of the present preparation for our full entrance into the war. I regret I have not the time to develop this matter further. [Applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the balance of the time to the gentleman from Michigan [Mr. BLACKNEY].

Mr. BLACKNEY. Mr. Chairman, the Committee on Naval Affairs, of which I have the honor to be a member, unanimously reported H. R. 4534, which the House is considering today. This bill amends section 2 (a) of Public, 671, of the act approved June 28, 1940, and further extends the power to establish priorities and allocate material.

You will recall that on January 7, 1941, the Office of Production Management was created by Executive orders. The Office of Production Management, referred to as the O. P. M., provides for three divisions: A Division of Production, a Division of Purchases, and a Division of Priorities. This bill, under consideration today, expands the priority power previously given to that division. The only mandatory power for the establishing of priorities is derived from the following clause in section 2 (a) of Public, 671, Seventy-sixth Congress, third session, in which the Director of Priorities is authorized to exercise—

deliveries of material under all orders placed pursuant to the authority of this section and all other naval contracts or orders and all Army contracts or orders shall, in the discretion of the President, take priority over all deliveries for private account or for export.

The Director of Priorities was advised by counsel that the foregoing statutory provision permits the granting of mandatory priorities only with respect to the deliveries of the end products—airplanes, tanks, guns, ammunitions, and so forth—ordered directly by the Army or Navy and the material, parts, and accessories which enter into the manufacture of such end products, under contract of the Army and Navy. This statutory provision was inadequate to cover the urgency of the present needs of the defense program and left out many important contracts and orders essential to the defense program.

E. R. Stettinius, Director of Priorities, Office of Production Management, pointed out four situations that the existing statute did not cover:

First. Contracts of the British Empire and other foreign governments under the lend-lease bill.

Second. Contracts for the expansion of production of scarce essential material and products.

Third. Contracts of other agencies of the Government, such as the Coast Guard, Maritime Commission, Panama Canal, and so forth.

Fourth. Other contracts of indirect importance to national defense.

It is well to remember also that the foregoing statutory provisions permit priorities to be granted under contracts "for private account or for export" but does not permit the establishment of preferences over other Government contracts.

The report and hearings accompanying H. R. 4534 also point out this necessity:

When shortages occur and are imminent as a result of the impact of the defense program, it is necessary to take steps to conserve the existing supply for defense purposes and to direct the distribution of such materials so that defense needs may be met, and where there is an insufficient surplus to meet all civilian needs, it is further necessary to direct such surpluses into those uses which are most important to maintain the economy of the country and to eliminate the uses which are least important.

Counsel for the Director of Priorities pointed out that this authorization was not given in the existing statute and, therefore, the necessity of the pending bill.

I am in favor of the passage of H. R. 4534 as a further aid in expediting the national defense. The power to establish priorities and allocate material will be one of the strongest steps that we can take toward the perfection of our own national defense. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act approved June 28, 1940 (Public, No. 671, 76th Cong.), as amended, is amended by inserting "(1)" after "Sec. 2. (a)" and by adding at the end of subsection (a) thereof the following:

"(2) Deliveries of material to which priority may be assigned pursuant to paragraph (1) shall include, in addition to deliveries of material under contracts or orders of the Army or Navy, deliveries of material under—

"(A) contracts or orders for the Government of any country whose defense the Pres-

ident deems vital to the defense of the United States under the terms of the act of March 11, 1941, entitled 'An act to promote the defense of the United States';

"(B) contracts or orders which the President shall deem necessary or appropriate to promote the defense of the United States; and

"(C) subcontracts or suborders which the President shall deem necessary or appropriate to the fulfillment of any contract or order as specified in this section.

Deliveries under any contract or order specified in this section may be assigned priority over deliveries under any other contract or order. Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material for defense or for private account or for export, the President may allocate such material in such manner and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense. The President shall be entitled to obtain such information from, require such reports by, and make such inspection of the premises of, any person, firm, or corporation as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section. No person, firm, or corporation shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from his compliance with any rule, regulation, or order issued under this section. The President may exercise any power, authority, or discretion conferred on him by this section, through such department, agency, or officer of the Government as he may direct and in conformity with any rules and regulations which he may prescribe."

Mr. VINSON of Georgia. Mr. Chairman, I present the following amendment, proposed by my colleague, Mr. Cox, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. Cox: Page 3, strike out "The President" in line 6, and strike out lines 7 to 10, inclusive, and insert:

"(3) The President may exercise any power, authority, or discretion conferred on him by this section through a Director of Priorities (in this paragraph called the 'Director'), whom he is authorized to appoint by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,000 per annum, and is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out his powers under this section. The Director shall exercise his powers under paragraphs (1) and (2) of this section with the assistance of industry committees, which he is hereby directed to establish and utilize, and upon the basis of information furnished to him by such industry committees and upon the basis of such other information as he deems pertinent. Such powers shall be exercised by the Director only after prior approval of such exercise by the Joint Army and Navy Munitions Board."

Mr. VINSON of Georgia. Mr. Chairman, the amendment which I just sent to the desk is an amendment offered by my colleague the gentleman from Georgia [Mr. Cox]. At the time I offered it he happened to be out of the Chamber. I ask now that the gentleman from Georgia [Mr. Cox] be recognized in support of his amendment.

Mr. COX. Mr. Chairman, this amendment follows the arguments and suggestions that will be found in the Baruch report of the War Industries Board of the last war. The main purpose of the amendment is to give industry an opportunity to be heard. These committees provided for have no official status other than that to be accorded representatives of industry occupying an advisory position. The further purpose of the amendment is to translate into statute the Executive order relating to this Board now headed by Mr. Stettinius. A further purpose is an attempt to freeze Mr. Stettinius into the organization, to guard against an urge or effort to make it possible to move him out and substitute some other in his stead. Gentlemen debating the rule preceding the consideration of the bill had much to say with regard to Mr. Stettinius. I believe the whole country has great confidence in him and I believe that industry and others would like to see him kept where he now is. This amendment would tend to accommodate that situation which many of us think is a need.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. MARCANTONIO. In other words, the gentleman's amendment in the long run would bring about a situation where the successor to Mr. Stettinius would have to be confirmed by the Senate.

Mr. COX. The amendment carries that provision, but I am not so much interested in that as I am in broadening the provisions of the bill and strengthening it if possible, because I regard this as one of the wisest steps which Congress has as yet been urged to take. We ought to know, and we do know, I am sure, not only as a result of our general information but as a result of the lesson taught by the last war, that the mobilization of industry is quite as important as is the mobilization of men. The purpose of the bill in this case is to make possible an easy mobilization of industry, and I wish it were possible that the bill might be accepted without a dissenting vote. The amendment that I propose is supported by the Baruch report and gives industry the same opportunity to submit suggestions and to offer advice as was carried on in the War Industries Board of the last war. I hope the chairman of the committee in charge of the pending bill may find the amendment acceptable to him.

Mr. VINSON of Georgia. Mr. Chairman, my colleague gave me the privilege of examining his amendment before he offered it. I want to state frankly and candidly that I think the amendment should be adopted because it strengthens the bill.

Now, let us understand what we are doing. We are amending section 2 of the speed-up bill, conferring certain additional authority on the President. To carry that out the President set up what is known as the Priority Board, through the Office of Production Management, by Executive order, on January 7. The Office of Production Management is broken down into three classes, the Division of Production, the Division of Purchases, and the Division of Priorities. Everything that the Office of Production Management does about it has only the authority of an Executive order. There is no statutory authority whatsoever for the activities of the Office of Production Management and the Division of Priorities. The amendment offered by my colleague from Georgia, Mr. Cox, breathes statutory life into the Office of Production Management. Why should it not do so? As one Member of Congress, I want to pass laws to govern the American people instead of governing them through Executive orders. [Applause.] For that very reason I reported a bill the other day from the Committee on Naval Affairs seeking to carry out by statute what the Mediation Board is trying to do. We are here—we are here to legislate. That is what we are paid for. When we have an opportunity to do so, let us go ahead and do it.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. TABER. How long would the tenure be?

Mr. VINSON of Georgia. Two years. It is fixed in the bill. The other thought in the bill is that it makes it mandatory that whoever heads this Priority Division shall be confirmed by the Senate. Why should not the man who almost holds the life and death of industry in this country be confirmed by the Senate?

In addition to that, we create by this amendment a legislative division known as the Division of Priorities, and instead of having a man at $1 a year, we pay him like he should be paid, a salary commensurate with the responsibility.

Another thing: I am getting sick and tired of so many dollar-a-year men coming down here. [Applause.] The Government is able to pay them. Let the Government pay them.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MARCANTONIO. Certainly the gentleman does not feel that the dollar-a-year men are losing anything on the deal?

Mr. VINSON of Georgia. Well, I hope they are. I want to put them where they will not be criticized by such innuendoes as the gentleman from New York [Mr. MARCANTONIO] just made.

I trust this amendment will be adopted, because it establishes legally a Priority Division instead of by Executive order. It creates an office at $12,000 a year and the appointment must be confirmed by the Senate. Then you place some responsibility through the Congress on the Priority Division instead of by Executive order. [Applause.]

Mr. MAAS. Mr. Chairman, I move to strike out the last two words.

I simply want to say I thoroughly endorse everything the distinguished chairman of the Committee on Naval Affairs [Mr. VINSON] has said. I certainly hope this amendment will be adopted. This office is going to wield vast power and it should be a legislatively created office, controlled by the Congress and subject to confirmation by the Senate.

I strongly bespeak for the adoption of the amendment.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Georgia [Mr. Cox].

There being no objection, the Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. Cox].

The amendment was agreed to.

Mr. RICH. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, when we adopt this bill we just take one more step in giving power to the Chief Executive to conduct the affairs of Government and one more step to war.

When I view the legislation that has been put on the books in the past 2 or 3 months—the Conscription Act, the lease-lend bill, the $7,000,000,000 to aid Great Britain, the ship seizure bill that we passed yesterday, and now this bill, I wonder just where we are going and where we are headed for. I think surely to war. I wonder if the Congress knows where it is leading this Nation. Thank goodness, I voted against all of them.

We criticized Italy for going into Ethiopia because she did not declare war. We criticized Germany for going into Poland, to Belgium, to Holland, and a number of other countries because she did not declare war on them. We criticized Japan when she went into China and fought the Chinese for several years because she did not declare war. Now, what are we doing? Do you know? You are doing the same thing. The American people do not want war. I have been doing everything I can to keep us from getting into war, and I propose to do that very thing as long as I can honorably, or until Congress votes war. But when I criticize Congress for not declaring war after it has passed the laws that have been passed in the last few months—I said the other day when commenting on what you are doing, "Why not declare war and be done with it?" I received a postal card from Michigan with a 10-cent special-delivery stamp and a 6-cent air-mail stamp. This is what it says:

"Why not declare war and be done with it?" interrupted Representative ROBERT RICH (Republican, Pennsylvania).

Have you men lost your minds—do you expect people to respect you when you are speaking of human lives to say, "Why not declare war and be done with it?" Shame on you! It's easily seen you won't have to go. How would you like to have your head blown off in war? Stop crying now; I didn't mean to scare you.

A. V. MARSHALL,
Otsego, Mich.

The news representative from Michigan who put that in the paper wanted to deceive the public. He wanted to make them believe I was for war when I have fought it in every way I could, and I have voted against all these bills and I am against all of them now and this one we are discussing today.

Why would the newspapers in Michigan try to deceive in this manner? They know the public does not want war. They know I do not want war. They ought to be ashamed of themselves. I say this administration will be responsible if we get in war and no one else.

I never pay much attention to letters or cards that are not from my district, but I cannot pass over this attempt on the part of some newspaper to deceive, even going to the extent of wanting to make the public believe that the Members who are against war are asking for it. The only comment I can make is that there is a mighty deceptive press out in Michigan.

Whom are you going to believe here pretty soon? What are you going to do about it? Are you going to try to make the country and the world believe we are a peaceful nation? I do not think we are according to what you do. I am just as afraid as can be that you are going to get into this war. The President has said that convoys mean shooting and shooting means war. If we start convoys, as the Secretary of the Navy the other night implied we should, and they start to shoot at our vessels and some of them go down you will try to arouse the American people to the point of believing that some enemy went out of his way to shoot at American vessels. We passed a neutrality law and told the President and told the world we would not enter the war danger zone, but the President is tampering with that act and now he is going to send ships into this danger zone. When they get there they are liable to be sunk and with it this Nation may be sunk. God forbid that this Nation get into war.

We went to Europe in 1918 to make the world safe for democracy but we find out now it was a miserable failure, and you are getting ready to try it again. Will not you learn to stay at home and attend to your own business? When you meddle in other people's business you get into trouble. We have no business to try to police the world. I am 10 times more afraid of "fifth columnists" in America than I am in Hitler ever coming to America. Let us be for national defense and not for aggressive warfare.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, there are no further amendments, and the bill has been read. I ask that the Committee rise, under the rule.

The CHAIRMAN. Without objection, the pro forma amendments will be withdrawn.

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, pursuant to House Resolution 189, he reported the same back to the House with an amendment.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count.

Mr. RICH. Mr. Speaker, I just want the Members to know I am opposed to the bill. I will withdraw my objection because of promises that have been made here.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. BEAM].

MEMORIAL DAY, 1941

Mr. BEAM. Mr. Speaker, I submit the following resolution, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 201

Resolved, That on Wednesday, the 18th day of June 1941, immediately after the approval of the Journal, the House shall stand at recess for the purpose of holding the memorial services as arranged by the Committee on Memorials, under the provisions of clause 40–A of rule XI. The order of exercises and proceedings of the service shall be printed in the CONGRESSIONAL RECORD, and all Members shall have leave to extend their remarks in the CONGRESSIONAL RECORD until the last issue of the RECORD of the first session of the Seventy-seventh Congress on the life, character, and public service of the deceased Members. At the conclusion of the proceedings the Speaker shall call the House to order, and then, as a further mark of respect to the memories of the deceased, he shall declare the House adjourned; and be it further

Resolved, That the necessary expenses connected with the memorial services herein authorized shall be paid out of the contingent fund of the House upon vouchers signed by the chairman of the Committee on Memorials and approved by the Committee on Accounts.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article concerning the development of the St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to read a letter I have received from one of my constituents.

The SPEAKER. The Chair cannot recognize the gentleman to consume time unless those who have other special orders agree that he may.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BASEBALLS TO THE HOUSE PAGES

Mr. KRAMER. Mr. Speaker, this is a letter from the W. J. Voit Rubber Corporation, of Los Angeles, Calif.

MAY 5, 1941.

The Honorable CHARLES KRAMER, M. C.,
New House Office Building,
Washington, D. C.

MY DEAR CHARLIE: Your letter of May 1 has just been received, and we appreciate the opportunity to be of some assistance to the House pages with their baseball program.

Accordingly, we are sending to your attention, via parcel post, special handling, a dozen Voit baseballs, with the hope they will prolong the charm of the House over the Senate.

Cordially yours,
W. J. VOIT RUBBER CORPORATION,
W. J. VOIT, *President.*

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, can the majority leader tell us what the legislative program for next week will be?

Mr. McCORMACK. Monday will be District day.

Tuesday we expect to take up the Interior bill, under the 5-minute rule.

Wednesday the Calendar of Committees will be called.

Thursday we expect to take up the legislative appropriation bill.

Mr. MARTIN of Massachusetts. Does the gentleman expect to conclude the Interior bill on Tuesday?

Mr. McCORMACK. I am not so sure that we can.

Mr. MARTIN of Massachusetts. Then it would probably be taken up again on Wednesday, following the call of the calendar.

Mr. McCORMACK. We will have to make some disposition. We will start on Tuesday, and I am in hopes that we can make some arrangements on Wednesday when that will be the first order of business for Wednesday, and if we get through quickly, to continue with Calendar Wednesday business.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, in view of the strike just called in Detroit in another defense industry, can the gentleman tell us when we will have the Vinson bill up for consideration?

Mr. McCORMACK. I am unable to state at the present time.

Mr. HOFFMAN. Has the gentleman any idea how many strikes we will have to have before that bill will be brought up?

Mr. McCORMACK. Of course, the gentleman has made an inquiry of me and now the gentleman makes an observation.

Mr. HOFFMAN. No; this is an inquiry.

Mr. McCORMACK. The gentleman from Massachusetts does not recognize it as an inquiry, especially in view of the state of the gentleman's mind.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and returning to the program for next week, we will have a call of the committees on Wednesday. What committee will have the call?

Mr. McCORMACK. The Banking and Currency Committee.

Mr. MARTIN of Massachusetts. Will that committee proceed?

Mr. McCORMACK. Frankly, I am unable to state now, but I am giving this notice, and I am glad the gentleman from Massachusetts [Mr. MARTIN] makes the inquiry so that the chairmen of the various committees will have plenty of notice as to the intention to call the calendar on Wednesday next. Between now and then I will try to obtain the information and advise the gentleman and also advise the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech recently made by Assistant Secretary of the Treasury Gray.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of business on the Speaker's table and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. VORYS]?

There was no objection.

Mr. JONES. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program in order for the day and after any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JONES]?

There was no objection.

EXTENSION OF REMARKS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short editorial from a Dallas newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. POAGE]?

There was no objection.

The SPEAKER. Under a previous special order of the House, the gentleman from Virginia [Mr. SATTERFIELD] is recognized for 10 minutes.

CONVOYS

Mr. SATTERFIELD. Mr. Speaker, I have prayerfully considered what I am about to say on the floor of this House. We have come now to the ultimate issue of the war raging overseas. We cannot stand in the middle of the road all summer engaging in halfway measures. Our foreign policy to date has been faithfully following after events, never ahead. The result is that we have reached the point now where any decision we make involves war risks. Standing between this country and the raw forces of destruction in Europe is the British Navy and the British people. If England is defeated, no longer may we rely upon that Nation as a buckler and a shield. There is no sentimentality in that statement. The effect of that statement is to bare an ugly fact, the fact that ultimately the American people will admit its truth in a rush to do for their own protection what they should have done months before. It may be then too late. I have watched one surrender after another—Spain, Manchuria, Ethiopia, Czechoslovakia. The fate of France and the smaller democracies of Europe induced by indecision merits the epitaph, "Too late."

I am for the use of our Navy and air force in convoying and making sure that the supplies, munitions of war, and food get through to the British.

I favor convoys, because I implicitly believe in the statement of Secretary Cordell Hull, who said:

> It Hitler wins the battle of the Atlantic, this ocean will become a broad highway for the swastika.

I am for convoys, because I do believe that with this assistance we can continue the protection which the existence of a British Navy will provide until we have had an opportunity to get further along in our own naval program.

I favor convoys, because, in my judgment, to fail to employ them now might result in the defeat of Great Britain, the loss of the British Navy, with the result that while we might be able to boast that our Navy was still intact we could not escape the serious consequences brought about by the fact that Hitler's Europe would have at its disposal all the navies and shipbuilding facilities of the Continent, plus that of the British Isles, and we would be hopelessly outclassed.

I favor convoys, because already our Latin American friends are showing signs of uneasiness, and we would be threatened with a break-up of the pan-American bloc.

I favor convoys for the further reason that I believe Japan is watchfully waiting the development of Hitler's power, and once the Japanese are convinced of his omnipotence in all of Europe it will be the signal for Japan to become a very active ally of the Axis.

I favor convoys, because I believe that America is being encircled today. The process of encirclement is now taking place in the case of Turkey. It is taking place in the case of Russia. As matters now stand, the American hemisphere is at this moment surrounded by Axis Powers.

I favor convoys, for the reason that so far Adolf Hitler has succeeded in victimizing all who stand about like helpless sheep; each of his victims thus far has thought of their national defense only in a negative way. It is high time that Americans engage in affirmative action, the only course of conduct that becomes an American.

I further favor convoys for the reason that history is primarily the record of courageous men. History is not what men wait for. It is what they do.

I favor convoys for the reason that the wisdom of acting affirmatively, quickly, and preventively rather than wait to face the power of the Nazis entrenched on every front is fully justified.

I favor convoys for the reason that just a few days ago the Japanese published a peace offer purporting to set forth the kind of world that the generosity of Germany and Japan would permit the United States to live in.

There is ample excuse and explanation for the slowness with which democracies move, but there is no reasonable excuse for our inability as a great nation to formulate now a definite, affirmative foreign policy. We have followed events long enough. This great decision now before the American people, sad to relate, is befogged by personal animosities and political partisanship. Every vote taken on the floor of this House relating to this war and touching the course of conduct that we as a nation should pursue has nearly every time resulted in a division marked by the center aisle. If ever this country needed leadership in every State, town, and hamlet it is today. I well know the import and the fearful responsibility which the statement I am making entails. Those of us here in Washington, fully conversant with the dangers of the present situation, must speak out now. In these cloakrooms, on the street corners, in clubrooms wherever Americans meet it is rare to find a person who does not sincerely suggest the use of convoys if without that assistance British defeat is imminent. We face that possibility now, and the time has come for a definite and courageous decision. Sinkings of ships leaving ports of this country for England thus far this year have not been so numerous. Sinkings of empty bottoms headed this way for cargoes have however been heavy. I favor convoys as a preventative of sinkings and as an earnest on our part that we fully intend to see that supplies reach England. This spring and summer Germany will launch her greatest attack of the war. It will be unrestricted submarine warfare in the Atlantic. Shall we wait for that, and follow events once again?

I favor convoys to be employed now, not tomorrow nor the day after tomorrow. Of course, there is an alternative—if we fail to convoy we must begin to dig in here, and who knows but perhaps to become prisoners within our own fortress. One thing is certain, digging in here when Britain is no more will neither preserve our peace nor our prosperity. We can no longer afford to stand another hour vacillating, wondering, doubting the future.

The SPEAKER pro tempore (Mr. HOUSTON). Under a previous order of the House, the gentleman from Michigan [Mr. CRAWFORD] is recognized for 25 minutes.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to insert as a part of my remarks a very brief excerpt from the decision of the Supreme Court in the Sugar Institute case, a statement made by Secretary Hull, consisting of one paragraph, a statement made by the President of the United States, consisting of a paragraph, and a statement made by Dr. Joshua Bernhardt, chief of the sugar section of the Department of Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WHY DO SEACOAST REFINERS WANT TO DESTROY CONTINENTAL BEET-SUGAR INDUSTRY?

Mr. CRAWFORD. Mr. Speaker, several days ago the gentleman from New York, Hon. JAMES M. FITZPATRICK, introduced into the RECORD a letter from the Honorable Fiorello LaGuardia, mayor of the city of New York, on the subject of sugar quotas. An important feature of his letter is the development of the proposition that any new legislation, including any change in the present law pertaining to the importation and distribution of sugar, must be careful not to increase the amount of sugar permitted growers of sugar beets in continental United States, but, on the other hand, to encourage, if possible, the amount of raw sugar imported from Latin American areas to be refined by the sugar-refining industry located in the New York area.

Several days previously there was a luncheon meeting of the New York Board of Trade at which several prominent citizens made set speeches which were given wide publicity. All of them pleaded the cause of the seaboard cane refiners as against the farmers of the United States who produce sugar.

The LaGuardia letter will be found at page A1767 of the Appendix of the CONGRESSIONAL RECORD, and attached is an excerpt from the New York Journal of Commerce on the meeting.

The mayor's letter and similar statements I have seen convince me that the seaboard cane refiners are trying to gain public confidence by using prominent people as a front and screen through which they attack our domestic-sugar industry. In military language they may be said to be building up a smoke screen in order to cover up their own vulnerable position. It is not impossible that they have developed the technique of using well-known public names for publicity purposes and as mouthpieces for their propaganda, hoping that sugar-beet growers may be led to attack these prominent people instead of opposing and attacking the record of these seaboard cane refiners. Thus I have the well-founded suspicion that the cane refiners are appearing in sheep's clothing, but, in trade parlance, they are just the same old wolves.

Before I discuss the LaGuardia letter, let me suggest to the gentleman from New York [Mr. FITZPATRICK] that he ask the honorable mayor of New York whether he is informed about what such eminent authorities as the United States Supreme Court, the Secretary of State, and the President of the United States have said about the seaboard refiners, whose cause he pleads, and which I now submit.

COURT DECISION

In 1932 suit was instituted by the Government against cane refiners under the Sherman Act, seeking dissolution of the Sugar Institute on the ground that the organization was monopolistic and was operating in restraint of trade. The case was brought in the United States District Court for the Southern District of New York and decision handed down on March 7, 1934. The court found the primary motive to be not merely the elimination of vicious and unfair competitive practices within the industry, but in reality an attempt to create and maintain a uniform price level. On appeal by the institute, the United States Supreme Court sustained the lower court, holding that—

> The defendant's dominant purposes in organizing the institute were: To create and maintain a uniform-price structure, thereby eliminating and suppressing price competition among themselves and other competitors; to maintain relatively high prices for refined, as compared with contemporary prices of raw sugar; to improve their own financial position by limiting and suppressing numerous contract terms and conditions; and to make as certain as possible that no secret concessions should be granted. In their efforts to accomplish these purposes, defendants have ignored the interests of distributors and consumers of sugar.

This decision rendered illegal many of the institute's former activities. This fact, together with the unfavorable publicity resulting from the adverse decision, caused the institute voluntarily to be dissolved in 1936. In its place there was organized the United States Cane Sugar Refiners' Association, which still functions as the legislative representative of the industry. In addition the association also gathers statistical material and acts as a publicity agency.

STATEMENTS OF PRESIDENT AND SECRETARY HULL

In a letter dated August 7, 1937, addressed to Hon. PAT HARRISON, United States Senate, the Secretary of State, Hon. Cordell Hull, said:

> It is believed to be against the public interests for the Government to grant any further measure of protection to a group whose record repeatedly indicates it would resort to monopolistic practices and conspire to restrain trade in violation of the antitrust law. Only a little over a year ago the United States Supreme Court upheld a lower court ruling and found the Sugar Institute guilty on 40 separate counts of engaging in a combination and conspiracy to restrain trade in sugar.

The President, in his letter of April 11, 1940, to the chairman of the House Agricultural Committee, Hon. Marvin Jones, points out as being entirely unjustified and un-American. He said:

> Such a course of action, as I have pointed out on a previous occasion, would be tantamount to an imperialistic classification of citizens and a tyrannical abuse of minority rights that is utterly contrary to the American concept of fairness and democracy. Among the cases in point is the proposal to reinstate the former discrimination against the refining of sugar in the insular parts of the United States.

REFINERS HEAVILY SUBSIDIZED

According to the testimony of Dr. Joshua Bernhardt, chief of the sugar section, before the Committee on Finance, United States Senate, Seventy-fifth Congress, first session, on H. R. 7667, page 171, when the 1937 Sugar Act

was being considered, continental refiners received a subsidy which averaged $36,934,980 annually for the 3 years, 1934 to 1936, inclusive. On this basis, the refiners have received a total subsidy in the 7 years under the Sugar Act equivalent to $221,000,000, while the total refund payments made to all Puerto Rico raw sugar producers were only $32,831,227.

Moreover, the census of manufactures shows continental refiners employed in 1937 only 14,024 employees. Thus, they received a subsidy of about $2,300 for each person employed as against an annual average wage of about $1,005, according to the 1937 Census of Manufactures. Thus, to claim or insinuate that the 17 continental refiners have not received a subsidy under the tariff is simply sidestepping the facts.

Not only do the Eastern Seaboard refiners enjoy a full measure of subsidies, but the quota system also protects them in: first, the extraordinary form of an embargo upon shipments of refined sugar to the United States, in excess of a stated quantity, from the principal competing foreign country which is limited under present legislation to a quota for direct-consumption sugars of 22 percent of its raw sugar quota; second, in the protection the refiners enjoy against importations of direct-consumption sugars from the Philippines under the provisions of the Philippine Independence Act; and, third, in their protection, by quotas, against increased importation of liquid sugars which in some areas and in some industries have tended to replace ordinary commercial refiners' sugar.

REFINERS EMPLOY VERY LITTLE LABOR

It is generally known that the refining of sugar is one of the most completely mechanized industries of which there is any record. In 1937, as stated, the total number of employees engaged in refining raw cane sugar on the continent was 14,024. Thus, the labor employed amounts to an average of less than 1,000 persons for each of the 17 refiners in the United States, of which only 5 are located in the metropolitan area of New York City.

Getting back to the LaGuardia letter, at one moment the mayor seems to be pleading for an ample supply of sugar at low prices for the consumers of New York City; at another he appears to be putting in a word for the good-neighbor policy being developed by the United States and Latin American countries; but, when he gets down to the final word, it appears that he has assumed the role of political sponsor for the sugar refining industry and comes out flatly opposed to the welfare of agriculture and opposed to an increase in the production of sugar in continental United States. He calls attention to a recommendation of the mayor's business advisory committee which included among other points the following conclusion:

> As a practical matter, this will mean placing the city in opposition to the further expansion of the beet sugar quotas * * * for it is the protection granted to the beet producers that is mainly responsible for the high price of sugar in New York City and elsewhere in the United States, compared with the world price.

It is not outside the realm of probability that the honorable mayor may not have prepared the letter in question. Indeed, a careful reading of his communication leaves the impression that it is merely a piece of propaganda prepared for his signature by those engaged in the refining industry whose only desire is for unlimited quantities of raw sugar from the Tropics as against the production of beet sugar within the United States, and whose concern is not primarily with the price to American consumers.

The basic problem of refiners is neither to make the tropical producers prosperous by paying them high prices for raw sugar, nor to protect American consumers by supplying sugar at low prices, but rather to secure a large volume of raw sugar in order to keep their factories operating on a basis that will allow satisfactory profits for their stockholders. This is not a statement of criticism of the refining industry which is merely pursuing recognized business methods. It is intended very definitely to call attention to the true fact which is, that beet sugar production in the United States has increased to the point where it is now offering real competition in the American sugar market. This leads us to a frank examination of some of the more important economic problems involved:

First. During the first 3 months of 1941 (January 2 to April 3) market quotations for duty-paid raw sugar advanced from 2.9 cents to 3.4 cents, an increase of 0.5 cent, in the New York market, as reported by the Willett & Gray Weekly Statistical Sugar Trade Journal. These market quotations are net cash without discount. Without getting into unnecessary details let me stress the fact that the corresponding price for refined sugar (wholesale f. o. b. factory) advanced approximately the same amount. This means that the price of sugar has gone up half a cent a pound. The actual increase to the ultimate consumer at retail stores may have been a little more or a little less, depending upon any number of temporary or local circumstances.

The increase in market quotations for raw sugar during the first 3 months of 1941 had nothing whatever to do with production of beet sugar in continental United States; and the increase in price of refined beet or cane sugar resulting, likewise was due to a situation entirely outside of our country. The Lamborn Sugar Market Report under date of January 21 refers to advancing freight rates on merchant vessels engaged in the transportation of raw sugar from distant areas to the United States. Again on February 18 reference is made to "increasing costs of ocean freight" with special reference to the Philippines. Again, on March 11 reference is made to the "increasing cost of ocean tonnage." Again, under date of March 25 reference is made to the ocean tonnage situation with the statement that there is no indication of improvement. Many other illustrations might be cited to indicate that the price increase during recent months has been due entirely to the foreign war situation.

In other words, American consumers are again finding themselves victims of a dependence upon foreign sources for an important food material. Any propaganda by interested refiner groups intended to throw the blame on important branches of American agriculture is just literally unfair or unjust. and that is one of the reasons why this explanation needs to be made. Fortunately American consumers are not as completely dependent upon foreign sources as they were at the outbreak of the first great World War in 1914. At that time production of sugar in continental United States had barely reached 1,000,000 tons annually and duty-free sugar from Hawaii, Puerto Rico, and the Philippine Islands amounted to about another 1,000,000 tons. At that time imports amounted to about 2,500,000 tons, or more than total production under American control. Fortunately during the last 2 or 3 years production of sugar in continental United States has been more than doubled what it was back in 1914; likewise the amount brought in from duty-free insular areas—Hawaii, Puerto Rico, and the Philippine Islands—has averaged about 2,700,000 tons. The total available under direct American control has thus averaged about 5,000,000 tons. On the other hand, foreign imports during recent years has averaged less than 2,000,000 tons. Thus, while ocean freights engaged in the transportation of offshore sugar are responsible for the present price advance, at least it may be said that the people of the United States are now assured a very large supply of sugar from sources entirely within our own control. Imports of sugar during the last 5 years—1935 to 1939—have been only about half of what they were 10 years earlier—1925 to 1929.

Second. Sugar prices in the United States have fallen fully 50 percent since the post World War period 20 years ago. During the last 10 years average retail price of granulated sugar to American consumers has only slightly exceeded 5 cents per pound, compared with 10 cents or more per pound when we were largely dependent upon foreign raw sugar 15 or 20 years ago. Not only have sugar prices come down to lower levels than those common in the United States before the great World War—1910 to 1914—but sugar prices in the United States are substantially relatively lower than prices of all other food products. During the years before the World War—1910 to 1914—the retail price of sugar averaged 6 cents per pound. Now during the last 5 years the average has been approximately 5 cents per pound. From this it must be apparent that sugar-beet producers in the United States and sugarcane producers in the insular areas have expanded to the point where they not only provide a very large portion of domestic requirements but they have literally brought the price down substantially, not only from the post-war level of 10 to 20 cents per pound but even below pre-war prices and below food prices in general.

Third. The mayor concluded his letter, or the letter signed by him, to the effect that it is the protection granted to the beet producers that is mainly responsible for the high price of sugar in New York City, and elsewhere in the United States, compared with the world price.

The truth of the situation is that the retail price of sugar to consumers in the United States is lower than in any other

important country in the whole world. And, what is more, the people of the United States consume as much or more sugar per capita than the people of any other important country in the world. In fact, most of the people in most countries consume less than half as much per capita as do we in the United States, while in most parts of the world the retail price of sugar to consumers is at least double the price now paid in this country. Much as all fair-thinking persons may wish for all industry to prosper, including the sugar-refining industry, let us not pin a recent advance of half a cent a pound on American farmers while pretending to protect American consumers and promote good relations with the people in Latin American countries.

Fourth. The mayor takes occasion to make reference to the tariff policy of the United States and apparently wishes to leave the impression that the present tariff on foreign sugar has reached unbearably high levels and that this is responsible for advancing sugar prices. It is well enough, therefore, to call attention to the fact that the present tariff on foreign sugar is at the lowest level during the last 20 years. It will not be denied that the relatively high rates of duty imposed between 1921 and 1930 stimulated expansion in sugar production in continental United States and the insular areas. But this in turn resulted in a steady expansion, increased supplies, and lowered prices to American consumers. And, as already noted, the present rate of duty is the lowest in 20 years, due to a series of tariff adjustments during the last decade. What the people of this country want is for American agriculture to have an opportunity to use our natural resources and to give employment to labor at the same time that consumers in this country are given bountiful supplies of important food products at low prices.

Recently the Department of Agriculture announced a desire to stimulate domestic production of a series of important food products—meat products, dairy products, and poultry products—and indicated an intention to stimulate the production of some other items, such as fruits and vegetables. Rumor had it that domestic producers of sugarcane in the Gulf States and of sugar beets in the Great Lakes region and the Western, Mountain, and Pacific States would be given an equal opportunity to slightly expand production. Indeed, the statement was made that an order had already been prepared removing acreage restrictions and granting an opportunity to expand in a small way. Now, however, the public is advised that the administration has decided not to carry through this program. In other words, strict limitations are to be continued during this year.

Again, recently it was found that the Philippine Islands were not in position to supply the entire quota originally allotted to that area. A reallotment of a deficit of 73,232 short tons was announced. But instead of allotting this additional amount to domestic producers of sugarcane and sugar beets, the administration a few days ago announced that this had largely been allotted to Haiti and the Dominican Republic, Mexico, Peru, Nicaragua, Salvador, Honduras, and some other miscellaneous foreign areas.

From these illustrations it is apparent that the Government takes the view that consumers must be made to pay higher prices for foreign sugar and that domestic producers must not be permitted to further increase production even though much land lies idle and farmers are ready and willing and anxious to expand and to supply the American market more completely.

Fifth. Finally, the question is raised as to what all this means to American consumers. The letter from the mayor says—

> Although the protection at present granted the domestic producers is costing the consumers of New York City about $15,000,000 a year, I realize it would be too much to expect legislation increasing the volume of sugar refining at the port of New York.

The refiners did not tell the mayor that the price of sugar has been reduced during the last 20 years roughly from 20 cents per pound to 5 cents per pound due to the policy of encouraging the production of sugar in continental United States and the insular areas. Since the good people of New York consume about 100 pounds of sugar per capita per annum, it would seem that a reduction of 5 cents per pound would represent a saving of $5 per person comparing recent years with the postwar years. Assuming no more than 6,000,000 people in the central city of New York, a saving of $5 per capita would represent a net saving of $30,000,000 per annum to these good people because of the development of sugar under American control. This is a saving of $30,000,000 per annum rather than an added cost of $15,000,000 per annum referred to in the mayor's letter.

Other comparisons might very well be made. While costs of all food and indeed of all commodities of every kind are now fully 25 percent higher than during the years before the last World War (1910–14) it is significant, as already noted, that the price of refined sugar is at least 1 cent per pound lower. Thus, the good people of the city are saving millions of dollars annually whether comparison be made with sugar prices back 25 years ago or sugar prices during the decade following the World War.

I think it is appropriate for me to recommend to the gentleman from New York [Mr. FITZPATRICK] that he secure a copy of the CONGRESSIONAL RECORD of May 29, 1939, beginning at page 8874, in which I went into great detail to explain all about the fantastic and erroneous charge that the domestic-sugar industry is a great burden to the consumers. I would like to have the gentleman read the RECORD himself and then send a copy of it to the mayor, so that he will be better informed the next time the refiners ask him to write a letter, without them giving him all of the facts.

In conclusion, it would seem important that public men who have a real responsibility should not permit themselves to be used as propagandists for special interests (however meritorious the activities of these special groups may be) and certainly that public men should serve the public by truly directing attention to the interests of the great mass of people whether engaged in agriculture or industry, whether wage earners or the great body of consumers.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Did the gentleman notice the other day an observation by the Secretary of Agriculture to the effect that the unused portion of the allocation to the Philippines of sugar would not be reallocated to the farmers in America but would in all probability go to some foreign nation, in order to promote the good-neighbor policy?

Mr. CRAWFORD. Yes, I noticed that, and it is a continuation of the policy which the Department of Agriculture adopted some years ago.

Mr. H. CARL ANDERSEN. Does it not seem peculiar to the gentleman from Michigan that our Secretary of Agriculture does not look after the interests of the farmers of America in preference to those of the foreign producers?

Mr. CRAWFORD. It is surprising to me that he takes that attitude, and furthermore, that he permits the Department of Agriculture to be dominated by the wishes of the State Department, in charge of the diplomatic phase of our activities. [Applause.]

ADJOURNMENT

Mr. MILLS of Arkansas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock p. m.) the House adjourned until tomorrow, Friday, May 9, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Friday, May 9: Proponents and representatives of the Corps of Engineers for the lower Mississippi River and tributaries other than the Arkansas, the White, the Red, and the St. Francis Rivers.

2. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

3. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

4. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON THE JUDICIARY

The special subcommittee on bankruptcy and reorganization of the Committee on the Judiciary will hold public hearings on H. R. 2673 (a bill proposing to amend the Municipal Bankruptcy Act, relating to preliminary stays), on Friday, May 9, 1941, at 10 a. m., in room 346, House Office Building.

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941,

at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

519. A letter from the Attorney General, transmitting a copy of the will of the late Samuel Wilson Williams, which will has been contested by some of the heirs; to the Committee on the Judiciary.

520. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1941, in the amount of $1,400 (H. Doc. No. 207); to the Committee on Appropriations and ordered to be printed.

521. A communication from the President of the United States, transmitting an amendment to the estimates of appropriations included in the Budget for the fiscal year 1942 for the legislative establishment, Library of Congress, involving an increase of $50,000 in such estimates (H. Doc. No. 208); to the Committee on Appropriations and ordered to be printed.

522. A letter from the Secretary of War, transmitting a draft of a proposed joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense" approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia; to the Committee on Military Affairs.

523. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the advancement of certain officers whose accomplishments have been outstanding; to the Committee on Naval Affairs.

524. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to amend the act providing punishment for killing or assaulting Federal officers; to the Committee on the Judiciary.

525. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to authorize the Secretary of Agriculture to designate employees of the Department of Agriculture to make arrests for violation of the laws relating to and the rules and regulations established for the protection of lands acquired under or transferred for administration under title III of the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

526. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to amend the act approved October 10, 1940 (54 Stat. 1105), to permit such responsible officers as may be designated by heads of departments or establishments to authorize or approve the allowance and payment of expenses incident to the transportation of the household goods of civilian officers and employees when transferred from one official station to another for permanent duty; to the Committee on Expenditures in the Executive Departments.

527. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill to add certain lands to the Boise National Forest, the Salmon National Forest, and the Targhee National Forest in the State of Idaho; to the Committee on Agriculture.

528. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill to authorize the Department of Agriculture to make open-market procurements where the aggregate amount involved does not exceed $100; to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 200. Resolution for the consideration of H. R. 4545, a bill to provide for the acquisition and equipment of public works made necessary by the defense program; without amendment (Rept. No. 509). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4109. A bill to provide aid to the dependent children in the District of Columbia; without amendment (Rept. No. 510). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4365. A bill to give additional powers to the Board of Public Welfare of the District of Columbia, and for other purposes; without amendment (Rept. No. 511). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4498. A bill to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States; without amendment (Rept. No. 512). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4599. A bill to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts; without amendment (Rept. No. 513). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 4674. A bill to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; without amendment (Rept. No. 514). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 4684. A bill to authorize the improvement of Bayous Rapides, Boeuf, and Cocodrie, La., for flood control and other purposes; to the Committee on Flood Control.

By Mr. BARRY:

H. R. 4685. A bill to extend to closed building and loan associations and for the liquidation of assets of such associations the same assistance that is now extended to closed banks and for the liquidation of their assets; to the Committee on Banking and Currency.

By Mr. MAAS:

H. R. 4686. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 with respect to the treatment of certain personal-property taxes; to the Committee on Military Affairs.

H. R. 4687. A bill to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by foreign governments; to the Committee on Naval Affairs.

By Mr. MARCANTONIO:

H. R. 4688. A bill to provide a Nation-wide system of social security and a guaranteed minimum family income; to extend opportunity for gainful and useful employment to all willing workers; to establish a program of Federal public works and services; to expand the domestic market for agricultural and industrial products; to assure a more equitable distribution of national income; to establish a basic American standard of living; and for other purposes; to the Committee on Ways and Means.

By Mr. O'CONNOR:

H. R. 4689. A bill to provide for the construction and maintenance of a bridge on United States Highway No. 2 in the State of Montana; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H. R. 4690. A bill providing for the payment to each selectee under the Selective Training and Service Act of 1940 of $100 upon his discharge to enable him to purchase civilian clothing and other necessaries; to the Committee on Military Affairs.

H. R. 4691. A bill to amend the Federal Credit Union Act; to the Committee on Banking and Currency.

By Mr. RANKIN of Mississippi:

H. R. 4692. A bill relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities; to the Committee on World War Veterans' Legislation.

By Mr. STEAGALL:

H. R. 4693. A bill to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

H. R. 4694. A bill to continue Commodity Credit Corporation as an agency of the United States, to maintain its capital unimpaired, to increase its borrowing power, and for other purposes; to the Committee on Banking and Currency.

By Mr. THOMAS of Texas:

H. R. 4695. A bill to enable school districts in which real estate has been acquired by the United States for national-defense purposes to maintain school facilities and other school essential services and to pay principal and interest on bonded indebtedness; to the Committee on Public Buildings and Grounds.

By Mr. HÉBERT:

H. Con. Res. 32. Concurrent resolution creating a special joint committee to investigate the matter of losses resulting from the white-fringed beetle eradication and control program in Louisiana; to the Committee on Rules.

H. Con. Res. 33. Concurrent resolution authorizing appropriation for expenses of special joint committee created by House Concurrent Resolution 32; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York:

H. R. 4696. A bill granting a pension to Vurle Bahnmiller; to the Committee on Pensions.

By Mr. RIZLEY:

H. R. 4697. A bill for the relief of Charley C. B. Bokis; to the Committee on Military Affairs.

By Mrs. ROGERS of Massachusetts:

H. R. 4698. A bill for the relief of Mrs. Hannah Whalen; to the Committee on Claims.

By Mr. SMITH of Virginia:

H. R. 4699. A bill for the relief of Stratles Theodosiou; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1016. By Mr. FENTON: Petition of President Abe Hawkes and members of Mahanoy City Borough Council, Mahanoy City, Pa., requesting that the original wage of Work Projects Administration employees in the sum of $60.50 be restored immediately as the basic monthly wage in order that Work Projects Administration employees can be provided with the bare necessities of life; to the Committee on Appropriations.

1017. By Mr. HAINES: Petition from the President, members of faculty, and students of Wilson College at Chambersburg, Pa., urging support of President Roosevelt's statement of American policy, etc.; to the Committee on Foreign Affairs.

1018. By Mr. KEOGH: Petition of the Temple Mens' Club of Sharri Zedek, of Brooklyn, N. Y., favoring the McCarran-Mead-Flanagan longevity bill (H. R. 1057); to the Committee on the Post Office and Post Roads.

1019. By Mr. LAMBERTSON: Petition of T. B. Torkelson and 29 others, urging the passage of House bill 4000; to the Committee on Military Affairs.

SENATE

FRIDAY, MAY 9, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, by whom we are bound to life with many holy ties of home and loved ones, around whom the tendrils of our hearts are twined and about whom our plans and purposes revolve: We beseech Thee to reveal the sanctions of Thy will unto Thy servants here, that they may feel Thee drawing nearer to each urgent need for help and direction in all the deliberations of this day.

Help us to put our whole trust and confidence in Thee, for Thou art the true and living God, who, when we are alone, art by our side. If multitudes surround us, lo! Thou art there also.

Enable us more and more to realize that, though the past bears witness to Thy providential care and the future holds Thee in reserve, it is only the consciousness of Thy presence now that robs us of our helplessness, setting all anxieties at rest.

Be Thou our all in all, and create within us a passion for the reign of righteousness, which shall issue in the spread of brotherhood and peace among the nations of the world. We ask it for His sake whose merit doth exceed our own demerit, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 8, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reynolds
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Truman
Byrd	La Follette	Tunnell
Byrnes	Langer	Tydings
Capper	Lee	Van Nuys
Caraway	Lodge	Wallgren
Chandler	Lucas	Walsh
Chavez	McCarran	Wheeler
Clark, Mo.	McFarland	White
Connally	McNary	Wiley
Danaher	Maloney	Willis
Davis	Mead	
Downey	Murdock	

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Idaho [Mr. CLARK], and the Senator from Georgia [Mr. RUSSELL] are unavoidably detained.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

DRAFTS OF PROPOSED AMENDMENTS—DEVELOPMENT OF LANDING AREAS (S. DOC. NO. 51)

A communication from the President of the United States, submitting drafts of several proposed amendments to the bill (H. R. 4276) making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal judiciary, for the fiscal year ending June 30, 1942, and for other purposes, relative to the development of landing areas for aircraft under the Department of Commerce, involving an increase of $61,477,750 (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

BEQUEST TO THE UNITED STATES OF THE LATE SAMUEL WILSON WILLIAMS

A letter from the Attorney General, transmitting copy of the will of the late Samuel Wilson Williams, of White Bluff, Tenn., filed for probate in the Cheatham County Court at Ashland City, Tenn., on March 4, 1941, in which the decedent leaves all his property to the United States, "in the event of * * * sudden death," upon certain conditions, and recommending that the bequest be not accepted (with an accompanying paper); to the Committee on the Judiciary.

OPEN MARKET PROCUREMENTS BY DEPARTMENT OF AGRICULTURE

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Department of Agriculture to make open-market procurements where the aggregate amount involved does not exceed $100 (with an accompanying paper); to the Committee on Agriculture and Forestry.

DESIGNATION OF AGRICULTURAL DEPARTMENT EMPLOYEES TO MAKE ARRESTS IN CERTAIN CASES

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to authorize the Secretary of Agriculture to designate employees of the Department of Agriculture to make arrests for violation of the laws relating to and the rules and regulations established for the protection of lands acquired under or transferred for administration under title III of the Bankhead-Jones Farm Tenant Act (with an accompanying paper); to the Committee on Agriculture and Forestry.

TRANSPORTATION OF HOUSEHOLD GOODS OF CIVILIAN OFFICERS

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act approved October 10, 1940 (54 Stat. 1105) to permit such responsible officers as may be designated by heads of departments or establishments to authorize or approve the allowance and payment of expenses incident to the transportation of the household goods of civilian officers and employees when transferred from one official station to another for permanent duty (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

PUNISHMENT FOR KILLING OR ASSAULTING FEDERAL OFFICERS

A letter from the Under Secretary of Agriculture, transmitting, with renewed recommendation for its enactment, a draft of proposed legislation to amend the act providing punishment for killing or assaulting Federal officers (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the class of 1896 of New York University Medical Department, favoring the granting of all aid to Great Britain, and, if necessary, the use of the United States Navy, to the end that food, arms, and munitions may be delivered to that country; to the Committee on Foreign Relations.

A resolution of the General Court of Massachusetts; to the Committee on the Judiciary:

"Resolutions requesting Congress to call a convention for proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritances and gifts, and to provide a mode for the ratification of said amendments.

"*Resolved*, That the General Court of Massachusetts, acting in pursuance of article V of the Constitution of the United States, hereby requests the Congress of the United States that it call a convention under said article for the purpose of proposing an amendment to said Constitution, as follows:

"ARTICLE —

"'SECTION 1. The sixteenth article of amendment to the Constitution is hereby annulled.

"'SEC. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration: *Provided*, That in no case shall the maximum rate of tax exceed 25 percent.

"'SEC. 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of or intended to take effect in possession or enjoyment at or after death, or by way of gift, shall in no case exceed 25 percent.

"'SEC. 4. The limitations upon the rates of said taxes contained in sections 2 and 3 shall, however, be subject to the qualification that in the event of a war in which the United States is engaged creating a grave national emergency requiring such action to avoid national disaster, the Congress by a vote of three-fourths of each House may for a period not exceeding 1 year increase beyond the limits above prescribed the maximum rate of any such tax upon income subsequently accruing or received or with respect to subsequent devolutions or transfers of property, with like power, while the United States is actively engaged in such war, to repeat such action as often as such emergency may require.

"'SEC. 5. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on incomes for any period ending on or prior to said 31st day of December laid in accordance with the terms of any law then in effect.

"'SEC. 6. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall affect the power of the United States to collect any tax on any devolution or transfer occurring prior to the taking effect of section 3, laid in accordance with the terms of any law then in effect'; and be it further

"*Resolved*, That the Congress of the United States be, and it hereby is, requested to propose as the mode of ratification of said amendment that it shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several States; and be it further

"*Resolved*, That the State secretary be, and he hereby is, directed to send a duly certified copy of these resolutions to the presiding officer of each branch of the Congress of the United States."

By Mr. CAPPER:

A resolution of the Methodist Ministers' Association of Greater Kansas City, Kans., expressing concern over and opposition to the increasing drift toward involvement of the United States in foreign war; to the Committee on Foreign Relations.

A petition of sundry citizens of Allen County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GEORGE, from the Committee on Finance:

S. 1420. A bill to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed title in certain lands of Veterans' Administration Facility, Dayton, Ohio, to the county of Montgomery, State of Ohio, for highway-widening purposes; without amendment (Rept. No. 272);

S. 1421. A bill to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Norfolk & Western Railway Co. a small piece of land at Veterans' Administration Facility, Roanoke, Va.; without amendment (Rept. No. 273); and

S. J. Res. 74. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941; without amendment (Rept. No. 274).

By Mr. O'MAHONEY, from the Committee on Indian Affairs:

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming; with an amendment (Rept. No. 275).

By Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 87. Resolution authorizing the Committee on Indian Affairs to hold hearings during the Seventy-seventh Congress (submitted by Mr. THOMAS of Oklahoma on March 13, 1941); without amendment.

PAULA LIEBAU ANDERSON—AMENDMENTS REPORTED BY COMMITTEE ON CLAIMS

Mr. HUGHES, from the Committee on Claims, reported several amendments to the bill (H. R. 327) for the relief of Paula Liebau Anderson, heretofore reported by that committee without amendment, which were ordered to be printed.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BAILEY:

S. 1484. A bill for the relief of John T. Dula; to the Committee on Claims.

S. 1485. A bill to amend title X of the Social Security Act, as amended, to provide for additional aid to the blind; to the Committee on Finance.

By Mr. WHEELER:

S. 1486. A bill authorizing the Secretary of the Interior to issue to William Murray, Jr., a patent to certain land; to the Committee on Indian Affairs.

By Mr. JOHNSON of Colorado:

S. 1487. A bill for the relief of William L. O'Brien; to the Committee on Finance.

S. 1488. A bill to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia, and the Government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.); to the Committee on Foreign Relations.

By Mr. REYNOLDS:

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia; to the Committee on Military Affairs.

HOUSE BILL REFERRED

The bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, was read twice by its title and referred to the Committee on Military Affairs.

WITHHOLDING OF MONEY ON NATIONAL-DEFENSE CONTRACTS

Mr. LANGER presented a statement in support of the bill (S. 1478) providing that no money due to persons in connection with national-defense contracts shall be detained by an officer of the United States except by injunction duly issued, and for other purposes, introduced by him yesterday and referred to the Committee on the Judiciary.

Under authority granted yesterday, the statement presented by Mr. LANGER was ordered to be printed in the RECORD, as follows:

STATEMENT BY MR. LANGER IN SUPPORT OF S. 1478

I introduced yesterday a bill designed to make it unlawful for a Government official to delay a payment directed by law to be made to an individual or corporation or found to be due by the proper administrative officers of the Government without an injunction issued by a court of competent jurisdiction.

I believe it is proper to state briefly at this time the reasons which have moved me to introduce a bill of this character.

I find that the practice has grown up here in the District of Columbia of filing suits based on flimsy claims against persons to whom money is due from the United States and that such suits are, at least sometimes, used for the purpose of extorting money from persons who have sums due from the United States in order to avoid long delays in payment.

This matter has been brought forcibly to my attention within the last several days in reading the testimony before the Ways and Means Committee of the House delivered by Lester P. Barlow.

Mr. Barlow stated that half of a sum of approximately $600,000 directed to be paid to him by an act of Congress has been detained by the Treasury for more than 8 months without an injunction and without a surety bond to protect Barlow against loss, merely because of the filing of a suit in the District of Columbia courts by a Los Angeles lawyer who claims that he is entitled to half of the money directed to be paid to Barlow by law on the basis of a contingency contract for legal fees made 25 years ago. The facts of the case show, furthermore, that Barlow made a settlement with Clark some 16 years ago, in 1924, and that Clark executed a complete release of all claims against Barlow at that time in consideration of a cash payment to him of $12,000. I do not, of course, care to discuss the merits of this particular claim at the present time, because it is still pending before the United States Court of Appeals for the District of Columbia, but I am interested in the fact that because of this suit, and without an injunction and without a bond, Mr. Barlow's money has been detained for approximately 8 months.

I understand that this state of affairs has been brought about by the fact that the Attorney General has ruled that if such a suit is filed, asserting a claim to part of money due from the United States, officers of the United States are justified in delaying such payments until the claim asserted has been completely litigated or an order has been issued by the court directing payment. In the Barlow case Mr. Justice Bailey of the District Court issued an order requiring the Treasury officials to pay Barlow, but the Court of Appeals for the District of Columbia stayed this order, thus recognizing the right of a Government officer to hold up money due to an individual or corporation to await the outcome of litigation in which such a citizen or corporation may be involved with third parties.

We are all aware, of course, that the Government is spending and about to spend billions of dollars for defense purposes. The contractors and manufacturers with whom the Government must deal in carrying out its defense program are entitled to anticipate that sums due them will be paid when due. It is clear to me that if the practice adopted in the Barlow case with the apparent approval of the Court of Appeals of the District of Columbia is allowed to continue, many large payments will be subject to attacks of the same character, and persons with flimsy and baseless claims can cause such annoyance and delay that persons will either be discouraged from dealing with the Government or when they do deal with the Government they must take into consideration the possibility that in order to get their money promptly it may be necessary to pay or compromise invalid claims which are asserted against them.

I cannot believe that the practice established in the Barlow case is sound, but it seems to me that the quickest and most effective way to cure this situation is to enact legislation which will make it impossible to hold up any Government payment unless there is an injunction by a court of competent jurisdiction issued by that court in strict compliance with the Federal rule which requires a surety bond to protect against loss any person damaged by the delay in payment. This I had always understood to be the law, but the situation which has arisen in the Barlow case, and perhaps in others, indicates the necessity of making the law absolutely certain. Cases of this character are almost invariably brought in the District of Columbia, because it is only here that the higher officers of the Treasury Department may be served with process. I am told that there are a number of cases of this character now pending before the courts of the District of Columbia and that numerous such suits have been filed in the past, many of which have been settled. It is only since the Barlow case, however, so far as I can learn, that Government officials have permitted such suits to indefinitely postpone payments in the absence of an injunction and a bond. The new procedure apparently approved in the Barlow case will undoubtedly encourage a great many more of such suits, and I think this practice should be promptly halted before it interferes with the defense program.

PRINTING OF PROCEEDINGS IN CONNECTION WITH UNVEILING OF STATUE OF HUEY P. LONG

Mr. OVERTON (for himself and Mr. ELLENDER) submitted the following concurrent resolution (S. Con. Res. 11), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed, with illustrations, and bound in such form and style as may be directed by the Joint Committee on Printing, 5,900 copies of the proceedings held in connection with the unveiling of the statue of former Senator Huey P. Long in Statuary Hall, Capitol Building, Washington, D. C., on April 25, 1941, together with such other matter as may be relevant thereto, of which 1,250 copies shall be for the use of the Senate, 3,750 copies for the use of the House of Representatives, and 900 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Louisiana.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer and shall procure suitable illustrations to be published with these proceedings.

FOREIGN POLICY OF THE UNITED STATES—EDITORIALS FROM SCRANTON TIMES

[Mr. NYE asked and obtained leave to have printed in the RECORD several editorials from the Scranton Times of May 2 and 5, 1941, which appear in the Appendix.]

STATEMENT BY WOMEN'S NATIONAL COMMITTEE TO KEEP THE UNITED STATES OUT OF WAR

[Mr. NYE asked and obtained leave to have printed in the RECORD a statement issued by the Women's National Committee to Keep the United States Out of War, dated May 8, 1941, which appears in the Appendix.]

THE JAPANESE-AMERICAN CREED

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the Japanese-American Creed, which appears in the Appendix.]

SENATOR FROM WEST VIRGINIA

The Senate resumed the consideration of Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia.

The VICE PRESIDENT. The question is, Shall the decision of the Chair yesterday, overruling the point of order by the Senator from Missouri [Mr. CLARK] that the Senator from West Virginia [Mr. KILGORE] had yielded the floor by permitting a statement to be made by the Senator from Illinois [Mr. LUCAS], stand as the judgment of the Senate? [Putting the question.] The "ayes" have it, and the ruling of the Chair is sustained.

Mr. CHANDLER. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Kentucky will state it.

Mr. CHANDLER. Did the Chair undertake to rule on the point of order made by the Senator from Missouri?

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I yield to the Senator from New Mexico.

Mr. HATCH. The Senate was passing on the question of sustaining the action of the Chair on the point of order made yesterday afternoon, which was raised by the Senator from Missouri.

Mr. CHANDLER. Of course, the Senator from Kentucky has no objection; but the Senator from Missouri is not here, and, as I recall, he was the one who made the point.

Mr. McNARY. I call for the regular order.

Mr. KILGORE. Mr. President, yesterday the senior Senator from Missouri [Mr. CLARK] stated that the attorney general of my State had assumed or appeared to be acting as the attorney for Dr. Rosier, Governor Neely's appointee. I call the attention of this body to the fact that the record before the committee in this case shows that Governor Neely, in his official capacity as Governor, requested the attorney general of that State to render him legal advice on this matter. The statutes of West Virginia make it the duty of the attorney general to render such legal advice. I therefore fail to see how a public officer can be criticized for performing the duties imposed upon him by statute.

I also desire at this time to call attention to the fact that yesterday the junior Senator from Kentucky [Mr. CHANDLER] stated that the attorney general of West Virginia had said before the committee that before Governor Neely was eligible to qualify as Governor of the State of West Virginia he should cease to be United States Senator. The Senator is correct in his statement, extracting only that first little part from the record; but the attorney general's statement at that time was taken from a very lengthy opinion rendered by him, which, upon reading, shows that there can be no doubt that the statement does not reflect the general conclusion of the opinion. On page 282 of the record is found a later statement made by the attorney general in response to a query on that very point.

Mr. CHANDLER. Mr. President, will the Senator from West Virginia yield?

Mr. KILGORE. For a question; yes.

Mr. CHANDLER. The Senator has not been very anxious to have light thrown on this matter. Sometimes a question will not do it. Yesterday I yielded to every Senator who asked me to yield for any purpose at all. The Senator has made a statement, and I want it to be correct, because yesterday I read, and if the Senator will turn to page 104 of the hearings he will find that the attorney general of West Virginia said:

> As we have seen, it was necessary that you should cease to be a United States Senator before you were eligible to qualify as Governor of the State of West Virginia.

The junior Senator from Kentucky said that the attorney general, when he had an opportunity to correct the record, changed that statement and undertook to make it so that it suited him a little better; but I am not interested in that. I am interested in the statement he made in his written opinion to Governor Neely, and that statement was correct as I gave it.

Mr. KILGORE. The Senator from Kentucky does not, however, object to my reading at this time the corrected statement, I take it.

Mr. CHANDLER. I object to the Senator's trying to make the Senate believe that the attorney general did not make the original statement.

Mr. KILGORE. I beg the Senator's pardon.

Mr. CHANDLER. I said yesterday that the attorney general tried to change it, and that is the thing I did not like about it. He made the statement in a written opinion, and I read it to the Senate. It stands there uncontradicted.

Mr. KILGORE. I believe the Senator from Kentucky misunderstood my statement. The record speaks for itself on this matter, but I desire at this time to read to the Senate the corrected statement. This is the statement complained of—

> As we have seen, it was necessary that you should cease to be United States Senator before you were eligible as Governor of the State of West Virginia.
>
> We recognize—

This is the statement of the attorney general—

that the statement standing alone may give them cause for consolation, but this honorable committee will recognize that the reasoning of the opinion and the testimony [Attorney General Meadows] leads to the one and only conclusion that what was meant was that Senator Neely should cease being a United States Senator before he could act as Governor. That was the meaning, and in a correction of the record it has been asked that such be noted. If there be any doubt as to what was meant, it is now stated that to convey the real meaning, the word "qualify" should be stricken out and the word "act" inserted in lieu thereof.

This was a later statement by the attorney general.

There is another point which I should like to bring out today to clarify somewhat a statement made by me yesterday in response to a question from the Senator from Vermont [Mr. AUSTIN]. At that time I was trying to explain the difference between the filing and the preservation of various oaths in the State of West Virginia.

In one section of the Code of West Virginia there is a provision for filing and preserving the certificates of oaths of office. It will be noted by a reading of the entire section that that section divides officials of the State into numerous groups, two of those groups being municipal officials and educational officials of the counties. It is provided in the statute that the original certificates shall be filed and preserved, in the case of educational officials, in the office of the secretary of the board of education, and, in the case of municipal officials, in the office of the clerk of the municipality, or similar officer, and that certified copies of these certificates shall be filed in the office of the clerk of the county court; and later in the act it is made the duty of officials to file the certified copies directed by the section. The mandatory duty imposed there, where the words "It shall be the duty" appear, refers to municipal and educational officials of the various counties.

It was also urged yesterday—and I went into the subject somewhat, but should like to go into it a little more deeply—that the fact that Governor Neely took his oath of office as Governor before his term as Senator had expired, under the terms of his resignation, even though such was required by the laws of West Virginia, automatically vacated his seat in the Senate.

If I recollect correctly, yesterday I was asked as to a judicial determination on that point. I stated at that time that in the State of West Virginia there was no direct judicial determination on that point because with most officials of the State that policy had been followed for years. But I am sure that this honorable body would recognize the great State of Kentucky as a State whose laws and decisions are entitled to weight on any point. I, therefore, refer to the case of *Taylor* v. *Johnson* (148 K. 649).

In this case a constitutional provision provided that "no person shall at the same time fill two municipal offices."

One Coyne held a municipal office, and while still in office, ran for and was elected to another municipal office. To qualify for the second office, the law required him to take an oath and give a bond. Coyne took the oath and gave the bond for the new office before his old term of office expired.

It was contended that in so doing he had vacated his first office, but the Supreme Court of Kentucky held that his act in taking the oath and giving the bond did not vacate his present office, nor in any manner disqualify him, but that it was merely a preparation to assume the duties of his new office, and that it was entirely proper in every respect. In other words, the moment his new term began, he, having previously qualified himself, could immediately assume the duties of his new office, and at the very moment of the beginning of the new term, he became the new officer.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. KILGORE. Certainly.

Mr. CHANDLER. Does not the Senator know that the case of Taylor against Johnson, which he has just cited, was a case where there was no written resignation, such as there was in the case we are considering? In that case a man undertook to go from the position of alderman to city treasurer—it was a local proposition—and the case we are now considering is that of a governorship and a United States senatorship, certainly involving the question of two incompatible offices, perhaps one State and one Federal, if one agrees that the United States senatorship is a Federal office. I am not certain as to that, but it is not in the same category with two municipal offices.

Mr. KILGORE. The Senator from Kentucky is correct in stating that this case involves municipal offices, but the Senate must also realize that the constitution of the State of Kentucky placed these two offices in a similar situation to what the Senator also contends as to a United States Senator and Governor.

Mr. CHANDLER. I do not believe that the Senator from West Virginia, in looking up the law in Kentucky, Minnesota, and every other State he can find, should avoid as far as he can the law of his own State, because the opposition has not been able to find a single West Virginia case which bolsters up his position in any way.

Mr. KILGORE. Has the Senator from Kentucky been able to find a West Virginia case which holds in accordance with the Senator's idea of what the West Virginia law is?

Mr. CHANDLER. Will the Senator yield again?

Mr. KILGORE. Yes.

Mr. CHANDLER. Senator Neely resigned——

Mr. KILGORE. Just a moment. I should like to have an answer to my question before I yield for another question.

Mr. CHANDLER. Did the Senator ask me a question?

Mr. KILGORE. Yes.

Mr. CHANDLER. I did not hear it.

Mr. KILGORE. I asked whether the Senator from Kentucky had been able to find a decision in point supporting the Senator's theory as to the law in West Virginia.

Mr. CHANDLER. I refer to numerous cases I cited yesterday. It is more than a theory. It is not only the law. There was a case of Broadwater against Booth, Carr against Wilson, West Virginia cases; Bunting against Wilson, a Virginia case. The Senator cites a case now which has to do with two municipal offices, alderman and treasurer, and where there was no written resignation. In this case there was a written resignation. The man who wanted to leave the senatorship and become Governor sent a written resignation, precisely stating the time when he wanted it to take effect. I have yet to hear the distinguished junior Senator from West Virginia cite a West Virginia case to bolster up his argument. He stayed carefully and studiously away from his own State.

Mr. KILGORE. The Senator from West Virginia does not like to say anything about seniority, but he is not the junior Senator. He happens to be at the present time the only Senator from West Virginia.

Mr. CHANDLER. He must be junior, then, because we must have a junior.

Mr. KILGORE. I do not know; I have known many families which had no junior in them.

I should like to have the Senator from Kentucky at some time, if he makes further remarks, point out how the West Virginia decisions he cites are in point in this case. I have heard of the decisions to which he referred, and I practiced law under those decisions for the last 25 years.

Mr. CHANDLER. Yesterday, in an argument between the Senator from West Virginia and the Senator from Illinois, the Senator from Illinois inquired whether the Senator had heard two of his supreme court justices testify. The question I wish to ask the Senator from West Virginia now is, Is it not a fact that Meredith and Lively, the two judges whose letters I read to the Senate yesterday, were members of the Supreme Court of West Virginia when the Qualls case was decided?

Mr. KILGORE. I cannot say for a fact that they were. I wanted an opportunity to consult the record to determine the exact time when they retired or went into office. Judge Meredith was on the bench for a part of a term only. Judge Lively was on for one full term of 12 years. I believe the Senator from Kentucky was correct in saying that at the time the Qualls case was decided they were on the bench. However, I also can state to the Senator from Kentucky that the Qualls case was decided under a group of special statutes, which, I should like to have the Senate understand, were abandoned and repealed by the Legislature of West Virginia in the year 1931, when the laws were recodified, and when reading from the Code of West Virginia as published, either the official code or the Michie code, the so-called codifiers' notes are not laws; they were merely taken from the recommendations of the codification commission in submitting the code to the State of West Virginia as

an idea of what the codification commission—not the legislature—intended to do by the statute.

Mr. CHANDLER. Of course, I merely want the Senate to understand that these two judges whose letters I read said they were on the West Virginia Supreme Court and participated in the decision, and Mr. Sperry said he was on the revision committee. I wish to ask the Senator whether the Code of West Virginia of 1931, chapter 6, article 1, and section 6 of the code of 1937, serial 271, is the law of West Virginia.

Mr. KILGORE. Just a moment.

Mr. CHANDLER. And whether the decision in Qualls against the Board of Education is not still the law, and that the West Virginia Legislature, in order to make it effective, said the decision was intended, and the legislature and the committee on revision would give it effect?

Mr. KILGORE. I have been unable to get a West Virginia Code from the law library.

Mr. CHANDLER. I have it here. Shall I read it to the Senator? I merely want to know whether that is still the law of the State.

Mr. KILGORE. Read it to me.

Mr. CHANDLER. It reads:

Certificates of the oaths of officers shall be filed and preserved in the office of the secretary of state.

It shall be the duty of every person—

That is, the Governor and everyone else—

who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section, and it is his duty to file certified copies of his oath of office with the secretary of state.

Mr. KILGORE. Will the Senator wait just a second? The last part was not a part of the section.

Mr. CHANDLER. It is a repetition of what the Senator knows. But the judges whose letters I read said that, in order to avoid any idea that it was purely directory, they intended to make it mandatory, and that was the reason not only for the decision but the law of the Legislature of West Virginia which undertook to make it effective, and they intended to say that every person who took an oath of office in West Virginia had to file it in the office of the secretary of state before he could take any official action.

Mr. KILGORE. The Senator from Kentucky was evidently not in the Chamber yesterday afternoon, and again this morning, when I went into that section of the code. The section quoted is not the complete section, and the complete section, when read, differentiates, as I previously stated, between two different types or groups of officers, one type composed of municipal and educational officers who file first, for preservation, the certificates of oaths with the secretary or clerk of their respective organizations, and who are later required to procure a certified copy of that for filing. There is no place in that section where the Senator from Kentucky, or any other Senator, can find a mandate fixing a definite time at which the oath has to be filed in any office, aside from the mandate requiring a specific filing of a copy of the certificate on the part of educational officers and municipal officers. The trouble is, the section was not read in its entirety, and unfortunately, at the moment I do not have the code with me. The section in question, of which I had a complete copy, appears to have escaped me, but I will procure the complete section for the Senator if he wants it.

Mr. President, I have now found the complete section. If the Senator from Kentucky is still interested I will read it. I have already discussed it with other members of the Senate, however, so I will not take up any further time on it.

I wish also at this time very briefly to discuss the Farrar case, which was so ably discussed by the chairman of the Committee on Privileges and Elections [Mr. CONNALLY]. The Farrar case, I believe, sets out the perfect philosophy of the succession of office. The Farrar case comes from the State of Minnesota. The opinion in that case deplores the necessity, or the idea of any necessity, rather, for the hasty taking of office and assuming the functions of an office. In that case the facts were that an outgoing board of commissioners, after the termination of the terms of office of its members, endeavored to appoint a sheriff. The incoming members of the board had not taken their oaths of office at the time, it being the first day of their term. The Supreme Court of the State of Minnesota, in a well-written opinion, said it was unseemly that public officials should be required to race to try to get their oaths taken in order that they might carry on the duties incident to their office in the statutory term thereof, and insisted that the correct rule in that case, and in an advisory way said in all cases, was that an officer who had taken his oath of office, as expeditiously as was convenient, as soon as his term began, or as soon thereafter as the dignity of the office would permit, should be held to have taken an oath which dated back to the first instant of his term, to avoid the unseemly racing about and rushing about to try to take an oath at the hour of midnight or at any other hour to keep a predecessor from encroaching upon his term.

There was some discussion by Senators with the Senator from Texas on that point, and I wished to state my viewpoint of one feature of it.

The opinion in the case also held that in that event an officer could complete work which he should have done during his term of office, but after the instant of the expiration of his term of office could undertake no new work, work arising, that could not have been done prior to the actual expiration date in order to enable him to close up the business of his office.

Mr. President, I thank the Senate for its patience. I wanted to try to make the laws of West Virginia clear, and I am firmly convinced, as I stated before, that the laws of my State, coupled with the rulings of the United States Senate in election contest cases, are very plain and very clear on the facts, first, that an outgoing Senator of the United States can fix the date of his retirement in the wording of his resignation, and that the Senate will always respect that right. Second, that the laws of West Virginia permit and require an official to take his qualifying oath in anticipation. Third, that the filing of the oath is for its preservation. That there is now no penalty attached in the State of West Virginia, no vacation of office for failure to file the oath, no time limit in which it can be filed. The purpose of the statute is the preservation in the records of the State of evidence—not of a certificate but of evidence—that the Governor has taken the oath, and that can only be attacked directly on an ouster or a quo warranto against the Governor. So far as we in the Senate are concerned, the Governor of West Virginia is the Governor, and we cannot attack the time he filed any oath, and, as a matter of fact, the law has been so changed that there is no specific time set.

I therefore submit that the law is plain, Mr. President.

UNITY OF THE AMERICAN REPUBLICS

Mr. DAVIS. Mr. President, it has been my privilege to travel through the South and Central American countries. The wide open spaces of those great lands make a lasting impression on anyone who travels there. I have found their peoples awake to the commercial opportunities which the United States presents to them. I have come to understand their feeling of unity with our own citizens, and I have come away realizing that there is a sense of hemispheric solidarity which is thoroughly substantial and lasting. It is my hope that with the coming days the feeling of good will and cordial relations will increase so that the best interests of all the South American republics will be served along with the advancement of the business and cultural ties which we are now so earnestly seeking to develop.

Mr. President, last evening I attended with other Members of Congress a dinner given by the Chief of Naval Operations of the United States for the chiefs of the naval general staffs of the American republics at the Shoreham Hotel.

The affair was truly inspiring. Seated at the tables were men whose noble heads and bearing gave unmistakable signs that they were men of the sea.

Behind the speaker's table was a large oval made up of all the flags of the American republics, with our flag in the center and on the sides, which inspired all those present with the assuring thought that the Americas were united.

I noted with great delight the cordial spirit displayed among these naval representatives of the Western Hemisphere. The lovely ladies who attended were truly ambassadors of cheerfulness and good will. Under the masterful leadership of one of the greatest band leaders in the country, Charles R. Benter, the national anthems of all the American republics represented were played.

With this patriotic feeling of unity and fellowship serving as a background, Admiral Harold R. Stark, Chief of Naval Operations, rose and delivered his inspiring address. The tremendous ova-

tion that welcomed Admiral Stark is a glowing tribute to one who left Wilkes-Barre, Pa., and the anthracite regions as a young man to enter the Naval Academy and become one of the greatest naval experts in our history. It is little wonder that he is so highly respected and loved by men of the sea. We of America owe much to Admiral Stark for his noble work in cementing the American republics in common unity, fellowship, and brotherhood. This meeting was the first of its kind in all the history of America, and it showed convincingly that there is a unity of purpose among the nations of the Western Hemisphere.

The address by Admiral Stark was also printed in Spanish, and as he spoke, the representatives from the republics to the south followed the speech in Spanish.

After the delivery of the address, a tall stately man with the noble marks of the sea upon him, Vice Admiral Castro e Silva, chief of the naval general staff of Brazil, rose and replied in Portuguese to the address of welcome by Admiral Stark. His address was translated into English by Commander E. E. Brady, of the United States Navy.

I asked unanimous consent to have printed as a part of my remarks the address of welcome by Admiral Stark, together with the Spanish translation, and also the address in Portuguese by Vice Admiral Castro e Silva, of Brazil, together with the English translation by Commander E. E. Brady.

There being no objection, the addresses referred to were ordered to be printed in the RECORD, as follows:

ADDRESS OF ADMIRAL HAROLD R. STARK, CHIEF OF NAVAL OPERATIONS, TO THE CHIEFS OF THE NAVAL GENERAL STAFFS OF THE AMERICAN REPUBLICS

Gentlemen, I am proud to welcome you to this country as the honored guests of the North American Navy. I am most happy, personally, to greet the distinguished officers who lead the navies of our sister American Republics. Between all naval officers there exists a natural brotherhood. We who go down to the sea in ships face the same problems and speak the same language.

My first cruise after graduating from the Naval Academy in 1903 was in South American waters. I have always been grateful for that detail to what we then used to call the South Atlantic Squadron.

There is no cruise more vividly recalled by a naval officer than the first one he makes after receiving his commission. But aside from this, I have always been grateful for the contacts I had with the South American countries at that time. I was then, and still am, deeply grateful for the many, many hospitalities which I received in those early days, my memories of which are as bright now as they were then. I have always cherished the hope that some day I might do something in return for the many courtesies which were then extended to me.

You can appreciate, therefore, that in addition to the official welcome which I am so glad to extend to you, I am also very proud personally to welcome you to our country and as honored guests of the North American Navy.

There has always been friendship between your countries and my own. We do not forget that they were South Americans who first proposed the idea of Pan American accord. I recall to you the Chilean leader, Juan Egaña, who, in 1811, urged that the independent American States form a confederation, and it was the great liberator, Bolivar, in 1815, whose prophetic mind foresaw the necessity for hemispheric solidarity.

Today, with the other half of the world in flames, Bolivar's vision of a century ago assumes the most urgent importance.

The economic and social problems, the military and naval dangers which the Second World War imposes are not the affair of any one country. They are matters which concern us all.

We are resolved that this scourge of war be barred from our western world. To achieve that objective, we will do what we have to do.

Since all this is so, I thought it would be a fine thing for the chiefs of our naval services to come together, and to become acquainted with each other. Therefore, I have asked you to Washington. I trust it will interest you to see the things the North American Navy is trying to do.

It has been arranged for you to visit our seat of Government and to meet our high officers of State.

You will be asked to inspect our Navy yards, our naval air stations, and the activities of our Marine Corps.

You will see something of our industrial plants now engaged in the production of arms for the defense of the Americas.

You will pass through some of our largest cities. You will traverse our country from one ocean to the other.

And whatever else you do, you will meet a great many North Americans, and they will all be your friends. What you see will show you, better than any words of mine, the steps North America is taking toward our common objective.

Some of you have been here before, and you return to scenes already familiar. Some of you are with us for the first time, and we hope that you, too, will return again. Many of you have enjoyed close professional contacts in the service of your several countries, and are known to each other. But it is the first time in the long history of the American Republics that the chiefs of all our navies have been assembled, and it makes us very happy that it takes place here.

As you say in your gracious way, here, "You are in your own house."

PALABRAS DE BIENVENIDA PRONUNCIADAS POR EL SEÑOR ALMIRANTE HAROLD R. STARK, JEFE DEL ESTADO MAYOR NAVAL A LOS SEÑORES JEFES DE LOS ESTADOS MAYORES NAVALES DE LAS REPÚBLICAS AMERICANAS

SEÑORES: Tengo mucho orgullo en darles a Vds. una cordial bienvenida a este país en su calidad de huéspedes de honor de la Marina Norteamericana. Personalmente me siento muy feliz en saludar a los distinguidos oficiales que dirijen las marinas de las repúblicas americanas hermanas. Entre todos los oficiales navales existe una hermandad natural. Nosotros que navegamos los mares tenemos que afrontar los mismos problemas y hablamos la misma lengua.

Mi primer crucero, despúes de graduarme de la Academia Naval en el año 1903, fué en aguas sudamericanas. Siempre he estado agradecido por haber tenido la oportunidad de servir en lo que en aquel entonces llamábamos la Escuadra del Sud Atlántico.

No hay crucero que más vivamenta recuerde un oficial naval que el primero que hace después de recibir su comisión. Mas, aparte de esto, siempre he estado agradecido por las relaciones que tuve la suerte de hacer en los países sudamericanos en aquella época. Estaba, y estoy aún, hondamente agradecido por las muchísimas atenciones que inmerecidamense recibí en aquellos días lejanos, el recuerdo de las cuales se conserva frequisimo sún. Siempre he abrigado la esperanza de poder algún día hacer algo en retribucion por las muchas cortesías que me fueron prodigadas.

Por consiguiente, podrán comprender Vdes. que, además del placer de extenderles la venida oficial, tengo un orgullo personal en darles la bienvendia a nuestro país y como huéspedes de honor de la Marina Norteamericana.

Siempre ha habido amistad entre los países de Vdes. y el mío. Nosotros no olvidamos que fueron sudamericanos los que primero propusieron la idea de un acuerdo panamericano. Hágoles recordar que fué el jurisconsulto chileno, Juan Egaña, quien en 1810 sugirió que los estados americanos independientes formaran una confederación, y fué la mente profética del gran libertador, Bolívar, que en 1815 previó la necesidad de la solidaridad hemisférica.

Hoy, con la otra mitad del mundo en conflagración, la visión de Bolívar asume una importancia muy urgente.

Los problemas económicos y sociales, los peligros tanto militares como navales que el Segundo Guerra Mundial ha traído no conciernen únicamente a una sola nación. Son problemas y peligros que nos conciernen a todos nosotros.

Estamos resueltos a excluir este azote de la guerra de nuestro hemisferio occidental. Para lograr este fin, haremos todo aquello que sea necesario.

En vista de todo esto, pensé que sería muy conveniente que los jefes de nuestros servicios navales se reuniesen y que llegasen a conocerse. Consecuentemente, me he permitido invitarles a Vdes. a venir a Wáshington. Espero que les interesará ver lo que la Marina Norteamericana está tratando de hacer.

Arreglos se han hecho para que puedan Vdes. visitar la sede de nuestro gobierno y conocer a nuestros altos oficiales del mismo.

Se les pedirá que tengan a bien inspeccionar nuestros arsenales y las actividades de neustro Cuerpo de Infantería de Marina.

Verán, también, algunas de nuestras plantas industriales actualmente dedicadas a la producción de armamento para la defensa de las Américas.

Pasarán Vdes. por algunas de nuestras ciudades más grandes. Recorrerán nuestro país de un océano al otro. Y en todo lo demás que hagan, se encontrarán con muchísimos norteamericanos, y todos serán amigos suyos. Lo que verán demostrará, mejor que palabras más, las medidas que Norte América está tomando para alcanzar nuestro fin común.

Algunos de Vdes. han estado aquí antes y vuelven a escenas ya conocidas. Algunos vienen por primera vez, y esperamos que Vdes. también volverán. Muchos de Vdes. ya se habrán conocido personalmente en el servicio de sus respectivos países. Pero ésta es la primera vez en la larga historia de las Repúblicas Americanas que los jefes de todas nuestras marinas se hayan reunidos, y nos complace muchísimo el que la reunión tenga lugar aquí.

Como dicen Vdes. tan cortésmente, aquí "están Vdes. en su casa."

Sieudo por los Presidentes de vuestras paises.

Sr. Almirante Chefe de Operaçoes dos Estados Unidos, Srs. Almirantes e Generales, Senhores Officiaes, Meus Senhores, a agradavel convivencia que ha varios dias venho tendo com os meus prezados camaradas das Marinhas Latino-Americanas, as opiniões e conceitos que de varios d'elles tenho ouvido em discursos pronunciados como agradecimento de todos nós ás captivantes gentilezas que vamos recebendo n'esta terra hospitaleira, permite-me a honra de poder falar tambem em nome delles.

Posso assim dizer que foi com muita viva satisfação que recebemos o amavel convite de Vossa Excellencia para visitarmos a

Marinha de sua grande Patria e vermos algo desse formoso paiz, no qual, quasi todos nós já haviamos estado, mas que em uma posição muito elevada na carreira, e como tal, proximos da idade em que a nossa vida activa de Official de Marinha se encerra, tinha tirado a muitos a esperança de revel-a e verificar em pessoa seu prodigioso adiantamento, principalmente no que se refere a sua forte Marinha de Guerra.

Pelo que até agora nos tem sido mostrado estamos convencidos de que por maior que fosse a idéa que a esse respeito fizéssemos, ella estaria sempre um pouco longe da realidade. Nos sentimos felizes por assim termos visto e por desejar que o resultado de tantos esforços corresponda ás vossas justas aspirações.

Sabemos muito bem não ser este o unico esforço que até agora tendes feito, pois a vossa historia nos mostra muitos outros em que dominam o poder da vontade e a vossa incomparavel energia, mas não cremos que possais haver feito muito maiores.

De nossa parte ha uma apreciação ainda mais lisongeira: é que vos entregando a esse herculeo trabalho, em pról do engrandecimento e da segurança da vossa Patria, não esquecestes nenhum dos sentimentos de cordialidade Pan-Americana de cujos frutos bemfazejos, nossas historias estão repletas.

Não poderia eu definir melhor o futuro que vos almejamos do que repetindo as bellas palavras que o meu prezado amigo Almirante Arala, Director da Marinha do Chile disse no bello discurso que em nosso nome pronunciou em Charleston, e que eu procurarei reproduzir em seu proprio idioma: "Si me permiten una figura, yo digo que se está alzando el pedestal de la Liberdad, para que su luz potente alumbre mayor el mundo de uno a outro confin."

Culminarão assim nossos sentimentos fraternais fazendo cada vez mais forte esta phrase que figura nos annaes da vossa historia, dizendo á quem a America pertence, phrase que todos nós muito conhecemos e que traduz a verdade de ser a America uma Patria nossa, sómente nossa, na qual felizmente se pode viver livre, confiante nos principios que constituem as mais elevadas aspirações e conquistas da especie humana.

Essa confiança amplamente justificada, que depositamos uns nos outros creando sinceros sentimentos de cordialidade, que podiam servir de exemplo ha muitos povos da terra, e que nos esforçamos para fortificar cada dia mais teve no convite que tivemos a honra de receber e o acolhimento que vamos encontrando, uma viva demonstração que muito agradavelmente reconhecemos.

Voltaremos ás nossas terras cheios de agradecimentos e mais certos ainda de que podemas continuar a viver como desejariamos, isto é, confiantes uns nos outros e entregues aos principios que estabeleceram no mundo o direito, a justiça e a liberdade.

Grande tem sido a colloboração da Marinha Americana para a grandeza desse extraordinario paiz que tão carinhosamente nos recebe; sua acção cada dia se torna mais importante e necessaria; o conhecimento que temos de sua capacidade material está de facto augmentado agora com esta agradavel visita, mas quanto ao valor profissional do seu pessoal, já o tinhamos bastante perfeito, não só pela estadia que varios officiaes de nossas Marinhas tem feito nos seus navios e estabelecimentos da Marinha como tambem pelas Missões Navaes que varios de nossos paizes têm recebido, entre as quaes me sinto no dever de citar a que tão importantes serviços presta a Marinha a qual petenço, e cujo ultimo Chefe o Almirante Beauregard que tão carinhosamente nos acompanha, seis vezes hospede da minha terra, nós os officiaes brasileiros já consideramos um pouco nosso.

Desempenhado-me como me foi possivel da honrosa incumbencia que me confiaram meus prezados camaradas que commigo vos visitam, junto aos nossos agradecimentos que renovo, os votos que todos fazemos pela felicidade pessoal de Vossa Excellencia pela prosperidade de sua nobre Patria e pelo brilhante futuro da gloriosa Marinha Americana.

SPEECH OF VICE ADMIRAL CASTRO E SILVA, CHIEF OF THE NAVAL GENERAL STAFF OF BRAZIL, IN REPLY TO THE ADDRESS OF WELCOME BY THE CHIEF OF NAVAL OPERATIONS

Admiral Stark, Chief of Naval Operations; admirals and generals; distinguished officials; ladies and gentlemen, my pleasant association during the past few days with my distinguished comrades of the other American navies and the opinions and remarks which I have heard from several of them in addresses made on behalf of all of us in appreciation of the courtesies and attentions extended to us since our arrival in this hospitable country also enables me to have the honor of speaking in their names.

I may thus say that it was with deep satisfaction that we received Your Excellency's kind invitation to visit the Navy of your great Nation and to have this opportunity of seeing something of your beautiful country, which almost all of us have been privileged to have already seen, but which, by reason of our long service and so close to the age of retirement from the Navy, we no longer hoped to see it again and personally verify its immense progress, mainly on all matters concerning its powerful Navy.

For all we have seen up to this point—and we thought we knew—it was still far from the real picture. We then feel very happy to have seen that the result of such effort corresponds to your further desires.

We are quite sure that this is not the only effort you have made up to now, for your history shows us many other efforts in which your will power and incomparable energy have overcome all difficulties, but we believe that you could not have done more.

I could not better define the future that we all wish to you than repeating the wonderful words that my dear friend, Admiral Allard from the Chilean Navy, pronounced in our name in his marvelous speech at Charleston and which I will endeavor to reproduce in his own language: "If you will allow me to use a figure of speech I will say that we are raising the pedestal of liberty in order that its powerful light might shine to the ultimate confines of the world."

In this manner our sentiments of fraternity in strengthening evermore this phrase which appears indelibly in the annals of your history emphasizing unequivocally to whom America really belongs, a phrase well known to us and which expresses the truth that America is our country and only our country, in which, fortunately, one may still live in liberty and at the same time feel confident in the very principles which by themselves constitute the highest aspirations and conquests of mankind.

This trust, amply justified, which we place in one another, building bonds of genuine sentiments of cordiality which might very well serve as an example to many less fortunate nations of the world, and which we in turn, to the best of our endeavor, labor to strengthen day by day, reached its culmination in the form of the genuine and sincere welcome of which we have been the object ever since our arrival on these shores.

As a result, we will return to our countries with hearts full of gratitude and evermore convinced that life for us might be carried on to the fullest extent of our desires—by that I mean trusting one another—and turned to the very principles that have established in the world the sacred words—right, justice, and liberty.

On our part there is even a more flattering appreciation: It is that you are devoting yourselves to this Herculean task for the security of your country, not forgetting any of the sentiments of pan-American cordiality, of whose fruits, the history of the Western Hemisphere is replete.

The contribution of the American Navy has been boundless in the building of this your great country which today received us with such extreme cordiality; the Navy's action in its own sphere grows ever more important and necessary; our knowledge of its material potentiality has now redoubled with this pleasant visit; regarding the professional value of its personnel we already have ample proof, not only through the tour of duty of some of our officers in the American Navy, as well as through the naval missions which have represented you in many of our countries, among which I feel my duty compels me to render my homage at this moment to the last chief of your mission, Admiral Beauregard, who upon six different occasions we had as our guest so much so that we of the Brazilian Navy now consider him as one of our own.

Discharging to the best of my ability this honorable undertaking with which my distinguished colleagues have entrusted me, I seize this opportunity to extend our best personal wishes to Your Excellency for the prosperity of your great country and for the brilliant future of the American Navy.

SUGAR QUOTAS

Mr. THOMAS of Idaho obtained the floor.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reynolds
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Truman
Byrd	La Follette	Tunnell
Byrnes	Langer	Tydings
Capper	Lee	Van Nuys
Caraway	Lodge	Wallgren
Chandler	Lucas	Walsh
Chavez	McCarran	Wheeler
Clark, Mo.	McFarland	White
Connally	McNary	Wiley
Danaher	Maloney	Willis
Davis	Mead	
Downey	Murdock	

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

Mr. THOMAS of Idaho. Mr. President, several times during the last session of the Congress I pointed out the need of insuring an adequate sugar supply to satisfy the Nation's needs at a reasonable price.

On January 29 the Secretary of Agriculture issued an order reducing the domestic beet acreage allotment by 16.2 percent. At once there was a great protest from the thousands of Americans to whom sugar beets mean bread and butter. Numerous protests from the farmers of Idaho came to me. Petitions were received from Granges and beet-producers' organizations. Resolutions

were sent by laborers in beet-sugar factories. Memorials were forwarded to the Senate by various State legislatures relative to the situation.

I spoke in the Senate last February 20, and urged the Secretary to reconsider his order. I said in the course of my remarks:

It is not too late to change the order by which acreage will be reduced, since planting of beets does not take place until March and April. The approximately 300,000 additional tons of sugar which would be grown because of this change of policy might very well protect us from a very serious shortage.

That same day I addressed a letter to the Secretary of Agriculture bringing his attention to my remarks and asking him to give serious consideration to the question of rescinding his order. He replied under date of March 10, but offered no intimation whatever that the new quotas would be rescinded. In fact, the Secretary seemed to be fully satisfied that the lower quotas set in January were adequate to take care of the Nation's needs.

On March 13 I took the floor of the Senate to make another appeal to the Secretary. I stated at that time:

The point I am making is that the farmers in the sugar-beet areas will start to plant their beets in about 30 days; and by simply a stroke of the pen rescinding that cut, the Secretary of Agriculture could again let us grow the amount of sugar that we grew last year.

As there was no indication from the Department that the policy would be changed, I, of course, was unable to get any action on the matter. Now, obviously, it is too late. Even if the Secretary should now come to realize that the acreage should not have been reduced, it would be of little use to the sugar beet-farmer. The beet raisers have already prepared or planted the beet lands with other crops.

More than 2 months ago Representative COFFEE of Nebraska introduced a bill in the House providing that the mainland beet and cane producers be permitted to fill whatever portion of the duty-free quota granted to the Philippine Islands the Philippines themselves could not fill. In the Senate the Senator from Colorado [Mr. ADAMS] and the Senator from Wyoming [Mr. O'MAHONEY] introduced a similar measure. The Adams-O'Mahoney bill provided, in addition, that domestic producers be allowed to complete the unfilled dutiable portion of the Philippine quota.

The Philippines have never filled the dutiable portion of their quota; and under the Sugar Act of 1937 this amount, instead of being allotted to the domestic producer, is always allotted under the act to foreign countries other than Cuba. This process is in line with the administration's good-neighbor policy.

Last month an order was issued by the Department of Agriculture allotting the dutiable portion of the Philippine quota for 1941. I may say that this was done in accordance with the law, and the Secretary, therefore, is subject to no criticism for the order.

The administration is protesting the passage of the Adams-O'Mahoney bill because it would hamper the proration of the Philippine sugar deficit to foreign countries and would, therefore, be unsuitable to the good-neighbor policy. Let us see what good neighbors were benefited by this reallotment. Among them are Germany, Italy, and Japan. These three great good neighbors are benefiting by this administration's sugar policy. I find on the list Belgium, now under German domination. Czechoslovakia, France, and the Netherlands, all under German domination, are on the Department of Agriculture's list to fill portions of the deficit for the Philippines. Also on the list are some countries that are importers of sugar. This is especially true of France and Mexico. They are unable to export sugar; yet they, together with nations that may be our enemies, are given the right to fill a larger share of the American sugar market—this in the name of good neighborliness.

At this point in my remarks, Mr. President, I should like to have included the order of the Department of Agriculture making proration of the 1941 deficit for the Philippine Islands.

The VICE PRESIDENT. Without objection, it is so ordered.

The order referred to is as follows:

[From the Federal Register of April 15, 1941]

CHAPTER VIII—SUGAR DIVISION, AGRICULTURAL ADJUSTMENT ADMINISTRATION

[G. S. Q. R. Series 8, No. 1, Rev. 1. Supp. 1]

PART 821—SUGAR QUOTAS

Proration of 1941 deficit for Philippine Islands

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, as amended, I, Paul H. Appleby, Acting Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public nctice of these regulations (constituting a supplement to General Sugar Quota Regulations, Series 8, No. 1, Revision 1[1]), which shall have the force and effect of law and shall remain in force and effect until amended or superseded by orders or regulations hereafter made by the Secretary of Agriculture.

Section 821.23 of General Sugar Quota Regulations, Series 8, No. 1, Revision 1, is hereby amended by adding the following new paragraph:

SEC. 821.23. Other quotas.

* * * * *

(b) Deficit in quota for Commonwealth of Philippine Islands: It is hereby determined, pursuant to subsection (a) of section 204 of the said act, that, for the calendar year 1941, the Commonwealth of the Philippine Islands will be unable by an amount of 146,464,000 pounds of sugar, raw value, to market the quota established for that area in paragraph (a) of this section. (Sec. 204, 50 Stat. 905; 7 U. S. C. 1114.)

Section 821.24 of General Sugar Quota Regulations, Series 8, No. 1, Revision 1, is hereby amended by adding the following new paragraph:

§ 821.24. *Proration of quota for foreign countries other than Cuba.*

* * * * *

(b) *Additional prorations.* An amount of sugar equal to the deficit determined in paragraph (b) of § 821.23 hereof is hereby prorated, pursuant to subsection (a) of section 204 of the said act, to foreign countries other than Cuba as follows:

Additional prorations (in terms of pounds, raw value)

Country:	Pounds
Argentina	42,207
Australia	590
Belgium	852,170
Brazil	3,466
British Malaya	75
Canada	1,633,662
China and Hong Kong	834,236
Colombia	774
Costa Rica	59,640
Czechoslovakia	762,393
Dominican Republic	19,303,640
Dutch East Indies	612,063
Dutch West Indies	19
France	507
Germany	339
Guatemala	969,710
Haiti, Republic of	2,668,541
Honduras	9,939,029
Italy	5,070
Japan	11,608
Mexico	17,465,350
Netherlands	630,830
Nicaragua	29,595,003
Peru	32,180,973
Salvador	23,767,903
United Kingdom	1,015,360
Venezuela	839,703
Subtotal	143,199,860
Unallotted reserve	3,264,140
Total	146,464,000

(Sec. 204, 50 Stat. 905; 7 U. S. C. 1114)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 11th day of April 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-2695; Filed, April 12, 1941; 11:12 a. m.]

[1] 6 F. R. 1858.

Mr. THOMAS of Idaho. The Adams-O'Mahoney bill would have given these additional quotas to the American farmer instead. The Department of Agriculture, however, objects to this. On April 25, the Secretary wrote the distinguished chairman of the Finance Committee, opposing the proposed measure because—

It is the established policy of this administration to develop and improve our trade with other American republics, and under present world conditions the need for encouraging such trade is greater than ever.

How granting additional sugar quotas to nations like Germany, Italy, Japan, and nations under Axis control can be justified by the good-neighbor policy, I cannot understand. Surely this situation should convince every Member of Congress that we must have new sugar legislation at this session of Congress.

Both the Adams-O'Mahoney and the coffee measures are still pending before their respective committees. No action has been taken on them. I understand that the Finance Committee met today for the purpose of considering the legislation.

So far as I can see, there can be no question of the wisdom of the proposal embodied in this legislation. The provision offers a protection against a possible sugar shortage resulting from the failure of the Philippines to deliver their quota. The shipping situation has been

and is dangerous. The normal rate for freight on sugar from the Philippines is $6.75 per long ton. In February the rate had gone up to as much as $20 per long ton, and the last available information indicates that now the asking price per long ton if space can be obtained at all has increased from $28 to $30 per ton. The trend is upward, and from every present indication it will continue upward.

Evidently, it is the policy of the administration to permit offshore producers to make up any deficiency that may develop. Additional imports of sugar from sugar-growing countries of the West Indies are evidently being contemplated. This is in spite of the fact that it is impossible to book tonnage from the West Indies 90 days ahead, and there are no bookings without a requisition clause. Before the war the price of shipping sugar from the West Indies was about 14 or 15 cents per hundred pounds. Today, it is about 50 cents per hundred pounds, an increase of 333 percent. The price of deadweight tonnage from Cuba and other West Indies countries has risen from less than $1 per deadweight ton before the war to as high as $11 per deadweight ton around the first of April.

In the light of this precarious shipping situation, we still continue to make ourselves dependent on offshore deliveries of sugar. As I have stated again and again, it seems utterly foolish to follow such a policy in times like these. If there had been justification for doing so when the world was at peace, the fact that war is being brought closer to our doorstep changes the situation, and we should take steps to protect ourselves.

In addition, we have a situation wherein the sugar-beet processors of the western part of the United States have surpluses on hand, but are not permitted to sell them. It is a peculiar situation, to say the least, in view of the fact that the preliminary sugar deliveries in March totaled 1,029,886 short tons, raw value, the third time in history that deliveries in any one month have exceeded 1,000,000 tons.

In the first 3 months of this year, deliveries have amounted to 2,160,363 short tons, or a gain of 896,442 tons over the similar period a year ago. This is an increase of almost 60 percent over the movement in consuming channels in the same period last year. It is about 50 percent more than the average during the first quarter of the past 4 years.

There is every indication that the movement of sugar this year will reach an all-time high; and at the present rate of deliveries we shall be faced with a serious shortage of sugar in a very short time. Even then, the domestic processors in this Nation are able to sell only a portion of their surpluses. The Export-Import Bank has drawn up an agreement by which a loan of more than $11,000,000 is to be made to the Cuban sugar interests to finance the production of additional sugar. Just why the bank wants to increase the production in Cuba and to leave the sugar-beet processor with a surplus on his hands has not been explained satisfactorily to me. The policy simply does not make sense, just as the policy of making ourselves dependent upon offshore production of sugar in these times does not make sense.

It is my feeling that a realistic concern for this Nation's needs demands a more enlightened consideration of this entire problem. Here we have an opportunity to help the farmers of the United States, as well as our entire consuming public.

I believe that a change in the quota system should be made, permitting an increase in the acreage of sugar beets and cane, so that the American producers shall be able to produce all the sugar they can.

The important fact should be kept in mind, Mr. President, that if all those who could profitably produce sugarcane and beets in the United States should do so, there would still be a shortage. If every farmer of this Nation should produce without restraint all the sugar he could produce, we would not be raising enough to meet our needs. In other words, sugar is one of the few commodities raised by the American farmer which would be certain to find a domestic market. Since there is a market for them, sugar beets offer at least a hope of profit, in spite of the fact that last month the price of sugar beets was only 73 percent of parity.

Yet this administration's policy allows the farmer of the West to utilize only a small portion of land that could be used for the raising of sugar beets. This administration makes it necessary for the farmer to plant crops which we already have in tremendous surplus. This administration tells him that even though there is a market for all the sugar beets he wants to raise, he must raise crops that are neither needed nor wanted at the present time. This again, Mr. President, does not make sense. It is foolish; it is absurd; it is basically unsound.

Mr. President, I insist that the time has come when we should take action on a sound and sane policy for the American sugar industry. I can see no reason why the Adams-O'Mahoney bill, or similar legislation, ought not to be passed immediately. I can see no reason why additional legislation ought not to be passed giving the domestic sugar producer the right to the American market.

The sugar industry ought to have a chance to exist. It should be given an adequate share of the domestic market. It ought to be freed instead of stifled. Not only is this necessary in the interest of the growers, but it is important in keeping our Nation in a position to withstand unfortunate international developments.

THE AMERICAN POTASH & CHEMICAL CORPORATION, TRONA, CALIF.

Mr. NYE. Mr. President, for a few minutes I wish to direct my attention and the attention of the Senate to an amazing and somewhat mysterious situation which is publicly reported and which is so closely linked to our national defense that it seems to merit a greater consideration and perhaps closer study than it has received.

There exists, it seems, within our borders, a foreign colonial outpost, ruled from a foreign capital. It carries on business under an American name, but its policies and its treatment of its American workmen are wholly un-American. Its product comes from the soil of America. Its labor policies are un-American. Its product, essential to war production, has been shipped to our potential enemies. The profits of this concern accrue to the benefit of foreign capital.

It is the function of this foreign concern to manufacture vital defense material, under a secret process, from our own resources, and ship this product abroad to those who might ultimately be our enemies.

Mr. President, this foreign-owned and foreign-directed plant is the largest potash and mineral producer of its kind in the world. From its factories in California come large quantities of bromine, which is an essential ingredient in the conversion of ordinary gasoline into high-grade aviation gasoline and which is used in the manufacture of poison gas. One of its largest customers is Japan.

Important and revealing facts about this foreign outpost have been discovered, not through official inquiry of the Government, but through the courage and enterprise of a lone reporter. Published in the May 2 issue of Friday, a national magazine, the facts and authenticating data, on which I have recently checked, make a story about which the American public should know.

The reporter for Friday magazine drove through the region of the Mojave Desert in California. On a sign at a juncture in the road he read "Private property—permission to pass over revocable at any time." To a good reporter this curious invitation to stay out was merely incentive to check up.

I should like to offer for the RECORD, Mr. President, at this juncture a letter which the reporter wrote to his managing editor describing his experiences. He pointed out in his letter, and furnished photographs in substantiation, that the designation marked upon some of the shipments of this material was Japan.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

Enclosed you will find the pictures I managed to sneak at Trona. I had a devil of a time getting this stuff.

Trona, as you know, is a couple of hundred miles out in the middle of the desert. As I neared the place, I came across the big sign you will see in the picture, warning everyone to stay out, but instead of staying out I was only more curious about this isolated colony in the desert.

Once I got into the town itself, I was amazed at the conditions. I don't see how people could live in such shacks and in such heat. Whole families were being forced to live in just one and two miserable rooms. Single men are living in barracks, the like of which I have never seen before.

I drove around taking a few pictures when a gang of company detectives descended on me as though I had been robbing the company till. They threatened to smash my camera and haul me off to their stinking jail. They were just about as tough a bunch of hombres as I have ever seen. After we got

to the jail they tried to push me around, but didn't because I threatened to make plenty of trouble, so instead of beating me up they tried to give me a little dose of the third degree. Finally, after sweating me for 4 or 5 hours they gave up and decided they would have to let me go. Then the whole question of smashing my camera came up again. I pleaded with them and promised to surrender my negatives. I was just about dead, what with the desert heat and the grilling and pushing around they put me through, but I'll be damned if I'll let anybody ruin one of the biggest stories I ever found, and so I switched film packs and gave them a blank pack. They'll be plenty surprised when they see all these pictures in Friday.

You should have seen the bewildered look on their faces when I told them this was a free country and a man could go where he pleased and we had a free press and could print pictures of what we found in Trona or anywhere else.

Working conditions are very bad. The company is shipping tremendous quantities of its product to Japan. This is something I learned from a number of workmen. You'll see bags addressed to Japan in some of the pictures.

Mr. NYE. Mr. President, inasmuch as the Bureau of Mines has reported that this company is foreign-owned, but the names and nationalities of the interests owning it have not been disclosed, I cannot say whether the detectives referred to in the letter were a part of the German Gestapo or the Russian Ogpu or the South African Constabulary of Great Britain, but I can say that they were not police on the pay roll of an American municipality.

What is this foreign colonial outpost? Its deceptive name is the American Potash & Chemical Corporation. Why have I said that it is a foreign colonial outpost? Because, though it goes under the misnomer of "American" Potash & Chemical Corporation, it is nothing less than a foreign-owned, foreign-controlled, foreign-operated plant located on American soil, fenced in on American soil in the heart of the Mojave Desert in California, with signs placed to discourage inquisitive visitors. It encloses more than 1,200 workers. It owns the town, lock, stock, and barrel, and there are only two places where outsiders can go without trespassing—the United States post office—where the words "United States" are strangely missing—and the railroad waiting room, where unexpected visitors are allegedly allowed to remain long enough to catch the next train out. Do the people there use United States currency in making their purchases in this outpost? They do not. A company scrip is the medium of exchange. Are the stores operated there owned by American citizens? They are not. They are owned and operated by the foreign management. Are the workmen able to purchase their groceries and clothing elsewhere? As a practical matter, they are not. The company scrip is a subtly designed suggestion to the employee to buy from his employer or look elsewhere for a job and the company owns the only railroad leading into the area.

This foreign-owned, controlled, and operated company has imposed working and living conditions on its workers which seem to be a complete violation of every American living standard. Visual proof of this statement is revealed in the photographs taken by the reporter and published in Friday magazine, and which I have in my possession.

Observe the reported living conditions. The housing provided by this foreign outpost provides one- and two-room shacks for families of 10 and 12 people. For single men the conditions are even worse. They pay $9 per month for a bed in a dormitory.

Though all the stores are company owned and managed, and thus are able to buy supplies, food, and clothing in quantity, the prices of even staple commodities are reported as much as 25 percent higher than those prevailing elsewhere in this area. Sugar, which sells at 56 cents for 10 pounds elsewhere, is 81 cents in Trona. Hamburger is 18 cents in Los Angeles and 30 cents per pound in this foreign outpost. Since the company owns the only railroad leading into the area, it makes it well-nigh impossible for workers to buy elsewhere; and if they were able to, they would have to defy the scrip system, which furnishes to the company an admirable record of where they buy, and how much.

This foreign dependency's final blow at the American standard of living is directed at the workers' wage. American companies in the same industry pay a higher wage scale than does the deceptively named "American" Potash & Chemical Co. At Carlsbad, in New Mexico, Potash of America pays its workers from 70 cents up per hour for common labor. At Trona the common laborer is paid 62½ cents for the same work; and the processes at Trona call for a large percentage of unskilled laborers. Though the prevailing wage scale in California is much higher than it is in New Mexico, the foreign company at Trona, in California, pays its workers more than 10 percent less than does the American company at Carlsbad. For the dangerous work of loading the chemical product at Trona the workers receive two and one-half times less than do the longshoremen on the docks of Wilmington, San Pedro, and Long Beach, or 62½ cents per hour as compared with $1.40.

It was conditions such as these that made the workers use their right to organize under the laws of our land in 1936. But this foreign company, used to making its own law, would not recognize this right. The company fought back, through the N. L. R. B., through the circuit courts, and finally, when the Supreme Court forced them to, recognized the Mine, Mill, and Smelter Workers' Union in 1940, and paid back to many workers who had been discharged sums totaling $80,000. The union was not finally recognized till December 10, 1940.

Though labor sweats and toils under these un-American housing and wage conditions, the foreign interests are making tremendous profits on each employee. In 1939 the net income was more than three and one-fourth million dollars, which is shared by less than 250 foreigners who own all the outstanding stock of the company; and it is probable that, with increasing defense production, these profits have jumped even higher. The net dividend paid to these foreign owners in 1938 amounted to $2,300 per employee. How does this compare with the profits of some of our leading American industries? During the past year United States Steel made a net profit of but $393 per worker; American Telephone & Telegraph made $725 per worker; and General Motors, in one of its best years, 1940, made $977 per employee. So this foreign company makes a net profit per employee which is more than 600 percent larger than that made by United States Steel, which certainly is not an insolvent concern.

Looking back at the picture, here we find a foreign-owned, foreign-controlled, foreign-operated national-defense industry which has fenced itself off from the rest of America, made huge profits at the expense of American labor, and has been draining an important American resource at the expense of our own American defense program by sending vital aid to the Japanese program of aggression.

During the Senate's consideration of the lease-lend bill, at a time when every possible pressure was being exerted to have that bill passed, representatives of the British Government, with appropriate and timely publicity, announced the sale of the Viscose Corporation of America to American interests, and suggested that it was the policy of British owners of American industries to liquidate them by transfer to American interests before calling upon the American taxpayer for lease-lend-give sacrifices. The publicity had its effect. The lease-lend bill was passed. As soon as the clamor had died down, the Brown & Williamson Tobacco Co., a subsidiary of the British-American Tobacco Co., Ltd., far from being transferred to American interests, acquired from the R. F. C. a loan of $40,000,000 of the American taxpayers' money.

Neither of these companies exploited American labor to the extent of the Trona concern. Neither of these companies was producing vital war materials and shipping them to our potential enemies, as was the Trona concern; and yet why has not Trona, which is a highly profitable concern, and which is important to our defense production, been transferred to American ownership?

A large question mark still remains on the horizon: Who actually owns this Trona, Calif., concern?

Perhaps the British do want to turn Trona over to American interests. Perhaps the British interests which manage Trona are not willingly exploiting American labor. Perhaps they are not willingly shipping poison-gas materials to our potential enemy, Japan, which is certainly just as much of a threat to England herself. I cannot believe that British interests would be so self-destructive, or that British interests would deliberately carry out a policy so detrimental to the defense interests of the United States.

There has been a veil of mystery surrounding the American Potash & Chemical Corporation in conflicting reports by agencies of the Government itself. In 1932 the Bureau of Mines reported that,

though under British management, the stock ownership had been transferred.

Available data indicate that the stock sold is still foreign owned—

The report states—

but the names and nationalities of the new interests owning it have not been disclosed.

But in a very recent report on the potash industry, prepared by Willard Thorp and Ernest A. Tupper, for the Department of Commerce, and submitted to the Department of Justice, the authors say, on page 24, that—

In 1929 the Gold Fields group sold a substantial portion of the shares registered in their names and owned by them to a group of Netherlands companies.

Now, Gold Fields is a wholly owned subsidiary of New Consolidated Goldfields of South Africa, Ltd., which in turn is wholly owned by the Consolidated Gold Fields, Ltd. In other words, the ownership of American Potash & Chemical Corporation was transferred in 1929 from its British ownership to a mysterious group of Dutch companies who have never been identified. They remain unidentified at this moment, with no clue as to the solution of the mystery.

Here, then, is the picture with which we are confronted—that of a British-managed colony on American soil, extracting huge profits from a vital defense industry, transmitting these profits to a mysterious group of so-called Dutch interests, and, until recently at least, shipping some of these vital products to our potential enemies.

Mr. President, I shall submit these remarks of mine to both the Department of Justice and the Treasury Department, and ask there for such information as may give us light on reasons why these conditions prevail, or should be permitted to continue to prevail.

SENATOR FROM WEST VIRGINIA

The Senate resumed the consideration of Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia.

Mr. AUSTIN obtained the floor.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Texas.

Mr. CONNALLY. I hope that during the remaining consideration of the pending resolution Senators will abstain as much as possible from interjecting speeches on matters not related thereto, because that course tends to diffuse the arguments that are being made on the resolution and divert the attention of Senators from a highly technical and legalistic discussion. I trust Senators will restrain themselves as much as possible. I say that without any reference to any particular individual. I hope we may go ahead and conclude the consideration of this resolution without excursions into the hinterland too far from home base.

Mr. McNARY. Mr. President——

Mr. AUSTIN. I yield to the Senator from Oregon.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reynolds
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Truman
Byrd	La Follette	Tunnell
Byrnes	Langer	Tydings
Capper	Lee	Van Nuys
Caraway	Lodge	Wallgren
Chandler	Lucas	Walsh
Chavez	McCarran	Wheeler
Clark, Mo.	McFarland	White
Connally	McNary	Wiley
Danaher	Maloney	Willis
Davis	Mead	
Downey	Murdock	

The VICE PRESIDENT. Eighty-two Senators have answered to their names, a quorum is present.

Mr. AUSTIN. Mr. President, I wish to address myself to the amendment offered by the junior Senator from Kentucky [Mr. CHANDLER], to strike out all after the word "resolved" in the pending resolution and insert in lieu thereof the following:

That Clarence E. Martin, appointed by the Governor of West Virginia to fill the vacancy created by the resignation from the Senate of Matthew M. Neely, is entitled to be seated as a Senator from West Virginia.

This issue involves an important interest not only of the Government of the United States but the governments of each and all the several States, because at the outset it involves the principle of incompatibility of offices, which is founded on reason. The reason for the rule that one person may not be entitled to an office to which a resignation must be tendered, if he is the man who is resigning, as in this case, is founded upon the theory, first, that our form of government is a Federal form, consisting of States, each one of which shall be independent of the Federal Government to a very great extent; and, second, that the powers of the Federal Government shall be so limited that the Federal Government cannot subordinate the government of a State to the central government.

It often appears in a less important form, rested solely upon the principle that one office should not be subordinated to another by allowing one person to hold control of two offices. That doctrine is so important that we find it prevailing in the Federal law and reiterated in the laws of each State of the Union, and we find it also firmly imbedded in the common law.

The principle expressed frequently is that the subordination of one office to another exists where the incumbent of one office has the power of appointment to the other office. Here, of course, it is applied to two certain appointments, one of which occurred immediately after midnight of January 12, to-wit, on January 13, at 1 o'clock, less, we will say, all the seconds except the first one, and that was described by Governor Holt as occurring in the following manner:

Mr. HOLT. I made this last appointment just as the second hand of the Naval Observatory time as recorded in the office of the Western Union Telegraph Co. in Charleston passed 12 o'clock, at midnight.

The CHAIRMAN. You had it all written out?

Mr. HOLT. Oh, yes; had it laid right before me with pen wet.

Senator AUSTIN. You signed it within 1 or 2 seconds past midnight?

Mr. HOLT. I do not think it took a second, to tell you the truth about it.

Mr. Neely says about the appointment of Dr. Rosier, as appears in the hearings, page 85:

I did not appoint Dr. Rosier immediately after 12 o'clock. I did not appoint him until some time later that day. I think it was toward the end of the day. I said that I qualified for Governor so that there should not be even an infinitesimal fraction of a second between the time I ceased to be a Member of the United States Senate and the time I began to be Governor of the State.

The committee in its majority report states, among other things:

At the time this appointment was made the Honorable Matthew M. Neely was admittedly not only properly qualified to act as Governor of West Virginia but had also been duly inducted into that office.

So one of the facts about which there is entire agreement, I think, among all members of the committee—and it is a fact which should not be overlooked—is that we are dealing with an appointment of Mr. Martin which was made many hours before the appointment of Dr. Rosier. It is of importance in two ways. The most important manner in which it applies is that if the first appointment was legally made it takes effect by priority; it becomes the only appointment, and it creates such a situation that there was no vacancy at the time when the purported appointment of Dr. Rosier occurred. But it has also another significance, and that is that Governor Neely waited until after he had taken the oath, filed it with the Secretary of State, and been inducted into office. In other words, it was after the fourth oath taken by Governor Neely that the appointment of Dr. Rosier occurred. We claim that such an appointment would tend to subordinate the office of Senator of the United States to the office of Governor of the State of West Virginia.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. Yes.

Mr. CONNALLY. I do not desire to disturb the Senator's line of thought.

Mr. AUSTIN. Not at all. I am glad to yield.

Mr. CONNALLY. On the question of the first appointment by ex-Governor Holt, the outgoing Governor, let me ask the Senator a question. Suppose the vacancy in the senatorship instead of occurring on the 13th of January, had occurred on the 15th or the 16th, would the Senator then say that Governor

Holt during his term prior to the 13th could have filled that vacancy?

Mr. AUSTIN. In this case, yes; and I will say why.

Mr. CONNALLY. Well, in any case.

Mr. AUSTIN. Oh, no. They are different.

Mr. CONNALLY. Let me make myself clear, if the Senator will bear with me. Let us forget Mr. Neely altogether. Let us assume that Governor Holt is Governor, and his term ends on the 13th day of January, and a vacancy occurs in the senatorship on the 20th day of January. Could Governor Holt, upon being advised of that vacancy, have filled that vacancy while he was still Governor?

Mr. AUSTIN. Of course, that is a moot question that does not apply to this case.

Mr. CONNALLY. It is hypothetical, I will admit. The Senator does not contend, does he, that an appointing officer can fill a vacancy which does not happen during his own tenure of office?

Mr. AUSTIN. Oh; of course not.

Mr. CONNALLY. Then, if the vacancy in the senatorship in this case occurred at midnight or after midnight of the 13th, how could the outgoing Governor, who had already gone out, have made a prospective appointment to fill that vacancy? I thank the Senator for yielding, and I shall not interrupt him any more.

Mr. AUSTIN. Mr. President, I cannot assume that the outgoing Governor had already gone out, and I am about to discuss that point. There can be no resignation of the office of Senator save to the Governor of the State from which the Senator is accredited, if there is such a Governor. A United State Senator cannot resign to himself. That is an exercise of incompatible power. In the first place, he cannot resign to himself because he cannot be in both offices at the same moment.

Mr. HATCH. Mr. President, will the Senator yield at that point?

Mr. AUSTIN. Yes.

Mr. HATCH. By accepting another incompatible office without resigning at all he can divest himself of an office with the same effect as a resignation to himself.

Mr. AUSTIN. Not always.

Mr. HATCH. Without interrupting the Senator, I wanted to ask the Senator, with respect to the first appointment, whether he had given any consideration to this thought—I do not put it forth as final or conclusive, but it is a suggestion which I wondered whether the Senator had considered, and what he thinks about it—that is, when he said the first appointment by Governor Holt was valid, made at a time before any vacancy existed——

Mr. AUSTIN. I think I misstated what I meant. I did not mean Governor Holt's first appointment.

Mr. HATCH. That is the way I understood the Senator.

Mr. AUSTIN. I was comparing the appointment of Mr. Martin with the appointment of Dr. Rosier when I said "the first appointment." The one occurred hours before the other. When I referred to the first appointment, I meant the appointment that was made by Governor Holt. I did not intend to say the first appointment which Governor Holt made.

Mr. HATCH. I misunderstood the Senator, although I think I was correct.

Mr. AUSTIN. Oh, I think the Senator is correct, too, as I recall it, but I did not intend that.

Mr. HATCH. With respect to those two first appointments made before the vacancy actually arose, according to the terms of the resignation, has the Senator considered the seventeenth amendment to the Constitution, giving authority to appoint Senators?

Mr. AUSTIN. I think I have.

Mr. HATCH. On that point—and this is what I want the Senator to consider—that authority arises by virtue of the seventeenth amendment only in this language:

> When vacancies happen in the representation of any State in the Senate—

Mr. AUSTIN. Yes.

Mr. HATCH. I am wondering if perhaps a vacancy does not actually have to exist before there is any authority in anybody, either Governor Holt or Governor Neely or anybody else, to make an appointment.

Mr. CHANDLER. Mr. President, will my friend from Vermont yield to me for a moment?

Mr. AUSTIN. Let me answer the question first.

I call the attention of my much-esteemed friend to the claims of the minority in its report on that very point. The language in the minority report is:

> "When vacancies happen" (amendment XVII) is the determinative phrase in the Constitution from which all action springs:
>
> No writ of election can be issued by the executive authority of any State until "when vacancies happen";
>
> No temporary appointment until the people fill the vacancy by election as the legislature may direct can be provided for under the statute in any State until "when vacancies happen."

So time is the question of importance in determining whether the appointment made by Governor Holt was a valid appointment.

Mr. HATCH. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. I yield.

Mr. HATCH. I take it, from what the Senator has just said, when he now says that time is the determining factor, that he means that the appointment made by Governor Holt at midnight, after the vacancy had actually occurred, was a valid appointment. Is that the Senator's contention?

Mr. AUSTIN. I do not think the minority is bound by that single consideration.

Mr. HATCH. I am not trying to bind the Senator. I am trying to understand his views.

Mr. AUSTIN. I have a choice between two grounds which to my mind are equally convincing of the legality of the appointment of Mr. Martin. One of them is that the vacancy happened before 12 o'clock.

Mr. HATCH. By reason of taking the oath?

Mr. AUSTIN. Yes; and other circumstances connected with the transaction. The theory of that ground is that the vacancy happened by abandonment rather than by resignation.

The other ground is that the vacancy happened by resignation in which event it happened precisely at 12 o'clock midnight on January 12.

Mr. HATCH. And did not arise before.

Mr. AUSTIN. And did not arise before. Assuming that the vacancy happened by abandonment, one would want to adhere to the act of Governor Holt in making his appointment prior to midnight; but I do not think that is the best course to take. As legislators earnestly trying to arrive at what is right, not only for the purpose of determining who is the Senator from West Virginia, but in order to have placed on record an act of the Senate which will be correct and which will be safe to rely upon in the future, I think it is better to get upon ground that is perfectly sound.

Mr. HATCH. I think that is what we have been trying to do.

Mr. AUSTIN. Yes; we are all aiming at the same objective; and I am telling the Senator of the processes of thinking which I go through in arriving at that objective.

For example, I have no doubt that both the code and the jurisprudence of West Virginia require the filing of a certificate as a necessary act in order for a Governor of West Virginia to qualify. As I say, I have no doubt of it at all; but I do not need to pass upon that issue. If I assume that an oath of office alone, with nothing more, qualified Governor Neely, then I observe what occurred. Disregarding the oaths taken prior to 12 o'clock, he went through with a certain ceremony in taking that oath, as described on page 71 of the hearings:

> Senator BRIDGES. Did the chief justice in administering the oath make you repeat after him?
>
> Governor NEELY. I did not repeat after him.

But let me read what the chief justice did. He read:

> I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of the office of Governor of the State of West Virginia to the best of my skill and judgment, so help me God.

Thereupon the Governor signed the oath.

Let us compare the time required barely to read that oath and the time necessary for Matthew M. Neely to sign it with the time described in this way:

> Mr. HOLT. I made this last appointment just as the second hand of the Naval Observatory time as recorded in the office of the Western Union Telegraph Co. in Charleston passed 12 o'clock at midnight.
>
> The CHAIRMAN. You had it all written out?
>
> Mr. HOLT. Oh, yes; had it laid right before me, with the pen wet.
>
> Senator AUSTIN. You signed it within 1 or 2 seconds past midnight?
>
> Mr. HOLT. I do not think it took a second, to tell you the truth about it.

I think all reasonable men have difficulty in disregarding the unseemliness of this procedure. Nevertheless, if the taking of the oath was all that was necessary, the appointment occurred during a vacancy in the office of United States Senator which carried over until the qualification by the incoming Governor, and therefore was a legal appointment.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. HATCH. The argument the Senator is now making compels the Senate to sit here today or tomorrow, or whenever we may vote, and say by our votes which time was longer and which was shorter. We are to weigh and divide that time, if we can. The Senator does not know, and I do not know, how fast the chief justice of West Virginia might have read, or how slowly Governor Holt, of West Virginia, might have written. Perhaps he dropped the pen, or perhaps the chief justice stuttered. It may have taken him 10 minutes. I do not know; and none of us knows. That is the kind of a question which I refuse to try to answer, because I do not think any person in the world could answer it.

Mr. CHANDLER. Mr. President, will my friend from Vermont yield to me for a moment?

Mr. AUSTIN. Let me say that I have great respect for the position taken by my distinguished friend. Of course, there can be no feeling between him and me over a question of that kind. My own observation is that nobody can sensibly view the scene without observing the physical fact of the passage of time that was necessary; but there is something else in it. It is like the matter of proximate cause——

Mr. HATCH. Mr. President, will the Senator yield for just a moment before he passes from the point he has just mentioned?

Mr. AUSTIN. Let me finish my sentence. Proximate cause may bring the exciting cause hours before the consequence, and yet it may be the nearest to it in the legal relationship of cause and effect which we are really considering.

I now yield to the Senator from New Mexico.

Mr. HATCH. The Senator said there was no feeling between us. Certainly there is no feeling on this subject. We have worked together in too many committees to have any feeling over a difference of opinion.

Mr. AUSTIN. Surely.

Mr. HATCH. But I must repeat that I think no Senator can divide that second of time. Later, when I take the floor, I hope to express a view with respect to a principle which will make any such decision unnecessary.

Mr. AUSTIN. I now yield to the Senator from Kentucky.

Mr. CHANDLER. It is always easy, of course, to presume a case which is much stronger than the case at hand. I have observed my friendly enemies in this case always trying to presume cases, and we have tried to hold them to the facts at hand. I do not believe they have been able to answer the argument that a Governor in office has the right to appoint to fill a vacancy which will most certainly occur in his term. We have before us the case of a man trying to go from a United States Senatorship to the Governor's office. If a monkey jumps from one limb to another he cannot do it without being in the air part of the time. [Laughter.]

The Senator from Georgia [Mr. GEORGE] has answered the question. He says that it does not make any difference how long the time was; there had to be an interval, because all hands—including Governor Neely and the attorney general of West Virginia—agree that Governor Neely could not be Governor and Senator at the same time. He resigned to be Governor. He had to vacate his office of Senator. When he did, Governor Holt was in office, had a right to make the appointment, and made it; and when Mr. Neely became Governor, the vacancy had already been filled. There was no longer any vacancy.

Mr. AUSTIN. I thank the Senator for his comment.

Regardless of the element of visible, observable, passage of time, there is another reason why the Senate of the United States should find that the incoming Governor, the new Governor, did not make the appointment, and that the outgoing Governor did make a legal appointment. That reason is the same old proposition that a Senator may not resign to any other officer save the Governor, if there is a governor of the State from which he comes. In other words, when we apply the Seventeenth Amendment, and ask when the vacancy occurred, whether it happened by abandonment before midnight, or whether it happened by the resignation at precisely midnight, there is only one answer—there can be no controversy made about it—and that is that it happened during the term of Governor Holt.

Under the same reasoning, the same principle that underlies the law relating to incompatible offices disqualifying men, it seems to me that Governor Neely could not possibly appoint his own successor as United States Senator. The incompatibility of the offices would prevent it. He could not at the same time be Senator and Governor. He could not at the same time exercise the functions of Senator and Governor; and that rule, which is intended to preserve the separation of these two great offices, a Senator of the United States and a Governor of one of the several States, to keep the power of one away from the power of the other, requires of us that we shall not permit that sort of thing to occur in our Government, of a Senator being able to hold on to his own office as Senator by means of rapidity of action created in any way he might devise which would enable him to perform the function of appointing his own successor.

Mr. HATCH. Mr. President, will the Senator yield? If he does yield I promise that I shall not interrupt him for more than a moment or two.

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Vermont yield to the Senator from New Mexico?

Mr. AUSTIN. I will yield in a moment. I desire to have that which I have to say come in at this point. The quotation which appears on page 3 of the minority views points out the evil to which I am referring; namely, that no citizen of the United States ought to own any office. Yet, at the hearings Senator Neely, as giving his reason why he ought to be permitted to name his successor, said:

> It is my term of office, gentlemen, that is to be completed.

Under our system of government no Senator of the United States ought to be permitted to say, when he is called upon to resign his office of Senator in order to take on the office of Governor, "It is my term of office that I am filling." In other words, he should not be able to hang on to that term of office as Senator, either directly or indirectly.

I now yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, the Senator from Vermont now has passed the point about which I desired to ask him; but he said that the incompatibility rule which he was discussing actually prevented Governor Neely from filling the vacany in the Senate.

Mr. AUSTIN. Yes; I claim that.

Mr. HATCH. Very well. Will the Senator go so far as to say that if Governor Holt had made no appointment whatever, when Governor Neely took the oath of office in regular form, and became Governor of the State, and the State had but one Senator, Governor Neely then could not have filled that place?

Mr. AUSTIN. Oh, no; if Senator Neely had become Governor, and if no other appointment had been made, of course not.

Mr. HATCH. If, when Governor Neely became Governor, there was a vacancy in the Senate, then he was entitled by law to fill that vacancy. Is that correct?

Mr. AUSTIN. Yes; if he were Governor.

Mr. HATCH. If he were Governor, and if the vacancy existed, he had the legal right to fill it?

Mr. AUSTIN. Yes; if he was a fully qualified Governor.

Mr. HATCH. That is what I mean.

Mr. AUSTIN. Yes.

My attention has been called to page 86 of the record:

> Governor NEELY. Yes; I did. I had plenty of faith in my oath; and I also had a good deal of faith in Governor Holt's ability to make trouble for me if I failed to take a single precaution to protect my rights and those of my appointee.

That is to the same effect as the previous statement, and it is something which we ought not to perpetuate by the solemn action of the Senate of the United States. If we are to maintain the vigor of the rule which separates these two offices, which are incompatible because the Governor has the power to fill the vacancy in the senatorial office, and further because the duties, the interests, and the sovereignties which they represent are at times in collision, in opposition to each other, then I think we are starting out upon a very dangerous course which might enable any of us, and, indeed, all of us, to keep a sort of mortmain, a dead hand, on our own offices, if we used de-

vices such as were used in this instance to accomplish such an objective.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WILEY. Mr. President, I have listened with a great deal of interest to the argument of the distinguished Senator from Vermont in relation to the theory of incompatibility of offices. It has been a long time since I have had occasion to examine the law relating to that subject, but in conjunction with what the Senator has said, I think the Senate of the United States is now called upon virtually to declare a public policy, and I agree with the distinguished Senator that it would be a very unhappy decision if this great body, which has stood through the years as a deliberative body and a body of vision and judgment in government, should now decide that under the circumstances of the present case a former Senator of the United States should have the power to appoint his successor. I think a great question of public policy is involved, and that now we should definitely decide that in the opinion of this body Governor Neely did not have the power to appoint his successor for reasons already advanced by the Senator from Vermont and on the ground of public policy.

Mr. BARKLEY and Mr. HATCH rose.

The PRESIDING OFFICER. Does the Senator from Vermont yield? If so, to whom?

Mr. AUSTIN. I yield to the Senator from Kentucky.

Mr. BARKLEY. In regard to that matter, the question of public policy with respect to the choosing of a Senator is a matter in which the State is involved as well as the Senate. I suppose everybody will admit that Senator Neely had a right to run for Governor of West Virginia. As I suggested the other day, the other way around is the usual course; men who become Governor want to come to the Senate, and it is very seldom that a Senator runs for Governor; but in this case nobody can deny that Mr. Neely had a right to do it, and that he did it.

The issue whether he should be allowed to make an appointment of his successor was submitted to the people of West Virginia. It was urged against him as a candidate that if he were elected Governor he would appoint his successor, and the Governor who has made one of the appointments urged that reason against him in the primary election. Regardless of that, the Democratic voters of West Virginia decided by a majority of 48,000 that, so far as their public policy was concerned, they were willing for him to do that. It was made an issue against Mr. Neely in the general election by his Republican opponent, and, by a majority of 112,000 the people of West Virginia decided, so far as their public policy was concerned, they were willing for that to happen.

If, regardless of the law that may apply—and I have been laboring under the impression that we were trying to settle this matter according to law, according to the authority of the respective Governors to make the appointment—it is a matter of public policy, and that question of public policy was passed on by the people of the State whose Senator we are seeking to decide upon here, does it lie in the mouth of the Senate to override the people of the State involved by deciding that, although they have concluded that, as a matter of their public policy, they are willing for this to happen, we are going to see to it that it shall not happen? Is that the Senator's view about this matter?

Mr. WILEY. Mr. President, will the Senator from Vermont yield to me?

Mr. AUSTIN. I yield to the Senator from Wisconsin.

Mr. WILEY. The majority leader apparently did not understand my position. Let me say that, while the testimony at the hearings shows that there was a discussion of the question at the general election, in West Virginia, certainly it cannot be the contention of the majority leader that in a primary in which Governor Holt was not even a candidate or in an election involving the governorship the people voted on a referendum, or anything of that kind, in which they had any power to decide, what it is the power of the Senate to decide, namely the qualifications of its Members and who was legally appointed to the Senate in this case.

Mr. BARKLEY. The question of the qualification of these two men, it seems to me, does not hinge upon a question of policy as to whether the incoming Governor shall appoint a Senator or the outgoing Governor shall appoint one. But the Senator from Wisconsin raised the question of public policy, and if that is a matter for legitimate consideration by the Senate, certainly we have a right to consider it in the light of what happened in the State involved. While Governor Holt was not a candidate against Senator Neely for the nomination—he could not be under the laws of the State—he did support the candidate who was opposed to Mr. Neely, and all over the State it was made an issue in the primary, that Mr. Neely, if elected, would be authorized to make an appointment of his successor. It could not be any binding referendum; it did not bind anybody, not even us; but if it is to be injected as an element upon which we are to render a decision as to the wisdom of public policy, certainly it seems to me that the Constitution has not set the Senate of the United States up as a super-moral agency to decide whether the people of any State have the right to determine in an informal way whether they want one man or another to make an appointment to fill a vacancy. This is an unusual situation, one that does not often happen, indeed, never has happened before in the United States; but the question of public policy is one which, it seems to me, the people of the State involved, as well as the United States Senate, have a right to pass on.

Mr. WILEY. Mr. President, will the Senator from Vermont yield further?

The PRESIDING OFFICER. Does the Senator from Vermont yield further to the Senator from Wisconsin?

Mr. AUSTIN. I yield.

Mr. WILEY. The matter of public policy to which I had reference had nothing to do with the question of the vote of the State. It goes more to the matter of determining whether we in the Senate, who are the judges of our membership, shall under any circumstances permit a condition to exist in our country such as existed in this instance, and say that a Senator can resign to himself and appoint his successor—regarding the Senatorship as the personal property of the Senator who resigned. The matter of public policy goes deeper than the election in West Virginia. It goes to the very vitals of whether we are to permit a growth such as we saw in Louisiana under another distinguished Member of the Senate.

As I have said, the distinguished Senator from Vermont contended that the offices were separate; he contended because of their incompatible nature there should not be permitted such a condition as that a governor could appoint a successor to the office previously held by him. In that respect I believe the argument of incompatibility of offices the Senator from Vermont has made, is four square with the law, and with what we should say public policy should be.

So I interjected the thought that there was something else to consider, and that was the question of public policy. The majority leader has said there has been no case before this body on all fours with this case. Now we are going to set a precedent; and shall we set a precedent which, in substance, will mean if we hold to the majority opinion, that a Senator can resign to himself and then appoint his successor.

The public policy of the Nation will be manifested by the precedents laid down by this Senate. This matter is bigger than Senator Neely or Governor Holt. We are in this body laying the groundwork of the Nation's future.

Mr. BARKLEY. Mr. President, will the Senator from Vermont permit me a moment there? I do not wish to take the Senator's time.

Mr. AUSTIN. I yield.

Mr. BARKLEY. That is the very point on which I feel the Senate of the United States is not called upon to pass. The Constitution of the United States constitutes the House and Senate the sole judges of the qualifications of their Members. There is no appeal from our decision here to any court; we are the final authority. The word "qualification" as used in the popular mind, and as used frequently here, has wider meaning than the mere fitness of a man for an office, although it does include that. It includes the question whether he has reached the age under the Constitution which would permit him to occupy the office; it reaches the question whether he has actually been elected; it touches the question of his moral fitness; all that centers around the individual who knocks at our door for admission here.

There has been no moral question raised as to the fitness of either of these appointees; no one has raised that question, and, I dare say, no one will raise it. I assume, as I think we all may assume, that both these gentlemen are morally and intellectually qualified to be Members of the Senate. So the word "qualification" in its application to this case becomes more or less a technical question, that is, largely the question of law.

Which one of these governors, the outgoing or the incoming governor, should make the appointment. It raises the question whether an outgoing governor can stretch himself across an imaginary line with his feet in his own term and his hands in the term of his successor, with a pen in them, to write his name on an appointment that has already been prepared. That is a technical and legal question, and it seems to me has nothing to do with the question of public policy as to whether a State is willing for either one of them or both of them to make the appointment.

I will probably discuss that feature of it a little later in my own time. I desired, though, to call attention to it in view of the fact that the Senator from Wisconsin seems to think that one of the elements involved is whether, as a matter of public policy, we shall determine whether the people of West Virginia wanted the outgoing governor or the incoming governor to make the appointment. I do not believe that is a legitimate element in this equation, but, if it is, I am prepared to argue it on its own merits.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from New Mexico.

Mr. HATCH. I ask the Senator to yield on this particular point in his discussion of public policy merely to insert in the RECORD an interesting bit of history concerning the holding of more than one office. It was handed to me just now by the presiding officer (Mr. LUCAS in the chair), who was reading at the desk this work by Hayne, The Senate of the United States. In the footnote we find this:

> In December 1924 Hiram Bingham in Connecticut was at the same time Lieutenant Governor, Governor-elect, and Senator-elect. January 7, in the afternoon, he took the oath as Governor and delivered his inaugural address. In the evening he attended the inaugural ball, and the next morning he resigned and started to Washington; and at noon January 9 he took the oath as Senator.

That recalls some other interesting cases in the history of this country. I do not recollect exactly the number of offices that were held at approximately the same time; but one of the greatest Senators we ever had, our former floor leader, the late Senator Robinson, had a most interesting experience in that regard. I think he was Representative, Governor, and Senator all approximately on the same date. I also know that since I have been in the Senate the terrible evil which has been condemned here today, of a Senator appointing his successor, actually happened. We all recall with a great deal of pleasure our association with the distinguished Senator from New Jersey, Mr. Moore, who ran for Governor of New Jersey, was elected Governor, and appointed his successor, who came here and served in this body with us.

Mr. BARKLEY. And, Mr. President, if the Senator will yield, no question was raised as to the immorality of that sort of thing.

Mr. HATCH. No question was raised.

Mr. BARKLEY. No objection was raised to the seating of Senator Milton, although he had been appointed by a Senator who had been elected Governor, and who was appointing him in his capacity as Governor. Nobody rose here to denounce that performance as an immoral transaction, one that involved a great public policy, the result of which might shatter the foundations of our Republic, as is being done in this particular case.

Mr. AUSTIN. Mr. President, I am glad to have heard this discussion. It helps me out greatly. The question of public policy is raised here quite emphatically; and the mere fact that there may have been cases such as that last referred to, in which events occurred which were similar in certain ways to the events in this case, and nobody questioned them, does not stop me or my friend from Wisconsin [Mr. WILEY] from making the claim that it is contrary to public policy for the same man to try to exercise the functions of Senator and governor at the same time.

Mr. CONNALLY. Mr. President, will the Senator yield at that point?

Mr. AUSTIN. Yes; I yield.

Mr. CONNALLY. Does the Senator from Vermont seriously make the charge that Mr. Neely was undertaking to be both Senator and Governor at the same time, in the face of his resignation as Senator at 12 o'clock?

Mr. AUSTIN. Why certainly; and he is doing so today.

Mr. CONNALLY. He has never claimed that he became Governor until after the arrival of midnight. Those things cannot occupy the same space. Our theory, of course, is that he ceased to be Senator at midnight, and instantaneously become Governor. What was the time—what hour of the day, or what period—when the Senator from Vermont claims that Mr. Neely was acting both as a Senator and as Governor? I ask that question with all respect.

Mr. AUSTIN. All the time that he could subordinate the office of Senator of the United States to the office of Governor of West Virginia.

Mr. CONNALLY. I see what the Senator means. The Senator means by controlling his appointee.

Mr. AUSTIN. Certainly. The proposition made in this case is unique—I think there is no other case like it—that this is "my term." Although Mr. Neely has gone through the motions of four oaths for Governor, although he has gone through the motions of a resignation, he comes here afterward on January 16 and says, "This is my term, the balance of my term."

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. Yes.

Mr. CONNALLY. If a Governor who appoints a Senator is subject to the charge that he thereby is controlling the Senator and influencing his action as a Senator, would not that argument apply to any Governor and any appointment as a Senator?

Mr. AUSTIN. I do not think so, but I am afraid of having such a thing happen again. It is against that repetition that I stand here and undertake to say that we have a peculiar set of circumstances, a number of not midnight hours but midnight seconds of transactions. That they are unseemly from all points of view, I admit, but this is the point: If it be true, as I am ready to admit, that it is unseemly to burn the candle right up to the midnight hour for the purpose of making an appointment that will fill "my term," or if it is unseemly to hold right up to the midnight hour and 1 second thereafter for the purpose of exercising the functions of Governor to fill a vacancy that occurred in an office—and I admit that it is—then I say it is also unseemly and even more unseemly to create such a condition as to cause the rush to perform these functions; and it is against that that I stand. I do not want the office of Senator of the United States, or the Senate itself, to be used in any such undignified and, I think, immoral way.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Florida.

Mr. PEPPER. If I correctly understood the Senator, he intimated or said that it was contrary to public policy for this sort of thing to happen.

Mr. AUSTIN. Yes.

Mr. PEPPER. I desire to interrogate the Senator, if I may, on that point.

In the first place, does the Senator contend that there was any element of surprise to the people of West Virginia?

Mr. AUSTIN. Oh, no.

Mr. PEPPER. If there was no element of surprise to the people of West Virginia, does the Senator mean that it would have been the interpretation of the average citizen of West Virginia that Senator Neely, if elected Governor, would be the one to appoint his successor? Does the Senator think that would have been the common understanding of the people of the State at the time they elected Senator Neely their Governor?

Mr. AUSTIN. No; for this reason: The decision had been made prior to that event. The decision had been made in two or three ways: In the first place, by an ancient code, an old code, two or three articles of the code; then by decision of the Supreme Court of West Virginia. All these matters of law were presumed to be known by the people of West Virginia.

Mr. PEPPER. Mr. President, will the Senator further yield?

The PRESIDING OFFICER. Does the Senator from Vermont further yield to the Senator from Florida?

Mr. AUSTIN. Yes.

Mr. PEPPER. The Senator and I, being lawyers, know that it is a maxim of law that ignorance of the law excuses no one from liability to it for its violation; but has the Senator any information that, as a matter of fact, the question of who should appoint Senator Neely's senatorial successor was actually brought up in the campaign and to the attention of the public?

Mr. AUSTIN. Oh, yes. There was some discussion of that matter in the committee; and it appeared, if I recall correctly, that on the platform the charge was made, apparently in order to induce voters to vote against Mr. Neely, that if successful in his candidacy for Governor he would appoint his own successor as

Senator. That is my recollection. I will ask if that is correct.

Mr. HATCH. It is my recollection also that Senator Neely affirmed the fact and said, "Yes; I will appoint my successor."

Mr. AUSTIN. Very well. We can stand on that premise; and what do we have? Do we have a determination of this question which is before us? Not at all.

Mr. PEPPER. Will the Senator yield further?

Mr. AUSTIN. I yield.

Mr. PEPPER. I always appreciate the privilege of discussing a matter with the able Senator from Vermont, because he faces so fairly the issue presented. Let us assume as a fact, then, that the opposition in the campaign charged that Senator Neely would appoint his successor, and Senator Neely affirmed, in the face of that charge, that he would appoint his successor.

Mr. AUSTIN. I think we can assume that. I do not recall exactly what the testimony was.

Mr. PEPPER. Then, since those two facts might be taken as premises, would it not be a fair conclusion that the ordinary citizen of West Virginia, regarding this matter, would have understood and expected that Senator Neely, if successful in the election, would actually appoint his successor?

Mr. AUSTIN. I do not think that follows; it is a non sequitur. I do not question the Senator's right to argue that point, he will understand, but there are so many factors which enter into the election of a man who is a candidate for the office of Governor, and there were so many in this particular election, other than the one we are discussing, that I could not be bound by that as a referendum, and I am not bound by it, certainly, in my view of what should be done.

Mr. PEPPER. Will the Senator yield further?

Mr. AUSTIN. I yield.

Mr. PEPPER. I will ask the Senator, who is a member of the committee and familiar with the record, whether there is any evidence that Senator Neely made any public or private statement which indicated that he would relinquish his status as a Senator before he acquired his new status of Governor if he were elected?

Mr. AUSTIN. Not that I recall.

Mr. PEPPER. In the face of that additional fact, if the Senator will yield further, would the Senator adhere to his previous conclusion that the ordinary citizen would not have been justified, at the time this matter was in the public forum in West Virginia, in assuming that Senator Neely, if elected Governor, would appoint his successor?

Mr. AUSTIN. I do not follow the Senator from Florida in that. I doubt it myself. Let us be practical. How many of the ordinary citizens of West Virginia know anything about the rule of incompatibility? How many of them know why it exists? How many of them, indeed, have that concern which we should exercise here regarding the division between the two offices of Governor of a State and Senator of the United States? I venture to say that the impression made generally throughout West Virginia on this particular issue which we are trying was nearly zero.

Mr. PEPPER. Will the Senator yield for a further question?

Mr. AUSTIN. I yield.

Mr. PEPPER. Adopting the able Senator's suggestion that the ordinary citizen is not actually familiar with the rules of law, including the rule of incompatibility, does not the Senator believe that the rule of common sense, the rule of reasonableness, would probably be the one followed by a citizen? For example, to use a crude illustration, if there were two chairs side by side, and I was sitting in one chair and there was another man standing by, and I chose to move cut of one chair and over into the other, so far as all practical purposes were concerned I would simultaneously give up one chair and occupy the other. Does the Senator think that the ordinary citizen would have applied that rule of reasonableness and common sense, or would he have split hairs, and tried to evaluate the length of time which might elapse between my giving up of the one status and the acquisition of the other?

Mr. AUSTIN. Mr. President, we do not need to answer that question with respect to the two chairs. With respect to the subject which is under consideration, these two offices, there is in West Virginia a public policy, which is expressed in code and in constitution, which is a little more severe and more marked than will be found in most of the States of the Union, and I think it is a little more severe than the common law. West Virginia statutes and constitution result in this proposition, that a Senator of the United States must divest himself entirely of his office as Senator before he is eligible to qualify for the office of governor. On that premise, if I cared to pursue it, I could easily go to the extent of saying that the efforts made by Senator Neely, before his resignation occurred, to take an oath of office for an incompatible office, were fruitless unless they were effectual, and if effectual, they were an abandonment. I do not care to get between these two horns in this discussion. I have taken the course which seemed to me to be the one with which we will be on the safest ground in the United States Senate.

We do not necessarily follow the standard of any community, do we? When we are testing out a great principle of government, such as is involved here, namely, the principle that a Senator's office shall not be under the dominion or subjection of any one man, then we are not to be led, we are not to be pushed about, by the views of any particular group of men or women.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. Does the Senator contend that there has to be a space of time between the relinquishment of the senatorship and the assumption of the governorship?

Mr. AUSTIN. There had to be in this case.

Mr. CONNALLY. The Senator says there must be a space of time intervening. Suppose Senator Neely had not resigned at all, but had assumed the office of Governor, an incompatible office. Would there then have been a space of time in between?

Mr. AUSTIN. That is a question, and a marked, legal one. I have looked it up, and I have the authorities here.

Mr. CONNALLY. I am assuming that he did not resign at all.

Mr. AUSTIN. The Senator asked me a question, and I am trying to answer.

Mr. CONNALLY. I am trying to make the question clear. He does not resign, he merely gives up and assumes the duties of Governor. The contention of the Senator's side is that by the act of assuming the governorship, that being an incompatible office, he thereby vacates the senatorship. If that be true, is it not instantaneous, and can there possibly be any interval in between?

Mr. AUSTIN. That is not according to the Constitution and Statutes of West Virginia, and not according to the opinion of the attorney general of West Virginia.

Mr. HATCH. Mr. President, it is on that point that I desire to interrogate the Senator, if he will yield.

Mr. AUSTIN. Certainly.

Mr. HATCH. The Senator has said that under the Constitution and Statutes of West Virginia one must divest himself of one office before he is eligible to qualify for another. Will the Senator give me the citation?

Mr. AUSTIN. Yes. It is found on page 5 of our report, and I will read it. The attorney general of West Virginia, in his opinion, which appears at page 104 of the hearings, stated:

> As we have seen, it was necessary that you should cease to be a United States Senator before you were eligible to qualify as Governor of the State of West Virginia (sec. 4, art. VII, W. Va. Constitution hearings, pp. 100, 255).

Mr. HATCH. The constitutional provision to which the attorney general referred provides in substance, does it not, that he shall not hold any other office during his term of service, and it was upon that statement that the attorney general drew his conclusion?

Mr. AUSTIN. I have not that section before me. I am following the hearings.

Mr. HATCH. I know the attorney general made that statement, but I have not found the constitutional requirement to that effect, and I do not think it is the law.

Mr. AUSTIN. Mr. President, I think I have discussed all I care to the principle which I think is involved in the decision we are to make at some time on the case before us.

I wish now to talk about something else. What I have tried to do is to establish the legality of the appointment of Mr. Martin solely upon the theory that in the period of time, however short it was, between midnight, exactly, precisely midnight, January 12, and the qualifying of Mr. Neely for Governor of West Virginia, during that time Mr. Martin was appointed, and nothing more. I say on that set of facts alone his appointment is the only legal appointment in this case.

But there is another aspect to this matter, one that has been so much discussed

that I would not feel satisfied without stating my position regarding it.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from Vermont yield to the Senator from Wyoming?

Mr. AUSTIN. I yield.

Mr. O'MAHONEY. I ask the Senator to yield before he proceeds to the second aspect of his argument in order that I may suggest to him a point which has given me considerable thought in this matter. In the report of the majority I find, on page 4, a quotation from section 270 of the West Virginia Code of 1937. That is the provision of the code which makes it obligatory upon the Governor to take the qualifying oath before the beginning of his term. I am well aware, of course, that the Senator from Vermont contends that in this case the taking of the oath is only one of the acts which the Governor must perform in order to qualify.

It is contended on behalf of the minority that it is incumbent upon the incoming Governor not only to take the oath in advance of the beginning of the term, as required by the statute, but also to file a certificate of the oath. Upon that point I have been unable to agree.

I wish to ask the Senator whether he does not feel that the legislature must have had some reason for requiring the taking of the oath before the beginning of the term?

My feeling is that the purpose of that requirement was to abolish the interregnum upon which the argument of the minority depends. In other words, it was recognized that the term of the outgoing Governor came to an end at midnight on a certain day. The statute of West Virginia required the incoming Governor to take his oath before that hour. So that when the hour struck, without any interruption, without even the intervention of a second, the new term began, and if the taking of the oath was the only act of qualification which the incoming Governor had to take, then there could not have been any period during which Governor Holt carried over into the vacancy created by the resignation.

Mr. AUSTIN. Mr. President, I think that is a clear question and entitled to an answer. I do not think so, and I will state why. If the Senator will read the whole section, it seems apparent that the legislature did not have that in mind, because they said something which showed that there might be other events upon which a different time would be observed. Therefore they did not make it mandatory and absolute and make it the only way to do, and therefore they did not intend to prevent an interregnum. What they did intend was that the Governor should be qualified for Governor before he performed any function of that office.

I now read from page 236 of the hearings:

> Code, chapter 6, article 1, section 5:
>
> The oath required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office, and before the date of the beginning of the term, if a regular term.

That is the part read by the Senator from Wyoming.

> But if to fill a vacancy, within 10 days from the date of the election or appointment.

Now, there is one of the events.

> And in any event—

It will be noted that they covered every other event—

> And in any event before entering into or discharging any of the duties of the office.

That, taken altogether in that sentence, I think, answers the question of the Senator from Wyoming.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BARKLEY. The question of a vacancy, though, is not involved here.

Mr. AUSTIN. Oh, no.

Mr. BARKLEY. This section refers to the Governor, we will say. If it is for a full term, he must take the oath before he enters upon the duties of the office.

Mr. AUSTIN. Oh, no.

Mr. BARKLEY. Yes.

Mr. AUSTIN. But in any event before he enters upon those duties.

Mr. BARKLEY. Yes; that is what I said. But the only provision as to an appointment or an election to fill an unexpired term or vacancy is that he must do it within 10 days after the appointment or election.

Mr. AUSTIN. Yes.

Mr. BARKLEY. That situation does not arise here.

Mr. AUSTIN. Oh, no; it does not. But here is a thing that is very noticeable. I went through that list of laws which appears on pages 234, 235, 236, and 237, and undertook to put a circle around the word "before" in order to bring it into relief, and see how the legislature has from time to time, as it adopted these different laws, adhered firmly to the thought that before these functions are performed, so and so must be done. That is extremely important to consider, because it has this effect in law, that the performance of all these things must be accomplished as a condition precedent to the qualification for the office.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. AUSTIN. Yes; I yield.

Mr. BARKLEY. Let us suppose that Mr. Neely had not been a candidate for Governor, and that he had not been elected, but that the attorney general of West Virginia had been elected Governor, and that following the provision of the constitution of that State he must take the oath before he assumed the duties, and those duties could not be assumed until 12 o'clock midnight on the day on which his term of office began. Is it the Senator's contention that if the attorney general of West Virginia had been elected Governor, and had taken the oath to perform the duties of Governor when he assumed that office, before 12 o'clock, that he would automatically have vacated his office as attorney general by the taking merely of the oath that when he became Governor he would perform the duties of that office to the best of his ability?

Mr. AUSTIN. Of course, that is not this case.

Mr. BARKLEY. I know; but the law is the same, and it applies to all Governors-elect alike. There is nothing in the statute of West Virginia, or in the Constitution of West Virginia that deals with a United States Senator who happens to be elected Governor, differently from the way it deals with an attorney general or a judge of a court or anyone else. Suppose it had been the Lieutenant Governor who was involved. It is a general provision that before assuming the duties of the office, which he could not assume until the midnight of the day in question, he must take the oath. It seems to me that if the mere taking of the oath a quarter of an hour before, or 1 minute before 12, operated to vacate automatically the office already held by a United States Senator, it was bound to be the same as to an attorney general, a Lieutenant Governor, the judge of a court, or the holder of any other office that would be incompatible with the governorship.

Mr. AUSTIN. That is the Senator's opinion.

Mr. BARKLEY. Yes.

Mr. AUSTIN. And I have great respect for it.

I have not studied the exact question the Senator asks, and therefore what I say to him about it is simply a "curbstone" opinion. On principle, I should say that, the offices being incompatible, the attorney general would be ineligible to take the office of Governor. I state that on principle.

Mr. BARKLEY. I did not catch the last statement of the Senator.

Mr. AUSTIN. I should say that the attorney general of West Virginia is not eligible to take the office of Governor, and that he must divest himself of his office before he may take the oath.

Mr. BARKLEY. The provision of the Constitution of West Virginia, although a little different from that of most States, deals only with the attempt to hold incompatible offices at the same time or to perform the functions of two offices at the same time. I think that is the general rule, not only under the common law but under the constitutions of most of the States. No man may hold two incompatible offices at the same time. The constitution of my State describes what offices are incompatible; and, in harmony with the common law, it provides that the mere assumption of the duties of a new office that is incompatible with an office already held automatically vacates the first office. The person does not even have to resign. Automatically as soon as he becomes Governor, or Senator, or judge of the court, the office he has been holding is vacated, without resignation.

Mr. CONNALLY. And without any interval.

Mr. BARKLEY. And without any interval.

There is a provision in the Constitution of West Virginia that the common law shall be held to be the law of West Virginia insofar as it is not modified by the Constitution of West Virginia or by laws enacted under that constitution.

Mr. AUSTIN. "Such parts of the common law" as are in force and are not repugnant to the constitution.

Mr. BARKLEY. Of course. Naturally in the writing of constitutions and in the enactment of statutes all the States have to some extent impinged upon the common law.

Mr. AUSTIN. Yes.

Mr. BARKLEY. In the practice of law we have what we call code States and common-law States. My experience has been that it is much more difficult to practice law in a common-law State than in a code State. However, that has nothing to do with the question before us.

While the Constitution of West Virginia is not exactly the same as that of other States on the subject, as I understand, insofar as the constitution itself does not specifically modify the common law, or the legislature does not specifically modify it in particular instances, the common law remains in effect in that State. That would raise the question whether, since the adoption of the constitution of that State, the legislature has modified, in a special sense, the law with respect to the holding of an office by any man and his election to a subsequent office, and whether the mere taking of the oath of office to perform the duties of the new office when he takes it over automatically vacates the office which he previously held, or merely qualifies him to begin the term of office to which he has been elected when the hour arrives for him to begin it.

Mr. AUSTIN. Mr. President, I have not taken any firm position as to which way the attempts made before midnight operated, my theory being that in either event a vacancy occurred. Whichever decision one comes to—namely, whether Senator Neely was ineligible to take the oaths, and therefore they were a nullity, or whether he was eligible to take them, and that thereby he abandoned his office—in either event a vacancy then happened which was filled by the first appointment made by Governor Holt. I mean the appointment after midnight.

Mr. BARKLEY. Let me ask the Senator a question in that connection. I think we all agree that under the Constitution of West Virginia the term of Governor Holt expired at midnight on the 12th, unless there was a failure to qualify on the part of his successor.

Mr. AUSTIN. No. He did not have to fail to qualify. Under the Constitution of West Virginia, Governor Holt held over until his successor qualified.

Mr. BARKLEY. That is a very sharp question of construction. If there had not been another section of the Constitution of West Virginia, what the Senator says would be true. If the Governor came in under the general provision that officers shall serve their terms and until their successors are elected or appointed and qualified, there would be some basis for that argument; but there is another provision of the Constitution of West Virginia to which the Senator from Texas [Mr. CONNALLY] called attention yesterday. That provision is that whenever, by reason of death or resignation, or by conviction of a felony, or other things, there is a failure to qualify, then the President of the Senate shall immediately, ipso facto, become Governor. That is, he shall act as Governor.

Mr. AUSTIN. That is correct.

Mr. BARKLEY. The people of West Virginia would not have had any intention or purpose in writing a special article on the governorship if they had not intended that it should modify or nullify the general provision insofar as the governorship itself is concerned.

Mr. AUSTIN. Not at all.

Mr. BARKLEY. That is where we differ.

Mr. AUSTIN. When we are dealing with the constitution it is a pretty good idea to have the words in front of us. Article 4, section 6, of the Constitution of West Virginia provides that:

> All officers elected or appointed, may, unless in cases herein otherwise provided for, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws, and unless so removed they shall continue to discharge the duties of their respective offices until their successors are elected or appinted and qualified.

Mr. BARKLEY. Yes; and there might as well have been written in the words "All officers except the Governor," because later the constitution deals with the Governor alone and by himself in the case of his successor failing to qualify.

Mr. AUSTIN. No; that is a separate subject, taking care of a situation entirely outside this case, and one which does not exist here. There was no failure.

Mr. BARKLEY. There could not be any interim unless there was a failure.

Mr. AUSTIN. Certainly.

Mr. BARKLEY. The only theory upon which the Senator can stand is that for a moment, half a second, the incoming governor had failed to qualify; and the Senator's theory is that he could not qualify because he could not say "So help me God" as fast as Holt could write his name on an appointment which he had already written out.

Mr. AUSTIN. That is an interpretation which I do not think the constitution will bear.

Mr. BARKLEY. That is the only ground on which the Senator has to stand.

Mr. AUSTIN. Oh, no.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. HATCH. As the Senator has just observed, it is well to look at the words of the constitution. I have before me the provision to which the Senator from Kentucky refers.

Mr. AUSTIN. I shall be very glad to have it read.

Mr. HATCH. The provision referred to reads as follows:

> In case of the death, conviction, or impeachment, failure to qualify, resignation, or other disabilities of the Governor, the president of the senate shall act as Governor until the vacancy is filled or the disability removed.

Mr. AUSTIN. Yes.

Mr. HATCH. In other words, this is a separate provision of the Constitution of West Virginia relating solely to the Governor.

Mr. AUSTIN. I do not raise any question about that. I think the Senator must have misunderstood me if he thought that was the point at issue. What I claim is that that provision does not have anything to do with this case. There was no failure under the meaning of the constitution.

Mr. HATCH. For every moment the incoming Governor has not qualified, has he not failed to qualify?

Mr. AUSTIN. Not at all. That is not what that provision means.

Mr. BARKLEY. Supose the incoming Governor had been sick, and could not take the oath of office for a day.

Mr. AUSTIN. That would not be a failure to qualify.

Mr. BARKLEY. What constitutes failure to qualify?

Mr. AUSTIN. A failure would have to have in it the element of a willful act.

Mr. BARKLEY. Not at all.

Mr. AUSTIN. Yes, indeed.

Mr. BARKLEY. A failure to qualify may be an involuntary matter. It may be because of illness. It may be because of imprisonment. It may be that he has been arrested and is in jail, and cannot qualify.

Mr. AUSTIN. Very well. Mr. President, that would not disqualify him. That would not create a vacancy.

Mr. BARKLEY. That would be a failure to qualify.

Mr. AUSTIN. It would not be a failure within the meaning of the constitution.

Mr. BARKLEY. Neither the statute nor the constituton defines a failure.

Mr. AUSTIN. There must be another element besides the mere lack of taking of the oath and the filing of the oath; there must be the additional fact that the man did not intend to take the oath and did not intend to file it.

Mr. BARKLEY. Then it is the Senator's contention that the word "failure" in the section referring to the Governor means a willful and deliberate failure?

Mr. AUSTIN. Yes, indeed; no other.

Mr. BARKLEY. I do not know of any interpretation of a constitutional provision that sustains that viewpoint. I do not see how one can differentiate between a voluntary and an involuntary failure to do something; because during the interval of failure, whether 3 minutes or 3 weeks, there is no functioning as Governor on the part of the incoming Governor.

Mr. AUSTIN. Then what does the constitution mean? Is this constitution good for anything?

Mr. BARKLEY. Surely; I think it is.

Mr. AUSTIN. Then the present Governor holds over until the incoming Governor qualifies.

Mr. BARKLEY. I do not think so. I think if it were not for this provision——

Mr. AUSTIN. It is useless, I think, for us to argue.

Mr. BARKLEY. Suppose the failure had continued for 3 weeks, in West Virginia or in any other State.

Mr. AUSTIN. That would not be such a failure as would create a vacancy.

Mr. BARKLEY. Why not?

Mr. AUSTIN. The idea of taking a man's office away from him because he is temporarily unable to take his oath is not reasonable.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CHANDLER. It does not take his office away from him. The situation is very clear as to that. The president of the senate merely acts as Governor until the incoming Governor fully qualifies.

Let me say again that my colleague [Mr. BARKLEY] and the Senator from New Mexico [Mr. HATCH] are rather ingenious in supposing cases that never happened. I say they should stick to the case at hand, and then follow the Constitution of West Virginia and follow the 1937 Code of West Virginia, which provide that the term of every officer, which includes the Governor, shall continue, unless the office be vacated by death, resignation, removal from office, or otherwise, until his successor is elected or appointed and shall have qualified. If that means anything, it means what it says. Of course, one can suppose that if something else had happened, then something else would have happened; and if man were to suppose that his grandfather had been his grandmother, he would have to cogitate on what he would have been. [Laughter.]

Mr. BARKLEY. I will leave that to my metaphysical colleague to work out.

Mr. CHANDLER. I do not mean to suppose that as applied either to my colleague or myself.

Mr. BARKLEY. I understand that; but what did those writing the constitution have in mind in dealing with this matter in the way they did?

Mr. CHANDLER. Only because of a failure to qualify.

Mr. BARKLEY. A failure to qualify is a failure, no matter what the cause may be.

Mr. CHANDLER. My colleague is mistaken. Mr. Neely had announced that he intended to qualify; he intended to resign. He had to divest himself of his office of Senator before he could qualify as Governor. The West Virginia Constitution is clear; the West Virginia Code is clear; and in this case there is no failure to qualify.

Mr. BARKLEY. Not a sentence in the Constitution of West Virginia contains the word "divest." The constitution does not contain the word "divest." It says that no man can hold two incompatible offices at the same time.

Mr. CHANDLER. Very well; but he has to get rid of one before he takes on the other. I do not care whether he divests himself of it, or pitches it away, or takes it off, or sits on it, or rolls it off; he has to get rid of it. [Laughter.]

Mr. BARKLEY. The Senator from Florida used the illustration of his moving from one chair to another; and the Senator from Vermont, I think, concluded there must be a brief interval while the Senator moves from one chair to the other. I do not vouch for the aptness of the illustration, but it may happen that someone is sitting in the chair into which the Senator wishes to move, and that while the present occupant of the chair moves from it and the Senator is about to sit in it someone else pulls the chair out from under him.

Mr. CHANDLER. A while ago I said that not even a monkey can jump from one limb to another without being in the air for a moment; and the Senator was correct this morning when he said that the time, however short, was there, that it was a lapse that Mr. Neely could not cure, and that whatever way he tried to think of he could not cure it.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. O'MAHONEY. I am endeavoring to clear up my own mind about this matter, and not to argue with the Senator, except by way of clarification. I wish to return to the answer the Senator gave to my query a short time ago. It seems to me to be clear from the statute which the Senator has just read, which appears on page 236 of the record, that the term of the office of Governor begins on the first Monday after the second Wednesday of January. There is no question about that. It is also clear from the statute which the Senator from Vermont read a moment ago that before entering into or discharging any of the duties of the office the Governor taking the office on the day fixed must have taken the oath.

Mr. AUSTIN. That is correct.

Mr. O'MAHONEY. It is also provided in the same statute that he shall take the oath before the beginning of the term, if it be a general term.

Mr. AUSTIN. That is not the whole story.

(Mr. CHANDLER handed a paper to Mr. AUSTIN.)

Mr. O'MAHONEY. I am coming to that. After I had read that portion of the statute—I hope the Senator from Kentucky will please bear with me; I was talking to the Senator from Vermont.

Mr. CHANDLER. Excuse me for a minute, please; I was giving the Senator from Vermont some ammunition to shoot at you.

Mr. BARKLEY. The Senator from Vermont does not admit that he needs it.

Mr. HATCH. Yes; the Senator does not admit that he needs it.

Mr. CHANDLER. No; he may not need it; but if he does, it is there.

Mr. BARKLEY. I resent that reflection on the Senator's supply of ammunition. [Laughter.]

Mr. O'MAHONEY. The second portion of the statute, which did not appear in the majority report, but which the Senator read, provides, as I see it, for another contingency; namely, if the appointment is not to a regular term, but to a vacancy, in which event the statute provides that the oath shall be taken within 10 days from the election or appointment. Here we have a statute which says that if it be a general term which is involved, the oath shall be taken before the beginning of the term; but if it be a vacancy, then it shall be taken within 10 days after the beginning.

Then comes the next clause.

Mr. AUSTIN. No; not after the beginning—after the election

Mr. O'MAHONEY. Within 10 days from the election or appointment; the Senator is correct.

Mr. AUSTIN. Yes; he will not begin his term until he qualifies.

Mr. O'MAHONEY. Yes; within 10 days from his election or appointment.

So in the case of an election, the oath must be taken within 10 days after the election; and during that period, under the provision cited here, the person elected could not discharge the duties of the office, because the final clause which covers both the general term and the vacancy says:

> And in any event before entering into or discharging any of the duties of the office.

Mr. AUSTIN. Yes.

Mr. O'MAHONEY. Now, since it appears from the record—and, I think, without any dispute—that Governor Neely took the oath to discharge the duties of the office for a general term, for a regular term, before the beginning of the term, no question is before us respecting the taking of the oath.

Mr. AUSTIN. Yes; there is.

Mr. O'MAHONEY. What is the question?

Mr. AUSTIN. The point of the question is his ineligibility to take the oath while he was United States Senator.

Mr. O'MAHONEY. Then, is it the contention of the Senator that before taking the oath it was necessary for him to lay down the office of Senator?

Mr. AUSTIN. It is.

Mr. O'MAHONEY. Upon what is that based, because, of course, I think it would be all-important and controlling?

Mr. AUSTIN. I think it is. I think the statute of West Virginia and the constitution require a person who becomes Governor, if he is holding an incompatible office, to divest himself of that office before he can qualify.

Mr. O'MAHONEY. There is no specific requirement of the statute; is there?

Mr. AUSTIN. Let me finish my statement. The necessary part of qualification is taking the oath.

Mr. O'MAHONEY. But since the statute says that the oath shall be taken before the beginning of the term, before the performance of any function in the office, it seems to me that the question of incompatibility does not and cannot arise if by the time fixed in the statute for the beginning of the term the officer has laid down the incompatible office.

Mr. AUSTIN. No. Here is the situation—the statute fits it exactly:

> And, in any event, before entering into or discharging any of the duties of the office.

That fits this case.

Senator Neely did resign so as to make his resignation effective on the precise instant of 12 o'clock midnight, and he did take his oath of office before he undertook to perform any of the functions of the office of Governor.

Mr. O'MAHONEY. And that was in accordance with the statute.

Mr. AUSTIN. Yes; he complied with the statute, but I note in passing that he took another further oath at noon in the ceremony of induction into office, his inauguration, and that thereupon after that he made the appointment to fill the vacancy in the Senate, all of which is a practical construction of the law made by him. He was his own judge of when he thought he was qualified to make the appointment.

Mr. O'MAHONEY. I do not think his judgment upon that can bind us; it certainly would not bind me.

Mr. AUSTIN. It does not bind me, but it is in the case, and that is what happened.

Mr. O'MAHONEY. We have here, if I may say so to the Senator, the case of two persons who were struggling with might and main to fill a vacancy which was bound to occur. There was an outgoing Governor whose powers were about to terminate, and who, if I read the record correctly, made two or three appointments.

Mr. AUSTIN. That is correct.

Mr. O'MAHONEY. And we have an incoming Governor who took four oaths and may have made two or three appointments—I do not know.

Mr. AUSTIN. No; he made only one appointment, and he made it at the end of the day.

Mr. O'MAHONEY. I wonder—and then I will conclude—if I may ask the members of the committee here gathered if the Committee on Privileges and Elections ever considered the possibility and the desirability of asking both the appointees to stand aside and to permit the people of West Virginia to make their own choice.

Mr. HATCH and Mr. CHANDLER addressed the Chair.

Mr. AUSTIN. Mr. President, this is a unique question, and I am going to ask the Senator from New Mexico to do the answering. I shall not answer the question.

Mr. HATCH. Mr. President, the reason I think the Senator from Vermont is asking me to answer that question is because I have already expressed to the Senator from Vermont several times and even before we started the hearings, the thought that the office of Senator of the United States did not belong to Governor Holt, although, I am frank to say, I think the attitude of Governor Holt was that he owned that office and wanted to fill it. I also said that the office of Senator of the United States does not belong to Governor Neely or to Senator Neely, although I am sure he acted as though he thought it did belong to him. If the Senate could, by any legal action say to the people of West Virginia "A seat in the Senate of the United States belongs to the people of West Virginia, go back and hold your election, select the candidate and send him here and he will be seated," I should like to adopt such a course.

Mr. O'MAHONEY. Why not do that?

Mr. HATCH. We would have no way of enforcing it.

Mr. O'MAHONEY. The Senate is the judge of the election and qualifications of its own Members.

Mr. CHANDLER. Mr. President, the Senate of the United States cannot call an election in West Virginia, and if we should send the matter back to West Virginia the Governor who is there now, would appoint whomever he pleased, maybe the same fellow or anybody else he chooses. As the Senator from New Mexico says, both sides seem to claim the office, but Governor Neely went further than that. He said, "Boys, it is my term you are filling, and you ought to fill it with somebody who favors my governmental views."

Mr. O'MAHONEY. Mr President, will the Senator yield further?

Mr. AUSTIN. I yield.

Mr. O'MAHONEY. Of course, the provision of the Constitution of the United States which requires the popular election of United States Senators is a declaration by the people of this great country that the power and the duty of selecting United States Senators resides with the people, and I think it would be quite competent for the Senate of the United States, which is the judge of the qualifications and elections of its Members, to say, having been presented with this spectacle, which is not complimentary either to the outgoing Governor or to the incoming Governor, that the choice should be made by the people and that no person would be seated until that choice was made. That is why I wondered if the committee had considered that matter. The committee apparently did, I take it from what the Senator from New Mexico says, but decided that it would probably not be the proper thing to do.

Mr. HATCH. The committee did consider it, and decided there was no legal method by which we could pursue that course.

Mr. BARKLEY. Mr. President, the only way by which that could be effectuated would be for the Legislature of West Virginia to be called into extraordinary session and amend their laws so as to provide for an immediate election; otherwise there could not be an election until November 1942, and the laws of West Virginia provide that in the meantime the Governor can fill the vacancy.

Mr. LUCAS. Mr. President——

Mr. AUSTIN. I do not want to cut any Senator off but if Senators will let me finish, I should like to sit down. However, I yield to the Senator from Illinois.

Mr. LUCAS. I thank the Senator. This is the first question I have asked that deals with the appointment that was made by Senator Neely. As I understood the Senator's argument, he made some point about the fact that Senator Neely made his appointment late in the day, and Governor Holt made his appointment in the first few seconds of the first minute immediately after the hour of midnight on January 12. Of course, if the Senator's theory is correct, it would not have made any difference if Neely had made the appointment in the first second or in the first minute; in other words, he could have waited until now and the appointment would be just as valid. That question of time does not make any difference.

Mr. AUSTIN. The Senator from Illinois is correct, as he usually is. I have not claimed that that disparity in time of the appointment was determinative at all, except that it throws light upon the situation, and it is an essential fact we may not omit, because, if the first appointment was a legal one, then, Mr. Martin is the lawfully appointed Senator from West Virginia. It was largely because I was persuaded early in the hearings that the appointment of Mr. Martin was legal that I did not assent to the idea of trying to work out some other course. If we feel persuaded that one of these men is the legally appointed Senator from West Virginia, I do not think we should send him back to West Virginia without his office.

Now, on the point we have been discussing as to an officer holding over in West Virginia, a case has been handed to me by the Senator from Kentucky, the case of *Broadwater* v. *Booth* (116 W. Va. Repts.). I read from page 276 a brief statement:

> But there was not in fact a vacancy. Booth was holding over under a prior appointment confirmed.

Then follows a quotation, which evidently is a quotation from the code—

> "The term of every officer shall continue (unless the office be vacated by death, resignation, removal from office, or otherwise), until his successor is elected or appointed, and shall have qualified" (Code 1931, 6-5-2). This is in conformity with the general rule (22 Ruling Case Law, p. 554; Throop on Public Officers, sec. 325; Mechem's Public Offices and Officers, sec. 397). There is no vacancy when there is an incumbent legally authorized to discharge the duties of the office.

Citing authorities.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. AUSTIN. I yield.

Mr. BARKLEY. That case involved the question of a minor office, and not the governorship, as I understand.

Mr. AUSTIN. It deals with the general principle.

Mr. BARKLEY. I know; but it was dealing with the general principle announced in the constitution dealing with general offices. It did not affect the governorship.

Mr. AUSTIN. What I claim is that it is the expresison of the highest court of West Virginia, representing the jurisprudence of West Virginia, as it relates to a provision of the West Virginia Code, which is in debate here.

Mr. President, I have taken much time. I have not abandoned what I have not discussed. I still adhere to the belief that the law of West Virginia makes it the duty of a man who is trying to qualify for Governor of West Virginia to file his certificate, and that no one else may do it for him; that the statute is so precise in its direction and in its command that it is a duty imposed upon him which he must not shirk. He must perform that duty, because the statute says the man who takes the oath must do it.

Mr. HATCH. Mr. President, will the Senator yield at that point?

Mr. AUSTIN. I yield.

Mr. HATCH. I was about to ask the Senator in regard to that point when he said he was not abandoning his argument because he had not stressed certain matters. I understood that the Senator took the position—at least, it has been taken in the debate—that filing the certificate was an essential before any official act was performed.

Mr. AUSTIN. That is correct.

Mr. HATCH. Is that the Senator's position?

Mr. AUSTIN. That is my position. I know what claims can be made about the code, chapter 2, article 2, section 10 (e), because I have heard them made. I will read it.

> An officer shall be deemed to have qualified when—

So it relates to time, the time when he is qualified.

An officer shall be deemed to have qualified when he has done all that the law required him to do before he proceeds to exercise the authority and discharge the duties of his office.

There is no punctuation between the beginning and end of that sentence, so it is just as fair probably, under the rules of syntax and prosody, to read into it a comma after the word "do" and before the word "before," or to read it as I do, without the comma, and consistently with all the other statutes that deal with this subject which use the word "before." Practically every time reference is made to the qualifications of a man for office, or the performance of functions of office, it will be found that West Virginia has used that word, making it a condition precedent, providing that this duty must be performed as a condition precedent to his qualifying for office.

I do not need to say a great deal about that, but I want to point out that this provision has quite a history. It comes from a code which was in existence in 1923. That which I have read is the code of 1931, and it was on the code of 1923 that the West Virginia court decided the Qualls case. I do not need to reread it. Senators all know it. What was not read in full I now wish to read.

I noted, on looking up the record, that the Senator from Kentucky [Mr. CHANDLER] referred to and really epitomized the letter from Judge James A. Meredith. He read in full the letter from Frank Lively. Both of these men were judges of the court who participated in that decision, and therefore what they say about it, although it is outside of court and has not the dignity of a judicial utterance and really is only a personal statement, nevertheless, is useful to me in my consideration of the fact that some say that that decision did not mean what it says, and that it was obiter dictum in a certain way, or that there is something else the matter with it by reason of which we cannot use it now that it is applicable.

This is what James A. Meredith stated in his letter to Hon. Clarence E. Martin, Martinsburg, W. Va. The letter is dated March 29, 1941:

DEAR MR. MARTIN: The case of *State ex rel. E. J. Qualls and L. L. Burdette* v. *the Board of Education of Curry District and others*, decided by the West Virginia Supreme Court of Appeals in 1923 (92 W. Va. 647) clearly holds that one elected or appointed to office in this State is required to do two things in order to qualify him; namely, (1) take the oath of office, and (2) to file it with the designated officer. These requirements are not merely directory but are mandatory, and this is clearly the effect of the decision in the Qualls case.

Since this decision was rendered, the West Virginia Legislature, in enacting the Code of 1931, by chapter 2, article 2, section 10, serial section 33, and chapter 6, article 1, section 6, serial section 271 (1937 ed.), fortifies and strengthens this decision by making the provision explicit. Quoting from serial section 271: "Certificates of the oaths of all other officers shall be filed and preserved in the office of the secretary of state. * * * It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section."

Any other conclusion, in my judgment, is mere quibbling with words.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. HATCH. The statute which the Senator has just read does not say that the officer shall perform no act until the oath is filed, does it?

Mr. AUSTIN. I will look at it and see. I cannot recall. My recollection is that it does.

Mr. HATCH. I will answer my own question. It does not.

Mr. AUSTIN. Very well. I will take the Senator's word for it.

Mr. HATCH. There is no such requirement. The statute does not say when the oath shall be filed; does it?

Mr. AUSTIN. Oh, no. That is not necessary to create an obligation to file it. That means within a reasonable time.

Mr. HATCH. "Within a reasonable time" is exactly right. Any public official going into office has a reasonable time within which to file his oath; does he not?

Mr. AUSTIN. Oh, yes.

Mr. HATCH. And any act he performs within that period of time would be a legal and valid act; would it not?

Mr. AUSTIN. Yes; but he would also be subject to the other provisions of the law. You cannot pick this out——

Mr. HATCH. I am not picking it out. The Senator has exactly answered this case according, I think, to the correct legal theory; and the Senator is such a good lawyer that I think he knows that his answers are absolutely correct.

Mr. AUSTIN. I do not think the Senator can pull me onto that platform.

Mr. HATCH. What that statute means is simply this: Let us say it is mandatory.

Mr. AUSTIN. We have to.

Mr. HATCH. Very well.

Mr. AUSTIN. It is a duty. When the law creates a duty, a man may not omit it.

Mr. HATCH. Very well. Say it is mandatory: He must do it; but he has a reasonable length of time within which to do it.

Mr. AUSTIN. Very well.

Mr. HATCH. He goes into his office as Governor. He has done everything that is required. He has taken the oath. He has complied with every constitutional requirement. I shall have something more to say about the power of the legislature to tie on additional qualifications; but he has performed all those things, and he is actually Governor of the State, occupying the seat by a title vested in him by the people of West Virginia. Then he has a reasonable time within which to file the oath. Does the Senator mean to tell me that he must rush down, the second after he takes the oath, and file it?

Mr. AUSTIN. I think he must file the oath before he performs any functions.

Mr. HATCH. That is hardly a reasonable time.

Mr. AUSTIN. Yes; that is my opinion.

Mr. CHANDLER. Mr. President, as a practical matter you will not find any governor in America who does not file his oath, or see that it is filed, before he takes any official action.

Mr. AUSTIN. I would not be responsible for acts as a chief executive without doing that.

Mr. HATCH. There are still some other points in connection with that matter which I hope to discuss; but I am very glad the Senator has said that the officer has a reasonable time after taking the oath within which to file it in the office of the secretary of state.

Mr. CHANDLER. Mr. President, will the Senator further yield for a question?

Mr. AUSTIN. I yield.

Mr. CHANDLER. I get back to what actually happened. I am still fighting these presumptions. What actually happened in the Qualls case was that two men were elected to the board of education. They did not file their oaths in time, and the superintendent of public instruction appointed two other men to take their places, and the first two men lost their offices. In this case, Neely took two oaths on the 12th, while he was still United States Senator, and filed them both on the 25th day of January; and I am not persuaded that he waited until the 25th day of January, when he went in on the 13th, before he performed any governmental functions pertaining to the office of Governor of West Virginia.

Mr. HATCH. Is there anything in the Qualls case or in any other case the Senator can bring from West Virginia, or anywhere else, saying that the official acts are void in such an instance?

Mr. CHANDLER. What is the difference?

Mr. HATCH. There is a great deal of difference.

Mr. CHANDLER. In this case Neely undertook to appoint a United States Senator. But I do not admit that that means anything here, because we already had a United States Senator appointed. In the Qualls case, however, two men elected to be members of the board of education actually did not file their oaths within a reasonable time. The statute states the time.

Mr. HATCH. A specified time.

Mr. CHANDLER. Within the required time, or the specified time. The county superintendent of schools took the offices away from those men, and gave them to two other men.

Mr. HATCH. Mr. President, will the Senator answer my question?

Mr. CHANDLER. Yes.

Mr. HATCH. Can the Senator find any opinion which says that under such circumstances the act of the official who presumes to act as an official is invalid? Can he find any such case?

Mr. CHANDLER. They lost their offices. When they lose their offices, they cannot act.

Mr. HATCH. The Senator does not answer. We are not concerned with what action Neely took as Governor.

Mr. CHANDLER. But I know the Senator from New Mexico knows that Neely did not wait until the 25th day of Janu-

ary before acting as Governor of West Virginia.

Mr. HATCH. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. HATCH. I know the Senator from Kentucky is too good a lawyer to ignore the doctrine of de facto officers. He is ignoring that.

Mr. CHANDLER. The Senator from New Mexico is too good a lawyer to fail to recognize the right of a Governor, who is in the office and who is Governor until his successor is appointed or elected and qualified, not to have it taken away from him while he is acting.

Mr. HATCH. Will the Senator from Vermont yield once more?

Mr. AUSTIN. I yield.

Mr. HATCH. Under the doctrine I have just announced he may occupy the office under a mere color of title, one from which he can be ousted for good and sufficient reasons, but while he is in that office under that color of title every act he does is a valid act and can be questioned by no person in the world.

Mr. CHANDLER. If the Senator will permit me, I am not questioning any official act of Governor Neely.

Mr. AUSTIN. Mr. President, I will resume the floor and try to conclude.

The acts of a de facto officer cannot stand against the acts of a de jure officer. That is the question here. If there were any act performed by Governor Neely while he was not Governor, and it came in collision with an act of Governor Holt while he was Governor, there is no question that the Senate should support the act of the de jure Governor. But that is not the case here, and that is why I thought it important to point out in the opening that one of these appointments was made immediately after midnight, January 12, whereas the other one was not made until late in the afternoon. They were hours apart, so there was no collision between these acts, as acts of one de jure and the other de facto. But let us resume where we were when the interpolation came.

Governor Neely filed the certificate according to the statute, within a few minutes after he took the oath of office on the 13th day of January, although it was in the middle of the night. I read from the report of the majority:

> It appears that an oath of office as Governor of West Virginia was taken by ex-Senator Neely on January 13 "instantly after 12 o'clock midnight of January 12," and that a certificate thereof was filed at 12:50 a. m., on January 13 in the office of the secretary of state of West Virginia (hearings, p. 5).

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. That is another practical interpretation of what the obligations were. Who had a greater interest in doing this at the right time? Therefore, What act has more weight in practical construction of the law than that act of Senator Neely, who in the middle of the night interpreted the statute which gave him a reasonable time to mean that he must do it before he exercised his functions as Governor of the State of West Virginia? I yield to the Senator from Texas.

Mr. CONNALLY. The Senator read a portion of the majority report about the oath after 12 o'clock. If he had read a little further he would have seen that it referred also to the two oaths which he had taken before 12 o'clock.

Mr. AUSTIN. Oh, yes; but they were not filed until after their absence from the records of West Virginia had gained attention in the committee of the Senate, after the hearings had begun, and we had begun to talk about it. Then it was a sort of filling-in act. I do not need to characterize it. They go down there and file certificates of oaths taken before January 13, filed on the 25th day of January. I think those acts, when we look at the things which actually happened, and give them the natural meaning which the conduct of men has, present a perfect case which fits with this statute.

Senator Neely did not regard those oaths; in other words, he practically said by his conduct, "I do not regard those oaths taken before midnight as requiring any filing." They did not mean anything until after we got to work in the hearing. Then there was an afterthought, "We will button up that hole by filing them now." The one he filed was the oath taken shortly after midnight, and the filing was done before 1 o'clock that night.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. LUCAS. The oath which was taken before midnight was filed on the 25th of January, and the oath which was taken immediately after midnight in the office of the secretary of state was filed 40 or 50 minutes after the taking of the oath.

Assuming that neither of these oaths had ever been filed with the secretary of state, and that Senator Neely were acting as Governor today, what would be his status?

Mr. AUSTIN. That is not a fatal defect. Even the defective performance of an obligation is not necessarily fatal. In his case, any number of things could have happened. I do not pretend to forecast what they all would be, but intervention could have occurred; events could have happened which were without his control. But he could do things himself as Governor, and if they were not against some law or against the public policy of West Virginia, they would be sustained, without a doubt, on the ground that they were the acts of a de facto officer. But we do not have that condition. We speculate a good deal, because we love to roam about on this thing.

Mr. LUCAS. I appreciate that there has been much speculation on both sides.

Mr. AUSTIN. Yes.

Mr. LUCAS. And none of the questions about which we speculate are before the Senate. Nevertheless, it has been done, and I was joining in a bit of speculation.

Mr. AUSTIN. I am not criticizing. I am commenting on something which is perfectly obvious. We have gotten into a subject which is novel and important, and which reaches out and has such influence upon our Government and upon what we are going to do in the future as well as what we are doing now that it is very interesting.

Mr. LUCAS. Precisely. The thought has occurred to me that in the event neither of these oaths had ever been filed, and Senator Neely had become the Governor of the State of West Virginia, in a direct suit questioning his authority to perform some act because of his failure to file the oath, I sincerely doubt whether the court would not hold such act invalid merely because he did not file the oath.

Mr. AUSTIN. I am inclined to believe the Senator from Illinois is correct. But here we have a different situation. We have a man whose title to the office of United States Senator is involved in the question of whether his successor had qualified before he was given his title.

Mr. LUCAS. Of course, I have great respect for the opinion of the Senator from Vermont, but I disagree with him.

Mr. AUSTIN. I am grateful to the Senator from Illinois. Now I wish to conclude.

To sum up, my claim is that Mr. Neely, as an individual, as a private person, not an officer, did not qualify until after the lapse of time required for taking his oath and filing his certificate.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. I dislike to interrupt the Senator, but I do not want the Senator's very able argument to be concluded without covering practically the whole case. Let me ask the Senator if it is his contention that when 12 o'clock arrived Governor Holt had a right to hold over until Senator Neely qualified.

Mr. AUSTIN. Yes.

Mr. CONNALLY. Very well. If he held over at all he was holding over because Mr. Neely had failed to qualify?

Mr. AUSTIN. No.

Mr. CONNALLY. Why was he holding over?

Mr. AUSTIN. He was holding over because Senator Neely had not qualified.

Mr. CONNALLY. Because Senator Neely had not qualified. If he had not qualified then he had inevitably failed to qualify.

Mr. AUSTIN. Oh, no. No; that is as illogical as can be. There is not any relationship between the other matter which is described as "failing" in another section of the constitution, and the matter of qualifying as Governor. I have had that out with the Senator from Kentucky [Mr. BARKLEY]. I cannot agree. I cannot follow that course.

Mr. CONNALLY. But in what kind of a case would the Constitution of West Virginia, which provides for the president of the senate performing the functions of the Governor——

Mr. AUSTIN. When there is a failure.

Mr. CONNALLY. Well, what is a failure?

Mr. AUSTIN. A failure involves something besides absence.

Mr. CONNALLY. It must be a willful failure?

Mr. AUSTIN. I am not satisfied with that statement. I think there must be something more in it than merely illness

which incapacitated him for a short time, or some accident which intervened which had no meaning that he would not qualify. In order to have a failure to qualify within the constitution it must be shown that there was an intention not to take the office, not to take the oath.

Mr. CONNALLY. If the Senator contends that the Governor had a right to hold over because Mr. Neely had not qualified, and he holds that that is not a failure, of course, I shall not pursue the inquiry.

Mr. AUSTIN. No; we cannot get together on that.

Mr. CONNALLY. Then, I shall not pursue the inquiry.

Mr. AUSTIN. I think that one part of the constitution of the State is certainly equally as important and impressive as another, and the other part of the constitution must be considered in determining what the first one means. The other one says, without any question at all, that the Governor shall hold over until his successor is qualified. That means hold over.

Mr. CONNALLY. Does not the Senator recognize that that provision is a general provision which refers to all State officers?

Mr. AUSTIN. Yes.

Mr. CONNALLY. And that the other provision refers exclusively to the Governor?

Mr. AUSTIN. Yes; I recognize that.

Mr. CONNALLY. Does not that special provision leave the Governor out of the provisions of the general constitutional clause and treat him specifically?

Mr. AUSTIN. Oh, no; not so. That would be a strange construction of it.

Mr. CONNALLY. Why did the legislature do it then? If the general clause was wholly effective with respect to all State officers, why would the legislature adopt a special clause with respect to the governorship?

Mr. AUSTIN. Because it relates to another matter entirely.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CHANDLER. Is it not true that in this case we had an express declaration of intention on the part of Senator Neely, evidenced by his resignation sent to the Governor, that he intended to take the office at a certain time? Instead of a declaration of refusal, we had by him a declaration of intention to qualify for the governorship of West Virginia.

Mr. AUSTIN. That observation is a very persuasive one.

Mr. President, I wish to conclude. I make the claim that Senator Neely could not have been Governor when the vacancy happened. The vacancy had to happen in order for the Governor of West Virginia to be able to make the appointment, and Senator Neely could not have been Governor when that happened for the following reasons:

(a) He had to tender his resignation to an officer having authority to accept it, namely, the Governor of West Virginia, Mr. Holt.

(b) Because the offices of Governor of West Virginia and Senator from West Virginia are incompatible; and

(c) Because, as we have seen through the interpretation made several times by the attorney general of West Virginia, it was necessary that he should cease to be a United States Senator before he was eligible to qualify as Governor of the State of West Virginia.

In other words, he was not eligible to take the oath of office before the precise moment of midnight. The only oath he did take that was effectual in any way at all was the oath taken after midnight and the one he regarded as effectual when he sent down to the secretary of state's office the certificate that he had taken that oath and omitted to file the other oaths which he had taken.

We have seen the picture of the taking of that oath; we heard it read, and we know that the mere signing by Governor Holt of his name to the commission for appointment of Mr. Martin was done long before Governor Neely had finished taking his oath; and, of course, we know that he had not filed his certificate until some 40 minutes after that.

So, on any view of this matter, I feel firmly persuaded that there is one man here who has the legal title to this office, and no other, and that is Mr. Martin, and that the way to invest him in that office is, first, to agree to the resolution offered by the Senator from Kentucky [Mr. CHANDLER].

Mr. CHANDLER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	Nye
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barbour	Gurney	Reynolds
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Truman
Byrd	La Follette	Tunnell
Byrnes	Langer	Tydings
Capper	Lee	Van Nuys
Caraway	Lodge	Wallgren
Chandler	Lucas	Walsh
Chavez	McCarran	Wheeler
Clark, Mo.	McFarland	White
Connally	McNary	Wiley
Danaher	Maloney	Willis
Davis	Mead	
Downey	Murdock	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

Mr. LUCAS. Mr. President, I doubt that a more interesting legal narrative has ever found its way into the United States Senate. Not only has the Committee on Privileges and Elections been enlightened by weighty arguments and lengthy briefs prepared by eminent counsel representing the respective appointees, but we are also delightfully entertained by some illuminating testimony and a few fallacious arguments, notwithstanding their irrelevancy and immateriality to the real issues in this extraordinary case.

Many topics were embraced that were completely foreign to the issue before us. For example, the committee is fairly well fortified and informed about the political turmoil and factional strife of the Democratic party in the State of West Virginia, all of which was of no aid to your committee in determining who should serve West Virginia as a United States Senator for the next 2 years. Yet I doubt that any Senator can seriously complain—certainly the committee did not object—because in connection with almost every bill introduced in the Senate we find a variety of subjects being discussed by various Senators before we finally conclude consideration of the bill. That is because in the Senate there is no rule of germaneness.

Mr. President, my views are presented in order that I may give to the people of West Virginia and of the Nation my justification for the vote which I intend to cast. With a full realization that we are setting a precedent that will be canvassed throughout the country and perhaps referred to for many years to come, I deem it my duty as a member of the committee to assign my reasons for my vote.

As a further preliminary to my main object in detaining the Senate, allow me to say for myself that I want all parties to this action thoroughly to understand that I show no disrespect for any of them by any remarks which I shall make or any vote which I shall cast. Let it be understood that I am sincere in the belief that the authorities of the State of West Virginia—both Governor Holt and Senator Neely—did precisely what they conceived to be their constitutional duty. What they did I receive as executed in what they believed to be the performance of their public duty under the laws of that State. I question none of the various documents or court decisions which have been filed with the committee, or any of the statements made, even though I shall eliminate some of them as having no bearing upon the merits of the case.

Mr. President, as one who has been engaged in the practice of law for many years, and having had some experience in election contest cases in the State of Illinois, I took it upon myself to make what I believe to have been a fair and thorough research of the law as I saw it applicable to the facts before me in this case. I did this because we are dealing with a novel case. There is no precedent in previous contests in the Senate that any Senator can safely follow. I have read each and every one of them. There is not a single precedent in the Senate in all the contests we have had in the past which is anything like the case before us at the present time. In all previous appointments title to the seat in the Senate was not denied without this body. This is the first time we have had contestants for a seat in the Senate whose right to qualify by taking the constitutional oath hinges upon the power vested either in the outgoing or the incoming Governor

of the State to make a valid appointment to fill a vacancy.

Mr. President, I submit with the utmost sincerity that this is a legal matter which does not embrace the social, political, or economic theories of the respective appointees.

It is a legal problem that should be determined without prejudice or without regard to friendship. It is a legal question which should be decided upon the facts adduced at the hearings, with the law of the land being applied thereto.

Mr. President, I appreciate that members of the legal profession who are members of the Committee on Privileges and Elections in this important case do not agree upon the law as applicable to the facts which were presented before the committee at its hearing. I understand, and know, that this is what we call a close legal question. As a member of a law school, I distinctly recall that in the early days we had a very pious old instructor who, when he was in somewhat of a mental quandary as to what he should do with a legal question, would piously turn his eyes to the ceiling of the classroom and say, "Young gentlemen, there is much to be said on both sides of that question."

I take it from what has been said here in these debates that there is much to be said on both sides of the question and that it is a close legal proposition. Any fair-minded lawyer who understands legal principles must admit that it is a close legal question.

Being a close legal question, Mr. President, there are some things that have been argued here, especially by the distinguished Senator from Vermont, on the question of public policy; and in the course of this argument I shall have some things to say upon the question of public policy, a question that heretofore has not been discussed by any Member of the Senate; and it is a question of public policy that the lay mind in the United States Senate can understand.

Yesterday one Senator came to me and said, "I am not a lawyer, Senator LUCAS; I do not understand all those fine legalistic points that Senators HATCH and CONNALLY and the Senator from Vermont and others are discussing."

Mr. President, I can understand that situation, because there are some fine legal points involved in this case; and when there are legal points of that kind, I can understand how an individual on the outside, who has never studied law, but who is a good United States Senator, would like to have a presentation of the practical side of the question, from the standpoint of public policy.

Mr. President, it is also advisable to say to the Senate that, as a Member of the House of Representatives during the 4 years before I came over to this august body, I was a member of the Committee on Elections No. 3, and during that time I had occasion to consider a case that was brought by an individual named Albert McCandless, a Democrat from the Territory of Hawaii, who was contesting the seat of Delegate SAMUEL KING, a Republican. We listened for days to the testimony in that case; and after all the testimony was in I was convinced that the law applicable to the facts and the equities in that case was with Mr. KING, the Republican; and I had no hesitancy in leading the fight for SAMUEL KING, to seat him as a Republican in the House of Representatives, over the Democrat McCandless, who was contesting the seat, because I thought Mr. KING was right.

So, in the case before us, frankly, I started out from the standpoint of one who harbored a curbstone opinion, against the position taken here by Senator Neely and those who represent him; but the more I studied this case and the more I read the law in connection therewith and the facts applicable thereto, I could reach but the one conclusion, viz: That the appointee of Senator Neely is in line with the law and in line with the facts applicable thereto.

Mr. President, let us now hear the facts. Such is necessary in order to arrive at a just and intelligent decision.

On the 6th day of November, 1936, the Honorable Matthew M. Neely was elected by the people of West Virginia as a United States Senator for a full term of 6 years. While a United States Senator he became a candidate in the primary of 1940 for Governor of West Virginia. He was successful, and became the Democratic nominee. He was elected Governor of West Virginia on November 7, 1940, over his Republican opponent. The record shows that Senator Neely was eligible, had the qualifications, and received from the proper authorities of West Virginia a certificate of election, and that he took the constitutional oath or oaths to which I shall refer later. Senator Neely continued as United States Senator until the hour of 12 o'clock at midnight on January 12, 1941, which was the precise time when the constitutional term of Governor Homer Holt expired.

The record further shows that on the 10th day of January last, Senator Neely sent to Governor Holt his resignation as Senator, to become effective on January 12, precisely at the hour of 12 o'clock p. m. In the meantime, the record shows that Governor Holt on the 10th day of January, 1941, anticipating a vacancy in the Senate of the seat then held by Senator Neely, appointed the Honorable Clarence E. Martin to fill the so-called vacancy. On the 11th day of January, 1941, having received the resignation of the Honorable Matthew M. Neely, as United States Senator from West Virginia, Governor Holt again appointed Clarence E. Martin as a Senator from the State of West Virginia, to represent that State in the United States Senate.

On the 13th day of January, 1941, Governor Holt again appointed Clarence E. Martin as Senator from the State of West Virginia to fill the vacancy—as he claimed—caused by the resignation of the Honorable Matthew M. Neely, all of these credentials having been filed in the Senate and referred to the Committee on Privileges and Elections.

On January 13, Governor Holt also sent a telegram to the Vice President of the United States, advising that at the first moment of January 13, 1941, confirming the respective appointments of January 10 and January 11, he again appointed Clarence E. Martin as Senator from the State of West Virginia, to represent it in the Senate of the United States.

On the 13th day of January 1941, the Honorable Matthew M. Neely, then Governor of the State of West Virginia, appointed the Honorable Joseph Rosier as Senator to the United States Senate from the said State until the next general election to be held in the State of West Virginia.

The record further discloses that Senator Neely took the regular statutory oath required before one can assume the duties of Governor. In fact, he took four oaths in all: The first one at 11:35 p. m., on the night of the 12th; the second oath at 11:45; the third oath a minute after 12 o'clock on the morning of the 13th; and he took a fourth oath in the afternoon of that day, during the inaugural ceremonies.

Mr. President, these are the facts upon which the Senate of the United States must make a decision as to who is entitled to represent the State of West Virginia in the United States Senate.

I shall discuss what I believe to be the principal questions, from the standpoint of law, arising under these facts—questions the determination of which would seem vital to a proper decision of the case. In discussing these legal points I shall welcome any interruption.

Mr. DAVIS rose.

Mr. LUCAS. I welcome any interruption at any time, even by my distinguished friend from Pennsylvania, who stands over there. I shall be glad to attempt to answer in my humble way, as I understand this case, because I feel that I am somewhat familiar with it; and I hope that any Senator who is not familiar with the facts and who is not on the committee will feel free to interrupt me at any time.

Point No. 1: Can a Senator who, under the Constitution, has the right to resign, appoint a future date for his retirement from the United States Senate?

In discussing this legal question it is well, in passing, to advise the Senate that the second paragraph of the seventeenth amendment to the Constitution states:

> When vacancies happen in the representation of any State in the Senate the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

This provision of the Constitution is the authority for the resignation of a United States Senator. On the question of a resignation in futuro there is a long line of unbroken precedents where Senators have made such resignations without being questioned.

It is also common knowledge that Federal and State laws provide for resignations in other offices to take effect at some future time. This point is too well settled both in practice and in precedent to admit of controversy; and, as I understand, no one does make any contention over this particular question.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. Probably the Senator will come to and cover the point that just came to my mind as he was talking about the practice in the Senate of having the resignation effective at some future time. I myself have looked at those cases, and I have been unable to find a single case in which the date fixed by the Senator was not observed. In other words, when a Senator resigned, with his resignation to be effective at some date in the future, that date has always been followed, with the exception of one or two cases in which death intervened. Am I correct in that?

Mr. LUCAS. The Senator is absolutely correct. The precedent is unbroken as far as a resignation taking effect in the future is concerned. However, in some of those early cases, as the Senator knows, that very question was debated upon the floor of the Senate, and it was always determined by a majority as to whether or not a man could resign to take effect in the future; and that is why I say it is axiomatic, as far as the principle is concerned, viewing the precedents of the Senate.

Now, as to point No. 2, which is an interesting point, namely, Can a United States Senator, after tendering his resignation to the Governor of his State to take effect in futuro, take, and make a valid statutory oath for the Governorship, to which he has been elected, before the time his resignation from the Senate becomes effective? Mr. President, that is a question around which considerable debate has revolved, and it seems to me in order, to argue in a logical way, that it is necessary in the beginning to quote verbatim the resignation of Senator Neely, which is as follows:

UNITED STATES SENATE,
COMMITTEE ON RULES,
January 10, 1941.

Hon. HOMER A. HOLT,
Governor of West Virginia,
Charleston, W. Va.

SIR: I hereby respectfully tender you my resignation as a United States Senator from the State of West Virginia, to become effective at precisely 12 o'clock midnight on Sunday, the 12th of January, 1941.

Very respectfully yours,
MATTHEW M. NEELY.

I hereby acknowledge the receipt of the original of the foregoing resignation which was delivered to me in person in the city of Charleston, State of West Virginia, by the Honorable Arthur B. Koontz on the 11th day of January, 1941, at 1:30 p. m.

HOMER A. HOLT,
Governor of the State of West Virginia.

As heretofore stated, Senator Neely after submitting the above resignation, took the first oath to qualify as Governor of West Virginia at 11:35 o'clock on the night of January 12, 1941. In the construction of that oath it is only fair to say that there were certain reservations attached to the oath, and, so far as I am concerned, the oath was invalid because of the reservations included in it. That was the first oath. The second oath was taken at 11:45 o'clock on the same night, and that oath is as follows:

OATH OF OFFICE AND CERTIFICATE

STATE OF WEST VIRGINIA,
County of Kanawha, to wit:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of West Virginia, and that I will faithfully discharge the duties of the office of Governor of the State of West Virginia to the best of my skill and judgment so help me God.

(Signature of affiant) MATTHEW M. NEELY.

Subscribed and sworn to before me, in said county and State, at 11:45 p. m., this 12th day of January 1941.

JO N. KENNA,
President of the Supreme Court of Appeals.

Mr. President, counsel for the Honorable Clarence Martin vigorously contend that if any oath taken by Mr. Neely prior to midnight is valid, then, by such action Mr. Neely vacated his seat in the United States Senate, because he could not hold office as Governor and Senator at the same time, since the two offices in question are incompatible. No one challenges the incompatibility of the two offices, but I submit that this rule of law does not apply to the facts before us.

All the arguments which have been made by the distinguished Senator from Vermont and the distinguished junior Senator from Kentucky on the question of incompatibility of office, while, of course, setting forth good law, do not apply and cannot apply to the facts in this case if my theory of the law and the facts be correct. I can find no evidence in the record which shows that Matthew Neely failed to discharge his duty as a United States Senator up to the precise moment his resignation took effect. All the evidence is to the effect that he discharged his functions as a Senator, with all the privileges and immunities attached to the office, up to the very moment Governor Holt's term expired and Mr. Neely's duties as Governor of West Virginia began. The evidence shows that on Friday Senator Neely made a speech in the Senate and on the following day he was in control of his Senate offices. He testified before the committee that he controlled his offices in the Senate of the United States and considered himself a Senator up to precisely the hour of 12 o'clock on the night of January 12, and the record actually shows that he was paid by the Government up to that very minute, which is another piece of evidence that he was a Senator of the United States up to precisely the hour of 12 o'clock, although a number of implications have been made here and some direct argument to the effect that the taking of the oath, if it was valid, at 11:45 on the night of January 12 vacated his office as a United States Senator; but no Senator since that time has ever challenged or taken issue with the fact that Senator Neely was a Senator up until that time.

Neither can I find anything in the record, Mr. President, which shows that Senator Neely, while acting as Senator, attempted to assume any of the duties of Governor of West Virginia prior to the hour of midnight, January 12. When Mr. Neely took the oath at 11:45 p. m. on January 12, 1941, he was, in my opinion, merely pursuing the constitution and statutes of West Virginia in preparing himself to assume the duties of the office of Governor at the time when the term for which he was elected should begin.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I am glad to yield to the Senator from New Mexico.

Mr. HATCH. In line with what the Senator from Illinois is saying about Senator Neely not performing any of the duties of Governor, it might be argued, as it has been suggested to me, that he could not have performed the duties of Governor because Governor Holt was in the Governor's office; but I should like to ask the Senator whether or not there was any evidence before the committee to show that Governor Neely attempted to perform any duty as Governor before his resignation as Senator became effective, such as making an appointment to be effective in his term. Did he do anything like that?

Mr. LUCAS. There was not a scintilla of evidence which showed that Senator Neely attempted, in any way whatsoever, to assume the slightest duty or obligation of the office of Governor which would be entailed upon him by the statutes and Constitution of West Virginia.

Mr. HATCH. On the contrary, just as the Senator is so ably arguing and presenting, all the evidence shows that he considered himself a Senator, and he performed only the duties of a Senator of the United States?

Mr. LUCAS. The Senator from New Mexico is absolutely correct, and the RECORD bears his statement out to the limit. In other words, several steps are necessary to qualify one for the Governor of the State of West Virginia. First, he must be eligible for election; he must be validly elected; he must have the requisite declaration of election; he must be qualified to hold the office, and, finally, he must take the oath. Those are the steps which are necessary under the laws of West Virginia for one to be Governor. The only one in question, insofar as the appointment of a United States Senator is concerned, is the taking of the oath.

Mr. President, it is common knowledge with every Senator that nearly every elected official—county, State, or Federal—can take the oath of office in advance of the beginning of his term, and that is true whether the offices are incompatible or otherwise. The people of West Virginia were so struck by the soundness of this legal doctrine that the legislature passed a statute specifically dealing with the question.

Section 270 of the West Virginia Code of 1937 provides in part:

The oaths required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office and before the date of the beginning of the term, if a regular term.

There is also the following specific requirement in section 274 of the West Virginia Code of 1937 as to the qualifications of executive officers, which includes the Governor:

Provided—

It says, among other things—

That the State executive officers shall qualify on or before the first Monday after the second Wednesday of January next after their election.

This law, Mr. President, gave Matthew Neely, while serving in the capacity of United States Senator, the unquestioned right to take the oath for the office of Governor. That statute is plain and certain as to what an elected officer in West Virginia can do with regard to taking the oath; certainly no one who can read the English language can misunderstand its meaning; and yet some on the floor of the Senate, as I see it, have, not willfully, of course, misinterpreted the meaning of that statute. No one can contend with conviction that Senator Neely could not take a valid oath before the hour of 12 o'clock p. m. on the night of January 12; and the contention made that if such oath is valid the seat of Matthew Neely in the United States Senate was vacated is equally untenable, as such position is not sustained by either the facts or the law.

I have quoted to the Senate the facts with respect to what Senator Neely did as a Senator up to precisely the hour of 12 o'clock. In addition to the West Virginia case which has been cited here by the Senator from Texas [Mr. CONNALLY] as to what an individual may do before he assumes the duties of an office, I also quote from *Ballentyne* v. *Bower* (99 Wyo., p. 869), in which the court said in its opinion:

> We are not to be understood as denying the right of one elected to an office to take the required oath and execute his bond, and deposit the same with the proper officer prior to the date when his term is to commence, or the time fixed by law for qualifying. We assume that may be done. But as qualifying acts they do not become effective until the time fixed by law for their performance.

What could be clearer than that, Mr. President?—and that is the exact case which is before the Senate at the present time.

Again the case of *Taylor* v. *Johnson* (148 Ky. 649), cited by the Attorney General of West Virginia and referred to in the arguments in this case, I say is decisive of this question, and not a single opinion will be cited to the Senate to overturn what the Supreme Court of Kentucky said in that case. So important is the case in connection with what is before the Senate that I propose to take some time in discussing the facts and what the court said.

Joseph Coyne was a member of the board of aldermen of Covington, Ky. He was elected in 1910 for a term of 2 years. In 1911 he was elected city treasurer for a term of 4 years. There we have the case of a man being elected city treasurer who is serving in the office of alderman. The two offices are highly incompatible, the same as the offices of Governor and Senator. On December 30, 1911, he took the oath of office as city treasurer and executed his bond. On the same afternoon the board of aldermen, thinking that Mr. Coyne had vacated his office as a result of taking the oath and giving the bond, appointed Edward J. Taylor to succeed Mr. Coyne. This was the afternoon on which he took the oath and gave the bond before he was to assume the duties of his office on the following day.

On the same afternoon, as I have said, the board of aldermen, thinking that Mr. Coyne had vacated his office as a result of taking the oath and giving the bond, appointed Edward J. Taylor to succeed Mr. Coyne. On January 5, 1912, a new mayor of Covington was elected. He disregarded the appointment of Taylor made by the old mayor and appointed Frank J. Johnson to succeed Mr. Coyne. Johnson took the oath and brought mandamus proceedings to enforce his right to hold the office, and the circuit court sustained Johnson. Taylor appealed to the higher courts in Kentucky.

It is one of the most important cases that any fair-minded Senator can read for himself in order to make an honest and intelligent decision in line with the law of the case before us. The court said:

> On December 30, when Coyne took the oath of office and gave bond as treasurer, he was not holding two municipal or incompatible offices. He could not hold the office of treasurer until his term began on the first Monday in January. While his taking the oath and executing the bond had qualified him to enter upon the discharge of the duties of the office of treasurer, he had not accepted that office within the meaning of the statute so as to vacate his existent office of alderman.

Mr. President. If that is the law, and you care to follow it, does anyone believe that Matthew Neely, as the result of taking the oath at 11:45, vacated his office in the Senate of the United States, as has been argued upon this floor, both directly and by implication?

The court of Kentucky further said:

> Until the time when he could legally enter upon the discharge of the duties of the new office, there was nothing in the spirit or letter of the law declaring that his preparation for entering upon such new duties would vacate his former office. His taking the oath and executing the bond were but such preparation.

That is all there is to this matter. In other words, all the acts that Neely did from the time he became a candidate, and was morally and legally qualified, and got the votes, until he took the oath at 11:45, were steps, one after another, in qualifying him to assume the duties of Governor, and nothing else.

The court further said:

> Had the term of his new office then commenced such qualification would be the statutory acceptance such as would vacate the former office. That condition did not obtain here.
>
> As there was no vacancy on December 30, the appointment of Taylor was void.

Mr. President, as pointed out in the case I have just mentioned, Kentucky, at the time this decision was made, had a constitutional provision prohibiting the filling by one person of the two offices involved, just as we find the Constitution of West Virginia prohibiting a citizen from being Governor and United States Senator at the same time. The statutes of Kentucky provide that the acceptance by one in office of another incompatible office vacated the first office. Another statute repeated what the constitution said; to-wit, that no person at the same time could fill two municipal offices. These provisions of the Kentucky Constitution and statutes are comparable with the provisions of the West Virginia Constitution and statutes under which the point in question must be decided.

The Kentucky case holds that the mere taking of the oath before entering upon the officer's duties in the office to which he had been elected, while still serving in an office incompatible with the elected office, was merely a part of the preparation to enter upon the duties of the second office. That is good law. That meets headlong the facts in this case; and there is nothing in the arguments or briefs of counsel, there is nothing in the arguments or briefs that have been presented here in argument up to this time, which overturns or overrules or challenges the soundness or the wisdom of that decision.

Under the law and under the set of facts heretofore related, is any Senator prepared to say that the taking of the oath is more controlling than eligibility, or is more impressive than the certificate showing the validity of election? Does the oath carry more weight than moral or legal qualifications to become a United States Senator, all of which are necessary before one may take the oath?

Heretofore, I have discussed the oath of office taken by Matthew Neely at 11:45 p. m., January 12. The evidence discloses that Mr. Neely also took a third oath of office immediately after midnight on the morning of January 13. While Senator Neely took the fourth oath at the inaugural proceedings, we find that it was the third oath, taken immediately after midnight, that was filed with the secretary of state at 12:50 a. m., January 13.

It is urged with some force by counsel for Hon. Clarence Martin that the filing of one of these oaths was mandatory before Matthew Neely could assume the responsibilities of Governor. It is urged with equal force by the attorney general of the State, in behalf of Hon. Joseph Rosier, that the filing of the oath with the secretary of state was merely directory.

At this point of the argument I wish to read into the RECORD a section of the Constitution of the State of West Virginia, which, so far as I am concerned, completely determines this fact. Section 5 of article 4 of the Constitution of West Virginia is as follows:

> Every person elected or appointed to any office, before proceeding to exercise the authority, or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the Constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment.

Mr. President, here is the important part of this section of the constitution. Up to this time no one has seriously challenged this phase of it, and it was discussed yesterday in a colloquy between the Senator from Wyoming [Mr. O'MAHONEY] and myself and the Senator from West Virginia. I refer to this part of the provision of the constitution:

> And no other oath, declaration, or test shall be required as a qualification, unless herein otherwise provided.

What does that mean? It means exactly what it says. When the Legislature of West Virginia or anyone attempts to say that a statute which provides that the oath of the Governor must be filed under a general provision which has been

suggested here, it is necessary to ignore the plain understandable language of the Constitution of West Virginia.

I specifically call the attention of the Senate again to that last part, which says that no declaration or test shall be required as a qualification unless provided in some other section of the constitution. That language is all-inclusive, and unless it is provided in some other section of the constitution it can in no way be repealed by the legislature in any other statute. The principle of law here set forth in the constitution admits of no controversy. Senator Neely, having taken the oath before the hour of midnight on January 12, met the last qualification the Constitution of West Virginia lays down as necessary before he could exercise his authority as governor.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. KILGORE. It provides, does it not, that he shall "make oath or affirmation"?

Mr. LUCAS. Yes.

Mr. KILGORE. It does not in any way say that he shall subscribe to a written oath, or anything of that kind?

Mr. LUCAS. That is correct, and the subscribing of the oath by Senator Neely, as shown on the oath of 11:45, was unnecessary; but he did it. That was unnecessary, under this provision of the constitution, under which all officers are compelled to take the oath of office.

Mr. KILGORE. And under that it would be purely an oral oath?

Mr. LUCAS. That is correct; there is no doubt about it. Had he taken the oral oath, and that had been the end of it, so far as I am concerned he would be the Governor of West Virginia today, and all his acts would be valid; and when a few minutes ago I asked the Senator from Vermont as to whether or not the acts of Senator Neely would be invalid had not the oath taken a few minutes after midnight been filed, or the oath taken before midnight been filed on the 24th, he would not say that the acts of Senator Neely as Governor were not valid. To me that is an admission, so far as I am concerned, that the oath, so far as filing it with the secretary of state was concerned, was absolutely unnecessary, insofar as making Neely Governor was concerned.

Mr. KILGORE. I thank the Senator from Illinois.

Mr. LUCAS. Senator Neely having taken the oath before the hour of midnight on January 12, as I have said, he met the last qualification the Constitution of West Virginia lays down as necessary before he could exercise his authority as Governor. The filing of the certificate of the oath by the secretary of state, as provided by the statute, is one of the statutory declarations or tests which the framers of the West Virginia Constitution were discussing when they gave to the people of West Virginia that constitution. It plainly points out that that is one of the things which is not required as a qualification.

Mr. President, everyone understands the dignity of the office of Governor. In this case the Governor was not required to give a bond for the faithful performance of his duties as Governor of West Virginia. There is no question about that. He is not required to give a bond for the careful handling of all the affairs and the money he has to spend in West Virginia. But the opposition say that because he did not file an oath with the secretary of state his act is invalid and he could not be the Governor of the State.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. It is not the filing of the oath made by the Governor that is required; it is the filing of a certificate made by a third person.

Mr. LUCAS. That is correct, and no one has yet charged in this debate that it was absolutely mandatory upon the Governor himself to see that that certificate was filed.

Mr. HATCH. I asked yesterday—and this is not an impossible situation—that we suppose that the third person failed or refused to file the certificate. Then the machinery of a great State would be upset, and the acts of Governor would be invalid because that third person failed to perform his duty.

Mr. LUCAS. Of course; and to my way of thinking that is a foolish argument and just cannot be upheld by any fair and prudent mind which wants to give the State of West Virginia what it is entitled to in connection with the orderly and efficient conduct of its government.

Mr. HATCH. Let me ask the Senator another question, because I have regard for his legal ability. This question is along the line I expect later to discuss myself.

Here is a man who has been nominated by a party as governor. In the general election he is elected. He receives a certificate of election. He takes the required oath of office. He does everything the constitution of his State requires. He actually enters upon the performance of the duties of his office by appointing a United States Senator. Would the Senator say that that would amount to as much as color of title?

Mr. LUCAS. I would, of course. There can be no question about it. It is an inchoate right.

Counsel for Mr. Martin lay much stress upon the proposition that the section of the constitution heretofore quoted requires that an officer shall "make oath," and that such language indicates the necessity of a signed oath, an oath properly signed. This has not been argued in the debate as yet, but it was argued with a great deal of vehemence by counsel for Mr. Martin and by Mr. Martin himself before the committee.

To me, this position is untenable, because the framers of the Constitution of West Virginia—and this is something which is very interesting on the question of the oath—created different kinds and types of oaths which individuals had to take. For instance, in prescribing the type of oath senators and delegates should take, section 11 of article 5 of the constitution qualifies section 5, article 4, which we have just been discussing, by compelling senators and delegates to do the very thing which counsel for Mr. Martin contend necessary for a governor to do, that is, take and subscribe. In this section of the constitution they use the word "subscribe," to which the Senator was alluding a moment ago. This is what they say:

> Members of the legislature, before they enter upon their duties, shall take and subscribe the following oath.

This refers to members of the legislature, who must "take and subscribe the following oath." Why did the framers of the constitution make a distinction between the Senators and delegates of West Virginia, and the Governor? There is a distinction, and no one can challenge or deny that statement.

The oath prescribed is:

> I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability.

Hear me, Senators, on this question. This section further provides that any member who shall refuse to subscribe to that oath shall lose his seat in the Senate. That is forfeiture clause, just as it was found in the Qualls case, which has been so much debated in the Senate. A forfeiture provided there.

In other words, if the candidate elected in West Virginia did not take and subscribe to an oath, he forfeited his right to take his seat in that legislative hall in West Virginia as a delegate or senator. Senators cannot find a single provision that affects a Governor in a similar way, again demonstrating that the framers of the constitution believed that a man who had the qualifications and the character and the ability to become Governor of a great Commonwealth such as that State should not enter into every minute detail, such as the filing of the oath with the secretary of state, in order to qualify him to become Governor of the State, and one cannot successfully challenge that argument. To hold otherwise would mean to put the Governor on the same basis as a justice of the peace with respect to the question of filing of the oath. That is exactly what it would mean. No distinction is recognized when the argument is made that the filing of the oath is necessary as a qualification.

Here is a provision with a penalty attached dealing with delegates or senators. Such law makes it mandatory that delegates and senators of West Virginia not only make but subscribe to the oath, and failure to do so means forfeiture of the seat. There is nothing in the constitution of West Virginia which makes it mandatory that certificate of oath of the Governor be filed. There is no penalty provided if the Governor does not file the oath. He is not required to give bond. The reason for such omission is obvious if anyone wishes to read section 5 of article 4 of the constitution.

Plainly Mr. President, the framers of that constitution intended to make a clear distinction as to the making or taking of an oath on the one hand and the making and subscribing to an oath on the other hand.

The case of *State Ex Rel. Qualls* v. *Board of Education* (92 W. Va. 647),

cited by counsel for Mr. Martin, is not in point, in my opinion, notwithstanding the opinion of the late judge out in the country to the contrary, who brings his evidence here by way of letter, instead of coming before the committee and testifying, and giving a few lawyers such as the Senator from New Mexico [Mr. HATCH] and others, a chance to cross-examine him.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. Does the Senator have any objection to judges writing letters if they want to?

Mr. LUCAS. No; I have no objection to judges writing letters, but if I had been a former judge of the supreme court, before I would have submitted my testimony by way of letter of this kind, I would have presented myself to the Committee on Privileges and Elections, and let its members at least cross-examine me rather than write a letter here, without giving an opportunity to a single member of the Committee on Privileges and Elections to cross-examine me or ask the judge who wrote the opinion a fair question about the case. That is what I am objecting to. I do not think what he did was fair, if the Senator wants to know what I think about it.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. There was some controversy yesterday between the Senator from Illinois and the Senator from West Virginia [Mr. KILGORE] about those judges. Those two judges were members of the Supreme Court of West Virginia when the Qualls case was decided. They participated in the opinion. They did not have any special desire to please the Senator from Illinois or the Senator from West Virginia.

Mr. LUCAS. They wanted to please somebody.

Mr. CHANDLER. They pleased me very much, and they undertook to say that when they were on the court they wanted to make the filing of oaths mandatory, that it was their intention to do so, and the court was unanimous in that respect. Mr. Sperry did not come before the committee, but he said that the reviewers tried to get the codes and the statutes to agree, that they intended to carry out the opinion in the Qualls case, to make the filing of oaths mandatory, not directory. I am sorry, but I do not think they intended to please the Senator from Illinois.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. LUCAS. I yield.

Mr. HATCH. The statement which has just been made about judges intending to make certain provisions of law mandatory causes me to rise and ask: Who makes the law in the State of West Virginia?

Mr. CHANDLER. I have been asking that a long time. If the Senator wants to know who makes the laws of the United States I do not know, but when the court says such and such is the law, it is the law. Criticism has been made of the Supreme Court of the United States, but every time it makes a decision, it is accepted, or if not, those interested wish they had accepted it. Of course, complaint is made concerning decisions of courts, but the law is what the court says it is.

Mr. LUCAS. I am not going to yield any further. I am very happy that the junior Senator from Kentucky made that last statement, because I have always understood that when the Supreme Court handed down an opinion, or even the circuit court of my own county handed down an opinion, that that was the law, and the judges did not go about after that writing letters over the State attempting to qualify and explain a decision already made.

Mr. CHANDLER. The Senator is mistaken. The Supreme Court——

Mr. LUCAS. I do not yield to the Senator.

Mr. CHANDLER. That is characteristic of my friend when he does not want an answer.

Mr. LUCAS. I make the point of order against the Senator. When I get ready to yield to him I will yield.

The PRESIDING OFFICER. The Senator from Illinois has the floor, and refuses to yield.

Mr. LUCAS. But that is the situation, and I complain about it. I do not care who knows it. I do not think a judge of reputation, who has handed down a decision, and it is in the law books, has any business writing a letter to a United States Senator, or to the attorney for one of the contestants in this case, explaining a decision he has heretofore made, and which is the law. If that decision does not explain itself, then the judge is in a mighty poor business writing letters to United States Senators or to the attorneys in the case, attempting to explain the decision, and bolstering up a case, and I, as a United States Senator, denounce it.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HUGHES. I am very much interested in the Senator's discussion of the requirement of the Constitution of the State of West Virginia as to taking an oath. In one instance the Governor is required to subscribe to a certain oath, and in the other instance members of the legislature are required to subscribe to a certain oath. I wondered whether the Senator noticed a distinction in the provisions of the code, that while the Governor is required to take an oath supporting the Constitution of the United States and the Constitution of the State of West Virginia, a Member of the General Assembly is required to take an additional oath as follows:

> I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company, or person, for any vote or influence I may give or withhold, as senator (or delegate) on any bill, resolution, or appropriation, or for any act I may do or perform as senator (or delegate).

Is there not a reason for a distinction being made? In that case the law is very positive about requiring that that oath be subscribed to, and that it be filed in the office of the secretary of state, and made of record, because in the case of prosecution of a senator who is accused of taking bribes, or anything of that sort, there would be a record of the oath. That provision does not appear in the other case.

Mr. LUCAS. Mr. President, I appreciate the contribution made by the distinguished Senator from Delaware. That merely bears out the argument I have been making as to the distinction made here in the matter of officers, between one who is a delegate and one who is a Governor. You can carry it on down to, we will say, the lowest office; I do not mean that in any disrespectful way, but to the most humble office of constable or justice of the peace. There is a certain dignity which must be given to the Governor's office that is not given to the office of justice of the peace. There is a certain amount of dignity which must be given to the President of the United States that is not given to the office of constable or justice of the peace in one's home community. As a result of that very thing, the point I am making is that under section 5, article 4, of the Constitution I have read it is absolutely unnecessary for the Governor of a State to file that oath in line with what the statute says, because the statute does not contravene the Constitution of the State of West Virginia. The oath the Senator cited here is another one that the framers of the Constitution had in mind. As I said in the beginning, there are various types and kinds of oaths, and to put a Governor down in the same category as a constable or justice of the peace is not what the framers of the Constitution had in mind.

Mr. HUGHES. The Constitution says that that is a test to which the governorship shall not be subjected. That is to say, the Governor shall not be subject to any other test than the provisions in the Constitution.

Mr. LUCAS. That is correct.

Mr. HUGHES. But it does not say that a Representative or a Delegate may not be. So the Constitution does not require that they shall make oaths and subscribe them and have them filed, and so forth, even though that is an additional test beyond what the Governor is required to do.

Mr. LUCAS. The Senator is correct, and I thank him very much for the additional contribution upon the question of oaths.

Let me conclude with respect to the Qualls case. I wish further to discuss the case of State ex rel. Qualls versus Board of Education, because that case has been bandied back and forth in the Senate. I have read the entire case. I believe I understand the facts. I believe I understand the law. I have read the statute under which that case was prosecuted. I do not care what the judges who made the decision said in an extraneous way in an attempt to qualify the decision made. We cannot get away from what was said in the opinion itself. Anybody who reads the case knows that those men were elected to the board of education under a special statute. Under the special statute, it was specifically provided that if members of the board of education did not file an oath and a bond within a period of 10 days they forfeited

their right to that office. That is what the statute said, and that is exactly what the court held. Can anyone show me any provision in the Constitution of West Virginia to the effect that if the Governor does not file an oath his office is forfeited? Not at all.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Texas.

Mr. CONNALLY. Even under the extreme case on which reliance is placed, the Qualls case, the penalty for failure to file the oath required to be filed within 10 days, namely, forfeiture of the office, would not invalidate any official acts which might have been performed up to the end of the 10 days.

Mr. LUCAS. Of course not. If they had assumed the duties of office, during that time all their official acts would have been valid, as those of de facto officers.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. KILGORE. I may have overlooked it, but is there anything in the record in the Senate which shows what the inquiry was, or the wording of the inquiry which elicited the letters from the judges in West Virginia, or whether they were voluntary?

Mr. LUCAS. So far as I know, there is nothing in the record but the letter which was written to the Honorable George B. Martin. I learned that when the Senator from Vermont read the letter into the RECORD. That is all I know about it. I do not know anything about the inquiries. I do not know how it got in the RECORD. I do know that the Senator from Kentucky [Mr. CHANDLER] was so interested in the matter that he said he would have gone out there and obtained the letter if it had not been sent to him.

Mr. KILGORE. Is it not the experience of the Senator from Illinois that the letter asking for information frequently governs the wording of the letter of reply and must be used properly to interpret it?

Mr. LUCAS. Certainly. Whatever elicited the reply from the judges in West Virginia should have been presented along with their reply. I cannot imagine a judge of high reputation and honor projecting himself into an important case of this kind by writing a letter to the attorney for one of the appointees, and then having a United States Senator reading the letter on the floor of the Senate. I cannot understand how that can be done. If the individual wanted to qualify the opinion he had rendered when he was a judge he should have submitted himself to the committee and let the members of the committee interrogate him, rather than attempt to qualify his opinion by writing a letter and having it read on the floor of the Senate.

Mr. KILGORE. I am in full accord with the Senator.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I am wondering whether or not the present Supreme Court of West Virginia would consider the two letters which have been read in the Senate as precedents in interpreting that decision later, in the event that Mr. Martin should have the audacity to use them as a precedent.

Mr. LUCAS. Mr. President, I do not think the members of the Supreme Court of West Virginia at the present time would take any judicial notice or official notice, or any kind of notice, of what is going on in the Senate at the present time. If they should do so, and attempt to interfere and intervene, then they are not the kind of judges that have caused me to have such a high regard for the judicial branch of government.

In my opinion, the Qualls case is not at all in point in connection with what we are attempting to consider. I do not question the interpretation of honest lawyers in connection with this case. I have read and reread it. For the life of me I cannot see how it can be said that the statute referred to applies to a governor.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. I understand from the Senator from Illinois that he will not be able to conclude his remarks this afternoon.

Mr. LUCAS. I have two or three further points to cover.

Mr. BARKLEY. If he cannot conclude this afternoon, I think we might rise now, and permit the Senator to conclude on Monday.

CONVOY PROPAGANDA AND POLLS OF PUBLIC OPINION

Mr. NYE. Mr. President, during the past few weeks I have been led to believe that some pressure was being exerted to accomplish the sending of telegrams and communications from over the country which would cause the President of the United States to believe that the people are ready to accept convoying as a necessity at this hour. However, I have never felt called upon to charge that the cause of intervention might be reaching out to resort to so-called chain telegrams. This afternoon I received from Augusta, Ga., a telegram signed by Edison Marshall, reading as follows:

AUGUSTA, GA., *May 9, 1941.*

Senator GERALD NYE,
Washington, D. C.:

Have received telegram urging me to continue telegraph chain, each recipient to wire President and induce 10 others to do so urging convoys Think this movement should be exposed to Senate and public immediately.

EDISON MARSHALL.

Mr. President, we must all concede that we are living in an hour of pressure, with all sides bringing into play all possible evidence concerning what might be public opinion with regard to the issue of convoys; but it seems to me that if it is necessary to resort to the chain telegram method, there is being at once revealed a very definite weakness on the part of those who would have the United States take the long step to war by convoying.

Let me refer to one further matter, Mr. President. On May 6 I introduced Senate Resolution 111, which was referred to the Committee on Interstate Commerce. The resolution calls for an investigation by the Committee on Interstate Commerce of polls of public opinion.

This afternoon I have conferred with the chairman of the Interstate Commerce Committee, who assures me of very early consideration in connection with the resolution. I should like to say now that if that kind of investigation is undertaken, I am satisfied that, without reflecting upon Dr. Gallup or the Institute of Public Opinion, it will be revealed that among those taking the polls throughout the country are men and women who are not bothering to feel the public pulse in their communities, but are dispatching to the Institute of Public Opinion a response that is reflective only of the opinion and the wish of the one taking the poll.

In this connection I ask unanimous consent to have printed in the RECORD at this point in connection with my remarks an analysis of American Institute of Public Opinion polls relating to intervention in the European war, by Ross Stagner, of Dartmouth College.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

AN ANALYSIS OF AMERICAN INSTITUTE OF PUBLIC OPINION POLLS RELATING TO INTERVENTION IN THE EUROPEAN WAR

(By Ross Stagner, Dartmouth College)

The American Institute of Public Opinion has been "taking the pulse of democracy" for over 5 years. During that time its notable accuracy in predicting election returns (as compared with the Literary Digest Poll, for example) has given it high prestige. Its reports are considered, in a way, to speak with the voice of the American electorate.

One is hardly surprised, therefore, to find that men in public life are influenced by its reports. G. F. Lewis, Jr., found that while many Congressmen denied that the polls influenced their votes on foreign policy, his evidence suggested that not less than two-thirds of them take the results into consideration in making a choice.

This is indeed a natural state of affairs in a democracy. But it runs a risk of serious nature if public opinion is not accurately and impartially recorded. The Institute has repeatedly published figures seeming to show that an overwhelming majority of Americans favored an aggressive foreign policy as against the Germans and Italians. It would be most deplorable if Congressional policy were influenced by these reports and it later developed that they were inaccurate.

The Institute reports have consistently favored intervention of one sort or another almost since the outbreak of war in September 1939. If these figures are taken loosely and at their face value (as some commentators have), they may lead to hasty action which is actually not endorsed by a majority of the general public. This assertion is based on a careful examination of the polls taken by Dr. Gallup's organization relating to intervention in the Anglo-German conflict over the past several years, but especially since the outbreak of war.

Public opinion studies are delicate and subject to distortion by unconscious prejudice even if no deliberate intention to deceive is present. Shrewd lawyers know how easy it is to get the average man to testify to absolutely contradictory happenings by clever questioning. Some studies have shown that a fair proportion of men will vote for a tariff increase (on an opinion blank) and, 5 minutes later, endorse the Hull program for tariff reduction. Social psychologists have made

elaborate investigations to determine how opinions may most accurately be recorded.

This report covers an examination of all of the American Institute of Public Opinion questions relating to foreign policy from April 1937 to February 1941. The questions asked have been studied from the point of view of strict impartiality, that is, whether they conformed to scientific principles of opinion measurement; and the results have also been examined to see whether or not they agree with each other and with outside measurements of opinion.

Fifty-nine questions were chosen for special study because they related specifically to the problem of intervention against Germany. Only seven of these were asked before the outbreak of war; about one-third centered around the repeal of the Neutrality Act late in 1939; most of the remainder have come since the invasion of the Low Countries in May 1940. Such items as "Do you think the United States will be drawn into the war?" have been omitted as having no clear suggestion as to policy. On the other hand, we have included such questions as "Do you think the United States will have to fight Germany again during your lifetime?"

Four types of influence on free answers were set up as being most important. These were: The inclusion of emotion-arousing words (Nazis, dictatorship nations); the introduction of prestige-bearing names or terms (President Roosevelt, Ambassador Bullitt); the presence of unjustified assumptions in the statement of the question—and suggestion of a positive answer. All of these have shown by laboratory studies to have a significant effect upon opinion measures.

None of the 59 items were found guilty of improper inclusion of emotional terms. The Institute's vocabulary is as impartial as possible, without the use of scientific terminology. Forty-six questions, however, were criticized on one of the three remaining points. Since some questions violated more than one rule, a total of 55 cases of dubious practice were listed. Of these 55 items, 48 were biases in favor of an interventionist answer, while only 7 tended to elicit a noninterventionist reply.

We may take up these criticisms one by one and show how important they are. First, the question of introducing the name of a prominent person may be mentioned. Four items were found in which prestige may have been a factor in the results. All four of these favored intervention. We may illustrate the significance of this, first, by taking an experimental study. Roslow, Wulfack, and Corby asked two matched groups if they approved the action making the date for Thanksgiving the third rather than the fourth Thursday in November. To one group Roosevelt's name was not mentioned; to the other, the question was presented as President Roosevelt's action. Five percent more of the latter group approved. The same point has been demonstrated in other studies.

Comparing one opinion poll with another proves the potency of Roosevelt prestige in influencing opinions. During the week beginning May 29, 1940, a special poll was conducted by the Institute for the Princeton Public Opinion Research project. The following question was asked: "The United States Army and Navy have about 5,000 airplanes. Would you approve of selling all, some, or none of these planes to England and France at this time?" Forty-nine percent of the population answered "none." On June 30, 1940, the Institute published a survey—taken only a few days after the one just mentioned—using the form: "President Roosevelt has taken action making it possible for England and France to buy some airplanes that were being used by our Army and Navy. Do you approve or disapprove of this action?" Only 20 percent of the people disapproved. At face value this means that 29 percent of the voters have switched almost overnight. No one experienced in opinion work would believe this. The true explanation is that the prestige value of Roosevelt's name, plus the fact that the action was completed and disapproval futile, produced the change in percentages.

The same errors appear in a question citing Ambassador Bullitt's assertion that if Great Britain is defeated the Germans will invade the United States. It is also found in the mention of "our Government" selling destroyers to England. Singularly enough, not a single question was asked quoting any prominent noninterventionist.

The most recent and most significant illustration of this subtle suggestion through appeal to prestige is found in the poll on the lease-lend bill released February 9, 1941. The question was asked: "Do you think Congress should pass the President's lease-lend bill?" The results might have been quite different if the question had been: "Do you favor passage of a bill which permits unlimited subsidies to foreign munitions manufacturers from the United States Treasury?" or "Do you favor passage of a bill which authorized repair of belligerent warships in violation of international law?"

In addition to items which introduced prestige-bearing names, such as those listed above, several questions were classified as double-barreled in the sense that they brought in some other consideration besides the main point of the question. The chief offender in this connection has been that watchword of interventionist strategy, "aid short of war." This may be illustrated by reference to polls such as that of July 18, 1940, which asked: "Do you think we are giving enough help to England, or do you think ways should be found to give England more help them we are at present, but short of going to war?" This proposition elicited a vote of 53 percent for "more help." But the simultaneous Fortune poll simply asked. "Do you think we should do more than we are now doing to help England against Germany?" The vote showed only 34 percent in favor of increased aid. A difference of 19 percent simply does not occur when two polls sample the American people scientifically on the same question. It is apparent that the introduction of the phrase "short of war" changes the question. It implies, unjustifiably in the opinion of many observers, that more help "short of war" is possible.

An all-time low in the history of the institute, however, was probably reached in the poll of December 27, 1940. At this time the question was asked: "Have you read or heard about the speech of a Nazi official published recently which said that the German plan to make slaves of the people in Europe and to control American industry and trade?" This question does not even make that gesture in the direction of accuracy used by most editors, who would refer to "the alleged speech." No mention is made of the fact that the Nazis have denied the occurrence of this speech—whereas they have boasted of other aggressive statements of policy—nor of the fact that the publishers of this speech have so far refused to identify the source from which they obtained it. To a psychologist it looks like one of the hysterical creations given to official publicity by the Allies in 1914–16. For the institute to quote this reference and ask if it is believed—80 percent of those who had heard of it said they believed it—seems almost to be on the level of propagandizing for the British.

The two types of errors so far discussed—prestige factors and unjustified assumptions—constitute the more flagrant violations of scientific opinion sampling. Eight of the 59 questions examined, about 14 percent made these errors. We wonder if it is conceivably an accident that all of these favor interventionist answers by the persons questioned.

Another type of biasing factor is that involved in presenting questions in such a faction as to take advantage of what psychologists call the "yes" tendency. This simply means that when the average man is presented with a question he seems to find it easier to say "yes" than "no."

To a person uninformed about the experiments on this topic such a criticism may seem very trifling. The evidence, however, indicates that it is very important. Blankenship, for example, in an excellent controlled investigation, asked matched samples of voters in Irvington, N. J., the following questions: "Is it desirable to balance the National Budget within the next 4 years?" and "Is it undesirable to balance the National Budget within the next 4 years?" The change from "desirable" to "undesirable" caused a decline of 25 percent in the number of votes cast for Budget balancing. Blankenship reports that the chance that such a difference could be accidental is about 1 in 14,000,000. Hence, it seems certain that such phrasing of questions prejudices the results obtained. Better than either type Blankenship found to be: "Is it desirable or undesirable to balance the National Budget within the next 4 years?" In this case the alternatives are clearly called to the voter's attention.

Most of the Fortune polls on intervention have been of this last type—i. e., they have offered several answers to choose from. The Institute, on the other hand, has preferred the positive type of statement, mentioning only one alternative. Thus, 46 of the 59 questions studied were of the positive type.

The wide difference obtained from such changes in questioning may be demonstrated by reference to the A. I. P. O. poll of September 24, 1940: "Should the neutrality law be changed so England and France could buy war supplies here?" Fifty-seven percent were recorded as favoring the change. But the simultaneous Fortune poll asked: "Which of these comes closest to what you think the United States should do?" A list of seven items was presented for the voter to choose from. They ranged from "help Germany" to "go to war against Germany." In this case only 37 percent favored steps to help England and France. The difference of 20 percent here is due chiefly, if not entirely, to the question form.

Such a criticism can be leveled at an amazingly large proportion of the polls dealing with the attitude of America on the European war. Of the 46 questions which were positive in form, 39 were so phrased as to foster interventionist answers, only 7 so as to oppose interventionist policies. Can this amazing difference be due to accident?

The handling of the institute polls has at times seemed questionable in terms of the time at which certain topics were asked or ignored. The organization is, of course, commercial, and must cater to some extent to newspaper-reader interest. It seems strange, however, that in October 1937 the question was used: "Which plan for keeping out of war do you have more faith in: Having Congress pass stricter neutrality laws or leaving the job up to the President?" At that time 69 percent favored Congress, doubted giving much power to the President. Why has this item not been repeated in recent weeks?

On the other hand, questions of extreme complexity and intensely emotional nature have been asked at the peak of waves of public perturbation. On June 2, 1940, the institute released the results of the following survey: "Do you think our country's Army, Navy, and air forces are strong enough so that the United States is safe today from attack by any foreign powers?" Aside from the fact that no one nation could conceivably be strong enough to defeat all the other nations on the globe, as is implied here, it is significant that this question was circulated at the time when the "impregnable" Maginot line had been passed and the British were evacuating Dunkerque. The myth of German "military invincibility" was in full flower. Such a question in December

1940 would certainly have led to different results, if not an actual reversal of majority opinion. (It is noteworthy that at various times in the past year proponents of all-out aid to Britain have raised the bogey of German invasion, and at other times have referred to this as a false scare.)

The omission from the institute polls have perhaps been more significant than the questions asked. On one occasion voters were asked, "Do you think you, personally, would be affected by a German victory?" Why not ask, "Do you think you, personally, would be affected by our entry into the war?"

Attention has been called in several paragraphs above to the conflict between the Gallup and Fortune polls. In no case has the Fortune survey given a higher percentage favoring intervention than the institute; rather, differences for several simultaneous studies have shown the Fortune percentage running 20 percent to 50 percent lower on interventionist policies. Why is this? And which figure is closest to the "true" public opinion?

The chief reason for the difference is found in the fact that Fortune surveys have relied heavily on the objective type of question which does not suggest a particular answer. Very few of the errors listed for the institute polls in preceding pages could be listed for the Fortune survey. On the contrary, much valuable information has been uncovered which the Gallup procedure does not bring to light. For example, in April 1940, Fortune reported querying voters about the "best way to strengthen the Nation." Of four alternative answers, it was found that ending poverty and unemployment ranked clearly ahead of building armaments. If voters think that ending poverty at home is more important than building up military strength at home, what must they think about giving arms away to another nation?

The Fortune poll has pretty consistently outscored the Gallup survey in predicting national elections. In November 1940 the institute gave Roosevelt a majority of only 52 percent, whereas the Fortune poll indicated 55.2 percent for the third termer. The actual vote deviated less than 1 percent from the Fortune figure. Dr. Gallup explained the error in his results (which, incidentally, was quite large for the number of persons interviewed) by saying that his interview sample did not include enough women or enough low-income voters. But this is of the utmost importance in evaluating the outcome of polls on European intervention, for it is precisely these two groups who have shown most anti-intervention sentiment. Women have consistently opposed an aggressive foreign policy more than men, and low-income voters in general have done so, as compared with those in the upper brackets.

It seems likely, then, that in addition to errors in question formation, there has been a consistent sampling error of 3 percent or more in favor of the interventionist elements in the population. Certainly the greater accuracy of the Fortune survey on elections suggests that their estimates of support for intervention, running far smaller than those of the American Institute, may be more dependable.

Can we accuse the American Institute of Public Opinion of being biased in favor of intervention against Germany? It would seem unfair to conclude that there was necessarily any conscious prejudice, or rather that any institute staff members deliberately fostered prejudiced results. The men in charge of the surveys are intelligent, well-trained, and intellectually honest. It is not likely that there has been any attempt to mislead the public or, more specifically, Congress, about trends of opinion.

Nevertheless, any psychologist will recognize that unconscious, unintentional prejudice could operate to produce one-sided results in this as in other situations. The old, informal straw votes were clear illustrations of this. The Dunn poll and other partisan surveys failed to predict the Presidential vote, because the persons making these studies talked only to people they agreed with, and saw only what they wanted to see. Scientific population sampling, the mainstay of the Fortune and Gallup polls, does away with some of this, but it is still to be made fool proof. Even with the best of sampling technique, unconscious prejudice may influence the wording of questions, the decision as to what questions should be asked or omitted, and the time at which they should be circulated.

It is apparent that the institute staff, like most upper-income easterners, is somewhat biased toward intervention. Dr. Gallup has usually been reserved about his own feelings. But Dr. Hadley Cantril, director of the Princeton public opinion research project (which cooperates with the institute), has indicated his own opinion in the New York Times for June 2, 1940. Says Dr. Cantril: "When people were asked early in the spring whether or not they thought the Allies were fighting to preserve democracy against the spread of dictatorship, or mainly to keep their power and wealth, opinion was about evenly divided. Present results indicate the process of a shift of this opinion toward the side of preservation of democracy.

"This is due not so much to domestic or Allied propaganda as to a growing belief, brought about by events, that Hitlerism is a power which threatens whatever Americans hold dear." Aside from the fact that Dr. Cantril cites no evidence for this shift, how can he say that it is not due to domestic or Allied propaganda? Newspapers, the magazines, and the radio have been full of both. European censorships prevent much of the true course of events from being known. Dr. Cantril, in this statement, merely expresses his own opinion.

The status of the institute as a commercial venture, dependent upon subscriptions from newspapers for its existence, may also be an unconscious biasing factor. As anyone can immediately see by measuring column-inches of news and editorial space, American newspapers are overwhelmingly in favor of intervention against Germany. Again, without insinuating any deliberate intent to mislead, we may suggest that the set-up of the polls may unconsciously have been influenced by this situation.

Are these criticisms of the Gallup poll important? I believe they are. Mention has already been made of the observation by Lewis that more than two-thirds of Congressmen appear to be influenced in some degree by the poll findings. Particularly on a complex question such as that of foreign policy, where the Congressmen may be subject to conflicting pressures, a step in a direction of what seems to be "majority opinion" may be very easy to take.

Further, the "bandwagon" factor must not be neglected. Dr. Gallup has, on several occasions, tried to prove the publication of straw vote results in a political contest did not lead to any sweep toward the leading candidate. None of these reports have been very convincing, first because many experiments under controlled conditions have shown that opinions are influenced by knowledge of a majority vote, and second, because a choice of intervention versus nonintervention is not as simple and mechanical as picking a candidate in an election. In the latter case, stereotyped emotional responses make the decision for most of the public. Party devotion is a considerable factor. But such established habits do not function in this complex field of international affairs, and so the bandwagon effect can be expected to be much stronger.

This is not to say that public opinion polls are bad and should be suppressed. On the contrary, democracy demands some instrument such as the opinion poll. But the instrument must be accurate, and must be handled impartially.

Less that one voter in five endorses war against Germany. More Americans seem concerned about improving conditions at home than about the dubious course of "rescuing democracy" abroad. They feel a strong friendship for England, but they have given Congress no mandate to accept a junior partnership in the British Empire.

By all means, let us take "the pulse of democracy." But, at the same time, let us insist that the pulse be scientifically measured, with no opportunity for conscious or unconscious bias to influence the result.

RECESS TO MONDAY

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until Monday, May 12, 1941, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 9, 1941

The House met at 12 o'clock noon.

Rev. Frank A. Kilday, O. M. I., rector of St. Louis Cathedral, New Orleans, La., offered the following prayer:

We pray Thee, O God of might, wisdom, and justice, through whom authority is rightly administered, laws are enacted, and judgments are decreed, assist with Thy Holy Spirit of counsel and fortitude the President of these United States, that his administration may be conducted in righteousness and be eminently useful to Thy people over whom he presides by encouraging due respect for virtue and religion, by the faithful execution of the laws in justice and mercy, and by restraining vice and immorality. Let the light of Thy divine wisdom direct the deliberations of this House and shine forth in all the proceedings and laws framed for our rule and government, so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety, and useful knowledge, and may perpetuate to us the blessings of equal liberty.

We recommend likewise to Thy unbounded mercy all our brethren and fellow citizens throughout the United States that they may be blessed in the knowledge and sanctified in the observance of Thy most Holy Law; that they may be preserved in union and in that peace which the world cannot give, and after enjoying the blessings of this life be admitted to those that are eternal. These benefits, O God of might, wisdom, and justice, we ask in the name of the Father and of the Son and of the Holy Ghost. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a letter addressed to the Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to extend my own

remarks in the RECORD and to include therein a short article from the Washington Times-Herald of Thursday, May 8.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO FILE REPORTS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may have until midnight tomorrow night to file reports on the following bills: H. R. 4671, H. R. 3783, H. R. 3149, H. R. 3537, and H. R. 3782.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is there any opposition to any of these bills?

Mr. VINSON of Georgia. There is no opposition to them, but we have not had time to write the reports. I hope to finish them today or tomorrow with the intention of going before the Rules Committee Monday to get rules for their consideration.

Mr. MARTIN of Massachusetts. And the committee has been unanimous in its action with respect to all of these bills?

Mr. VINSON of Georgia. The committee is unanimous and I may say that most of these measures are being reported by minority members.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection?

EXTENSION OF REMARKS

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution from the Joseph Mordecai Brenner Relief Society.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(Mr. MACIEJEWSKI asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. DOWNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Bridgeport Telegram of May 7, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD a survey made by the Merchants' Association of New York regarding daylight saving, as it seems to me this is such an important part of national defense. The matter would take about one-fourth of a page more than is allowed, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the County Board of Supervisors of La Crosse, Wis., on May 6, 1941, in opposition to convoying.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from a paper published in east Tennessee.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(Mr. WINTER asked and was given permission to revise and extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, on the evening of Tuesday, May 6, Secretary of War Henry Stimson in a Nation-wide broadcast advocated openly and emphatically the use of American naval vessels for convoy purposes, in whatever form of convoy, or escort, or patrol would most effectively deliver munitions of war to Great Britain. Mr. Stimson further said we must be ready to die if need be to preserve freedom of the seas, and that if we are not ready to sacrifice even unto death, to preserve freedom of the seas, freedom of the seas will not be preserved.

In a White House press conference on the same day Mr. Stimson made his speech the President's secretary, Steve Early, in answer to a direct question as to whether or not the President had approved the Stimson speech in advance, assured the newspapermen that they might properly and safely assume Mr. Stimson had talked the speech over with the President in advance.

By all the laws of evidence, by every logical process of deduction, we now must arrive at this inescapable conclusion:

The Secretary of War, Mr. Stimson, favors the use of American naval ships to convoy supplies to Britain; he also favors American youth dying, if necessary, to preserve freedom of the seas. President Roosevelt approves what Mr. Stimson said. Therefore President Roosevelt must approve the use of American naval ships to convoy supplies to Britain, and he must favor American youth fighting and dying, if necessary, to preserve freedom of the seas.

In his first press conference following his third-term inauguration, Mr. Roosevelt said that such a resort—as convoying—

clearly invited war, for American ships surely would be shot at and shooting comes dangerously close to war.

He further stated, in ruling out the report that American naval ships would be used for convoy purposes or in some other way to accomplish the delivery of supplies to Britain, that—

The convoy suggestions are cow-jumped-over-the-moon stuff.

By the same laws of logical deduction, then, the inescapable conclusion is that Mr. Roosevelt, recognizing that convoying means shooting and shooting means war, is now ready to embark upon a "cow-jumped-over-the-moon" course and have America engaged in a shooting war.

This development further clarifies his statement in dedicating the Woodrow Wilson birthplace in Virginia as a national shrine that America is ready to "fight for democracy again." There was some doubt as to what he meant by the word "fight." His approval of the Stimson speech makes it clear that what he meant in his Wilson birthplace speech by the word "fight" was a shooting fight and not simply a moral struggle.

Thus all promises and assurances that have been made to the people that the country would not be taken into war now go into the discard. [Applause.]

AID TO GREAT BRITAIN

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, the New Hampshire State Federation of Women's Clubs has been in convention in the city of Nashua this week. No individual or organization has a better claim to express the views of the women of New Hampshire. I have received from them the following resolution:

NASHUA, N. H., *May 8, 1941.*

Representative FOSTER STEARNS,
House Office Building,
Washington, D. C.:

Whereas the United States of America is now engaged in a policy of all-out aid to the democracies of the world who are the victims of aggression; and

Whereas supplies sent to these democracies mean the first line of defense to America; and

Whereas Nazi Germany has threatened to destroy all ships being sent to Britain; therefore be it

Resolved, That this organization go on record as favoring immediate convoy if necessary for safe delivery of aid to the democracies, and that a copy of these resolutions be sent by wire to our Senators and Representatives in Washington.

NEW HAMPSHIRE STATE FEDERATION
OF WOMEN'S CLUBS.

[Applause.]

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a telegram.

The SPEAKER. Is there objection?

There was no objection.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an editorial from the Herrin (Ill.) Daily Journal of May 6.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of two letters on the production of sugar beets.

The SPEAKER. Is there objection?

There was no objection.

CONVOYS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, we were told that the lend-lease bill was to keep us out of war, and now you are going to convoy ships to keep us out of war, and you are going to take American ships and put them under the British flag, to keep us out of war.

Mr. RANKIN of Mississippi. And would the gentleman rather that we would put them under our own flag?

Mr. HOFFMAN. Oh, no; I would stay at home and attend to our own business, as the President promised the people he would do before election. I would be honest and consistent, and not drag our people into war.

Mr. RANKIN of Mississippi. We are out of the war, so far.

Mr. HOFFMAN. So far, yes; but the gentleman is frightened to death every time he goes to bed at night that we may be in before he wakes up in the morning.

Mr. RANKIN of Mississippi. Not at all; but if these vessels are placed under the British flag, it will not drag us into war.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I received a letter from a friend of mine who is in Tennessee and it reads in part as follows:

In my work I contact the masses in most every part of the United States and I want to tell you that you are fighting on the side of 90 percent of the people as a whole. Nowhere have I found any desire on the part of the working classes to send their sons to the battlefields of Europe, nor do I find any sentiment in favor of using our Navy for convoy purposes.

Unfortunately the people have an attitude of helplessness. When I ask why they don't write their Representatives in Washington, they simply shrug their shoulders and say "What is the use?"

I am now in the South, in the Democratic stronghold, and yet I find at least 90 percent of the people opposed to any participation in the holocaust of Europe.

If the people could only be aroused to the point where they would make their will known to the dictators in Washington, no Senator nor Congressman would dare raise his voice in the support of any measure which might involve us in war.

If I can help you in any way to keep the "madmen of America" from destroying our Nation and from filling European graves with the bodies of America's sons, you can count on my support 100 percent.

Mr. Speaker, I receive many, many letters opposed to the things the administration is doing here in Washington in getting us into the European war. Why does the Congress and the President do those things that are leading us into war? I say let America stay in this hemisphere and attend to its own business and then we will not get into a foreign war. We all promised that to the American people. Will you do it?

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Richard L. Newburger.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement by the Woman's National Committee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and insert some headlines from various newspapers featuring the necessity of W. P. A.

The SPEAKER. Without objection, it is so ordered.

ACQUISITION AND EQUIPMENT OF PUBLIC WORKS

Mr. COLMER. Mr. Speaker, I call up House Resolution No. 200.

The Clerk read as follows:

House Resolution 200

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4545, a bill to provide for the acquisition and equipment of public works made necessary by the defense program. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Buildings and Grounds, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COLMER. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN]. I now yield myself 5 minutes.

Mr. Speaker, this is a rule providing for the consideration of the bill H. R. 4545, which is a bill to provide for the acquisition and equipment of public facilities made necessary by the defense program.

The rule is an open rule with ample opportunity for amendment. This legislation, reported from the Committee on Public Buildings and Grounds, is found necessary due to the fact that in many of the areas where defense projects have been erected it has been found necessary to build defense houses to house the people who have migrated to those communities to carry on the defense program. In many instances it has been found that as a result of this unusual and abnormal influx of people to those communities the facilities already existent in those communities have been overtaxed, such as school systems, sewage disposal, waterworks, and many other similar facilities. This bill authorizes the appropriation of $150,000,000 to assist those communities in carrying on their programs which have been swamped as a result of the influx of people to those communities.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Could you tell the House and the public where you are going to get that $150,000,000?

Mr. COLMER. Let me say in response to my friend, who so often asks that question, that I am sympathetic with him in his desire to balance the Budget and practice more economy in national affairs. But I cannot subscribe to the doctrine of economizing in the national-defense program insofar as essential items are concerned. I do want to say, however, that I have a very high regard for the gentleman and I appreciate the fact that he is one man on this floor who is continuously interested in the financial and economic future of the country. But let me say to my friend that while I agree with him in many instances, when it comes to the question of the defense program of the United States, where the money appropriated is necessary for the defense of the Nation, his question is not an appropriate question. I will ask the gentleman where Mr. Hitler got all the money that he expended in building up the greatest and most gigantic war machine the world has ever witnessed? It is not a question of where we are going to get the money. It is mandatory that we get the money to build this war machine that will answer the one that Hitler has built.

Mr. RICH. There is no one in this House I like better than the gentleman, and he knows it.

Mr. COLMER. Well, we agree on our mutual admiration then.

Mr. RICH. But by the wildest stretch of the imagination I cannot see how you can call this a defense measure.

Mr. FADDIS. Will the gentleman yield?

Mr. COLMER. I yield.

Mr. FADDIS. I would like for you also to ask the gentleman from Pennsylvania [Mr. RICH] where they get the money for the dissemination of the German propaganda that he just read from the Well of the House.

Mr. RICH. I will tell him that if he will give me a minute.

Mr. COLMER. I yield to the gentleman very briefly.

Mr. RICH. These great oil interests in this country that are interested in trying to save their oil interests in Europe are behind this propaganda, trying to get you fellows to serve them. You are now trying to save those economic royalists. You ought to be ashamed.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. COLMER. Mr. Speaker, I yield myself 5 additional minutes.

As I was attempting to say, it has been found necessary in the defense program to construct these houses and to construct these facilities. It has been found necessary to have additional facilities for those communities. Let me say to the gentleman from Pennsylvania [Mr. RICH], and others who are interested, that I personally know, and I am sure many of us know, of many small towns where the population as a result of this congestion under the defense program, has more than doubled by people coming into those communities. Those communities were going along under normal conditions, but they cannot carry on without the assistance of the Federal Government because of the fact they do not have the financial resources with which to carry on. Let me remind you that these defense projects are just as essential as the soldiers we are drafting and sending into training camps to be trained.

The health of these workers is just as essential as that of anyone else. We cannot have these situations where unhealthy conditions exist and at the same time carry on this program. If it were not essential, after my study of it, I would not be for it. I am sure most of you know I do not participate in and do not share the views of those who believe this defense program should be carried on in rocking-chair style.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. WALTER. Was it indicated to the gentleman's committee whether or not all the money provided in this measure has been allocated?

Mr. COLMER. My understanding is that the various departments interested in this program have caused surveys to be made. I do not understand that the money has been definitely allocated.

Mr. RUTHERFORD. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. RUTHERFORD. I want to say to the gentleman that members of our committee made an investigation of conditions down around the Hampton Roads section of Virginia. Conditions there are typical of conditions in other sections of the country where this program is being put into effect. We found enlisted men paying $45 a month rent for one room and the use of a bath. We ran across two men who were sent out on Government projects. They said: "Mister, this is heaven. You do not know what you have done for us."

Mr. COLMER. I think the gentleman has illustrated the necessity for this kind of program. What I wanted to say, Mr. Speaker, was that I do not regard this program unnecessary, as my friend from Pennsylvania has indicated. I regard it as a necessary part of the defense program. I believe in the basic fundamentals of this defense program, but I do hope those charged with its administration will see to it that this money is wisely and economically expended, and expended only where necessary. As I pointed out to this House and to the country, this thing of completing a war machine is not a rocking-chair proposition. We must get down to the basic fundamentals. This country has got to get down to the realization sooner or later that we are faced with the task of building a gigantic war machine, the only answer we can give to Hitler and his associates; and that it is necessary for this country to make sacrifices to carry out the program. It cannot be consummated without real sacrifice, sacrifice not alone by the taxpayer, but sacrifice by the laborer, the industrialist, the farmer, the banker, and, in fact, by Americans in all walks of life. The sooner the American people realize this, the better.

Mr. Speaker, since this legislation is an adjunct to and a part of the defense housing program, there are a few pertinent remarks that I desire to make at this time. As I have already indicated, I am favorable to this legislation because I believe that it is essential to a well-rounded defense program. I do not want to see any of this money wasted. My position on this is the same as was my position on the defense housing which we authorized some months ago, namely, that it should be done upon a business-like basis, without all of the frills and ultra luxuries that some of the brain trusters would like to provide. In this connection I am sure you will pardon me if I refer personally but briefly to the incident that occurred in the consideration of a rule for the last defense-housing bill.

When that bill came up for consideration before the Rules Committee, of which I am a member, I had just returned from a brief visit at home and witnessed first hand some of the work that was going on in the construction of the defense housing project in my home town of Pascagoula, Miss. I found that, contrary to the intent of the Congress, a number of things were being done which would not have been done by any business concern. For instance, in the heart of the deep South pine trees sufficiently large to make lumber for houses were being cut down and thrown away while steel, which could have been more wisely and advantageously used in the defense program, was being imported a thousand miles or more to build steel houses—and this to house a Negro population in a semitropical climate. Only brass fittings were being used in certain plumbing connections; electric and gas ranges were being installed in cheap defense houses; electric refrigerators were being installed, all for the use of defense workers who draw good wages and who were accustomed to purchasing these items, and in many instances already owned their own stoves and refrigerators. These items were being furnished at Government expense, while all other taxpayers were forced to purchase similar articles out of their own pockets. In other words, the entire population of the country was being taxed to provide necessities, and in some instances luxuries, for defense workers who received wages ranging from five to twenty dollars a day.

I must assume that the electric ice boxes were provided because it was realized that the tropical sun would make the lives of the Negro workers who were to occupy them unbearable unless something was done to offset the heat that would be engendered thereby.

Practically the whole Rules Committee felt that this was wrong. Likewise, the distinguished gentleman from Texas [Mr. LANHAM], the author of this bill and the housing legislation, shared our views on these questions. As a result of these disclosures an amendment was offered by the distinguished gentleman from Texas [Mr. LANHAM] upon the floor of the House, when the bill reached the floor which prohibited the use of such unnecessary articles at Government expense in future construction of defense houses. For my own pains in calling this matter to the attention of the Congress and the country I became the victim of some rather scurrilous and unfavorable publicity. In fact, I was charged by some Washington newspaper columnists with having held up the whole housing program in the Rules Committee for a period of 10 days in order that a friend of mine who was engaged in the ice business might profit thereby. When, as a matter of truth and fact, as attested to by the entire membership of the Rules Committee, and by the gentleman from Texas [Mr. LANHAM], the chairman of the Public Buildings and Grounds Committee, I had done nothing of the sort, but on the contrary had endeavored to expedite the consideration of the legislation after having pointed out these erroneous, unfair, and uneconomic practices in the administration of the legislation. But I must say in fairness to the authors of the column to which I above referred—the Washington Merry-Go-Round—that after publication of the article they did investigate the matter at my request, and at the request of the gentleman engaged in the ice business, who, likewise, was charged with unfair practices. And as a result of such an investigation they saw fit to apologize and give publicity to their apology. My only regret in the matter is that they did not make their investigation before making their charges. The letter written by Mr. Robert S. Allen, of Pearson and Allen, the authors of the Washington Merry-Go-Round, follows:

Several weeks ago the Washington Merry-Go-Round carried a story concerning the delay in the consideration of the $150,000,000 emergency defense housing bill in the House Rules Committee. Our story reported that the delay was due to objections raised by Representative WILLIAM M. COLMER, Pascagoula, Miss., to the installation of electric refrigerators in a local defense-housing project, and that Mr. COLMER raised this issue in behalf of H. F. Gautier, a constituent and owner of a local ice plant. The story also indicated that Mr. Gautier had a controversy with the Government over the acquisition of some of his land for the housing project.

Since then we have personally discussed the matter fully with Mr. COLMER and have exchanged correspondence with Mr. Gautier on the land question. Both gentlemen have presented additional information, and in

complete fairness to them and to clarify the whole matter we are glad to make the following statement:

The Pascagoula housing project was not held up because of a controversy over the price of the land it occupies. Mr. Gautier did not raise such an issue. The price of the property was fixed by a local appraisement board. Mr. Gautier paid more for his land than the figure fixed by the board, but he accepted the figure without delay. We are assured from a number of informed sources that Mr. Gautier is a sincere and public-spirited citizen and has the high esteem of his community.

Representative COLMER's criticisms were not aimed at defense or any other kind of low-cost public housing. He has supported such measures and has an excellent labor record. Illustrative of this is the fact that he was one of the few Members from his section of the country who voted for the wage-hour law. Mr. COLMER's basic protests were against waste and extravagance in the erection of temporary defense houses—such as the use of steel for structural purposes when far cheaper timber was readily available locally, the use of brass fittings and fixtures, and expensive plumbing material.

It was on these basic grounds, which we personally heartily approve, that Mr. COLMER waged his fight and in which a number of Congressmen took part. He was not against the bill and was a leader in securing the passage of defense-housing legislation and in securing the Pascagoula housing project. The entire Rules Committee, both Democrats and Republicans—of which committee Mr. COLMER is a member—have gone on record to this effect. Representative FRITZ G. LANHAM, chairman of the Public Buildings Committee and sponsor of the measure, warmly lauds Mr. COLMER's assistance on the legislation. Mr. LANHAM states that he attended all of the open hearings of the Rules Committee and that Mr. COLMER was sympathetic toward granting a rule for the consideration of this legislation, and that Mr. COLMER was helpful in getting the bill out to the floor rather than retarding it. Mr. LANHAM says further that Representative COLMER conferred with him on numerous occasions both in the writing of the legislation and in an effort to expedite its consideration. He further states that he respects and concurs in the economic views advocated by Mr. COLMER in trying to hold the governmental expenditures for defense housing to a minimum, consistent with comfortable and adequate housing.

Mr. Speaker, there is one other matter that I desire to call to the attention of the House, and especially for the benefit of the record. These defense houses become a part of the community in which they are constructed. In many instances many of them will become surplusages upon the market after the defense program is over. From the very inception of this program I have been interested in seeing some provision made for the disposal of these houses by the Government to the defense workers. I have in mind two things primarily: First, I want to see as much of this money expended in the construction of these houses returned to the Government Treasury as possible; and, second, I want to see as many of these defense workers become contented citizens and a part of the community as possible. One of the best methods of securing the desired results would be for the Government to sell these houses to the defense workers. Many of these defense workers will desire to purchase the houses, thereby becoming better citizens and better workers because of the interest created in owning one's own home. They should be allowed to purchase these houses upon a monthly basis if they so desire. To that end I appeared before the Public Buildings and Grounds Committee when the legislation was under consideration and offered an amendment which would bring about this result. I found both the committee chairman and the committee members sympathetic with my views, but upon further investigation we found that the Government already had such authority. I am therefore herewith reading into the RECORD for the benefit of those persons interested a letter received from Mr. Alan Johnstone, General Counsel of the Federal Works Agency, which agency is charged with the administration of this program:

FEDERAL WORKS AGENCY,
Washington, May 8, 1941.

Hon. WILLIAM M. COLMER,
House of Representatives.

MY DEAR MR. COLMER: You inquire of the legal authority to sell and dispose to prospective householders, dwelling properties built under Public, 849, of the Seventy-sixth Congress, popularly known as the Lanham Act. The act contains two provisions in that respect. Under section 4 of the Federal Works Administrator is required to sell and dispose of the properties "when the President shall have declared the emergency declared by him on September 8, 1936, to exist as ceased to exist." Section 7 of the act confers authority "to rent, lease, exchange, sell for cash or credit, and convey their whole or any part of such property and to convey without cost portions thereof to local municipalities for State or other public use."

Under the present statute, therefore, the Federal Works Administrator is required to sell and dispose of these properties after the emergency has ceased and is authorized to sell and dispose of them at any time. A printed copy of the act is enclosed herewith for ready reference.

Sincerely yours,

ALAN JOHNSTONE,
General Counsel.

I am very hopeful that those charged with the administration of this legislation will exercise the authority which they have to dispose of these houses to defense workers. The argument has been made that since the houses are for defense workers they should not be sold, because the workers in turn might sell them to someone who is not a defense worker. But this argument does not hold. A covenant could very easily be written into the contract of sale providing that the Government could repossess the houses so sold in the event they were not used for the purpose of housing defense workers.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. ALLEN of Illinois. Mr. Speaker, this is another measure that has the earmarks of a perfect unadulterated pork barrel bill. Knowing the need for financial assistance in certain communities where the population has greatly increased because of the program for national defense, some of our starry-eyed boys who want to make America over associated with our Government, come forth with a measure that would build recreational centers, libraries, gas plants, electric plants, amusement centers, dance halls, parks and play grounds, hospitals, boat lines, roads, sewerage plants, fire houses, picture shows, schools, and many other things at a cost to the taxpayers of one hundred and fifty million, as a starter. In other words, it is "right down the alley" for these planners whose main object is to spend and spend and spend.

To those of you who have some respect for economy and all that goes with it I would say, I am well aware that certain limited funds are needed for community facilities in various areas where the population has greatly increased because of the program of national defense. The Government has financed the construction of air depots, naval bases, army cantonments, and factories. We have moved thousands of people to communities of small population. Many of these workers have brought their families. We have added new problems to these communities. They have not adequate school facilities. They need more police, sanitary, and fire protection. It goes without saying they are unable to financially accept these responsibilities. All of us feel that the Government should come to their aid by giving certain grants in lieu of taxes for the payment of these added school, police, fire, and sanitary expenditures. These governmental bureaucrats knew that is the way that we would feel about it. So they thought this would be a good time to come before the Public Buildings and Grounds Committee and stack it up with a lot of their pet hobbies and social experiments. They knew that we could provide school grants, fire, police, and sanitary protection for a few millions of dollars. But millions is not sufficient for them to handle. They want hundreds of millions.

Mr. Speaker, I ask you, Where has our sense of proportion gone? It has not been so long ago that we talked of economy. Chief among us was our President, who was then a candidate for the Presidency for the first time. It was back in 1932. What did he say?

On July 30, 1932, at Albany, N. Y., Mr. Roosevelt said:

> We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of Federal Government, and we call upon the Democratic Party in the States to make a zealous effort to achieve a proportionate result.

At Sioux City, Iowa, on September 29, 1932, Mr. Roosevelt, then a candidate for the Presidency the first time, said:

> I accuse the present (Hoover) administration of being the greatest spending administration in peacetimes in all history. It is an administration that has piled bureau on bureau, commission on commission, and has failed to anticipate the dire needs and the reduced earning power of the people. Bureaus and bureaucrats, commissions and commissioners, have been retained at the expense of the taxpayers.

At Wheeling, W. Va., October 19, 1932, Candidate Roosevelt said:

If this Nation wants to know what is wrong with its National Government I will answer them in one word. That word is "mismanagement."

At Pittsburgh, October 19, 1932, Candidate Roosevelt said:

I shall approach the problem of carrying out the plain precept of our party which is to reduce the cost of current Federal Government operations by 25 percent.

At Sioux City, September 19, 1932, Candidate Roosevelt said:

And I propose to use this position of high responsibility (the Presidency) to discuss up and down the country, in all seasons and at all times, the duty of reducing taxes, of increasing the efficiency of Government, of cutting out the underbrush around our governmental structure, of getting the most public service for every dollar paid in taxation. That I pledge you, and nothing I have said in the campaign transcends in importance this covenant with the taxpayers of the United States.

At Pittsburgh, October 19, 1932, Candidate Roosevelt, then seeking the Presidency for the first time said:

Taxes are paid in the sweat of every man who labors because they are a burden on production and are paid through production.

That is what I want to talk to you about today.

It is unfortunate that these spenders of the taxpayers' money do not possess the knowledge of the members of the Ways and Means Committee. This is the information before that great committee:

As of June 30, we will have a national debt of $50,000,000,000, and authoritative information is that this will shortly exceed $90,000,000,000. The national-defense program—including the "lease-lend" appropriation—is between $39,000,000,000 and $40,000,000,000, of which amount the Treasury estimates $19,000,000,000 will be required during the coming fiscal year. This, the Treasury proposes to raise as follows: $9,200,000,000 revenue yield under present tax laws; $3,500,000,000 from new and additional taxes, and the remainder from borrowing.

In other words, after raising $12,000,000,000 under present tax laws and the new tax law to be enacted, we are then to add $6,000,000,000 deficit to our already national debt of $50,000,000,000.

The magnitude of this proposed tax is emphasized when we realize it is nearly twice as much as the peak tax collections for the last World War. This, together with State and local taxes, means that next year the American taxpayer will pay one-fourth of all gross income in the form of taxes.

Under the tax plan now under consideration, the Treasury proposes to increase the individual tax rate, the surtax rates, corporation tax rates, and to impose excise taxes on some 27 articles. The details of the plan are too complicated to cover in a limited time, but as a general indication, may I call your attention to the fact that of the first bracket of income above personal exemptions, the combined surtax, normal tax, and defense tax rate is 16.5 percent, as compared with 4.4 percent under present law. Under present law a married person with no dependents with a net income before personal exemption of $2,500 pays a tax of $11; the proposed schedule would raise his tax to $72. The same person with a $5,000 net income pays $110 under the present law. Under the Treasury proposal he would pay $506. For a married person having no dependents, with a $10,000 income, the proposed schedule will increase the tax from $528 to $1,628.

Many varying views are being presented to the Ways and Means Committee as to rate matters to be taxes, and so forth, but all have this one thing in common: A tremendous increase in the tax burden our people will be called upon to bear. It is unfortunate that the Appropriations Committee does not work as ardently to cut down expenses as does the Ways and Means Committee trying to obtain more taxes.

I have trespassed upon your time to emphasize the tremendous sacrifice every American will shortly be called upon to make to meet a grave national emergency. It is fruitless to recall that had this administration through the past 8 years not piled up such a huge national debt, largely through political extravagances and "boondoggling," the burden the people are now called upon to bear would not be so great, but at least in this hour of financial reckoning the American people have a right to demand that there be no expenditures for activities and purposes that can be curtailed without doing injury to those essential purposes which a government must perform for its people.

When you and I, in our private affairs, are confronted with the necessity of some grave and emergent expenditure, of vital character to our family, so vital that our failure to provide the money would endanger those we hold dear, we look about and reduce our usual and normal expenditures, do without those things less essential, until the emergency has passed. In fact, you and I know that if we did not do this, we could not meet our family emergency. So it is with this Government. I call upon this administration to cease giving lip service and to eliminate all possible nondefense expenditures in order that the people may be able to sacrifice to the extent essential to meet the tremendous oncoming defense burden, and do it having faith in the honesty of their Government.

To me it is both inexcusable and unthinkable that in this hour this administration, or any other administration, mindful of the gravity of the situation that confronts our Nation, and responsive to the spirit of sacrifice our people are called upon to make in the cause of national loyalty, should be insisting upon a continuation of nonessential extravagances, instead of demanding that every absolutely nondefense expenditure be eliminated, that the emergency burden of taxation to defend our common country may be measurably lightened upon those of our people who from their experience must realize that the "path which leads to a loaf of bread winds through the swamps of toil."

So I say to you, let us begin now by reducing the amount of this bill from $150,000,000 to the adequate sum of $25,000,000. That would be sufficient for outright grants to the various communities in congested areas. It would take care of the added school, police, fire, and sanitary expenditures. I am certain it is all the reliable people of these congested areas desire. They do not feel that the Government is required to furnish rocking chairs and hammocks for everyone connected with our national defense.

Mr. Speaker, as I say, this bill is nothing more than a pork-barrel bill to indulge the whims of certain individuals. Certain starry-eyed boys here have the idea of making the Government over and knowing it is necessary in certain congested areas to provide a small amount of money for school, fire, police, and sanitary protection, these boys instead of asking for the $25,000,000 that may be necessary to expend along this line come in with a bill for $150,000,000. What does this bill provide? In addition to taking care of school grants, police, hospital, and sanitary grants, it provides for recreational centers, gas plants, electric plants, amusement centers, dance halls, libraries, parks and playgrounds, sewer plant, fire houses, and picture shows.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. LANHAM. Where does the gentleman find anything in the bill providing for the construction of dance halls, amusement halls, libraries, and so forth? He cannot find that in the bill.

Mr. ALLEN of Illinois. Does the chairman deny this money could be used for that purpose among others?

Mr. LANHAM. I think by a far-fetched interpretation of it they might do that, but as stated in the report, a subcommittee of the Committee on Public Buildings and Grounds intends to follow up the administration of this act. This is not usual procedure, but I think it very good procedure in this case. Furthermore, from the statements of the one named in this bill as the administrator of the act, I am sure the gentleman would find no frills or fancy furbelows with reference to the administration, because the actual definite need for necessary community facilities will certainly approximate if not exceed the amount authorized to be appropriated by this measure.

Mr. ALLEN of Illinois. As I said, Mr. Speaker, in my opinion, I think they could do the things I enumerated, and the gentleman from Texas himself just said they might use some of the money for that purpose.

Mr. LANHAM. I may say to the gentleman from Illinois it is not anticipated it will be used for that purpose at all. If, however, we started upon a policy of exclusion and said this shall not be used for this, that, or the other purpose, it would be absolutely impossible to enumerate all the exceptions. Something must be left

to the wise discretion of the Administrator, especially when a subcommittee of the Public Buildings and Grounds Committee intends, as stated in the report, to follow up the administration to see, insofar as it can, that the purpose of the bill is carried out.

Mr. ALLEN of Illinois. I would remind the gentleman that a lot of things are being done in the name of national defense.

Mr. McGREGOR. Will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Ohio.

Mr. McGREGOR. I concur in the statement of the gentleman that we are doing a lot of things under the guise of national defense in the way of spending a lot of money wastefully, but I would like to ask the gentleman if he thinks it would be possible for our committee or any committee to set forth in a bill every item for which the money should be expended?

Mr. ALLEN of Illinois. I think that would be well and I would like to see the committee make a cut in this bill down to $25,000,000, because we all know there are certain responsibilities of schools, police, fire, and sanitary protection that they need this added money for. I would like to see them bring in a bill for approximately $25,000,000, and state in there that this money shall go by way of a grant for school purposes and that no bureaucrat will have the power to cooperate, to manage or influence the schools in any way. Then I would be happy to support this bill.

Mr. McGREGOR. I think if the gentleman will read the bill he will find on page 3, sections (b) and (c) where it is specifically provided that the schools will be maintained in their own local jurisdictions, and that applies as well to the hospitals. I think the gentleman will agree with me that it would be impossible for any committee to set forth the exact items for which the money shall be expended because they would be too numerous. I will admit that this bill can be made a racket, but we cannot legislate morality and we must leave some power in the hands of the administrator. As far as $25,000,000 is concerned, we have requests for $400,000,000 instead of $150,000,000 at the present time, and I think the gentleman will agree with me that $25,000,000 would be too minor an item in this type of legislation.

Mr. TABER. Will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from New York.

Mr. TABER. We have had a lot of experience with the delegation of power to different individuals in this Government to pick out schools, school sites, sewers, water systems, and all that sort of thing. We had that privilege abused tremendously. We have had set-ups created which were absolutely unneeded and all out of proportion and all out of line with the needs. We have had engineering designs which were not suitable at all which increased the expense tremendously. I think it is a great mistake to turn over to any bureaucrat the right to furnish to any community facilities of that character without any restrictions at all.

Mr. ALLEN of Illinois. I agree with the gentleman.

Mr. TABER. That is where the trouble with this set-up is. We should have a definite, positive set-up, as the gentleman has suggested.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. Does not the gentleman know we are engaged in a national-defense program in which speed is of the essence, in which there is no date unless it is tomorrow, that we must do as much as we possibly can today; and therefore, faced with that situation, we can talk of economy, but we must appreciate as a matter of cold logic that we can only approximate it in the face of these huge expenditures and necessary speed?

Mr. ALLEN of Illinois. I thank the gentleman from Massachusetts, but whenever the gentleman and I have some unusual emergency like we have now in our national defense we are compelled to cut down on our frills and frivolities along other lines. My purpose here today is not to speak against national defense but to say that if I had an emergency in my private life I would try to eliminate and cut down expenses. That is what we should do regarding our national expenditures.

Mr. HOFFMAN. Will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman from Massachusetts' statement is the best possible argument, is it not, that we should not waste any more?

Mr. ALLEN of Illinois. I would say that is true.

I am particularly happy, Mr. Speaker, that the chairman of the Committee on Appropriations is here. I do not know whether the gentlemen who are coming in here wanting these great expenditures are aware of the fact that the Committee on Ways and Means is now holding hearings and working ardently to raise money through taxation. I wish the Committee on Appropriations would work just half as much to cut down these expenditures as the Committee on Ways and Means is working to find a solution of the problem of raising more money through taxation.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Colorado.

Mr. TAYLOR. I may say that the Committee on Appropriations and its 11 subcommittees are working practically all the time during the entire session of Congress. We cut under the requests of the President and the Budget all of the time. Every one of the 40 members of the Committee on Appropriations constantly strives to the utmost to reduce expenditures. That committee works harder and much longer than any other committee in Congress. If this House and the Senate would not increase our recommendations, our Federal Government would be saved many millions of dollars every year. The House Committee on Appropriations is not only the greatest but I often think the only watchdog of the Treasury there is in our system of government. [Applause.]

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I should like to know who is going to administer this program. This administration has been in power for 8 years. We have a pretty good idea as to how some of their principal administrators are going to operate. There is no showing here that I can find of who is going to do the work.

Mr. ALLEN of Illinois. My understanding is that Mr. Carmody will have charge of this work.

Miss SUMNER of Illinois. Who are his assistants?

Mr. ALLEN of Illinois. That I do not know.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Washington.

Mr. MAGNUSON. I came in late, but do I correctly interpret the gentleman's remarks to mean that he advocates that we cut the amount in this bill?

Mr. ALLEN of Illinois. Yes; that is correct.

Mr. MAGNUSON. The reason the gentleman is advocating cutting the amount is that there are apt to be some frills come into the administration of this bill?

Mr. ALLEN of Illinois. That is correct.

Mr. MAGNUSON. I wonder if the gentleman and the gentlewoman from Illinois know that this $150,000,000 will just about take care of the schools alone in the crowded areas. There is no possibility for frills. In my own State $4,000,000 or $5,000,000 is needed for schools alone, and I am sure the same condition obtains in other communities in which defense operations are being carried on. In my town of Bremerton the children are given red and blue slips. Those that have the red slips go to school on one day and those that have the blue slips go on another day. I know the gentlewoman from Illinois is not for that.

Miss SUMNER of Illinois. Of course not. We are both for the same thing.

Mr. MAGNUSON. That is right.

Miss SUMNER of Illinois. However, in my district schools have been built on which politicians have received commissions even out of the varnish. I am trying to help you provide for the schools.

Mr. MAGNUSON. The local Republican school board in Bremerton will handle that matter.

Miss SUMNER of Illinois. I do not know anything about Republicans or Democrats handling it, but I am simply anxious to see that this money is spent properly.

Mr. ALLEN of Illinois. In answer to my good friend from Washington, I would say that the best argument he could put up, inasmuch as the schools alone are going just to start with $150,000,000, is

that next week we will have another bill in here for another $150,000,000 for the same purpose. [Applause.]

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, this is another case where we will be forced to set aside theory and get down to absolute cases. A defense program is actually operating, more or less, and that program is having an enormous effect in the way of increasing loads on communities where defense plants have been built, where old plants have been expanded, and where a tremendous number of people have come into those communities, overburdening the housing requirements, sewer facilities, water facilities, and the schools in particular.

I hold in my hand a copy of a brief which has just been forwarded to the Government authorities by the city manager of my own town, and another brief sent in by the board of education. These came to me. Recently I visited my home town and went over detailed figures with them and asked them to supply me with this information as quickly as possible.

Most of the cities in Michigan have a situation where there is a tax limitation and where there are debt restrictions, and it is utterly impossible, it is fantastic, to talk about those communities carrying this load themselves. They did not ask for the defense program. It has been imposed upon them. New plants have been built there. The load has been placed on the communities. The benefits of the spending go to the investors in the property and to the workers in the mills, but that does not relieve the community burden. The tax limitation or the debt restrictions set the figure, and beyond that the community cannot go. Here is a proposition which the Government will have to carry if it is to be carried.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman.

Mr. McGREGOR. Knowing the gentleman's regular attendance at these particular meetings and knowing his record for economy, I wonder if the gentleman would give us his opinion as to whether or not this $150,000,000 is in excess of the need he has heard stated and the requests that have been made to the committee.

Mr. CRAWFORD. No; I do not think this will cover the requirements on the first spin of the wheel. I think this entire program will call for at least one-half billion dollars before we finish the absolute necessities. This is my frank opinion about it. I would have been delighted to have a bill come in dealing specifically with schools, another dealing specifically with the public utilities that are involved, but the bill is here as it is, and I propose to support it because your defense program is imposing on the communities a load which they cannot carry. There is no provision in the State laws or their local city council authority, and the restrictions under which they operate will not permit them to carry this load. Of course, the bill will be enacted into law sooner or later, otherwise the facilities in the communities will break down. This is a reality, and we need not try to tie it into the fabric of theory.

Mr. RUTHERFORD. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. RUTHERFORD. Is it not a fact that in most instances the municipalities are up to the limit of their bonded indebtedness already and even if they wanted to, they could not go on with this program?

Mr. CRAWFORD. That is it exactly, and these briefs I hold in my hand set that out very completely. I believe the administrators of this program will require details to be set forth just as they are put forth in this brief from our city manager so that they can prevent the bugs from appearing in the various propositions. There will be such demand for this money, and there is such a small amount being provided, there will be no chance whatsoever, in my opinion, for big blocks of these funds to be obtained without first showing justification.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from New York.

Mr. WADSWORTH. Was the committee informed as to the character of the construction which would be pursued in the matter of schools and dwellings?

Mr. CRAWFORD. In some cases, I am quite sure they were, because the people from my city came down here and brought more or less detail with them and made presentation to the committee in an effort to give the committee the benefit of the real things they intended to do and presented maps, for instance, showing details as to where lines were to be operated as illustrated here on this map. So I think the committee has more or less information on that.

The present crisis in my home city of Saginaw, Mich., can be illustrated by pointing out that over $82,500,000 in Federal defense orders have been placed in its immediate vicinity. Orders will eventually reach or exceed $100,000,000. A canvas of the firms involved in filling the defense orders indicates that at least 6,900 additional workers will have to be employed. A survey shows that defense industrial activity in Saginaw will ultimately mean an influx of people conservatively estimated at 15,000 to 20,000, or a population increase of 20 to 25 percent. This will all impose a tremendous load on school facilities already overcrowded.

While local capital stands ready to provide the necessary housing facilities its real problem is one of inadequate sewerage facilities. The city is subject to the provisions of the 15-mill limitation act, and this act is an amendment to the State constitution and became operative December 8, 1932. By the act a tax limitation is imposed upon the city management. Furthermore, the net bonded indebtedness incurred for public purposes shall not at any one time exceed 10 percent of the assessed valuation of taxable property of the city. This limit may be exceeded by one-fourth of 1 percent in case of fire, flood, or other calamity. This presents another difficulty the city cannot override. Accordingly, the defense program imposed by Federal action makes absolutely necessary the Federal financial assistance called for in meeting the additional facilities.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remaining time to the gentleman from Tennessee [Mr. JENNINGS].

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman from Tennessee yield for a unanimous-consent request?

Mr. JENNINGS. I yield.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent that the speech which I made may be printed in the Appendix of the RECORD.

The SPEAKER pro tempore (Mr. THOMASON). Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. JENNINGS. Mr. Speaker, this bill is designed to take care of a condition and is in nowise to be considered as merely theoretical. The defense program has resulted in the expansion of manufacturing plants in all parts of the country and the building of other defense plants in sections of the country where heretofore they did not exist. The conditions brought about by this expansion of our industry producing munitions and articles of defense have resulted in an unprecedented influx of new people and a large increase of population in these various communities. For instance, at Alcoa, in Blount County, Tenn., where is located a plant of the Aluminum Co. of America, the increase of the school population is 3,452. The communities of Alcoa and Maryville, in Blount County, are wholly unable to meet that situation and afford adequate school facilities to this increased school population.

To deny this appropriation and the relief afforded by this bill would be to penalize the children of these defense workers. I was down there the other day, and since December 10, 1940, the Aluminum Co. of America has moved a hill, with an area of more than 55 acres and made a level plain of it, and now is in process of constructing buildings for the manufacture of aluminum. These buildings, when completed, will cover 55 acres of ground and will result in the employment of more than 8,000 additional men in that great plant. The same state of facts exists with reference to the work being done on Fort Loudon Dam, at Lenoir City, in Loudon County, where the increase in the school population is 1,240. There are, of course, other locations in Tennessee that are confronted with the same conditions. It is estimated by the school authorities that to take care of this increased school population alone will cost the communities affected, or the tax districts affected, the county, the State, and the municipalities, more than $6,000,000. They are already taxed to their limit with respect to the maintenance of their schools, and for these

reasons I shall support this bill; and, Mr. Speaker, I ask permission at this time to insert in the RECORD as a part of these remarks a table showing the facts to which I have just alluded.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The table referred to follows:

This table shows the amount of additional money needed for buildings, equipment, operation, and teachers' salaries in areas affected b y national-defense activities in Tennessee.

Area	Additional children	Buildings and equipment	Operation	Additional busses	Additional teachers	Teachers' salaries	Total
Aluminum Co. of America	3,452	$501,319	$15,250	$18,000	113	$99,200	$633,769
Camp Forrest	1,925	1,289,880	13,725	10,800	64	76,125	1,390,530
Fort Oglethorpe	2,500	895,500		3,000	45	46,800	945,300
Tennessee Powder Co	1,150	200,500	8,000	12,000	37	44,000	264,500
Vultee Aircraft	3,750	874,500	27,500	36,600	109	131,375	1,069,975
Wolf Creek ordinance	5,025	1,073,500	20,300	75,450	187	160,380	1,329,630
Cherokee Dam	625	481,000	3,000	6,400	11	10,400	500,800
Fort Loudon Dam	1,240	232,829	41,480	3,364	34	27,920	305,593
Watts Bar Dam	300	98,000	6,000	6,500	8	6,000	116,500
Total	19,967	5,647,028	135,255	172,114	608	602,200	6,556,597

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. JENNINGS. I yield.

Mr. PRIEST. I would like to remind my good colleague from Tennessee in connection with that same thought that I was present in Nashville last Sunday for the dedication of the Vultee Aircraft plant there, and in Davidson County alone there will be required an expenditure of approximately one-half million dollars immediately to take care of the increase in the enrollment of the public schools because of this new development in that county. I appreciate what my colleague has said with reference to the situation in the eastern part of Tennessee and ask him if it is not also true with reference to Nashville and the Vultee plant there?

Mr. JENNINGS. The increase in school population as a result of the construction of that plant in Davidson County is 3,750, and to afford proper school facilities there it will cost $1,000,000 instead of half a million dollars.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. JENNINGS. Yes.

Mr. CASE of South Dakota. Is the gentleman a member of the committee reporting the bill?

Mr. JENNINGS. No. I have read the report of the committee and I have read the bill, and I am impressed with the fact that the bill recites that—

As used in this title, the term "public work" means any facility useful or necessary for carrying on community life, but the activities authorized under this title shall be devoted primarily to schools, waterworks, works for the treatment and purification of water, sewers, sewage, garbage, and refuse disposal facilities, public sanitary facilities, hospitals and other places for the care of the sick, recreational facilities, and streets and access roads.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. JENNINGS. Yes.

Mr. BROOKS. In the case of an Army encampment, which is more or less permanent, and where the burden has been placed very heavily on the local educational facilities, will these funds be available for that purpose?

Mr. JENNINGS. It is my understanding that the bill so provides. It is within the discretion of the President to allocate these funds where they are needed, and in my opinion the enactment of this bill is an absolute public necessity.

Mr. BROOKS. Where a new camp has been established in a small community, and there is a terrific build-up of prospective students in school, these funds are available, are they not?

Mr. JENNINGS. Yes; as I understand the language of the bill it cuts through all red tape and any legal impediment that may exist. The loss of a year in school to a child of school age is fatal to the education of that child.

Mr. FITZPATRICK. And the States will have full jurisdiction?

Mr. JENNINGS. The bill provides that no department or agency of the United States shall exercise any supervision or control of any school with respect to which any funds have been or may be expended pursuant to this title. The administration of the schools as established by this bill is left in the hands of the local school authorities. No bureaucrat or anyone else from the Federal Government has any right to interfere with the conduct and control of these schools. [Applause.]

EXTENSION OF REMARKS

Mr. COLMER. Mr. Speaker, I yield now to the gentleman from New Jersey [Mr. POWERS] for a unanimous consent request.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech delivered by the distinguished gentleman from Massachusetts [Mr. MARTIN] at a luncheon given by the ladies of the New Jersey State Legislature a few days ago.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ACQUISITION AND EQUIPMENT OF PUBLIC WORKS

Mr. COLMER. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Speaker, I thank the gentleman from Mississippi [Mr. COLMER] for the time he has granted me to urge the adoption of this rule. In all sincerity I maintain that H. R. 4545 is urgently needed legislation and should be enacted without delay. It is designed to alleviate pressing community problems brought about by the expansion of defense industries and military establishments in the present emergency. The Federal Government is the responsible agency for these community problems, brought about by the defense expansion, and it is my opinion that the Congress should pass this legislation which will go a long way to assist local authorities to solve them.

The gentleman from Washington [Mr. MAGNUSON] has just spoken of the acute problems confronting the schools of his home city due to the increased number of students resulting from defense industry expansion. The situation there is identical with that in my home city of Battle Creek, Mich., where school authorities are now considering half-day sessions in order to accommodate the greatly increased enrollment due to the expansion of Fort Custer. It is estimated that at the beginning of the next school year, next September, schools of Battle Creek, Lakeview, Urbandale, Level Park, and Augusta will be called upon to accommodate an additional 4,500 pupils. This means that floor space must be added, more teachers must be employed and additional funds for school maintenance must be provided. Although the peak of the increase in school attendance has not yet been reached, already the schoolroom load has reached an oppressive figure and school authorities are greatly concerned as to how they are to cope with the situation.

Economy-minded Members of the House have indicated their opposition to this legislation. Their opposition is based on the meritorious argument that there should be a reduction in nondefense spending. In that I heartily agree, but I consider this legislation defense legislation and it should be so considered by every member. It has been brought about through necessity. Heavy burdens have been thrust upon local communities because of defense expansion. In most cases those communities are unable to finance the facilities needed. At least, that is the situation in my district.

I think this is a splendid bill. I compliment the Committee on Public Buildings and Grounds for having placed the supervision of the proposed appropriation under the direction of the Federal Works Agency. Mr. Carmody, Federal Works Administrator, has given every indication that he will cooperate in every way to see that the funds are properly administered. I further compliment the committee for having inserted the provision that no department or agency of the United States shall exercise any supervision or control over any school system as a result of this appropriation. In that provision the committee has eliminated any possibility of the federalizing of the school systems where this aid is to be given.

I reiterate, I believe this rule should be adopted and H. R. 4545 should be passed without delay and without opposition. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a poem by Mr. Carlisle, of Alabama.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ACQUISITION AND EQUIPMENT OF PUBLIC WORKS

Mr. COLMER. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH] 10 minutes.

Mr. SABATH. Mr. Speaker, it is indeed gratifying and pleasing to hear the Republican Members speaking for the rule and approving this proposed legislation. The only exception is my genial colleague the gentleman from Illinois [Mr. ALLEN], who usually injects a little politics into such matters. He was calling attention to the President's promise of economy.

I wish to say to him that I and most everybody else knows the President has striven praiseworthily and intelligently to effect real economy in government. I wonder whether my colleague ever takes time to recall that under President Roosevelt's predecessor we had a deficit of $8,000,000,000 during his term and that there was nothing constructive—but much that was destructive—done during that memorable term. We are now expending this money for really constructive work—work that will endure and be for national defense.

When the gentleman referred to economy he must have had in mind the "economy" that was practiced by the former Republican Governor of Illinois, Mr. Len Small, and the former Republican mayor of Chicago, Mr. Bill Thompson, when they both bankrupted the State and the city.

I hope that will not recur; but I presume the gentleman is fearful that such may happen under this administration. I want to say to him and to the gentleman from Pennsylvania [Mr. RICH], who asked a little while ago, as ever, where the money to take care of this $150,000,000 and other appropriations is coming from, that I read only yesterday in a dependable newspaper that the income for the fiscal year 1941 will be more than $2,000,000,000 greater than it was for the fiscal year 1940 and $1,500,000,000 greater than it was for the fiscal year 1939.

I know that our good people will be able to stand such taxes as are necessary to properly prepare us for any national emergency.

Mr. TABER. Will the gentleman yield for a question?

Mr. SABATH. For a question.

Mr. TABER. Why was it that the gentleman failed to mention that the deficit would be over $2,000,000,000 greater than ever before?

Mr. SABATH. Well, that is not necessary, because the gentleman from New York [Mr. TABER] and the gentleman from Pennsylvania [Mr. RICH] have called the attention of the House and the country to it very often, and I know it is not necessary for me to repeat that.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I gladly yield.

Mr. FITZPATRICK. I may also state that the day before yesterday it was reported in the newspaper that there are $10,000,000,000 more on deposit now in the banks of the United States than before the crash in 1929.

Mr. SABATH. There is no question about that. Business is improving. People are making more money, and their incomes will increase. I hope that those who earn most and make the most will be called upon to pay commensurately instead of our trying to load this expense crushingly upon the lowest-paid wage earners.

Mr. HARE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I gladly yield.

Mr. HARE. In view of the statement just made by the gentleman, why would it not be logical for the municipalities or districts where these projects are being located to defray their own expenses and enlarge their own school systems instead of taxing the Federal Government for it?

Mr. SABATH. I will come to that a little later.

Mr. HOFFMAN. Will the gentleman yield?

Mr. SABATH. I gladly yield to my precise friend, who so zealously guards against the most minuscule infraction of the rules of the House.

Mr. HOFFMAN. Speaking about this increased national income, do you not think the appropriation of that seven and a half billion dollars had something to do with it?

Mr. SABATH. I do not think that is hurting any; most all informed men concede that.

Mr. HOFFMAN. It is helping some.

Mr. SABATH. There is no question about it.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I wanted to answer the gentleman from South Carolina [Mr. HARE], but I will yield to the gentleman briefly.

Mr. H. CARL ANDERSEN. I heard the gentleman make some remark concerning the gentleman from Illinois [Mr. ALLEN], with reference to bringing in politics. I believe the gentleman raised some such question.

Mr. SABATH. I just answered him, or tried to do so.

Mr. H. CARL ANDERSEN. May I ask the gentleman from Chicago whether he has ever made a speech upon a rule without bringing in a more or less striking tirade against the Republican Party?

Mr. SABATH. I do not think that implication is accurate. I do not do it deliberately or willfully; and how can I say anything good about the party even if I should try? It is so hard to speak well of that party as a party, but I have given credit at all times to many Members on the left who have cooperated in an effort to effect economy and better government.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am sorry I cannot yield further.

Mr. Speaker, this bill is urgently requested by the President of the United States.

So that I may not be misunderstood, I am for the rule and, notwithstanding that there are some objectionable features in the bill, I am for its passage.

Unfortunately, I, myself, have many faults, but we cannot expect all to be perfect. I know that I am not perfect and have many faults, one of them being that I like to carefully examine provisions of important bills, which I have done in this instance, and find that the bill goes far afield. As the gentleman from South Carolina [Mr. HARE] has inquired: "Why should not the affected localities themselves take care of their own school and other needs?" I agree with him that they should. I know that all the old localities in the United States, in the large centers, have paid for their schools, have paid their teachers, have paid for the paving of their streets and sidewalks, have paid for their sanitary facilities and amusement places. I feel that these new localities we are developing all over the United States, the residents of which are earning more money than ever before in their lives, should do likewise. I believe that, in view of conditions, the committee that reported this bill and the administrators of the proposed legislation will see to it that the rentals to be charged in these localities will take into consideration the ability of these well-rewarded wage earners to pay.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am sorry that I cannot yield.

Mr. Speaker, many of the localities, especially small towns, I realize, are unable, perhaps, to provide the proper facilities to take care of this great influx of people, they have not the funds; but in many instances they have. On the other hand, a great deal of this money will go toward the establishment of communities in which new plants for the American Aluminum Co., for the Hercules Powder Co., for airplane manufacturers around Michigan and on the coasts are constructed; and this, mind you, at the expense of the whole people. There is sound argument that these corporations and localities that will benefit by this new development should provide, in part, these necessary facilities.

I realize that we need the products these plants will turn out, but why should the Federal Government, in addition to paying high prices for these products, also provide all these necessary facilities for the workers?

I appreciate, of course, the great interest the President has in properly housing the American wage-earners. That is his consuming passion; that is his dominant characteristic. That is his hobby, that is what he desires; that is what he pleads for; and I am with him in that aspiration; but that construction should not be at the expense of the whole country, when only the immediate new communities and the corporations affected really benefit therefrom.

Take the case of my own great city—due to the exodus of people from it to these new plants and factories, my city is suffering great loss in skilled manpower and in property considerations. We have more than 40,000 house vacancies in the city of Chicago today, due to

this migration; yet the owners of these vacant houses are required to pay taxes on them.

Once more I urge that these people who will occupy and own these new homes and the corporations affected be required to contribute a portion of this cost in proportion to benefits to be received, and that the Federal Government itself be not obliged to pay all the costs.

I dislike to criticize and I shall not do so because I feel that the committee has carefully investigated all relevant factors. The hearings show the different localities that will be benefited, localities we are going to improve by building construction for private industries in many instances; because this bill, in addition to granting aid from the Federal Government, also provides for the making of grants not only to governmental agencies but to private agencies also, as will be seen at page 4 of the bill.

There is a provision that all this proposed work shall be done under the Federal Works Administrator, in whom I have complete confidence. Mr. Carmody is a splendid, successful businessman, a hard-hitting businessman who thoroughly understands his onerous task.

For 5 years, however, we had W. P. A. doing a great deal of this work. W. P. A. still has on its lists thousands of individuals who may be used to do some of this work. I now ask and urge that Mr. Carmody utilize that agency to do a great deal of this work in order to minimize the cost and thereby relieve the National Treasury when many on W. P. A. rolls, on account of their age, are refused employment by private industry.

Mr. BEITER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I gladly yield.

Mr. BEITER. I appreciate what the gentleman said about Mr. Carmody's splendid work, but the gentleman from Illinois realizes, I am sure, that W. P. A. has not the skilled labor to build these schoolhouses and various works, for the skilled labor has been drawn off and taken back into private industry.

Mr. SABATH. I fully appreciate that it requires skilled labor for certain phases of the program, but certainly not to build roads, level hills, and do work of such nature.

Unfortunately, nearly all of the skilled labor was idle under the Republican administration. The gentleman knows that.

Mr. BEITER. Oh, yes; I agree with the gentleman.

Mr. SABATH. Therefore, when the Democratic Party came into power we were obliged to take care of not only the unskilled but the skilled labor; some of it is still unemployed and can be used to advantage in this work.

In view of the fact the gentleman from New York [Mr. BEITER] also has thorough confidence in Mr. Carmody, as has the eminent chairman of the Committee on Buildings and Grounds, I hope that Mr. Carmody will utilize to the greatest practicable extent W. P. A. workers.

Mr. BEITER. I feel sure the Administrator will do that. But, with further reference to the schools that are built in these districts, the gentleman realizes that in many instances the school districts by State statutes are prohibited from increasing their debt. They have a certain limitation which they cannot exceed.

Mr. SABATH. That may be true, but that does not mean that the Government should build all schools and other necessary facilities, such as waterworks, electric plants, gas plants, and even transportation, for these new developments.

Mr. Speaker, a great deal of this money could have been saved if better judgment had been exercised originally in selecting the sites that now require all these facilities, and hence these appropriations. There have been and are now available hundreds of places and sites adjacent to our large cities having water, transportation, power, school, hospital, and other facilities, and we would not be called upon today to provide appropriations for these improvements in newly created communities if the new projects had been located in places having these needed facilities.

I know many plants which have been idle in close proximity to the city of Chicago since 1930, and that could have been and should be utilized where all these facilities provided for in the bill were and are now available, and could have been utilized without construction cost to the Government. However, as there is to be a larger expansion and additional plants will be necessary, I hope and insist that due consideration be given to these localities, which are now suffering, and at the same time are subject to additional taxes for the development of these new communities.

Mr. Speaker, I, in all friendliness, give fair notice that I shall not vote and shall oppose any additional appropriation for any new plants until the appropriate plants now vacant in my city and other cities are utilized.

EXTENSION OF REMARKS

Mr. COX. Mr. Speaker, will the gentleman yield to permit me to submit a unanimous-consent request?

Mr. SABATH. I yield.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein an article appearing in the current issue of the Saturday Evening Post about our colleague, the gentleman from Texas [Mr. SUMNERS].

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

(Mr. MONRONEY asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. BUCK]?

There was no objection.

ACQUISITION AND EQUIPMENT OF PUBLIC WORKS

Mr. COLMER. Mr. Speaker, I move the previous question on agreeing to the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. LANHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4545) to provide for the acquisition and equipment of public works made necessary by the defense program.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4545, with Mr. CASEY of Massachusetts in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. LANHAM. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, it is well known to all Members of this body and to the people of the country that in our program of national defense it has been necessary to expend very large sums of money. A considerable portion of the expenditure has been devoted to the establishment of camps for the training of men and factories for the production of material needed for the proper defense of the country. By reason of the great influx of population into some localities—and a number of them are very small isolated communities—large sums of money were appropriated and are being used for defense housing. Necessarily the action which has been taken has resulted and is resulting in congested areas which force upon the local communities problems they are unable to solve and involve amounts of money which they are unable to expend.

In many cases the bond limit of taxation has already been reached. Many of these towns and communities did not even ask for the facilities that were sent into their midst. They were sent there by those in authority because they were considered the best places for the particular purposes for which they were selected. This has cast a great burden upon many communities and upon many municipalities. Realizing this and having had it impressed upon me by many Members of this House from different sections of our country, I introduced on the 10th day of February, H. R. 3213, designed to give the necessary relief from the Government's angle in this situation.

On the 24th day of February the President of the United States sent a message to the Congress calling attention to this need and asking for an appropriation of $150,000,000 to meet it. On the 26th day of February there came an additional message and an accompanying letter from the Director of the Bureau of the Budget approving the item of $150,000,000 for these purposes. Those documents are set out in part in the report of the committee which gives a rather clear explanation of the purposes and provisions of this particular bill.

The committee held voluminous hearings on these measures, and gave very diligent consideration to them. People appeared from a great many sections of the country. We could not give specialized attention to many specific cases because the cases are entirely too numerous, though typical ones in various parts of

our land were brought very vividly before us.

Some things were recommended which did not meet with the approval of the committee. Some additional suggestions other than those contained in the two bills which had been introduced did meet with the approval of the committee. The committee had one particular thing in mind and that was that, in view of the fact that relief is necessary in many of these sections, from the Government angle the expenditures should be devoted to helping those communities and not to disrupting in any way the local operation of their own pursuits.

The committee after these hearings was not fully in accord with the provisions of either of the bills which had been introduced and appointed a subcommittee to draft a bill setting forth the views of the Committee on Public Buildings and Grounds. That bill is H. R. 4545, which is now before you for consideration.

It was impressed upon the committee by many witnesses who appeared before us, and I recall notably Mayor La Guardia of New York who appeared as the chairman of the Council of Mayors of the country, that there should be one central agency having supervision of this work because it was realized that the President is entirely too busy a man to have time or opportunity to give those who would come to present their needs the chance to see him in person.

The Federal Works Agency has been for a number of years the constructing agency of this Government. It has carried on since 1932 or 1933 the various kinds of operations that are set forth as being the primary purposes of this bill; consequently, the committee decided that the Federal Works Administrator would very naturally and logically be the one to superintend the operations under this measure.

In view of the fact that we have heretofore passed a Defense Housing Act and have added to the sums originally appropriated, many of the conditions which now have to be relieved have arisen because of that defense housing, which is, in large measure, responsible for many of these congested areas.

It occurred to us that under those circumstances, and in view of the fact that the Federal Works Agency is the division of governmental activity that has to do with all construction of this character, and inasmuch as the Federal Works Agency is in charge of constructing the defense housing, the Federal Works Agency is the logical one to whom this work should be assigned, with the Director of that Agency as the administrator. Consequently this bill has been drawn by way of amendment to that Defense Housing Act, setting forth in title II of the measure the particular matters that refer to the purposes of this bill in the establishment of certain public works by way of community facilities in these congested areas.

Under the Defense Housing Act the needs in the various localities are determined by the housing coordinator, Mr. C. F. Palmer, and his staff. When the need for this defense housing is determined in any locality the matter of construction is turned over to the Federal Works Agency under the direction of the Administrator.

The need for these various community facilities is to be determined, naturally and necessarily, in a different way, by data with reference to those localities presented by the authorities of the localities, supplemented by the information in the possession of the various Federal agencies concerned that deal with the particular matters at issue.

Therefore, it is set forth in the report of the committee and it was discussed in the hearings that there should be administratively rather than legislatively a board composed of a representative from each of these various agencies to confer and consult with the Administrator and to present the needs along these various lines, but the Administrator should be given discretion in the matter of the extent to which the funds should be applied to each of these needs. The approval of these decisions by the President is required. We think that is a much more logical and practical way to handle this matter, in order that there may be general supervision and direction, rather than to have each agency take a certain amount of the money and spend it as it might see fit.

For this reason we have established this central agency and suggested this Board to which the people concerned in these various districts may go to present their problems. With reference to schools and many of the other facilities indicated in this bill, surveys have been made by these various agencies with the cooperation of those in the localities, and these will also be turned over for the information of the Administrator.

I call attention to another thing the committee proposes to do, and it is perfectly agreeable to the Administrator named in the bill. May I say in this connection that this bill was not drawn by any agency of the Government. This bill was drawn by the Committee on Public Buildings and Grounds, with the able assistance of our legislative counsel. We took the hearings and what the various agencies had presented to us and drafted a measure which we thought should be enacted into law. We did not call the Administrator before us until after we had reported the bill from the committee. We told him, as stated in the report of the committee, that it was our purpose to have a subcommittee of the Committee on Public Buildings and Grounds confer and consult with him concerning the administration of this measure in order that it might be carried out in accordance with the legislative intent.

It is not proposed in this measure, in what the committee has in mind, that there will be extravagances and frills and furbelows. I have even had a solicitation from my own district to intercede in order that a big technical high school might be built there, and other Members have had similar requests from their districts. The money will not be available, in the first place, and it is not the intention of this measure to be building these magnificent structures over the country. The purpose is to look after an emergency need in the congested areas, and especially where the condition is to be temporary and to last but a few years, to put up something simple and as inexpensive as possible that will fill the need.

If it should become necessary to make an addition to some permanent structure, of course there could be a modification to meet the circumstances of the particular case, but the thing the committee has in mind—and under the funds herein authorized that will have to be reduced to the minimum—is to endeavor to take care of these various facilities where the communities themselves are unable to do so.

May I call your attention to one or two other things. Our distinguished friend and colleague, the gentleman from Illinois [Mr. ALLEN], in his comment on the rule said that you could put up beer halls and dance halls and this, that, and the other. Of course, that is not contemplated. The gentleman mentioned libraries. Well, libraries are very, very useful things, of course, but with reference to the purposes of this legislation, I do not see that large additions to libraries can come appropriately within the picture. Libraries are furnished in the camps themselves for the men in training, and outside of the camps I am sure that by either private subscription or contribution of books or money the necessary volumes can be furnished.

Insofar as textbooks for children are concerned, in many States they are furnished by the State, but there would certainly be no necessity for the construction of libraries or large additions to libraries from the standpoint of the children getting their necessary textbooks.

With reference to some of the estimates that have been made, may I say that they far exceed in the aggregate the amount authorized in this bill to be appropriated. However, the witnesses who appeared before us said very graciously that they thought the recommendations could be so reduced that this sum would prove sufficient.

For instance, there was a recommendation as an estimate, although it was not contemplated that that sum would be immediately necessary, of $10,000,000 for the building of pasteurization plants in these areas. I at once took exception to that suggestion. You will find on page 38 and following of the hearings what was said in that regard.

In the first place, like the other members of the committee, I did not then think, nor do I now, that it is any function of the Federal Government to be interfering with private business and that the only circumstances under which such a suggestion could be pertinent would be if private business were unable to meet the demand. This suggestion was mentioned in the press over the country and immediately letters and telegrams began to pour in from the milk industry advising the committee that they were amply able to furnish the pasteurized milk that would be needed at these various locations. I shall not encumber the RECORD by asking to include those in the RECORD, but we of the

committee are convinced that there is no necessity for any part of this money to be devoted to that purpose.

Now, if, very briefly, because I do not want to consume too much time, I may just discuss what this bill does, although the report is a rather clear explanation of it, in the first part, with reference to defense housing we simply put the proper caption "Title I" and make the first three sections of the act refer to that title.

Title II deals with defense public works, and then title III, except for the restrictions of title II, makes the other provisions of the Defense Housing Act applicable to both title I and title II.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to the gentleman.

Mr. RICH. With reference to title II in reference to schools, is the money that is to be used for the construction of these schools for public schools only?

Mr. LANHAM. I am coming to that in just a moment. I am trying to take the bill up in its order, and when I get to the schools I shall be pleased to be interrogated by the gentleman, but I should like to explain the bill in its order.

Mr. RICH. I thought the gentleman was on title II now.

Mr. LANHAM. No; I was explaining that title I deals with defense housing and includes the first three sections of the act and then the other sections of the Defense Housing Act, except for the restrictions in title II, are made applicable to both of the titles.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield for a question on that point?

Mr. LANHAM. I yield.

Mr. CASE of South Dakota. Will the gentleman state why he thinks it is necessary on work of this type to waive the provisions for advertising for bids and waive such statutes as 3709 of the Revised Statutes?

Mr. LANHAM. As a matter of fact, just a little further on I was coming to that directly. I am trying to take the bill up in order.

Mr. CASE of South Dakota. I thought that did apply to title II.

Mr. LANHAM. We have, under section 203, which I have not yet reached, this provision: "No contract on a cost plus a percentage of cost basis shall be made, but contracts may be made on a cost-plus-a-fixed-fee basis." And, of course, they may also be made on competitive bidding where there is ample time to get competitive bids.

Mr. CASE of South Dakota. In title II, subsections (a) and (b) of section 202, it is provided that the land may be acquired without regard to sections 1136 as amended and 3709, and subparagraph (b) provides that the construction or the demolition or the repair may be started by contract or otherwise without regard to section 1136, as amended, and section 3709 of the Revised Statutes, both on page 3, of the bill.

Mr. LANHAM. I was coming to those provisions in just a moment. I have not quite reached them.

Section 201 of title II declares the general policy of the measure. It does not set out every item of community facilities, because it is impossible to anticipate every item. Some might arise in certain communities that would not arise in others, but I think the general purpose or policy is clearly expressed in section 201.

In section 202 we provide that whenever the President finds that in any area or locality an acute shortage of public works or equipment for public works necessary to the health, safety, or welfare of persons engaged in national-defense activities exists, and so forth, then the Federal Works Administrator is authorized, with the approval of the President, to do certain things.

This section 202 is the statement of general authority, and section 203 imposes restrictions upon that general authority. So bear in mind that section 202 is one of general authority.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. THOMASON. Will the gentleman be kind enough to tell us just what is meant by the language in lines 1 and 2, at the top of page 3, under section 202, which states—

when the President has found certain conditions to exist and that such public works or equipment cannot otherwise be provided when needed.

Just what does that mean?

Mr. LANHAM. The language of that is a little more restrictive than the broad purposes intended by the bill. The legislative intent, from the angle of the Committee on Public Buildings and Grounds, is that there is no disposition to impose restrictions upon one community greater than those that would be imposed upon another community, and, in my judgment, there are situations where a bond limit has been neared, reached, or exceeded, perhaps, with authorization to that effect, at the request of the defense authorities of the Government, where they have had unusual burdens and hardships placed upon them that can very well be relieved, and I think a sufficiently broad interpretation would be given to that provision to permit that.

Mr. THOMASON. Does that mean that the local community or municipality must have exhausted all of its tax resources before it would be able to qualify under this act? In other words, I know communities that were almost bankrupted during the depression, but perhaps have not quite reached their tax limit. Some of those communities have not yet recovered, and could not stand a tax raise or vote a bond issue. Does the gentleman mean to say that under that language they would not be eligible under this act until they had reached their maximum tax limit?

Mr. LANHAM. No; I do not mean to say that. I do not think that is the intention of the legislation. I think the act will be administered in a way to be equitable and just to the various communities, and so as not to impose hardships on any community which may not be imposed on another.

Mr. THOMASON. Does the gentleman believe that language is susceptible to an interpretation by the administrator that if a city or county, whatever the political subdivision may be, has not exhausted its taxing strength, it cannot qualify under the act?

Mr. LANHAM. I think not, in view of what we are saying with reference to the purpose of this bill, because there are some communities that have, in a way, gone beyond what could have been reasonably expected of them, and to impose additional burdens and hardships, and say, therefore, they shall not be relieved under this act, would be quite inequitable.

Mr. THOMASON. Then, in order to get the legislative intent into the record here, do I understand that it is not the purpose of the committee reporting the bill to eliminate those communities that have not exhausted their full taxing power?

Mr. LANHAM. It is not—not for a narrow margin they may yet have and need for their own normal purposes. It is not to be assumed that the Government could come in and use that narrow margin to carry on a work which has been placed in the community by the Government, and often without any opportunity for the community to decide whether it wished or did not wish those facilities.

Mr. THOMASON. Suppose a local community had a maximum tax rate of, say, $2, using that as an illustration, above which they could not go. Suppose they already have a tax debt or a limitation of $1.75. Must that community first vote a 25-cent tax on itself before it would be eligible under this act?

Mr. LANHAM. Oh, that is not the intention of this measure, because that would be imposing upon the locality the obligation to devote what further funds it might have available for its own purposes to purposes the Government had imposed upon the locality.

Mr. THOMASON. Then why the necessity for the language? If their situation is so serious they cannot take care of the local schools or build sewer or water lines, why put that language in the bill? I am strong for the bill, but I want all deserving communities to have fair and just consideration, and I am sure that is what the gentleman also desires.

Mr. LANHAM. Oh, I may say that there are communities and communities, and the gentleman well knows that there are some of them that might come in sometimes and try to get the lion's share of the plum with the minimum of effort.

Mr. THOMASON. That may be true, but——

Mr. LANHAM. I think that with the interpretation that has been given, it is a salutary thing to have that language in the bill.

Mr. THOMASON. I want to make certain that all deserving communities that need assistance will be given consideration. Every application should be considered on its merit.

Mr. LANHAM. That is the purpose.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes.

Mr. McGREGOR. Was not that the reason that the committee designated the Department of Public Works along with this coordinator, so that those, with good intent, not having necessarily expended

all of their money, yet could look ahead and see they might reach that point, and might still come in and set up their needs, and it could then be determined whether to give help to that community.

Mr. LANHAM. That is correct; and it cannot be expected that a community is going to exhaust absolutely all it could do for its own purposes in the way of tax limits in order to provide these various things which have come into that community by reason of the Government's activity, and which may be transitory and fleeting, and gone after the emergency has passed.

Mr. SMITH of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. SMITH of Connecticut. If I understand the gentleman correctly, the fact that a community, at the request of a defense department, has gone to the legislature and enabled itself to place unusual burdens upon itself in order to carry out a desperately needed development for defense needs, such as a water system, would not foreclose that community from assistance under this provision?

Mr. LANHAM. I have had the pleasure of conversing with the gentleman from Connecticut about that matter, and I think it certainly would not be excluded.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. GREEN. I have read pages 3 and 4 of the bill and have conferred with the drafting counsel on it. The point I am particularly interested in is whether or not a municipality may be able to gain assistance under the provisions of this bill in a case where they have a municipally owned electric plant, which plant is overtaxed and strained beyond its capacity by national-defense projects within its immediate area. We have that problem in Jacksonville, Fla. Our municipally owned plant, through the activities of the Southeast Air Station, is being taxed beyond its capacity.

Mr. LANHAM. Of course, the very purpose of this measure is, where a shortage exists in those various community facilities, to relieve that very situation, where the shortage results from congestion by reason of the program of national defense.

Mr. GREEN. That is exactly what I am getting at. The drafting service felt that they did come under the provisions of the bill, and such is the interpretation of the chairman, is it?

Mr. LANHAM. That is correct.

Mr. BEITER. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. BEITER. Fire prevention is an important factor in the defense program. Many of the communities are undermanned at the present time. I wonder whether this bill will permit the construction of fire-fighting facilities in communities particularly outside of communities where those plants are located?

Mr. LANHAM. I think that would be included. Mayor LaGuardia spoke about that and asked that the term "equipment" be placed in the bill to take care of situations of that kind in congested defense areas where necessity existed.

Mr. HENDRICKS. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. HENDRICKS. I wanted to ask this one question in order to satisfy some of the school superintendents in my district; that is, whether the Federal Government will have any control over the schools?

Mr. LANHAM. I am coming to that in just a moment. I have not reached that point yet.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. THOM. I have in mind a community where the city council has been asked to appropriate $2,000 to employ a representative in Washington, a lawyer, to obtain an award of funds under this act. It occurs to me that this act ought to have a specific prohibition against the payment of fees for any soliciting.

Mr. LANHAM. I may say from the knowledge and information before me with reference to how the administrator designated in this act carries on the work committed to his hands, that that certainly would be rather a bar than a help in meeting that particular need. I think it should be carried in the press of this country that any community is wasting its funds that employs anyone to come here in its behalf to consult with the administration, other than those who are naturally in charge of the facilities in question. [Applause.]

Mr. GREEN. Will the gentleman yield further?

Mr. LANHAM. I yield briefly.

Mr. GREEN. At Starke, Fla., and Green Cove Springs, adjacent to Camp Blanding, we have an acute school situation. This bill would relieve that situation, would it not?

Mr. LANHAM. School needs in congested defense areas are one of the primary purposes of this bill. Of course, I cannot take time to talk about all of these separate instances. If you could see a map of this country dotted over with these different defense areas of different characters you would know that in these individual instances it is impossible to give all the information.

Mr. RICH. Will the gentleman yield while he is on section 202?

Mr. LANHAM. As soon as I explain the purpose of it.

Mr. RICH. I mean 201.

Mr. LANHAM. Please be brief.

The CHAIRMAN. The gentleman has 25 minutes remaining.

Mr. RICH. We ought to get the first section ironed out. In line 15 it reads, "the activities authorized under this title shall be devoted primarily to schools." We have always been supporting public schools, and I am going to suggest that we change that language to "but the activities authorized under this act shall be devoted to public schools."

Mr. LANHAM. The matter of schools comes up a little later. If the gentleman will kindly let me proceed with my explanation, then I shall be glad to answer any questions that are pertinent. The matter of schools is mentioned in the statement of policy.

Now, on page 3, subsection (a), that relates to the acquisition of property which is exactly the same section as appears in the National Defense Housing Act. Section (b) relates to the contractual authority and is exactly the same as in the Housing Act except that there are certain things necessary with reference to facilities which are not necessary with reference to housing.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. Yes; I yield.

Mr. COLE of New York. On that subject of authorizing contracts on a fixed-fee basis, does not the gentleman think it is advisable to limit the fixed fee to 6 percent on this class of contracts, the same as we have in all military contracts?

Mr. LANHAM. I think that is a matter that should be taken up through the administration, to keep it down to as low a figure as possible, because we want this appropriation to go as far as it possibly can in meeting needs rather than in paying for providing the services.

Mr. COLE of New York. The gentleman understands that all of the Army and Navy contracts are limited to 6 percent, and actually they are running around 3 and 4 percent. It does seem to me advisable that we put a maximum in the bill.

Mr. LANHAM. I know that the administrator named in this bill has carried on several public works at very much less than it was expected they would cost.

Proceeding now with the bill:

Subsection (c) on page 4:

To maintain and operate public works.

Remember, this is a general statement of authority. There are restrictions in the next section.

Mr. TABER. At that point if the gentleman will yield, Mr. Chairman, would the gentleman explain why the word "operate" should be in there?

Mr. LANHAM. I think perhaps I can do that a little better when I come to the section dealing with restrictions.

(d) To make loans or grants, or both, to public and private agencies for public works and equipment therefor.

And so forth.

There has been some discussion of the matter of private agencies, and as the Administrator has stated to the committee, it will be necessary to be very hard-boiled with reference to the application of that authority, and I think there should be that discretion given in the measure because there will be instances where private agencies can be used to carry on some of these purposes that will be decidedly in the interest of economy. For instance, it has been brought to our attention in one instance by a member of our own committee and in two other instances by other Members of the House where hospitals may be necessary and where there are hospitals that are practically completed and need but a little additional work to make them serviceable, and they are in congested defense areas. It is a much easier, and simpler, and more economic matter to do the little work that remains to be done rather than build new hospitals and leave the others still in the unfinished condition.

With reference to schools there is little likelihood that any but public schools would be necessarily considered in the administration of this act because most of these congested areas are in sections where, if there are any schools, they are in all likelihood public schools, and if there are no schools and they are established under this act they would be public schools under local administration.

The Administrator in appearing before the committee after this bill had been reported stated very frankly that, while he thought there would be instances where private agencies could be used to advantage and economically, he would have to be hard-boiled in the administration, and I appreciate that.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. MURDOCK. Does this contemplate anything more than public buildings? Does it contemplate anything by way of equipment for schools, busses, or libraries?

Mr. LANHAM. Yes; under the provisions with reference to contributions, there are a number of these schools to be established in congested areas where it is impossible to supply all the teaching force necessary. The word "contribution" used here was intended by the committee to indicate not merely a contribution of money but a contribution of the little school building that might be necessary in this congested area, or the teachers to carry on.

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. COLE of Maryland. I was not fortunate enough to be here during the early part of the statement being made by my distinguished colleague from Texas, but in my district I have two plants which employ 50,000 people at this minute. This naturally presents quite a problem of congestion of highways and schools, overtaxed water, sewer, and other public facilities. The county and State governments are working on these problems as rapidly as possible, but one of real concern at this time is that of highways, how to break the bottlenecks. They expected some help from road legislation, a lot of which has come to Congress. I am wondering whether under the language of this bill, section 201, "and access roads," contemplates the main highways leading to these plants?

Mr. LANHAM. That contemplates access roads, of whatever nature they may be, in order that these industrial workers may be able to get to the plants to perform their tasks. A large highway-construction bill would, in my opinion, emanate from the Committee on Roads, from the standpoint of general highway needs. The amount stated in this bill for these purposes would not be anything near adequate for general highway purposes; but we do think it is a part of the function of this bill to assure access roads. I have seen instances of this character in defense areas where men in defense housing projects have no reasonable way of getting to the plants where they are to work. So these access roads are necessary, and they will be necessary perhaps as a part of the roads which must be used by workers living in cities or urban communities to get to their work.

Mr. COLE of Maryland. I take it from what the gentleman says that it is not intended the sum authorized in the bill before us shall be used for extensive highway development throughout the country. All of us hope there will be some additional legislation providing that.

Mr. LANHAM. Yes; and in my judgment such a bill should come from the Committee on Roads. We are seeking in this bill merely to provide access roads to enable the industrial workers to reach their places of employment.

Mr. MAGNUSON. If the gentleman will yield, I may say that I have done some investigating and checking myself, and find there is in process of preparation a bill providing funds to be expended by the Defense Commission to the amount of $150,000,000 for access roads to these various defense plants and units. Of course, this would be for the urgent necessities right immediately.

Mr. COLE of Maryland. I have had figures given to me considerably higher than that.

Mr. MAGNUSON. I hope it is higher.

Mr. HAINES. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Pennsylvania.

Mr. HAINES. I dislike very much to interrupt the gentleman, but I am interested in one part of the bill which has to do with sewage disposal. That comes under this bill?

Mr. LANHAM. Yes, indeed. Whatever is necessary for the health of the people or their protection from a sanitary standpoint.

Mr. Chairman, in section 203 we provide for restrictions. We provide:

> No contract on a cost-plus-a-percentage-of-cost basis shall be made, but contracts may be made on a cost-plus-a-fixed-fee basis.

That, of course, does not exclude competitive bidding when possible and advisable.

The next section reads:

> Wherever practical, utilization shall be made of existing private and public facilities or such facilities shall be extended, enlarged, or equipped in lieu of constructing new facilities.

Which I think is in the interest of economy and speedy and successful operation.

> Third, public works shall be maintained and operated by officers and employees of the United States only if and to the extent that local public and private agencies are, in the opinion of the Administrator, unable or unwilling to maintain or operate such public works adequately with their own personnel and under loans or grants authorized by this title.

In other words, it is not the purpose of the committee that these various facilities in local communities shall be operated by the Federal Government where they are able to run them themselves with such assistance as is afforded under this measure.

Subdivision (b) imposes very definite restrictions with reference to the operation of schools. It provides they shall be in all respects operated, controlled, and conducted by local laws and regulations, and not by the Federal Government.

Subdivision (c) refers in a similar way to hospitals, except those which are owned and operated by the United States itself; for instance, our veterans' hospitals.

Mr. RICH. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Pennsylvania.

Mr. RICH. On the question of public schools, the gentleman says he is going to put it in the hands of the States to operate them. We do not want to get anything into this bill in any sense that might be construed as being political if we are giving this money to the schools. We are all in favor of public schools and we are all in favor of aiding the States, but we do not want to get into any religious discussions of any kind, nor do we want to get in here anything that might lead us far afield insofar as the Government getting into anything but the public schools.

Mr. LANHAM. If the gentleman will just read subsection (b), he will observe that the word "State" is not mentioned. He will see that this is just as restrictive as he could make it, and certainly as restrictive as the legislative counsel could make it.

Mr. McGREGOR. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Ohio.

Mr. McGREGOR. Relative to the inquiry of the gentleman from Pennsylvania, on page 2, line 16, the words "primarily to schools" are used. Was it not contended in committee that there were special schools where special training was needed for mechanics, which were not open to the general term "public" because there had to be a certain classification for them to go in and become advanced in mechanics or a particular type of work, which is the reason the word "public" was left out of there?

Mr. LANHAM. The gentleman is correct. We also have certain vocational schools, and so forth. Of course, they are public in a sense, while perhaps in another sense they are not.

Mr. HENDRICKS. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Florida.

Mr. HENDRICKS. Will the administrator in giving this relief consult the local authorities as to the need?

Mr. LANHAM. Oh, to be sure. The local authorities will be the ones to present the need. There has already been in this country quite an exhaustive survey of these school needs made by the Office of Education. The data are available with reference to most of these needs and where the data are not supplied, why they can be brought to the attention of the administrator.

Mr. JONKMAN. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Michigan.

Mr. JONKMAN. Is it possible that the provision in section (b) might be over-

ridden by section 3 preceding it, in which it is provided that where local authorities do not operate the United States authorities shall take over? Would that give them the authority to insist upon cooperation or otherwise interfere with the administration?

Mr. LANHAM. No; I do not think so. That has reference to public works in general, and here is a specific provision with reference to schools.

Mr. JONKMAN. The administration of these projects and public works are two separate things?

Mr. LANHAM. Absolutely.

Section 204 is the authorization of the appropriation in the usual legislative language.

Mr. TABER. Will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from New York.

Mr. TABER. I assume, from looking over the hearings, that the committee had before it very considerable detail as to the needs in the different localities throughout the country.

Mr. LANHAM. It did.

Mr. TABER. Why would it not be far better for the committee to specify what should be done, whether it should be a grant or should be Federal construction as to each particular item rather than delegate to any bureaucrat the right to exercise discretion on this proposition? We have had such bad experience with that matter and such terrific cost, and we are going to get into the same thing here if we do not do something of that character.

Mr. LANHAM. I may say to the gentleman from New York that the ramifications of this are extensive and there are so many of these defense activities of various kinds scattered all over the United States that if we endeavored to particularize, our work would be interminable. I think the Administrator, in whose hands the supervision is placed, is a gentleman who is interested in economy and who will try to be helpful in every possible way. Also, as I have stated, the committee intends to follow up the administration of the measure.

Mr. TABER. I am free to say to the gentleman that I cannot support anything of this type unless that is done.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Washington.

Mr. MAGNUSON. I am just wondering in view of the discussion this afternoon about how much of this money will go for schools. I have read Mr. Studebaker's report. As the gentleman knows, in many of these areas the school needs are the primary needs. It seems to me that is going to take most of the money.

Mr. LANHAM. It is going to take a very considerable portion of it. Further, the urgency of this legislation is that, if these needs are going to be met, the construction of the schools in these isolated areas and in the congested defense areas generally must be begun very promptly, because the school sessions will begin in the fall.

Mr. MAGNUSON. How was the figure of $150,000,000 arrived at? I believe there should be a little more added here.

Mr. LANHAM. That is the figure that was recommended by the President in his message and it is the figure that has the approval of the Bureau of the Budget; consequently, it is the figure we incorporated in the measure.

Mr. MAGNUSON. Therefore, the school needs under this bill would almost necessarily receive priority due to the urgency for the construction and the fact that the schools will again open in the fall?

Mr. LANHAM. I think in many instances they are quite entitled to priority.

Mr. MAGNUSON. I notice in this bill—and I have checked with the Housing Act—there is no time limit placed on the legislation. I am wondering if Congress realizes that if we do not place a time limit in this bill we are apt to have this legislation here for the next 20 years, and we will be furnishing all the school needs and sewer needs.

Mr. LANHAM. May I call the attention of the gentleman to the fact that title 303 makes the provisions of the Defense Housing Act after section 3 thereof applicable also to the second title?

Mr. MAGNUSON. Is there a time limit in the Defense Housing Act? I checked the Housing Act and I do not find one there.

Mr. LANHAM. There is the time limitation of the emergency, and also the requirement of an annual report at the beginning of each session of Congress from the Administrator to the Congress. I shall look into that a little more carefully and offer an amendment if necessary.

Mr. MAGNUSON. I know that none of us would want all our communities swarming down here from now on wanting schools and sewers and everything else.

Mr. SHAFER of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I have only 5 minutes left, and I had promised that to the gentleman from Virginia; however, I yield briefly.

Mr. SHAFER of Michigan. Under Public, 849, provision was made for community facilities and for annual payments by the Government in lieu of taxes.

Mr. LANHAM. Yes.

Mr. SHAFER of Michigan. Those payments have been made in various communities?

Mr. LANHAM. Yes. They are also applicable to title II.

Mr. SHAFER of Michigan. They are applicable here?

Mr. LANHAM. Yes; through contributions of the kinds specified.

Mr. SHAFER of Michigan. They do not preclude the communities from collecting under this bill either?

Mr. LANHAM. They do not. I have taken that matter up specifically and have the opinion in writing that what they have received from the standpoint of the defense housing will not be a bar to what they will receive under community facilities. As a matter of fact, the contributions for schools and other facilities under title II in many cases will necessarily be considerable.

Mr. SHAFER of Michigan. I thank the gentleman.

Mr. BLAND. I hope the gentleman will use the time reserved for me.

Mr. LANHAM. I should much prefer for the gentleman from Virginia to use that time.

Mr. HOLMES. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON. Mr. Chairman, I am very much disappointed and disgusted with the attitude some have taken with regard to the public schools and their needs. I recall that just a few days ago we appropriated $7,000,000,000 to give away, and, if my mathematics is correct, that bill called for about fifty times the amount of money this bill calls for, and this money is to be spent in our own country for our own public schools and defense training.

Further, having been a school administrator and having been trained in that profession, I am more and more as the days go by aware of the fact that the preservation of our democracy and our form of government is dependent upon education and not upon legislation.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman said he was disgusted with the attitude taken by some on this bill. I am not against this bill, but does not the gentleman realize that some of us, many of us, do not trust this administration to spend so much as a red cent? Our trouble is a lack of faith in the administration.

Mr. WILSON. I am in sympathy with the gentleman from Michigan. Of course, knowing him as I do, I know he is afraid that somebody is going to strike on one of these school jobs and it will not be finished in time for school next year.

Mr. HOFFMAN. If the gentleman will yield once more, may I say that I have an amendment now on the Clerk's desk to prevent that very thing, and I will show you where they have been striking against the operation of hospitals.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman is disgusted with the attitude some are taking on this bill. The gentleman recalls very distinctly that I opposed the $7,000,000,000 bill and I certainly have a right to oppose this bill. The gentleman is not criticizing me, is he?

Mr. WILSON. That is all right, may I say to the gentleman from Pennsylvania. I hear the gentleman talk every day and I knew just about what he was going to say before he arose.

Mr. RICH. We do not do anything to practice economy. The gentleman is probably one of those fellows who are spending all the time. I believe in economy in government, in economy in home life, economy in business. It spells thrift.

Mr. WILSON. The facts substantiated by the record show that I have a perfect record of economy.

Mr. Chairman, the information offered is based on a survey conducted by a committee of school men, headed by Dr. W. W. Wright of Indiana University, in regard to the school needs at Charlestown, Ind., where at present is located the Indiana Ordnance Works. This plant will employ about 9,500 workmen, exclusive of Du Pont and Army administrative personnel. Of these workmen, 1,000 will be taken from the immediate township. Along with these 1,000 workers, there will be approximately 9,000 additional people in population. The population of the township at present is 6,700; living in 725 houses, plus a large number of trailers.

You might be interested in knowing how we arrived at the figure of 9,000 additional people and the 1,000 workers that are to be employed in the production of powder. From an index which has been established by the last census, I find that for each worker there is a family of about 3.8 or 4 people. In the case of new factories such as this, it is found that there is also an influx of people who are in business, rendering other services to these workers, which makes the total figure of 9,000 which I have given.

It is anticipated, from the most reliable statistics available on parent-pupils of school age in population. There will also be a minimum of 100 children of preschool age, which will probably have to be taken care of, or at least should be taken care of in nursery schools since the mothers are likely to be employed in the Goodyear bag-loading plant.

Further remarks on the last statement might clarify it somewhat. Due to the inadequate housing facilities in that area, it will be necessary to employ as many people from those who reside in that community as possible, otherwise our housing needs there will increase tremendously. Since the Goodyear bag-loading plant, known as the Hoosier Ordnance Works, which is starting to build there, is going to work women, largely; it will be a matter of economy, of course, to take women from those homes that are located in the immediate vicinity, and that will necessitate the care of their children.

There are 924 children of school age in population now, even though many have been left behind because of inadequate housing. It is known that many families living in trailers have left their children with folks back home.

The present building program anticipates the use of all the present school facilities, which facilities can accommodate a maximum of about 400 pupils. The survey recommends and anticipates the use of the present school buildings for the lower grades. It may be well to bear in mind that this minimum number of pupils of school age is based on the latest census showing community population. The figure is significant as a minimum, since these workers must be between the ages of 27 and 42; this means that the workers are all of the age whereby the family may be growing in size. Therefore, the number of pupils may actually be greater than our minimum and probably will be. The minimum number of children in this survey, of course, was based upon statistics, and those statistics cover workers of all ages.

The Charlestown township trustee and advisory board have expressed their willingness to go the limit of the law to cooperate in financing this school. They also expect, within a period of 2 or 3 years, to assume all the operating expense. The operating cost for the school year of 1941–42 will be about $102,000. The State and local governments can meet about $70,000 of this obligation.

It so happens in Indiana that each school corporation gets State aid to the extent of $700 per teaching unit. That means $700 for each grade-school unit of 35 pupils and for each high-school unit of 25 pupils in average daily attendance. The local tax base plus State aid will raise about $70,000 of this $102,000 necessary to run the school, had they the school plant to accommodate these pupils. That leaves a need of about $32,000 from the Federal Government for operating expense the first year. As the property and income of these workers is added to the tax base the help needed from the Federal Government for operating expense will decrease, and the Federal aid for the school year of 1942–43 will probably be about $20,000. For the year 1943–44 it will probably be about $10,000, after which time they expect to be able to assume the full operating load.

The big problem, of course, is in regard to capital outlay, which includes buildings and equipment. In Indiana we have a law allowing us to bond the school corporation for 2 percent, also the civil corporation for an additional 2 percent for school purposes. Since they have the same tax base, it gives us a bond limit of 4 percent on that base.

The minimum estimate to satisfy school needs and give minimum cooperation with public health and recreation is—when township part is taken out—about $991,000. This includes plant site, buildings, and equipment.

The maximum to guarantee full cooperation would be considerably more, since our schools are now anticipating taking on the load of training for national defense; and added equipment which will be necessary for taking care of this training would add some $500,000 to the amount needed, which would make about $1,491,000 to take care of the complete school needs of that community, guaranteeing full cooperation to the Federal Government in providing these educational facilities.

The Goodyear bag-loading plant, known as the Hoosier Ordnance Works, is just in process of being built. This, it is believed, will increase the Jeffersonville High School enrollment by about 200 pupils. They are already entirely full and running extra hours in the day; in fact, they are running the noon hour and then one extra period at the end of the day in order to take care of the influx of high-school pupils. This means that they are probably disobeying the recommendation of the State department of education in pupil-teacher ratio. We have an established ratio in Indiana, which means that each teacher can handle only so many pupils per day. In my opinion, they are going beyond that limit right now. Of course, in the Charlestown area one-half or two-thirds of the pupils are not in school at all, regardless of the fact that we have compulsory education laws in Indiana.

This approximated increase in Jeffersonville is due to the extra houses being built in and about the city. The building needs of Jeffersonville will be about $200,000. Fortunately, they have the needed grounds in which to place the necessary buildings. Also they believe they can carry any added operating expense. [Applause.]

Mr. HOLMES. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, the measure under consideration (H. R. 4545) has met with such widespread approval that it hardly is necessary for me to take the time of the House to voice my hearty support of its provisions.

The purpose of this measure, as stated in its title, is "to provide for the acquisition and equipment of public works made necessary by the defense program." It was reported favorably by the Committee on Public Buildings and Grounds, after extensive hearings, and it should receive the favorable action of this body as a proposal vital to our national defense.

My purpose in addressing the House is to point out briefly, as an argument for this bill, a defense problem in my district which could quickly be solved under the provisions of H. R. 4545. Many of you, no doubt, face similar problems in your home communities. It concerns a lack of proper school facilities for the families of officers and men soon to be stationed at a new Army Air Corps base near the city of Fort Wayne, in Wayne Township.

For an understanding of this problem let me quote from a letter I recently received from Walter F. Hayes, Wayne Township trustee:

> At this time the Elmhurst High School Building (in Wayne Township) is housing 397 pupils, which brings about a very crowded and unhealthy condition. The Elmhurst School Building * * * was originally built to accommodate only 225 pupils.
>
> Elmhurst High School is located approximately 1½ miles from the new Anthony Wayne Army Airport which will be completed within the near future.
>
> I have been informed that approximately 3,300 officers and enlisted men will be stationed at this airport and camp. I have also been informed that this is to be a permanent Army airport and camp.
>
> If the above information is correct, many families of these men will move into Wayne Township and also into Pleasant Township.
>
> Pleasant Township does not have a high school and therefore many of their pupils will be transferred to Elmhurst High School, and under our present conditions it will be impossible for Elmhurst High School to accept them.
>
> Therefore, since this school building lies within the said defense area, and since Wayne Township wishes to do everything in its power to promote the proper education of all the children of officers and enlisted men living within that area, I be-

seech you to do everything in your power to speed up * * * the allocation of funds for the construction of a new school building as an addition to the Elmhurst High School Building.

Mr. Chairman, what is the solution to this problem? Obviously, this school must be enlarged if proper facilities are to be provided for the education of the children of these Army families.

Unfortunately the Wayne School Township is badly handicapped for funds with which to finance a new addition made necessary by the national-defense program. This, therefore, becomes a problem for the Federal Government to cope with. The authority to do so is contained in H. R. 4545, which, in my opinion, should be passed without a moment's delay.

Mr. HOLMES. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, scmetimes we do things by choice. At other times we do things because of necessity. This legislation today comes within the latter category. There is no alternative.

A few weeks ago the Committee on Public Buildings and Grounds brought before the House a bill providing an additional $150,000,000 to be used for necessary housing for national-defense workers. That bill was thoroughly considered in the Public Buildings and Grounds Committee and also in the Rules Committee. Those upon whom rests the responsibility of administering that law, and the law contemplated by this bill, were before the Rules Committee and testified at length. I am sure that that $150,000,000 bill was pared to the bone, and that even more money will be necessary to provide housing where there is no housing for the men who are to be employed in preparing our national defense. When that housing bill was before the House I made some remarks, urging caution when this facilities bill came up for consideration. We are assured by the very able gentleman from Texas, Mr. LANHAM, the chairman of the committee, that this whole subject has been gone over with a fine-tooth comb by the committee. When the gentleman from Texas brings a bill before the House it is a fair assumption that it is a good bill. If it is not a good bill—and by good I mean sound, economical, and necessary—then the gentleman from Texas would not be sponsoring it. His clear and frank explanation of this bill inspires confidence, and I for one am pleased to go along with him.

I do not like to spend all this money. I do not like so much power centralized in Washington. I do not like the incidental interference with local regulation that inevitably must be inherent in all this type of Federal aid. Neither do I like the war to which we are very close, if not already in. I regret the necessity for this national-defense program, yet, again, it seems to me there is no choice. The job must be done and this bill is one of the necessary steps.

To illustrate, there is within the district which I have the honor to represent in Congress a city by the name of Ypsilanti, with a population of approximately 12,000. This is a beautiful college town. An $18,000,000 national-defense project, for the purpose of manufacturing Army bombers, is under construction. The factory will employ 22,000 men when in full operation. This city did not ask for this industry. It came to the city unsolicited because the national-defense authorities felt that this was the proper place to get the quickest and best results. The local community is happy to cooperate and will endeavor in every way possible to assist the Government in carrying out this work. However, I am told that at least 3,500 family-housing units in addition to those now available, will be required to provide for the industrial workers employed on this project. The city is already bearing a large tax burden. It is properly equipped to care for its own under ordinary circumstances. It is utterly impossible for the city to assume the additional burden of caring for this influx of industrial national-defense workers, so far as schools, hospitals, and possibly some other facilities, are concerned. This is a case where the spirit, indeed, is willing, but the flesh is weak. Ypsilanti does not come to Washington holding out its hat asking for alms from the Federal Government. It does come with a clear case of necessity because of this defense project. I have been assured by those who will have to do with the administration of this law that every consideration will be granted to this community, and that if it is found that equity, justice, and necessity require, then needed help will be given. We ask no more. If this bill is administered according to the formula provided in the bill and as amplified by the committee report and Chairman LANHAM's explanation, then there will be no waste, and the best interest of our country will be served.

Much has been said here about frills and luxuries in national-defense expenditures. I am as much opposed to these extravagances as is the chairman of the committee. The expenditure of this money should not be used for dance halls, unreasonable recreational grounds and parlors, elaborate and costly school buildings. It is a good idea to have a subcommittee of the Lanham committee keep a watchful eye on the expenditure of this money. If the money is spent as it is intended, the taxpayer will have no cause for complaint. If the money must be spent in the interest of our national defense and if there will be no waste, why, then, should we hesitate?

Mr. John M. Carmody, Administrator of the Federal Works Agency, appeared before the Rules Committee on the housing bill, as did Mr. Palmer, representing the Office of Production Management as Federal Coordinator of Housing. These gentlemen understand thoroughly the attitude of Congress with reference to this national-defense housing and the facilities in connection therewith. They have promised that only the necessary facilities will be given consideration. As one member of the committee I was very much impressed with both of these gentlemen. I believe they have ability and are familiar with the work which they are to carry on. Before this hearing, I had some doubt as to the ability of an administrator of uplift projects like the United States Housing Authority to administer a program where essentials only were required. I feared that these emergency national-defense projects would be tinged with the social uplift atmosphere to such an extent that the cost would be unbearable. Mr. Carmody's appearance and forthright statement dispelled this fear so far as he is concerned, and I am convinced that under his direction this program will be carried out as outlined.

Mr. HOLMES. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Chairman, I first want to pay my respects to the distinguished chairman of the Committee on Public Buildings and Grounds, the gentleman from Texas [Mr. LANHAM]. It is a privilege and a pleasure for me to serve on this committee with such a fair, patient, and distinguished chairman. [Applause.]

Mr. Chairman, this bill, H. R. 4545, as our chairman has explained to you, came as a result of two bills. One of them was H. R. 3570, but to show you how fair our chairman was, that bill had so many irregularities in it that, following the recommendations of the members of the committee made to the chairman, he immediately concurred in our request and appointed a subcommittee to draft a new piece of legislation and this bill, H. R. 4545, is the particular piece of legislation that was recommended.

This bill authorizes an expenditure of $150,000,000—for what? To take care of those communities that have an influx of people caused by the defense program. Certain localities are not responsible for the problem that has been brought before them and because of the condition existing in their localities. They are financially and physically unable to take care of the people that have come to them. So as Members of Congress and as the Representatives of these people, we must come to their assistance. I will give you as a concrete example, Charlestown, Ind., which a few months ago had a thousand people. They now have approximately 15,000 workers. They had a school there with facilities to probably take care of 100 pupils, and they are going to have 1,000 pupils in September. Their tax imposition is up to the limit. They cannot be taxed any more, so you and I must take care of the situation for them.

You will note that this bill turns this money over to the Federal Works Administrator. You may wonder why that was done. If you will check the matter in the committee reports you will find where we called Mr. John Carmody before the committee and asked him if he were in charge how he would administer the bill. He informed us that he would call in the various bureau heads and go through the program, and his record has shown that he has carried out such work efficiently and economically, stating that he thought people should go to one department rather than having to go to half a dozen different bureaus to find out whether or not there should be any assistance given in our various local communities. For this reason and knowing his ability the matter was put into the hands of Mr. Carmody. This was not agreed to, in some respects, by some of the Department heads, but I

think time will show that the committee acted wisely in giving him complete control.

The question came up as to whether or not we would lose our rights of local self-government in order to participate in the expenditures of these Federal funds. The question was brought before the committee whether or not if, for instance, I was living in a particular locality and my schools needed assistance, we would have to change the rules and regulations and the curriculum of our respective schools in order to participate in these funds. This very question was asked of the various department heads, and especially of Mr. Carmody, and he informed us that we would not.

In this connection I would respectfully call your attention to section (b), at page 5, which states:

(b) No department or agency of the United States shall exercise any supervision or control over any school with respect to which any funds have been or may be expended pursuant to this title; nor shall any term or condition of any agreement under this title relating to, or any lease, grant, loan, or contribution made under this title to or on behalf of, any such school prescribe or affect its administration, personnel, curriculum, instruction, methods of instruction, or materials for instruction.

In other words, your committee, to the best of our knowledge and belief, has protected the rights of your local communities, which I am sure each and every Member of the Congress wants to do. Regardless of whether or not you participate in these funds, you are going to retain your local self-government, and your local school board will have authority over the expenditure of that money. I want to impress on the minds of Members that, first, before you are to receive any of the money, you have to show a definite need. This money, I hope, is not going to be scattered to the four winds of heaven. It has been mentioned here that this bill might prove to be a pork barrel.

Mr. Chairman, we pass day in and day out legislation that can be "pork barrel," but I think we all agree that you cannot legislate morality. We must give to some individual or department a certain power and trust that individual or department to exercise good, common sense, and to keep in mind that we all have to pay taxes. I do not consider this bill a "pork barrel," because we have to establish our need, and that need is submitted to the President. Then your local board has control over the amount of money received and the amount of money to be matched, if it is deemed advisable to match it, so that we are the Federal Government coming to the assistance of the local organizations and communities.

The same thing applies to hospitalization. It was called to my attention a few moments ago, why incorporate hospitals? We have the same conditions in respect to hospitals, though not to such a great extent as exists in schools. Take an influx of two or three or four hundred percent of population moving into a community where there are no hospitals, no sanitary and sewer systems, no recreational activities. The recreational activities come to my mind because most of us do not believe in the procedure of some of the departments relative to recreation. Nevertheless, these soldier boys are in the camps 7 days a week, and on Saturday night—and I think I can talk from experience—they go to town; they want to get out of the camp; and unless we make the decent things attractive, the indecent things will take our soldier boys. So let us be fair-minded in this proposal and realize that the future of our youth and the future of our Nation is not only in the number of guns and airplanes but in the morale of our youth.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to my distinguished colleague.

Mr. JENKINS of Ohio. Take, for instance, a camp exclusively for soldiers, where the land belongs to the Government, and all the cantonments, and the buildings belong to the Government. I assume in that case if there are any improvements there, of course, the title to those improvements will go to the Government when the camp is abandoned. Take the case like a big ammunition plant to be built at Ravenna, Ohio, between Canton and Cleveland, in a thickly populated section. I presume that will be a permanent institution, although it would not require very many acres of land, nothing like 40,000 acres of land, but only a few thousand. You will probably build a school there, and it is said that the curriculum and the management of that school will be under the local board of education. But suppose that plant becomes a ghost plant, then to whom will the title of the school buildings pass? Will the title rest in the local authorities and remain there? What is the understanding?

Mr. McGREGOR. The title to the school buildings at all times, even while the plant is in operation, will be in the local school boards. The money will be there, an outright grant, or loan, depending upon the condition, and the title to the land will be in the school board. You must remember that this money is to be expended outside of the cantonment, outside of the federally owned property, because the cantonment proposals are carried in one of the former bills.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. Yes. I yield to my distinguished chairman.

Mr. LANHAM. In further response to the gentleman from Ohio [Mr. JENKINS] there is a provision in the law with reference to the disposition of this property. I think, however, it should be modified somewhat, but it was the thought of the committee that we had better postpone that a little bit later, to see what the circumstances are, and just what legislation should be passed in that regard.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HOLMES. Mr. Chairman, I yield the gentleman 1 minute further.

Mr. LANHAM. For instance, it might be advisable at that time to turn some of these facilities over to the Army or the Navy, or both, from the standpoint of our permanent-defense policy, so it was the thought of the committee that we should defer action on that until we could be a little better advised in carrying out the program.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. Yes. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. If I understand it, you willl take over certain buildings in cities and towns for recreational purposes.

Mr. McGREGOR. That is correct, providing it is requested by local authorities and with their cooperation.

Mrs. ROGERS of Massachusetts. In order that the men may have some place to go when they are on leave. Fort Devens is in my district, and thousands of men pass through the cities and towns in my district.

Mr. McGREGOR. That is one portion of the bill, but the largest part of the bill is the schools and hospitals. However, it is possible, under the bill, to assist the recreational functions of the local communities. By that I mean that the Federal Government would have authority in cooperation with the Y. M. C. A., the K. of C., and so forth, to participate.

[Here the gavel fell.]

Mr. HOLMES. Mr. Chairman, I yield 5 minutes to the gentleman from New York, Mr. EDWIN A. HALL.

Mr. EDWIN A. HALL. Mr. Chairman, first I wish to say that I expect to support this bill. I have heard a great deal of discussion pro and con, and I am frankly of the opinion that under the circumstances of the emergency facing our national defense, the passage of this measure is necessary to facilitate the various educational and hospitalization programs under way throughout the country.

I am going to describe briefly a certain community within my congressional district, namely, that of Sidney, N. Y., which is the home of a subsidiary division of the Bendix Corporation, called the Scintilla Co. This plant has expanded almost 33⅓ percent since the defense program began. An influx of workers from all neighboring communities in my district, as well as from many distant sections, has taken place. Naturally it has created problem after problem to this small locality in which a limited number of people resided previously. I do not think I am guilty of overstatement by saying that the population has increased by almost the same amount, that is, nearly one-third, that the activity of the industry has increased. So for that reason it presents the problem not only of housing in that small community but also of educating the children whose parents have taken advantage of this new employment and caring for the sick.

There are numerous other villages and towns scattered about in the neighborhood. Of course, some housing facilities exist in those places, but even using the communities which are adjacent to Sidney, N. Y., which include Unadilla, Afton, Bainbridge, Norwich, and many other smaller centers, there is still a dearth of housing, schools, and hospitals that is of

a serious nature. It necessitates the commuting of workers and employees to the Scintilla Co. from points at uncomfortable distance from that locality.

Therefore, I feel that the passage of this bill will make available better schooling, and improve educational and health facilities in the locality of that great corporation.

I would be remiss in my duty to the people of local governments in my district were I not to point out some of the fallacies of the particular philosophy of government emphasized in this bill. After all, a true discussion of any question is only brought about by seeing both sides of the question. I am probably as guilty as other proponents of this measure when I support the general idea of aid and help from the Federal Government to the small communities and local subdivisions of government throughout the country. One cannot look at the present situation and the questionable road upon which we are traveling without deploring the tendencies which are made manifest in America today not only by the defense program, but today also by the general conduct of government. I, for one, Mr. Chairman, am very sorry to see the concentration of the power and prerogatives of government lodged here at Washington at the expense, in many cases, of local self-governing units. [Applause.]

[Here the gavel fell.]

Mr. HOLMES. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan, Mr. DONDERO.

Mr. DONDERO. Mr. Chairman, this bill seeks as its sole objective the solution of some problems which the Federal Government has been compelled to create because of its national defense program. It has no other objective than that.

I have supported this measure since its very inception before the Committee on Public Buildings and Grounds and shall vote for it. It ought to have the unanimous support of this House and I hope there will be no opposition to it.

Two weeks ago I returned to my State and was present when the first 28-ton tank rolled off of the line of the new $20,000,000 tank plant built with Federal funds, and situated adjacent to my congressional district just outside the city of Detroit. Nine months ago where that tank plant now stands was farm land. The plant is located in a semi-urban locality. It is almost entirely within the corporate limits of a village known as Center Line, Warren Township, Macomb County, Mich. It is a typical American community. It is in the district of my distinguished colleague from Michigan, Mr. WOLCOTT. The school board of that locality has been in Washington and appeared before this committee, presenting its needs on account of the problems created by the construction of that plant. A survey was made by the office of the superintendent of public instruction of Michigan as to what might be needed in Michigan by reason of the national defense program. Can you imagine a town of 3,000 or 4,000 people having a plant constructed within its area of this dimension—and it is a mighty plant, where they expect an influx of nearly 6,000 children, which will require 160 additional school teachers? Can you imagine a school board of a little village of 3,000 or 4,000 people with ordinary school facilities, trying to solve the problems that have arisen by reason of conditions such as that? It simply cannot be done, and there is no other way it can be done except by the appropriation of public funds contemplated under this bill.

My interest in this matter, however, is directed to its possible effect on public education. It so happens that I am a member of the House Committee on Education.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. LANHAM. I should like to say in deference to the distinguished gentleman from Michigan that he appeared before the committee and recommended an amendment with reference to this provision for education and that we were all in accord with his sentiments. I believe we have even strengthened the amendment he offered.

Mr. DONDERO. I thank the gentleman for his statement and I know that the recommendation has been written into this bill and is subdivision (b) of section 203 which provides that the Federal Government shall not walk inside the schoolhouse and regulate or control its administration or its operation. In my judgment all the Federal Government should do under the provisions of this bill—and I think that is the intent so ably explained by the chairman of this committee—is to provide the funds and to aid and assist in the construction of the buildings. Beyond that public education should remain under the jurisdiction of the local school boards and the school authorities of the several States of this Union. In other words, the hand of the Federal Government should not be laid upon the subject of public education in this country. It is one of the major activities of the American people not yet seriously invaded by the Federal Government either through the appropriation of money or by legislation.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MURDOCK. Before asking my question let me say I agree with the gentleman 100 percent in the statement he has just made. I rose to ask the gentleman whether in the State of Michigan there is a provision for aid by a unit larger than the community in the matter of the cost of providing teachers.

Mr. DONDERO. We have State aid to the extent of what is known as primary-school funds, which provide a certain per capita amount for every child of school age within the State. That is distributed throughout the State in a uniform manner.

Mr. MURDOCK. If 160 additional teachers will be needed who will pay for them? Will that be taxed on the local community or will the Government pay some part of it?

Mr. DONDERO. Under the report filed with the committee presenting this bill not only is the operation and maintenance of the schools intended but the cost of the teachers also is included. In the community to which I have alluded, for example, it will cost nearly $2,000,000 to provide school facilities to take care of approximately 6,000 additional children which are expected to come into that community by September of this year. The 160 school teachers needed will cost nearly $200,000 annually in addition to the buildings, transportation, and maintenance of the school buildings. It is utterly impossible for the local school board to provide adequate school facilities of such magnitude without Federal aid.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. Yes; I yield to the gentleman from Pennsylvania.

Mr. RICH. With regard to the matter of schools—and I may say I agree with what the gentleman has said, would the gentleman agree to an amendment being placed in the bill on page 2, line 16, where it reads "be devoted primarily to schools," an amendment to strike out the word "primarily" and insert the word "public," so it will read "devoted to public schools"?

Mr. DONDERO. I may say in answer to the gentleman from Pennsylvania that I discussed that question at some length with the chairman of the committee. The gentleman from Texas does not believe it is necessary to protect the question of public schools in this country.

Mr. RICH. The point is that if the Federal Government is going to assist only public schools we should make it specific and certain in the bill. Would the gentleman support such an amendment if it were offered?

Mr. DONDERO. If such an amendment were offered, I might support it.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Ohio.

Mr. McGREGOR. Is it not a pretty fine-spun question whether or not a vocational school is a public school?

Mr. DONDERO. The gentleman is getting into a question to which I have devoted no thought.

Mr. McGREGOR. That was the reason the word "public" was left out. I am a member of the subcommittee and may say we discussed this at length. The question arose as to whether or not a vocational school was a public or private school, and to obviate any doubt we left out the word "public."

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. WILSON. A vocational school can be a public school the same as any other school can be a public school. Many of our schools in Indiana are vocational schools. They are supported by public funds and are public schools. The factor that determines the nature of a school is whether or not it is supported by public funds, not the nature of the courses it teaches.

If the gentleman will yield further, I may say, in answer to the gentleman from Pennsylvania about limiting it to public

schools, that if we confine this bill to $150,000,000 we certainly are not going to have much money to spread anywhere to take care of schools. So why do anything to develop class hatred in this country by these amendments?

Mr. DONDERO. I may say in connection with the statement of the gentleman from Indiana that the report filed by the Office of Education shows that out of this $150,000,000 nearly $100,000,000 might be very properly applied to the subject of public education to solve its problems created by our national-defense program.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield.

Mr. MAGNUSON. I am glad the gentleman brought that out, because if the Members will look at the hearings, from page 100 to 109, they will find that the survey made by the Office of Education shows that over $100,000,000 would be needed for schools in and about Federal reservations alone.

[Here the gavel fell.]

Mr. DONDERO. Mr. Chairman, I recognize the necessity of this bill and hope it will be agreed to and that there will be no opposition to it.

Mr. HOLMES. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, scrap iron, for years past, has been shipped in quantities of hundreds of thousands of tons to Japan against the protestations of those of us who felt this to be a very dangerous procedure.

These shipments have been forbidden by our Government lately and the unqualified approval of the average citizen throughout our Nation has been given this step, although far too late in being put into effect to please the most of us.

Now another sinister problem, closely allied to that of shipments of scrap iron to a possible unfriendly power, is being brought to the notice of Congress. Day after day, week after week, oil in huge quantities is being exported from the United States direct to Japan.

Our Nation has been committed by an act of Congress to "all-out material aid" to the British Empire and by the same act against any possible aid to aggressor nations who seek to dominate the world. That "material aid" is apt to shortly include "manpower," to judge from the recent speeches of those close to the administration, Cabinet members in particular.

It seems to me utterly foolish and dangerous to our Nation that the exportation to Japan of oil or its products is permitted at all today, Japan having signed up as a partner in the Axis, and having declared that it is honor bound to fight against us if we unfortunately are forced into the war.

I am not one of those who claim our only salvation is to go to war so as to prevent the possible destruction of the British Fleet. On the contrary, while hoping that the British nation will be victorious over those seeking to destroy her as they have destroyed numerous small nations in Europe, I cannot agree that this is our war.

It seems strange to me, however, that our Government on the one hand actually gives away a portion—small as it may be—of our fleet, together with unlimited supplies of war to Britain, and on the other hand permits untold quantities of oil and gasoline to be shipped to Japan, and from there none of us knows where.

Surely we all know that the chances are at least 50–50 that our own fleet may be engaged in deadly combat with that of Japan. It may be fighting against ships constructed from our scrap iron imported from our Nation and whose engines feed on our oil. Shall our air force, which is a component part of the Navy, fight against planes powered with our gasoline?

We know what the answer of the American people would be on the question of whether we should or should not ship oil to Japan. The answer would be an overwhelming "no," even if Dr. Gallup might find otherwise with one of his customary leading questions. Everyone knows that and yet the oil still flows across the Pacific into Japanese reservoirs, thence into Japanese war vessels, and airplanes devoting their leisure hours to the destruction of Chinese lives.

The administration stopped, although years too late, the shipment of scrap iron to Japan. Surely it is time to forget the profits of oil companies and stop this supplying of the No. 1 war necessity, oil and its products, to a nation which has shown anything but a friendly attitude to our country of late. [Applause.]

Mr. Chairman, we must end this iniquitous practice of furnishing potential enemies with the wherewithal to perhaps later slaughter American boys. Why, in the name of everything dear to us, should our Nation let any war material, oil or otherwise, leave our shores at this time destined for a nation that has publicly proclaimed its enmity?

I shall follow this speech up by preparing a bill for introduction, if such a bill can be drawn up which will prevent this almost criminal action in permitting today the exportation of war material our Navy may have to fight against.

Mr. Chairman, in this connection I want to read an editorial which appeared in yesterday morning's Christian Science Monitor having to do with this very subject. The editorial reads as follows:

OIL FOR THE MOTORS OF JAPAN

Would you hand a man ammunition for a gun he was pointing at your head?

Just a few days ago Yosuke Matsuoka, Japanese Foreign Minister, reiterated to an American newspaperman what has been implicit in the Japanese-Axis tripartite agreement ever since last September—namely, that if the United States became involved in hostilities with Germany, Japan would feel bound to fight against the United States.

Yet under these pleasant neighborly circumstances the export of petroleum products—gasoline, fuel oil, and lubricating oil—from the United States to Japan increased from 1,279,000 barrels in February to 1,553,000 barrels in March. These are the figures of the Department of Commerce..

Much of this oil and motor fuel is sure to be used by the Japanese Navy, Army, and air force in continuation of their bombing raids on civilians in China and in their penetration of Indochina.

At the same time comes news that British-American oil companies have renewed agreements under which last November they more than tripled the quota of oil furnished to Japan from the Netherlands East Indies. Admittedly the oil companies and the foreign offices are in a delicate business when they attempt to reduce supplies of petroleum products to Japan. The Japanese military government needs these so desperately that if it cannot buy them it is apt to try to take them by force.

But if force should come into play—against the American Navy, outposts, and trade routes in the far Pacific as it is already employed against the hapless Chinese—whose force would it be? Part of it would be the propulsive energy of American fuel oil and gasoline turning Japanese engines lubricated by American oil. Presumably the Japanese can provide their own explosives, though an important source of toluol, basis of TNT, is petroleum.

Does it make sense for America to go on fueling the implements of war which already are pointed in her direction?

[Here the gavel fell.]

Mr. HOLMES. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RUTHERFORD].

Mr. RUTHERFORD. Mr. Chairman, there is little that I can add to the fine statements made by the distinguished chairman of our committee and to those of the other members of the committee who have preceded me, in reference to the need of this legislation. I believe that this legislation is necessary under the present existing conditions brought about by our national-defense program, and I propose to vote for this bill. Our committee not only held exhaustive hearings on all phases of this question, we also made a 3-day inspection of conditions existing in and about the Hampton Roads section of Virginia, which appeared to be typical of like conditions existing in other parts of the country. Our hearings revealed that many communities have real problems on their hands as a result of the sudden change of population. Problems arising from conditions not of their own choosing but from conditions thrust upon them and which under present conditions they are unable to handle properly. The school problem seemed to be one of the most urgent that had to be met. In many communities the school population has greatly increased far beyond the ability of the local municipality to handle it. New school buildings are needed. Money must be provided for the hiring of teachers. This cannot be done because most of the municipalities are up to their limit so far as bonded indebtedness is concerned and to place the additional cost of hiring teachers upon the already burdened taxpayers of the locality would hardly be fair. So it becomes necessary for someone to step in and assist these municipalities over these difficulties for the time being and under the circumstances I can see no one that can do it except the Federal Government. In time these new workers will become a part of the taxing scheme of the community, and the situation will be gradually taken care of. But in the meantime some help must be

given these communities, and this bill provides the method. What is true of schools is also true in regard to the needs of providing streets, additional water and sewer systems, and hospital facilities. It cannot be expected that the people who at present are old inhabitants of these municipalities should be expected to provide all of these present improvements to take care of the increased population. These localities may be simply boom towns for a year or so and then when this emergency is over the people will move back to their original homes leaving ghost towns behind them. If, however, this emergency should be prolonged beyond our present expectation, then the workers will become a part of the communities and will pay taxes, and in that way these facilities will carry themselves. The question of receiving money from the Federal Government for schools, and so forth, gave myself and a number of members of the committee some concern. We were fearful that such grants would also have some strings to them—that the bureaucrats would want to control the running of the school and other municipal affairs. In order to prevent that and to assure the people throughout the country that the funds granted by the measure were for their assistance and not for the purpose of control our committee specifically provided in this bill that such public works shall not be maintained and operated by officers and employees of the United States if the local and private agencies are able and willing to maintain and operate them adequately with their own personnel. We also provided in this bill that no department or agency of the United States shall exercise supervision or control of schools, hospitals, and so forth, and that the grants or loans made to them shall not affect their administration, personnel, or operation. It was the idea of the members of the committee to help and not injure these various agencies which, under these pressing circumstances, were called upon to ask help from the Federal Government. After considerable thought and discussion the members of the committee were of the opinion that the administration of this bill should be placed in the hands of the Federal Works Administrator who has well demonstrated his ability to handle matters of this nature. I trust that the measure will pass with a real majority. [Applause.]

Mr. HOLMES. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, the urgent need of this legislation is shown in a survey made recently by the Office of Education, copies of which I hold in my hand. This survey shows an imperative need in many localities for additional school facilities to accommodate all personnel connected with projects essential to the national-defense program. Most local school administration units at or near these defense areas cannot possibly during the current school year, and probably not for several school years, provide the required facilities for the additional children who have been added to their school enrollments.

No one can deny that the Federal Government has been responsible for the sudden removal of these children into communities and, therefore, must assume the responsibility in providing additional adequate school facilities for them, and this Congress should, without delay, authorize the use of funds to assist the school authorities of the affected communities in providing for their needs.

As I stated while discussing the rule, we must be realistic in this matter. Our national-defense effort has provided serious problems for school authorities throughout the country. New school sites, buildings, additions, and equipment are needed. Transportation equipment for pupils to and from existing public schools, not within walking distance, must be purchased. Cost of operation and maintenance of school plants, including salaries of teachers and other costs of instruction must be borne by the Federal Government in fairness to the communities, as well as in fairness to the children.

It has been proposed here this afternoon that the amount of $150,000,000 carried in this legislation should be reduced to as low as $25,000,000. In my opinion, $150,000,000 will not be a sufficient amount adequately to take care of this problem.

Under the proposal of the committee that a board, composed of one or more representatives of each of the governmental agencies which operate with reference to the various features of public works concerned, shall confer with the administrator relative to the needs shown by information and surveys from affected communities, I believe that these funds will be properly administered and that in no sense of the imagination will anyone be able to label this fund "another pork barrel."

I repeat, I do not believe $150,000,000 is sufficient. I would gladly support an amendment to increase the amount of the appropriation. A survey by the Office of Education shows that an estimated number of 204,265 additional children will attend schools in communities affected by defense expansion next September; 50,283 of these children will have to be transported to and from their homes. It is estimated that 6,710 additional teachers will be required to instruct these children. An estimated total of $65,047,194 must be spent in the construction of new buildings, additions, equipment, and alterations. This also includes transportation equipment. The Office of Education further estimates, as a result of its survey, that a grand total of $77,561,529 will be needed for operation and maintenance of school plants, operation and maintenance of transportation, and the salaries of teachers.

Although there are many communities in the United States more seriously affected than those in my congressional district, which lie adjacent to Fort Custer, the problem there is acute, and I believe should be detailed in this debate.

Fort Custer is located approximately 5 miles from the city of Battle Creek, a city of 44,000 population. The fort in the past year has been developed to a point where it will now accommodate 20,000 troops; 800 buildings have been completed on this site since last September 1, and the fort now accommodates 5 divisions, plus 3,000 colored troops, which were brought from Chicago. Approximately 800 commissioned officers with families have moved into the fort area, together with 1,400 noncommissioned officers with families, making a total of 2,200 families directly connected with the Military Establishment, not including many families of civilian employees. As near as can be estimated, 4,500 additional children must be accommodated by the school systems of the city of Battle Creek, Lakeview Township, Level Park, and the village of Augusta by September 1941. The gain in students so far this year has caused the school authorities to consider half-day sessions in order to accommodate the increased attendance. A constitutional 15-mill tax limitation has practically eliminated any building program in or near Battle Creek since 1932 and prohibits school authorities from consideration of new buildings at this time.

I should like to discuss the school problems in each of the communities adjacent to Fort Custer. Because of limited time, however, I am unable to do this. As an example, I desire to point out the difficulties faced by the village of Augusta, bordering on the fort reservation. Ross Township, in which the village of Augusta is located, has suffered a loss of one-third of its assessed valuation and a 100-percent increase in property taxes as a result of the establishment of the fort in that township. The school-tax rate has reached a point that is creating actual hardship. Due to the proximity of the fort and the influx of students from the fort, no doubt an addition to the present school of the village will be necessary. In Urbandale, Springfield Place, and Level Park classroom loads have almost doubled within the past few months and buildings are inadequate to accommodate these children.

This legislation is designed to relieve congested conditions in schools adjacent to defense industries. If such relief is to be accomplished before the beginning of the school year next September, there can be no delay in the passage of this bill. As I said in the beginning, the Government is responsible for the situation and the Congress should accept this responsibility today. [Applause.]

Mr. HOLMES. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, our committee has given very serious consideration to this legislation. There is not a great deal I can add to what has been said in reference to this recommended legislation. I believe the chairman of the Committee on Public Buildings and Grounds has very ably presented the thoughts of the members of the committee in connection with its recommendation.

We have a serious problem, and there is no one who will dispute that. We are in an emergency, and while I realize that almost everything which comes on the floor of this House today is prefaced with the statement that it is in the interest of national defense, may I say that we have a situation in the communities throughout this country today that is

not of the communities' own choosing. Huge industrial plants have been built in small communities, in many cases, and adjacent to small communities and the influx of workers and their families and children have placed upon these communities a burden which it is difficult for them to bear because of the past years of depression; the years of unemployment and the heavy welfare burden which they have had to carry for the last 10 years.

Anyone who is familiar with municipal government, knows it is essential when you add to the population of a particular municipality to provide schools, hospitals, an adequate water supply and adequate facilities for the treatment of sewage, and to build larger water mains, extend those water mains and sewer mains. We know that type of construction is very expensive.

Mr. Chairman, our Government has created this condition. We have appropriated heretofore $300,000,000 to erect homes for defense workers throughout the United States. Many of these homes are already occupied by defense workers. Many of them have not the advantages of the facilities that should go with the development of this housing program.

It is an emergency, and there is a great need at the present time for the Government to do its share in cooperating with the communities to extend these facilities. This legislation calls for the expenditure of $150,000,000, and in the authorization we do not segregate the amount in any way, shape, or manner, because we have full confidence in the Administrator. None of these projects will be approved, as we understand it, before they are submitted to the Administrator by the communities themselves. In other words, the community itself has got to place before the Administrator evidence of the need of the community, as well as full plans and the estimated cost of these improvements.

Surely, if you have the community present its own problem and its own need, and they work that out in a cooperative way, I do not believe you are going to have much of this money wasted, and it will not develop into what some have termed "a pork barrel." Some of us have had experience in municipal life. We know the problem. I believe we are taking the proper course here to provide Federal money to help these communities make these facilities available.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield to the gentleman from New York.

Mr. CULKIN. I have been told and understand that the General Staff of the service has made an investigation into that question. Do they not function at all in connection with this bill?

Mr. HOLMES. This has nothing to do with the military phase of our defense program.

Mr. CULKIN. But they have studied the thing, and I understood they were going to make some recommendations.

Mr. HOLMES. I do not know whether they have studied the needs of communities. They probably have studied the needs of their own cantonments, camps, forts, and so forth.

Mr. CULKIN. That is right.

Mr. HOLMES. This bill has no relation to that.

Mr. CULKIN. There must be an independent application by the locality?

Mr. HOLMES. That is true.

Mr. CULKIN. I believe the bill is an excellent one and very much needed.

Mr. HOLMES. I appreciate the comment of my colleague from New York.

There has been much criticism in the past because in some instances the defense housing authority has gone into communities and, without consulting the authorities in the communities, acquired land, and started to build houses. This criticism has justly been made. It was never the intent of the committee that recommended this legislation originally that we should give any authority to any public authority here in Washington, or any Federal authority, to ride roughshod over any community. It was our hope and thought that they would sit right down around the table with the authorities involved and work out a solution of the housing problem, also what public utilities are needed to be constructed in connection with the housing program.

It is certainly hoped that under this legislation there will be closer cooperation. I feel sure there will be, because here the Administrator of Public Works has full authority, and it is before him and his asscciates that these communities will have to come to lay their plans and work out a solution. It is a little different situation when it comes to a public facility than it was in connection with the acquiring of land and the building of houses.

I believe we have worded this legislation in such a way that we have absolutely protected the sovereign right of the community. We do not want any Federal authority, as far as we are concerned, to take an arrogant view and feel that because they are representatives of the Federal Government they can go into any community and in violation of all laws and ordinances do what they please. I hope we have solved that situation with the language in this bill.

I certainly hope this House will support this legislation, because there is great need for this work. Personally I have visited many communities. I spent several days in Hampton Roads, in the district of our colleague the gentleman from Virginia [Mr. BLAND]. I spent some time in New Jersey, Pennsylvania, Massachusetts, and Connecticut, studying personally the needs of the communities.

This legislation does not mean that the Federal Government is going to dump this money into a community without regard to reason. Many communities can contribute a great portion as a contribution to this work. There are many communities, as has been stated before on this floor, which are small and financially unable to meet the problem of this huge influx of employees and their families. So in many cases the communities will never ask the Government for one solitary penny and will take care of their own needs, while in other cases the community and the Federal Government will go 50–50, and in still other cases the Government will have to provide practically all the funds to create these facilities.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield to the gentleman from Nebraska.

Mr. CURTIS. The gentleman is maka very fine statement. As I understand, this bill provides certain funds for school buildings?

Mr. HOLMES. Right.

Mr. CURTIS. Is any policy laid down by the committee as to whether these buildings shall be temporary in nature of construction or shall be permanent and expensive plants?

Mr. HOLMES. May I say to the gentleman that it all depends upon the location, and also the community itself, whether in the opinion of those in authority they can assume a permanent structure. In other words, many of these schoolhouses will be of a temporary character, but it would be foolish to put into a community a temporary school building that will eventually have to be torn down, when the need for it will continue.

Mr. CURTIS. In case they are permanent structures, does the Federal Government pay the entire bill?

Mr. HOLMES. As I stated a few moments ago, there are some cases where in all probability the Federal Government will have to pay the entire bill. There are other cases where it may be a 50–50 proposition.

Mr. CURTIS. Is there any limitation on the amount that can be spent for recreation halls, gymnasiums, and other nonessential structures?

Mr. HOLMES. As far as I am concerned, I do not know that a recreation facility or a library has yet become a public utility.

Mr. CURTIS. The bill specifies it, does it not?

Mr. HOLMES. It does provide the words "recreational facility" here, but I can assure the gentleman that with the demand for schools, hospital additions, waterworks and purification plants, extension of improvements, sidewalks, curbings, and streets, it is rather difficult to see where we could find any money to provide for buildings outside of the most essential.

Mr. CURTIS. It is the intent of the committee that this is to be confined to the essentials?

Mr. HOLMES. Positively, very strongly so.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield.

Mr. LANHAM. Is it not true there will be representatives of these various agencies, for instance, of the Social Security Board, the Bureau of Public Health, the Office of Education, and a great many others that have made these surveys, and they will present the facts and circumstances of each particular case to the Administrator?

Mr. HOLMES. That is true.

Mr. LANHAM. And if a loan is the thing that will meet the situation, then it will be a loan.

Mr. HOLMES. That is true.

Mr. LANHAM. Circumstances alter cases, and there are so many different

classifications it is hard to get any other than broad language that will cover them all.

Mr. HOLMES. That is true.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield.

Mr. THOMASON. Is it left to the sole discretion of the Administrator whether it shall be a loan or a grant or a loan and grant? In other words, are there any rules and regulations prescribed for a community to determine whether or not it is going to get a 100 percent grant or a loan, and how are you going to determine that?

Mr. HOLMES. That all depends on the financial condition of the community.

Mr. THOMASON. Who determines that?

Mr. HOLMES. The President is the final authority. The Administrator, together with the community, will work out the problem and then the recommendation is made for approval or rejection.

Mr. THOMASON. If the community cannot contribute anything to the project, but the project is absolutely necessary, the President, through the Administrator, can grant a 100 percent grant. This is very important legislation. I just want to make sure that we understand it and get it right. I have at least two communities that are vitally interested, and they are deserving of assistance.

Mr HOLMES. Yes.

[Here the gavel fell.]

Mr. HOLMES. Mr. Chairman, I yield myself 3 more minutes.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield.

Mr. DONDERO. In answer to the question of the gentleman from Texas as to whether or not it will be a 100-percent grant or an aid to a particular district, I think that should be determined upon the question of whether or not it is a permanent building or a temporary building from the very nature of the case, because when this defense program ends, the big munition plants may be moved away and the community again returned to normal conditions when there would be no further need for the building.

Mr. HOLMES. I will say to the gentleman that has been the view and the thought of the committee. These conditions have to be individually analyzed and decided.

Mr. DONDERO. And each case should be decided separately.

Mr. HOLMES. Absolutely.

Mr. OLIVER. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I will be glad to yield to the gentleman.

Mr. OLIVER. I notice in section 201, the policy section of this bill, the committee has declared the policy to be that certain types of projects shall be undertaken. I was wondering whether or not the committee felt that schools might occupy a priority position with respect to importance in these various types of projects.

Mr. HOLMES. Does the language in line 16 of page 2, "shall be devoted primarily to schools," lead to the question?

Mr. OLIVER. My purpose in asking the question is to determine whether or not the committee considered establishing any priorities with respect to certain types of projects.

Mr. HOLMES. No; we have not done that.

Mr. OLIVER. Does not the committee feel that schools occupy, perhaps, a much more important position than some of the other projects that are listed here?

Mr. HOLMES. I can answer the gentleman by referring to what I stated a few moments ago. There are 6,000 employees and their families brought into a community of about 3,000 people and the first essential, of course, in connection with housing is an adequate water supply, adequate sewage facilities for sanitation purposes, which is most important in a community of that kind, and it is essential that they get those things into operation so they can have an abundance of fresh water and proper sewage facilities. Then, of course, will come schools and then hospitals, but they are all to be treated more or less as one proposition.

Mr. OLIVER. Was not the committee in position to make allocations of this $150,000,000 to certain types of projects?

Mr. HOLMES. Our committee did not feel that that was a proper function for the committee, and there were so many ramifications and so many projects that it would be difficult to say whether the school should have priority, or sanitation or some other conditions in the community. It all depends on the particular community.

Mr. OLIVER. But it was the feeling of the committee that the schools should occupy a very essential position?

Mr. HOLMES. Very much so.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, this bill will soon be read for amendment. If there is real objection to any of the provisions of the bill, I think those who object should offer amendments in an effort to remove the objection, and if there is any real fear that this money may not be spent in a proper way, those who think so should try to reach that matter by amendment also. But certainly, the purpose of this bill is sound and the objects which it seeks to accomplish are necessary, and the bill, therefore, ought to have the support of the general membership of the House.

I view this bill from a national angle, for the problem it deals with is national in scope, but I know of no better way of illustrating the national importance of it than to cite a local instance with which I am very familiar, and which, I am sure, has its counterpart in many other sections of the country. There is a situation at the mouth of the Columbia River in Oregon where important military and naval establishments are located. There are three military establishments there which, in peacetime, were manned by a company or probably a little more than a company of soldiers. These reservations particularly the one at Fort Stevens, Oreg., are now garrisoned by many regiments. The little school district of Hammond, which is adjacent to Fort Stevens, has been undertaking to educate the children of officers and enlisted men stationed on the Fort Stevens Reservation. They succeeded in doing this, by shouldering a huge tax burden, up until the time we began our Army expansion program. Now, however, it is absolutely impossible, physically and financially, for them to do so. This little school district has neither the money, the school facilities, nor the tax-raising ability to take care of these hundreds of additional school children.

The same situation will arise when the naval air station in that area is completed. There will be stationed at the Tongue Point Naval Air Base, adjacent to Astoria, 1,400 additional men and officers. It is impossible for the community without financial assistance to furnish the school facilities for these greatly expanded military and naval establishments.

What is true of the Oregon community I mention, I know is true of communities in almost all of the States of the Union. It would be impossible for the States to solve this question without Federal help. I believe this bill presents a sound, feasible, practical, honest method of solving that question. I have a great deal of confidence in the distinguished chairman of the committee which reported out the bill, and in every one of the members of that committee. They have presented to us a meritorious measure, and I certainly hope that the bill will receive the general support of Members on both sides of the House.

Mr. LANHAM. Mr. Chairman, I yield now to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Chairman, the explanation of this bill not only by the chairman but by members of the committee on both sides of the aisle, has been very clear and quite compelling. My original support of the idea contained in this legislation is greatly strengthened by what my colleagues have said concerning the purposes and objectives of this measure. I think it is timely for the Government to take these steps and quite necessary and proper that we do so in this emergency, for I can think of times past when the Government has been less thoughtful than it is at this moment in the provisions before us.

When the chairman answered my question earlier today he indicated that not only would public-school buildings be furnished under this enactment where they were most needed, but that the financial assistance would apply to other material equipment. That pleases me greatly, and I am also pleased with the statement made by the gentleman from Michigan [Mr. DONDERO], in answer to my query, concerning the additional teachers which would be needed in any given locality receiving such aid. I understand that the Federal Government will help with the additional teaching staff as well as with the material equipment. That, I think, is proper and right.

I recall certain communities in my State where the school population was greatly increased a few years ago in an emergency before our defense program started, but the Government in that instance did not furnish any of the extra teachers needed. Knowing of that extra load and hardship on such needy communities, I greatly favor those provisions in this bill.

It has been suggested that we ought not to provide recreational facilities here, but I cannot agree. In general, all of our schools have some recreational facilities, but I think, taking the country over, that our schools do not provide enough recreational facilities. Certainly, these improvised public schools in these newly enlarged communities ought to have the same recreational facilities as our public schools generally furnish.

There is considerable discussion about the control of these schools. I think the measure before us is right in leaving that control where it now is and belongs, and that is with the local public school authorities. As a school man, I have long favored more financial support and aid for public schools, leaving the control as it is now fixed in the State, county, and district authorities. America is so proud of its public-school system that we may safely depend upon it that funds furnished by the National Government and left in the control of the local authorities will be used to the best advantage, and should be subject only to proper accounting to see that the money is spent for the purposes for which it was appropriated.

While I would be inclined to give priority to schools, certainly, hospitals rank in the very forefront. In the case of hospitalization I feel that existing institutions ought to be used to the greatest degree possible without duplicating or furnishing new facilities. No doubt there are in all of these overcrowded communities where defense projects are being located good hospitals, probably privately owned and struggling along for a bare financial existence, and they could greatly increase service to the extent necessary if financially aided by the Government. For many years I have had the feeling that in thousands of communities more financial aid ought to be furnished these very necessary humanitarian institutions which we all shun but all approve of. However, only these communities are to be considered now and aided which are in need of Federal aid because of the defense program and the additional responsibilities which it brings.

Not to take up more of the time of the committee, I shall vote for this measure and hope that it may be enacted without opposition.

Mr. LANHAM. Mr. Chairman, I yield the remainder of the time to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Chairman, congratulations have been extended to the chairman of the committee for the work in connection with the preparation of this bill. Congratulations have been extended to the members of the committee. However, I go further and extend congratulations to the people of the United States that they have as a part of the organization of this House, a committee as capable and industrious, as zealous and as patriotic and as free from partisanship as this committee. I wish I had the time to discuss some of the reasons for that conclusion. I cite in support of my conclusion, the proposal made by the chairman that the administration of the measure will not be left to the Administrator, but that the committee is reserving to itself the responsibility of supervising the administration and seeing that the law will be efficiently administered. We may know that there will be no pork barrel under this bill administered and supervised as proposed here.

Something has been said about priorities under the measure. Mr. Chairman, you cannot work out priorities upon the floor of this House. Schools may have priority in one community, water in another, hospitalization in another. All of those questions have to be adjusted, and the diverse needs have to be coordinated in the different communities to the end that this money will be spent entirely in the best interest of the national defense of the country. After all, that is the basis of this legislation. Take my own section. There has been a 62-percent increase in population there in 7 months and the end is not yet. Why? Not because we desired to have that sudden influx, but because it is necessary. Personally, I should be very glad if we did not have the burden upon us that we are called to bear. One of the most serious problems there is an adequate supply of water. There is not a time that I pass the existing reservoir that I do not fear that we are facing a shortage. Suggestions have been made for a remedy, but money is needed. This bill will provide it. Priorities cannot be determined here.

What I say as to my community is but an illustration of the situation which exists in various communities throughout the country. I am willing to let Maine come before the officials with her needs, Wisconsin with hers, and all of the States similarly. All can present their claims, and they may be assured that the bill will be honestly administered under the rigid supervision of this, one of the greatest committees in this House.

The CHAIRMAN. The time of the gentleman from Virginia has expired. All time has expired and the Clerk will read.

Mr. LANHAM. Mr. Chairman, in the interest of expediting the consideration of the legislation, I ask unanimous consent that the bill may be considered as read and printed in the RECORD, and that amendments may be offered to any part of the bill.

The CHAIRMAN. Is there objection?

Miss SUMNER of Illinois. Mr. Chairman, I reserve the right to object. Will that permit me, for instance, to move to strike out the last word?

Mr. LANHAM. I feel sure the ruling of the Chair would be to that effect.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, is amended by inserting before section 1 the following title heading:

"TITLE I

"DEFENSE HOUSING"

SEC. 2. Section 1 (b) and section 3 of such act are amended by striking out "this act" wherever occurring therein and inserting in lieu thereof "this title."

SEC. 3. Such act is amended by inserting after section 3 the following:

"TITLE II

"DEFENSE PUBLIC WORKS

"SEC. 201. It is hereby declared to be the policy of this title to provide means by which public works may be acquired, maintained, and operated in the areas described in section 202. As used in this title, the term 'public work' means any facility useful or necessary for carrying on community life, but the activities authorized under this title shall be devoted primarily to schools, waterworks, works for the treatment and purification of water, sewers, sewage, garbage, and refuse disposal facilities, public sanitary facilities, hospitals and other places for the care of the sick, recreational facilities, and streets and access roads.

"SEC. 202. Whenever the President finds that in any area or locality an acute shortage of public works or equipment for public works necessary to the health, safety, or welfare of persons engaged in national-defense activities exists or impends which would impede national-defense activities, and that such public works or equipment cannot otherwise be provided when needed, the Federal Works Administrator is authorized, with the approval of the President, in order to relieve such shortage—

"(a) To acquire prior to the approval of title by the Attorney General (without regard to sections 1136, as amended, and 3709 of the Revised Statutes) improved or unimproved lands or interests in lands by purchase, donation, exchange, lease (without regard to section 322 of the act of June 30, 1932 (47 Stat. 412), as amended, the act of March 3, 1877 (19 Stat. 370), or any time limit on the availability of funds for the payment of rent), or condemnation (including proceedings under the acts of August 1, 1888 (25 Stat. 357), March 1, 1929 (45 Stat. 1415), and February 26, 1931 (46 Stat. 1421)), for such public works.

"(b) By contract or otherwise (without regard to sections 1136, as amended, and 3709 of the Revised Statutes, section 322 of the act of June 30, 1932 (47 Stat. 412), or any Federal, State, or municipal laws, ordinances, rules, or regulations relating to plans and specifications or forms of contract, the approval thereof or the submission of estimates therefor) prior to the approval of title by the Attorney General to plan, design, construct, remodel, extend, repair, or lease public works, and to demolish structures, buildings, and improvements, on lands or interests in lands acquired under the provisions of subsection (a) hereof or on other lands of the United States which may be available (transfers of which for this purpose by the Federal agency having jurisdiction thereof are hereby authorized notwithstanding any other provisions of law), provide proper approaches thereto, utilities, and transportation facilities, and procure necessary materials, supplies, articles, equipment, and machinery, and do all things in connection therewith to carry out the purposes of this title.

"(c) To maintain and operate public works.

"(d) To make loans or grants, or both, to public and private agencies for public works and equipment therefor, and to make contributions to public or private agencies for the maintenance and operation of public works, upon such terms and in such amounts as the Administrator may consider to be in the public interest.

"SEC. 203. (a) In carrying out this title—

"(1) no contract on a cost plus a percentage of cost basis shall be made, but contracts may be made on a cost plus a fixed fee basis;

"(2) wherever practicable, utilization shall be made of existing private and public facilities or such facilities shall be extended, enlarged, or equipped in lieu of constructing new facilities;

"(3) public works shall be maintained and operated by officers and employees of the United States only if and to the extent that local public and private agencies are, in the opinion of the Administrator, unable or unwilling to maintain or operate such public works adequately with their own personnel and under loans or grants authorized by this title.

"(b) No department or agency of the United States shall exercise any supervision or control over any school with respect to which any funds have been or may be expended pursuant to this title, nor shall any term or condition of any agreement under this title relating to, or any lease, grant, loan, or contribution made under this ttile to or on behalf of, any such school, prescribe or affect its administration, personnel, curriculum, instruction, methods of instruction, or materials for instruction.

"(c) No department or agency of the United States shall exercise any supervision or control over any hospital or other place for the care of the sick (which is not owned and operated by the United States) with respect to which any funds have been or may be expended under this title, nor shall any term or condition of any agreement under this title relating to, or any lease, grant, loan, or contribution made under this title to, or on behalf of, any such hospital or place, prescribe or affect its administration, personnel, or operation.

"SEC. 204. The sum of $150,000,000, to remain available until expended, is hereby authorized to be appropriated to carry out the purposes of this title and for administrative expenses in connection therewith, including personal services and rent in the District of Columbia and elsewhere, printing and binding, and purchase, repair, operation, and maintenance of motor-propelled passenger-carrying vehicles.

"TITLE III

"GENERAL PROVISIONS"

SEC. 4. Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 of such act are renumbered, respectively, as follows: "301," "302," "303," "304," "305," "306," "307," "308," "309," "310," and "311."

SEC. 5. The departments, agencies, or instrumentalities administering property acquired or constructed under section 201 of the Second Supplemental National Defense Appropriation Act, 1941, shall have the same powers and duties with respect to such property and with respect to the management, maintenance, operation, and administration thereof as are granted to the Federal Works Administrator with respect to property acquired or constructed under title I of such act of October 14, 1940, and with respect to the management, maintenance, operation, and administration of such property so acquired or constructed under such title.

With the following committee amendments:

Page 4, line 21, following the word "practicable," insert a comma.

Page 5, line 12, correct the spelling of the word 'title."

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

Mr. LANHAM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 6, line 13, after the period, insert the following new sentence: "Such section 4 relating to termination of powers of such act is amended by inserting after section 1 hereof the following: 'And the authority contained in section 202 hereof.' "

Mr. LANHAM. In other words, Mr. Chairman, that simply makes it conform with the provision in the law.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There being no objection, the amendment was agreed to.

Mr. HARE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not rise for the purpose of discussing the provisions of this bill, but to use the principle involved as a vehicle for discussing another bill now before the Congress.

As I understand, this bill provides an appropriation to assist in enlarging the school facilities in municipalities, districts, or communities where they have national defense projects and where there has been a substantial increase in population. The bill I desire to call attention to is one which has been pending in the House for several years. Its provisions carry with it a corresponding principle of policy of government, but to date it has not received very much consideration. We all know that heretofore it has been the policy of the Government to acquire lands for reforestation purposes. On those lands in many cases there have been high schools, consolidated schools, or schools of different types, and when the Government acquired title to the land surrounding or contiguous to these schools the lands were removed from taxation and therefore the source of revenue used to support these schools and pay the bonds issued to obtain funds for the erection of the buildings and to maintain the schools was removed. The result has been that in many sections of our country many of these schools have been abandoned. The children who were accustomed to attend them have been told to look elsewhere for their training. We are not doing that today. We are saying to the people who have gone to work at these defense projects "We will take care of the educational facilities for your children"; but heretofore we have been afraid to establish the principle of reimbursing those communities, those school districts, those townships or counties for the losses sustained as a result of the Government taking title to the property that was used for taxing purposes to support schools.

There has been a bill before the House for 2 or 3 years and there is one now, that would require the Government to compensate the counties or school districts to the extent that the taxable property for support of these schools has been removed by having title vested in the Government. Much of the land has been leased to tenants. There are few or no school facilities left for their children who will soon grow up to be citizens. They will eventually become a bulwark for national defense, but they will do so with no opportunity for education. Why? Because they have been deprived of their privileges by the action of our Government.

Heretofore when those of us interested have appealed to the Government to correct a wrong it has actually perpetrated on the unfortunate children in these districts, Uncle Sam hardened his heart and closed his ears to the cry and has said in effect that it would be the establishment of a new and unwarranted policy to inaugurate such a plan. He has allowed the parents of these children to stay on the land and help him restore the forests but has again said in effect, he is under no obligation to pay for the losses sustained by his action and is no no way responsible for the closing of their schools and the loss opportunity for education. But in this day of spending his heart has melted and is now asking for $150,000,000 for temporary use in providing additional facilities for some of his children. We are not opposing this action but only appealing that he be consistent in his interest in behalf of those deprived of an opportunity of education by his actions.

Of course, the Government assumes the responsibility for the establishment and location of a national-defense project and we can understand how the Government feels obligated to assist the community in providing ample school facilities where there has been a substantial increase in population incident to the establishment of such a project. The point I am emphasizing is that where the Federal Government has heretofore undertaken to acquire title to all or portion of the lands in a school district and use the lands for reforestation purposes, the Government is also under obligation to assist these school districts to the extent they have been deprived of the sources of taxation from which revenues were obtained to construct their school buildings and maintain the operation of their schools. The children of one citizen are deserving of as much consideration as another and in this bill you are establishing a policy of providing additional facilities for children of those who may be engaged in defense work, whereas the Government has heretofore not only deprived children who may be living in rural districts of an opportunity for education but it has actually failed and refused to aid in the way of compensating the school districts for losses sustained by its action. In other words, in the latter case the Government has said in effect to these children that they can look for educational facilities elsewhere or else they can remain on these Government-owned lands and grow up in ignorance.

Mr. Chairman, I said at the outset, I want to use the principle involved in this legislation as a vehicle for emphasizing the necessity of our Government paying more attention to other proposed legislation and to see if it is not possible to apply the same theory, the same policy, the same principle of government, and thereby discharge the Government's obligation to those school districts, townships, and counties by reimbursing them to the extent of taxes lost so that there may be a degree of opportunity for education corresponding to that we are providing for in this bill. [Applause.]

[Here the gavel fell.]

Mr. KILBURN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KILBURN: Page 2, lines 19 and 20, strike out the words "recreational facilities."

Mr. KILBURN. Mr. Chairman, under the very able leadership of our distinguished chairman, the gentleman from Texas [Mr. LANHAM], the Committee on Public Buildings and Grounds has worked hard to draw up a good bill to take care of community facilities in the areas that have become congested due to training camps and defense industries. I am sure that my chairman and myself are in complete agreement that this money should be spent only for things that are absolutely necessary to help our national-defense program. Where we may differ is on what we consider necessary.

My amendment eliminates recreational facilities because I do not believe these are absolutely necessary for national defense. The training camps themselves have recreational facilities already established in the camps. Please remember that the recreational facilities proposed in this bill can only be built off Government property.

I have talked to many of the soldiers in these camps and everyone that I have talked to is doubtful if they would use recreational facilities outside the camp when they already have them within the camp.

Most of the defense industries are situated in or near large towns or cities which already have recreational facilities, and do not forget nearly every city and town so affected did everything in their power to get these industries for their town.

There is no amount designated in this bill as to how much will be spent for recreational facilities, and while I believe Mr. Carmody, the man who will administer this bill after it becomes a law, is hard-headed, he might be succeeded by someone who would not think so much of the taxpayers' money and who might spend money on nonessentials.

I would like to remind the House that during the World War the Government did not spend a single dollar for the public works provided for in this bill.

However, I can see some merit to the bill, and I know of some locations where the Government has got to spend some money for new roads in congested areas and for some public works in large new communities that have sprung up out in the country around large defense plants.

I do believe, however, that we should stick to absolute essentials in appropriating money for national defense. We should not go in for frills; we cannot afford it. As soon as this bill becomes a law, the great tendency is for every community in the country, which has a camp near it or industries located in it, to come to the Government to get a handout. The pressure will be terrific to spend this money on nonessentials. I believe that recreational facilities are not absolutely necessary, and I hope my amendment will be adopted.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. KILBURN. Yes.

Mr. McGREGOR. The gentleman is a member of the committee and has always been attentive to the program before the committee. I am wondering if, in his opinion, the gentleman believes that of the $150,000,000 there will be any money left for what he classified as "frills"?

Mr. KILBURN. I hope not. That is why I see no reason why it should not be eliminated.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KILBURN. I yield.

Mr. DONDERO. I wonder if you mean that the amendment should go so far as to limit the recreational facilities in connecton with any school that may be built in connection with this program? You could hardly do that.

Mr. KILBURN. I believe most of the schools that will be built under this bill will be temporary. I believe they should be and I think that will come in under the schools. The recreational facilities referred to in the hearings in the committee were recreational halls, swimming pools, and so forth.

Mr. DONDERO. I am in sympathy with the purpose of the gentleman's amendment, but I wonder if he ought to go quite so far.

Mr. KILBURN. I think they can get the necessary recreational facilities in connection with schools right within the school grounds.

Mr. DONDERO. I believe if the gentleman would modify his amendment to provide that it should not apply to recreational facilities provided in connection with public schools that it ought to have the endorsement of the House.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. KILBURN. I yield.

Mr. RICH. Is it not the fact that public schools all over the land have recreational facilities within their own organizations?

Mr. KILBURN. That is entirely correct.

Mr. RICH. And the gentleman from New York, as I understand it, by this amendment would keep the administration from being hounded to death to get money to do things that are already being taken care of.

Mr. KILBURN. That is it, exactly.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. KILBURN. I yield.

Mr. WILSON. Recreational facilities are a very definite and essential part of the educational system, and where we do have to build schools we must provide for recreation, or we are not going to comply with the demands of these communities for public education.

[Here the gavel fell.]

Mr. LANHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, my good friend the gentleman from New York who has offered this amendment is a very valuable member of the Committee on Public Buildings and Grounds, but I am convinced that he is in error in his arguments with reference to the amendment he has offered. In the first place, if we strike recreational facilities from this bill, the natural implication will be that none of the money can be used for recreational facilities. Does that mean that in these congested areas children could have no ground on which to play or no swings with which to play? Does it mean that there should be no open spaces in these congested areas that could be used for parks and to help out the sanitary features of the community? And I should like further to call attention to the fact that in the development of morale in these greatly congested areas there must be some opportunity for play, for all work and no play proverbially makes Jack a dull boy.

Mr. KILBURN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. KILBURN. I may say to the gentleman from Texas that my amendment does not prevent any community from having its recreational facilities. All my amendment does is to prevent the Federal Government from paying all the cost.

Mr. LANHAM. Irrespective of that, this congestion in some instances has been forced upon communities and, in many instances, villages by the United States. They do not have the funds with which to provide these facilities. I should like to call attention, in addition to the testimony of Lt. Col. W. H. Thompson, Personnel Division, War Department General Staff, who appeared before our committee. He said it is true that in the camps they have all the recreational facilities they need, but that these men have certain leave, and it is necessary for them to have outside of these camps some facilities where they are not otherwise afforded where they are under the proper environment; that it is a very necessary matter from the standpoint of morale and the efficiency of the troops in these camps.

I call attention to the further fact that by public subscription a great deal of money is being raised from the standpoint of operating these recreational facilities after they are constructed, where it is necessary to construct them, and that there is great harmony among the various agencies that operated them in the World War. They are going to work together now. In large measure, they worked separately then. There must be some place for them to operate in many instances, and I believe that from the standpoint of these congested areas it is necessary as a matter of keeping up the morale of the soldiers that in the time they are off on leave, the time they do not stay in camp, they have some place to go. It should stay in the bill. Whatever is necessary to be done for these various purposes from the standpoint of efficiency and morale should be done. To strike it out of the bill would be to say thereby, "Don't you dare spend any of this money to see that any of these children shall have a playground, that they shall have any open parks, where they have innocent amusements; don't dare spend anything for that."

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. RICH. Does the gentleman know of any school in any State in the Union that does not have a playground for the children?

Mr. LANHAM. What I am trying to do now is to see that there shall not be

any school in the United States that does not have a playground for children.

Mr. RICH. So am I; and if the Administrator carries out the instruction contained in section 203 (b) of the bill, there will not be any. I do not think there should be any doubt in the mind of anybody but what under that section it is intended that schools should have recreational facilities.

Mr. LANHAM. As I read section 203 (b), I cannot see that that is the section which deals with recreational facilities.

Mr. RICH. It is placed in the hands of the school authorities, and, naturally, they will not overlook the fact that recreational facilities are a part of a school. That is done in all the States now and will be done when this bill is law.

Mr. LANHAM. But we should also provide with reference to the schools built in congested areas by money furnished by the Federal Government that recreational facilities can be provided.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to congratulate the Committee on Public Buildings and Grounds, and this applies to all members of that committee without regard to party, for the very profound manner in which the committee conducts hearings and the consideration it extends to bills pending before it, because the bills reported by that committee show a profound consideration by the fact there is very little difference of opinion among the members of the committee, and this includes both Democrats and Republicans. I attribute this to the very fine manner in which all the members of the committee approach consideration of bills pending before that commitee under the able and the gentlemanly leadership of its great chairman, the gentleman from Texas [Mr. LANHAM]. [Applause.]

So far as this amendment is concerned, I think we might well follow his position. I know of no Member who is more strongly regarded by his colleagues than is the gentleman from Texas. He is fair, he is a deep student of legislation, and a man who is considerate in every respect. Therefore we might well follow the position he has taken in relation to this amendment, even though it is offered by one whom all of us respect, and who is a very constructive member of that committee, and of the House.

May I congratulate the committee also in putting into the bill paragraphs (b) and (c) of section 203. Those two provisions are very constructive. We recognize the necessity for this legislation. It grows out of the national-defense program, and the fact that new businesses are established in towns and cities, bringing thousands of persons temporarily into those communities, out of which arise local problems of education, hospitalization, sanitation, health, and so forth. It would be unfair to impose all of that obligation on local government; yet in connection with schools and hospitals I would not want to see the Federal Government build and operate them itself. It would be unwise, for instance, for the Federal Government to build a school, say in Boston, or we will say in Quincy, Mass., or in any other community of the United States, and expect the Bureau of Education to conduct that school, and prescribe its curriculum, with a local school committee there. There would be a conflict. Furthermore, such action might strengthen the claim that a small percentage of this country have been making from time to time for the establishment of a department of education, which I vigorously oppose, and which I think at least 90 percent of the Members of this House also oppose.

Our school systems can be operated more effectively by the local authorities, and this also applies to the hospitals.

My purpose is to not only urge that the position taken by the chairman of the Committee on Public Buildings and Grounds be adopted, which I hope will be the case, but to compliment the committee itself before which I have appeared on several occasions. I admire the very fine manner in which it conducts all of its hearings. The members are temperate, tolerant, and considerate of their witnesses, and I congratulate them for the manner in which they consider and report legislation. As I said before, I particularly congratulate the committee for putting in the bill paragraphs (b) and (c) of section 203, which protects the local governments insofar as activities which have a direct relation to the people of a local community are concerned, to wit, whatever schools are constructed under the terms of this bill, and whatever hospitals are also constructed. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I earnestly hope this amendment will not be agreed to. The gentleman from New York stated that he had no requests from soldiers for these recreational facilities. Perhaps the reason the soldiers have not written to him is because they are in camps near their homes. On the contrary, I have had a great many requests from soldiers that they be allowed to have recreational facilities in cities surrounding the camps. The men who go to the fort in my district come from every section of the country. Many are very far away from their homes.

I live in Lowell, Mass., with a population of 101,000 people. It is overcrowded in many ways. Fort Devens is situated 18 miles from that city and through Lowell pass on the way to and from that camp thousands of soldiers. Some of them have had to stay overnight in Lowell on their way to camp. They did not have equipment for camping or sleeping out. In summer weather it is not so bad, but in winter it is very harsh—even dangerous.

A recreational facility at Lowell might even serve in an emergency as a barracks for the soldiers on their way to camp. May I remind the membership of the House that these men going to camp, and these men who are in camp today, are not serving perhaps for 1 year. I hope not, but they may be serving for several years. Providing these facilities seems little enough to do for the soldiers. The Army considers keeping up the morale of the men so important they have a whole section of morale. I will remind the House these men are paid very little. It seems only fair to give them healthy surroundings.

I would also remind the membership that 42 percent of the men who were examined to be taken into the draft were not accepted because of physical disabilities. It seems to me we should do everything possible to see that our soldiers are strengthened and that their physical well-being is cared for.

The First Division is being trained in my district at Fort Devens, and this makes me particularly grateful to the chairman and the members of the committee for causing this legislation to be brought on the floor for consideration. You can imagine what it means in water and sewer facilities, school facilities, and in other facilities, and what it means to the people of these various communities to have the facilities given to them. Caring for thousands upon thousands of persons is a tremendous drain upon their resources.

Mr. Chairman, I earnestly hope the amendment will be defeated.

Mr. KILBURN. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. KILBURN. There is nothing in this bill which prevents the city of Lowell from furnishing recreational facilities to soldiers.

Mrs. ROGERS of Massachusetts. I may say to the gentleman that Lowell today has many problems. Lowell is congested. The Lowell people have asked for this assistance in caring for the soldiers. They are delighted, of course, to do everything they can to make the soldiers happy and comfortable. Many requests have come to me from all over my district for these recreational facilities. Perhaps "recreational" may not be the right word to use. "Facilities for strengthening our soldiers and assisting the communities" is perhaps a better term.

I hope the amendment offered by the gentleman from New York [Mr. KILBURN], will not be adopted. I wonder if the gentleman from New York has considered this matter from some of the angles I have brought to his attention? [Applause.]

[Here the gavel fell.]

Mr. WILSON. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, if I am not mistaken, this coming Sunday is Mother's Day and I am thinking of these mothers all over the country who have their sons in camps and who have sons that expect to be taken to camp soon. I wonder how happy some of these boys are many miles away from home, undergoing severe training, not knowing just how many years they are going to be there.

I am also think of the many boys that were in camps not so many years ago, and I am thinking of the health of those boys when they came back. I am also thinking of the effect some of these speeches that have been made here, if they should get back to the Members' districts, would have on some of the mothers, knowing that just a few dollars

were being taken away from those things which would add the most to the health, the welfare, and the happiness of the boys in camp.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I refuse to yield at this time.

The amount of money under consideration, as I have said before, is only $150,000,000. I say "only." I am thinking in terms of the money we have appropriated on this floor. I cannot conceive of anyone taking the lion's share of this money and putting it in useless recreational facilities at the expense of much needed money for education. Therefore, I hope this amendment will be defeated and that these boys will be given the opportunity needed to further their health through recreation.

Mr. KILBURN. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from New York.

Mr. KILBURN. The gentleman realizes, does he not, that the camps now have very adequate recreational facilities?

Mr. WILSON. I absolutely do not.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. WILSON. I yield to the gentleman from Texas.

Mr. LANHAM. Is not the principal purpose of this bill directed to the various congested areas of national defense, to many of which the soldiers go on leave from the camps? Though there are recreational facilities in the camps, these men must be looked after when they are on leave, and not only that but the people who live in these congested areas and who go in there to work at these various plants must be considered.

Mr. WILSON. That is quite right. I thank the gentleman for his statement.

I also believe the same people who are opposing recreation here for these boys are the same kind of people I have experienced in my school work who opposed the building of gymnasiums. Just last year I taught in a school that did not have a gymnasium and did not have a playground. The State highway department condemned the half acre we had and built a State road right through it, and the children had no facilities for recreation left. That is a very bad situation, as I can point out to you, personally any time you wish to review that case.

I have several other things to mention, not particularly pertinent to this amendment, that I did not get to mention before. In the Charlestown area, an area with a population originally of about 500, we now have 20,000 workers, and we are going to have more than 10,000 workers situated there permanently. When I say "permanently" I mean not just to the extent of the period of this emergency but the plant located there is supposed to be used for the manufacture of nylon or other products as soon as the manufacture of powder is over. I hope that will be soon, but, unfortunately, I cannot see a very near end for the manufacture of powder. We need a school there. We must have a school there. We have school facilities for 400 people and we have 1,380 school children coming soon. They have not had proper education this year. They have been out of school regardless of the fact that the State laws demand that they go to school. They have to have help. The township has a bonded indebtedness possibility of $30,000. We need about $1,000,000 to build adequate school facilities to carry on the educational program as prescribed by the State of Indiana. [Applause.]

[Here the gavel fell.]

Mr. BELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, during the period I have been a member of this committee I, as well as every other member of the committee, have acquired a very high regard for the gentleman from New York who offered this amendment. I think that in my own mind I can understand pretty well the thoughts and the reasons which prompted him to offer the amendment. In many ways I believe not only I but every member of the committee is in sympathy with his desire to make this bill a very practical one in this time of national emergency; in other words, I think that in offering this amendment he had the purpose of cutting out any frills or unnecessary expenditures.

When the bill was under consideration, an Army officer appeared before the committee, and I questioned him at some little length, and rather sharply, about this matter of spending a lot of money on recreation. However, after I had finished questioning him and after he had finished testifying, I had a little different slant on this matter than I had had before.

In the last analysis, the purpose of this bill arises out of the desire of the American people to build an Army that is fit for the defense of this country. One of the most important things in the building of an army is morale. Every military man will tell you, as you who read the daily press, as it paints the gruesome picture of that conflict in Europe, know that morale in an army is just as important as guns. A young man who goes into the Army feeling proud of his country and feeling happy about his job, and with a high resolve to defend his country, is going to make a better soldier than the boy who is in a camp without recreational facilities and without opportunities to meet his father and his mother when they come to see him at that camp, without opportunity to meet his friends, and without opportunity to have the better influences of life about him. He will not make quite such a good soldier as the boy who is there under that training for a year or for longer under the highest and the best influences we can throw around him.

Mr. KILBURN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from New York.

Mr. KILBURN. May I remind the gentleman that there are recreational facilities in the camps. There is a place for them to meet their families. That is all provided for in the camps. This bill provides only for facilities off Government property.

Mr. BELL. Yes; that is true. The gentleman recalls that I questioned Colonel Thompson on that point. It seemed to me that if we placed these facilities within the camps that ought to be sufficient, but you remember he said, "You know what young men are. You cannot tie them to a tent post. You cannct tie them within a camp." They want to go around to the nearby towns. And when your boy and my boy go into that nearby town they ought to have some established recreational center that will permit them to go to the best place they can go to. Let us not send our boys to places of questionable character and reputation if we can help it.

Mrs. ROGERS of Massachusetts. And is it not true that the soldier is paid very little, so that he does not have money as other people who have not been drafted into the service do?

Mr. BELL. He gets $21 a month, and if he can have a center outside of the established lines of the military camp, where he can go and have a nice place to meet and do the right sort of thing, I think, perhaps, from the very practical standpoint of building a high morale in this Army, that we are building for the purpose of defending this country, it will be money very well and practically spent.

Mr. TABER. Mr. Chairman, I move to strike out the last 2 words. I think that the membership of the House should have a little picture of what has been done in the line of laying out money to take care of the recreational facilities for the boys in the camps. Enormous sums of money providing recreational facilities and centers for each section of the large camps that have been built in the last 12 months have been provided—recreational centers where they can seat a thousand and some as high as 1,500 people at one time. These things have been provided on a very liberal scale, many times more liberal than has ever been done in the regularly established Army posts—facilities where the men may play games and all that sort of thing. When that has been done and done on such a liberal scale as it has been done in this particular instance it does not seem to me there should be such a thing as the thought that we should elaborate upon it on the outside. If we have the things being managed and run by 4 or 5 or 6 or 7 different agencies, we are just destroying our own purpose. If we have 1 outfit, such as the Army, doing the whole job, it will be done much better. The gentleman from Indiana [Mr. WILSON] seemed inclined to intimate that some of us who criticize some things about this bill are opposing proper school facilities for the children of those who are in the Army or in camps in connection with defense industries. That is not the situation at all. Some of us believe there should be by the committee direct allocation of the places where these things should be done. We have had much better results with the Navy construction than we have had with the Army construction. That has been because the Naval Affairs Committee has insisted on providing specifically for each building and each project and the amount that it is to cost all the way down the line. That has resulted in greater things being done for the boys in the Navy. I appreciate that the Army is a bigger project. On the other hand, I am convinced that

the more we meet our own responsibilities, and the less we turn them over to the bureaucrats, the better off this country will be and the better service we are going to give the boys who have to go to the camps.

Mr. SOUTH. Mr. Chairman, I do not know a great deal about this particular amendment and, therefore, I shall go along with the chairman of the committee, the gentleman from Texas [Mr. LANHAM], in whose sound judgment I have full confidence. I have been in touch with him numerous times about this bill, and I think his committee has worked out a very good bill. I rise to suggest this: Unless the officers who administer this law really put first things first, and look over the entire country in respect to the various needs, I have a fear that some sections are going to be quite well taken care of in the matter of schools, hospital facilities, sewers, water mains, and recreational playgrounds, and so forth, and that when we get out into the more remote sections they will not have money enough to even take care of the schools. That is important. In my district of 27 counties we have at least 4 areas which are now literally congested to where the schools do not have the facilities for conducting the high character of work to which they have been accustomed. They must have more room provided, additional teachers, and so forth. Otherwise, not only will children of the families who have recently moved into these areas suffer from inadequate school accommodations, but the children who are members of families that have lived in these communities many years, have supported their schools, built their streets, and so forth, will suffer in a like manner.

It occurs to me that unless they take care of the schools before they go into the hospital, playground, and recreational business, somebody is going to suffer, because $150,000,000 will certainly not supply all of the needed facilities to the various States and communities throughout the country. I am speaking in behalf of the smaller communities that sometimes are left out when Federal money is being passed around.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SOUTH. I yield to my colleague from Texas.

Mr. MAHON. I want to be perfectly fair in regard to this legislation and I know the gentleman does, but I should not like to see this legislation result in permitting communities to shirk their local responsibility. When the Government goes into a town and spends millions and millions of dollars and establishes a big pay roll there, that certainly contributes to the business interests of that locality.

Mr. SOUTH. That is true, in a sense.

Mr. MAHON. I feel that every community ought to be willing to share every possible part of that responsibility in taking care of the schools and in taking care of the recreational facilities, and whatnot.

Mr. SOUTH. On that particular point the gentleman must realize that the local community gets much of its money for school purposes from taxation. The many people who are moving in do not increase taxable values. State apportionments are not provided for their children, and they constitute an extra burden which the communities are unable to meet.

Mr. MAHON. But the pay roll in those towns has increased.

Mr. SOUTH. Such temporary pay rolls do not build schools and do not increase tax values—certainly not for a year or so.

Mr. BEITER. Will the gentleman yield?

Mr. SOUTH. I yield.

Mr. BEITER. In addition to that, the Government will step into a community and build a number of defense housing projects on Government property, which is nontaxable.

Mr. SOUTH. That is absolutely correct; thereby decreasing taxable values. I want to repeat: In the expenditure of the money provided under the terms of this bill, things of first importance should be taken care of first.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOOK. Mr. Chairman, I think that some of the argument has gone a little far afield. If I view the purpose of this bill correctly, the very foundation of the bill is national defense. If we are going to have national defense at all we must have national morale. The national defense in this day and age is not all within the Army camps. I hope that we never go to war. I shall oppose to the utmost of my ability any of the steps leading toward war, but we know throughout the world that war today is total war. The civilian population is just as much a part of the national defense as the Army and the Navy.

I was impressed by the statement of the gentleman from Indiana with regard to a community of 400 that will be increased by about 20,000 people. Certainly, with the explosive plants around which that community of 20,000 people is built, we must have recreational facilities in which we will be able to keep up the morale of those people, so that in that community of 20,000, in that mushroom community, if you please, foreign agents who go in there and try to prey upon the feelings of those people, will not have a fertile field. War today is fought by foreign agents coming ahead of an army to break the morale and weaken the people so that the army is only the clean-up squad. In order to protect the people from becoming subjects of un-American activities we must have educational and recreational facilities available to them. We must have recreational facilties there to keep up the morale, especially of the people who are brought into those communities under this national-defense program.

Therefore I do not think we should take from this bill that part which will give to the administrator the right to set up recreational facilities that will properly meet the problem which he has to face, that is, in connection with everything else, to be able to keep the morale of the people in pace with the national-defense program.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. KILBURN].

The question was taken; and on a division (demanded by Mr. KILBURN) there were ayes 21 and noes 62.

So the amendment was rejected.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 2, line 16, after the word "devoted" strike out "primarily to" and insert "to public."

Mr. RICH. Mr. Chairman, the bill now reads:

The activities authorized under this title shall be devoted primarily to schools, water works,

And so forth. If my amendment is adopted it will read:

The activities authorized under this title shall be devoted to public schools, water works,

And so forth. I take it that under this bill we are interested in trying to promote public schools in these congested areas, that we are not interested in private schools or religious schools. As we make our appropriations, therefore, they should relate to public schools. Let us eliminate the word "primarily" and insert the word "public." This will insure that we keep our schools free from denominationalism, keep them as they should be.

Mr. RUTHERFORD. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. RUTHERFORD. Why strike out the word "primarily"? Why not let the language read, "shall be devoted primarily to public schools"?

Mr. RICH. The word "primarily" could be left in the bill, but I cannot understand why the word "primarily" should be in that sentence. I know of no necessity for its being there.

Mr. RUTHERFORD. The word "primarily" means that the money to be spent is to be spent first for public schools, water works, and so on throughout the enumeration.

Mr. RICH. Elimination of the word "primarily" is not going to affect the purposes for which the money is spent, is it?

Mr. RUTHERFORD. To a certain extent it would.

Mr. RICH. I myself am interested in my district in a number of denominational schools but I do not come to the Government and ask them to support these schools for I do not believe it is the function of Government to do so. I think therefore we ought to limit it as strictly as we can to public schools.

Mr. HOLMES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry to disagree with my genial colleague from Pennsylvania and I certainly hope we shall not inject controversial subjects into this legislation at this stage of the proceedings.

This defense public works means what it says. We have here a voluminous report from the Office of Education which has contacted the commissioners of public education in the various States and

has also contacted educational groups that are organized and recognized in cities and towns throughout the country. The committee has been furnished a very comprehensive report of the school needs and requirements in connection with this whole program and we have studied it for many, many weeks.

We deal with public schools, of course; but primarily we want to see that proper school facilities are built in connection with this program. The bill also deals with public ownership of water supply and purification plants, also with the question of public hospitals. There are not many communities where the public and private schools could not be used in connection with the defense program, but there are many communities where there is no such thing as a publicly owned hospital. To put in the limitation suggested by the gentleman from Pennsylvania would be just as bad as to amend the bill to read that in the matter of hospitals this money could be spent only in connection with the building of public hospitals.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. HOLMES. I yield.

Mr. LANHAM. And I may call to the attention of my colleague from Massachusetts the fact that if the word "primarily" is stricken out of the bill, the enumeration which follows would make the bill apply exclusively to those matters whereas some other need of great urgency might arise which could not be dealt with in that case.

Mr. HOLMES. I agree with the gentleman from Texas. Some question might arise as to fire protection, or questions might arise concerning many other things. So many elements enter into it that I feel we should not strike out the word "primarily." Based on the experience and knowledge we have of this situation, I express the hope that the committee will vote down this amendment and let the legislation pass as the committee has recommended it, because we have given serious study to it and have no fear that this money will be squandered. We believe it will not be used for anything except public needs.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. MAGNUSON. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MAGNUSON: Page 6, line 1, after "$150,000,000" add "$100,000,000 of which shall be expended solely for schools."

Mr. MAGNUSON. Mr. Chairman, I have no doubt that the committee has spent a lot of time in hearings and discussions on this bill, but I share the same fear that my colleague the gentleman from Texas [Mr. SOUTH] expresses—that this $150,000,000 will not be spent as expected; that is, if it is to be used for all these purposes, the real reason for this bill being here will be lost sight of.

The school problem is the most acute of all. The gentleman from Massachusetts and the gentleman from Texas this afternoon saw a good example of all of us standing around here with our pet little projects, such as sewers, and so forth. If the gentlemen of this committee will read the report of the Bureau of Education, which it made last December when the need was not as great as it is now, they will see that that Bureau advocated then, or stated then, that it was essential that we spend $100,000,000 for schools alone; and, mind you, that is in areas adjacent to Federal reservations.

My friend from Michigan talks about another problem. You add that to the problems we have in Indiana, in Charlestown, and other places and you will have nothing but absolute necessities and the absolute needs for the schools in those areas.

The gentlewoman from Massachusetts spoke about a recreational center in Lowell, Mass. If she will read the report of the Bureau of Education and the report of the committee she will find that they have not her district down for a school even, not alone a recreational facility. I believe the committee has to either limit this amount or provide a specific amount for schools, or else add to the appropriation. I am willing to support both. I think they are all needed.

Mr. LANHAM. Will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Texas.

Mr. LANHAM. Of course, if we begin to earmark this bill for the various items that are to be included in it, we must earmark all of the items, because there are certain places where there are needed some things more important than schools, and I know from the angle of our defense of such places. I think we better let this go as it is so that when the facts are all before the Administrator the proper allocation can be made. I agree that a larger part of the appropriation will likely be for schools, but I do not believe we ought to start in earmarking these items.

Mr. MAGNUSON. Would the gentleman object to two-thirds being earmarked?

Mr. SOUTH. Will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Texas.

Mr. SOUTH. I am inclined to think the gentleman from Washington is right. I would like to point out the fact that in the towns into which these people have moved, not only will the newcomers suffer as a result of the school facilities, but the taxpayers and the residents who have been there throughout the years, who have paid for the schools, are crowded out of a place to send their children and the whole work will be disrupted. I cannot conceive of anything that is more important than the public schools in the various communities.

Mr. MAGNUSON. There is not a Congressman sitting in this Chamber who has not received a letter from the city fathers at home who in anticipation of this bill have stated: "We want a sewer, a sidewalk, a playground," or something else. The contracts have to be let for these things within 2 weeks. Mr. Carmody's office will be so crowded with lobbyists from every city wanting sewers, playgrounds, and play fields that I am afraid the schools—and the chairman of the committee states that is the primary purpose of this bill—will be forgotten.

In my district is Bremerton, and they will want sewers. They want everything, and they will be depending on me for it. What they need is schools and this should be used to take care of the school needs.

Mr. DONDERO. Will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Michigan.

Mr. DONDERO. I share the view of the gentleman from Washington in regard to schools, but when a large plant starts up, as has been cited here, you have other problems besides the school problem. You have the problems of fire protection, sewers, sidewalks, and other things.

Mr. MAGNUSON. My amendment only takes two-thirds.

Mr. DONDERO. I am afraid if you earmark this money you may not solve the problems that this bill seeks to solve.

Mr. MAGNUSON. Will the gentleman join with me in adding more to the bill? I am not against all these other things. I would like to add $300,000,000 to the bill. We gave $7,000,000,000 to England and I think we can afford to spend $300,000,000 for these facilities.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. MAGNUSON].

The amendment was rejected.

Mr. McGREGOR. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McGREGOR: On page 4, line 20, after the semicolon, insert: "*Provided*, That the fixed fee does not exceed 6 percent of the estimated cost."

Mr. McGREGOR. Mr. Chairman, I am sure we have this bill before us today for one purpose and that is to give assistance to the soldier boys and to the entire community rather than to one, two, or three groups of contractors. I do feel that we should limit the amount of fees and the profit that is to be made out of this program.

My amendment simply carries forward the same percentage that is being carried in the Army and Navy construction bills, which allow fees not to exceed 6 percent of the estimated cost of the facilities or building program.

I trust the committee will agree to the amendment.

Mr. LANHAM. Mr. Chairman, I have no objection to the amendment offered by the gentleman from Ohio [Mr. McGREGOR]. I understand it is the same as the limitation placed in the Army and Navy contracts.

Mr. McGREGOR. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. DIMOND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 6, line 13, before the period insert "and as used in such sections the term 'State' includes any Territory or possession of the United States."

Mr. LANHAM. Mr. Chairman, will the Delegate from Alaska yield?

Mr. DIMOND. I yield to the gentleman from Texas.

Mr. LANHAM. The gentleman and I have discussed this and the matter has been discussed with several members of the committee. That is clearly the intent of the law, and the committee would have no objection to the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the Delegate from Alaska.

The amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Just how does the Chair call these amendments, by the order in which they go up to the desk, or according to the section number?

The CHAIRMAN. It is in the discretion of the Chair.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not believe the gentleman from Michigan needs to complain very much about the order in which the Chair gives recognition. I have been waiting here since 2 o'clock looking for an opportunity just to say a few words in connection with this bill. We will all be recognized in due time, and that is no fault of the Chair. It seems that we have a large number of very agile and vocal members of the committee who want recognition.

I wish to say simply this: I am very much in favor of this bill and I intend to vote for it because I believe it is in the public interest.

Let me call your attention to a matter which I believe will perhaps involve some rather startling information. We have been discussing on the floor of Congress and throughout the Nation the question of the effect on industry of the loss of manpower days and hours due to strikes in defense industries. The matter has become so acute in the minds of certain people throughout the Nation that legislation has been demanded to deal with the problem. I understand that legislation now rests upon the Speaker's table purporting to deal with that problem. I am not discussing that question in connection with these remarks except to say that if the loss of manpower hours in industry due to strikes is as important as contended, then, it seems to me, these facts ought to be called to your attention. The statistics furnished me by Dr. Lubin, of the Bureau of Labor Statistics, under date of April 22 disclose that in the year 1940, 2,450 strikes, involving 577,000 employees, caused a loss of 6,500,000 man-days.

Now, look at another side of the picture. That is why this bill is exceedingly necessary. The estimated number of man-days lost from disabling injuries in 1940 was 46,000,000. This number of days was lost by employees because of accidents in the year 1940 in nonagricultural industries. This estimate does not take into consideration the fact that, in addition to these accidents, there were 11,000 deaths and 116,000 accidents in industry resulting in permanent partial disability. Using the accepted conversion of deaths by accident into the economic loss of manpower days, and using the same method of measuring the economic loss of manpower days due to industrial accidents causing permanent partial disability, Dr. Lubin advises me that the total manpower days lost as a result of industrial accidents in the year 1940 was 235,700,000 manpower days. These figures do not include the 55,000,000 manpower days lost due to colds and influenza in the year 1940.

Does it not become apparent, therefore, that the loss of manpower days due to strikes is pitifully insignificant and small compared to the loss of manpower days due to negligence, improper working conditions, improper sanitary facilities, and disease that is rampant throughout this land?

Whenever there is an opportunity to extend the facilities that will provide for proper sanitation, medical and hospital services, research, proper recreation, proper factory inspection, and wider dissemination of information and advice on disease and safety, I intend to do what I can to extend such facilities.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. I want the Members of Congress to know that while I consider the loss of manpower hours due to industrial strikes extremely important, the loss of manpower hours in industry in these congested areas due to accident and disease is stupendous compared with the loss due merely to strikes.

When we are considering the problem involved in this bill of giving aid to communities to provide sanitation, to provide schools, to provide hospitalization, and to provide recreation, we are at least taking a small step in the direction of attempting to reduce this menace to our national welfare and this menace to our productive capacity which has resulted, as Dr. Lubin says, in 1940 in the loss 235,700,000 manpower days in industry. This is one place where we can begin to attack a real problem. Improved methods of factory inspection, of safe places to work, a decent system of extension of the Public Health Service, the extension of education throughout this land, and the furtherance of the things that are directed to the solution of the problem of public safety.

Mr. Chairman, I am pleased to include as part of these remarks the letter from Dr. Lubin, heretofore referred to. I also include a statement from the New York Times, of April 13, 1941, and a table from the Bureau of Labor statistics.

APRIL 22, 1941.

Hon. FRANK B. KEEFE,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN KEEFE: In reply to your telephone request of this morning to my office, I am happy to send you herewith the following information on man-days lost through strikes and accidents during the year 1940.

The number of man-days lost in strikes during 1940 is given in the table below:

1940—Number of—	
Strikes	2,450
Workers involved	577,000
Man-days idle	6,500,000

Estimated man-days lost from disabling injuries in 1940: Preliminary estimates of the Bureau of Labor Statistics indicate that 46,000,000 man-days were lost by employees because of accidents in the year 1940 in the nonagricultural industries. This estimate represents an understatement of the total loss because it deliberately excludes 11,000 deaths and 116,000 accidents that resulted in permanent disabilities. On the basis of the accepted conversion of a death by accident into an economic loss of 6,000 days and a permanent disability into an economic loss of 1,000 days, the total man-days lost as a result of accidents in the nonagricultural industries in the year 1940 aggregated 235,700,000 days.

You no doubt will also be interested in the attached article from the New York Times of April 13, 1941. It is evident from this article that a health program which was 10 percent successful in cutting down the time lost because of colds would result in an addition of close to 6,000,000 man-days to our productive output.

I thought you might also be interested in the attached table on man-days of idleness due to strikes in the defense industries. You will note from this table that the maximum loss due to strikes in any particular industry was sixty-eight one-hundredths of 1 percent of the total man-days worked.

Very truly yours,

ISADOR LUBIN.

[From the New York Times of April 13, 1941]

LOST WORKING DAYS FROM COLDS LISTED—59,000,000 WASTED LAST WINTER AS RESULT OF AILMENT, GALLUP SURVEY FINDS—SOUTH WAS HARDEST HIT—50,000,000 ADULTS AFFECTED BETWEEN OCTOBER AND MARCH, TEST SHOWS

Almost 59,000,000 working days were lost by Americans last winter due to colds and "flu," the American Institute of Public Opinion has estimated on the basis of surveys conducted nationally.

"For the first time in United States history it has been possible to chart the extent of America's No. 1 health problem—colds and 'flu,'" Dr. George Gallup, the institute's director, reports, "The evidence indicates that in the past winter more than 50,000,000 adults suffered from colds and twenty millions were affected by the 'flu.'

"The results are convincing proof that the two ailments can be written down as the source of more lowered physical efficiency—and greater economic loss—than any other illnesses on the American medical calendar.

"For while health authorities have had impressive statistics on tuberculosis, pneumonia,

heart disease, and other major ills, they have heretofore been largely in the dark regarding the extent of colds and 'flu' in the total population.

"The reason, of course, is that most cases of 'flu'—and the overwhelming majority of colds—are simply never reported to doctors and health authorities."

Here are findings from the institute survey which will give medicos and health authorities some of the first evidence ever obtained on the incidence and cost of the two ailments throughout the 48 States:

"1. Between October and March nearly two adults in every three suffered from colds at one time or another.

"2. In raw figures this means that more than 50,000,000 adults suffered loss of vitality, efficiency, or working time because of colds in the last 6 months. And even this estimate is on the conservative side, since the survey does not include persons under 21 years of age. Assuming the same rate of incidence among those under 21, the results point to a total of about 84,000,000 who were affected.

"3. In addition, the survey indicates that more than 20,000,000 adults—or 1 in every 4—were victims of last winter's epidemic of flu and grippe.

"4. While the time lost on account of flu and colds combined was small in most individual cases—few being laid up more than 2 or 3 days—yet the accumulation of lost time, when spread over hundreds of United States cities and counties, comes to a staggering figure.

"ESTIMATE OF THE WASTAGE

"To provide some estimate of how much economic wastage alone was involved as the result of colds and flu, the institute asked: 'Did you lose any time from work this winter because of a cold or the flu?' One person in four said he lost time from work of one kind or another, and the combined replies represented a total loss of approximately 59,000,000 working days—for employers and employees, laborers and white-collar workers.

"The number of persons reporting one or more colds in the survey are as follows:

"Have you had any colds this winter?

	Percent Yes	No
National total	64	36
Men	63	37
Women	65	35
Under $1,000	67	33
$1,000 to $2,500	63	37
$2,500 and over	61	39
Farmers	65	35
Towns and cities under 10,000	66	34
Cities 10,000 to 100,000	63	37
Cities 100,000 and over	61	39

"Of the more than 50,000,000 adults estimated to have had colds, an estimated 13,000,000 had 2 colds or more, and 7,000,000 3 or more. Persons in the lower-income group tended to have 2 and 3 colds more often than other groups.

"While the sectional results of the institute's flu study showed a comparatively large figure for the West, where the 1940–41 flu epidemic is believed to have originated, it appears that the Western States suffered less from colds during the same period than any other section of the country.

"Both flu and colds seem to have hit the South the hardest. Section by section the incidence of colds reported in the survey was:

"Have you had any colds this winter?

	Percent Yes	No
New England	64	36
Mid-Atlantic		
East Central	63	37
West Central	64	36
South	72	28
West	58	42

TABLE B.—*Man-days of idleness during strikes in 11 industries closely related to national defense, compared with man-days worked, 1940* [1]

Industry	Minimum number of man-days worked	Man-days idle as a percentage of man-days worked	Number of man-days worked per man-day idle
		Percent	
Aircraft	21,624,000	0.17	594
Aluminum	6,792,000	.45	222
Automobiles	107,424,000	.10	1,031
Blast furnaces, steel works, and rolling mills	116,088,000	.12	849
Electrical machinery	57,624,000	.68	146
Engine manufacturing	12,528,000	.06	1,685
Explosives	1,824,000	.16	601
Foundries and machine shops	96,624,000	.27	375
Machine tools	15,840,000	.07	1,350
Sawmills, logging camps, and millwork	[2]110,352,000	.39	254
Shipbuilding	22,488,000	.21	466

[1] Days work estimated as average employment times 240 days per year.

[2] With allowance for independent logging camps which are included in the strike data but are excluded from the regularly published employment figures.

Source: U. S. Bureau of Labor Statistics.

I also call attention to the fact that these figures do not include further the loss of manpower-days caused as a result of some 36,000 deaths due to automobile accidents last year, and one-hundred-twenty-thousand-odd severely crippling accidents due to automobile accidents in the year 1940. If we are seeking by action of this Congress to keep men at work in industry and reduce the hazards of unemployment, let us attack this problem of safety, let us attack this problem of disease and let us get behind and support every effort and every appropriation that is necessary to wipe out this menace to our national safety. Such money will be well spent in the public interest.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. JENSEN. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JENSEN: Page 4, line 20, after the word "basis" and preceding the amendment of the gentleman from Ohio [Mr. MCGREGOR], insert: "For utility expansion, but all other contracts shall be let to the lowest responsible bidder."

Mr. JENSEN. Mr. Chairman, I have no fight with the purpose or principle of this legislation. In fact I am for it 100 percent. I think it is very necessary and important at this time. I am, however, concerned about giving some of these contractors, very, very reputable contractors in every district, something to do, something that they can do which they will feel gives them a part in this national-defense program, and also will give work to their men. This is one phase of the national-defense building program which the contractors in every district can do. These contracts are not so large. The contractors have the necessary equipment and the necessary men and they can perform them expeditiously and well.

I have been associated with builders in certain sections of this country for quite some time and I know that in every district there are good contractors. The time element, of course, is always brought up in this defense building. It is contended, and rightly so, in a lot of respects, that it is much faster to let these contracts on a cost-plus-fixed-fee basis than it is by competitive bidding. In this particular instance these contracts are not going to be large. One hundred and fifty thousand dollars or two hundred thousand dollars possibly will be about the largest that we are going to have. I know that these contractors can bid quickly and they can figure these jobs quickly, and the contracts can be let quickly and those contractors are ready to go to work any time we give them a contract. I have contractors in my district who have been trying to get subcontracts, but find it impossible, and I know that you gentlemen in your districts have a like situation.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. Yes.

Mr. HOLMES. Personally, I see no reason why the amendment can do any harm to the bill. I call attention to the fact that when a community does the work, it is not necessary to advertise. For instance, in my city we do our own work, water, building sewers, sidewalks, and so forth, sewer mains and all that. It is all done by the community itself.

Mr. JENSEN. That is all right.

Mr. HOLMES. It does not apply there, but it does to any advertised contract.

Mr. JENSEN. That is right. That is about all I have to say about the amendment I have offered. I hope the Members will recognize the importance of this amendment and support it.

Mr. LANHAM. Mr. Chairman, I rise in opposition to the amendment. I understand the good purpose which actuated the gentleman from Iowa [Mr. JENSEN] in introducing the amendment. One necessary feature of this work, however, if these schools are to be opened on time, is the necessity that the construction be completed as soon as possible and, therefore, the contracts will have to be entered into very shortly. We provide in this section that there shall be no contract on a cost plus a percentage-of-cost basis, but that contracts may be made on a cost plus a fixed-fee basis, and that the fee in no case shall exceed 6 percent of the estimated cost. This does not preclude competitive bidding, but there will be many instances in which competitive bidding will be impossible by reason of the necessary speed in doing this work.

We already have a restriction that there cannot be more than 6 percent of the cost paid to any contractor. When you have competitive bidding you must have advertisements in the newspapers; you must have specifications; you must get these bids in. You must go over them and determine who are responsible, and which one is the lowest in view of all that. That takes considerable time. When we have to get these schools ready

before fall starts, why should we require that all construction should be done on competitive bidding? Let it be done when it can be done to advantage. We have placed a restriction of 6 percent on the cost that can be paid to any contractor. I say it is not practical to apply this amendment to every individual case, and it will delay the whole program.

Mr. JENSEN. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. JENSEN. I am sure that the gentleman realizes that under the cost-plus-fixed-fee basis the contractor is permitted to buy a lot of machinery and put it in on the cost of the bill. I say that that just is not good business. I say that when you have contractors all over the country who have the equipment ready to do this job, that is the place where these jobs should be let. Another thing, you say we must have specifications. Of course we must have them. The Government has those specifications to turn over to the contractors who bid on these jobs, just as they have them to turn over to the other contractor on a cost-plus-fixed-fee basis. As to the time element, I venture that it will even be in favor of the letting of these contracts by competitive bidding.

Mr. LANHAM. May I say to my friend from Iowa that in those cases where competitive bidding can be resorted to without loss of necessary time, I believe thoroughly in the principle enunciated in the gentleman's amendment. But to say that all of these contracts shall be made by competitive bidding, advertising in newspapers, specifications furnished, a certain time by which the bids must be in, is not feasible because some of this work must be done more speedily than that. Competitive bidding can be had under the provisions of this bill, but to make it mandatory in all cases would operate against the efficiency of the program.

Mr. JENSEN. Under the emergency powers which Congress has given to the President I am sure he would have the power to go ahead and say that it was not necessary to advertise for bids.

Mr. LANHAM. I am not so sure about that. I think that is a matter of law as well as a matter of regulation that could not be so easily repealed. But at any rate, it is my hope and my belief that when it is possible to award these contracts by competitive bidding it will be done. But certainly there will be instances where it cannot be done. To say that they shall all be done that way would be to tie the hands of the Administration and we would not get this work done in time to carry out some of the purposes of the bill.

Mr. BEITER. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. BEITER. The gentleman is aware of the fact that the Administrator, in all the funds allocated to the Public Works Administration, has awarded less than 10 percent of these contracts on a cost-plus basis. The others have been on a competitive-contract basis. I have talked to the Administrator on this question on several occasions. He has always preferred to let the contracts under the contract system rather than on a cost-plus basis.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. JENSEN].

The question was taken; and on a division (demanded by Mr. JENSEN) there were—ayes 21 and noes 44.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 5, line 25, insert "(d) No individual, agency, or organization shall interfere directly or indirectly, through pickets or otherwise, with the expenditure of the funds authorized or appropriated by or for the purposes of this bill, or with the operation of any facility created or operated hereunder."

Mr. LANHAM. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

Mr. HOFFMAN. Mr. Chairman, I hope the gentleman will not make a point of order against this amendment. I think the amendment is germane, and I think it will help in carrying out the purposes of the bill.

I have assumed that all those who are supporting this bill really want to see this money used to the best advantage and used solely for the purpose stated. Now it is a matter of common knowledge and a matter of proof that even schools have been interfered with quite recently by men who are on picket duty, men who are armed and who by force prevented students from attending that school.

I cite as an illustration the school maintained by Henry Ford in Dearborn, where facilities are afforded to 1,000 young men who are taking training for the Navy and merchant marine. That is not a school supported by public funds. That is a school founded and supported and its activities carried on by an individual, Henry Ford, who is training young American citizens in our time of need to be of exceptional use and value to our Nation. Yet in this strike which began April 1, picket lines at Dearborn, by force, with pieces of hose 3 feet long, clubs, bricks, and stones, closed that school and prevented those young men from going to it.

I call your attention to the fact that this bill provides for hospital facilities. In that same strike a veteran of foreign wars, a man who had served his country overseas in a prior war, who was going to that veterans' hospital for treatment, was prevented by force from going there and from receiving treatment.

Why should we establish schools? Why should we establish hospitals in part with public funds unless they are permitted to operate without interference? They are charitable institutions, are they not? In a certain sense they are governmental agencies, and yet as a matter of fact armed men prevent the use of that charitable institution to take care of the soldiers who served their country in time of war; prevent young men in training for their country's service to attend that school.

Is there any reason why such an amendment as here offered should not be adopted? I have heard none.

I will go one step further. A week or two ago a picket line was thrown around a Pittsburgh hospital. A hospital which was in part supported by an appropriation of public funds from the Commonwealth of Pennsylvania. They have a labor law in Pennsylvania, and an anti-injunction law which thoroughly protects labor. In that State, nevertheless, armed men did beat employees who were going to the hospital. They did beat sit-down strikers who were in the hospital dormitory.

I understand it is difficult to get anyone to vote for any legislation which is not supported and approved by organized labor. It does not require a great deal of courage to stand here on the floor and advocate convoys, to advocate the sending of an expeditionary force across the sea; it does not require very much courage to stand on the floor of this House and say we should lick Hitler when we know we are not going to be sent across to do any part of the fighting and when all too many citizens of our own age and lack of physical fitness are not willing even to contribute the finances to sustain such a program. Has the House the courage and the inclination to face this situation of strikes which delay national defense? Now, Mr. Chairman, I ask the Members of the House in all fairness: We are appropriating money for charitable institutions, for hospitals to care for the injured, for schools to educate the young. In the name of common sense is there any reason why we should permit any organization to interfere with that program?

This amendment will make certain that the facilities here provided are constructed or obtained and operated without improper interference, and it is no answer to say that this is not the time or the place for legislation of this nature. The Vinson bill is no answer and no one knows when, if ever, that bill will become law. For weeks it has been held up—strikes continue; defense, aid to Britain are delayed; Communists encouraged, and the House fails to meet the issue.

[Here the gavel fell.]

Mr. LANHAM. Mr. Chairman, I withdraw the point of order but I should like to make an observation.

The CHAIRMAN. The point of order is withdrawn. The gentleman from Texas is recognized for 5 minutes.

Mr. LANHAM. Mr. Chairman, we have pending a measure dealing with this whole subject of strikes and interference with production. A rule has been granted on it and we understand it will very shortly come before this House for consideration. It will refer to whatever is done in the matter of all these national-defense projects. It seems to me it would be very inappropriate, in view of the fact we are to consider that very shortly with reference to all of this legislation, that an amendment, and an amendment which in the first place may not be in accordance with the provisions of the general law that may be enacted, should be placed upon one particular

bill, the one that is now being considered and in which we need all of the dispatch possible. I think that is a subject that should be considered in the general legislation soon to come before us, and which, as I have indicated, will apply to this bill as well as to all other measures we enact.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. HOFFMAN. I appreciate the statement made by the gentleman from Texas. I assume the gentleman refers to the Vinson bill, but that bill is not broad enough to cover the situation I have called to the attention of the House.

Not only that, but I should like to call the attention of the gentleman, the chairman of the committee, and to the attention of the Members of this House—and it is a fact—that time and time again on appropriation bills we have had this very same proposition raised, and almost without exception this House has deliberately avoided the issue. All the polls show that from 75 to 85 percent of the people are against these strikes in defense industries.

Mr. LANHAM. May I say to my friend——

Mr. HOFFMAN. I beg the gentleman's pardon for making a speech in his time.

Mr. LANHAM. If the Vinson bill is not broad enough to cover what the gentleman has mentioned, then the gentleman's course would be to offer the amendment to the Vinson bill and not to this particular measure.

Mr. HOFFMAN. Pardon me, if I may add this: On this bill it will accomplish its purpose. We have ducked and dodged and yielded to the labor lobbyists for almost 9 months, and the war fever is growing and growing. Pretty quick we shall have the war and this interference with our defense right here at home. I know the procedure, but are we going to get right on it with our people?

Mr. LANHAM. I submit to my friend from Michigan and to my colleagues in the House that we are soon to discuss this general measure to which his amendment refers, applying to all legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. HOFFMAN. Mr. Chairman, may I have a division to see just how many people there are who will support this kind of legislation?

The question was taken; and on a division (demanded by Mr. HOFFMAN) there were—ayes 1, noes 39.

So the amendment was rejected.

Mr. HOFFMAN. May the RECORD show, Mr. Chairman, there was but one vote in the affirmative and that I cast that vote?

Mr. MAHON. Mr. Chairman, I move to strike out the last word. I know the time is late, but I have not taken any time on this bill and I shall not now take all the time allotted to me under the rules of the House.

There are thousands of cities and towns in this Nation that for a period of some months have been doing everything in their power to get some kind of national-defense project. They have spent tremendous sums of money making trips from various parts of the country to Washington and elsewhere trying to get national-defense projects, and, in every case I dare say, those making these applications have offered full cooperation with the Federal Government. They were willing to do anything to cooperate with the Government if the Government were willing to allot them a national-defense project.

Now, by this bill we tell those few places that have received national-defense projects, and they have been relatively few compared to the large number of cities and communities in the Nation, that we are going to authorize an appropriation of $150,000,000 to supplement the many millions that we have already spent in their communities doing this, in order to take care of recreational facilities and educational facilities. I am going to vote for this bill, but I will do so with some reluctance. In the great majority of communities throughout the Nation educational and recreational facilities are inadequate. By this bill we are going to go into certain favored communities where we have already spent Federal money rather lavishly, and we are going to spend more Federal money in order to help the local communities with their recreational and school programs. Adjoining towns which have received no national-defense projects suffer the additional slight of receiving no money for community building, and the slighted towns may have inferior school and recreational facilities. Those who have received nothing get nothing; those who have received much get more. I think a lot of people are going to be resentful about this measure. I shall vote for it with the hope that the money will be used to alleviate the most acute conditions. He will be a wise administrator who can fairly administer this bill.

Mr. SOUTH. Will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. SOUTH If the gentleman had the choice of spending money on recreational facilities or school facilities, the gentleman would prefer to spend money on the school facilities?

Mr. MAHON. I would, and I congratulate the gentleman in his efforts to try to get the schools taken care of. He has made a real contribution and I realize his interest in the problems of his own district. I do not know many towns in Texas that have adequate facilities and if we could give the necessary money to all of them I would be for it. By this bill we favor only the favored few. The local communities should do their part and I hope that those who administer this program will see to that.

Mr. PRIEST. Will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Tennessee.

Mr. PRIEST. I appreciate what the gentleman has said. May I say to the gentleman that in Davidson County, for example, where perhaps a million dollars will be needed to take care of additional educational facilities in that county, it has already been agreed to raise the tax rate 10 cents and that a $500,000 bond issue will be voted to take care of the county's part. I believe that may be true of many cases where communities are alive to their responsibility to meet their share. I just call this to the gentleman's attention and I appreciate his yielding.

Mr. MAHON. I am glad the gentleman has put that statement in the RECORD. I believe this money should go to those communities which are cooperating and where the need is the greatest.

[Here the gavel fell.]

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I do not doubt but that a case has been made out for this bill; yet I am suspicious that a large part of this money is going to be expended that would not have had to be expended at all if there had been proper judgment exercised by our various Government departments. Obviously, this committee has done a good job. We all have the utmost faith in the committee and in its chairman. The members of the committee have studied this matter thoroughly and they have turned over the administration of the bill to a department headed by a man with whom many of us, including myself, are acquainted. He impressed me as a zealous administrator.

But we have communities all over the United States, as the gentleman who just preceded me stated, coming to their Congressmen and the Administration, asking for defense industries, and all afternoon, in making out a case for this bill, the indications are that many of these industries have been placed in communities in which there were no facilities, whereas they might just as well have been placed in communities, such as in my district, where there were roads, where they had schools, and where there was plenty of skilled labor. It looks to me as if there has been something vitally wrong in the allocating of these defense industries, and I think right here and now we ought to get this information from the gentlemen of the committee who have talked with the witnesses.

Mr. McGREGOR. Will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Ohio.

Mr. McGREGOR. I concur in the statement of the gentlewoman on the feasibility and the advisability of certain locations of these cantonments and industrial centers. To my mind, the selection of these locations is a concrete example of either inability, inefficiency, or lack of care by certain department heads. It is another example of the inconsistency of certain departments that care nothing for the expenditure of the people's money. To my own knowledge, a large number of these industrial centers and cantonments should have been placed in centers where the additional money needed for facilities would be very small. It reminds me of the old days when we used to buy a Victrola. The first cost of the Victrola was very little in comparison with the cost of the rec-

ords. It seems to me those in charge went ahead and located these cantonments and industrial centers because the cost per acre was small, or possibly politics entered into it, whereas the big cost to the taxpayers of the Nation is going to be for the utilities, in order to get these cantonments and industrial centers to operate.

Miss SUMNER of Illinois. I know one case, and I expect the gentleman found worse examples, where they selected a site where they even had to dig up a cemetery. Men went from my district to work over there digging up bodies, when only a few miles away there was a community of 40,000 crying for a defense program, in which there was a surplus of 2,000 men, unemployed skilled labor, and with every kind of facility, that would have avoided such an expense.

[Here the gavel fell.]

Mr. POAGE. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, while my district is one of those that has not received any defense industries, I cannot join in the criticism of the Republican Members of the Cabinet, the Secretary of War and the Secretary of the Navy, for the selections they have made of sites. I feel that those gentlemen have been doing a patriotic work and have been selecting sites from the standpoint of what they consider is best for national defense. Down in central Texas we feel they have overlooked some fine sites but we do not question their motives. Of course, sometimes the sites selected require additional expenditures. This bill makes provision for such additional expenditures for the things that are necessary to make the camps and the industries function best in the defense of the Nation. That is the necessity for this bill, of course. It is for the reason that it will in substantial measure assist in the defense of the Nation that I shall support the bill, as I am sure the great majority of the Members of this committee will do.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I did not mean that I was not going to support this bill. I do not doubt the need for this bill. However, it seems to me that a little prevention ahead of time would have prevented much of the need for it.

Mr. POAGE. I understood the gentlewoman from Illinois was going to support the bill, but I did understand that Members of the minority party had criticized their own colleagues who occupy positions in the Cabinet on the selection of sites.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Ohio.

Mr. McGREGOR. I retain the right to criticize anybody who is throwing money to the four winds of heaven, regardless of whether he is a Republican or a Democrat.

Mr. POAGE. The gentleman certainly has that right. I feel that these men have done good work. I am glad to commend anyone, whether he be a Democrat or a Republican, for the good work he has done. I feel that these two men in the Cabinet have done splendid work and are going to continue doing so. They have emphasized the need for speed and correctly so. I hope that in the future they will be able to go further toward decentralization of industry.

This bill, in addition to doing a splendid, needed piece of work, is going to involve a whole lot of waste, and there is no getting around it. You are not going to spend $150,000,000 for purposes such as these and in the haste in which you must spend it without having a lot of waste.

This afternoon we are going to support this bill. We are going to vote $150,000,000 because we recognize that it is important to see that there is no slack in our defense anywhere. We know it is better to spend some money wastefully than to let things that need to be done in defense of the Nation go undone. Therefore, we are going to vote for this bill.

There is going to come before this House some time in the sweet bye-and-bye, whenever the conference committee gets around to bringing it in, which may be some time next fall, a conference report on the agricultural appropriations bill. I am hopeful that the report will contain enough money in the way of parity payments to give some small portion of the parity that has been promised to the American farmers for a long time, which will not be a large amount. It will not be an amount much larger than this bill, yet it will bring a living standard to millions of farm people over the United States, to one-third of the people of this Nation.

I am wondering if the Members of this House are going to be so solicitous about those weak links in our defense when that bill to provide some semblance of a fair living standard for the farmers of the Nation comes before the House. It is just as essential to feed and clothe the people who produce our food as it is to entertain those who produce our munitions. Too many times I have seen this House willing to accept anything in the name of defense, anything in the name of labor, but nothing for the farmer. [Applause.]

[Here the gavel fell.]

Mr. LANHAM. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I believe it is a wholesome sign that just before the passage of this bill we have had this discussion about some of the reasons why the bill has become important and necessary. I am among those who expect to vote for this bill, and I shall vote for it as the gentleman from Texas is going to vote for it, with reluctance, because it seems to me that wise planning in the distribution of our defense projects would have obviated the necessity of now coming back and taking from our impoverished Treasury $150,000,000 which might better be used for bombing planes or for battleships or tanks than for building schoolhouses and recreational centers in areas which are overcrowded. Since these areas are overcrowded, I believe we should follow the recommendation of this committee and make the facilities available, but how easy it would have been to have prevented much of that overcrowding in the first place if the Office of Production Management and the Procurement Divisions of the Army and the Navy, instead of putting these defense projects into areas which are overcrowded, had distributed them across the face of America, including that great area in the Middle West in which we have been losing population of late, in which we have an abundance of educational institutions, and in which we have a surplus of recreational facilities waiting for people to utilize them.

My only point in speaking at this late hour is simply that I hope the Office of Production Management, the Secretary of War, and the Secretary of the Navy, will not utilize the ease with which they have belatedly secured this $150,000,000 to continue the policy of unwisely crowding defense projects into congested areas, but that they will in the future place them throughout the areas of this country which are able to absorb the population and take care of the people who would be put into the defense industries.

Mr SOUTH. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Texas.

Mr. SOUTH. Mr. Chairman, I call the attention of the gentleman to the fact that these areas are crowded now, simply because of this influx, and if you put it in some other town, that other town would have been crowded also because in many instances more people have moved into a given area than already live there, thus doubling the population. It is inevitable.

Mr. MUNDT. To a certain extent that is correct, but to a certain extent it is not. When we take the map of the United States, as recently published in the United States News, and you find that nine Midwestern States have secured something less than 5 percent of the total defense projects, while they represent almost 25 percent of the area of this country, we recognize that they have proceeded upon the basis of the rich getting richer and the poor getting poorer, and of the larger cities growing larger and the more sparsely settled communities becoming more sparsely settled.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. Yes.

Mr. SPARKMAN. In line with the gentleman's statement, I noticed a statement the other day giving the amount of defense orders that have been given out, and I remember that several States were taken and the orders analyzed according to population. If I remember correctly the State of New Jersey, for instance, with 3 percent of the population obtained over 11 percent of

the defense orders. Does not that necessarily make that area a siphon to draw population from these other sections of the United States?

Mr. MUNDT. That is absolutely correct. It tends to further dislocate the population of this country. If the area of the State were to be enlarged in accordance with the amount of defense orders, it would make the State of New Jersey as large as the State of Texas. I have nothing against the State of New Jersey, but I think the time has come when those in charge of procurement work should recognize that there are 48 States of the Union, and work should be distributed from the standpoint of not overcrowding congested areas and new defense plants should be located so that population will not be so highly concentrated in big-city areas that the Federal Government will be requested to finance service projects at taxpayers' expense.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. Yes.

Mr. BUCK. I admit that as far as the Government has existing facilities such as Norfolk, Va., or Mare Island Navy Yard, the Government should utilize those to the fullest extent, and expand them.

Mr. MUNDT. Surely.

Mr. BUCK. In the case of Norfolk the rate of expansion has been from 5,000 men employed to 17,000 men, and in the case of Mare Island from 5,000 to 18,000 men. Obviously there will be local readjustments which must be made, and which are dependent upon Government activity.

Mr. MUNDT. That is unquestionably true. And not all of this $150,000,000 is now being spent because of short-sighted allocations of defense projects. In some instances population dislocations are inevitable. My protest is merely against a policy whereby big cities send delegations to Washington pleading for defense projects to further overcrowd their accommodations and then having secured the projects they return with an upturned palm begging for hospitals, schools, parks, et cetera, to take care of the people employed in defense industries. We in the Middle West are thus enduring a double discrimination. In the first place, we do not get anything resembling a pro rata portion of defense industry and in the second place we have to pay extra taxes to buy schools for cities enjoying the increased trade and better business produced by defense employment. I hope that in the future, Mr. Chairman, our defense industries will be more wisely distributed so that all of our States can share proportionately from expenditures which all of our States must proportionately pay. [Applause.]

The CHAIRMAN. The time of the gentleman from South Dakota has expired. All time has expired. Under the rule the Committee will rise.

Accordingly the Committee rose, and Mr. THOMASON having assumed the chair as Speaker pro tempore, Mr. CASEY of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4545, and pursuant to House resolution 200, he reported bill back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered. Is a separate vote demanded on any amendment? If not the Chair will put them en gross. The question is on agreeing to the amendments

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks by including some information I received from the State Department.

The SPEAKER pro tempore. Is there objection?

There was no objection.

DELAYS IN DEFENSE INDUSTRY

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, since last November I have been seeking to ascertain what power the authorities of the Federal Government now have to prevent delays in our national-defense program. I have recorded from time to time my findings in the CONGRESSIONAL RECORD. On April 19 I received the following letter from the President of the United States:

THE WHITE HOUSE,
Washington, April 19, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: I have your letter of April 9, 1941, inquiring as to the authority now possessed by the Federal Government to terminate delays resulting from industrial disputes in the event the Conciliation Service and the National Defense Mediation Board are unable to effect a settlement.

I have asked the Secretary of Labor to go into this question and to reply to your inquiry.

Sincerely,

FRANKLIN D. ROOSEVELT.

The Secretary of Labor wrote a letter to me April 23, in which she stated the letter I had written the President was referred by her to the Solicitor of Labor, Mr. Gerard D. Reilly. The reply of the Secretary of Labor follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, April 23, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN BECKWORTH: The President has referred to me for reply your letter dated April 9, inquiring as to the authority now possessed by the Federal Government to terminate delays resulting from industrial disputes which the Conciliation Service and the National Defense Mediation Board are unable to settle.

I have asked the Solicitor of Labor to go into this matter, and as soon as his investigation is completed I shall be glad to communicate further with you.

Sincerely,

FRANCES PERKINS.

This morning I received another letter from the Secretary of Labor which accompanied the memorandum prepared by the Solicitor of Labor. The memorandum relates to the power which the Federal Government now has to prevent delays in our national-defense program. Paragraphs 2, 3, 4, and 5 are particularly significant in that they concern the power with which the President is now vested to prevent delays, according to the Solicitor of the Labor Department. A rather important and significant statement concludes the memorandum which I quote:

And, finally, for the occasional situation in which both prevention and impartial mediation are unsuccessful, the Government has authority to step in and act directly to assure resumption of production or an adequate alternative source of supply.

The letter I received from Madam Perkins this morning and the memorandum submitted by Mr. Gerard D. Reilly which accompanied the letter of the Secretary of Labor follow:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, May 8, 1941.

Hon. LINDLEY BECKWORTH,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN BECKWORTH: In my letter to you of April 23, 1941, I indicated that I was requesting the Solicitor of Labor to make a study of the various devices available to the Federal Government to prevent delays resulting from industrial disputes. The Solicitor has prepared a memorandum on this subject and I am forwarding a copy of it herewith for your information.

Sincerely,

FRANCES PERKINS.

DEPARTMENT OF LABOR,
OFFICE OF THE SOLICITOR,
Washington, May 8, 1941.

MEMORANDUM FOR THE SECRETARY OF LABOR

You have asked me to make a study of the various possible types of authority available to the Federal Government to bring about termination of delays resulting from industrial disputes which are not settled by the Conciliation Service and the National Defense Mediation Board.

It will be readily apparent, of course, that the circumstances surrounding particular disputes will have great bearing upon the powers that may be invoked by the Federal Government. It should be noted, however, that the President in particular has broad authority to deal with industrial disputes which may arise in connection with national defense.

Under section 9 of the Selective Training and Service Act of 1940 (50 U. S. C. 309) the President has authority, through the appropriate branch of the Army or Navy, to take immediate possession of any plant or plants owned by any person or corporation or organized manufacturing industry which refuses to manufacture the kind, quantity, or quality of arms or other supplies ordered by the head of the War or Navy Departments.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. HOFFMAN. Mr. Speaker, I have a special order for 10 minutes. Would

it be permissible to yield 5 minutes of that time to the gentleman from Texas?

The SPEAKER pro tempore. If the gentleman asks for it.

Mr. BECKWORTH. I do, Mr. Speaker.

Mr. HOFFMAN. I yield 5 minutes to the gentleman.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 additional minutes.

Mr. BECKWORTH. Mr. Speaker, I will read further from this letter written by the Solicitor:

This provision closely follows the language of section 120 of the National Defense Act of 1916 (Chap. 134, 39 Stat. 120). Insofar as it has been changed it is broader, for the earlier act limited the authority of the President to such action in a time of war or when war was imminent, and it was limited to obtaining equipment for the Army rather than for both the Services.

World War precedent indicates that section 9 of the Selective Training and Service Act is adequate authority for the Government to take possession of a plant in which the owner or management refuses to make a reasonable settlement of an industrial dispute which has resulted in a stoppage of production. During the World War, the workers of the Smith & Wesson Co. struck because of discrimination against members of the union and other types of antiunion activities. The case was considered by the War Labor Board. The company, however, refused to recognize the jurisdiction or authority of the War Labor Board to make an award and, on September 14, 1918, its facilities were commandeered under the provisions of section 120 of the National Defense Act. This section, as stated above, is almost identical with the provision of section 9 of the Selective Training and Service Act.

Under section 9 of the Selective Training and Service Act, a refusal to produce would not be excused on the grounds of impossibility if a contractor asserted that he could not come to terms with suppliers of essential raw materials. Similarly, a refusal to agree with employees on terms deemed fair and just by the National Defense Mediation Board would hardly seem to constitute justification for a refusal to produce necessary equipment or supplies for the Government.

Apart from the authority found in the Selective Training and Service Act, plenary power is vested in the Government under chapter 427 of the Laws of 1940, Public, No. 664, Seventy-sixth Congress, third session, to acquire plants by purchase and engage in the manufacture of strategic and critical materials. Thus, if an industrial dispute at a particular plant prevents production of vital defense materials, the Government presently has authority through the Reconstruction Finance Corporation to purchase the particular plant or another capable of producing the type of material involved.

Although, as indicated above, the Government may take over plants and operate them, such extreme action would seem inadvisable except as a last resort. The experience of the past demonstrates, moreover, that the force of public opinion is far more effective than the exercise of general Governmental compulsion.

In this connection it is worth recalling that the recurrent suggestion of prohibiting by law all strikes was never adopted by this country during the World War and that it has not been adopted even by the belligerents in the present conflict. In no democratic country has it proved possible to prevent strikes by legislation as is evidenced by experience under the Canadian Industrial Disputes Investigation Act of 1908, the Australian Compulsory Arbitration Statute of 1904, and the Munitions of War Act of July 1915 in Great Britain.

During the World War the War Labor Board, which had no greater coercive power than the present National Defense Mediation Board, was able to bring about settlement of every serious industrial dispute referred to it except three. Reference has already been made to one of these, the Smith & Wesson case.

A second situation involved the refusal of the Western Union Co. to abide by an award of the War Labor Board requiring it to cease discriminating against union employees. In this case, the company's refusal resulted in an order by the President, pursuant to an enabling joint resolution of Congress, taking over the operation of the company's properties.

The third case in which the award of the War Labor Board was not successful in bringing about a termination of a stoppage of production was the case of the Bridgeport munitions workers. In this case, some of the striking workmen refused to abide by the award of the Board, and the President ordered the workers to return to work under threat of withdrawal of draft deferment and deprivation of employment through the Federal Employment Service. (But see the comment of the Provost Marshal General in his report rendered December 20, 1918, at p 76, and the first proviso in sec. 9 of the Selective Training and Service Act, title 50, sec. 309, U. S. C.)

When it is remembered that these instances are 3 out of almost 500 cases in which that Board made awards, it will be seen how potent is the force of a tribunal acting fairly and supported by the force of public opinion.

Even more effective than machinery for the termination of delays resulting from industrial disputes which have matured into actual stoppages of production are the possibilities for the establishment of machinery designed to prevent the occurrence of industrial disputes which produce stoppages in production. With the suspension of Revised Statues, section 3709—the lowest-bidder statute—in its application to most of the defense purchasing, it is possible for the Government to utilize contractual machinery to bring about a further stabilization of industrial relations through provisions for the orderly and peaceful settlement of labor-management problems.

It was this general objective, of course, which prompted much of the recent discussion concerning the inclusion in Government contracts of provisions whereby contractors would agree to refrain from the type of practices which are forbidden by the National Labor Relations Act and other existing Federal legislation. Such legislation is designed to further industrial peace by prohibiting practices such as refusal to bargain collectively with employees, discrimination against employees on account of union membership, etc., which experience has demonstrated to be productive of industrial strife and consequent stoppages of production.

There are many possibilities for the utilization of the Government contractual machinery in the present defense program to bring about the type of stable and orderly industrial relations which is least likely to be productive of disputes and stoppages. These possibilities are as varied as are the different industrial situations which prevail throughout the country. Some possible examples may be suggested.

In the first place, the Government can conduct its purchasing program in such a way as to rely primarily on those firms and corporations whose experience in industrial relations gives a high degree of assurance that production will not be interrupted and delayed by stoppages resulting from strikes. Experience has demonstrated that stable industrial relations usually are found where collective bargaining between employer and employees is the established practice. This fact is emphasized by recent strike statistics compiled by the Office of Production Management indicating that something like 83 percent of the man-days lost on defense production has been attributable to employee efforts to establish for the first time recognition of collective bargaining.

Further possibilities for avoiding delays through the wider use of contractual machinery can be envisaged. Thus, in many industries the collective-bargaining agreement between employer and employees contains a no-strike or lock-out provision. Such provisions are currently operative with respect to the great majority of employees covered by union agreements in many of the basic defense industries. Such clauses—i. e., no-strike and no lock-out provisions—might well be included in all agreements and the contractual machinery of the Government might encourage this practice.

By appropriate contract provisions between the Government and contractors a wider use of this device could be encouraged. Similarly, by the inclusion of appropriate contract provisions the Government could encourage defense contractors and employees to establish continuing relations and to establish permanent machinery for the arbitration or other peaceful settlement of disputed matters.

These examples of possible use of the Government contracting program to extend the use of machinery designed to prevent the occurrence of aggravated disputes which produce stoppages and for the peaceful settlement of disputes are in no sense exhaustive but will serve to indicate the possibilities inherent in this avenue of approach.

In summary, it may be said that the principal devices available to the Government for assuring uninterrupted production for national defense are the following: First, the use of its purchase program in such a way as to rely upon plants where employer-employee relations give highest assurance of their capacity to produce without stoppages resulting from industrial disputes; second, the use of the Government's purchasing program to encourage the establishment of the basic conditions of industrial peace and maximum production, i. e., the establishment of sound and continuing machinery for dealing with employer-employee problems; third, the use of governmental machinery, such as the Conciliation Service and the present National Defense Mediation Board, for dealing fairly and in the public interest with those disputes which reach such an aggravated stage as to delay production; and, finally, for the occasional situation in which both prevention and impartial mediation are unsuccessful, the Government has authority to step in and act directly to assure resumption of production or an adequate alternative source of supply.

GERARD D. REILLY,
Solicitor of Labor.

STATUE OF THE LATE HON. HUEY P. LONG

Mr. BROOKS. Mr. Speaker, I call up Senate Concurrent Resolution No. 9, providing for the acceptance of a statue of the late Hon. Huey P. Long, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the Senate concurrent resolution.

The Clerk read as follows:

Senate Concurrent Resolution 9

Resolved by the Senate (the House of Representatives concurring), That the statue of Huey P. Long, presented by the State of Louisiana to be placed in Statuary Hall, is accepted in the name of the United States, and that the thanks of Congress be tendered the State for the contribution of the statue

of one of its most eminent and illustrious citizens; be it further

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of the State of Louisiana.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an address delivered by Hon. J. F. T. O'Connor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the third of a series of articles concerning the St. Lawrence seaway.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee of the Whole this afternoon and to include as a part of those remarks the instruments referred to, namely, a letter under date of April 28 from Dr. Lubin, of the Bureau of Labor Statistics, and a copy of an article from the New York Times under date of April 13, 1941, and some statistical material entitled "Table B," furnished by the Bureau of Labor Statistics.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the prize-winning oration in the national high-school contest conducted by the American Legion.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend and revise the remarks I made in the Committee of the Whole today and insert certain newspaper comments.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend and revise the remarks I made in the Committee of the Whole today and to insert an editorial from the Christian Science Monitor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter from two of my constituents to the President.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of the legislative business for the day, I may address the House for 10 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of the legislative business for the day, I may address the House for 10 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Speaker, the letter read by the gentleman from Texas [Mr. BECKWORTH] indicated that the President had authority to take care of these strikes, but he has not done it, and Congress cannot shirk its responsibility much longer.

I want to congratulate the House today on the smoothness—and I do not know the word——

Mr. JONES. Dispatch.

Mr. McGREGOR. Adroitness.

Mr. HOFFMAN. Well, anyway, the way it avoided its responsibility when it had an opportunity to do somthing to end these strikes.

The SPEAKER pro tempore. Under a previous special order of the House the gentleman from Ohio [Mr. VORYS] is recognized for 20 minutes.

Mr. VORYS of Ohio. Mr. Speaker, amid the confusion, doubt, and debate as to whether we should go into this war, whether we are already in, whether we should use our Navy now to save the British Navy so that it can save us, whether by calling it something besides convoying or war we can fool our own people and fool Hitler, one thing is perfectly clear—we are not ready for a real American war offensive. We may send "token" expeditionary forces now of ships, planes, or men, we may take part in heroic evacuations, but we are not ready for a real American fighting offensive. If we abandon aid "short of war," we may find ourselves in war "short of aid."

On the other hand, the time is now ripe for an American peace offensive. While this may sound surprising, an analysis of our situation should make the most ardent interventionist agree with the most zealous isolationist that this should be our course now.

Of course, we have not been thinking about peace, and, therefore, many will say this is not the right time. They forget that once we are in war there never is a "right time" to discuss peace. Once we are in we must never talk peace if we are losing, for that would be defeatist; never talk peace if there is a stalemate, for that would look as if we were losing; never talk peace when we are winning, for that would concede the other side had a chance.

Gen. William Tecumseh Sherman, one of our greatest generals said: "War's legitimate object is more perfect peace." That object cannot be freely discussed during a war; sad experience shows us that it cannot be wisely determined in the flush of victory after a war.

The time for us to propose peace in Europe is before we start to fight. The best time to prepare and launch a peace offensive is now.

If Britain is losing and must sue for peace soon, we can open negotiations far better than she can, and an American peace offensive now could be our most effective aid to Britain.

If, as seems more likely, a stalemate lies ahead, we can propose peace better now than if we are in.

If Britain is winning, then for reasons which Mr. Clarence Streit has mentioned and in order to preserve what former Ambassador Bullitt calls our "moral authority," we had better obtain some commitments while we are needed by the British.

In any case, war is not inevitable, but peace is inevitable, and we can discuss peace better now before we have started to fight.

A PEACE OFFENSIVE NOW

Is there a chance for an American "peace offensive" at this time? Both Lindbergh, from one extreme, and Dorothy Thompson, from the other, have indicated we have such a chance. President Wilson conducted a successful peace offensive in the last war. We once settled the Russo-Japanese war. The question is now being discussed in Britain. For instance, the April memorandum of the Imperial Policy Group points out that there are two "vigorous" schools of thought as to whether "to offer tempting peace to the German people in order to induce them to throw off their present policies," and then suggests that if this policy is to be followed, "then we should propagate it with the utmost vigor in order to gain the maximum advantage."

THE CHANCES FOR PEACE NOW

There are many who say that peace talk with Germany now is impossible. Joseph Choate, when asked whether he could play the violin, said, "I don't know, I never tried." No one can say that real peace talk with Germany is impossible, because it has not been tried since the war began. So far Hitler has had all the psychological advantages that go with peace proposals. From such information as we can obtain, however, there would seem to be a good chance for an American peace offensive which is worth trying. We learn through many leaks in the censorship that the German people want peace. Germany has had enough aerial bombing, has lost enough men, to bring the "glories" of war home to the people. Among the German people are many who fear the dynamism of Hitler, who fear that each Nazi victory merely sets the stage for further fighting, further suffering. The German soldiers in the occupied countries are becoming restless. We hear on good authority that the possible entry of America into the war brings up ominous memories in Germany. We can start peace proposals better now than after we are in.

DEMOCRACY'S PEACE AIMS

What are our peace aims? The two great spokesmen for our side, President Roosevelt and Prime Minister Churchill, have been reticent and vague on this sub-

ject. President Roosevelt has promised everyone the four freedoms and self-determination. Mr. Churchill has said he favored a few "practical measures of reconstruction," but disliked all talk of a new order and wanted to preserve traditional England. Harold Laski and many others in Britain are discussing British peace aims and are insisting that a democratic new order be adopted in England now, not after the war.

The self-labeled 1941 committee commentary has suggested that Britain must "win the peace," as well as the war, and has suggested a program.

Mr. J. B. Priestley has gotten into difficulties as a radio commentator because of his impatience to discuss peace aims.

The Malvern Conference of the Church of England stated a peace program which proposed "a cooperative commonwealth as a new order for Europe." The Pope has presented to the world the peace aims of the great Catholic Church.

In this country Vice President WALLACE, making an unusual speech for a Vice President and doubtless with the approval of the administration, has publicly suggested a Pax Democratica with a bill of rights and a bill of duties.

While statesmen and politicians are vague and brief as to peace, while editors and columnists who are so helpful in predigesting ideas for us are for the most part silent as to peace talk, the church people are talking peace. A number of conferences are being held to attempt to formulate into a workable program the Christian ideal of peace on earth among men of good will. Dr. E. Stanley Jones, a great Methodist missionary and world statesman in the realm of the spirit, has said that America's role in this crisis should not be that of intervention or arbitration but of mediation, to produce a cooperative world centered around one idea—equality of opportunity. He suggests for discussion a seven-point program.

THE WAR AND THE REVOLUTION

Many Americans are struggling to formulate and state our peace aims. Their proposals are all vague and various, as they must be on a vital question that has had so little attention. They have one thing in common—none of them describes a world, an America, such as we now know. They also reflect what every real student of this war knows—that a world revolution is going on as a part of, and cause of, and result of this war. There is violent disagreement as to just what this revolution is. It is called a revolution against the west, against Roman law, Greek logic, Christian idealism, against democracy, against the "haves." The gentleman from Mississippi, Congressman JOHN RANKIN, a New Dealer who voted for the lend-lease bill, put it this way in the House debate: "There are at least two things in this world that have come to an end—domination of the world by floating navies, domination of the financial world by the gold standard." A revolution against gold and naval power! James Burnham calls it "the managerial revolution," a label approved by Stuart Chase as something different from capitalism or socialism. I can think of no better quick description than this—a revolution against free capitalism. It is going on in every country, going on in the United States. So far it is not our war, but it is our revolution. If we could only understand it, and in some way think it out instead of fighting it out, as we fought out the Protestant revolution, the French Revolution, the industrial revolution, we could make this a better country, a better world.

SUGGESTIONS FOR DISCUSSION

I have some suggestions for peace aims for America. Like the others, they are vague—a basis for discussion rather than a final set of demands:

First. We will preserve this country as a republic and work out the internal effects of this world-wide movement on our system by peaceful, intelligent evolution—not by violent, blind revolution.

Second. We will preserve our hemisphere intact against the military or political aggression of the world.

Third. We recognize the right of similar areas to preserve themselves intact against our military or political aggression.

Fourth. We believe that neighboring states must learn to live together peacefully in union, as we have. We will not approve of the domination of one race, or one nation, or one man. We are opposed to unions or axes based solely on color, language, race, or ideologies. We want a regime in Europe that is not a balance-of-power mosaic. We believe people who live near each other must unite in peace.

Fifth. We believe in equality of opportunity for all nations in markets, raw materials, acquiring land, and emigration to all undeveloped lands.

Sixth. We believe in reciprocity of opportunity as to markets, materials, land, and emigration as between developed lands.

Seventh. We will do our part in maintaining world peace, order, and justice based on these principles; we will not enter any arrangement that inevitably involves an immediate war.

Eighth. We will participate in progressive disarmament.

AMERICA SHOULD LAUNCH A PEACE OFFENSIVE

We should immediately formulate our peace aims. We should debate among ourselves in this country the definite proposals we shall make for peace, so that we will not be merely begging for a peace conference, but will be making a real peace offensive. We are neither appeasers nor defeatists. We would at the same time make it clear that we were not attempting to dictate but were offering the friendly services of mediation.

We could offer the promise of food, money, and materials, as an inducement to make peace and keep the peace. We could threaten the use of tariffs and embargoes against those who fail to keep the peace. Whether I approve of it or not, the possibility of our joining the war would be involved in the refusal to consider our proposal of mediation, under present circumstances.

We would not have to rely on Hitler's word for the keeping of such a peace. Terms could be arranged for impounding arms by both sides, joint or international control of strategic positions, other conditions applicable to both sides that would involve no loss or injury to any nation intending to keep the peace, so that peace would depend upon more than Hitler's promise. If all the other terms were satisfactory, if both sides were subject to the same requirements for guaranteeing the peace, and if Hitler alone refused these guaranties and insisted upon continuing the war, we would have found a way to separate the German people from their leader. In order to make such a peace offensive effective, however, it must be made intelligently and in good faith. I do not know whether it would work. The time to try it, however, is before we go in. We will never have such a chance again.

But some will say this would only be a truce. I do not think so, but always before we have thought each war was the last war and at the end that we were entering perpetual peace. Perhaps it would be wise for us to know this time that war would come again unless we waged peace as bravely and wisely as we wage war.

Are we in danger of defeat in peace? Cannot we make our American system work better than any other? Have we no faith in persuasion versus propaganda, Yankee ingenuity versus slave labor, republican government versus any other kind, Christian love versus pagan hatred?

The final decision cannot long be postponed, but the decision is not confined to going into war or staying out. Our country has a third alternative. It can launch a definite, vigorous peace offensive.

Congress can aid in formulating such a policy, the people can urge it, but the President alone can launch it and carry it to a successful conclusion. It is the President who must make the decision that now confronts the Nation, for power has been gathered into his hands.

If the decision is for war the responsibility is the President's. Congress will not be held responsible, for the President asked for the powers granted in the lease-lend bill on the guaranty that it would keep us out of war. His Cabinet is pressing for war, but the President's Cabinet are his appointees under his control, and the President cannot transfer his responsibility to them. Nor will war blame rest upon the people, for they have never had a chance to vote on war.

Not the Congress, not the Cabinet, not the people, but the President will be responsible if there is war.

On the other hand, if the President's decision is for an all-out effort to bring the war to an end the glory of that decision will be his, for he will make that decision under the heaviest pressure from his intimate advisers and from foreign governments that any Executive has ever endured. We cannot share this responsibility but the peace-minded people of this Congress and of this country should give the President their unceasing encouragement to stand fast in this crisis.

My countrymen, America has not led the world in war. I feel certain we could, but before we risk everything in trying it, let us risk nothing by trying to lead the world in peace—something in which we know we can lead the whole world.

We have our faults and our frailties, but after all, in cold blood, the Nazis are not the greatest nation on earth, Britain is not the greatest nation on earth—we are the greatest nation on earth. We owe it to thousands abroad who are otherwise sure to die this year to give them the chance to live in peace, before we send our thousands to die with them.

The SPEAKER pro tempore. Under a previous special order of the House the gentleman from Ohio [Mr. JONES] is recognized for 10 minutes.

Mr. JONES. Mr. Speaker, I am advised by a constituent of mine that the Lima office of the N. Y. A. has received orders to requisition mobile radio equipment to be installed in two staff cars. They also have been instructed to requisition a short-wave transmitter and to requisition a sound truck.

Similar equipment, my informant states is to be installed in N. Y. A. offices and in official cars all over the State and presumably all over the entire country, so that upon a moment's notice, orders or instructions can be transmitted to offices throughout the country and to officials riding in automobiles. The system will be similar, but more effective, than the usual police or State police mobile radio equipment.

The significant thing about this is that the Government frequencies in the region of 26,000 kilocycles are being assigned. This frequency band is an excellent one for long- and short-distance communication with low-powered mobile equipment. Coast to coast communication is often possible in this band.

Coming closely on the heels of the action of the F. C. C. in ordering N. B. C. to dispose of one of their networks, this procedure of handing to the N. Y. A. a vital part of our radio communications system, plus sound-truck propaganda wagons, causes me more concern about what the purpose of this kind of action and the purchase of radio equipment is for. I wonder why a civilian organization such as the N. Y. A. should be in need of that kind of equipment in normal times? What is the need for it?

I wish some Member of the House would explain the necessity for it at a time when we are thinking of all-out defense efforts for the preservation of our country and why it is necessary to spend money on a civilian organization for this type of equipment? I think if there ever was a time when we must stop the foolhardy expenditure of money, now is the time. If somebody can give a valid reason for this sort of action, I would like to hear about it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ROMJUE, indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 774. An act to authorize the Pennsylvania Railroad Co., by means of an underpass, to cross New York Avenue NE., to extend, construct, maintain, and operate certain industrial sidetracks, and for other purposes; to the Committee on the District of Columbia.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 392. An act for the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased, and

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

ADJOURNMENT

Mr. LANHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.), under its previous order, the House adjourned until Monday, May 12, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Monday, May 12: Proponents and representatives of the Corps of Engineers for other projects in other regions and in other parts of the United States.

2. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

3. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2855, entitled "A bill to provide for restoration of pension to certain dependent parents upon termination of remarriage, and for other purposes," by Mr. WEAVER of North Carolina; and H. R. 1099, entitled "A bill to remove discriminations against disabled retired enlisted men of the Army, Navy, Marine Corps, and Coast Guard who served in war," by Mr. LESINSKI, of Michigan. The hearings will be held Tuesday, May 13, 1941, at 10:30 a. m. in room 247, House Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

529. A letter from the Secretary of Commerce and chairman, United States Golden Gate International Exposition Commission, transmitting a detailed report on Federal participation in the Golden Gate International Exposition, San Francisco, Calif., 1939–40, together with a financial statement as of December 31, 1940; to the Committee on Foreign Affairs.

530. A letter from the chairman, the Textile Foundation, transmitting the Annual Report of the Textile Foundation for the fiscal year ending December 31, 1940; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4632. A bill authorizing vessels of Canadian and British registry to transport iron ore on the Great Lakes during 1941; with amendment (Rept. No. 515). Referred to the Committee of the Whole House on the state of the Union.

Mr. HESS: Committee on Naval Affairs. H. R. 4305. A bill to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941; without amendment (Rept. No. 516). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 4693. A bill to amend the National Housing Act, and for other purposes; without amendment (Rept. No. 517). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAAS: Committee on Naval Affairs. H. R. 3149. A bill providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty; with amendment (Rept. No. 518). Referred to the Committee of the Whole House on the state of the Union.

Mr. FLAHERTY: Committee on Naval Affairs. H. R. 3537. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; with amendment (Rept. No. 519). Referred to the Committee of the Whole House on the state of the Union.

Mr. IZAC: Committee on Naval Affairs. H. R. 3782. A bill establishing an Office of Budget and Reports in the Navy Department, and for other purposes; with amendment (Rept. No. 520). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. H. R. 4671. A bill to authorize a plant-protection force for naval shore establishments, and for other purposes; with amendment (Rept. No. 521). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOTT: Committee on Naval Affairs. H. R. 3783. A bill authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes; with amendment (Rept. No. 522). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 4533. A bill to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs; without amendment (Rept. No. 523). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 4700. A bill to provide for priorities in transportation by merchant vessels in the

interests of national defense, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

H. R. 4701. A bill to amend section 4471 of the Revised Statutes, as amended; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEAGALL:

H. R. 4702. A bill to extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes; to the Committee on Banking and Currency.

By Mr. SECREST:

H. R. 4703. A bill to amend sections 12 and 13 of the Copyright Act of March 4, 1909, to secure the prompt deposit of copyrightable material into the Library of Congress and prompt registration of claims of copyright in the Copyright Office, and for other purposes; to the Committee on Patents.

By Mr. MARCANTONIO:

H. R. 4704. A bill to provide for security against unemployment; to the Committee on Labor.

By Mr. HARE:

H. R. 4705. A bill to revise the method of determining the annual payments to be made by the United States to the several States in which conservation lands subject to the jurisdiction of the Department of Agriculture are situated, to repeal existing acts inconsistent herewith, and for other purposes; to the Committee on Agriculture.

By Mr. MAY:

H. J. Res. 183. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia; to the Committee on Military Affairs.

By Mr. BRADLEY of Pennsylvania:

H. Res. 202. Resolution for the consideration of H. R. 4671; to the Committee on Rules.

By Mr. FLAHERTY:

H. Res. 203. Resolution for the consideration of H. R. 3537; to the Committee on Rules.

By Mr. IZAC:

H. Res. 204. Resolution for the consideration of H. R. 3782; to the Committee on Rules.

By Mr. MOTT:

H. Res. 205. Resolution for the consideration of H. R. 3783; to the Committee on Rules.

By Mr. MAAS:

H. Res. 206. Resolution for the consideration of H. R. 3149; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Puerto Rico memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 15, with reference to freight rates; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the Territory of Puerto Rico memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 11 with reference to Social Security Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Puerto Rico memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 10, with reference to the official language for teaching in Puerto Rico; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the Territory of Puerto Rico memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 4, with reference to levy taxes on branch national banks; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H. R. 4706. A bill granting an increase of pension to Bertha M. Knapp; to the Committee on Invalid Pensions.

By Mr. BEITER:

H. R. 4707. A bill to correct the military record of Edward Reidell; to the Committee on the Merchant Marine and Fisheries.

By Mr. DIMOND:

H. R. 4708. A bill for the relief of Mrs. P. A. Anderson; to the Committee on Claims.

By Mr. HENDRICKS:

H. R. 4709. A bill granting a pension to Annie Mae Hughett; to the Committee on Invalid Pensions.

By Mr. TENEROWICZ:

H. R. 4710. A bill granting a pension to Mrs. Bertha Schulz; to the Committee on Invalid Pensions.

By Mr. HENDRICKS:

H. R. 4711. A bill granting a pension to Emma E. Raymond; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1, of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1020. By Mr. CROWTHER: Petition of sundry residents of Schenectady, N. Y., urging passage of House bill 4000; to the Committee on Military Affairs.

1021. By Mr. FLAHERTY: Petition of the Western Massachusetts Association of Mayors, Selectmen, and County Commissioners, commending the administration of the National Youth program in Massachusetts, and urging expansion of this worth-while program; to the Committee on Appropriations.

1022. Also, petition of the Western Massachusetts Association of Mayors, Selectmen, and County Commissioners, urging continuance of the Work Projects Administration in its present form for the fiscal year 1942 and that emphasis be placed in the elasticity of operations with particular reference to national-defense projects; to the Committee on Appropriations.

1023. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging enactment of the Townsend recovery plan of old-age pensions; to the Committee on Ways and Means.

1024. By Miss RANKIN of Montana: Petition of the Silver Bow Trades and Labor Council, Butte, Mont., signed by Thomas J. Kennedy, secretary, opposing propaganda campaign against the wage earner and organized labor and urging an investigation of money spent by the National Association of Manufacturers on antilabor propaganda, etc.; to the Committee on the Judiciary.

1025. Also, petition signed by George T. Beech and 12 others of Butte, Mont., urging passage of House bill 4000, to prohibit sale of all alcoholic beverages inside Army and Naval camps; to the Committee on Military Affairs.

1026. By Mrs. ROGERS of Massachusetts: Petition of sundry residents of the Fifth Massachusetts Congressional District, protesting against the enactment of House bill 3852; to the Committee on the District of Columbia.

1027. By the SPEAKER: Petition of the United Shoe Workers of America, Local No. 141, Congress of Industrial Organizations, Binghamton, N. Y., petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1028. Also, petition of the Southern Cotton Shippers Association, Memphis, Tenn., petitioning consideration of their resolution with reference to House bills 3753 and 3754, concerning the cotton trade; to the Committee on Agriculture.

SENATE

MONDAY, MAY 12, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou, from whom the good and wise receive their secret counsels, by whom the eyes of men are enlightened, and the hearts of the weak are strengthened: We thank Thee for the gift of speech by means of which the cares of mind may be eased as friend communes with friend in words of loving sympathy.

We thank Thee for whispered words of wisdom, for the music of them that sing, especially the tones of the mother with her child, and we beseech Thee to grant us ears to hear, grace to take heed as we hear, and the will and strength to do what comes to us with the divine authority of truth. Let not our lips, however feeble, be barren of kind words this day, but grant that whatsoe'er we speak or meditate in our hearts may be acceptable in Thy sight, O Lord our Strength and our Redeemer. We ask it in the name of Him who is the Eternal Word, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, May 9, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 4545) to provide for the acquisition and equipment of public works made necessary by the defense program, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 9) accepting the statue of Huey P. Long, placed in Statuary Hall by the State of Louisiana.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to

the following enrolled bills, and they were signed by the Vice President:

S. 392. An act for the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased; and

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Smathers
Bilbo	Hayden	Smith
Bone	Herring	Spencer
Brown	Hill	Stewart
Bulow	Holman	Taft
Bunker	Hughes	Thomas, Idaho
Burton	Johnson, Calif.	Thomas, Okla.
Butler	Johnson, Colo.	Thomas, Utah
Byrd	Kilgore	Truman
Byrnes	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lee	Vandenberg
Chandler	Lucas	Van Nuys
Clark, Idaho	McCarran	Wallgren
Clark, Mo.	McFarland	Wheeler
Connally	McNary	White
Danaher	Mead	Wiley
Davis	Murdock	Willis
Downey	Murray	

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Georgia [Mr. RUSSELL], the Senator from Connecticut [Mr. MALONEY], and the Senator from Massachusetts [Mr. WALSH] are necessarily detained.

Mr. AUSTIN. I announce that the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. NYE], and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably detained from the Senate.

The Senator from Massachusetts [Mr. LODGE] is absent on official business.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

TRIBUTE TO THE LATE SENATOR SHEPPARD BY THE CREDIT UNION FORUM

The VICE PRESIDENT laid before the Senate a resolution adopted by the annual meeting of the Credit Union Forum, of Chicago, Ill., as a tribute of appreciation for the work and accomplishments of the late Senator Sheppard, of Texas, in connection with the establishment and expansion of credit unions among Federal employees, which was ordered to lie on the table.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

A letter from the chairman of the Textile Foundation, transmitting, pursuant to law, the report of the board of directors of that foundation for the year ended December 31, 1940 (with an accompanying report); to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Two concurrent resolutions of the Legislature of Puerto Rico; to the Committee on Commerce:

"Senate Concurrent Resolution 15

"Concurrent resolution to request the United States Maritime Commission to take appropriate action to give effectiveness to the resolution issued under date of July 27, 1939, in file No. 500, entitled 'Freight Rates,' and for other purposes.

"Whereas the United States Maritime Commission, under date of July 27, 1939, issued the following resolution in file No. 500, entitled 'Freight Rates,' against the shipping companies which monopolize maritime traffic between Puerto Rico and the United States:

"'1. That upon the record presented in this proceeding and in the absence of any affirmative showing of justification by the respondent carriers, who are engaged in both foreign and domestic commerce with the same facilities, the rates in the south-bound tariff on automobiles, flour, rice, fish, hardware, iron and steel sheets, lubricating oil, and paint, to the extent the rates thereon exceed respondents' rates to foreign ports of call on the same commodities, are unjust and unreasonable in violation of section 18 of the Shipping Act, 1916, and that increases in other commodities, not specifically mentioned above, from the level of rates observed prior to September 21, 1938, have not been justified;

"'2. That the discontinuance of service between Gulf ports and Fajardo, Humacao, Yabucoa, and Guayanilla, and the continuance of absorption practices in respect to shipments transshipped to other ports, results in undue and unreasonable preference and prejudice in violation of section 16 of the Shipping Act, 1916,

"'3. That rates on manganese and barite ores, based on quantity, wrapping paper, paper bags, empty cylinders, soap, and caustic soda are unduly and unreasonably preferential and prejudicial as between shippers in violation of that section;

"'4. That rates on raw sugar based on market price are not in compliance with the Intercoastal Shipping Act, 1933, as amended, and are therefore unlawful;

"'5. That the practice of charging weight rates on south-bound traffic and measurement rates on the same commodity north-bound is unjust and unreasonable;

"'6. That practices observed whereby charges of noncarriers from transshipment ports in Puerto Rico to bill of lading destinations are absorbed, and also practices in respect to the absorption of differentials between rates over competitive inland routes within the United States terminating at the same port, are illegal because not filed as required by section 2 of the Intercoastal Shipping Act, 1933, that precooling service, charges therefor, and specific storage charges after free time at docks in Puerto Rico are also illegal because not filed;

"'7. That rules 1, 2, 5, and 20 of the south-bound tariff, and rule 1 of the north-bound tariff and specification of places from and to which rates apply are incomplete, conflicting, misleading, and ambiguous, and therefore not published as required by section 2 above mentioned, and

"'8. That rule 15 of the south-bound tariff assessing a charge for preparing and issuing bills of lading and rules 13 and 14 of that tariff, also rules 12 and 13 of the north-bound tariff relating to preparation by shippers of bills of lading and receipts on carriers' forms, making such preparation mandatory, are unlawful.

"'Findings in No. 1 above are without prejudice, if subsequently upon a more comprehensive record which includes revenue, expense, and other data, rates on a different level than those charged to foreign ports or in effect prior to September 21, 1938, appear warranted. An order will be entered requiring respondents to cease and desist from charging rates and observing practices, rules, and regulations herein found unlawful and requiring them to cancel schedules naming rates, charges, rules, regulations, and practices found not justified or unlawful. New schedules establishing rates in conformance with the views expressed herein may be filed and posted effective on not less than 1 day's notice by noting a reference in such schedules to this decision.'

"Whereas the said shipping enterprises are still charging the same freight rates which were found excessive and unfair by the Maritime Commission of Puerto Rico and continue to subject the insular trade to the same practices that the Commission found to be illegal, thus holding the authority of the said Commission in open contempt, and subjecting our economy to abusive and unfair exactions which are detrimental to our industrial development and help to raise the cost of living: Now, therefore, be it

"Resolved by the Senate of Puerto Rico (the House of Representatives of Puerto Rico concurring):

"First. To request the United States Maritime Commission, as it is hereby requested, to take appropriate action to make effective the resolution issued under date of July 27, 1939, in file No. 500, entitled 'Freight Rates,' as well as any other supplementary measures that may be advisable to secure a reduction of the tariffs on maritime freights to fair and reasonable levels, and that our trade be freed from the abusive practices of the shipping enterprises which monopolize our maritime traffic with the United States.

"Second. To forward a copy of this resolution to the United States Maritime Commission, the Secretary of the Interior, the Director of the Division of Territories and Island Possessions, the President of the Senate and the Speaker of the House of Representatives of the United States, the Congress on Rivers and Harbors, the United States Atlantic and Gulf Puerto Rico Conference, the Governor of Puerto Rico, and the Resident Commissioner for Puerto Rico in Washington."

"Senate Concurrent Resolution 16

"Concurrent resolution to request the Congress of the United States to exempt Puerto Rico from the application of the coastwise shipping laws, and for other purposes

"Whereas the United States coastwise shipping laws have been extended to Puerto Rico; and

"Whereas the extension of these laws to Puerto Rico increases the cost of importations to the extent that the freight charges of ships of American registry are higher than those of ships of other registries; and

"Whereas the obligation to use ships of American registry considerably reduces the advantages which the tariff schedule offers to Puerto Rico as regards the sale of its products in continental markets; and

"Whereas, if Puerto Rico is relieved from the effects of the United States coastwise shipping laws, its trade with foreign countries would gather greater expansion, and our economy would receive a vigorous impulse; and

"Whereas the United States coastwise shipping laws have been promulgated to stimulate the development of the American merchant marine, and as Puerto Rico lacks a merchant marine it does not enjoy the benefits of this legislation, but, on the contrary, suffers the disadvantages which such

legislation implies upon being applied to an island, which, like Puerto Rico, is constantly in need of shipping services for the importation of the greater part of the products destined to public consumption; and

"Whereas the extension to Puerto Rico of the United States coastwise shipping laws subjects our trade to the monopoly of a limited number of American shipping companies, which, by reason of such monopoly, maintain in force excessive and unfair freight tariffs and impose upon our trade unreasonable practices which hinder its expansion and increase costs unreasonable: Now, therefore, be it

"Resolved by the Senate of Puerto Rico (the House of Representatives of Puerto Rico concurring):

"First. To request the Congress of the United States, as it is hereby requested, to exempt Puerto Rico from the application of the coastwise shipping laws;

"Second. To forward a copy of this resolution to the President of the United States, the Speaker of the House of Representatives, and the President of the Senate of the United States, the Secretary of the Interior, the Director of the Division of Territories and Island Possessions, and the Resident Commissioner for Puerto Rico in Washington."

A concurrent resolution of the Legisiture of Puerto Rico; to the Committee on Education and Labor:

"Senate Concurrent Resolution 14

"Concurrent resolution to request the Congress of the United States to extend to Puerto Rico the benefits of the Wagner-Peyser Act, entitled 'An act to provide for the establishment of a national system of employment and cooperation with the States in the promotion of such a system, and for other purposes' (48 Stat. 113), approved July 6, 1933, and for other purposes

"Whereas in Puerto Rico there does not exist a system of public employment in the Employment Service of the United States;

"Whereas the Federal agencies operating in Puerto Rico, such as the Work Projects Administration, the National Youth Administration, the Federal Housing Authority, the Agricultural Adjustment Administration, the Public Health Service, the Puerto Rico Reconstruction Administration and the Public Works Administration, are compelled to operate without the assistance of an employment service in the Government of Puerto Rico, and for such reason they are obliged to establish their own personnel divisions, which work without any connection among them, thus duplicating the efforts and the expenses of operation;

"Whereas the Legislature of Puerto Rico has created a commission to study the social-security problem in the island and to take steps toward securing the extension to Puerto Rico of additional titles of the Social Security Act of the United States, which makes it indispensable to have an employment service in the State for the operation of certain phases of the social-security program, such as unemployment compensation and others of a similar nature;

"Whereas the National Defense Advisory Committee, in its program for the training of laborers for defense purposes, through the Office of Education of the United States and the State Boards for Vocational Education, has designated the several State employment services as the paramount agency to furnish the students who are to be trained under this national-defense program; and

"Whereas the people of Puerto Rico will receive marked benefits from the extension to Puerto Rico of the Wagner-Peyser Act: Now, therefore, be it

"Resolved by the Senate of Puerto Rico (the House of Representatives of Puerto Rico concurring): First. To request the Congress of the United States, as it is hereby requested, to extend to Puerto Rico the benefits of the Wagner-Peyser Act, entitled 'An act to provide for the establishment of a national system of employment and cooperation with the States in the promotion of such system, and for other purposes,' approved July 6, 1933, as subsequently amended.

"Second. That a copy of this resolution be forwarded to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, the Secretary of the Interior, the Director of the Division of Territories and Island Possessions, the Social Security Administration, the Office of Education of the United States, the Chief of the Employment Service Division of the United States, the Governor of Puerto Rico, and the Resident Commissioner for Puerto Rico in Washington."

A concurrent resolution of the Legislature of Puerto Rico; to the Committee on Finance:

"Senate Concurrent Resolution 11

"Concurrent resolution to request the Congress of the United States to extend to Puerto Rico the benefits of title I of the Social Security Act, and for other purposes

"Whereas Puerto Rico is interested in obtaining the benefits of title I of the Social Security Act of the United States in order to provide adequate protection for the destitute aged; and

"Whereas there has been functioning in Puerto Rico since the year 1936 the Commission for Assistance to the Aged, as an agency or instrumentality of the Government of Puerto Rico, to promote the welfare of the destitute aged, and this agency has been reorganized in order that it may conform to the requirements demanded by the Social Security Act; and

"Whereas, in view of the fact that Puerto Rico has an adequate agency for the administration of the plan of assistance to the aged, it is proper that title I of the Social Security Act be made extensive to the island: Therefore be it

"Resolved by the Senate of Puerto Rico (the House of Representatives of Puerto Rico concurring):

"First. To request of the Congress of the United States, as it is hereby requested, that the benefits of title I of the Social Security Act be made extensive to Puerto Rico.

"Second. That a copy of this resolution be sent to the Speaker of the House of Representatives and the President of the Senate of the United States, to the chairman of the Committees of Labor of both Federal Houses, to the Social Security Administrator, to the Secretary of the Interior, to the Director of the Division of Territories and Island Possessions, and to the Resident Commissioner of Puerto Rico in Washington."

Two concurrent resolutions of the Legislature of Puerto Rico; to the Committee on Territories and Insular Affairs:

"Senate Concurrent Resolution 4

"Concurrent resolution to request the Congress of the United States of America to empower the Legislature of Puerto Rico to pass laws that the branches of national banks doing business in Puerto Rico may be assessed and taxed as is done with local banks and other banks doing business in Puerto Rico

"Whereas, the branches of national banks doing business in Puerto Rico are enjoying privileges over the local and other banks doing business in Puerto Rico as to the manner in which they are assessed and taxed by virtue of Federal laws that govern this matter;

"Whereas, this privilege that is being enjoyed by the national banks is prejudicial to the people of Puerto Rico and may cause the ruin of local banks;

"Whereas, it is only fair that taxes be levied for the benefit of the people of Puerto Rico, on the national banks doing business in Puerto Rico, in the same manner, without privileges or disadvantages, as they are levied on local banks and the other banks doing business in Puerto Rico;

"Whereas the privilege that is being enjoyed by the national banks as compared with the other banks doing business in Puerto Rico violates the principle that all laws levying taxes in Puerto Rico must be uniform;

"Whereas there is no doubt that the Federal legislation limiting the powers of the States to levy taxes on national banks was approved as a shield to protect the national banks against any discrimination that State legislatures might enact in favor of local banks, but that such limitation was not imposed as a weapon for destroying local banks;

"Whereas national banks cannot have branches in any State of the American Union outside the State in which they are organized; and

"Whereas the Federal legislation authorizing the establishment of branches of national banks organized in States of the United States, to do business in Puerto Rico and forbidding the Legislature of Puerto Rico to levy taxes on such branches of the national banks as do business in Puerto Rico, in the same form and at the same tax rate as on local and other banks that do business in Puerto Rico, is unjust and discriminatory: Now, therefore, be it

"Resolved by the Senate of Puerto Rico, (the House of Representatives concurring):

"Section 1. To request the Congress of the United States, as it is hereby requested, to enact a law authorizing the Legislature of Puerto Rico to prescribe the form of assessing and levying taxes on branches of the national banks doing business in Puerto Rico; *Provided*, That the same methods and tax rates used for assessing and levying taxes on banking institutions incorporated in Puerto Rico and on other banks doing business in Puerto Rico, shall be applied.

"SEC. 2. That a copy of this resolution shall be sent immediately after its approval to both Houses of the Congress of the United States, to the President, and to the Secretary of the Interior of the United States, to the Chief of the Division of Territories and Insular Possessions, as well as to the Resident Commissioner in Washington, requesting them to lend their full cooperation to this request."

"Senate Concurrent Resolution 10

"Concurrent resolution to request the Commissioner of Education to establish Spanish, the vernacular of the Puerto Rican people, as the official language for teaching in Puerto Rico and provide that the English language be studied as a preferred subject in the course of studies, and for other purposes

"Whereas public instruction in Puerto Rico is not given in the Spanish language, which is the vernacular of the Puerto Rican people, but in the English language;

"Whereas it is an essential postulate of all scientific pedagogy that the teaching in school be carried on in the vernacular of the pupils;

"Whereas the imposing of a foreign language as a vehicle of apprenticeship deprives the pupils of the use of the natural instrument on which they count for intellectual development by forcing them to acquire, under methods contrary to all sane pedagogy, an artificial instrument for such development;

"Whereas the use of a foreign language as a vehicle of apprenticeship obliges the pupils to make an extraordinary mental effort, retards the educational process, and makes difficult the prompt and efficient assimilation of knowledge;

"Whereas the use of a language not one's own as a vehicle of teaching in school hinders the efficient acquisition and the progressive mastery of the mother tongue when this natural process is complicated from the lowest grades by the study of a language of distinct linguistic form;

"Whereas experience shows that by irresistible laws of mental development in most cases the effort to maintain the mother tongue as the language of culture fails if the apprenticeship in science, technics, history, letters, and arts is carried out in a foreign language;

"Whereas experience shows that deficiency in the use of the vernacular as an instrument of apprenticeship results in three consequences of grave social scope—emotional instability, excess of negative attitudes, and a certain artistic sterility or at least a lessening of creative powers;

"Whereas experience also shows that the use of English as a vehicle of teaching in a country like Puerto Rico, whose vernacular is Spanish, does not produce in practice the hopeful results in regard to the prompt and sufficient mastery of English; and

"Whereas our people are profoundly interested in the efficient acquisition of English as a great language of social, commercial, and cultural interchange in America and favors the intensification of its study, raising it in the curriculum to the category of preferred subject, with additional hours, a more able teaching corps, and methods leading to its more effective, thorough, and practical acquisition: Now, therefore, be it

"*Resolved by the Senate of Puerto Rico (the House of Representatives of Puerto Rico concurring)*—

"First. To request the Commissioner of Education, as he is hereby requested, to establish Spanish, the vernacular of the Puerto Rican people, as the official language for teaching in Puerto Rico and to provide that the English language be studied as a preferred subject of the curriculum.

"Second. To send a copy of this resolution to Dr. José M. Gallardo, Commissioner of Education of Puerto Rico; to the President of the United States; to the Secretary of the Interior; to the Director of the Division of Territories and Island Possessions; to the Director of the Office of Education of the United States; to the President of the Senate, and to the Speaker of the House of Representatives of the United States."

A paper in the nature of a petition from Minnie Nelson, of Detroit, Mich., praying for the continuance of relief under the W. P. A., especially for the older people; to the Committee on Appropriations.

A letter in the nature of a petition from Nora M. O'Brien, of Springfield, Mass., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution of Amity Post, No. 791, American Legion, of Brooklyn, N. Y., pledging allegiance to the United States and its institutions, and wholehearted support to the Government in the national-defense program; to the Committee on Military Affairs.

By Mr. CAPPER:

A petition of sundry citizens of the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and Naval Establishments; to the Committee on Military Affairs.

FOOD FOR THE SMALL EUROPEAN DEMOCRACIES

Mr. JOHNSON of Colorado. Mr. President, important and substantial support continues to be evidenced by thoughtful American groups on behalf of the program of the National Committee on Food for the Small Democracies. This committee has been striving for many weeks to effect a formula whereby the lives of millions of unarmed, helpless, and innocent humans in the small invaded countries may be saved. Belgium's plight is now tragically acute, and it is to be hoped that the Government of the United States will interest itself on behalf of these little peoples, who are in their present plight because they fought invasion and up to the limit of their abilities resisted the tide of totalitarian oppression.

Identical resolutions, supporting the work of the National Committee on Food for the Small Democracies, have been adopted recently by the Lutheran Ministers' Association, of Baltimore and vicinity, the Methodist Preachers' Meeting, of Baltimore and vicinity, and the Washington, D. C., Ministerial Union.

I ask leave to have printed in the RECORD at this juncture and have appropriately referred a copy of the resolution adopted by these three important bodies.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the National Committee on Food for the Small Democracies has advanced a proposal made by former President Herbert Hoover by which supplies may be imported under agreement with England and Germany, and distributed by a neutral organization, to the suffering people of Finland, Norway, Holland, Belgium, central Poland, and other invaded countries: Be it

Resolved, That we extend heartfelt sympathy to the unfortunate millions in the stricken countries and that we endorse the proposal for relief.

We urge the members of this organization and all other groups in the city to express their approval and good will by writing a letter of commendation to the National Committee on Food for the Small Democracies, 420 Lexington Avenue, New York City.

The officers of this organization are requested to send a copy of this action to each of the newspapers of the city, and to the said National Committee on Food for the Small Democracies.

Mr. JOHNSON of Colorado. Mr. President, the Ministerial Union of Baltimore, embracing the great body of Protestantism in Baltimore and vicinity has also endorsed the feeding program. I ask leave to insert in the RECORD for appropriate reference a letter conveying this endorsement, written by Rev. Edward G. Conrad, pastor of Babcock Memorial Presbyterian Church, who is secretary of the Ministerial Union of Baltimore and vicinity, Maryland.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

BABCOCK MEMORIAL
PRESBYTERIAN CHURCH,
Baltimore, Md., February 3, 1941.

NATIONAL COMMITTEE ON FOOD FOR THE
FIVE SMALL DEMOCRACIES,
New York City.

DEAR SIRS: At a meeting of the Ministerial Union of Baltimore and vicinity held January 27, 1941, with 40 members present, consideration was given to the plight of the unfortunate people of Finland, Norway, Belgium, Holland, and central Poland. We are convinced that unless prompt action is taken to secure food and other necessary supplies millions of these countries will experience great suffering and indeed many of them are now facing death due to lack of food and resulting pestilence.

We believe that under the terms of the proposal made by the Honorable Herbert Hoover, these countries should be allowed to purchase food with their own funds, transport it in their own ships, the same to be distributed to the needy under supervision of a neutral organization such as functioned so successfully during the last great war. It is our conviction that this work of humanity can be effected without imparting benefit to the German people.

As a result of the official action taken by our union today, I am authorized to write in appreciation of the lofty humanitarian impulses which have prompted Mr. Hoover and the National Committee on Food for the Five Small Democracies to undertake this timely and unselfish service. You have our hearty support and good wishes.

Yours very sincerely,
EDWARD G. CONRAD, *Secretary.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 1345. A bill to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.; without amendment (Rept. No. 276).

By Mr. BAILEY, from the Committee on Commerce:

H. R. 4466. A bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes; with amendments (Rept. No. 277).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On May 7, 1941:

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes";

S. 993. An act to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny a triangular parcel of land containing one-half an acre situated at Seattle, Wash.; and

S. 1123. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

On May 8, 1941:

S. 216. An act for the relief of A. B. Codrington;

S. 248. An act for the relief of John G. Hunter;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy;

S. 436. An act for the relief of Maximo Abrego;

S. 514. An act for the relief of R. Stern;

S. 788. An act for the relief of Noland Blass;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department; and

S. 1104. An act for the relief of William A. Wheeler.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable committee reports of nominations were submitted:

By Mr. HILL, from the Committee on Commerce:

James C. Capt, of Texas, to be Director of the Census, vice William L. Austin, retired; and

Alfred H. Thomas, Jr., to be a chief pay clerk in the Coast Guard.

By Mr. CONNALLY, from the Committee on the Judiciary:

Henry Robert Bell, of Tennessee, to be United States marshal for the eastern district of Tennessee.

By Mr. CHANDLER, from the Committee on the Judiciary:

Malcolm E. Lafargue, of Louisiana, to be United States attorney for the western district of Louisiana;

H. Chess Richardson, of Louisiana, to be United States marshal for the eastern district of Louisiana; and

Louis E. LeBlanc, of Louisiana, to be United States marshal for the western district of Louisiana.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GILLETTE:

S. 1489. A bill granting a pension to widows of Spanish-American War veterans; to the Committee on Pensions.

By Mr. BARKLEY:

S. 1490. A bill to create the Order of Washington; to the Committee on the Judiciary.

S. 1491. A bill to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. THOMAS of Oklahoma:

S. 1492. A bill for the relief of the surviving dependents of James R. McCoy; to the Committee on Claims.

By Mr. CAPPER:

S. 1493. A bill relating to the times of paying the compensation of officers and employees of the United States in the District of Columbia, and officers and employees of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. REYNOLDS:

S. 1494 (by request). A bill to authorize and direct the Commissioners of the District of Columbia to close Van Ness Street between Connecticut Avenue and Reno Road NW., and Pierce Mill Road between Van Ness Street and Reno Road NW.; to the Committee on the District of Columbia.

By Mr. DOWNEY:

S. 1495. A bill authorizing the construction of flood-control works on the Santa Maria River and tributaries, Calif.; to the Committee on Commerce.

By Mr. MEAD:

S. 1496. A bill for the relief of Guy T. Morris; and

S. 1497. A bill for the relief of James Morris; to the Committee on Claims.

S. 1498. A bill providing for compensation to firemen injured while answering a call on property owned by the United States of America; to the Committee on the Judiciary.

S. 1499. A bill for the relief of Wolf Maurer; and

S. 1500. A bill for the relief of Mateo Castellvi (Bartolomé), his wife Pilar Casal de Castellvi, his sister Carolina Castellvi (Bartolomé), his son John Castellvi (Casal), and his daughter Pilar Castellvi (Casal); to the Committee on Immigration.

S. 1501. A bill to provide for the payment to any person employed in the Postal Service as a special-delivery messenger during the fiscal year 1933, 1934, or 1935 of the amount by which the fees of such person were reduced pursuant to the economy legislation; to the Committee on Post Offices and Post Roads.

S. 1502. A bill to aid in measures for national defense by the development and testing of new devices and materials and by directing natural resources to that end, and at all times to increase industrial employment and to enhance national prosperity by aiding and promoting research and the training of research workers in the engineering experiment stations connected with colleges and schools of engineering in the several State and Territorial universities and colleges, and for other purposes; to the Committee on Commerce.

By Mr. BULOW:

S. 1503. A bill amending the act of June 25, 1938, extending the classified civil service to include postmasters of the first, second, and third classes, and for other purposes; to the Committee on Civil Service.

HOUSE BILL REFERRED

The bill (H. R. 4545) to provide for the acquisition and equipment of public works made necessary by the defense program, was read twice by its title and referred to the Committee on Public Buildings and Grounds.

AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. WHEELER submitted an amendment proposing to increase the appropriation for Federal aid in wildlife restoration, from $2,500,000 to $3,000,000, intended to be proposed by him to the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed.

DEFENSE STAMPS AND BONDS

Mr. DANAHER. Mr. President, some months ago I received word from Mr. William J. Hardie, a thoroughly experienced member of the board of assessors in the city of Hartford, Conn., pointing out the possibility of the use of defense stamps in financing our present war preparedness expenditures. At that time I pointed out in a letter to the Postmaster General the idea which Mr. Hardie had submitted to me, particularly his point that a vast number of the American public wished to assist the Government in paying for our defense program as we go along, and that as a matter of patriotic participation a stamp might be issued, to be known as a national-defense stamp.

Mr. Hardie's interest in the matter has continued, and, because of his excellent judgment and background, it seems to me that I should submit to the Senate, and through the Senate to the country, Mr. Hardie's ideas concerning yet further means of financing our present endeavor. Because I felt his letter was so significant I asked his permission to include it in the CONGRESSIONAL RECORD, and I have received such permission from him. I therefore ask unanimous consent that Mr. Hardie's letter to me of May 7, 1941, be printed in full in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF HARTFORD, CONN.,
BOARD OF ASSESSORS,
May 7, 1941.

Hon. JOHN A. DANAHER,
United States Senate,
Washington, D. C.

DEAR SENATOR DANAHER: I would greatly appreciate your opinion on an idea that I thought might prove quite helpful to most working people. It is my sincere belief that the majority of people are extremely concerned and considerably worried about the increase in income tax, and I wondered if it would be possible for the United States Government to pass some sort of legislation that would enable individuals who purchase defense stamps and bonds before a certain date, perhaps January 1, 1942, to use these for payment or partial payment on their income tax which will become due and payable March 15, 1942 Of course, we cannot determine the amount of taxation, but it is my contention that if such an arrangement could be made that it would prove beneficial to the individual inasmuch as he would be prepared to meet this obligation, and it would also help the Government by obtaining these funds in advance.

I also thought that I might suggest to the mayor a plan of inaugurating a so-called Defense Stamp Day, to be established at a certain monthly interval for the purpose of encouraging city employees to purchase defense stamps and bonds. Arrangements could be made to have the paymaster make weekly deductions from salaries, duly authorized and specified in each case. On Defense Stamp Day this saving could be converted into defense stamps or bonds. This could be taken care of entirely by the paymaster, and would undoubtedly prove successful and prove advantageous at the same time to individuals by increasing their savings. It would also increase sales for the Government. I realize that the initiation of such a plan would necessitate a great deal of thought and effort, but unquestionably could be worked out in a satisfactory manner It might be worked to include insurance companies, banks, and all large corporations.

I will await your views upon these points with interest.

Sincerely,

WILLIAM J HARDIE,
Assessor.

EMPLOYMENT OF OLDER WORKERS—ADDRESS BY SENATOR MEAD

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by him on May 8, 1941, on the subject, The Older Worker Must Have a Job, which appears in the Appendix.]

ADDRESS BY SENATOR AIKEN AT NATIONAL TOWN HALL CONFERENCE, NEW YORK CITY

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an address

delivered by Senator AIKEN at the National Town Hall Conference in New York City on May 9, 1941, which appears in the Appendix.]

ADDRESS BY FORMER PRESIDENT HOOVER ON THE WAR SITUATION

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered on May 11, 1941, by former President Herbert Hoover, on American unpreparedness for war, which appears in the Appendix.]

ADDRESS BY HARRY N. PRICE AT TESTIMONIAL DINNER TO CHARLES A. HAMILTON

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Harry N. Price at a testimonial dinner given Mr. Charles A. Hamilton, for a number of years treasurer of the National Press Club, and dean of the Capitol Press Gallery, on the occasion of his eighty-fifth birthday, on March 13, 1941, which appears in the Appendix.]

METHODS OF PAYMENT FOR LANDS OF THE UNITED STATES

[Mr. MCNARY asked and obtained leave to have printed in the RECORD a memorandum prepared by Hon. Guy Cordon, of Roseburg, Oreg., relating to Senate bill 1201, to provide a uniform method of payment to the several States on account of certain lands of the United States, which appears in the Appendix.]

EDITORIAL BY JOHN C. VIVIAN ON INVOLVEMENT IN WAR

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial appearing in the Denver Post of May 8, 1941, written by John C. Vivian, Lieutenant Governor of Colorado, regarding the possible participation of the United States in the war in Europe, which appears in the Appendix.]

TRADE WITH AXIS POWERS IN ESSENTIAL WAR MATERIALS

Mr. GILLETTE. Mr. President, there is pending in both Houses of the Congress a resolution designed to develop the facts as to the trade by American companies with Axis Powers in essential war materials. Within the past 2 weeks the publication PM has addressed a letter to 16 major oil companies inquiring the extent to which they are participating in such trade. I send to the desk a report of the reply of 14 of these companies, which I ask to have printed; and, as part of the request, I desire to read two paragraphs of an Associated Press dispatch from Batavia, Netherlands East Indies, published on May 5:

British-American oil companies renewed today their sales contracts with Japan, continuing under an agreement reached last November.

That agreement increased Japanese oil supplies from the Netherlands East Indies from 494,000 to 1,800,000 tons a year, with United States and British companies acting as importing agents.

I ask unanimous consent to have both these articles inserted in full in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The articles are as follows:

[From PM of Wednesday, May 7, 1941]

POLL OF UNITED STATES PRODUCERS SHOWS OIL LEAK TO AXIS—ONLY 4 OF 13 COMPANIES ANSWERING PM'S QUERY DENY SHIPMENTS—STATE DEPARTMENT OFFERED AS DEFENSE

How much American oil is leaking into the Axis and how much of it is reaching Germany? There's absolutely no question of a leak. PM's poll of 16 leading United States firms shows an oil leak leading from our Pacific coast to Japan. The only question now is how much and where is it going—a question that may be answered when and if Congress undertakes the investigation demanded by Senator GUY M. GILLETTE (Democrat, Iowa) and Representative JOHN M. COFFEE (Democrat, Washington).

So far 13 companies have answered PM's telegram of last Thursday. Two replies came through yesterday. A statement from the Gulf Oil Corporation had this to say:

"Since the war began Gulf has sold no products to Germany or to Italy, directly or indirectly.

"In regard to Japan: The Gulf Oil Co.'s interests are small. In the recent past some sales have been made—chiefly of low-grade lubricating oils. These sales have been made to certain Japanese firms who took delivery in the United States of America and exported such purchases only after applying for and receiving from the United States Government written licenses to do so. At the present time Gulf Oil has no commitment for the sale of any product to Japan or any representative thereof."

W. S. S. Rodgers, president of the Texas Corporation, sent this wire:

"The Texas Corporation has not delivered a single barrel of oil to the German Government since before the present war started; it does not have a cent of investment in Germany and has not had any such investment there for more than 20 years.

"The Texas Corporation has not delivered a single barrel of oil to the Italian Government since June 4, 1940, which is a date prior to that on which Italy entered the present war.

"No gasoline of any kind, nor any lubricating oil has been delivered by the Texas Corporation to Japan during the past 6 months. Two cargoes of Kettleman Hills crude oil and approximately three cargoes of Diesel fuel oil were delivered to Japan during the past 6 months. On shipments to Japan of all kinds of gasoline, certain kinds of lubricating oil, and on Kettleman crude oil, export licenses are required from the State Department, but none is required for shipments of Diesel fuel oil.

"The oil shipments are a matter of public record, and were made with the knowledge of the State Department and in accordance with its regulations. All of our export business is being conducted in conformity with the wishes and requirements of our Federal Government."

Of the 11 companies that had replied earlier, only 4—Pure Oil, Ohio Oil, Atlantic Refining, and Standard Oil Co. of Indiana—denied selling anything to the Axis. A fifth, the Sun Oil Co., said it "has made no sales to Japan for several years."

Three companies—Socony-Vacuum, Shell Union, and Standard Oil of California—sent ambiguously worded telegrams advising us that the question of United States oil for Japan was one for the State Department to handle. Present State Department policy permits shipments to Japan.

Two companies, the Tidewater Associated Oil and the Union Oil Co. of California, said they were shipping to Japan. Another, the Standard Oil Co. of New Jersey, said in part:

"A company in which we have an interest operating in the Far East is selling oil to Japan from the Netherland East Indies and from the United States with the full knowledge of and strictly within the regulations of the governments of the two countries."

We're still waiting to hear from the Consolidated Oil Corporation, the Phillips Petroleum Co.

BRITISH-AMERICAN OIL CONCERNS AID JAPAN BY NEW CONTRACTS

BATAVIA, NETHERLAND EAST INDIES, May 5.—British-American oil companies renewed today their sales contracts with Japan, continuing under an agreement reached last November.

That agreement increased Japanese oil supplies from the Netherland East Indies from 494,000 to 1,800,000 tons a year, with United States and British companies acting as importing agents.

Although British and American companies produce and refine the oil, it is a national resource of the East Indies and the Government is empowered to allocate its use during wartime.

The extended contracts gave Japan the same quotas as before. They failed to take the full amount allotted under the old contract, however, and these percentages will not be added to quotas stipulated in the new contracts.

A tanker shortage is believed to be the reason for Japan's failure to take her allotted amount.

SENATOR FROM WEST VIRGINIA

The Senate resumed the consideration of Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia.

The VICE PRESIDENT. The pending question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. CHANDLER].

Mr. LUCAS. Mr. President, on Friday, last, when the Senate adjourned, the Senator from Illinois was discussing certain phases of the West Virginia case involving primarily the resignation of Senator Neely from the United States Senate, as well as the different oaths that were taken by him at different intervals. Today I wish to start the discussion of this very important case with what I call point No. 3, wherein I undertake to say that under the Constitution and the laws of West Virginia the three appointments made by Gov. Homer Holt are all invalid and of no effect.

On the 10th day of January 1941, Gov. Homer Holt appointed Hon. Clarence E. Martin a United States Senator from West Virginia. This appointment was made before Matthew Neely had made a written resignation to the Governor of his seat in the United States Senate. Certainly, under these circumstances, the first appointment made by Governor Holt was what I contend to be premature, and certainly that appointment is invalid and of no effect; and I have heard no Senator on the floor defend it. Governor Holt was also convinced of its dubious legality, because immediately upon receiving the written resignation of Senator Neely on January 11 he made a second appointment of Mr. Martin as a Senator from West Virginia, in which he said, among other things:

This appointment is effective upon the taking effect of the resignation of the Honorable Matthew M. Neely as a United States Senator from West Virginia.

Mr. President, section 1 of article VII of the Constitution of West Virginia provides, among other things, that the term of office of the Governor shall commence on the first Monday after the second Wednesday of January next after his election. In 1941 that day fell on the 13th of January. The Constitution of West Virginia also provides that no Governor may succeed himself.

The resignation of Matthew Neely as United States Senator also took effect precisely at the hour of midnight, Jan-

uary 12, 1941. That resignation, in my opinion, was effective; and, in my judgment, no one can seriously contend that a vacancy was created in the United States Senate before that time. Consequently, the second appointment made by Governor Holt was projected beyond the expiration of his constitutional term of office; and every lawyer in the Senate agrees that an anticipatory appointment, to be good, must become effective during the tenure of the appointing power.

Senator Neely having taken every step necessary to qualify him to assume the duties of Governor of West Virginia prior to the hour of midnight of the 12th, I hold that his term as Governor began simultaneously and instantaneously with the expiration of Governor Holt's constitutional term. In my opinion, there was no interregnum, there was no hiatus; and, if that conclusion is true, Governor Holt's second appointment was absolutely null and void.

Those are my studied and legal convictions. However, there are eminent lawyers in the Senate who contend that Senator Neely had to divest himself of his office of United States Senator before he could become Governor, and that while the two things were almost simultaneous and instantaneous, nevertheless, they say, there was that one-thousandth part of a split second of time in which Governor Holt's appointment moved in and became effective before Mr. Neely could become Governor.

An atom of time is in question. It is like trying to determine how many angels can sit on the point of a needle. I am not persuaded by this argument, nor am I convinced. I submit that the sound doctrine and the sensible rule for the Senate to follow in creating a precedent which would avoid confusion and uncertainty in the future, if a case like this should arise again, either in West Virginia or in some other State, is to follow the doctrine laid down in the majority report.

It naturally follows that if my contentions are correct about the second appointment, the third appointment is also invalid for the same reason, although so much has been said, especially by the distinguished Senator from Vermont, upon the third appointment, that before I conclude I shall have something to say about that.

At this juncture of my argument let me further digress upon this contention as to an atom of time, upon which eminent counsel are almost willing to stake their reputations in this case. Assuming, for the sake of the argument, that they are right and that I am wrong; assuming that there was a hiatus or an interregnum between the time of Senator Neely's resignation as a Senator and his becoming Governor; assuming that that could not take place automatically or instantaneously, as the majority contend in their report, if those assumptions are sound, that time was the first one-thousandth part of the first second after Mr. Holt's term as Governor expired at midnight on January 12. I take it that no one would challenge that premise, in view of the facts before us. If that premise is correct, I undertake to say that under the Constitution of West Virginia and a supreme court decision of that State, Homer Holt had no legal right or power to appoint the successor to Matthew Neely. Under his theory his power of appointment is based wholly upon section 6 of article 4 of the Constitution of West Virginia, which is as follows:

> All officers elected or appointed, may, unless in cases herein otherwise provided for, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general laws, and unless so removed they shall continue to discharge the duties of their respective offices until their successors are elected or appointed and qualified.

Mr. President, this is the general rule applicable to nearly all the elected officials in the State of West Virginia. However, there is another section of the constitution which deals directly with the Governor of that State and exempts him from the general rule upon which the opposition are relying in this case. I now refer to section 16 of article 7 of the West Virginia Constitution, which is as follows:

> In the case of the death, conviction, or impeachment, failure to qualify—

"Failure to qualify." I repeat that—

> resignation, or other disabilities of the Governor, the president of the senate shall act as Governor until the vacancy is filled or the disability removed.

"Shall act as Governor." I also repeat that—

> And if the president of the senate, for any of the above-named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the speaker of the house of delegates.

It will be noted that the office of Governor and that of president of the senate are not incompatible offices. The persons holding these offices take the same constitutional oaths. It is unnecessary for the president of the senate to divest himself of his office before he becomes Governor.

This has been so held by the Attorney General of the State of West Virginia. He automatically and instantaneously becomes Governor if called upon to fill a vacancy through the occurrence of any of the contingencies heretofore set forth. There is no hiatus in time, there is no fraction of a second, if the president of the senate, as I contend, automatically comes into power under these circumstances.

Mr. CONNALLY and Mr. MURDOCK addressed the Chair.

The VICE PRESIDENT. Does the Senator from Illinois yield; and if so, to whom?

Mr LUCAS. I yield to the Senator from Texas.

Mr. CONNALLY. As the Senator knows, some of our colleagues contend that there has to be a space of time, or a hiatus in, between one being a Senator and Governor or any other public officer. If Senator Neely resigned, effective at midnight, he instantaneously became something. He instantaneously became Governor or instantaneously became a private citizen. There could not be any hiatus before his becoming one or the other. He could not be just suspended in the air for a period when he was neither Governor nor a private individual or Senator. So, if by resigning, he can become instantaneously a private citizen without any hiatus occurring why can he not become a Governor without any hiatus occurring?

Mr. LUCAS. I agree——

Mr. CONNALLY. I am sure the Senator does.

Mr. LUCAS. I agree with the Senator. I say, with all due respect to the opposition who argue this fraction of a second, that I cannot follow their argument. I do not think it is based upon sound doctrine from the standpoint of the law or public policy.

Mr. MURDOCK. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Utah?

Mr. LUCAS. I yield.

Mr. MURDOCK. I think the Senator said that, under the provision of the Constitution of West Virginia, if the elected Governor fails to qualify, then the president of the senate ex officio becomes Governor of the State, without the necessity of taking an official oath.

Mr. LUCAS. That is correct.

Mr. MURDOCK. I think the Senator then said that the attorney general of West Virginia had so held. I call his attention to the fact that not only has the attorney general of West Virginia so held, but the Supreme Court of the State of West Virginia has emphatically taken the same position.

Mr. LUCAS. I thank the Senator for his contribution, and I shall discuss the case to which he refers. I think I know what the Senator has in mind, and in the course of my argument I shall discuss and read what the Court said in the Wilson case.

Mr. MURDOCK. That is the case I have in mind.

Mr. ADAMS. Mr. President——

Mr. LUCAS. I yield to the Senator from Colorado.

Mr. ADAMS. I have been endeavoring to follow the Senator's argument, and I desire to know whether or not the Senator really is confident of the position he has taken—namely, that the president of the senate would, under the clause of the constitution he has read, become Governor during a fraction of a second. It seemed to me as I listened to the reading—and I have read and reread that provision—that the clause referred to was intended to meet something substantial—that is, removal or a genuine failure to qualify. Forgetting the matter of the appointment of the Senator, it seems to me that, if, for instance, when the midnight hour came, the incoming Governor were 5 minutes late, if he did not take the oath for 5 minutes or 10 minutes, or, as a matter of fact, as is the custom, if he waited until noon to take the oath, as is customary, that would not be a failure to qualify for the office under the intention of the constitution. I am asking the Senator whether he is basing his argument and his conclusion upon the application of the section to which he refers, that there could be no interval because

the president of the senate became Governor at midnight if there were the slightest interval between that and the incoming of the new Governor.

Mr. LUCAS. I am absolutely basing my stand insofar as this point is concerned upon that, and do so because if the opposition are attempting to split seconds in making a United States Senator here, I am confident that we have a right to argue, under the section of the constitution referred to, as laid down, that we can equally split seconds with them. And I will further say——

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I had not quite finished, but I will yield to the Senator from New Mexico.

Mr. HATCH. I think I understand perfectly the Senator's position. The position of the Senator from Illinois is that there was no interval of time; that all these transactions occurred simultaneously. Is that correct?

Mr. LUCAS. That is my position.

Mr. HATCH. That is the Senator's position?

Mr. LUCAS. Yes.

Mr. HATCH. But if there were a material interval of time, such as the Senator from Colorado has suggested, something that amounted really to a failure to qualify, which would authorize the outgoing Governor to continue in office, then under the constitution the other provision which the Senator from Illinois mentioned would have come into play, and the president of the senate would have been the Governor?

Mr. LUCAS. Precisely so.

Mr. ADAMS. Mr. President, as I understand, the Senator's position is that the provision of the constitution that an officer holds over until his successor qualifies, has no application to the Governor; that his term absolutely and irrevocably terminates at midnight?

Mr. LUCAS. Yes.

Mr. HATCH. Oh, yes; his term does.

Mr. ADAMS. In other words, that the Governor who is in office cannot hold over, because at the hour of midnight, if the incoming Governor has not qualified, then the president of the senate becomes the Governor. I merely say that I happen to be one of the few Senators who is trying to consider this matter from a legal standpoint, and I was hoping the Senator would not found his position on what I think is a thorcughly unsound basis, because I do not want him to lose any votes.

Mr. LUCAS. I am not pleading to lose any votes. In my humble and limited way as a lawyer of some years' experience I am attempting to answer an argument which has been made here.

Mr. ADAMS. I am speaking of the question from the legal standpoint. Of course, we are all conscious of the Senator's humility.

Mr. LUCAS. As one who has been vitally interested in this case from the moment it was submitted to us the first day before the Committee on Privileges and Elections, as one who has been attempting absolutely to get to the bottom of this thing from the standpoint of the law and the facts, I appreciate the attention the Senator from Colorado has given to this case from the beginning. I am one who believes that the Senator's mind is not made up, and that he is attempting to follow this case along the lines of the evidence and the law applicable thereto. But in further answer to the Senator I make this proposition, that in the event, we will say, that Senator Neely had never qualified, assuming that today he had never qualified for this office, is there any question in the Senator's mind as to who would be Governor of West Virginia?

Mr. ADAMS. No. But my understanding is that there was only one thing necessary to qualify the Senator for the office that I know of, and that was to take the oath. In other words, he took the oath in advance of the expiration of the term of the existing governor. Consequently, that was the only thing to be done by way of qualification. Having qualified, then by the running of time he became automatically the Governor. That is his qualification. There was not a failure to qualify in the case, because he qualified by taking an oath at least. Now, may I add just one suggestion as to myself? It is not of any particular concern. Of course, the whole transaction to me is a very unlovely transaction.

Mr. LUCAS. The Senator from Colorado is not going to get any argument from the Senator from Illinois on that point; I agree with him.

Mr. ADAMS. That is, I have no patience with either of those who have sought to reach in and grasp the appointment of a United States Senator by midnight efforts, by anticipatory efforts, by any other means. It is a thing which I could very happily see sent back to the committee with the understanding it stay there until an election were held, even though an election could not be held for that purpose.

Mr. LUCAS. I can appreciate what the Senator is driving at, and having heard the testimony and having listened all through the hearings, I must admit that the whole thing has struck a scur note with the Senator from Illinois also. But I do not believe that the Senate can send this matter back to West Virginia. I do not believe it can send it back to the Committee on Privileges and Elections. We are not responsible for the matter. It is here, and, under the Constitution, I think it is plainly our duty to seat one individual or the other.

I hope the Senator from Colorado does not believe that the Senator from Illinois is not sincere in promoting this legal theory. The Senator said a moment ago that he believes that Senator Neely had qualified prior to 12 o'clock by taking the oath, and I think the Senator from Colorado does not believe that the legal proposition which has been argued here about the filing of the oath or the taking of the oath that vacated his seat in the Senate has any particular merit. But I make this last argument in order to meet another argument which has been made here, and the argument submitted by counsel for Mr. Martin in the briefs, that when Mr. Neely took the oath at 11:45 he vacated his office, and that under any circumstances, immediately following 12, during that fraction of a second there, it might have been the thousandth part, before Mr. Neely could divest himself of the Senatorship, before he could take off his coat as Senator and put on his hat as a Governor, there was that infinitesimal fraction of time, and during that moment both appointments moved in. That is the thing I am trying to bring out.

Mr. ADAMS. I will say to the Senator that I sent my watch to the jeweler this morning. It was not splitting seconds, so I cannot help the Senator.

Mr. LUCAS. If the Senator wishes his watch correctly set he should send it to West Virginia, because that is where watches are apparently carefully set. [Laughter.]

Mr. ADAMS. May I ask the Senator a question?

Mr. LUCAS. I shall be glad to have the Senator do so.

Mr. ADAMS. I did not hear the testimony. I have been reading it. Senator Neely during the hearing said:

> Mr. Chairman, my candid opinion is that public policy should now, as it always did during my membership on this committee, receive high consideration in the matter of determining who should hold a seat in the United States Senate.

I am wondering if the Senator from Illinois agrees with Senator Neely that public policy should be a serious or a determining factor in this decision.

Mr. LUCAS. I will say to the Senator from Colorado that I am not going to base anything I say on the question of public policy upon what Senator Neely said before that committee. There were many things said before that committee upon that question, upon the political turmoils and strife in West Virginia, that were perhaps immaterial, but nevertheless we were highly entertained, and we permitted them to go into the record. But the question of public policy has been raised on the floor of the United States Senate. The question of public policy was raised by the eminent and able Senator from Vermont [Mr. AUSTIN] on solely the question as to whether a United States Senator should have the power to appoint his successor here in this deliberative body. That is a great question of public policy. Then the Senator from Wisconsin [Mr. WILEY], the champion of the dairy farmers in that State, got into the argument in connection with the same question, and that brought on a colloquy with the Senator from Kentucky [Mr. CHANDLER] on the question of public policy. In view of the fact that public policy has been invoked in the debates, I propose to discuss it a little later.

Mr. ADAMS. May I read another paragraph from the hearings? On page 68 Governor Neely said:

> If I were on this committee, I should vote that the incoming Governor in the circumstances of this case, should be permitted to make the appointment even if the Senator had resigned, and the Governor had made the appointment a week before retiring. It is my term of office, gentlemen, that is to be completed. In my opinion, it should be completed by one who shares my political and governmental views.

What I am asking is this: Are some of us who are having difficulty in splitting the seconds to accept Senator Neely's view that the decision should then be made upon our judgment as to public

policy and the welfare of the United States?

Mr. LUCAS. I cannot agree with the last statement that was made by Senator Neely at all; and every act that Senator Neely did from the time he took the first and the last oath would indicate, and the construction of his resignation would indicate, that he was doing more than he suggested that the committee do insofar as attempting to seat his appointee here in the United States Senate is concerned. I contend that public policy has a place in this debate; but I do not want to go as far as Senator Neely has gone on the question of public policy. I shall debate that question a little later, and I shall be glad, as I go along, to have the Senator interrogate me on that question.

Mr. ADAMS. I thank the Senator for his consideration.

Mr. LUCAS. I thank the Senator for his intelligent questions. I have tried to reply to them as best I can.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. GILLETTE. As I understand the Senator's position, he is arguing that under the provision of the Constitution of West Virginia which he has quoted, in the event of inability to act because of illness, death, or failure to qualify, the president of the senate immediately becomes the acting Governor.

Mr. LUCAS. That is correct.

Mr. GILLETTE. Is it the Senator's contention that if Senator Neely had not appeared at 12 o'clock, or one one-thousandth part of a second after 12 o'clock, and taken an oath—if he had appeared the next morning at 10 o'clock to take his oath, and in the meantime the president of the senate had made an appointment of John Jones to the Senate, the appointment of John Jones would be a proper one and would stand?

Mr. LUCAS. The Senator is now asking a question which is not before the Senate; but there is that possibility. There is the possibility of having the kind of an appointment the Senator suggests. The Senate would finally have to determine whether the appointment of the president of the senate was correct, whether Senator Neely's appointment was correct, or whether Governor Holt's appointment was correct; and the next time such a thing happens in the State of West Virginia, instead of having two political athletes before us, we shall have three, because, as surely as I am standing here, the president of the senate will make an appointment and the Senate will have to determine whether or not his man is entitled to a seat in the Senate. So far as I am concerned, if I am a Member of the Senate at that time, and the president of the senate makes such an appointment within the hiatus that we are talking about, I shall support the man who comes here as the appointee of the president of the senate.

Mr. GILLETTE. Then the Senator's position is that unless a newly elected Governor appears at the stroke of 12 midnight and takes his oath, a hiatus occurs, in which, under the constitution, the president of the senate may exercise any and all the duties of the Governor.

Mr. LUCAS. Yes.

Mr. GILLETTE. In other words, there is a failure to qualify immediately after the stroke of 12.

Mr. LUCAS. Under the particular provision which I am discussing. I will say to the Senator in further reply that that is the very reason why the Senate should adopt the rule which says that precisely at the hour of 12 o'clock Neely instantly became Governor of the State, in order to eliminate the question of hiatus, the question of interregnum, and the question of split seconds. If we decide this case on the basis of a split second, we shall carry on an interminable debate in the future, as long as there is a United States Senate. But we can settle the question once and for all by saying to the people of West Virginia and to the country that under the facts in this case the resignation of Senator Neely and his taking office as Governor were instantaneous and simultaneous, and that there was no interregnum. But if we follow any other theory, if we follow the split-second rule in the case put up by the opposition, then we have the right to argue the split-second rule so far as the president of the senate is concerned.

Last year in the State of Illinois the great and beloved Governor of my State, Henry Horner, passed away. With the last breath he drew he was out as Governor, and that very instant the Lieutenant Governor become Governor of the State of Illinois. Without doing a single thing he took over the office of Governor. He was the acting Governor from that very second on, because as Lieutenant Governor he had taken the same kind of an oath as the Governor had taken. The same situation existed in the State of West Virginia. There was no interregnum. There was no hiatus. In Illinois at the last moment of the Governor's life, when he passed away, the Lieutenant Governor stepped in without taking any oath or doing anything else in an attempt to qualify, because he had qualified himself for that very thing when he took the oath as Lieutenant Governor.

By passing the laws which they passed, the people of West Virginia qualified the Governor, and they qualified the president of the senate to become Governor by compelling them to take the same type and kind of oath. That is my position. It may sound wrong to some, but I say that if we are to split seconds in this case, we have a right to split them the other way as well.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. KILGORE. Is it not a fact that under the constitutional provisions if the incoming Governor of West Virginia had failed to qualify for any appreciable time, the president of the senate, who was also an incoming official, but who had qualified before, would take over? Just when would he take over if he did not take over at the first instant? Would there be any way under the constitution of determining when he should take over?

Mr. LUCAS. Of course not. Under that section of the constitution if he did not take over the very second Governor Holt finished his constitutional term—and under another section of the constitution Governor Holt might not succeed himself—then he did not take over at all. He takes over automatically and instantaneously. My contention is that if Senator Neely had never qualified up to this moment under the statutes of West Virginia, the president of the senate would be the acting Governor. There can be no question about it. The president of the senate would be the acting Governor. If that rule is good for 3 months, it is good for 3 weeks; it is good for 3 days; and it is good for the thousandth part of a second upon which the opposition is hanging its legal hat in this case.

The last section of the constitution quoted is a most important one. Assume that Governor Holt had died at 11:30 on the night of January 12. Could anyone question the fact that the president of the senate would immediately become Governor, and that the appointment of Mr. Martin, made by Mr. Holt, would pass out of existence at the same time?

Assume further that Matthew Neely had not up to this moment resigned his seat in the United States Senate and had failed to qualify. That is the question I posed a moment ago. There does not seem to be any logical answer to it. If it is legal to stand on the split-second rule on the theory that the Governor holds over, it is certainly legal and in keeping with the spirit of this debate and the law of West Virginia for us also to stand on the split-second rule when the opposition says that Senator Neely was not qualified.

I say that the rule of law that the opposition seeks to apply in this case is so impracticable, so confusing, and so irritating to the people of the great State of West Virginia, as well as to a great number of United States Senators, that I think it is the better part of wisdom to discuss another rule of law with which Senators are no doubt somewhat familiar. But before I leave this question I wish to read into the RECORD what the courts of West Virginia have said about this very provision. I hope my good friend from Colorado will listen to this, because I know he is interested.

While we believe that Governor Neely was fully qualified to act as Governor at the very moment he ceased being a United States Senator, at which moment Governor Holt ceased being Governor, if there should be any question about his being fully qualified to act at that time by reason of not having filed a certificate of oath—along with the split second of time I am talking about—it is clear under West Virginia law that Governor Holt did not hold over, but that the president of the West Virginia Senate became acting Governor.

The two constitutional provisions cited above and referred to in the beginning of my remarks today are discussed in the case of *Carr* v. *Wilson* (32 W. Va. 419). In that case Governor Wilson was the old Governor. He, of course, could not run for reelection. General Goff and Mr. Fleming were candidates for Governor to succeed him; but after the election the election was contested between

those two parties, and as a result the legislature had not as yet met and declared either of the contestants the elected Governor. Under that state of facts the then president of the senate sought to act as Governor and tried to oust the old Governor. Governor Wilson, who contended that he held over, contested the case. The court held—and this is the important thing—that under such circumstances Governor Wilson would hold over; but particularly note what the court held with respect to what these two constitutional sections meant in the event either had been declared elected but had merely failed to qualify, which, of course, is the case with Governor Neely.

I am sorry that my friend from Colorado [Mr. ADAMS] has not heard this argument.

Mr. ADAMS. I beg the Senator's pardon.

Mr. LUCAS. It is perfectly all right; but I knew the Senator was interested in the West Virginia case dealing with this particular point.

Mr. ADAMS. A good many collateral arguments have been made in the case.

Mr. LUCAS. Yes; a number of collateral arguments have been made.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURRAY. I was trying to convince the Senator from Colorado that the argument of the Senator from Illinois is correct.

Mr. LUCAS. Perhaps the two of us can convince the Senator.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. I hope the Senator from Colorado will listen to the Senator from Montana, because if the Senator from Colorado gets ready to make a point that is against the position taken by the Senator from Illinois, the Senator from Illinois will not let him make it; so the Senator from Montana might as well continue to talk.

Mr. LUCAS. I am sorry I did not yield to the Senator from Kentucky.

Mr. CHANDLER. I wanted the Senator to yield on a particular point. When that point is over there is no use in discussing it.

Mr. LUCAS. I regret that my distinguished friend from Kentucky feels that way about the matter. The Senator from Utah [Mr. MURDOCK] was on his feet ahead of the Senator from Kentucky, and I bowed to him, with due deference to senatorial rules.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. LUCAS. I yield.

Mr. HATCH. I do not know whether the Senator from Kentucky was in the Chamber; but, after the Senator from Utah had finished, the Senator from Illinois made the statement that he would yield to the Senator from Kentucky.

Mr. CHANDLER. The Senator from Kentucky was here, but the boat had passed, and he saw it going around the bend and down the river. What is the use of interrupting under those circumstances? It was just like Whirlaway; there is no use trying to catch him.

I did not desire to have the Senator from Illinois now keep my friend from Colorado from talking to my friend from Montana, who already knows that we are right about this case. Let the Senator from Montana talk to the Senator from Colorado, because he does not want to change. It is useless for the Senator from Illinois to try to get him to change, and try to make him believe something is the law of West Virginia when it is not.

Mr. LUCAS. If the Senator from Kentucky is right about the case I shall not have to yield to him any more.

At the risk of burdening the Senate I am again going to review the *Carr* v. *Wilson* case. It contains a discussion of the two constitutional provisions. In that case Governor Wilson was the old Governor. He, of course, could not run for reelection under the West Virginia Constitution.

Mr. ADAMS. Is that the same as the Grattan case?

Mr. LUCAS. No; that is not the Grattan case. General Goff and Mr. Fleming were candidates for Governor to succeed Governor Wilson; but, after the election, the election was contested between those two parties, and, as a result, the legislature had not as yet met and declared either of the contestants the elected Governor. Under that state of facts the then president of the senate sought to act as Governor, and tried to oust the old Governor. In that case the contest had not been determined by the legislature, as to who was elected Governor. The court held that under such circumstances Governor Wilson would hold over; but particularly note what the court held with respect to what these two constitutional sections meant in the event either had been declared elected but had merely failed to qualify. In other words, the court took the slant that if either one of them had been duly declared elected by the legislature, and on the failure to qualify, the president of the senate would immediately come into power, and the Governor would not hold over under those circumstances.

The court said, and I repeat what I read a few moments ago:

> But, allow that they qualify both, it is plain, that it is a general rule in our constitution that, "unless removed, all officers shall continue to discharge the duties of their respective offices, until their successors are elected or appointed and qualified"; and the Governor falls within the rule, unless some other provision takes him out of it as an exception to that rule, in which case, to the extent such other provision might go, he would be out of that general rule.
>
> On search we find that section 16, article VII of the constitution does, to the extent therein provided, take him out of the general rule by the language: "In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the president of the senate shall act as Governor"—

Shall act as Governor—

> "until the vacancy is filled or the disability removed." I should say, that under this provision, if General Goff had been declared upon the face of the returns elected and had failed to qualify—

And that is the very contention here—the contention, not upon the part of the Senator from Colorado, but upon the part of some Senators upon the floor of the Senate, that Neely failed to qualify in two ways; that is, first, that he vacated his seat in the United States Senate at 11:45, when he took the oath; and, second, that he had to get rid of the senatorial toga before he could take up the governorship, and in the interim he had not qualified, and this appointment of Holt's moved in.

Let me further read to the Senate what the court in the Wilson case further said:

> The president of the senate would act as governor, ousting Governor Wilson; for here would be a failure to qualify by the governor elected and so declared, and under the language quoted the president of the senate would come in. But the president of the senate can come into the office of governor, or rather act as governor temporarily ex officio, as president of the senate, only on the contingency or state of facts specified in section 16, article VII; that is: "In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the governor;" and under a legal rule of construction, where there is a general rule, exceptions must be strictly construed, and cases must clearly fall within the exceptions.
>
> Now, the death, conviction or resignation of a governor is not suggested as existing as a ground for President Carr's claim. If it be said that, because of the fact, that no one has been declared elected, no one has legally taken the oath of office, and that there exists a "failure to qualify," giving to the president of the senate for that reason under the words of the constitution a right to the office, the question arises: Has that contingency arisen within the true meaning of the constitution? As above stated, had General Goff or anyone else been declared elected and had he failed to qualify, that would be a failure to qualify within the meaning of the constitution.

I contend that it is absolutely clear from this expression of the Supreme Court of West Virginia that if, as contended, the failure to file a certificate of the oath, which they claim took some 40 or 50 minutes, or this fraction of a second in which they say it had to be done, was an omission of a necessary step in qualification, Governor Neely having been elected and having been declared elected by the legislature, he had merely omitted to qualify himself at the time Governor Holt's regular term expired. Therefore, under the constitution of West Virginia, and expressly within the decision of Carr against Wilson, Governor Holt's term would cease at the stroke of midnight, and the president of the West Virginia Senate would act as Governor until Governor Neely had qualified himself, whether that was 1 second, or whether it was 3 weeks, or whether it was at this particular moment. If Neely failed to qualify within that first minute, if he failed to qualify, as contended by some here, up to now, assuming that he had failed, there is no question that the president of the Senate of West Virginia would have been the Governor.

Mr. ADAMS. Mr. President——

Mr. LUCAS. I yield to the Senator from Colorado.

Mr. ADAMS. May I state to the Senator that my own tentative reasoning

has been along this line, that Senator Neely's resignation came in, of course, during Holt's term; it had to, and did so by its own terms. Of course, Neely's resignation was in anticipation. I do not remember the date, and that does not matter, but he handed the resignation in to take effect at the last instant of Sunday, the 12th of January.

Mr. LUCAS. Precisely at 12 o'clock.

Mr. ADAMS. I feel that if there was validity to the action of Governor Holt, it must be by virtue of the midnight appointment which Governor Holt made.

Mr. LUCAS. The third appointment.

Mr. ADAMS. Because, by Governor Holt's own statement, he signed the appointment at the stroke of 12 o'clock. That involves the question of holding over and the questions the Senator has been discussing, because Holt's appointment of Mr. Martin was not within his original term. But the question in my mind has been whether or not the anticipatory appointment made by Holt could take effect within his term, that is, within what was his legal term, omitting any question of holding over afterward, and as Senator Neely's resignation took effect almost at the stroke or right at the stroke of midnight, whether or not the appointment made in advance to take effect at that time would be good, whether or not the appointment could take effect practically simultaneously with the resignation. That is the point I have been especially interested in.

Mr. LUCAS. I think it is an important point. If any appointment by Governor Holt is good at all, in my opinion the second appointment is the only one which is good. I know the first one is invalid; in my opinion, the last one is invalid; and the only one that has any merit at all, if it has any merit, is the second appointment which was made.

Mr. ADAMS. Does the Senator feel, forgetting any controversy for the moment, that if Senator Neely had resigned to take effect on the 1st of December, the Governor on the 1st of November when he had the resignation could make an appointment to take effect on the 1st of December?

Mr. LUCAS. There is no question that the Governor could make a future appointment, but he could not project the appointment over the term of his office. We all agree on that, I think.

Mr. ADAMS. Within the tenure of his office, he could make an anticipatory appointment.

Mr. LUCAS. There is no doubt about that.

Mr. ADAMS. My thought was that, if there was validity to his appointment probably it must be made within his term, and there was an almost simultaneous operation of the resignation and the appointment.

Mr. LUCAS. Of course, that is the argument the majority is using in this case. If it was simultaneously and instantaneously there was no hiatus; the constitutional term of Governor Holt having expired under the constitution promptly at 12 o'clock, and the resignation of Senator Neely having taken effect precisely at the same time, one just fits into the other; there was no interregnum between the two. Able Senators take a little different position, and say there had to be that fraction of a second of a hiatus, as the Senator from North Carolina [Mr. BAILEY] said; that Mr. Neely had to divest himself of the office of Senator before he could take the office of Governor; he had to take off one hat and put on another. That is the argument the junior Senator from Kentucky has been making in the case.

Mr. ADAMS. But from my standpoint there is still a question at this point of the argument whether or not Governor Holt, within his term, appointed a Senator to succeed Neely who had resigned within his term, irrespective of who became Governor, or when.

Mr. LUCAS. I appreciate the question of the Senator, and, primarily, my own opinion is that the appointment by Governor Holt was projected beyond his term and was invalid.

Mr. CHANDLER. Mr. President——

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. CHANDLER. It occurs to me to ask, Did West Virginia have a Governor when the vacancy occurred; and if so, who was it?

Mr. ADAMS. Of course West Virginia did have a Governor.

Mr. CHANDLER. Who was the Governor when the vacancy occurred?

Mr. ADAMS. Governor Holt. The question is whether or not the appointment was made while Holt was Governor.

Mr. CHANDLER. There is no question about that.

Mr. ADAMS. Of course, if there is no question about that, we are wasting a lot of time.

Mr. CHANDLER. There is no question about that. My friend from Illinois said that there is no question that the Governor who is in office when a vacancy occurs can fill the office if the vacancy occurred during his term. So, the way I view it, it seems to me to be just as simple as a goose going barefooted that Neely resigned his office as United States Senator to the Governor of his State, that is, to Governor Holt, and as soon as Governor Holt got the resignation he wrote 1:30 on it and signed his name to the appointment of a United States Senator to fill the vacancy that had occurred. They did not use the right words. Neely says, "I want to resign at precisely 12 o'clock." When he gets in office he says, "I want to be Senator instantly after 12 o'clock." My view of the matter has been all the time that when Governor Holt had the resignation of Senator Neely he knew a vacancy was going to occur in his term, and in Neely's term, because, under no stretch of the imagination could Neely have been Governor until he filed his oath at 12:50 p. m. the next day.

Mr. ADAMS. Senator Neely's resignation stated that it took place on Sunday. He could not become Governor on Sunday.

Mr. CHANDLER. He said it would become effective precisely at 12 o'clock.

Mr. ADAMS. I mean it was during Holt's term, and on the day when Holt's term by statute ended.

Mr. CHANDLER. Senator Neely resigns to Governor Holt. He says, "I want to quit being Senator at precisely 12 o'clock midnight." So the Governor says, "All right; there is a vacancy which is going to occur; there is nobody else who is Governor of West Virginia, and I am going to appoint." Neely resigned as United States Senator; and as to the question of time, whether 11:35 or 11:45 or precisely at 12 o'clock, all those times were in Governor Holt's term; and as soon as the vacancy occurred the appointment which he had made to fill the vacancy which would occur in his term took effect.

Mr. STEWART. Mr. President, will the Senator from Illinois yield to me?

Mr. LUCAS. It is not quite so easy as that, but I yield to the Senator from Tennessee.

Mr. STEWART. I should like to ask a question of the Senator from Kentucky. How could precisely at midnight be in Governor Holt's term?

Mr. CHANDLER. Because the Governor of West Virginia is Governor of West Virginia until his successor is appointed or elected, and the code says "and shall have qualified."

Mr. STEWART. His term always, as a matter of law, it seems to me, ends precisely at midnight.

Mr. CHANDLER. It does not end at midnight; it does not end at any specific time.

Mr. STEWART. Then, how is a conclusion arrived at as to when his term has ended?

Mr. CHANDLER. There is no way to end it until his successor is appointed or elected and, according to the law of West Virginia, shall have qualified.

Mr. STEWART. How is it determined when his successor shall have qualified?

Mr. CHANDLER. By the law of West Virginia.

Mr. STEWART. What is the law of West Virginia?

Mr. CHANDLER. The new Governor has to make an oath and file it. The law of West Virginia says he has got to do everything necessary in order to qualify him to be Governor of the State, and "everything" includes making the oath and filing it in the office of secretary of state or filing the certificate in the office of the secretary of state as evidence of it. That is the actual fact. Some other Senators have not been through that. I have been. When I became Governor of my State I made oath, and then took it to the secretary of state's office, put it on the book, and then appointed an adjutant general.

Mr. STEWART. The Senator is getting many miles away from the point I am trying to make. When does the term of the Governor of West Virginia end?

Mr. CHANDLER. When his successor is appointed or elected, and "he shall have qualified."

Mr. STEWART. Can his successor qualify within 12 months after he is elected?

Mr. CHANDLER. Unless there was a refusal, and there was no refusal in this case. In fact, instead of there being a refusal there was a declaration of intention to qualify; there was no declaration

of a refusal but a declaration of intention on the part of Neely to quit being Senator and be Governor.

Mr. STEWART. Perhaps I can approach the matter from another angle, if the Senator will bear with me. What is the length of term of the Governor of West Virginia?

Mr. CHANDLER. Four years, or until his successor is elected or appointed and "shall have qualified."

Mr. STEWART. When does it begin?

Mr. CHANDLER. Whenever he qualifies.

Mr. STEWART. And when does it end?

Mr. CHANDLER. When his successor qualifies.

Mr. STEWART. The 4 years is computed from when to when?

Mr. CHANDLER. From the time he qualifies until his successor qualifies.

Mr. STEWART. Suppose that is longer than 4 years?

Mr. CHANDLER. It has been, and he holds over. Every officer holds over, according to the Constitution of West Virginia and according to the 1937 code, until the things happen that I have told the Senator about time after time.

Mr. STEWART. I have not asked the Senator a single time about holding over.

Mr. CHANDLER. Oh, no; the Senator does not want the Governor to hold over, but he is holding over. I am just telling the Senator what happened. The Senator does not want him to hold over. I know he does hold over.

Mr. STEWART. Of course, he did not hold over.

Mr. MURDOCK. Mr. President, if the Senator will yield to me——

Mr. LUCAS. I very much doubt whether the Senator from Tennessee and the Senator from Kentucky can convince one another upon that question. I yield to the Senator from Utah.

Mr. MURDOCK. Mr. President, I thought the statement of Governor Holt himself would probably enlighten not only the Senator from Kentucky but also the Senator from Tennessee. I think a proper answer to the Senator from Kentucky as to when Governor Holt's term ended is that it ended, according to Governor Holt, when he had satisfied himself that he had appointed Mr. Martin to the Senate.

Mr. CHANDLER. It does not do any such thing. Governor Holt——

Mr. MURDOCK. I did not yield to the Senator from Kentucky.

Mr. CHANDLER. The Senator from Utah has not the floor. The Senator from Illinois has the floor.

Mr. MURDOCK. But he has yielded to me.

Mr. LUCAS. Mr. President, I make the point of order that the debate ought to proceed in order.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The Senate will be in order.

Mr. CHANDLER. Mr. President, will the Senator from Illinois yield for a question?

Mr. MURDOCK. I think the Senator from Illinois yielded to me to make an observation.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and, if so, to whom?

Mr. LUCAS. I yield to the Senator from Utah.

Mr. MURDOCK. Governor Holt himself made this statement, and I think it is very enlightening as to what he had in mind. This is what he said—page 34:

> The CHAIRMAN (interposing). That is what I am asking.
>
> Governor HOLT. Or 3 or 4 days, I was there, and I might say, Your Honors, that nobody was in a position to get into my office until I gave the word that they could get in.

I think that was Governor Holt's attitude in this matter—that, notwithstanding the constitution of West Virginia and notwithstanding the laws of West Virginia, nobody could get into his office until he had accomplished something which was not within the law.

Mr. CHANDLER. Mr. President, will the Senator permit an answer?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. CHANDLER. I wish to say to my friend from Utah that there was a good deal of indulging in "my office." Senator Neely said, "This is my office, boys. This is my term you are filling." He said, "I think you ought to fill it with somebody whose governmental views accord with mine. This is my term you are filling."

Whose term is it? I do not agree that either the Governor or the Senator had a right to tell the people of the United States whose term that was.

Mr. MURDOCK. I agree with the Senator.

Mr. CHANDLER. The Governor's term belongs to the people of West Virginia. The Senator's term belongs to the people of West Virginia. My contention is that neither one of them had a right to try to control two offices that the law says they cannot hold at the same time.

I thank the Senator from Illinois very much for yielding to me.

Mr. MURDOCK. I merely call the Senator's attention to what Governor Holt said. There were two guilty parties there.

Mr. LUCAS. Mr. President, I want to get back onto the law, and forget some of the political philosophy and implications that exist in West Virginia.

Mr. STEWART. Mr. President, will the Senator yield to me just a moment before he resumes his argument?

Mr. LUCAS. Yes; I yield to the Senator from Tennessee.

Mr. STEWART. What is the Senator's construction as to when the term of the Governor of West Virginia ends or concludes? In the case under consideration, when did the term of Governor Holt expire—of course, without consideration of the proposition of qualifying, because that is the chief matter of contention here?

Mr. LUCAS. Insofar as this case is concerned, as I have said time and time again, it is my studied conviction that the constitutional term of Governor Holt expired at midnight on the 12th of January 1941, and that Senator Neely's term as Senator, under the wording of his written resignation, expired at the same time. If my contention is correct, Senator Neely became the Governor of West Virginia simultaneously with his resignation as United States Senator and simultaneously with the expiration of the term of Governor Holt. That is premise No. 1. That is the thing upon which the majority are standing. That is the real nub of the case as I see it.

On the other hand, I have been discussing the other legal questions, as lawyers are frequently bound to do; and sometimes you can discuss too many points. There is always one real question in every piece of litigation. I found that out in my experience; and if you can find it and properly analyze it and digest it and make an intelligent argument upon it, you may have some success with the ordinary jury or judge. I do not know whether that can be done with the Senate or not, but I am trying to do that here; and for the benefit of those who might not agree with the position the majority took with respect to the going out of office of Neely and his coming in as Governor at practically the same time I proceeded to discuss the question of the president of the senate coming in as Governor of the State of West Virginia. I am serious about that legal proposition. I cannot read the Goff-Wilson case without being serious about it. I do not believe the question of time makes any difference on whether or not an officer fails to qualify. If the opposition are bound to split seconds in this case, we certainly have a right to argue that failure to qualify can be within split seconds, too. If Senator Neely had never qualified up to this moment, it is a certainty that under this provision of the constitution and the Wilson case Governor Holt would not be holding over. He might be in there, as was suggested a moment ago in reading his statement; but there would be a lawsuit in West Virginia at this very time for the purpose of attempting to oust him. That is a certainty. Assuming that Senator Neely, after being elected and having been declared elected by the Legislature of West Virginia, had said, "Well, boys, I am going to continue on as a United States Senator," do you think Governor Holt would be holding over under this provision? Not at all. After the legislature said that he was elected, if he failed to qualify, under the holdings of the court, as I read a moment ago, the president of the senate automatically would become the Governor of the State of West Virginia.

Mr. CONNALLY and Mr. CHANDLER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. LUCAS. I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, I do not want to disturb the Senator; but right on that point, those who are supporting the appointment of Judge Martin contend that Holt held over, but they also have to contend that the only reason on earth why he could hold over for one split second was the fact that Neely had not qualified.

Mr. LUCAS. That is true.

Mr. CONNALLY. In other words, they contend that Neely had failed to qualify. Of course, if Neely qualified instantaneously and simultaneously and automatically the situation would be different; but even according to their own con-

tention, Holt could hold over for about a second and a half only because of the fact that Neely had not at that second qualified. If that be true, does it not inevitably occur that under the provision as to the president of the senate, he, instantly upon 12 o'clock arriving, would not be the Governor but would perform the duties of the Governor?

Mr. LUCAS. He would be the acting Governor.

Mr. CONNALLY. Even in that split second there could not be two men legally and constitutionally authorized to act as Governor.

Mr. LUCAS. That is true.

Mr. CONNALLY. Holt could not act as Governor and the president of the senate act as Governor at the same instant.

Mr. LUCAS. The Senator from Texas, in my opinion, is correct, and the conclusions he reaches are sound. In this case, besides the qualifications set up by the Constitution of West Virginia, the opposition add one more qualification, and say that Senator Neely has to take off his senatorial hat before he can put on his Governor's coat; and that little interim, that little fraction of a second, is when Mr. Holt reaches in with appointment No. 2, and that is when it takes effect. They add one more qualification that is necessary before Neely can be Governor, about which the statutes of West Virginia do not have anything to say. That is what they do in this case; and just as surely as the Senate adopts this rule we shall see confusion and bitterness and rancor and irritation constantly throughout this country wherever the election laws of a State are similar to those of West Virginia.

There will be these midnight sessions; but there is one way to stop them, and that is by adopting the rule which has been laid down by the majority report; and they cannot be stopped in any other way, because the distinguished Senator from Vermont, able and eminent counsel that he is, does not lay much stress upon the second appointment in this case; he lays his contention and the roots of the argument on the third appointment in this case. There we have the difference between the legal minds as to which appointment is correct. The able Senator from Colorado lays stress upon the second appointment, and I agree with him, if there is any merit in any of the appointments it is in the second one. But not so with the great lawyer from Vermont. He says the third appointment is the important one in the case, and he argues with force, with power, as only a great Senator like him can do. If Senators can disagree upon the question of the power in these different appointments, as has been done in this case by the best legal minds in the Senate, then I say with all of the sincerity I possess, if we are to adopt a rule such as has been suggested by the minority report, this thing will happen again—either in West Virginia or some other State—instead of having two men asked to stand by here in the Senate, there will be three, because the next time the man who is the president of the senate will have his appointee here also. There will be more bitterness, more rancor, and more political feuds as a result of the adoption of the kind of a policy suggested.

Mr. ADAMS. Mr. President, may I venture to express doubt that the chaos would ensue? As a matter of fact, I do not think the same situation is likely to occur in any other State in the Union; that is, that there will be the purpose and the effort. If the Senate lays down either rule, it will settle the problem. Whether it decides that the outgoing Governor has the power or decides that the incoming Governor has the power, I think the problem will be substantially settled.

The Senator's argument is based upon the question of public policy. I have tried to find out whether he thought public policy should be the controlling factor.

Mr. LUCAS. I am adding that at the proper time.

Mr. ADAMS. The Senator does not think there is any other State where such a thing could happen, does he?

Mr. LUCAS. No; unless it is the Senator's State. I do not know whether people play politics in the Senator's State, but I know they play them in the State of Illinois. I have been mixed up in some pretty bitter political controversies, and I do not think they are any different in my State from those in the Senator's State, when political factions fall out.

Mr. ADAMS. In my State, notwithstanding the burdens of the office of Senator, we have not had any instance where anyone has resigned from the Senate to run for Governor.

Mr. LUCAS. But it might happen; the Senator would agree that it could happen.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. The fact that this is, so far as I recall, the first time a situation like this has ever presented itself to the United States Senate since we have been a republic, does not mean, of course, that it would not happen again. But I think the public-policy argument is all on the other side.

Mr. LUCAS. I do not want to get into that now.

Mr. CHANDLER. I will stop now, if the Senator desires. I cannot ask him a question if he does not let me, and if he does not, I will take my seat.

Mr. LUCAS. The Senator can talk just as long as he desires.

Mr. CHANDLER. I do not desire to take the Senator's time, but I should like to say what I started out to say, if he will permit me. If he does not, I will sit down and say it at some other time.

Mr. LUCAS. Go ahead.

Mr. CHANDLER. As to the question of public policy, it strikes me that when a State, as in the case of West Virginia, provides in its constitution and its laws that one man may not hold two incompatible offices, it is clear that its people do not want one of their Senators to be Senator and Governor at the same time. They want him to elect which one he will be, or which one they will let him have an opportunity to be. Here is a man who has a seat in the Senate which does not belong to him, but to the people of West Virginia. He decided he did not want it, but that he wanted to be Governor, and it looks to me as if public policy is on the side of saying to a fellow, "You cannot have two of our offices, you can have one; and if you cannot have two, you cannot control two."

I want to see the faces of the Senator from Illinois and other Senators when the Senator from West Virginia comes back here and rolls them around, takes them off committees, and turns them out of their offices, as he did here. It is likely that 2 years from now the Senator may not get an office.

Mr. LUCAS. I am glad the Senator brought up what the Senator said about me.

Mr. CHANDLER. I did not say that.

Mr. LUCAS. The Senator said something through implication and I know what the score is on that. But I hope, Mr. President, that so long as I am in the United States Senate, so long as I represent a great State such as Illinois. I will not permit some little thing which some Senator may have said about me, some little memorandum some Senator may have written about me, to influence me in making a great decision in this great body as to who should be United States Senator or who should not be United States Senator.

Mr. CHANDLER. I do not think anyone would, but the Senator is not going to vote blind, is he?

Mr. LUCAS. Just a moment; I am not going to yield. I know what the Senator is driving at in this case. I will say to the Senator that I did not prejudge this case in advance. I did not tell the committee on the opening day that I was ready to make a decision in the case, without knowing what the facts were.

Mr. CHANDLER. The Senator from Illinois was not appointed to look up the law by the chairman, and did not know what the law was.

Mr. LUCAS. I am going to hold the floor of the Senate——

Mr. CHANDLER. The Senator always declines to yield when he gets in trouble and does not want to answer. He always shuts me up when he has the floor, and I cannot answer.

Mr. LUCAS. I have the floor.

Mr. CHANDLER. The Senator does it every time I interrupt him, so I am not going to do it any further.

Mr. LUCAS. That will be fine.

The PRESIDING OFFICER. Does the Senator from Illinois yield?

Mr. LUCAS. No; I am attempting to answer the Senator, after he made a little observation, through implication, here upon what Senator Neely tried to do to me in the way of a little memorandum of some kind. After all, there are more things in life than a little bit of prejudice and a little bit of friendship, or personalities such as exist in cases of this kind. In my opinion, this is one of the most serious matters that has been before the Senate in a long time. I feel that way about it.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. No; I refuse to yield just for the moment.

I am trying, in my limited way, to argue this case from the standpoint of law. I have another legal proposition, if I can get around to it. I have been led aside a few times. I am glad to be led aside by my colleagues in the Senate, and I have tried my best to answer their questions. But there is another legal question involved which I think is very important from the standpoint of law, and I know the Senator from New Mexico [Mr. HATCH] probably will discuss this in greater detail than I shall, because I have detained the Senate for practically an hour, and I am going to move along in the debate.

Mr. President, there is another proposition of law which I wish briefly to discuss. If there be some Senators who think that the oath taken on the 13th day of January is valid and that the filing with the secretary of state is necessary, all of which I deny, I submit for their consideration the following principle of law, that is, that any oath taken by Mr. Neely during the first day of his term, which was on January 13, 1941, or any other act performed by him on that day, would relate back to the very first moment of that first day. I submit with enthusiasm that the only power the outgoing Governor would have is to perform such duties as might pertain to the closing up of the affairs of his term. I refer to what is known as the old hornbook rule of law which does not recognize fractions of a day. The case of *State ex rel. Farrer* v. *McIntyre* (109 Minn. 18, 122 N. W. 462), is an authority to sustain this position. This case squares with the facts presented here. In the Minnesota case, the term of a sheriff of a certain county expired on the 4th of January 1909. At the general election held in 1908 he was elected for an additional term, commencing on January 4, 1909. However, he died on the day after his election. The term of the board of commissioners of the county as then constituted, also would expire at midnight on the 3d day of January 1909, the same as the office of the sheriff. At 1:30 o'clock on the afternoon of January 4, the old commissioners met and made an appointment for the term of sheriff commencing on that day. Later, the newly constituted board met and appointed a different person for the term commencing on the 4th day of January 1909. This case is parallel with the facts we have in the West Virginia case.

The Minnesota court, in construing the constitutional provision which is similar to the one of West Virginia, said:

> The important question is: Did the old board have authority to fill the vacancy for the ensuing 2 years caused by the death of Mr. Walsh? By section 9, article 7, of the State constitution, the official year commences on the first Monday of January, at which time all terms of office terminate. *State ex rel. Lull* v. *Frizzell* (31 Minn. 460, 18 N. W. 316). In that case, however, there was no occasion to consider whether the official year commenced at any particular time of the day. The statute, following the constitution, defines the term of office as follows: "The term of office of every State and county officer shall begin on the first Monday in January next succeeding his election, unless otherwise provided by law" (Rev. Laws, 1905, sec. 155). The statute does not provide that county commissioners shall hold office until their successors are elected and qualified, but section 546, Revised Laws 1905, provides that a sheriff shall hold office for 2 years and until his successor is elected and has qualified.

The court overlooked that section of the statute, and I shall discuss it a moment later.

> Notwithstanding the constitutional provision that the official year commences, and all terms of office terminate, on the first Monday in January, it seems to have been generally the impression that outgoing officers are entitled to hold over the first Monday in January and until such time as their successors qualify. Such would no doubt be the rule, in the absence of constitutional restrictions. But, when the constitution fixes the day upon which the official term shall begin, there is no legislative authority to continue the office beyond that period, even though the successor fails to qualify within the time. State ex rel. *Childs* v. *O'Leary* (64 Minn. 207, 66 N. W. 264). The day begins at 12 o'clock midnight, and the law does not recognize fractions of a day.

The court makes the assertion:

> We are aware that as a general rule a board with continuing power has authority to anticipate the future and make appointments to take effect in the future; but such authority exists only where the vacancy occurs at a time when the board as then constituted is still vested with full legal authority, and we know of no case which holds that outgoing officers may encroach upon the first day of the official year for the purpose of tying the hands of their successors in this manner.

It is well to point out that the Minnesota opinion originally held that the statute did not provide that county commissioners shall hold office until their successors are elected and qualified. And this point was brought to the attention of the committee by the counsel for Mr. Martin. However, upon a petition for reargument the court took particular pains to point out that it was mistaken in that assertion and that there was a statute which provided that county commissioners could hold office until their successors are elected and qualified. The court said they merely overlooked this statute in writing the opinion, but further said that while this was an inadvertency, even so, it is of no importance, as the statute is ineffective anyway. In other words, even though the Minnesota statute so provided, the court said it could not affect the holding of the court or its reasoning in the opinion.

The legal provisions and the facts laid down in this case are particularly applicable to the attempted appointment made by Hon. Homer A. Holt on January 13, 1941.

The principle of law last stated in the Minnesota case is universally recognized. It is agreed by all parties to this contest that the appointment of a Senator to take effect in the future is good providing that the vacancy in the United States Senate occurs during the term of the appointive power. It is useless to cite any cases substantiating this position. As I have previously stated, I am convinced beyond the peradventure of a doubt that there was no vacancy in the seat of Matthew Neely in the United States Senate until precisely at the hour of 12 o'clock, January 12, 1941. I honestly submit that under the facts there was no hiatus or interregnum between the time of resignation and when the office of Governor began. I respectfully submit that the resignation became effective simultaneously with the termination of the constitutional term of Governor Holt and the beginning of the term of Governor Neely. But if there is anyone in doubt about that legal proposition, then undoubtedly under the hornbook rule, which does not recognize fractions of a day, certainly there could not be even a split second between the time that the resignation from the Senate was effected and the term of Governor of Senator Neely began.

POINT NO. 4—QUESTION OF PUBLIC POLICY

Mr. President, I shall now discuss for a few moments the question of public policy, and I do this because the question of public policy was raised, as I said awhile ago, by the distinguished Senator from Vermont [Mr. AUSTIN].

Able Senators have argued that a sound course of public policy should prohibit a United States Senator who has resigned and has been elected Governor from appointing his successor to the Senate. I will agree that there is some justification for this position. That is the question which has been discussed here pro and con in the Senate up to this time. The Senator from Kentucky [Mr. CHANDLER] a moment ago referred to that very thing. I will agree that there is some justification for this position. This is the first time in the history of our country that such has been done, but I am constrained to remind the Senate that the people of a State mold public sentiment, which produces public policy of the State; the people of the Nation mold public sentiment, which produces a national public policy.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Smathers
Bilbo	Hayden	Smith
Bone	Herring	Spencer
Brown	Hill	Stewart
Bulow	Holman	Taft
Bunker	Hughes	Thomas, Idaho
Burton	Johnson, Calif.	Thomas, Okla.
Butler	Johnson, Colo.	Thomas, Utah
Byrd	Kilgore	Truman
Byrnes	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lee	Vandenberg
Chandler	Lucas	Van Nuys
Clark, Idaho	McCarran	Wallgren
Clark, Mo.	McFarland	Wheeler
Connally	McNary	White
Danaher	Mead	Wiley
Davis	Murdock	Willis
Downey	Murray	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

Mr. LUCAS. Mr. President, I desire to discuss briefly the question of public policy involved in this case, in view of the

fact that on Friday last the very able Senator from Vermont and the distinguished Senator from Wisconsin entered into a colloquy with the senior Senator from Kentucky [Mr. BARKLEY] upon the question of public policy. The junior Senator from Kentucky has also debated the point as to the question of public policy where a United States Senator has the power—as he has, in my opinion, in this case—to appoint his successor.

Able Senators have argued in the negative upon this point, and I agree that there may be some justification for the position they took. However, this is the first time in the history of our country that this thing has been done.

I am constrained to remind the Senate that the people of the State mold public sentiment and make public policy; the people of a nation mold the sentiment of the Nation and make national policies.

However, we should remember that in the debates in the campaign for governorship of West Virginia the issue of public policy was raised, and it was frequently debated from the stump, quoted in the press, and even circulated on dodgers throughout the State, by the opposition to Senator Neely, the purport of all being that if he were elected Governor he would appoint his successor to the United States Senate. I do not say that that was the major campaign issue which probably decided the question as to who would be the Governor of West Virginia, but certainly it was an issue that was thrown into that campaign, and the evidence in the record does not in any way disprove the statement that was made.

Notwithstanding this was made a campaign argument, Matthew Neely won the primary race over his Democratic opponent by some 48,000 votes; and he won over his Republican opponent in the general election by 112,000 votes, running only a few thousand behind the President of the United States.

So, Mr. President, public policy is involved in that proposition; but, in my opinion, the people of West Virginia knew about it and passed upon it, and they passed upon it in favor of Mr. Neely.

On Friday last something was said here about a Governor making an appointment. Of course, the great trouble is that for the moment we forget that at the present time Matthew Neely is not a United States Senator, but that he is the Governor of a State, and, like all other Governors, is attempting to appoint a United States Senator where a vacancy exists. Is it any worse for a United States Senator to go out of the Senate to become Governor and to say that he has some control over the Senator whom he appoints, or, at least, that there is a friendly feeling between the two of them; or, at least, that they get along in State and National affairs—is it any worse for that situation to exist than for an ex-Governor to come here by appointment as Senator, and for that Senator, when he gets here, to control the Governor of the State who made the appoinment? That has been done several times in the past. If there is any condemnation to be made, one is as bad as the other, and I undertake to say that public policy is involved when the individual who is just going out of office, as was the case in West Virginia, seeks in the dyings days of his administration to make appointments of this kind.

Mr. President, the twentieth amendment to the Constitution was adopted for the purpose of eliminating "lame ducks." I see the distinguished senior Senator from Nebraska sitting in the Chamber at the present time. He was responsible for the adoption of the twentieth amendment to the Constitution; and I would call upon him, if he so desires and feels so inclined, to say something as to his purpose in proposing the twentieth amendment, which was ultimately passed on to the people, and which now is one of the amendments to the Constitution. As I understood it, the amendment had something to do with those who were just going out of office, and who, following their defeat in the election, sat around here from January until March, without much interest in the affairs of the Nation as they properly should have.

Would the Senator from Nebraska care to say a word about the "lame duck" amendment, and to state whether he agrees with my view regarding it?

Mr. NORRIS. Does the Senator desire an answer now?

Mr. LUCAS. I should be glad to have the Senator's answer now.

Mr. NORRIS. While in my judgment there were other reasons than this particular one for the adoption of the so-called lame-duck amendment to the Constitution of the United States, yet one of the major purposes of that amendment, as I understand it, was to prevent men whom the people at home had repudiated from sitting here and making laws for the Nation after they had been repudiated.

Does that answer the Senator's inquiry?

Mr. LUCAS. That answers the question, I will say to the Senator.

Mr. NORRIS. Very well.

Mr. LUCAS. In other words, while probably that situation is not exactly similar to the question here, yet here is an individual who, the constitution said, could not succeed himself; who was there for a period of 4 years—just the same as a Representative is elected for a period of 2 years or a Senator for 6 years, and formerly they held over for a certain length of time, and had certain powers while they were lame ducks, so to speak—here is a Governor who, in the dying days of his term—a lame duck, so to speak—attempts to make one of these important appointments.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. I think the Senator is mistaken. It was not in the dying days; it was in the first day of the new year.

Mr. LUCAS. That is correct; it was in the first seconds, in reality, of the new year, instead of the dying days.

Mr. President, I ask unanimous consent to insert in the RECORD at this point in my speech the yea-and-nay vote in the Senate on the adoption of the twentieth amendment to the Constitution.

There being no objection, the vote was ordered to be printed in the RECORD, as follows:

[From CONGRESSIONAL RECORD of January 6, 1932, p. 1384]

YEAS AND NAYS ON PASSAGE OF SENATE JOINT RESOLUTION 14

Yeas, 63: Ashurst, Austin, Barbour, Barkley, Blaine, Borah, Bratton, Brookhart, Bulow, Byrnes, Capper, Caraway, Connally, Coolidge, Copeland, Costigan, Couzens, Cutting, Davis, Dickinson, Dill, Fess, Fletcher, Frazier, George, Glenn, Gore, Hale, Harris, Hatfield, Hawes, Hayden, Hull, Johnson, Jones, Kean, Kendrick, Keyes, La Follette, Lewis, Logan, McGill, McKellar, McNary, Morrison, Neely, Norbeck, Norris, Nye, Robinson of Arkansas, Robinson of Indiana, Sheppard, Shipstead, Steiwer, Thomas of Idaho, Thomas of Oklahoma, Tydings, Vandenberg, Wagner, Walsh of Massachusetts, Walsh of Montana, Wheeler, and White.

Nays, 7: Dale, Goldsborough, Hebert, Metcalf, Patterson, Smith, and Watson.

Not voting, 25: Bailey, Bankhead, Bingham, Black, Broussard, Bulkley, Carey, Glass, Harrison, Hastings, Howell, King, Moses, Oddie, Pittman, Reed, Schall, Shortridge, Smoot, Stephens, Swanson, Townsend, Trammell, Walcott, and Waterman.

Mr. LUCAS. Mr. President, I submit that another question of public policy is involved, a question which I consider far more serious and greater, from the standpoint of the public weal, than the proposition of public policy which has just been discussed. This question relates to the third appointment made by Governor Holt immediately after the hour of midnight on the morning of the 13th of January, as well as the taking of the third oath by Governor Neely during that same split second. The question has been asked as to whether or not Homer Holt, as Governor, could make the appointment of Mr. C. E. Martin before Senator Neely could take the oath. Upon this split second some Senators want to make a decision. It is at this point that I desire to consider and discuss the nocturnal activities of these two distinguished gentleman from West Virginia on the night of January 12 and the morning of January 13.

Equipped with split-second stopwatches, these men, one the outgoing Governor of a great Commonwealth, the other his successor, await the witching hour of midnight—that is when the ghosts will walk, the ghosts of West Virginia's factional strife.

This is statesmanship for you. This is the science of government.

The midnight hour nears. Determined that there be no advantage gained by the other due to a mistake in time, these learned and profound statesmen have their watches checked with the Naval Observatory time at Washington, D. C., right to a split second.

Probably the hour of midnight, which is the close friend of sleep and silence, was never better known or recorded in the hills of West Virginia than on this occasion. And, likely, the hills of West Virginia never witnessed a more ludicrous situation in the annals of its statehood.

Certainly the selecting of a Senator of the United States in the first second of the first minute of the witching hour of midnight by a stop watch is without precedent.

The contention of one is that his opponent is no longer—in fact, since the now striking clock first struck—a Senator but has yet to become Governor. So, he argues, he is the Governor and can, therefore, appoint someone to fill the Senate seat vacated at the first stroke of the still striking clock. Senator Neely, taking no chances on the previous oath made at 11:45, takes a third oath in the split seconds of the first minute immediately after the hour of midnight, and on this absurd situation, a situation which to me is as laughable as a comic-opera revolution, a Senator of the United States is to hold office.

Mr. President, is there a United States Senator who believes it is sound public policy for incoming and outgoing Governors to split seconds at the hour of midnight so as to gain priority in the appointment of United States Senators to the greatest legislative hall in the United States? Are we going to say to the country that the United States Senate effectively split a second, and upon that base an appointment?

Ah, Senators, there are those who tell me that democracy should be streamlined in the face of the totalitarian threat, but I did not know that we had gone so far in that direction that hereafter Senators are to be seated by a split-second stop watch.

Mr. President, I cannot believe that the majority of Senators will adopt such a ridiculous, absurd, and impracticable rule. To do so would lead to the road of chaos, confusion, bitterness, and discord in the affairs of the States of this Union, just as we have witnessed confusion and bitterness in the attempted adoption of this rule in West Virginia. The Senate of the United States is too big to deal with such a picayunish and technical detail. We ought to adopt the rule laid down in the Minnesota case which says where an incoming officer qualifies and assumes his duties with ordinary dispatch on the first day of his term, all appointments and all other acts are retroactive in that they begin at the first moment of his first day, or we should follow the Carr against Wilson case. Both are sound doctrines; both are sane and sensible doctrines; this is only upon the theory that if you believe that Matthew Neely's resignation was not simultaneous and instantaneous with his assuming his duties as Governor of his State. In addition to these questions of public policy, I pose another question which deals with what I term fireside equity which I honestly feel the Senate of the United States has a right to take into consideration in connection with making a decision in this matter.

Section 4, article 6, chapter 6 of the Official Code of West Virginia provides as follows:

> Any person who has been, or may hereafter be appointed by the Governor to any office or position of trust under the laws of this State, whether his tenure of office is fixed by law or not, may be removed by the Governor at his will and pleasure. In removing such officer, appointee, or employee it shall not be necessary for the Governor to assign any cause for such removal.

The significance of this language is found in the fact that the people of West Virginia have not tied the hands of the incoming Governor insofar as State appointments are concerned. Obviously, the statute does not apply to the appointment of United States Senators because of the Federal Constitution; but does any Senator believe that had the power to legislate upon the question been lodged in the Legislature of West Virginia they would have made an exception to the rule insofar as appointments of United States Senators are concerned? Think of it, Senators. Every appointment to a State office made by Governor Holt can be nullified by Governor Neely with a stroke of the pen. No hearings need be held; no charges need be filed; no reason need be assigned. By the enactment of this legislation the people, through their representatives, spoke with boldness and certainty. They eliminated split seconds at the dead hour of midnight. They eliminated high technicalities that can only be found by legalistic minds. They eliminated long court hearings that are burdensome, costly, and irritable. They were realistic about the necessity of such arbitrary power being lodged in the incoming Governor. They knew such power was necessary for the efficient and orderly functioning of State government. And if my premise is correct, I respectfully submit, in view of the division of legal minds upon this important question, that the Senate of the United States has a right and a duty to apply the rule of law which exists in West Virginia to the appointment of United States Senators. Certainly this would be in harmony with what the majority of the voters of West Virginia desire, and that, Mr. President, is a fact which cannot be successfully challenged nor carelessly waived aside.

Mr. President, in conclusion, I undertake to say that, in view of what the people of West Virginia said in the statute from which I have read, there was an intention upon the part of those who enacted the laws of West Virginia to see to it that the Governor had a free hand, a free reign in the selection of appointees; and had the opportunity been presented under the law for them to have said who should have the power to appoint a United States Senator, it is obvious from the statute that that power would have been lodged in the incoming Governor and taken away from the outgoing Governor.

Mr. President, the law, the equity, the facts, and the people of West Virginia, in my humble opinion, are all on the side of the position taken by Dr. Rosier, and I therefore am prepared to cast my vote for him as the one to fill the seat in the United States Senate created through the resignation of Mr. Neely.

I now yield the floor.

Mr. TUNNELL obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Smathers
Bilbo	Hayden	Smith
Bone	Herring	Spencer
Brown	Hill	Stewart
Bulow	Holman	Taft
Bunker	Hughes	Thomas, Idaho
Burton	Johnson, Calif.	Thomas, Okla.
Butler	Johnson, Colo.	Thomas, Utah
Byrd	Kilgore	Truman
Byrnes	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lee	Vandenberg
Chandler	Lucas	Van Nuys
Clark, Idaho	McCarran	Wallgren
Clark, Mo.	McFarland	Wheeler
Connally	McNary	White
Danaher	Mead	Wiley
Davis	Murdock	Willis
Downey	Murray	

The PRESIDING OFFICER (Mr. SPENCER in the chair). Eighty Senators having answered to their names, a quorum is present.

Mr. TUNNELL. Mr. President, it is hardly with any idea of changing the mind of any Senators but with an idea of at least answering some of the questions which are asked from time to time in the debate that I shall attempt to express my views.

The question as to who is entitled to the junior senatorship from West Virginia is one which should be determined according to the law and the very right of the matter, and not on opinions by partisan, factional, or personal advocates. The rights of Mr. Martin and Mr. Rosier should not be determined by partisan strategy. I say that because I heard one Senator say within the last 3 days that this was getting to be a political fight.

These rights should not be determined by any dislike which certain persons may have for former Senators of the United States. I am constrained to say that because I heard one Senator say that, in his opinion, the decision of the question would be affected by certain notes found, I believe, in the desk of some Senator. It should not be determined by any appeal to religious prejudice; it should not be determined by any comments or conduct of any present or former official of the State of West Virginia. One of these gentlemen has a right to be declared by this body to be United States Senator from the State of West Virginia. That right is a positive one, and foreign considerations should not be permitted to enter into the determination of the question.

Even today we have on the floor of the Senate heard an appeal to the Senator from Illinois on the ground that perhaps if he should fail to vote the right way he might not have certain positions on committees if the present Governor of West Virginia should return to the Senate. I think every imaginable appeal to party politics, factional leanings, or personal prejudice must have been made. I appeal to the Senate not to let this sort of appeal prevail in the determination of the membership of this great body.

There are three questions which are primarily to be considered with reference to this contest. First, when did Senator Neely cease to be United States Senator?

Second, when did Governor Holt cease to be Governor of West Virginia? Third, when did Governor Neely become Governor of West Virginia?

It is the contention of the Rosier advocates that all three of these events occurred simultaneously at midnight on January 12, 1941.

During this debate there has been introduced into the time schedule of the American people a division of time which I have never before known. I have heard of the days of the week; I have heard of the months of the year; I have heard of the years; but now we are told that there is another section of time to be designated as an interregnum. I had always thought that I was born on the 2d of August. Perhaps I was not. Perhaps I was born during an interregnum. The argument in the Senate is that one of these appointments was made during an interregnum and not during Sunday or Monday, the 12th or 13th of January 1941. It is the first time I have ever heard of a division between Sunday and Monday during which something could happen. Is there a division between Sunday and Monday, between the first and the second day of a month, between any other numerals designating the days of the month, or between any other days of the week? It seems to me almost too absurd to require any answer. Yet in this most distinguished body I have heard that discussed by able men. I am wondering how we are to find out the length and the width and the depth and the extension of an interregnum, for, if the Senate decides there was an appointment to a senatorship during an interregnum, the American people are entitled to know where it happened, when it was, and how long it lasted.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. CONNALLY. When gentlemen cross a line of longitude or latitude, how wide is it?

Mr. TUNNELL. It is supposed to have no width, but I think there must be an interregnum.

Mr. CONNALLY. There is a little anteroom somewhere between the two?

Mr. TUNNELL. I think so. If I were going to argue this case from the standpoint of those who are taking the Martin side, I should say there must be an interregnum.

Mr. CONNALLY. When ships cross the Equator, quite a ceremony is observed. How wide is the Equator?

Mr. TUNNELL. It has no width, as the Senator knows. Nor have the separations between units of time any width or extent.

Mr. President, it is practically impossible to argue separately the three questions which I have mentioned. The reasons for believing that Senator Neely ceased to be United States Senator at midnight on January 12 and, simultaneously with such cessation, became Governor of West Virginia, are woven through and through with arguments as to when Governor Holt ceased to be Governor of West Virginia. Hence I have found it practically impossible to separate the answers to these three questions. However, if Senator Neely did cease to be United States Senator at midnight on January 12, and if he did become Governor at midnight on January 12, and if Governor Holt did cease to be Governor of West Virginia at midnight on January 12, Mr. Rosier is the only one who could be legally considered as the United States Senator from West Virginia.

There are some other questions which have arisen in connection with the abovenamed questions. It is contended by the Martin advocates that a valid oath could not be administered to the incoming Governor of West Virginia before he ceased to be United States Senator. Again the question has been raised: If an oath was administered to Governor Neely prior to midnight on January 12, 1941, did the taking of such oath automatically vacate his holding the office of United States Senator?

Another question on legal principle enters into the discussion of this question. It seems to have been conceded, however, by both the contending parties that no appointing power can make an appointment beginning after the appointing power ceases to have the power of appointment.

After all these matters have been determined the question finally arises as to whether the provision of the law of West Virginia for the filing of the oath is directory or mandatory, and on Friday we heard the argument of the distinguished senior Senator from Vermont [Mr. AUSTIN] that public policy demanded the seating of Mr. Martin. This seems to be the final argument based upon the supposition that should it be determined from every other standpoint that Martin is not entitled to be seated, yet public policy demands that he should be seated, I will take up that matter at a little later stage in my argument.

I have helped to try a great many cases in court. It has always been my policy to believe that something which is conceded at the beginning of a hearing is out of the question. In our hearing—I say, "our"; I mean the Committee on Privileges and Elections—Mr. George B. Martin appeared before the committee and stated:

> Mr. Chairman and gentlemen of the committee, I appear for Mr. Clarence E. Martin, one of the claimants.

George Martin, on page 20 of the record, in discussing the question as to when the vacancy occurred, says:

> Now, that there was a vacancy in the United States Senate is perfectly clear; and that it occurred at midnight on January 12.

There is a statement in the record by the attorney for Clarence Martin that this vacancy did begin at midnight on January 12. I have heard some of the distinguished gentlemen who have discussed this question try to distinguish between Sunday night midnight and midnight. That is a little finer distinction than I have ever heard any other human being, lawyer or laymen, try to draw; that midnight, Sunday night, January the 12th is different from midnight, January 12, or the early morning of January 13, whichever one may choose to call it. As the Senator from Texas [Mr. CONNALLY] has just said, there is a line without width which separates 2 days; 1 begins contemporaneously with the ending of the other.

There is an admission in the record and on the part of George Martin as to when this vacancy began. On page 25 of the record, on the question as to the filing of the oath, when the chairman of the committee, the Senator from Texas said to Mr. George B. Martin as the attorney for Mr. Clarence Martin:

> Do you claim that the actual filing of the oath with the secretary of state was necessary?

Mr. George B. Martin said:

> I would not contend, Senator CONNALLY, that it was a condition precedent.

In other words, the attorney for Clarence Martin appeared before the committee and placed in the record an admission that the filing of the oath was not a condition precedent to Mr. Neely becoming Governor. I think Mr. Martin was entirely right.

Then again, on page 29 of the record, we find this question by the Senator from Utah [Mr. MURDOCK]:

> May I ask this further question: I do not know whether this is a fact or not; but assuming that Senator Neely took the oath of office prior to January 13, say on the 5th of January, or on the 20th of December, then handed his resignation, as he did, to the incumbent Governor to take effect at midnight on the 13th, then there would be nothing more for him to do, would there, to become the Governor of West Virginia? He has taken the oath; he has been certified as Governor, and his resignation has been accepted by the incumbent.

Mr. George B. Martin, attorney for Clarence Martin, said:

> Assuming validity of the oath taken, I should think he would automatically become Governor.

No one today seems to deny that Senator Neely could take the oath of office before midnight on January 12, or any time after he was declared elected Governor of West Virginia, but the contention is that he thereby vacated his office as United States Senator. There was no such condition as that contemplated at this time.

On page 41 of the record, ex-Governor Holt, who was speaking for Mr. Martin, testified for him and argued for him. I read:

> Senator MURDOCK. Well, is it your position that the taking of the oath—that is, that he could not have legally taken the oath prior to assuming the duties of Governor?
>
> Mr. HOLT. No, sir; that is not my position. I think he could have taken the oath at any time after the November election, but I do not think he could take the oath without first vacating his seat in the United States Senate. I do not think it would have been a legal oath had he taken the oath without vacating his seat in the United States Senate, because under the Constitution of the State of West Virginia the office of Senator of the United States and the office of Governor of West Virginia are wholly incompatible.

Then, on page 41 of the record, the Senator from Illinois [Mr. LUCAS] asked:

> The mere taking of the oath would not automatically cancel his seat in the United States Senate?
>
> Mr. HOLT. I do not think it would.

Thus, we see that at the beginning of the hearing, and up to page 41 of the record, there was an admission that the filing of the oath was not compulsory. That is a part of the record. It is also a part of the record that the attorney for Mr. Martin has admitted that the mere taking of the oath would not be sufficient to vacate the office of United States Senator. At least, that was admitted by Governor Holt, who was not only an ex-attorney general and an ex-Governor, but also one of the most ardent advocates of the seating of Clarence Martin.

There is also an admission on the part of George B. Martin that, assuming that the oath was valid, Senator Neely would automatically become Governor—when? When would a man automatically become Governor? When his term begins. His term began on January 13, or at midnight January 12, if one chooses to put it that way. It seems to me one of the most fallacious arguments I have ever heard advanced to say that midnight January 12 was meant to be and was in the term of Governor Holt. Midnight is not in any particular person's term. It was the time when simultaneously Senator NEELY ceased to be Senator, and at that instant, at that second, or fraction of a second, whatever it may be called, Governor Neely became the Governor of West Virginia.

Governor Neely, who was elected United States Senator by the people of West Virginia in 1937, and whose term would have expired on January 2, 1943, was nominated by the Democratic Party of West Virginia and elected to the office of Governor at the general election on November 5, 1940.

The Constitution of West Virginia provides that the term of Governor shall begin on the Monday after the second Wednesday in January and shall continue for a period of 4 years. The Monday after the second Wednesday in January in 1941 was Monday, January 13, On January 11, 1941, there was received by Governor Holt, who at that time was Governor of West Virginia, a resignation from Senator Neely in the following language:

> I hereby respectfully tender you my resignation as a United States Senator from the State of West Virginia, to become effective at precisely 12 o'clock midnight on Sunday, the 12th of January 1941.

Our friends say that that means some time Sunday, because he says Sunday. Suppose he had said "at midnight January 13." Our friends would at once have said to us that midnight January 13 would be 24 hours later. So there is no question about what was meant by Sunday, January 12, at midnight. That was the termination of the day; and precisely at midnight was midnight of January 12. Homer A. Holt was not Governor at any time after midnight January 12; and I shall proceed to show that fact as I go along.

Mr. CHANDLER. Mr. President, will the Senator yield for a question?

Mr. TUNNELL. I yield for a question.

Mr. CHANDLER. Who was Governor when the vacancy occurred?

Mr. TUNNELL. When the vacancy occurred Senator Neely became Governor, of course. There is no real argument to the contrary. I have not heard such an argument even from the Senator from Kentucky, except for the loud statement that it was during Governor Holt's term, but why or under what theory of reasoning has not been shown to the Senate.

Mr. CHANDLER. The Senator evidently did not listen.

Mr. TUNNELL. The Senator has heard all the Senator from Kentucky has said, and he is still no more enlightened on that question than he was. I think that is the condition of other Members of the Senate.

Mr. CHANDLER. I shall have to say——

Mr. TUNNELL. Mr. President, I am not yielding further unless the Senator wishes to ask a question. I do not wish to have my argument broken up.

It will be noted that this resignation was dated Friday, January 10, and delivered on Saturday, January 11, providing for the resignation to become effective at precisely 12 o'clock midnight on Sunday, the 12th of January, 1941. The contention of Governor Neely is that his resignation took effect at the end of the day, or 12 o'clock midnight on Sunday, Sunday being the day prior to Monday, the day on which Governor Neely was to assume the office of Governor of West Virginia.

One will search the records of legal decisions in vain in an effort to find any such contention as has been advanced by those who are arguing the Martin side of this case. There are no court decisions which furnish any basis for such a division as is most loosely claimed here.

In anticipation of assuming the office of Governor of West Virginia Senator Neely, at 11:35 p. m. on January 12, 1941, took the oath of office as Governor of West Virginia. Inasmuch as this oath was considered, to a certain extent, to be conditional, Senator Neely took a further oath as Governor in the proper manner at 11:45 p. m. on January 12, 1941.

It is pretty generally admitted that an officer has a right to resign and designate the time when his resignation shall take effect. Therefore, as to the resignation of Senator Neely, there would be no question as to the time when his resignation took effect were it not for two contentions of the opposition.

The first of these contentions is that no fraction of a day can be considered in connection with the resignation, and that therefore the resignation of Senator Neely, instead of taking effect at 12 o'clock midnight on January 12, really took effect at 12 o'clock midnight on January 11, or the first part of the day instead of the last part of the day of January 12, when the resignation of Senator Neely was intended to take effect.

One of the questions I heard asked on this floor was directed to the argument that, as a matter of fact, the resignation took effect on Saturday at 12 o'clock midnight instead of on Sunday at 12 o'clock midnight. There is no Member of the Senate who does not know what is meant by the expression "12 o'clock midnight on Sunday, the 12th of January." The resignation of Senator Neely was effective at 12 o'clock midnight, and the term of office of the preceding Governor expired at precisely midnight on January 12. Fractions of days are recognized in many proceedings. It frequently becomes necessary to determine whether, in point of time, one event preceded or followed another. Especially is this true in proving the successive steps of a case.

The second contention which is put forward by the Martin advocates is that even though Governor Neely did take the oath of office prior to midnight on January 12, he did not become Governor at midnight on January 12, for the reason that his oath of office was not filed on or before midnight on January 12, and therefore that Governor Neely had not qualified to assume the duties of the office of Governor. It appears that Governor Holt at that time believed that Governor Neely had qualified to become Governor of West Virginia as early as 12 minutes past 12 o'clock on the early morning of January 13. I call the Senate's attention to the fact that up to page 80 in the record of this case there is no evidence of knowledge on the part of ex-Governor Holt or those for whom he spoke that this oath or these oaths had been taken by Governor Neely prior to midnight.

On page 35 of the record, Governor Holt testified regarding his willingness to turn over the keys of the office of Governor at about 10 or 15 minutes past 12 in the early morning of January 13, by the following language:

> Yes; I had the keys. I was rather expecting the Senator to come over and I was going to turn the keys over to him; but he did not come over. I stayed around, and there was not anything going on, so I went on home. * * *
>
> Mr. GEORGE MARTIN. Do you have any knowledge of your successor splitting seconds?
>
> Mr. HOLT. I had only rumors. I had no knowledge, because I was not particularly desirous of retaining office. I was ready to get out at any time, and I had my keys ready to turn over and I would have been very glad to do that at any time he might have come over. I waited there, as I say, until about 10 or 15 minutes past 12. He did not come over and I went on home and went to bed.

He is the Governor Holt who now contends that according to the laws of West Virginia, of which he had been both attorney general and Governor, he was ready to turn over the keys to Governor Neely at 10 minutes past 12—when, as a matter of fact, this oath was not recorded until 50 minutes past 12; so that at that time Governor Holt did not consider that the filing of the oath was necessary before Governor Neely could assume the duties of the office, and no contention was made at that time as to such a proposition. But, as I say, at that time it was not known by those favoring the Martin candidacy that an oath had been administered to Senator Neely as Governor before 12 o'clock.

George Martin says:

> I would not contend, Senator CONNALLY, that this was a condition precedent.

Governor Holt did not think it was a condition precedent, and George Martin did not think it was a condition precedent when he testified or took charge of the case of Clarence Martin.

Prior to the time just referred to, Governor Holt on the 10th day of January 1941, appointed Hon. Clarence E. Martin to be a Senator from the State of West Virginia in the Senate of the United States. On the 11th of January 1941, Governor Holt again made an appointment of Hon. Clarence E. Martin as Senator of the United States from the State of West Virginia. Again, on the 13th day of January 1941, Governor Holt appointed the Honorable Clarence E. Martin of Martinsburg, to be Senator of the United States from the State of West Virginia. The first of these appointments, being on the 10th of January, was made prior to the receipt by Governor Holt of the resignation of Senator Neely. The Senator From Illinois [Mr. LUCAS] has ably discussed that point.

The second of these appointments, that of the 11th of January, was after Governor Holt had received the resignation of Senator Neely; and the third was stated in the appointment to have been made "the first moment of this 13th day of January, in the year of our Lord one thousand nine hundred and forty-one." It was brought out in the hearing that they were then measuring the time which would be required to take the oath of governorship, in proportion to the time it would take Governor Holt to sign his name to the appointment of Clarence E. Martin.

I am not one of those who believe that even three or four appointments or three or four oaths would affect this situation, to the detriment of either. The question, as has been so ably stated at different times during the debate, is whether Governor Holt at any time was Governor and made an appointment which was to take effect and did take effect during his term as Governor.

On page 45 of the record, Governor Holt used the following language:

I do not think—

This is with reference to accepting the resignation of Senator Neely—

I do not think any formal acceptance is necessary. I think that all that I would need to know is, and I would regard it perhaps as my last official duty, to see that no interloper occupies the office of Governor of the State of West Virginia and when satisfactory evidence is presented before me that my successor has divested himself of his seat in the United States Senate and after having divested himself of his seat in the United States Senate and taken the oath required by law under the constitution of the State, the statute of West Virginia, then I think I had performed my duty and carried out my responsibilities, by turning over the keys of the office to my successor.

No word is spoken there about there being any necessity for filing the oath before he could assume the duties of Governor.

I do not think that I could have turned the keys of my office over to my successor without having had before me proper evidence of some kind whether it be in the form of a resignation or otherwise, of his having divested himself of his seat in the United States Senate prior to his undertaking to take the oath of office as Governor of the State of West Virginia.

By the above statements it is apparent that Governor Holt believed that he should not turn over the keys of the office to Governor-elect Neely until he was satisfied that Governor Neely had qualified. As Governor Holt was ready to turn over the keys before he went home and went to bed in the early morning of January 13, and as the oath of Governor Neely was not filed until 12: 50, or perhaps half an hour after Governor Holt had gone home, it is apparent that Governor Holt did not at that time consider the filing of the oath as a necessary prior requirement to assuming the duties of the Governship of West Virginia.

Not only is that true, but the very circumstances of the case contradict such a contention. In a question as to this very situation it was asked by one of the debaters—I have forgotten for the moment his name—if the Governor of West Virginia, according to the theory of the gentleman speaking, would, in order to qualify and proceed to act as Governor, have to leave the inaugural stand, go to the office of the secretary of state, and file such certificate after it was prepared. That is such a supposition as does not come within the lines of reason or common sense. It seems to be generally conceded by the Martin advocates that Senator Neely had the right to take the oath at any time after his election and prior to January 13, 1941.

On page 43 of the record the following language is used by Governor Holt:

Now, whether any other oath was taken I do not know; but I might say, Your Honor, that whether or not another oath was taken prior to midnight or after midnight, my position still is the same that whenever the oath was taken, be it early or late, it necessarily created a vacancy in the Senate of the United States, to which my appointee, the Honorable Clarence E. Martin, of Berkeley County, was immediately entitled to take his seat.

The theory of those who make this statement—and there is no law for it; it is merely a conclusion not backed by any legal authority so far as I have heard—is that because two inconsistent offices cannot be held at the same time, a man cannot, prior to the time when he is to hold the second office, qualify for that office while still holding the first one. There appears to be no legal authority for that contention; I have heard none cited; and there is no reason why there should be, since a person should be in the position, as was done here, of qualifying for another office before someone else does and attempts to use the office for the benefit of a faction or of persons who have been, in the regular processes of democracy, defeated in their attempt to appoint the officer.

Governor Holt's position is set out with reference to the oath of Governor of the State of West Virginia taken prior to January 13, 1941, in the following language:

I do not care whether he takes it in the early part of November, or up here on the 13th, in the middle of the day on the 13th, or when, he is not eligible to take the oath of office as Governor of the State of West Virginia while he is still holding his seat in the United States Senate, because our constitution makes these positions incompatible.

The West Virginia Constitution does not make the taking of the oath for the Governorship incompatible with the holding of the office of Senator, and there is no authority to that effect in the record.

I have found no authority sustaining the contention of Governor Holt and of Mr. Martin that the taking of an oath prior to January 13, 1941, would automatically vacate the office of Senator of the United States. The great weight of opinion seems to be that a person cannot exercise the duties of two incompatible offices simultaneously. I am of the opinion that the law does not prohibit the taking of qualifying steps for the future office while performing the duties of the prior one.

Governor Holt, on page 41 of the record, states as follows:

I think he could have taken the oath at any time after the November election; but I do not think he could take the oath without first vacating his seat in the United States Senate. I do not think it would have been a legal oath had he taken the oath, without vacating his seat in the United States Senate, because under the constitution of the State of West Virginia the office of Senator of the United States and the office of Governor of West Virginia are wholly incompatible.

It has been argued on this floor that certain statements were made by Attorney General Meadows which indicated that a person before he could qualify for Governor must dissociate himself from the office of Senator. That matter was brought to the attention of Attorney General Meadows, and he said that, while he had used that expression, he did not believe such to be the case, and that his whole opinion would not bear out that construction; and, indeed, it will not.

On page 41 of the record Mr. Holt, Governor Holt, or ex-Governor Holt was asked this question by the Senator from Illinois [Mr. LUCAS]:

The mere taking of the oath would not automatically cancel his seat in the United States Senate?

Mr. HOLT. I do not think it would.

Where is the contention? If that seat was not vacated by the taking of the oath, then at precisely midnight on January 12 or precisely midnight the early morning of January 13 Governor Neely became Governor; there was no instant after midnight on the 13th or the morning of the 13th or on the night of the 12th when Governor Holt was still Governor, and there was no instant before midnight or before he ceased to be Governor when there was a vacancy in the Senatorship from West Virginia.

Thus it is apparent that those advocating the seating of the Honorable Clarence Martin in this case admit that an oath could have been taken before January 13, 1941, but they deny the validity of that oath if Senator Neely did not vacate the office of Senator. Who will say that that vacated the office of Senatorship? Senator Neely came into the Senate and was recognized as a Senator. He says that he performed the functions of a United

States Senator until the end of the day on January 12, and that he retained the pay for that time as United States Senator. There is no contention that he was paid or claimed any pay for any part of the 13th of January.

The position taken by the Martin contingent is that if the oath was valid, the Senate seat had been vacated, and if the oath of Governor-elect Neely was valid, that the vacancy occurred, and had to occur, prior to the taking of this oath; hence the appointment of the Honorable Clarence Martin became effective during the administration of Governor Holt. This contention is made notwithstanding the fact that, according to the law of West Virginia, the Governor is permitted to take the oath at any time after his election and prior to the time of his assuming the office.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. HATCH. The Senator uses the word "permitted." The laws of West Virginia are even stronger than that. Do they not almost require the incoming official to take the oath before his term begins?

Mr. TUNNELL. "On or before," but there is another law, which the Senator will recall, which provides in effect "at any rate before assuming the duties of his office," which causes me to say that he could take the oath at any time after the election and before assuming the duties of his office.

Mr. HATCH. If the Senator will yield further, I make this observation, that, regardless of whether it is mandatory or permissive, in taking the oath before his term of office began Senator Neely was complying exactly with the laws of his State.

Mr. TUNNELL. Absolutely; and there is no contention that he was not. I concede the position taken by the Senator from Illinois [Mr. LUCAS], whose argument went to a situation assuming that there had been no oath. But there is no such situation. Prior to the time of the beginning of the term of Governor Neely, and at the time the vacancy occurred in the United States Senate, the necessary oath had been taken by Governor Neely; and no ground or excuse or reason has been advanced here, or at any time during this argument, for the statement that there was a split second or anything else, except the, as it seems to me, rather wide and peculiar argument that there is an interregnum between the 12th and the 13th, and that there is an interregnum between Monday and Tuesday, because if that contention applies to this United States Senatorship it applies to everything else that occurs in the United States. However, since the law of West Virginia provides that the oath may be taken on or before January 12th, I am constrained to believe that an oath taken prior to the date when Governor Neely assumed the office of Governor was valid. George B. Martin, attorney for Clarence Martin, states on page 20 of the RECORD, as follows:

> Now that there was a vacancy in the United States Senate is perfectly clear; and that it occurred at midnight on January 12.

I do not know how much plainer you can get it. There is the statement of the attorney for Clarence Martin, who says that it occurred at midnight. Where is the disagreement? They agree with the Rosier people when they say that the vacancy occurred precisely at midnight; and it was admitted, and taken into the record as an admission of the attorney in this case for Clarence Martin, that the vacancy did occur at midnight on January 12. He goes on to say:

> There was necessarily an interim between the time his resignation took effect and the time he qualified as Governor.

At that time he did not know that Governor Neely had qualified before midnight; and it was not known until it was brought out, I believe, on page 80 of the record, that the qualifying oath had been taken prior to midnight.

However, if Governor Neely ceased to be a United States Senator precisely at midnight on January 12 and had qualified by taking the oath as Governor, according to the Constitution of the State of West Virginia, at 11:45 on January 12, then there was no time after Senator Neely ceased to be Senator when Governor Holt was still Governor and retained the appointing power. I think we are justified in accepting the statement of the attorney for Clarence Martin that such resignation became effective at midnight January 12, 1941.

It was stated by the Rosier advocates that Governor Holt remained Governor of West Virginia until midnight, January 12, 1941. However, at the time this hearing began the Martin advocates did not know that Governor Neely had taken the oath as Governor prior to midnight, January 12; and the basis of their contention at the beginning of the hearing in this case was that Governor Holt held the office as Governor until Governor Neely qualified by taking the oath after mignight of January 12, or during the early minutes of January 13, 1941. There were various hints during the hearing as to a prior oath taken by Governor Neely. In other words, there were hints that at some time prior to midnight, January 12, 1941, an oath had been administered to Senator Neely qualifying him to become Governor of West Virginia on January 13. Until page 80 of the record in this case, that fact did not appear in the record.

On page 80 of the record the following language is used:

> Senator TUNNELL. You were sworn in three times, were you not, Governor?
>
> Governor NEELY. Yes; I was.
>
> Senator TUNNELL. When did you take the second oath?
>
> Governor NEELY. I subscribed to three oaths. Two before 12 o'clock midnight, and one instantly after midnight. This one [indicating] is the first. It was executed at 11:35 p. m., January 12, 1941, and I wrote into it, after "so help me God," the following:
>
> "This oath is taken with the intent that it shall become effective the instant after I am completely divested of my office as United States Senator by virtue of my tender of resignation of the said office of Senator to Gov. Homer A. Holt."
>
> Senator TUNNELL. What day was that?
>
> Governor NEELY. That was taken on the 12th of January at 11:35 p. m.
>
> The CHAIRMAN. That was the third oath; that is the one that was put on record?
>
> Governor NEELY. No; this is the third [indicating].
>
> Senator LUCAS. This is the third, but the first that was put on record.
>
> Governor NEELY. This is the third one, which is now shown of record, but it is really the first in point of time.
>
> Senator WILEY. Chronologically, this is the first one?
>
> Governor NEELY. That is true.
>
> Senator WILEY. Then there was one taken at a quarter of 12.
>
> Governor NEELY. Yes.
>
> Senator WILEY. And one instantly after 12 on the 13th?
>
> Governor NEELY. That is right.
>
> Senator TUNNELL. Was there one the next day at noon?
>
> Governor NEELY. Yes; there was another at about noon on January 13. I thought that since the Governor had issued three appointments I ought to take at least four oaths of office.
>
> Senator WILEY. You took one at the time of your inauguration; that was the fourth?
>
> Governor NEELY. Yes.
>
> Senator WILEY. That was all?
>
> Governor NEELY. Senator Wiley, that was all.

After the evidence showing that Governor Neely had taken the oath on January 12 was introduced, the Martin advocates devoted themselves to two lines of argument: First, that any oath taken on January 12 must have vacated the Senatorship; secondly, that if such oath had been taken it had to be filed in the office of the secretary of state before it became effective. The first of these contentions has been already discussed. The second contention as to filing the oath became immediately important; for if the filing of the oath is a prerequisite to assuming the duties of the governorship and such filing had not occurred at the time in question, there is furnished a very serious argument that Clarence Martin became Senator by virtue of the appointment of Governor Holt. This question was asked by the Senator from Texas [Mr. CONNALLY], as appears on page 25 of the record in this case. The Senator from Texas addressed this question to George B. Martin, attorney for Clarence Martin:

> Do you claim that the actual filing of the oath with the secretary of state was necessary?
>
> Mr. GEORGE B. MARTIN. I would not contend, Senator CONNALLY, that that was a condition precedent.
>
> Senator CONNALLY. That would be clearly an administerial act. When it was filed, it would go back to the original time of the taking of the oath.
>
> Mr. GEORGE B. MARTIN. That is probably merely directory.

That is a statement made by the attorney for Clarence Martin. The oath was actually filed at 12:50 a. m. January 13, 1941.

In State ex rel. Qualls et al. against Board of Education of Curry District, Putnam County, et al., it was held that according to the law governing the ap-

pointment of school commissioners at that time, according to section 9 of chapter 259 of the laws of West Virginia, if any person elected or appointed to an office fail to qualify within the time prescribed by law, the office shall be deemed vacant. However, as the West Virginia statute prescribes no time when this qualification shall be made, one is constrained to believe that a reasonable time is given to the official to file the oath, and that the provision is directory, as stated by George B. Martin on page 25 of the record, and as admitted on page 29 of the record by George B. Martin, in the following language:

Assuming validity of the oath taken, I should think he would automatically become Governor.

Governor Neely, as appears on page 74 of the record, stated as follows:

Governor NEELY. Mr. Chairman, I submit that under the resignation which I placed in Governor Holt's hands, and for which he receipted many hours before the end of his term of office, and under my oath of office which has been written into the record, on the last stroke of 12 o'clock midnight, the time in which my resignation as a Member of the United States Senate became effective, I became Governor of the State of West Virginia without the intervention of an infinitesimal fraction of a second between the expiration of my office as Senator and the beginning of my term as Governor. The appointment that Governor Holt made could not take effect until after 12 o'clock, because my resignation was, by its terms, to take effect at precisely that time.

On page 83 of the record, the following questions were asked and answered:

Governor NEELY. I could not possibly have done that until Governor Holt's term had expired at midnight.

The CHAIRMAN. That is the point that I am trying to clear up. You took it in anticipation of 12 o'clock?

Governor NEELY. That is quite true.

The CHAIRMAN. That it would then be effective?

Governor NEELY. Yes, sir.

The CHAIRMAN. So I cannot see that there is any question of vacating the senatorship could possibly arise there, because your intention was to continue as Senator, and this other was merely preparatory to the stroke of the clock.

Governor NEELY. That is correct.

The CHAIRMAN. That is the reason?

Governor NEELY. Yes.

The CHAIRMAN. What I meant was, because you took the oath at a quarter of 12, you did not take the view that you were assuming any duties until 12?

Governor NEELY. None whatever; and I never turned my hand in connection with anything pertaining to the office of Governor until after midnight, January 12, 1941.

Governor Holt, it appears on page 93 of the record, stated as follows:

Mr. HOLT. I do not know whether there could be such a thing as an anticipatory oath. Of course, one can take an oath in anticipation of entering upon an official duty thereafter; but in my humble opinion a man cannot take an official oath at any time, prospective or otherwise, until he is qualified to take the oath, and in my humble opinion a United States Senator is not qualified to take an official oath, the official oath, for the office of Governor of West Virginia, because our constitution says that the positions are incompatible.

He not only fails to give any case in the State of West Virginia, but any case anywhere else, sustaining that position, that a person cannot qualify for a position which he will take at some future time without affecting the position then held; and in view of the fact that he was required to take the oath of office, by the law or the Constitution of West Virginia, before assuming his duties, and that he could take it any time before.

On page 100 of the record it is shown that the Code of West Virginia, in section 1, article 2, chapter 6, provides that the State executive officers shall qualify on or before the first Monday after the second Wednesday of January next after their election.

I now quote from the statement of Attorney General Meadows, which appears on pages 104 and 105 of the hearings:

There is another conclusive reason why none of the appointments attempted to be made by Hon. Homer A. Holt is valid. Section 21, article VIII, of the West Virginia Constitution declares that such parts of the common law not repugnant to the law of the State, shall be and continue the law of the State until altered or repealed by the legislature. In *Shaw* v. *Monongahela Ry. Co.* (100 W. Va. 368, 130 S. E. 461), it is said that "the constitution of this State declares that the common law shall continue to be the law until altered or repealed by the legislature." Many other West Virginia cases recognize and apply this constitutional provision. A well-settled rule of the common law forbids that an officer clothed with power of appointment to a public office shall forestall the rights and prerogatives of his successor by making a prospective appointment to fill an anticipated vacancy in an office the term of which cannot begin until after his own term and power to appoint have expired. *State ex rel. Morris* v. *Sullivan* (81 Ohio State 79, 90 N. E. 146, 26 L. R. A. (N. S.) 514). Mechem's Public Offices and Officers, section 133, states:

"A prospective appointment to fill an anticipated vacancy in a public office, made by the person or body which, as then constituted, is empowered to fill the vacancy when it arises, is, in the absence of express law forbidding it, a legal appointment, and vests title to the office in the appointee. Thus where a public officer resigns his office to take effect at a future day, and his resignation is accepted, the appointing power being, as then organized, authorized to fill the vacancy when it shall occur, may appoint a successor, the appointment to take effect when the resignation becomes operative.

"But the appointing power cannot forestall the rights and prerogatives of their own successors by appointing successors to the offices expiring after their power to appoint has itself expired. 'It is plain,' says the court, 'that an appointment thus made by anticipation has no other basis than expediency and convenience and can only derive its binding force and effect from the supposition that there will be no change of person and consequently, of will, on the part of the appointing power between the date of the exercise of that power by anticipation and that of the necessity for the exercise of such power by the vacancy of the office.'"

The court to which the author refers is the court of last resort of the State of Louisiana, the case being that of *Ivy* v. *Lusk* (11 La. Ann. 486).

In 46 Corpus Juris, page 952, subject Officers, section 64, it is said:

"But an officer clothed with power of appointment to a public office has no right to forestall the rights and prerogatives of his successor by making a prospective appointment to fill an office, the term of which cannot begin until his own term and power to appoint have expired."

This statement is supported by citations to cases decided by courts of last resort of the States of Alabama, Maine, Missouri, New York, and Ohio.

In the case of *Oberhaus* v. *State* (173 Ala. 483, 55 So. 898), the court says at page 902 as the case is reported in 55 Southern Reporter:

"We have carefully examined the authorities on this proposition, and, as there is no material conflict among them, it is not necessary to here reproduce their language or reasoning. They clearly settle the law to the effect that the appointing power cannot forestall the rights and prerogatives of its own successor by appointing successors to officers whose official terms expire contemporaneously with or after the expiration of the term of the appointing power."

Many other authorities enunciating this principle might be cited.

In a note appearing in 26 L. R. A. (N. S.), page 514, to the case of *State ex rel. Morris* v. *Sullivan*, supra, it is said that the statement in that case of the common-law rule relative to the power of an officer to make a prospective appointment is fully borne out by the authorities.

Since the term of the Honorable Homer A. Holt as Governor of the State of West Virginia expired at the instant you took the oath of office of Governor, and since we have no statute changing the rule of the common law, it is clear that the Honorable Homer A. Holt did not have authority to appoint a United States Senator for a term beginning at or after midnight of the 12th day of January 1941.

The Senate of the United States is the judge of the election, returns, and qualification of its own Members. If the question be decided by the application of the laws of the State of West Virginia and the principles of the common law comprising a part of the laws of the State of West Virginia, we express with confidence the opinion that your appointee, the Honorable Joseph Rosier, is entitled to qualify as a Member of the Senate of the United States.

If the apparent will of a majority of the voters of the State of West Virginia be an element to be taken into consideration by the Senate of the United States in the course of the consideration of the contest between Mr. Martin and Mr. Rosier, we submit that such element operates in favor of your appointee. It is well known that you and Hon. Homer A. Holt in many respects entertain opposing views of the wisdom of a number of political principles, and it is a fair inference, we believe.

On page 106 appears the following from the statement of Attorney General Meadows:

Section 9, article 7, of the Constitution of Minnesota, is in part as follows:

"The official year for the State of Minnesota shall commence on the first Monday in January of each year, and all terms of office shall terminate at that time."

In construing that constitutional provision, the case of *State ex rel. Farrer* v. *McIntosh* (109 Minn. 18, 122 N. W. 462) holds that the constitution contemplates that the new officers shall have reasonable opportunity to qualify and assume the duties of office after the opening of business hours on that day, and in case of necessity may qualify at any time during the day, and that, strictly speaking, outgoing officers do not pass out of office until the close of the first day of the official year, unless their successors qualify at some time during the day; but such holding over officers, pending the qualification of the new officials, are limited in jurisdiction on that day to the closing up of old business and to matters of necessity, and that all business which naturally belongs to the first day of the official year is within the jurisdiction of the incoming officials, although

there may be some delay during the day in qualifying and assuming official duties.

On page 107 appears the following from the statement read by Mr. Meadows:

The day begins at 12 o'clock midnight, and the law does not recognize fractions of a day. *State ex rel. Baxter* v. *Brown* (22 Minn. 482), note in *State* v. *Michel* (78 Am. St. Rep. 364). It is fair to assume, however, that it was not intended by the framers of the Constitution that the change in office should take place at 12 o'clock midnight. The incoming officers should have a seasonable and reasonable time at the beginning of the business portion of the first official day in which to qualify and assume their duties. Some unforeseen circumstances might delay the opportunity to qualify until the latter part of the day, but that fact should not result in depriving that day of the prestige accorded to it by the Constitution. It is fairly to be inferred from the language of the section that, although the whole of the day belongs to the new official year, yet for convenience and to prevent an interregnum, the qualification of the new officer may take place at a convenient hour, according to the exigencies of the case. If any business at all be transacted on that day by the outgoing board prior to the qualification of the new members, it should be confined to the closing up of pending matters or to matters of necessity. All business which naturally pertains to the new official year is within the jurisdiction of the incoming board.

Although the new members of the board did not qualify until after 1:30 p. m., January 4, it does not follow that the old board were vested with authority in the meantime during that day to transact business which properly arose on the first day of the official year. There was no vacancy in the office of sheriff at 1:30 p. m. True, if Mr. Walsh had been living and had qualified during the morning of that day, then by virtue of such act his official year would have commenced and the old term would have expired, but the then incumbent was entitled to hold by virtue of his appointment until such time during the day as the successor was appointed and qualified. No vacancy existed in the office of sheriff at 1:30 p. m. and could not exist during the day until the 2-year vacancy was filled.

The old board attempted to create a vacancy by appointing respondent, but the act was an unwarranted assumption of authority. We are aware that as a general rule a board with continuing power has authority to anticipate the future and make appointments to take effect in the future; but such authority exists only where the vacancy occurs at a time when the board as then constituted is still vested with full legal authority, and we know of no case which holds that outgoing officers may encroach upon the first day of the official year for the purpose of tying the hands of their successors in this manner. In the recent case of *Manley* v. *Scott* ((Minn.) 121 N. W. 628), the term of office of two of the five members of the board of commissioners of Hennepin County expired on the 4th of January at which time they were succeeded by two new members elected at the preceding election, and it was held that the so-called old board had authority on the 31st day of December to appoint a morgue keeper for the year to commence on the 1st day of January, the term of his prior appointment expiring on that day; but the case has no application here.

"On the admitted facts before us, no vacancy existed on the 4th day of January which the outgoing board could legitimately fill, and hence their act in appointing respondent for the ensuing 2 years was futile, and the relator, having been legally appointed and having qualified, is entitled to the relief prayed for."

The case, as you will see, involves the appointment of a sheriff. It is true that the court calls attention to the fact that there was no vacancy in the office of sheriff at 1:30 o'clock in the afternoon, the time at which the outgoing board of county commissioners attempted to appoint the then incumbent sheriff for a new term, but the court does not rest its decision upon that point. The court makes the unqualified assertion that "if any business at all be transacted on that day by the outgoing board prior to the qualification of the new members, it should be confined to the closing up of pending matters, or to matters of necessity."

The rushing to the statehouse to appoint a man whose term would run in the term of Governor Neely and whose term would not and should not begin during the term of Governor Holt was certainly not a matter of closing up business.

Also, we further direct your particular attention to the following language used in the opinion:

"We are aware that as a general rule a board with continuing power has authority to anticipate the future and make appointments to take effect in the future; but such authority exists only where the vacancy occurs at a time when the board as then constituted is still vested with full legal authority, and we know of no case which holds that outgoing officers may encroach upon the first day of the official year for the purpose of tying the hands of their successors in this manner."

The principles laid down in this case are particularly applicable to the attempted appointment made by Hon. Homer A. Holt on January 13, 1941.

On page 109 we find the following:

Senator STEWART. You think that that would not be necessary?

Mr. MEADOWS. No, sir.

Senator STEWART. As a part of his qualifying, to file that oath?

Mr. MEADOWS. Emphatically, I do not. No, sir; I am confident of that.

Senator STEWART. Is it customary in your State on occasions to take the oath in advance of the expiration of the term of your predecessor?

Mr. MEADOWS. Senator, I would say that that has been done ever since our State has been established.

Senator STEWART. So that is a custom?

Mr. MEADOWS. Not particularly with the Governor—I do not say with any particular office—but especially in our counties numerous men holding office take their oath before their term begins. It is the custom to do it.

Senator STEWART. Does your statute provide that they may take it at or before?

Mr. MEADOWS. May take it on or before.

Mr. Meadows, the attorney general of West Virginia, on page 111, testified as follows:

The CHAIRMAN. Under your constitution you can take the oath on or before the date of the beginning of the term.

Mr. MEADOWS. That is right, Senator.

The CHAIRMAN. If an officer took that oath before the beginning of his term it would not have the effect of vacating the tenure of the term of his predecessor?

Mr. MEADOWS. Most emphatically no, in my judgment. He takes the oath looking forward to assuming his duties.

The CHAIRMAN. His term would still be the same?

Mr. MEADOWS. He is merely qualifying himself for those duties, Senator.

The CHAIRMAN. Of course, this only relates to the governorship; it has nothing to do with his term as Senator.

Mr. MEADOWS. No, sir.

In the case of *Taylor* v. *Johnson* (148 Ky. 649 and 147 S. W. 375) there is a great deal of illuminating language bearing upon the question as to whether an oath taken prior to the beginning of the term of office vacates the office then held by the person taking such oath. This decision is of particular importance for the reason that it is the only case cited which seems to bear directly upon the question as to the effect of the prior oath on the senatorial standing of Senator Neely. In other words, while it is admitted that the taking of the oath of Governor by Senator Neely would not automatically vacate his office as Senator, yet it is contended that the taking of such an oath was an indication that Senator Neely had abandoned his membership in the United States Senate, and that the taking of the oath was proof of such abandonment.

On page 129 of the record the language of the statute of West Virginia is quoted as being section 5 of article I of chapter 6, as follows:

The oaths required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office and before the date of the beginning of the term.

And again in the following language:

Before the date of the beginning of the term, if a regular term; but if to fill a vacancy, within 10 days from the date of the election or appointment; and in any event before entering into or discharging any of the duties of the office.

In other words, it is contended that notwithstanding the fact that the statutes of West Virginia not only permit, but require, the taking of the oath before the time of assuming the duties of the new office, he thereby vacated his office in the United States Senate; but no case is cited which will bear out such an interpretation.

There is no hint in this language of the disqualification of Senator Neely between the time of his taking his oath as Governor of West Virginia and the time when his term began. On page 131 of the record, Governor Neely admits that he exercised his prerogatives as a United States Senator until the end of the 12th day of January 1941, and no longer. The position of Governor Neely on this question is set out on page 135 of the record in the following language:

Governor NEELY. Mr. Chairman, I hope that the committee will not forget that I did take my oath which was necessary to qualify me to become Governor of West Virginia at the proper time and at least 15 minutes before my term of office as Governor could possibly begin and that that oath, having been taken at 12 o'clock midnight, on the 12th of January 1941, Governor Holt automatically ceased to have any official authority as chief executive of the State of West Virginia; and that under the oath that I took 15 minutes before 12 o'clock midnight, I automatically became vested with all the rights and powers of Governor of West Virginia the instant that Governor Holt's term ended, which was at 12 o'clock midnight, the exact time at which my resignation as Senator became effective, according to its terms.

If my appointment of Dr. Rosier is not good and Governor Holt's appointment of Mr. Martin is good, then the Republican Governor of Illinois can, if this should become a prece-

dent, appoint every State officer in the last second of his term of office, so that the incoming Democratic Governor, if they should have one, could not name a single official to aid him in administering his State's governmental affairs.

The opinion of the Attorney General of West Virginia as to the filing of the oath is set out on page 137, in the following language:

Mr. MEADOWS. That, Senator Martin, is true in this respect: The statute says that a certificate of the oath shall be filed in the office of the secretary of state. However, I think that is purely pro forma. It is more administrative than anything else, and I think when he takes the oath, which is an oral oath, he is fully qualified to act as Governor. The oath which is filed in the office of the secretary of state, oftentimes, is not signed for 2 or 3 days, or maybe a week after you take the oral oath and, to my mind, under the statutes of West Virginia, is purely a notice to the public that the oath has been taken.

Also on page 142, the attorney general's opinion as to the requirement of filing of the oath is set out:

Mr. MEADOWS. I do not see any particular necessity to it. That is my judgment. I think they should be filed in compliance with the law as a public notice, but as to affecting his rights, I do not see that they are affected by either filing or not filing.

On page 143 of the record George Martin hints at a belief that the requirement as to filing of the oath is mandatory. On page 144 Attorney General Meadows again sets out his belief as to the construction of the statute requiring the filing of the certificate of the oath.

Section 1, article 2, chapter 6, of the code of West Virginia provides, among other things, that the State executives shall qualify on or before the first Monday after the second Wednesday of January next after their election. Qualification of the Governor consists of his taking the oath of office in pursuance of the provisions of section 5, article 4, of the State constitution. Nowhere is it hinted in the law or constitution of West Virginia that the failure to file his oath would prevent the Governor from assuming the duties of his office.

On pages 164 and 165 of the record the following language is used:

There is another conclusive reason why none of the appointments attempted to be made by Hon. Homer A. Holt is valid. Section 21, article VIII, of the West Virginia constitution declares that such parts of the common law not repugnant to the law of the State shall be and continue the law of the State until altered or repealed by the legislature. In *Shaw* v. *Monongahela Railway Co.* (100 W. Va. 369, 130 S. E. 461) it is said that "The constitution of this State declares that the common law shall continue to be the law until altered or repealed by the legislature." Many other West Virginia cases recognize and apply this constitutional provision. A well-settled rule of the common law forbids that an officer clothed with power to appoint to a public office shall forestall the rights and prerogatives of his successor by making a prospective appointment to fill an anticipated vacancy in an office the term of which cannot begin until after his own term and power to appoint have expired (*State ex rel. Morris* v. *Sullivan* (81 Ohio, State 79, 90 N. E. 146, 26 L. R. A. (N. S. 514)). Mechem's Public Offices and Officers, section 133, states:

"A prospective appointment to fill an anticipated vacancy in a public office made by the person or body which, as then constituted, is empowered to fill the vacancy when it arises is, in the absence of express law forbidding it, a legal appointment, and vests title to the office in the appointee. Thus, where a public officer resigns his office to take effect at a future date, and his resignation is accepted, the appointing power being, as then organized, authorized to fill the vacancy when it shall occur, may appoint a successor, the appointment to take effect when the resignation becomes operative.

"But the appointing power cannot forestall the rights and prerogatives of their own successors by appointing successors to offices expiring after their power to appoint has itself expired. 'It is plain,' says the court, 'that an appointment thus made by anticipation has no other basis than expediency and convenience, and can only derive its binding force and effect from the supposition that there will be no change of person and, consequently, of will, on the part of the appointing power between the date of the exercise of that power by anticipation and that of the necessity for the exercise of such power by the vacancy of the office.' "

The court to which the author refers is the court of last resort of the State of Louisiana, the case being that of *Ivy* v. *Lusk* (11 La. Ann. 486).

Governor Holt, on page 195 of the record, in the following language, calls attention to the fact that the word "qualify" is used in two different senses, by the following language:

Mr. HOLT. Well, that had been modified a little bit with respect to this; for practical purposes I took that into consideration, Senator. I might say that these words, Senator, that the word "qualify" or "qualified" is a little confusing in these matters because it is used in two distinct senses; it is used first with respect to the qualifications of an officer in the sense of eligibility, and "qualify" or "qualified" is used in another sense with respect to the mechanics or the procedural steps in entering the office itself. A little confusion results there at times.

Senator STEWART. You mean you do not think the taking of the oath is necessary to qualify?

Mr. HOLT. Yes; I think it is necessary to qualify.

Senator LUCAS. But the word "qualify" is not used in connection with the taking of the oath?

Mr. HOLT. Oh, yes; that is one of the applications of the word; that is the procedural steps to qualify.

On pages 216 and 217 of the record the following language is used:

It is therefore apparent that under said section 5, article 1, chapter 6 of the code, above cited, that the Governor might well take his oath before the beginning of his term, or under section 1, article 2, chapter 2, above cited, he could qualify by taking his oath on or before the first day of the beginning of his term of office. We are inclined to the view that if there should be any apparent conflict between these two provisions that said section 1, article 2, chapter 6, providing that the State executive officers shall qualify on or before the first day of their terms would govern, inasmuch as it deals specifically with the State executive officers, while the other statute is one of general application. However that may be, it is clear that while the Governor may take the oath before the date of the beginning of his term, it is obvious that he cannot by so doing cause his term of office to commence prior to the date fixed by the constitution. Such action merely places him in position to exercise the powers belonging to the office of Governor when the time fixed by the constitution for the beginning of his term arrives. (See *Taylor* v. *Johnson* (148 Ky. 375), cited in memorandum previously filed.)

* * * * *

(b) A consideration of the applicable statutes of the State of West Virginia will dispose of the second question now under consideration.

Section 3, article 1, chapter 6, of the Official Code of West Virginia, 1931, provides that (with certain exceptions not including the Governor) every person elected or appointed to any office in the State of West Virginia, before proceeding to exercise the authority or discharge the duties of such office, shall take the prescribed oath or affirmation. In other words, this section provides that the Governor shall take the oath of office before proceeding to exercise the authority or discharge the duties of the office of Governor. Section 6 of the same article directs the Governor to procure and file in the office of secretary of state a certificate of his oath. Nothing is said as to when such certificate must be filed.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. CONNALLY. The Senator quoted the provision of the law requiring Mr. Neely to take an oath before beginning the duties of his office. Is the Senator aware that there is another statute, which requires that he take the oath before the date of the beginning of his term?

Mr. TUNNELL. Yes. I have quoted both statutes. There are two statutes, one of which says the oath must be taken before the beginning of the term, and the other that it must be taken on or before, or at any rate, before assuming the duties of the office.

Mr. CONNALLY. Exactly. The section to which I refer is as follows:

The oath required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office and before the date of the beginning of the term.

Mr. TUNNELL. Yes; "before the date of the beginning of the term" is the language.

Section 6 of the same article directs the Governor to procure and file in the office of the secretary of state a certificate of his oath. Nothing is said as to when such certificate must be filed.

I continue to read from the language on pages 216 and 217 of the record:

Section 7 of the same article provides that, with the exception of the members of the legislature of the State, no person elected or appointed to any office shall enter into the office, exercise any of the authority, or discharge any of the duties pertaining thereto, or receive any compensation therefor, before taking the oath of office.

There is no such provision as to the filing of the oath, but section 7 does say that he may not take up the duties of his office as Governor until he files the oath.

It is to be observed that, while it is the duty of the Governor to take the oath, and he is instructed to file a certificate of the same, there is no prohibition against his entering into the office and exercising the authority thereof prior to the time of the filing of the certificate of oath.

That was the interpretation placed upon the statute by George Martin, attor-

ney for Clarence Martin, as it appears in the record at the beginning of the hearing.

The prohibition is as to his entering into the office and exercising the authority thereof before taking the oath.

Section 4, article 2, chapter 6, of the Official Code of West Virginia, 1931, provides that if any person elected or appointed to any office or position, of whom an official bond is required, shall fail to give the bond within the time prescribed by law, the office or position shall be deemed vacant, and that any person who shall enter into or dicharge any of the duties pertaining to such office or position, before he shall have given the bond required by law, shall forfeit not less than $50 nor more than $1,000.

But no such language is used with reference to the filing of the oath.

On page 221 of the record the following language is used:

The well-settled rule of the common law forbids that an officer clothed with power of appointment to a public office shall forestall the rights and prerogatives of his successor by making a prospective appointment to fill an anticipated vacancy in an office the term of which cannot begin until after his own term and power to appoint have expired, *State ex rel. Morris* v. *Sullivan* (81 Ohio State 79, 90 N. E. 146, 26 L. R. A. (N. S.) 514).

In Mechem's Public Offices and Officers, section 133, page 67, it is stated:

"But the appointing power cannot forestall the rights and prerogatives of their own successors by appointing successors, to offices expiring after their power to appoint has itself expired. 'It is plain,' says the court, 'that an appointment thus made by anticipation has no other basis than expediency and convenience, and can only derive its binding force and effect from the supposition that there will be no change of person and consequently, of will, on the part of the appointing power between the date of the exercise of that power by anticipation and that of the necessity for the exercise of such power by the vacancy of the office.' "

On page 236 of the record the following language is used:

Code, chapter 6, article 1, section 3:

"Except as provided in sections 1 and 2 of this article (Members of Congress and legislature) every person elected or appointed to any office in this State before proceeding to exercise the authority or discharge the duties of such office shall take the oath or affirmation prescribed in section 5 of article 4 of the constitution of this State."

* * * * *

Code, chapter 6, article 1, section 6:

"Certificates of oaths * * *. Certificates of the oaths of all other officials shall be filed, recorded, and preserved in the office of the secretary of state. * * *

"It shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copies of his certificate of oath as provided in this section."

But there is no provision that he may not perform any of the duties of the office until this is done.

Code, chapter 6, article 1, section 7:

"No person elected or appointed to any office, civil or military, shall enter into the office, exercise any of the authority, or discharge any of the duties pertaining thereto, or receive any compensation therefor, before taking the oath of office: *Provided*, That this section shall not apply to members of the legislature of this State."

On page 255 of the record we learn that prior to 1937 the oath of executive officers had to be taken prior to the first Monday after the second Wednesday in January.

By the act of 1937, executive officers were permitted to qualify as late as the beginning of the term of office or just prior thereto.

On pages 281 and 282 of the record, the following language is used:

In *Ballantyne* v. *Bower* (Wyo. 99, p. 869) the court said in its opinion, page 873:

"We are not to be understood as denying the right of one elected to an office to take the required oath and execute his bond, and deposit the same with the proper officer prior to the date when his term is to commence, or the time fixed by law for qualifying. We assume that may be done. But as qualifying acts they do not become effective until the time fixed by law for their performance."

So not only is there no law cited which contradicts the course taken by Senator Neely, but there is positive authority, and much of it, to the effect that he could do just what he did without vacating his office as United States Senator.

Also see *Kelley* v. *Woodlee* (Tenn. 133, S. W. (2d) 473), wherein Senator STEWART, while holding the office of district attorney general, was elected to the United States Senate in November 1938. Without resigning from said prior office, Senator STEWART waited until the 16th day of January 1939, after Congress had convened, to offer his credentials and be sworn in. The court held that no vacancy was created in the office of the district attorney general until Senator STEWART was received into the Senate, sworn, and entered upon the duties of that office on the 16th day of January 1939.

In the Kentucky case of *Taylor* v. *Johnson*, reported in 148 Kentucky, 649, the following language is used, much of which was read by the Senator from Illinois [Mr. LUCAS] this afternoon:

These appeals present the same question and are heard together. The only controversy is one between Edward J. Taylor and Frank J. Johnson as to which of them succeeded Joseph Coyne as a member of the Covington Board of Aldermen. Coyne was elected a member of the board at the election in 1910, for a term of 2 years. At the regular election in November 1911 he was elected city treasurer for a term of 4 years. On December 30, 1911 (the 31st being Sunday), he took the oath of office as city treasurer, executed bond for the faithful discharge of his duties, and designated the depository of city funds. Upon the afternoon of that day there was a called meeting of the board of aldermen. Coyne was present in the room at the time of the meeting, but, though he had been president of the board of aldermen, declined to call them together or to have anything to do with the proceedings, doubtless upon the idea that his qualification as treasurer, supra, had vacated his office as alderman. Thereupon the then mayor of Covington appointed the appellant, Edward J. Taylor, as alderman to succeed Coyne. Taylor thereupon at once took the oath of his office, entered upon the discharge of his duties, and was confirmed by the council in the sense of a ratification of his appointment. The minutes of this meeting showing these steps were approved at the next meeting on January 5, 1912.

On January 5, 1912, the new mayor of Covington, conceiving that the appointment of Taylor was void, appointed Frank J. Johnson to succeed Coyne. Johnson thereupon took the oath of office and brought this proceeding in mandamus to enforce his right to and the recognition of his right to hold the office. The circuit court sustained Johnson, and Taylor appeals here.

The decision of this question depends upon the precise time at which Coyne vacated his office, whether by voluntary act or by operation of law. Certain constitutional and statutory provisions bear upon the determination of the question: Section 165 of the constitution provides inter alia that "no person shall at the same time fill two municipal offices."

Section 3744 of the Kentucky Statutes provides that "the acceptance by one in office of another office or employment incompatible with the one he holds shall operate to vacate the first."

Section 3746 of the Kentucky Statutes reiterates the declaration of the constitution that no person shall at the same time fill two municipal offices.

Section 1530 of the Kentucky Statutes provides, among other things, that "all resignations of office shall be tendered to the court or officer who is required to fill the vacancy. All such resignations shall be in writing."

First. Had Coyne vacated his office by any voluntary act? Manifestly he had not resigned it, because he must needs resign in writing. Section 1530, Kentucky Statutes, *Davis, Superintendent* v. *Conner* (21 Ky. L. R., 658). There is no pretense that he made any written resignation.

Nor do we think that 1 day's nonoccupation of the office of alderman by Coyne was sufficient to constitute an abandonment. In the case just cited, for instance, notwithstanding the fact that the officers had verbally resigned and for a few days had acted upon the assumption that they were out of office, yet because they had not resigned in writing they were held not to have vacated their offices. It is unnecessary for us to determine here whether or not an office, in view of the provisions of section 1530 of the statutes, can be abandoned by mere nonuser or some act or set of acts short of a written resignation by the officeholder. That question in its broad or general sense is not before us.

Second. Had Coyne done any act which, though not a voluntary vacation of the office of alderman, yet had the effect by operation of law of vacating that office? The provision of section 3744 of the statute is that acceptance by one of an office incompatible with one already held shall operate to vacate the first. This statute but carries out the provision and spirit of sections 165 of the constitution and 3746 of the statute, supra. On December 30, when Coyne took the oath of office and gave bond as treasurer he was not holding two municipal or incompatible offices. He could not hold the office of treasurer until his term began on the first Monday in January. While his taking the oath and executing the bond had qualified him to enter upon the discharge of the duties of the office of Treasurer he had not accepted that office within the meaning of the statute so as to operate to vacate his existent office of alderman. Until the time when he could legally enter upon the discharge of the duties of the new office, there was nothing in the spirit or letter of the law declaring that his preparation for entering upon such new duties would vacate his former office. His taking the oath and executing the bond were but such preparation. Had the term of his new office then commenced such qualifications would be the statutory acceptance such as would vacate the former office. That condition did not obtain here.

Thus the Kentucky case is the only case which I have heard cited or which I have seen which exactly covers the situation of the instant case.

While the statute provides that the certificates of such oaths are to be filed in the office of the Secretary of State, and further places the duty of filing upon the officer who made the oath, yet no-

where does it appear in the statute that such filing has to be done before the officer is qualified to assume the duties of his office.

I am, therefore, compelled to conclude that Senator Neely ceased to be United States Senator precisely at midnight on January 12, 1941, the time specified in his resignation. Second, I am compelled to conclude that Governor Holt ceased to be Governor of West Virginia precisely at midnight on January 12, 1941, Governor Neely having prior to that time been elected and having taken the oath of office prior to midnight on January 12. Third, I conclude that Governor Neely became Governor of West Virginia precisely at midnight on January 12, 1941, or at precisely the same moment at which he ceased to be United States Senator, and that there was no interregnum between the term of office of Governor Holt and Governor Neely. Fourth, I also conclude that the taking of the oath by Governor Neely prior to midnight on January 12 in no way affected the office of United States Senator which he held until the time specified in his resignation. And finally, I believe that the statute providing for the filing of the certificate of the oath of the Governor in the office of the Secretary of State is directory, and in no way prevented the assumption of the office of Governor by Governor Neely until such filing should occur.

I also desire to discuss for a few minutes the theory that public policy demands that Mr. Neely should not, as Governor, appoint his successor in the United States Senate.

Who should appoint the Senator? If Governor Neely could not and should not, according to public policy, who should? In this particular case, by a very large majority in the primaries—for there is a State-wide primary in West Virginia—the Democrats of that State nominated Senator Neely to be Governor. Is there anything in the statutes or in the Constitution of West Virginia or of any other State, or of the United States, which says that a person selected as Governor by the people of West Virginia shall not appoint a Senator if he happens to have been, prior to becoming Governor and prior to the appointment, a United States Senator?

I do not know of any such provision, and no such provision has been cited in the Senate.

That, however, is not all. At the election, when the matter was placed before the people of the State of West Virginia, when it became a contest between the Republican candidate and the Democratic candidate for Governor of West Virginia, the people of West Virginia by more than 100,000 majority said that Governor Neely should be their Governor; and of course one of the powers of Governor Neely, as was stated by both Republicans and Democrats, was the power to name the new United States Senator. The people of West Virginia voted on that question; and now a Senator of the United States stands on this floor and says that it is against public policy to let the people of West Virginia say who shall be the Governor who shall appoint the United States Senator.

I wonder what the position of our friend would have been had a Republican Governor been elected in West Virginia at that time, and had Senator Neely resigned at just the same time and in the same way that he did. I wonder if the five members of the Committee on Privileges and Elections would have stated that the incoming Republican Governor of West Virginia should not have the power of appointment of a United States Senator. I wonder if the able United States Senator who made that argument on the floor would have argued that the new Republican Governor of West Virginia should not have the power. I think in that contention he would have had the support of the majority of the Democrats of this body. I believe they would have joined, as they are now doing, in a demand that the appointee of the incoming Governor should be seated in the Senate of the United States. I believe it is not only according to law and all precedents bearing upon the matter, but it is in keeping with common sense and the practice of the American people not to let the outgoing Governor seize the rights and prerogatives and powers of the incoming Governor, to the detriment of the State.

But we are told that it is against public policy for the people of West Virginia to have this right, and, therefore, that the Senate of the United States should name the man who is thus backed and thus appointed by the outgoing Governor, and not by the incoming Governor. I remember a story which fairly well illustrates that position, and I shall tell it, and then conclude.

In our county we had a contest over a will, and the will was set aside. After the woman had deliberately written her will and executed it in the proper way, it was set aside. The matter, of course, was discussed on the public streets. One fellow said, "Well, I don't think there ought to be any wills written. I think when a man dies there ought to be a public meeting, and at that time his property should be disposed of." That seems to be the argument of our friends who are taking the Martin side—that there should not be any appointment by the Governor of West Virginia, but that there should be a meeting of the United States Senate, and that the man who was selected as the candidate for Governor by the majority party of West Virginia should not have the power to make that appointment; that after the people of West Virginia by more than 100,000 majority had endorsed him for Governor, he should not be Governor of West Virginia, but that there should be a meeting of the Senate, and that the Senate should set aside the will of the people of West Virginia, and that that is according to public policy.

I do not believe the Senate will decide that public policy goes that far in setting aside and nullifying the will of the people of the State of West Virginia.

Mr. HATCH. Mr. President——

Mr. BARKLEY. Mr. President, I think the Senator from New Mexico ought to have a quorum present when he makes his address.

Mr. HATCH. So far as my own wishes are concerned, I would much rather speak tomorrow.

Mr. BARKLEY. Let me see if we can arrive at some agreement about a time to vote tomorrow. I have been trying to arrange an agreement to reach a termination of this contest, and a vote on it, sometime tomorrow. I do not want to shut off an argument by any Senator who wants to make a speech on either side, but it has been generally understood that we would vote tomorrow. If we could reach an understanding as to the hour, I think it would be more satisfactory than having to be uncertain about it.

Under the rules, in order to fix a time for a final vote on a proposition, it is necessary to have a quorum call, but I think we might waive that requirement in this particular instance.

The PRESIDING OFFICER (Mr. SPENCER in the chair). A quorum call is required only in the case of a bill or joint resolution.

Mr. BARKLEY. Then a quorum call is not required in this situation. I inquire of the Senator from New Mexico how long his remarks will take.

Mr. HATCH. It is my present intention to speak very briefly.

Mr. BARKLEY. I inquire of my colleague [Mr. CHANDLER] how many more speeches there will be on his side, and probably how long they will take.

Mr. CHANDLER. Mr. President, I understand that the Senator from Idaho [Mr. CLARK] desires to speak—not very long, but he wants to have an opportunity to be heard. The Senator from Wisconsin [Mr. WILEY] indicated that he would like to speak for 15 minutes. I understand that the Senator from Georgia [Mr. GEORGE] desires to be heard briefly.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BARKLEY. I will.

Mr. HATCH. I stated to the Senator that it was my intention to speak briefly. That is true. None of us knows, however, in speaking, how many interruptions will be made.

Mr. BARKLEY. I realize that. That is always under the control of the speaker who has the floor, however. He may be interrupted or not, as he sees fit.

Mr. HATCH. If any Senator should want to ask me a question that was pertinent or that would throw any light on the issue, I feel that I should yield for that purpose.

Mr. BARKLEY. We all like to yield to our colleagues; and I think we have to take that condition into consideration. Four o'clock, or even five o'clock, would suit me as an hour for voting.

Mr. CHANDLER. Mr. President, if my colleague will yield to me for a moment, I am certain that the Senator from New Mexico will yield freely; but that has not been the case. If he is not going to yield, and will announce it, we can accept that definitely as the situation.

Mr. BARKLEY. That would not affect the time for voting.

Mr. CHANDLER. That is true; but if the Senator knows how long he is going

to speak without yielding, it will assist us in fixing a time.

Mr. HATCH. Mr. President, evidently the Senator from Kentucky did not understand what I said. I said I should be glad to yield to any pertinent question that would throw any light upon the issue.

Mr. CHANDLER. I knew that. I knew that the Senator from New Mexico would not shut off any Senator who thought he had any light to shed on the matter. I knew that; but that is not the way the debate has been conducted on the Senator's side.

Mr. McNARY. Mr. President, I have no objection to setting an hour to vote tomorrow; indeed, I much favor the proposal. I hope we may have it as early as possible. In view of the statement that two or three Senators desire to speak, I think probably there should be a division of the time in order to avoid any confusion or disappointment tomorrow.

Mr. BARKLEY. I will say to the Senator from Oregon that I do not think there will be any trouble about it. It is satisfactory to me to have a division of time.

Mr. McNARY. The only reason why I make that suggestion is because the two or three Senators who have been mentioned as desiring to speak tomorrow are absent at this time. Inasmuch as their names have been mentioned, I hope we may set a date and hour that will suit their convenience, and will enable them to speak tomorrow for the time they may desire to speak.

Mr. BARKLEY. Of course, we can vote before the time we agree on if we "run out of soap."

I ask unanimous consent that at not later than 5 o'clock p. m. tomorrow the Senate proceed to vote without further debate on the pending resolution and the substitute therefor.

Mr. CHANDLER. Mr. President, reserving the right to object, I will agree to that proposal if the majority floor leader will agree to have one-half the time allotted to one side and the other half allotted to the other side, to be controlled as we agree.

Mr. BARKLEY. I have no objection to that; but the trouble about it is that when a certain amount of time is allotted, half of it to be used by one side and half by the other, each side feels almost obligated to occupy the full time assigned to it; and, if that were the case, we would not vote until 5 o'clock.

Mr. CHANDLER. There will be no attempt on our part to use all the time, unless it is necessary.

Mr. BARKLEY. I understand.

Mr. CHANDLER. I am anxious that we reach a vote as soon as possible, but I do not care to agree when I know that the Senator from Wisconsin [Mr. WILEY] wishes to speak, as well as the Senator from Idaho [Mr. CLARK] and the Senator from Georgia [Mr. GEORGE].

Mr. BARKLEY. I ask unanimous consent that at not later than 5 o'clock tomorrow the Senate proceed to vote on the pending resolution and any motion relating thereto or substitute therefor to final conclusion without further debate; and that the time occupied in debate be equally divided between the proponents and the opponents of the majority report, the time to be controlled in behalf of the majority report of the committee by the Senator from Texas [Mr. CONNALLY] and of those opposed by my colleague the junior Senator from Kentucky [Mr. CHANDLER].

Mr. McNARY. Mr. President, I think that is a fair proposal, and I have no objection.

Mr. NORRIS. Mr. President, the only possible objection I have is that past experience has shown that that kind of an agreement is usually very unsatisfactory.

Mr. McNARY. The time is to be divided equally between the two sides.

Mr. NORRIS. That is true, and that is fair, but that might mean that there would be only two speeches. It seems to me it would be much more satisfactory if the unanimous consent agreement provided for an hour after which the time of any Senator would be limited. If after 3 o'clock the time of any Senator were limited, I should not object, even if it were to 5 minutes, but to put it within the power of one Senator to take all the time, or, as under the proposal, to take half the time, is not fair to the Senate, and from past experience we know that in dozens of cases that sort of condition has arisen; indeed, it has been quite general.

Mr. BARKLEY. Of course, there is more of a hardship when we are considering a bill and amendments are to be considered than in a situation such as the present one.

Mr. NORRIS. I realize that, and I think it is a very simple question; but the Senator knows the length of the speeches which have been made, addresses of 3 or 4 hours on a side, and if the agreement he suggests were entered into by the Senate, probably it would not mean just one speech on a side, but it could very easily mean that there would not be more than two on a side.

Mr. BARKLEY. The difficulty about fixing a limitation in this agreement along toward the middle of the afternoon is that someone representing the majority of the committee may wish to conclude the argument, which he would be entitled to do, before a vote was taken.

Mr. NORRIS. I understand that.

Mr. BARKLEY. It might not be possible to fix a limitation of 5 or 10 or even 15 minutes on debate from 3 o'clock on.

Mr. NORRIS. I am so anxious to see this matter concluded that I am not disposed to object.

Mr. BARKLEY. I do not believe there would be much danger that one Senator or two Senators would occupy all the time on either side.

Mr. NORRIS. We always believe that, and then it happens. I shall not object to the agreement, but I call attention to the fact that I have heard Senators by the dozen say, after we had agreed on a time to vote on a particular measure, that they had wanted to speak, but got no opportunity because some other Senator was recognized who occupied all the time, and that they never again would agree to an agreement of that kind. I think I myself have made such a statement.

Mr. BARKLEY. I think that Senators who wish to speak can rely on the Senators who control the time on each side to parcel out the time fairly. As a matter of fact, I believe that most Senators would like to get to a vote even before 5 o'clock. Most of those with whom I have talked and who desire to speak have suggested that we vote at as early an hour as possible.

Mr. NORRIS. The Senator from Texas is to control the time on one side and the Senator from Kentucky on the other. If we could have an understanding that they would not yield all the time to any one Senator——

Mr. CONNALLY. I will say to the Senator from Nebraska that, so far as I am concerned, anyone who applies representing my side of this issue will certainly be considered. I shall not yield to any one Senator all the time, if more than one wishes to speak. Of course, I could not promise in advance how much time I would give to a Senator.

Mr. NORRIS. I understand that.

Mr. CONNALLY. If I yield 10 minutes to a Senator, when the 10-minute period is up he will have to stop.

Mr. NORRIS. Yes; unless the Senator yields him more time.

Mr. CONNALLY. Of course, but I would be fair.

Mr. NORRIS. That would be satisfactory to me.

Mr. CHANDLER. I make the same assurance.

Mr. NORRIS. Then I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. CONNALLY. The understanding is, then, that, beginning tomorrow, there will be no intervening business?

Mr. BARKLEY. There will be no intervening business. We will meet at 12 o'clock, and have practically 2½ hours on each side.

Mr. CONNALLY. There might be a few minutes difference.

Mr. BARKLEY. There may be a little less time. We cannot whittle it down to a gnat's eye.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HATCH. May I have the attention of the junior Senator from Kentucky at this time? In view of the fact that our time is to be limited tomorrow, I wish to put into the RECORD now two letters written to me by the clerk of the Committee on Privileges and Elections concerning the insertion of certain material in the record of the hearings and in the galley proofs of those hearings. There was some question about one letter from a judge, or an oath preceding the date, or something. I have here the letters written to me by the clerk of the committee, which set forth in items all those things which were included in the record. The letters were written before the printed record was made. I instructed the clerk to go ahead and have those things inserted. I will say to the junior Senator from Kentucky that the clerk did not know where the documents to which the Senator referred came from. Both sides brought to him at different

times numerous documents, and he could not keep an accurate account of where they came from. So he did include them, but before they were printed he called the matter to my attention. The chairman of the committee at that time was busy in the Committee on Foreign Relations, and I instructed the clerk to put those matters into the record, and all other documents which might shed any light whatsoever upon this issue. I should like to have the letters printed in the RECORD at this time. I do not wish to take time tomorrow to discuss them.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CHANDLER. The Senator understands that those things were not referred to in the open hearings, and the Senator will recall that I came to him and told him that mysteriously in some way these matters had shown up in the record, and I asked the clerk about it, and he said he did not know how they got into the record. Of course, I did not feel that anything should be in the record unless it were identified by someone and that a proper request be made for insertion of the matter in the record.

Mr. HATCH. Both sides did the same thing.

Mr. CHANDLER. I did not know that, and I did not know that anyone authorized the insertion of this matter.

Mr. HATCH. It was important that these things be included in the record. It makes it better to have them in the record.

Mr. CHANDLER. In view of the statement of the Senator from New Mexico, it is all right with me. I told the Senator they were in the record, and I did not know how they got there.

Mr. HATCH. I wanted the Senator to know that the clerk of the committee acted on my instructions. I think I was right, and I think the clerk did right, and I am glad the matters are in the record.

The PRESIDING OFFICER. Without objection, the letters will be printed in the RECORD at this point.

The letters are as follows:

WASHINGTON, D. C., *February 25, 1941.*

Hon. CARL A. HATCH,

United States Senator, Washington, D. C.

DEAR SENATOR HATCH: In a conference today with Judge Clarence E. Martin, of Martinsburg, W. Va., one of the two applicants for the seat in the United States Senate from West Virginia, I advised him that the following matters would be brought to the attention of the committee with respect to the galley proofs of the record supplied each member of the Senate Committee on Privileges and Elections and interested parties in what has been referred to as the West Virginia case, to wit:

In galley 14, after the words: "Mr. Clarence E. Martin. That is right.", Judge Martin calls attention to the omission of an additional statement he made immediately: "The election or appointment is all the State can do.", with the request that same be inserted.

In the body of the following referred-to galleys, Judge Martin calls attention to an agreement for elimination of certain portions of the record which he identifies as beginning on galley 26 after the words: "Senator HATCH. The committee will come to order. * * *", including the remainder of page or galley 26, all of galley 27, and that portion of galley 28 to and including the last parenthetical mark thereon.

On galley 44 appear the words: "Because Mr. Martin seems to think that my feeling toward him is because of this voting business alone. Indeed that is not it at all." In an agreement, a copy of which Judge Martin had in his possession and another copy of which was handed to me for the committee files, with respect to expunging certain parts of the record, there appears to be provision for elimination of the above-quoted words and their inclusion in the galley proofs is evidently an error of the clerk.

Respectfully submitted.

RAYMOND BARNETT, *Clerk.*

WASHINGTON, D. C., *February 25, 1941.*

Hon. CARL A. HATCH,

United States Senator, Washington, D. C.

DEAR SENATOR HATCH: With respect to the galley proofs supplied each member of the Senate Committee on Privileges and Elections in what is known as the pending West Virginia case, allow me to call attention to the following items with a subsequent explanation as to their insertion; to wit, on galleys 2 MC and 3 MC, as follows:

1. The appointment by Governor Holt on January 10, 1941.

2. The certification of January 10, 1941.

3. The appointment by Governor Holt on January 11, 1941.

4. The certification of January 11, 1941.

5. The appointment by Governor Holt on January 13, 1941.

6. The certification of January 13, 1941.

7. The message to Hon. John N. Garner of January 13, 1941.

Explanation of insertion of the above-numbered seven items: Same were referred to the committee and were inserted by the Clerk in the hope they would be helpful for reference at the beginning of the record. However, I thought the circumstances should be called to the attention of the committee for consideration with respect to whether or not they should be included in the permanent print.

8. Oath of Governor Neely at 11:35 p. m., January 12, 1941.

9. Oath of Governor Neely at 11:45 p. m., January 12, 1941.

10. Oath of Governor Neely at 12 o'clock midnight, January 12, 1941.

Explanation of insertion of the above-numbered items 8, 9, and 10: After delivery of the transcript to the clerk by the official reporter, the committee is aware that same was delivered to various interested parties for revision and came back into the hands of the clerk with sundry changes, eliminations, or insertions. In the course of these proceedings, there came into the possession of the clerk in the manner above referred to the said items 8, 9, and 10. In preparing the copy for the printer, in the best sequence he could conceive inserted said items 8, 9, and 10, in the belief they might be helpful for reference near the beginning of the record and these circumstances are recited as in connection with items numbered 1 to 7, inclusive.

11. (Galley 4 MC), Resignation of Senator Neely January 12, 1941.

Explanation of insertion of said item No. 11: Same was referred to the committee and was inserted by the clerk for the reasons cited with respect to items 1 to 7, inclusive. In connection with the committee's consideration of contents of the permanent print, the sequence, in event it is so included, would probably be better immediately after item 7, with item 12, hereinafter set forth immediately following.

12. Appointment by Governor Neely January 13, 1941.

Explanation of insertion of said item No. 11: Same as with respect to items 1 to 7, inclusive.

Respectfully submitted.

RAYMOND BARNETT, *Clerk.*

POSTPONEMENT OF DEBT PAYMENT BY FINLAND

Mr. VANDENBERG. Mr. President, at the suggestion of the senior Senator from Georgia [Mr. GEORGE], the acting chairman of the Senate Committee on Finance, and after consultation with the majority leader, I ask unanimous consent that the pending business be temporarily laid aside so that the Senate may consider Senate Joint Resolution 74, which proposes to authorize the postponement of the payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that republic and the United States, dated May 1, 1923, May 23, 1922, and May 1, 1941. The resolution has the unqualified support of Secretary of State Hull, the unqualified support of Secretary of the Treasury Morgenthau, and the unanimous recommendation of the Senate Committee on Finance.

The necessity for action is that the joint resolution must pass the House of Representatives and the legislation be completed in time for the negotiations to be perfected prior to June 15, which is the next debt-payment date. Therefore, I am asking unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to consider Calendar No. 286.

Mr. BARKLEY. Mr. President, what the Senator from Michigan states with regard to this matter is accurate, and I not only have no objection, but I hope that the joint resolution may be considered and passed.

Mr. CHANDLER. Reserving the right to object, if anything happens to the joint resolution after it is temporarily considered, I want an understanding that we will immediately revert to the business in hand.

Mr. VANDENBERG. I think it will take only about 1 minute.

Mr. CHANDLER. Then I have no objection.

The PRESIDING OFFICER. Is there objection?

There being no objection, the joint resolution (S. J. Res. 74) to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States, dated May 1, 1923, May 23, 1932, and May 1, 1941, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Republic of Finland, at its option, may postpone the payment of amounts payable to the United States of America during the period from January 1, 1941, to December 31, 1942, inclusive, under the agreements between that Republic and the United States of America dated May 1, 1923, May 23, 1932, and May 1, 1941. In the event of the exercise of the option granted in this section the Secretary of the Treasury is authorized to make, on behalf of the United States of America, an agreement with the

Republic of Finland for the payment of the postponed amounts in 40 semiannual installments, the first 2 such installments to be paid during the calendar year beginning January 1, 1945, and 2 to be paid during each of the 19 calendar years following: *Provided*, That the amounts postponed shall not bear any interest beyond the dates when such amounts first become payable under the above-mentioned agreements.

SEC. 2. The agreement authorized in the first section of this joint resolution shall be in such form that payments thereunder shall, unless otherwise provided in such agreement, be in accordance with and subject to the same terms and conditions as payments under the agreement with the Republic of Finland dated May 1, 1923.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SPENCER in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 13, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 12 (legislative day of May 8), 1941:

COAST GUARD OF THE UNITED STATES

Commander Eugene A. Coffin to be a captain in the Coast Guard of the United States, to rank as such from May 1, 1941.

The following-named cadets to be ensigns in the Coast Guard of the United States, to rank as such from May 19, 1941:

Joe Louis Horne
Chris Vincent Brush
Helmer Sheppard Pearson
Chester Arthur Richmond, Jr.
John Starr
James Matthew McLaughlin
Whitney Matthews Prall, Jr.
Henry Frederick Rohrkemper
Charles Frederick Scharfenstein, Jr.
Robert Stancell McLendon
Walter Richardson Lewis
Robert Powell Cromwell
Kenneth Richards Goodwin
James Ward Kincaid
Kingdrel Navarre Ayers
Victor Anthony Guminski Schmidt
Elmer Albert Crock
James Alexander Palmer
George William Girdler
Bernhard Russell Henry
Louis Thomas O'Neill
Robert Catlin Gould

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE LIEUTENANT COLONEL

Maj. George Vardeman McPike, Air Corps.

TO BE MAJOR

Capt. Frederick Earl Calhoun, Air Corps.
Capt. Carl Ralph Feldmann, Air Corps.
Capt. Ralph Powell Swofford, Jr., Air Corps.

NOTE.—Dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. John Watt Page, Adjutant General's Department, Texas National Guard, to be brigadier general, Adjutant General's Department, National Guard of the United States, from May 2, 1941.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Lt. Col. Murray Charles Wilson, Field Artillery, with rank from May 4, 1941.

First Lt. Roy Tripp Evans, Jr., Infantry (captain, Army of the United States), with rank from June 13, 1936.

TO ORDNANCE DEPARTMENT

Capt. Joseph Allen McNerney, Infantry, with rank from June 13, 1939.

First Lt. Daniel John Murphy, Field Artillery (captain, Army of the United States), with rank from June 12, 1938.

First Lt. Harry Edgar Mikkelsen, Field Artillery (captain, Army of the United States), with rank from June 12, 1939.

TO AIR CORPS

Second. Lt. Leonard Edward Symroski, Coast Artillery Corps, with rank from June 11, 1940.

Second Lt. Melville Offers, Infantry, with rank from June 11, 1940.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS WITH RANK FROM MAY 1, 1941

Lt. Col. Rudolf William Riefkohl, Quartermaster Corps (colonel, Army of the United States).

Lt. Col. Alexander Camman Sullivan, Field Artillery (colonel, Army of the United States).

Lt. Col. Joseph Peter Vachon, Infantry (colonel, Army of the United States).

HOUSE OF REPRESENTATIVES

MONDAY, MAY 12, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God of our fathers, whose almighty hand crowns the good with brotherhood, be Thou our Guardian and our Guide. We pray that we may be worthy of life's "well done" and that each day we may live out our Master's definition of a great life. Grant that He may give us a true vision of Himself, before whom the angels veil their faces, saying: "Holy, holy, holy is the Lord God of hosts." Amid the ruins of our falling humanity, lift us up into His image until there shall be a race of redeemed mortals in a transfigured world. Heavenly Father, deliver our country from its frantic boasts and foolish words. Bless our dear land with a soul swell of constraint and driving compulsion until our Nation's life is aroused by spiritual currents coursing through its being, confirming our very heart into the fabric of the earthly life of our Galilean Teacher. Almighty God, our own America, with its power, wealth, and pride, fuse these compelling forces with Christian dynamics, recasting them in the Gospel mold, praying that righteousness and justice may become coextensive with the being of man everywhere. Again we humbly pray Thee to be a help to the helpless, a friend to the needy, sunshine to those whose days are gray and a shadow of a great rock in a weary land. Through Christ. Amen.

The Journal of the proceedings of Friday, May 9, 1941, was read and approved.

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may have the privilege of sitting during the sessions of the House for the remainder of the week, with the understanding that we will come back to vote whenever there is a roll call.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MARINE BAND

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4305) to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, this bill has the unanimous report of the committee?

Mr. VINSON of Georgia. It has.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, from September 14 to 19, inclusive, 1941.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such convention, there is authorized to be appropriated the sum of $6,491.50, or so much thereof as may be necessary, to carry out the provisions of this act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an address on livestock and national defense, delivered by Mr. G. B. Thorne at Livestock Feeders' Day, Columbia, Mo.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a news letter of the American Federation of Investors on taxation and spending.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONES. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ELMER LEWIS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

[Mr. HOBBS addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by my colleague the gentleman from Indiana, Hon. RAYMOND SPRINGER, at the amphitheater at the Tomb of the Unknown Soldier in Arlington Cemetery on Mothers' Day, May 11, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a letter from a typical American mother, and my answer thereto.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

(Mr. LUDLOW asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TINKHAM. Mr. Speaker, Secretary of War Stimson in an address broadcast to the world has called for the entry of this country into the war. Secretary of the Navy Knox has spoken to the same effect. Secretary of Agriculture Wickard within the past 3 days has advocated our entry into the war. Secretary of State Hull and all of the President's associates so far as they are speaking at all are speaking to this effect. And now Capt. James Roosevelt at Cairo on Friday, according to the cables, asserts that except for sending troops the United States is already in the war.

The time has come when the American people are entitled to have from the President a truthful and unequivocal statement of his own position and his own intent. He should either deny and repudiate these covert declarations of war by those around him or else he should avow them and be prepared to face the American people with the greatest betrayal of trust in the history of our Republic; for let it be remembered that the American people have had no wish or will to enter into war in Europe or in Asia, and that the President sought reelection to a third term in office, in violation of a most precious American tradition, upon the promise and pledge that he would keep this country out of war. He has repeatedly attempted to justify his war-like actions with the specious and deceitful plea that they were intended to keep this country at peace.

War for the United States means inevitable social revolution, economic chaos, dictatorship, and communism. All those who are now attempting to bring about the entry of the United States into the wars of Europe and Asia are its enemies. Our risks and dangers today are greater from within than from without.

The Constitution lodges with the Congress and not with the President the question of war or peace. Congress alone has the power and authority to declare war.

I challenge the President to submit the question of a declaration of war to the Congress and to abide the judgment and decision of the Congress on this issue. It is an issue upon which rest the whole future, safety, and welfare of our Republic and our people. [Applause.]

SECRETARY OF LABOR PERKINS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I am placing with the Clerk of the House today a petition to the President of the United States asking him to remove Madam Perkins. I hope that every single Representative here will put his name to this petition. I believe that she has earned it, that she deserves it. The people in my community are very dissatisfied with the way these strikes have been handled. They are writing to me as their Representative asking me whether O. P. M. means other people's money or Office of Production Management. They seem to think that these men, referring to the way they have handled the strike settlements, are rather careless with other people's money.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

WAR—CONVOYS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, the gentleman from Massachusetts [Mr. TINKHAM] accuses President Roosevelt of trying to get us into war, and he quotes what somebody else has said. So far as I can see, the President has made no such effort.

On this question of convoys, as I pointed out a day or two ago, under the lend-lease bill we have a right not only to transfer these merchant vessels to British registry, but also to transfer naval vessels to British registry when necessary. Then these vessels could be convoyed to Britain under the British flag. That will not draw us into war. This morning I read very carefully the speech of former President Hoover, one of the most pro-British men I have ever known. He points out that if we get into the war it will handicap us in our efforts to aid England. In addition to subjecting all our commerce to attack, it would probably bring Japan into the war against us and cause us to have to keep the bulk of our Navy in the Pacific.

On the other hand, if we were to try to convoy these vessels ourselves and one of them should be sunk, it would take us into the war and paralyze our efforts to assist Great Britain in the present emergency. [Applause.]

CONVOYS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, of course everyone has his own ideas about the matter, but my idea is that if we are going to get our recently made goods to Britain, we had better begin to get them over there soon. I think we ought to snap into it in this Congress. As far as that is concerned, here we are sitting around here talking, when we ought to be doing business. I think we ought to strap on a little stronger armor and commence to deliver this stuff as quickly as we can into the hands of those who are fighting democracy's battle, and not permit it to go to the bottom of the sea.

Mr. RANKIN of Mississippi. But if we transfer these vessels to British registry, and let Great Britain convoy under her own flag, they will get over there just as quickly and just as safely, and if one of them is sunk it will not drag us into the war, paralyze our commerce all over the world, and draw Japan into the conflict on the other side. We can help Britain more in this way than we could by entering the war.

Mr. PATRICK. I want the goods to get over there, and I want us to get busy

and do something. I shall not be fussy over the method or system of transportation, but we ought to step on it.

Mr. RANKIN of Mississippi. We are doing all we can.

The SPEAKER. The time of the gentleman from Alabama has expired.

EXTENSION OF REMARKS

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

WAR

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I hear much about war and what we should do by the Members of Congress and our views differ greatly. I believe that we should stay at home and attend to our own business in this country. [Applause.] I heard the gentleman from Massachusetts [Mr. TINKHAM] make the statements a few minutes ago in reference to the individual members of Mr. Roosevelt's Cabinet that now is advocating war. Let me quote from Wendell Willkie who said this in October 1940:

I cannot follow the President in his conduct of foreign affairs. Many of us have wondered if he is deliberately inciting us to war.

There are many so-called Republicans who are trying to get this country into war. We must stop them now. Also, Mr. Wendell Willkie last month said:

We must have convoys, patrols, or what not.

I say here that I do not care what a man's political affiliation is, I think it is the duty of every American to do what the people of this country want, and that is to keep us out of war, and I am going to do everything I can to that end. Last Wednesday night, May 7, at a freedom rally in Madison Square Garden, under the New York chapter, Committee to Defend America by Aiding the Allies, Mr. Willkie was speaking upon the title "Speaking for America." I want to state he does not speak for me and millions of other Americans. We want no American convoys. The President said, "to convoy means to shoot and to shoot means war." We want no war in Europe or Asia or Africa. I will do all I can to prevent America from getting into war. We want peace. [Applause.]

EXTENSION OF REMARKS

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a letter from a constituent of mine to his Congressman.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Dr. Charles Clayton Morrison at a meeting of the America First Committee on April 27.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLACKNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short editorial from the Holland (Mich.) Sentinel.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my personal views on the St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by including an editorial from the Wall Street Journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to include in the Appendix of the RECORD a short resolution by the House of Representatives of the State of Oklahoma.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter and a resolution by the Waupaca County Board of Supervisors.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent Mr. DONDERO was granted permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. MUNDT. Mr. Speaker, at the conclusion of the business today and any other special orders, I ask unanimous consent to address the House for 20 minutes on the subject of public-opinion polls.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 30 minutes tomorrow afternoon after all the legislative business of the day has been disposed of and any other special orders.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend in the RECORD the remarks of my colleague, the gentleman from Missouri [Mr. BENNETT].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a recent editorial from the Roxbury Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MOTHERS' DAY

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILSON. Mr. Speaker and Members of the House, yesterday was Mother's Day. Naturally, my thoughts revert to the hardships endured by my mother; to the days when she and my eight brothers and sisters so laboriously tilled the fields with a hoe that we might earn the necessities of life. The days were long and hot; mother was much overworked; however, she was willing to sacrifice health, pleasure, and all for the welfare of her children. She is no exception. I have known many mothers who have done the same thing. I have known mothers who have given the best of their lives in toil and sweat that their sons might have a better lot in life, only to see them sent to some foreign battlefield and killed, and that fine body for which mother sacrificed so much of her own life, spent to fertilize the fields of Europe. God forbid that I shall ever be a party to such a reoccurrence.

There are those who have heavy investments in Europe and those who are making millions out of this war. For the protection and promotion of these interests they ask the poor mothers of this land to send their sons to possible death. Of those who have asked me to support steps leading us into this war, I have asked first to prove that they are acting in good faith by donating all of their wealth to the cause of the democracies before they ask a single mother for her son. This, it seems to me, would be a paltry sacrifice compared to the life of one mother's son.

Needless to say, none has been willing to express his good faith in this manner. How can anyone ask a mother to give the life of her son to guarantee a financial investment or income? Let me state to you in conclusion that were it not for the money involved there would be no wars.

May God help those of us who would save the sons of American mothers.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my own remarks on the question of raising revenue for national-defense purposes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a news item from the Canton (Ohio) Republican.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on reclamation that I made before the Subcommittee on Appropriations han-

dling the Interior Department appropriation bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for a minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE WEST-COAST STRIKE

Mr. HOFFMAN. If anything will jar that Vinson bill off the Speaker's desk, it ought to be this west-coast strike. There is a strike that Secretary of the Navy Knox has protested against; Admiral Land, of the Maritime Commission, has protested against it; a strike that John P. Frey, the president of the union, states is in violation of the master agreement. That is a strike that William Green says is an "outlaw strike." It is a violation of the clause in the union collective-bargaining contract, and it is holding up work on 4 cruisers and 27 destroyers. The strikers demand an increase in wages from $1 an hour to $1.15 an hour, and the company offers $1.12 hour. Now, what about it? Are you going to let 5 percent of the employees stop your national-defense program? Are you going to let the Vinson bill stay up there on the Clerk's desk and refuse to act while ships needed for aid to Britain and defense are not built? Will you tell me why? Are you afraid of the labor leaders, the labor racketeers? [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend and revise my own remarks in the RECORD and to include a short article from the Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend and revise my remarks in the RECORD and to include therein a letter from Mr. Hinckle, president of the Missouri Farmers' Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent, I desire to insert in the Appendix of the RECORD an editorial from the Herald of this morning.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, the proposed additional three-and-one-half-billion-dollar tax levied in the name of national defense cannot be justified. It is not necessary.

On the basis of the Secretary of the Treasury's own estimate we shall require only twelve and sixty-six one-hundredths billion dollars, while we shall raise, without increasing present levies, twelve and three-tenths billion dollars next year. The difference, which amounts to $367,000,000, could be easily saved by elimination of unnecessary nondefense expenditures, or raised by taxation, if required.

It is nonsense to talk about "business as usual." Worse than that to insist that the taxpayers shall be burdened by New Deal policies of extravagant spending in order to retain or to support the continuation of its socialistic policies.

Moreover, careful statisticians on both sides of the aisle have estimated, and I agree, and Secretary Morgenthau admits, that a minimum of a billion dollars—and I insist that a possible maximum of $2,000,000,000—of the taxpayers money can be saved and nobody will be hurt by striking from the proposed appropriations such sums as are obviously included for the political purpose of fostering the administration's pet projects.

We will have to spend billions for defense, but we should pay no more tribute to the New Deal's paternalistic experimentation and reckless social adventures.

The administration should not now be allowed to cover or to hide or camouflage its derelictions of duty in its unwarranted and extravagant use of the taxpayers' money in social experiments, and its pitiful failure to properly prepare this country for the emergency that now confronts it, behind the screen it now attempts to raise of alleged necessity for larger and heavier tax burdens to be imposed for the general welfare or for national defense, at the expense of the taxpayers, who are already bled white by the New Deal's profligacy and inefficiency.

PERMISSION TO ADDRESS THE HOUSE

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. REECE of Tennessee addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the address delivered by Hon. Herbert Hoover last night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BONNEVILLE POWER

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, Canby, Oreg., is a town of 1,000 people which owns its electric-distribution system. Recently it has made another reduction of electric-light rates, which I believe gives the people of that town the lowest rate in the United States. This little town has no debt because of the money made out of its electric-light system. It now buys Bonneville power at $17.50 per kilowatt-year. This is less than one-fifth of a cent per kilowatt-hour, or a little less than 2 mills. Even this low wholesale Government price includes enough to write off in 40 years capital investment and interest on cost of transmission lines and the dams on the Columbia River, so far as power allocations are concerned.

The next fiscal year, with only a part of the power installed, Bonneville and Coulee developments will repay to the Government of the United States about $6,000,000 from income. What would we be doing today in defense industries if we did not have this power?

Here are the rate schedules and the financial statement of this enterprising city:

[Circular 3, Canby Series 1]

CANBY MAKES ANOTHER RATE REDUCTION EFFECTIVE APRIL 1, 1941

Residential, 18 percent reduction.

Commercial, 14 percent reduction.

Cumulative reductions since beginning distribution of Bonneville Power:

Residential, 43 percent reduction.

Commercial, 50 percent reduction.

Canby's new rates are the lowest in America for use over 250 kilowatt-hours monthly.

Reductions in typical monthly electric bills

RESIDENTIAL

	50 kilowatt-hours	100 kilowatt-hours	200 kilowatt-hours	500 kilowatt-hours
New rates (effective April 1941)	$1.25	$2.00	$3.00	$4.50
Former rates (effective February 1940) [1]	1.50	2.50	3.50	5.50
Rates before Bonneville power	2.18	3.37	5.17	10.57
Percent reduction:				
April 1941 from April 1940 (percent)	17	20	14	18
April 1941 compared with rates before Bonneville power (percent)	43	41	42	57

COMMERCIAL LIGHTING

	1.5 kilowatts, 150 kilowatt-hours	3 kilowatts, 375 kilowatt-hours	6 kilowatts, 750 kilowatt-hours	12 kilowatts, 1,500 kilowatt-hours
New rates (effective April 1941)	$3.75	$7.13	$11.50	$20.90
Former rates (effective February 1940) [1]	4.50	9.00	14.50	23.40
Rates before Bonneville power	7.50	16.13	30.75	59.00
Percent reduction:				
April 1941, from April 1940 (percent)	17	21	18	11
April 1941 compared with rates before Bonneville power (percent)	50	56	63	65

[1] Bonneville standard resale rates.

Reductions in typical monthly electric bills— Continued

COMMERCIAL POWER

	3 kilowatts, 375 kilowatt-hours	6 kilowatts, 750 kilowatt-hours	12kilowatts, 1,500 kilowatt-hours	30kilowatts, 6,000 kilowatt-hours
New rates (effective April 1941)	$7.13	$11.50	$20.90	$60.50
Former rates (effective February 1940) [1]	9.00	14.00	23.40	76.50
Rates before Bonneville power	16.50	32.00	57.00	165.00
Percent reduction:				
April 1941 from April 1940 (percent)	21	18	11	9
April 1941 compared with rates before Bonneville power (percent)	57	64	63	58

[1] Bonneville standard resale rates.

New rate schedules adopted effective Apr. 1, 1941

RESIDENTIAL

	Cents per kilowatt-hour
First 50 kilowatt-hours per month	2½
Next 50 kilowatt-hours per month	1½
Next 100 kilowatt-hours per month	1
Next 600 kilowatt-hours per month	½
Over 800 kilowatt-hours per month	¾

Minimum bill 75 cents per month.

COMMERCIAL LIGHTING AND POWER

	Cents per kilowatt-hour
First 150 kilowatt-hours per month	2½
Next 350 kilowatt-hours per month	1½
Next 1,000 kilowatt-hours per month	1
Next 13,500 kilowatt-hours per month	0.7
Next 50,000 kilowatt-hours per month	.5
Next 65,000 kilowatt-hours per month	.3

For customers with demands greater than 10 kilowatts, the excess of demand above 10 kilowatts will be charged at 95 cents per kilowatt.

For use in excess of 360 times the demand, the energy charge shall be 50 percent of the otherwise applicable rate, except that no energy shall be billed at less than 2½ mills per kilowatt-hour.

COMMERCIAL WATER AND SPACE HEATING

All energy, 0.7 cent per kilowatt-hour.

For customers with demands greater than 10 kilowatts, the excess of demand above 10 kilowatts will be charged at 95 cents per kilowatt.

Reduction in cost of electricity for major household uses

Household use	Cost under new rates effective April 1941	Cost under rates effective February 1940	Cost under rates before Bonneville power
Lighting and small appliances (first 50 kilowatt-hours)	$1.25	$1.50	$2.18
Refrigeration (next 35 kilowatt-hours)	.53	.70	.92
Cooking (next 115 kilowatt-hours)	1.22	1.30	2.07
Water heating (next 300 kilowatt-hours)	1.50	2.00	5.40
Total for all-electric home (500 kilowatt-hours)	4.50	5.50	10.57

City of Canby, light department—Summary of operations for 11 months, February to December, inclusive, for the year ended Dec. 31, 1940

OPERATIONS FOR 11 MONTHS ENDED DEC. 31, 1940

	Amount	Percent of revenue	Cents per kilowatt-hour sold
Gross revenue	$13,852.84	100.00	1.89
Operating expenses	7,405.28	53.46	1.01
Net before depreciation, taxes, and interest	6,447.56	46.54	.88
Depreciation	687.50	4.96	.09
Paid to city in lieu of taxes	828.41	5.98	.11
Paid to city, interest on investment	1,375.00	9.92	.19
Total other deductions	2,890.91	20.86	.39
Net income for dividends to public	3,556.55	25.68	.49

SALES STATISTICS

	Present number of customers	11 months		Percent of total
		Kilowatt-hours sold	Revenue	
Residential sales	305	357,660	$6,722.69	48.5
Commercial sales	102	348,877	6,781.65	49.0
Street lighting	1	27,700	348.50	2.5
Total	408	734,237	13,852.84	100.0

COMPARISON BETWEEN THE FIRST MONTH WITH BONNEVILLE POWER AFTER RATE REDUCTION AND THE LAST MONTH OF THE YEAR

	Customers	Kilowatt-hours	Revenues
	February 1940		
Residential sales	292	25,812	$540.76
Commercial sales	89	26,444	559.65
	December 1940		
Residential sales	305	40,733	$710.99
Commercial sales	102	38,708	727.19
	Increase		
Residential sales	13	14,921	$170.23
Commercial sales	13	12,264	167.54

The city of Canby system of electricity is clear of debt with an estimated value of $26,721. Since the 1st of February the light department has purchased new equipment in the amount of $1,721.75 and has paid from earnings to the city, the equivalent of taxes of $828.41, has paid in cash to the city the interest accrued on the investment in the amount of $1,375, and is now in possession of a surplus fund, accumulated, in the amount of $20,899.95.

COMPARISON BY CUSTOMER USE

	Kilowatt-hours	Revenue
	February 1940	
Residential sales per customer	88	$1.85
Commercial sales per customer	297	6.28
	December 1940	
Residential sales per customer	134	$2.33
Commercial sales per customer	379	7.13
	Increase	
	Percent	*Percent*
Residential sales per customer	52	26
Commercial sales per customer	28	14

Purchased Bonneville power (11 months only):	
Kilowatt-hours	825,090
Sales	734,237
Losses	[1] 90,853

[1] 11 percent of gross purchase.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and publish these new rates.

Mr. RANKIN of Mississippi. Mr. Speaker, reserving the right to object, and, of course, I shall not object, the gentleman's statement is one of the most astonishing revelations on power rates I have yet heard. If the town of Canby, Oreg., with only 1,000 people, can reduce its light and power rates below the T. V. A. rates at Tupelo, Miss., then the world ought to take off its hat to Canby. [Applause.]

Mr. RICH. Mr. Speaker, reserving the right to object——

The SPEAKER. Is there objection to the request of the gentleman from Oregon? And the Chair calls for the regular order.

Mr. RICH. Mr. Speaker, reserving the right to object——

The SPEAKER. The gentleman from Oregon has taken his seat. Is there objection to the request?

Mr. RICH. Mr. Speaker, I reserved the right to object.

The SPEAKER. The gentleman cannot reserve the right to object. The Chair called for the regular order. Is there objection to the request of the gentleman from Oregon?

There was no objection.

EXTENSION OF REMARKS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend and revise my own remarks in the RECORD and include a newspaper article from the American Federationist by George Meaney.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, may I say at this time there are four rather routine bills that I would like to have considered in the House as in Committee of the Whole, then we will go into committee under an allotment of time.

ADMISSION OF INSANE PERSONS OF FOREIGN SERVICE TO ST. ELIZABETHS HOSPITAL

Mr. RANDOLPH. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 4498) to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States, and ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon the application of the Secretary of State, the Federal Security Administrator is authorized to admit to St. Elizabeths Hospital in the District of Columbia, for treatment, American citizens who are Foreign Service officers or employees, as defined in the act of May 24, 1924 (43 Stat. 140), as amended by the act of February 23, 1931 (46 Stat. 1207; 22 U. S. C. 2), and who are legally adjudged insane in any foreign country and whose legal residence in one of the States, Territories, or the District of Columbia, it has been impossible to establish.

Upon the request of any such patient, his relatives or friends, he shall have a hearing in the District Court of the United States for the District of Columbia upon his mental condition and the right of the superintendent of St. Elizabeths Hospital to hold him for treatment.

Mr. RANDOLPH. Mr. Speaker, no statutory provision has been made for the transfer to St. Elizabeths Hospital of American Foreign Service officers. These American Foreign Service officers are employees of the Government and are American citizens who have become insane while employed in our Foreign Service. There is no provision for them to transfer. It is believed such provision should be made inasmuch as there is authority for the care of insane persons belonging to other branches of the Federal service. This bill has been requested by the Secretary of State of the United States and it is felt should be passed at this time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF GIFTS FOR ST. ELIZABETHS HOSPITAL

Mr. RANDOLPH. Mr. Speaker, I call up the bill H. R. 4599, to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts, and ask unanimous consent that this bill be considered in the House as in Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Security Administrator is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for the improvement, maintenance, or operation of Saint Elizabeths Hospital in the District of Columbia. Conditional gifts may be so accepted if recommended by the Surgeon General of the Public Health Service, and the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with its conditions, but no gift shall be accepted which is conditioned upon any expenditure not to be met therefrom or from the income thereof unless such expenditure has been approved by act of Congress.

SEC. 2. Any unconditional gift of money accepted pursuant to the authority granted in section 1 of this act, the net proceeds from the liquidation (pursuant to section 3 or section 4 of this Act) of any other property so accepted, and the proceeds of insurance on any such gift property not used for its restoration, shall be deposited in the Treasury of the United States and are hereby appropriated and shall be held in trust by the Secretary of the Treasury for the benefit of Saint Elizabeths Hospital, and he may invest and reinvest such funds in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. The income from such investments shall be available for expenditure in the improvement, maintenance, or operation of Saint Elizabeths Hospital, subject to the same examination and audit as provided for appropriations made for Saint Elizabeths Hospital by Congress.

SEC. 3. The evidences of any unconditional gift of intangible personal property, other than money, accepted pursuant to the authority granted in section 1 of this act shall be deposited with the Secretary of the Treasury and he, in his discretion, may hold them or may liquidate them whenever in his judgment the purposes of the gifts will be served thereby. The income from any such property held by the Secretary of the Treasury shall be available for expenditure as is provided in section 2 of this act.

SEC. 4. The Federal Security Administrator shall hold any real property or any tangible personal property accepted unconditionally pursuant to the authority granted in section 1 of this act and he shall permit such property to be used for the improvement, maintenance, or operation of Saint Elizabeths Hospital or he may lease or hire such property, and may insure such property, and deposit the income thereof with the Secretary of the Treasury to be available for expenditure as provided in section 2 of this act: *Provided*, That the income from any such real property or tangible personal property shall be available for expenditure in the discretion of the Federal Security Administrator for the maintenance, preservation, or repair and insurance of such property.

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to authorize the acceptance of gifts for St. Elizabeths Hospital. This is a Federal institution which is under the jurisdiction of the Federal Security Agency. There is an immediate prospect of certain valuable gifts to this hospital if the Congress provides authority for the acceptance of such gifts. It also appears that the expense to the Government may be substantially decreased should the Government see fit to accept for the use, maintenance, and operation of the hospital proper gifts which might be tendered for that purpose.

Mr. RICH. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. RICH. Anyone who makes a gift to that worthy institution certainly shows a very generous spirit in trying to help not only the Federal Government but also those who are inmates of the institution. I congratulate anyone who will make a gift to the institution, which is a very worthy cause.

Mr. RANDOLPH. I thank the gentleman. I understand there are such individuals at this time considering making gifts to the hospital.

Mr. HARE. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from South Carolina.

Mr. HARE. Would the passage of this legislation permit those in charge of St. Elizabeths Hospital to accept gifts even though they may have attached to them certain liabilities to be performed and to be undertaken by the Federal Government?

Mr. RANDOLPH. In answer to the gentleman from South Carolina, may I say that the measure provides for the administration of unconditional gifts and authorizes the administration of these gifts in accordance with the conditions placed on such gifts to meet any given situation which might arise under an unconditional gift.

Mr. HARE. That is, the United States is protected then by the provisions of the bill?

Mr. RANDOLPH. Yes.

Mr. HARE. There will not be the possibility of somebody offering a gift with a liability attached to it?

Mr. RANDOLPH. That is correct.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADDITIONAL POWERS TO BOARD OF PUBLIC WELFARE

Mr. RANDOLPH. Mr. Speaker, I call up the bill H. R. 4365, to give additional powers to the Board of Public Welfare of the District of Columbia, and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Board of Public Welfare of the District of Columbia established by the act of Congress entitled "An act to establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes," approved March 16, 1926, shall, in addition to the other duties and responsibilities imposed upon it by

law, have the following duties and responsibilities:

(1) To investigate the circumstances affecting children handicapped by dependency, neglect, or mental defect, or who may be in danger of becoming delinquent, and to provide such services for the protection and care of such children as will assist in conserving satisfactory home life;

(2) To safeguard the welfare of children born out of wedlock by providing services for their mothers and in caring for and in obtaining support for such children;

(3) To assume responsibility for the care and support of dependent or neglected children under the age of 18 years needing public care away from their own homes, when such need has been determined by careful investigation and is requested by the parent or parents or any person or agency responsible for the care of such children;

(4) To make suitable provision for the reception and care of children in need of detention pending court action, or who are temporarily detained under court order, or who are temporarily homeless.

(5) Upon proper showing, in its discretion, to discharge from custody or guardianship any child committed to its care.

SEC. 2. Any person who shall entice or attempt to entice, away from any home or institution, any child legally committed to the Board of Public Welfare and placed by said board in such home or institution, or any person who shall assist or attempt to assist any such child to leave without permission such home or institution, knowing such child to be an inmate of such institution or to have been placed in such home, or any person who shall harbor, conceal, or aid in harboring or concealing any such child who shall be absent without leave from a home or institution in which he has been placed by the Board of Public Welfare, shall, upon conviction thereof, be deemed guilty of a misdemeanor and shall pay a fine of not less than $10 nor more than $100; and any policeman shall have power, and it is hereby made his duty, to take into custody any child, when in his power to do so, who shall be absent without leave from a home or institution in which he has been placed and return him thereto or to the receiving home.

SEC. 3. Section 5 of the act of Congress entitled "An act to provide for the care of dependent children in the District of Columbia and to create a Board of Children's Guardians," approved July 26, 1892, as amended, is hereby amended to read as follows:

"SEC. 3. The Board shall have full power (1) to accept for care, custody, and guardianship dependent or neglected children whose custody or parental control has been transferred to the Board, and to provide for the care and support of such children during their minority or during the term of their commitment; (2) the Board shall also have full power with respect to all children accepted by it for care to place them in private families either without expense or at a fixed rate of board, to place them in institutions willing to receive them either without expense or at a fixed rate of board; (3) to consent to the adoption of all children committed to its care whose parents have been permanently deprived of custody by court order."

SEC. 4. Section 6 of the act of Congress entitled "An act to provide for the care of dependent children in the District of Columbia and to create a Board of Children's Guardians," approved July 26, 1892, as amended, is hereby amended to read as follows:

"SEC. 6. The antecedents, character, and condition of life of each child received by the Board shall be investigated as fully as possible, and the facts learned entered in permanent records, in which shall also be noted the subsequent history of each child, so far as it can be ascertained. Such records shall be confidential but may be made available in the discretion of the Board. Provision shall be made for study of the physical and mental conditions of children received for care in order that care for each child may be planned to meet his particular physical and mental needs."

Mr. RANDOLPH. Mr. Speaker, the purpose of this measure is to give the Board of Public Welfare of the District of Columbia additional powers in connection with the care of needy and dependent children. It provides authority for the safeguarding of children who have been born out of wedlock; for the care and support of dependent or neglected children at the request of parents or guardians without the necessity of a commitment to the Juvenile Court; for the reception and care of children in need of a temporary detention and for relief from custody of any such child that has been committed to its care.

This legislation will impose no additional cost on the District of Columbia. It is felt such authority should be granted to the Board of Public Welfare in order that these unfortunate children may be more properly provided for at this time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPENDENT CHILDREN IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 4109) to provide aid to dependent children in the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole House on the state of the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the care and assistance of dependent children is hereby declared to be a special matter of public concern and a necessity in promoting the public health and welfare. To provide such care and assistance at public expense, a system of aid to dependent children is hereby established for the District of Columbia.

SEC. 2. The terms "aid" and "assistance" wherever used in this act shall be construed to mean money payments with respect to a dependent child or dependent children. As used in this act, the term "dependent child" shall be construed to mean a child under the age of 18 who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt in a place of residence maintained by one or more of such relatives as his or their own home.

SEC. 3. Aid to dependent children shall be granted with respect to a child who has resided in the District of Columbia for 1 year immediately preceding the application or who was born in the District of Columbia within 1 year immediately preceding the application, one or both of whose parents has resided in the District of Columbia for 1 year immediately preceding the birth.

SEC. 4. The Board of Public Welfare of the District of Columbia shall administer assistance under this act. It shall prescribe the form and print and supply the blanks for applications, reports, and affidavits, and such other forms as it may deem advisable, and shall make rules and regulations necessary for the carrying out of the provisions of this act and shall make and render any and all reports required by the Social Security Board of the United States Government or otherwise authorized or required by law, and comply with such provisions as the Social Security Board of the United States Government may, from time to time, find necessary to assure the correctness and verification of such reports.

SEC. 5. The amount of assistance for any child and the manner of providing it shall be determined by the Board of Public Welfare with due regard to the conditions existing in each case, and shall be sufficient when added to all other income and support available to the child, to provide such child with a reasonable subsistence compatible with decency and health.

SEC. 6. Application for assistance under this act shall be made to the Board of Public Welfare. The application shall be made in the manner and form prescribed by the Board of Public Welfare, and shall contain information as to the age and residence of the child and such other information as may be required by the Board of Public Welfare.

SEC. 7. Upon the receipt of an application for assistance, an investigation and record shall be made of the circumstances in order to determine the dependency of the child and to ascertain the facts supporting the application and such other information as may be required by the Board of Public Welfare.

SEC. 8. Upon completion of such investigation the Board of Public Welfare shall decide whether the child is eligible for assistance under the provisions of this act, and shall determine the amount of such assistance and the date on which assistance shall begin.

SEC. 9. All assistance grants made under this act shall be reconsidered by the Board of Public Welfare as frequently as it may deem necessary. After such further investigations as the Board of Public Welfare may deem necessary, the amount of assistance may be changed, or assistance may be entirely withdrawn if the Board of Public Welfare finds that the child's circumstances have altered sufficiently to warrant such action.

SEC. 10. If an application is not acted upon within a reasonable time of the filing of the application, or is denied in whole or in part, or if any award of assistance is modified or canceled under any provision of this act, the applicant or recipient may appeal for a hearing to the Board of Public Welfare in a manner and form prescribed by the Board.

SEC. 11. All assistance granted under this act shall be deemed to be granted and to be held subject to the provisions of any amending or repealing act that may hereafter be passed, and no person shall have any claim for compensation or otherwise, by reason of a child's assistance being affected in any way by any amending or repealing act.

SEC. 12. The Board of Public Welfare is hereby authorized and directed to cooperate in all necessary respects with the Social Security Board of the United States Government in the administration of this act, and to accept any sums allotted or appropriated by such Board as are available under the provisions of the Social Security Act.

SEC. 13. Congress shall appropriate annually and make available to the order of the Board of Public Welfare of the District of Columbia such sums as may be needed to pay the share of the District of Columbia for aid to dependent children provided under this act together with a sufficient sum to defray its share of administrative expenses to be incurred in connection therewith, and include such sums

in the annual District of Columbia Appropriation Act. Should the sum so appropriated, however, be expended or exhausted during the year for the purposes for which it was appropriated, additional sums shall be appropriated by Congress as the case demands to carry out provisions of this act.

SEC. 14. All necessary expenses incurred by the District of Columbia in carrying out the provisions of this act shall be paid in the same manner as other expenses of the District of Columbia are paid.

SEC. 15. Any adult person who attempts to obtain, or obtains, or aids or assists any child or other person to obtain, by false representation, fraud, or deceit, any allowance under this act, or who receives for the benefit of any child any allowance knowing it to have been fraudulently obtained, shall upon conviction in the police court of the District of Columbia be punished by a fine of not more than $500 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

SEC. 16. This act shall be cited as the Aid to Dependent Children Act.

SEC. 17. This act shall take effect July 1, 1941.

SEC. 18. The act entitled "An act to provide home care for dependent children in the District of Columbia," approved June 22, 1926, and all other provisions of law in conflict with this act, are hereby repealed.

SEC. 19. If any provision of this act or the application thereof to any person or circumstances is held invalid, the remainder of the act and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Mr. RANDOLPH. Mr. Speaker, the purpose of this bill is to provide more adequately for the home care of dependent children in the District of Columbia. The present law in the District of Columbia in this respect has been held by the Social Security Board to be wholly inadequate to meet the requirements. The District of Columbia receives considerable money from the Federal Social Security Board for aid to dependent children and the Board requires that the District shall have appropriate legislation.

Without such a law the District is in danger of not receiving continuing funds from the Federal Security Agency. In order to meet these standards and bring the home care act for dependent children in conformity with the standards of the Social Security Board, it is believed this legislation is desirable. I may say to the membership of the House that practically all of the States have adopted measures similar to the one presented by the District of Columbia Committee today and they have done so at the request of the Social Security Board just as we have done in this instance.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Pennsylvania.

Mr. RICH. This would give those in charge greater responsibility in looking after the children who need supervision and care? They try to farm the children out, as I understand, in private homes rather than in institutions, and yet they keep a protective care over these children.

Mr. RANDOLPH. That is true. I may say to the gentleman from Pennsylvania that we have in the District of Columbia at the present time basic legislation which covers old-age assistance and aid to the needy, but in the matter of the these dependent children it is felt that the present law does not cover the situation.

Mr. RICH. Are those in authority, who receive funds for the protection and care of these children, required to give an accounting of the receipts and the expenditures for that particular purpose?

Mr. RANDOLPH. That is right. They make a report to the proper authorities in the District of Columbia.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Vermont.

Mr. PLUMLEY. As I understand, this legislation is a necessary prerequisite to the cooperation of the Social Security Board?

Mr. RANDOLPH. The gentleman is correct. It is felt that we need basic legislation for this group, such as we already have in connection with the care of the needy blind and old-age assistance.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Robert L. Norton appearing in the Boston Post of yesterday, stating that we face a grim future.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

(Mr. SMITH of Ohio asked and was given permission to extend his own remarks in the RECORD.)

DISTRICT DAY

AMOUNT OF THE ANNUAL PAYMENT BY THE UNITED STATES TOWARD DEFRAYING THE EXPENSES OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3490) to fix the amount of the annual payment by the United States toward defraying the expenses of the government of the District of Columbia; and pending that, I ask unanimous consent that debate be limited to 2 hours.

Mr. DIRKSEN. Reserving the right to object, Mr. Speaker, may I say that this is commonly known as the Overton bill or the Overton formula. I have requests for something in excess of 1 hour of time. If the gentleman will make that 2½ hours over all, an hour and fifteen minutes on each side, it will be agreeable.

Mr. RANDOLPH. Certainly. The chairman wishes to be cooperative with the ranking member on the committee and with all those who desire to speak. Therefore, Mr. Speaker, I modify my request and ask that debate be limited to two hours and a half, one-half to be controlled by the gentleman from Illinois and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. TARVER. Mr. Speaker, I regret that I shall have to object to the gentleman's request to limit debate.

The SPEAKER. The gentleman from West Virginia moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 3490.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3490, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from West Virginia is recognized for 1 hour.

Mr. RANDOLPH. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, of course, I have a high regard for my colleague the gentleman from Georgia [Mr. TARVER], who sits here. I offer this in no criticism of him, except that I do believe we should have been allowed to go into the Committee of the Whole House on the state of the Union with an allotted time for debate. The amount of time requested for debate was 2½ hours, and in the consideration of the bill under the 5-minute rule, of course, Members would have sufficient time to debate amendments and make speeches directed to the subject matter. I regret that the matter is now thrown open as it is. However, your District Committee is rather immune and we must proceed, of course, in accordance with the action which has been taken, on the objection made to my unanimous-consent request.

At this time, Mr. Chairman, I yield 15 minutes to the chairman of the subcommittee on the fiscal affairs of the District Committee the gentleman from Ohio [Mr. HUNTER], who as chairman of that group has done a good job. He has given careful consideration to the matter. I trust as many Members as possible will remain on the floor to hear the gentleman from Ohio explain the provisions of this bill, and participate in debate on the measure.

Mr. HUNTER. Mr. Chairman, I rise to speak in support of a measure which has for its primary purpose the orderly settlement of a problem which has vexed the United States Congress over a long period of years. It is my intention to present a factual and informative statement on this matter and not an argumentative dissertation.

Mr. Chairman, in view of my desire to confine my statement to purely factual information, I wish to announce that I decline to yield for observations or questions from my colleagues until I have finished my formal statement. At the conclusion of the brief reading of the several notes I have prepared I will welcome a full and free discussion of any point which I have presented and will

then yield for any suggestions from any of my listeners.

In order that I may lay the foundation for my facts, I wish to say first that this measure it not a tax bill. It has no connection with taxes and does not contain in any of its provisions any attempt to touch upon the tax structure of the District of Columbia or the Nation as a whole. Let us confine ourselves therefore to the subject matter of the legislation.

In making this presentation I come before you not as a representative of the District of Columbia. In no wise am I appearing to represent any interest other than that of the House of Representatives. Under a direct charge from this body I have carried out my duties as chairman of the subcommittee on fiscal relations between the Federal and District Governments.

I am at this moment speaking as a duly elected Member of the House of Representatives from the sovereign State of Ohio in pursuance of my duty to join with the other duly constituted Members of this body to legislate for the Nation's Capital—the Federal city housing the fountain head of the national agencies set up for the protection and guidance of this great democracy.

The President of the United States has authorized the statement that he is fully in favor of this legislation. The Senate of the United States has passed it unanimously. Serving as a member of the legislative branch of this National Government, I believe it is my duty to take full cognizance of the actions of the complementary branches of this National Government and act accordingly.

Briefly, this measure provides a formula by which the Federal payment toward the cost of maintaining and improving the Federal City of Washington shall be automatically settled each year.

The factors of this formula have been made as absolute as humanly possible in order to avoid reoccurrence of the bitter controversies which have been a perennial feature of our congressional sessions for a number of years. Before me I see many of my friends, older in the illustrious service of their country than I am, who are weary to the point of frustration over these bitter wrangles. Let us today put a stop to them.

This formula, then, arrives at the sum to be paid by the Federal Government by using the amount of land owned in the District of Columbia by the Federal agencies as a basis for computation.

In order that this may carry out an absolutely equitable distribution of the cost, there is deducted from the gross amount of land held in title by the United States Government any such land embraced within the boundaries of streets, avenues, roads, and alleys. In addition, there is deducted 56 percent of the park areas within the boundaries of this District.

Although the park areas are Federal projects, so ordered by this Congress and not by the people of the District, 56 percent equals the average amount of land used for municipal parks in the cities comparable tc the size of the Nation's Capital.

Thereafter there is also deducted such land as is exclusively used by the District of Columbia government. That deduction is made despite the fact that the District government is in truth and in fact a Federal agency and occupies a comparable position to the War Department, the Agriculture Department, and so forth, in the exact manner in which the direction of those Departments is handled by this Congress.

Having thus made these equitable deductions, we find if the formula were applied to the land acreage of today that the Federal Government actually holds title to 21 percent of the total acreage within the District of Columbia boundaries.

Following to the conclusion of the formula, we apply this percentage to the new amount appropriated by this Congress for the general running expenses of the District government. May I pause here to remark that the amount of the general fund appropriation is not the total amount appropriated. There is carried in each District appropriation bill sums for the water department and the highway department which are paid out of revenues derived specifically from water rents and gasoline taxes, and therefore are not included in the general items.

It is only fair to point out that the water and highway systems are paid entirely out of levies imposed upon the residents of the District and not from any of the Federal money. A considerable amount of water is furnished to the Federal departments in Washington free of charge and paid for entirely by the local residents. The passage of this bill will not change that situation one iota.

In the estimates sent to Congress by the Bureau of the Burget for consideration by the Appropriations Committee of the House in writing the 1942 District appropriation bill, the total sum requested is $51,380,236. There is carried a sum of $44,714,000 for the general fund. Applying the 21 percent arrived at in the first two steps of the formula to the lower figure, the net result would total $9,389,940.

Now, there is another provision in this bill which limits its scope in no uncertain terms. In passing the huge appropriation bills each session for this Federal Government, the House of Representatives has always been wisely determined that, so far as it is practicable, the sums we spend of the taxpayers' money shall be designated for specific purposes.

Charged as we are to levy, collect, and direct the expenditures made in the District of Columbia in detail, this measure provides exactly where and when this money shall be spent.

Although I have done considerable work on this piece of legislation, I want to be the first to place the credit for its important language where the credit is due. This limitation upon the expenditures was written into the bill as a safeguard on the direct suggestion of the President of the United States.

It sets forth in clear, concise language that it shall be used for capital improvements in the city. Recognizing that Washington is expanding at an enormous rate as a direct result of our emergency defense program, President Roosevelt has authorized the statement that he believes it is the duty of this country to keep its Capital abreast of the important policies that are now being carried out.

He has declared in no uncertain terms that we should direct the District government to construct permanent capital improvements to care for the needs of the Federal agencies now growing by leaps and bounds.

As a Member of the House of Representatives, I have a deep interest in keeping the Capital of the greatest Nation on earth, the greatest Capital on earth, a symbol to all distraught, oppressed, and unstable governments, be they conqueror or conquered—that this democratic Nation is stronger in peace than they can ever hope to be in war.

Under the provisions of this bill initiated, written, and partially approved by the Congress of the United States, not the District of Columbia or any other agency, the wishes of the President have been accomplished.

As to its administration, when and if it is approved and put into effect, there still remain the commands of this House as to just what Capital improvements the funds shall be spent for, through the action of this full body in approval of the District appropriation bill.

As I near the close of my presentation, I wish to bring to your attention some additional facts. Although I have assured you definitely that this measure is to no extent a tax bill, I am not deaf to the persistent assertions that are continually made when the House, clothed in its majesty, proceeds to pass upon the financial problems of the District of Columbia.

And I wish here to state unequivocably that the tax structure that has been imposed upon the District of Columbia in the past years by the Congress of the United States is not now a satisfactory one. The taxes levied in the District must be revised.

The revenue derived from them is not sufficient to meet the cost of running the municipality. They must be increased to meet the city's expansion of which I have spoken and which has been recognized by the President of the United States.

At the present moment there is pending before the District of Columbia Committee a number of proposals to increase the tax rate on several sources of revenue. I give you my personal and official assurance that these tax matters must and will be disposed of regardless of the outcome of the vote on the legislation before us today.

Pause a moment and reflect that under this bill we are requiring the officers of the District government to use the money resulting from this measure for Capital improvements and Capital improvements alone. Not one cent is to be used for maintaining any branch of the local government or of keeping up these Capital improvements after we have ordered them built.

In the past, the sums appropriated out of the Federal Treasury for the upkeep

of the Nation's Capital have gone into the general fund to be used for either maintenance or improvements alike. Under this bill we will definitely limit the use of this Federal money to building up this Federal city, not maintaining it.

And may I give you a few concrete facts about the origin of the money which we will so direct to be used. From time to time it has been said on this floor and in other public and private gatherings that the Federal payment to the District government is a gratuitous offering from the taxpayers of the 48 States to the residents of the District of Columbia.

Let us look at the facts. The Federal payment does come out of the Federal Treasury where it has been collected by Federal taxes. In 1940 there was collected from the residents of the District of Columbia in Federal taxes a total of $20,192,784. That money went into the Federal Treasury just as did the Federal tax money from the 48 States. When the Federal payment is transferred from the Federal Treasury to the account of the District, it will come from the Federal taxes collected from the District residents as well as from the residents of the 48 States.

In this respect, I would like to call your attention to the further fact that this $20,192,784 collected in Federal taxes from the District is higher than the Federal taxes collected in each of 21 of the 48 States, and is as great as the combined payments of 7 States.

Therefore, it follows as a mathematical certainty that when the country as a whole pays its share of the upkeep of the Nation's Capital the District will pay a proportionate share greater than each of the 21 States.

Now, having directed under the language of this bill that 21 percent of the total amount which we wish to appropriate from year to year to pay the cost of our country's capital be spent solely for improvements, let us see where the other 79 percent of the required money to maintain the improvements we have ordered to be constructed from Federal money is to come. Of course, there is but one answer. It must come from the taxes imposed upon the people of the District of Columbia by this Congress.

They have no more to say about what these taxes are to be than they have to say under this bill where or how much money is to be spent from the Federal Treasury. We levy the taxes. We order it collected. We spend it as we see fit.

This bill will not relieve the District residents of their tax burden by one penny. As a matter of fact, since it will take from their general funds that portion of the Federal payment which has heretofore been used for maintenance, placing that burden fully upon their shoulders, it will increase their responsibility.

In closing, let me leave you with one impression. That is that I am absolutely assured that in performance of my duties in the House I have chosen the right turn in this matter.

If there are in the House defeatists who, while giving lip service to the Overton formula, invite compromise in advance as if it were already a lost cause, such is not the slender quality of my support.

Although this measure does not bear my name, I champion it in this House with all that sponsorship implies to the end, bitter or sweet, pulling no punches.

I do not admit this cause is weak. I ask no compromise or quarter. I have had no trouble, other than the expenditure of a little energy, in finding support among House Members for the bill.

I have confidence in the bill. I expect the House will perform a simple act of deserved justice to the District by passing it and settling, once for all time, the basis of Federal contribution to municipal maintenance of the seat of National Government.

And now, ladies and gentlemen, I have with me copies of the hearings and the report on the bill, along with other additional material which contains in detail the figures to prove the facts that I have just furnished.

You are undoubtedly as familiar, if not more familiar, with them than I am. Therefore I spare you the repetition of their utterance.

I am going to vote for this measure. I am going to follow the wishes of our President. I call upon you in all sincerity and humbleness to join me with your vote. [Applause.]

Mr. RICH. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. Yes.

Mr. RICH. As I understand from the report made by the gentleman, and I have listened to it intently, it is that we are going now to assess all Government property in the District, where there are buildings located and in the public parks, and because of the fact that there are more public parks in the city than in cities of comparable size, we are only going to use 56 percent of the parks in the District, and assess those for the purpose of paying into the District money so that the District may function. Suppose we assess the public parks of the District in order that the District may receive funds. Is that justifiable from the standpoint that the Federal Government is furnishing all of the public parks to the District and the Federal Government pays the expenses under the National Park Board, in the Interior Department? We have given the District those parks, and we furnish service to them, and now we are to be compelled to pay a tax on 56 percent of the parks in the District.

Mr. HUNTER. Mr. Chairman, I am afraid that the gentleman from Pennsylvania misunderstood the formula. We are not assessing the parks at all. We are not doing any assessing. We find that the Federal Government owns approximately 14 square miles of the District of Columbia, and owns approximately 8,956 acres of land, including that occupied by Federal buildings. The improved value of this ground is approximately 37 percent of the total value of the District of Columbia.

Mr. RICH. Then I misunderstood the gentleman.

Mr. HUNTER. We ask the Federal Government to pay a proportionate share of the amount owned after deductions are made. The Federal Government owns approximately 36 percent of all of the acreage in the District, but we are not asking the Government to pay 36 percent of the taxes, because we first deduct the amount of land contained in the streets and roads and alleys, and 56 percent of the park land and then ask the Government to contribute proportionately on the balance.

Mr. RICH. Then you are assessing the park lands, because you are only deducting 56 percent. In other words, you are assessing the Government for the difference between 56 percent and 100 percent, or 44 percent. Am I correct in that?

Mr. HUNTER. But if the Federal Government sees fit to buy many acres of ground without consulting the District, and maintain it as a part of the National Park Service, there is no reason why the District government should be forced to consider it District property.

Mr. RICH. But remember this, that the District government, insofar as the property owned by the Federal Government is concerned, belongs to the Federal Government, it is not a part of the District, but we have to see that the District is operated. I cannot see why we should assess the public parks to pay that money into the District. Suppose this should establish a precedent, and then say, in the case of the Yellowstone National Park, which is in the State of Wyoming, that the State of Wyoming wants us to pay taxes on the Yellowstone National Park, or suppose the buildings are owned by the Government in these various States. Are they going to be assessed?

Mr. HUNTER. If the gentleman is speaking of precedents, the Federal Government has contributed to the upkeep of the District government for over a period of 150 years, and we are asking that this be put upon a sane basis.

Mr. RICH. But if we pass this bill we are now establishing a precedent, so that the States can come in and ask us to pay taxes on the property the Federal Government owns in those States.

Mr. HUNTER. No more so than we have done through the past 150 years, during which time we have contributed to the District government.

Mr. RICH. But the District of Columbia is owned by the Federal Government, and it was intended that this be a part and parcel of ground set apart to be owned by the Federal Government, and not by anybody else.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield.

Mr. FITZPATRICK. What is the per capita debt of the District of Columbia as compared with other cities of its size throughout the United States?

Mr. HUNTER. The Congress has not seen fit to authorize the District to borrow money. It has no capital debt.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. RANDOLPH. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. FITZPATRICK. In your own State of Ohio are Federal buildings taxed by the State and the municipalities, or do they have to turn over a certain amount of money to the State or municipalities?

Mr. HUNTER. Federal buildings in my particular district probably do not occupy one one-hundredth of 1 percent.

Mr. FITZPATRICK. That is not the question I am asking you. Do they pay taxes?

Mr. HUNTER. They pay none.

Mr. FITZPATRICK. Some States of the United States contribute very valuable pieces of property and they do not receive any money whatever for those parcels.

Mr. HUNTER. But will the gentleman recognize the fact that since this District was organized in 1791 the Federal Government started out contributing first 100 percent of the operation cost of the District of Columbia. Then it was on a 60–40 basis, which carried on over a period of 70 years. Then for a great number of years it was on a 50–50 basis.

Mr. FITZPATRICK. Was the District of Columbia commercialized as much during that period as it is at the present time?

Mr. HUNTER. Proportionately so.

Mr. FITZPATRICK. Do you think so?

Mr. HUNTER. Yes. We know that from the amounts of Federal contributions.

Mr. FITZPATRICK. How does the tax rate here compare with other cities?

Mr. HUNTER. I am glad the gentleman asked that question. I would like to answer it in this way: The Pond report between 1938 and 1939 made a check in 10 cities of comparable size to the District of Columbia. That is, cities with populations between 700,000 and 900,000 people. The District of Columbia tax rate on real estate is slightly higher than the average for those 10 cities.

Mr. FITZPATRICK. Will you give me the tax rate on the dollar or on the $100 in those cities and also in the District of Columbia?

Mr. HUNTER. I would have to check that in order to get the tax rate, but it is based not only on the tax rate, but it is based also on the valuation.

Mr. FITZPATRICK. Now, I am going to ask you the tax rate. The valuations have been disputed.

Mr. NICHOLS. It is $1.50 a hundred.

Mr. HUNTER. The tax rate in the District of Columbia is $1.75.

Mr. FITZPATRICK. And in many cities it runs anywhere from $25 to $40 a thousand.

Mr. CRAWFORD. And some $100.

Mr. HUNTER. But the property valuation in many towns is as low as 30 or 35 percent of the actual value.

Mr. FITZPATRICK. That is not true, especially in my city. We are assessed 100 percent. In fact, some of the property could not be sold at the tax valuation.

Mr. HUNTER. How large is your city?

Mr. NICHOLS. Will the gentleman yield?

Mr. HUNTER. I yield to the gentleman.

Mr. NICHOLS. The gentleman made a statement a minute ago that I feel quite sure must be in error. I am sure the gentleman would like to correct it if he agrees with me that it is in error. I understood the gentleman to say a minute ago that the value of the property occupied by the Federal Government in the District of Columbia represented 46 percent in value of all of the property in the District of Columbia.

Mr. HUNTER. Thirty-six percent, I believe.

Mr. NICHOLS. Thirty-six percent. I thought the gentleman said 46 percent. I am sure if the gentleman will check his figures he will find that even that is not correct because in this bill it is pointed out that the land which they talk about in this bill is an area of 39,273 acres; that owned by the Federal Government is 8,322 acres, which is about one-fifth. I am just wondering if that one-fifth can be 36 percent of the whole in value. Is that what the gentleman means to say?

Mr. HUNTER. The value of that land, with improvements, is in excess of 36 percent.

Mr. NICHOLS. If that is true, then I would like to ask the gentleman how that property belonging to the Federal Government was assessed; whether it was assessed as business property or whether it was assessed as to the value of the palatial buildings that were built there, ornate in style, to fit the demands of the Nation's Capital insofar as decoration is concerned?

Mr. HUNTER. The valuation on improvements was placed by the same method that the valuation was placed on all other property in the District of Columbia. The acreage was assessed on the same basis.

Mr. NICHOLS. Of course, the value would be on the acreage and the improvements. That is correct, is it not?

Mr. HUNTER. Yes. Of course, in our bill we have not taken valuations into consideration. We have taken the proportion of property owned by the Federal Government in proportion to the taxable property in the District, after deductions were made.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield.

Mr. BENDER. My friend would not want the statement to stand that in Ohio our property is appraised at 30 or 35 percent of its true value in our cities, would he?

Mr. HUNTER. Yes; there are many such cases.

Mr. BENDER. The gentleman believes that most of the property is appraised at 30 or 35 percent of its value?

Mr. HUNTER. The gentleman from Cleveland and I know from service in the legislature that much of the property is assessed below its actual value.

Mr. BENDER. I want to correct the gentleman and say that that statement is absolutely without foundation, and I know the gentleman would not deliberately make a statement to deceive the people here.

Mr. GILCHRIST. Under this Overton formula, no account is taken of the value of personal property, is there?

Mr. HUNTER. The Overton formula is based on the proportion of acreage.

Mr. GILCHRIST. Should not some consideration be given to the value of personal property? Residents of States have to pay on their personal property. I do in Iowa, everybody else does. Why should the residents of this District be relieved from taxation on their personal property?

Mr. HUNTER. The residents of this District are not relieved; they pay taxes on their personal property.

Mr. GILCHRIST. Why then should the Government pay a proportion of the taxes based fully on real estate without taking into account personal property? As I understand the Overton formula, it orces payment wholly on real estate; that is, on the proportion of real estate.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield at that point?

Mr. HUNTER. I yield.

Mr. WADSWORTH. May I remind the gentleman from Iowa that if the Federal Government is to pay a proportionate share of the expenses based in part upon personal property, the Government will get the worst of it. I should not like, for example, to see the Government pay on the value of the paintings in the new National Gallery of Art, or the Smithsonian Institution, or the National Museum or the Congressional Library, because they would go to towering figures.

Mr. GILCHRIST. The people of the District of Columbia get more benefit from the galleries and libraries than the people of the States. The people who come to work here spend their money here. The merchants get the benefit of all of that; and the value of such personal property is of far greater benefit proportionately to the residents of this District than to the people of Iowa or New York.

Mr. WADSWORTH. The residents of the District already pay a personal property tax. I hope the Government of the United States is not going to do it.

Mr. GILCHRIST. It is not going to do it, but the people of the District should continue to do it.

Mr. WADSWORTH. They will.

Mr. GILCHRIST. Under the bill they will not, because it is based upon real estate.

Mr. HUNTER. I beg the gentleman's pardon, but there is nothing in this bill that touches that angle.

Mr. GILCHRIST. But it does require the Government to pay on the basis of real estate only.

Mr. HUNTER. On the ratio the real estate owned by the Federal Government bears to the total District acreage, with certain deductions.

Mr. GILCHRIST. They do not pay taxes on real estate, but according to a ratio.

Mr. SASSCER. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield.

Mr. SASSCER. Is it not a fact that the acreage taken by the Government is

in the downtown area where the assessable base is infinitely higher than in the outlying sections?

Mr. HUNTER. If this formula were based on actual valuation of the real estate, the Federal Government's contribution would be more than 50 percent higher than it would be under the Overton formula.

Mr. SASSCER. I thank the gentleman.

[Here the gavel fell.]

Mr. RANDOLPH. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman, I believe the real important point of the so-called Overton formula is to settle once and for all what seems to be an annual wrangle and controversy here in the District on just how much the Federal Government is going to contribute to the support of the District. I understand that every year a new plan is brought forward and different payments are made.

Senator OVERTON, in studying this proposition, has attempted to settle once and for all these questions and these controversial issues by making or presenting a formula whereby a certain definite proportion of the operating expenses of the District would be paid by the Government itself, based on the amount of real estate holdings.

With one important amendment, and a very important amendment, as suggested by President Roosevelt, this is the same bill which was passed by the Senate on March 24, of this year. Your Committee on the District of Columbia, to which this bill was referred, has considered the bill and the amendment suggested by the President, and has recommended that as amended it be passed.

Again I point out and impress upon you that the real purpose of the bill is to establish a definite plan of payment by the Federal Government toward the expenses and upkeep of the District of Columbia; and I may say at this point that we must realize and recognize the fact that the District of Columbia belongs to the people of the entire United States; it is the Nation's Capital. It is just as much the Capital of the gentleman from California as it is of the gentleman from New York. It is our Capital and as such we must contribute to its support.

This bill sets no precedent, because since 1790 the Government has consistently contributed to the support of the District.

For the purpose of this bill, the land owned by the United States in the District is defined as being the total number of acres of land owned by the United States Government on the 1st day of July of the preceding fiscal year after certain deductions are made. These deductions would be:

First. Any of such land embraced within the boundaries of streets, avenues, roads, and alleys;

Second. Fifty-six percent of any such land within the park areas of the District; and

Third. Any such land occupied and used exclusively by the District of Columbia government.

It is considered proper to credit the United States with such lands because all municipalities have streets, avenues, and so forth.

Likewise, it is proper to credit the deduction for park area because all municipalities have park areas. It is recognized that the District of Columbia has excessive park area over that of other cities, the excessive area being 44 percent. Therefore, there is deducted from the United States land 56 percent of the park area. In other words, the Federal Government is charged only with the excess park area. All park areas in the District are federally owned. It is therefore self-evident that the deduction of 56 percent should be made.

On July 1, 1940, the United States owned 12,831 acres of land in the District. Fifty-six percent of the park areas amounted to 4,207 acres and the area used exclusively by the District government amounted to 302 acres. Deducting this 4,207 and the 302 acres from the total leaves a net of 8,322 acres of United States land.

The District comprises 44,317 acres, of which 5,044 acres are covered by water, leaving a net land area in the District of 39,273 acres.

The ratio of Federal payment, determined by dividing 8,323, the number of acres chargeable to the Government, by 39,273, the total acreage of the District, gives a percentage of 21.19. The fraction being less than one-half of 1 percent is, by the terms of the bill, disregarded, leaving a percentage ratio of 21 even.

The budget estimate for the next fiscal year has been set at $44,714,000. Applying the Overton formula of 21 percent, we would have a Federal contribution of $9,389,940.

Upon the President's suggestion, the bill provides that an amount at least equal to the Federal Government's contribution shall be expended for Capital outlays. In other words, the District would be required to spend a minimum of $9,389,940 for Capital improvements within the next fiscal year.

None of this money is to go into operating expenses, but is specifically earmarked, or a similar amount is earmarked for capital improvements, and I pause here to read some of the necessary needed capital outlays for the District at the present time. There is needed a central public library; extension of sewers; additional facilities at Gallinger Hospital; additional facilities at Georgetown Hospital; health centers; expansion at Tuberculosis Sanitarium at Glendale; extension of fire-alarm system; public welfare center, combining the Home for the Aged, Colored Training School for Boys, National Training School for Girls, Industrial Home School for Boys; a new incinerator; west wing of Municipal Center Building; consolidation and reconstruction of the old, dilapidated 8-room schools throughout the District; new Wilson Teachers' College; replacement and reconstruction of Abbott Vocational School; additional school facilities in newly developed areas; additional water supply and filtration and distribution equipment; development of the existing recreation areas.

The National Government has made a Federal payment toward the upkeep and expense of the District of Columbia since the establishment of the District. From 1790 to 1879 the method of payment was the present lump-sum payment. The payments between 1790 and 1879 averaged 38.7 percent of the expenditures of the District. From 1879 to 1920 the Federal Government contributed 50 percent of the District's expenditures under what is known as the 50–50 plan. From 1921 to 1924 the Federal payment was 40 percent of the expenditures of the District under what is known as the 40–60 plan. From 1925 to the present day the Federal payments have been on the basis of lump sums, determined annually and frequently varying in the amounts of payment. For example, in 1925 the payment was $9,000,000; in 1931, $9,500,000; in 1937, $5,000,000; and, during the present fiscal year, it is $6,000,000.

There has been an interminable controversy throughout the years from 1879 to the present in respect both to the amount and method of Federal payments to the District. The purpose of this bill is to put an end to this controversy by providing a fixed formula regulating the payment.

Congress has always recognized the National obligation of making a payment toward the upkeep of the Federal city. There has, however, been constant dispute as to the method and as to the amount of the Federal payment. The present bill sets up a formula which will remove all cause for future dispute. In the opinion of your committee, the division of responsibility between the National Government and the District Government is fair and equal to both.

Your Committee on the District of Columbia took recognition of an argument advanced most frequently against the Federal payments. This argument is that the burden of taxation in the District of Columbia is light as compared with the taxation in various cities. The Bureau of Census conducted a study for the committee and reported that the tax burden in the city of Washington is equal to the average other comparable cities.

Mr. DEWEY. Will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Illinois.

Mr. DEWEY. Will the gentleman please tell us the average payments prior to the ones he mentioned, which began at $9,000,000 and went down to $6,000,000, where it is at the present time, when they were on a 50–50 basis.

Mr. HÉBERT. The highest was nine and a half million dollars. I thought these figures were in the report, but they are not.

[Here the gavel fell.]

Mr. RANDOLPH. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman, it is an unfortunate thing that every time we meet to legislate for the District, either for or against it, no interest is taken, no one cares to be present, and the District, of course, suffers as a result. I appreciate the fact that there is much antagonism among the Members because of the treatment that many of us get,

especially when it comes to renting a place in which to live.

Mr. NICHOLS. Mr. Chairman, a point of order.

The CHAIRMAN (Mr. BEAM). The gentleman will state his point of order.

Mr. NICHOLS. Mr. Chairman, I make the point of order that there is not a quorum present. I think the gentleman's attitude is well taken.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 51]

Anderson, N. Mex.	Geyer, Calif.	Pfeifer, Joseph L.
Andresen, August H.	Gifford	Rivers
Barnes	Gossett	Robertson, N. Dak.
Baumhart	Green	Rockefeller
Bishop	Harris, Va.	Romjue
Boehne	Hart	Satterfield
Bradley, Mich.	Heffernan	Schaefer, Ill.
Bradley, Pa.	Jackson	Schuetz
Buckler, Minn.	Jacobsen	Scott
Buckley, N. Y.	Jenks, N. H.	Shannon
Burdick	Johnson, Calif.	Sikes
Capozzoli	Johnson, Luther A.	Simpson
Case, S. Dak.	Johnson, Lyndon B.	Smith, Maine
Celler	Keefe	Smith, Pa.
Clark	Kelly, Ill.	Smith, Va.
Clevenger	Kennedy, Michael J.	Smith, Wash.
Cluett	Kerr	Somers, N. Y.
Cooley	Kunkel	Starnes, Ala.
Crosser	Lambertson	Sumners, Tex.
Cullen	LeCompte	Sweeney
Day	Lesinski	Taber
Delaney	McArdle	Tenerowicz
Dies	McGranery	Terry
Ditter	Marcantonio	Thom
Douglas	Martin, Mass.	Thomas, N. J.
Downs	Myers, Pa.	Tolan
Duncan	Norton	Vorys, Ohio
Durham	O'Brien, Mich.	Ward
Eaton	O'Day	Wasielewski
Elston	O'Leary	Weaver
Fish	Osmers	Welch
Flannagan	Paddock	White
Flannery	Peterson, Ga.	Winter
Ford, Thomas F.		Wolfenden, Pa.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WHITTINGTON, Chairman of the Committee of the whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 3490, and finding itself without a quorum, he had directed the roll to be called, when 320 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

The CHAIRMAN. The gentleman from Wisconsin [Mr. SAUTHOFF] is recognized for 4 minutes.

Mr. SAUTHOFF. Mr. Chairman, before the point of order that a quorum was not present was made, about one-sixth of the membership was present. If your common council at home legislated on the fiscal affairs of your home city with one-sixth of the common council present, how much criticism would be heaped upon that administration for having taken such action? Yet we are proceeding to legislate on the fiscal affairs of 700,000 people, with one-sixth of the common council present.

I submit to you that that is not fair to the great mass of people who live here and work for a living. After all, it is your business and my business to legislate for them. If the laws of this District are bad, it is your fault and my fault. If the administration of those laws is bad, it is your fault and my fault. We cannot sidestep our responsibility in that respect. Therefore, in the spirit of fair play, I should like to ask the Members on both sides of the aisle to try to do the square thing by that great mass of men, women, and children who have no voice of their own in their affairs, who have no representative, who have no vote, and who must, of necessity, depend upon us to take care of them.

I am going to vote for this bill for this reason: I feel that a great many things are needed in the District. I believe that with the amendment suggested by the President, which is an excellent amendment, that funds derived from this bill be devoted to capital improvements, we ought to support the bill.

I will go a step further than that. I am greatly concerned about the future health of this District. It is growing so rapidly and the population is so congested that no one can tell but that an epidemic might break out. We ought to have an auxiliary water system. Many of the schools should be torn down as not fit for the attendance of small children. To embark on the program that is really needed as to hospitals, schools, water supply, sewerage, and many other things, a great sum of money is needed. This money that we would vote today if we passed this bill would be only one-tenth of what is actually necessary to embark on these improvements. So I am going a step further than is called for under the so-called Overton formula, and, if I get the opportunity, I am also going to support and vote for the bill introduced by the gentleman from Kansas [Mr. REES] to raise taxes to $25 a thousand. Then we would get a comparable sum of money from the property owners in the District and proceed to do some very effective work that is vitally needed in the way of capital improvements.

Your wives and your children are a part of the population of this District. It is up to you to protect them. It is up to you and to me to see that they attend good schools, and that their water supply is secure. It is not now secure, and that is admitted by the engineers of the District. The water supply is extremely vulnerable. If any alien agents wanted to attack that water supply, it would be a very simple thing to do so. [Applause.]

[Here the gavel fell.]

Mr. RANDOLPH. Mr. Chairman, I believe my colleagues will believe me when I say that in the consideration of all District of Columbia legislation on this floor I am always most generous and fair in the discussion of the matters which come before us. I repeat that I believe that inasmuch as this is the District day we should have been allowed to consider this legislation in an orderly way, with a certain allotment of time, with the reading of the bill under the 5-minute rule and the offering of amendments, and then the voting of the measure up or down.

Let us be frank with ourselves. We know, and I am certainly not pointing my finger at anybody, that there is a spirit here today of a filibuster, because certain Members themselves have told me that. I hope it will disappear. If they desire to do that, of course, there is nothing we can do about it, particularly, although I do know that it does not come from the District Committee members, and I do not want any of my colleagues to feel that such is the case.

Mr. Chairman, I repeat that certainly we do have every right on District days to go into these matters in an orderly way. In this connection, I read an editorial appearing in the Sunday Star of yesterday:

RECIPROCITY IN FAIR PLAY

Debate on the proposed formula for measurement of the Federal payment to the District is expected to occupy the House tomorrow and this naturaly will center attention on District of Columbia affairs. In what spirit will the House approach its task, and in what spirit will the Washington community view the proceedings?

Congress and the Washington community are partners in the important work of National Capital maintenance and development. Congress possesses all the power and, with it, the responsibility. The Washington community furnishes the greater part of the revenue, with no effective voice in its collection and expenditure. The Washingtonian often feels that individual legislators abuse their power and sometimes the Washingtonian exercises too freely the privilege of the hopelessly defeated litigant and "cusses the court." Too many of Washington's legislators have come to view their voteless constituents as unappreciative, ungrateful, greedy, and censorious, and too many of these constituents have come to view the legislators, selected for them by the Constitution, as carelessly ignorant of their needs, as contemptuously indifferent to and neglectful of their welfare or as actively hostile.

The great need now is for a change of policy that will make the partnership between the National Government and the Washington community work; a change of heart, a new policy under which each of the Capital-building partners shall heed the injunction, "Put yourself in his place," with the result of substituting mutual appreciation for recrimination. Fair play and mutual regard are watchwords of the new policy.

In accordance with this policy the Washingtonian will render deserved and belated tribute of grateful appreciation to the long line of Senators and Representatives who now, as in the past, faithfully perform the unselfish, difficult, and almost thankless task of dealing as considerately and justly with their Capital constituents as with their home constituents. Washington knows and honors these men—its loyal, helpful friends, public-spirited workers in the task of Capital building—though it may not have put this appreciation and honor into words as promptly and as adequately as it ought.

When Washington puts itself in the place of Congress and realizes the difficulties and embarrassments under which Congressmen labor as District legislators it will be easier for the city to substitute at times appreciation for fault-finding. The Capital may then even feel a pride in having as its local legislature the greatest legislative body in the world; a legislature which, though neglectful and sometimes threatening in District legislation, has always in the great crises in the Capital's history acted justly and wisely and sympathetically.

And as Washington should subject itself to a rigid self-examination to ascertain

whether it has not been lacking in grateful appreciation, so should individual Members of Congress test the question whether they do not fall short in just appreciation of their Capital constituency and deny it American fair play, not merely in specific legislation, but in general attitude and theory of action as legislators; not merely, for instance, in respect to the money exacted from year to year in taxation, but in respect to acts and words which traduce the good name and bruise the self-respect of the most misunderstood and most misrepresented of American communities.

The extensive powers in respect to the Capital conferred upon Congress involve equally far-reaching responsibilities and obligations and sacrifices in the Nation's interest are required on both sides of the partnership. A great power is to be greatly, nobly exercised, controlled by no motive or impulse that is small or mean or base.

The greatest legislative body in the world, representing the world's foremost Nation, is to build up, typifying that Nation, the world's greatest Capital. The Nation's city which the forefathers planned is not merely the physical city, but the people who live in it, the men and women who make the sacrifices in the Nation's interest which call for sacrifices of time, thought, and patient consideration by the Nation, through Congress, in return. The obligation is to build not merely a beautiful city, but a healthful, wholesome, well-governed, contented, and self-respecting city.

The greatest of our public men have been the strongest champions of the Capital. Beginning with Washington, who gave it his name, and Jefferson, who was a planner, founder, and upbuilder of the city, great men from all sections of the country, in Congress as well as in the White House, have delighted to labor to make the Capital worthy of the Republic. And, clearly, there is noble work for any statesman in identifying himself conspicuously with the upbuilding of the Federal city today.

What the Constitution of the United States has joined together in the Capital-making partnership is not to be put asunder. And since these partners are to live and work together in Capital building, let them by mutual consideration, forbearance, sympathy, and regard live together happily and work harmoniously and effectively to the end that through their joint labors a magnificent Capital may be developed, which every Washingtonian may with patriotic enthusiasm claim as his home and of which every American may be proud.

Mr. Chairman, I am firmly of the conviction, although it is perhaps not shared by a majority of my colleagues, that the Federal contribution to the District of Columbia is inadequate at the present time. The rapidly expanding defense program, with 60,000 persons already arrived here in a few months in this jurisdiction, and many more to come, with an increase of maintenance, presents a picture vastly different from other years. Further, I say to you that it is my feeling that the Congress of the United States should give to the District of Columbia a greater Federal contribution than is now paid. It should be placed on a stabilized basis. Of course, there are those who will say that no Member of the House should report on what another body has done and use that as his guiding post. I do say to you, however, that the Senate of the United States, without a dissenting vote, passed the so-called Overton formula. Your District Committee considered the matter and has brought the measure to the floor. The President of the United States has evidenced an interest and support for the measure to such an extent that he asked an amendment be added to the bill. The measure is reported with that amendment. Of course, individual Members here have the highest responsibility themselves, and to those who differ with me, I accord the same right that I want them to accord to me. There is no criticism in my heart of any man or woman who does not go along with this proposition. I do say that the District of Columbia Committee, charged with the responsibility for bringing legislation here affecting this jurisdiction, is entitled to fair treatment in the procedure of measures which come before this body. I only hope that we will address our remarks to the subject matter, to what affects the District. If there is to be a filibuster, although I would not want to curtail debate and am perfectly willing to sit here and listen to the lambasting that we may expect from those who disagree with us, I see no reason why after a while I should not suggest that the Committee rise, and I am sure if I do, that no one can charge me with wanting to cut off debate. The Committee on the District is attempting to do the best job that it can, and we trust that in the future, as well as during the remainder of the afternoon, measures will be considered upon their merit, voted either up or down. That is all the District Committee desires now or at a later time. [Applause.]

The CHAIRMAN. The gentleman from West Virginia yields back 1 minute, unless he desires to use further time.

Mr. DIRKSEN. Mr. Chairman, I ask recognition.

The CHAIRMAN. The gentleman from Illinois is recognized for 1 hour.

Mr. DIRKSEN. Mr. Chairman, let there be no trepidation on the part of Members. I shall take only a few moments, for what I have to say about the Overton formula can be very briefly expressed. First, it ought to be borne in mind that this is a permanent authorization. It is from now on, as they said about the man in jail—he is there from now on. This proposes to be on the books from now on. In setting up this question of the formula, there was assumed to be approximately 40,000 acres of land in the area of the District of Columbia. Making an allowance for 56 percent of the park area in the city, there is owned by the United States actually over 8,300 acres of land, so that the ratio between 8,300 acres and a little over 39,000 acres is approximately 21.19 percent. When you take 21.19 percent of the general revenues, as estimated for the fiscal year 1942, it will make a sum in excess of $9,300,000. In other words, each year it will be larger. For instance, the general fund for the fiscal year 1940 was $41,600,000, so that under the Overton plan the contribution would have been eight and three-quarter million dollars. In the fiscal year 1941 the general-revenue fund went to $42,800,000, so that the annual contribution under the Overton formula would have gone from eight and three-quarter million dollars to $9,000,000. In the fiscal year 1942, which is approaching, the general revenues are estimated by the Budget at $44,700,000 and approved by the President, so that with this formula the contribution will jump from $9,000 000 in 1941 to $9,300,000 in 1942, so that as this ratio increases—and it will increase—and as the appropriations out of the general fund increase, obviously the amount to be contributed will increase, and I have estimated that in 1943 it will be well in excess of $10,000,000.

So it will go on up and up and up.

Now, Congress has lost control under this formula. Do not forget that. Once you take the naked land area belonging to the United States and the naked area belonging to the entire District of Columbia and figure the ratio, as the United States Government acquires additional land obviously the ratio is going up. Obviously we are going to acquire new land. The Procurement Division of the Public Buildings Branch came before Independent Appropriation Offices Subcommittee this year and asked us for money with which to purchase that piece of ground on lower Connecticut Avenue just behind the Court of Claims Building. For what purpose? To build a State Department annex. Once it has been acquired, the area belonging to the United States increases, and consequently the formula goes up. There are indications that new buildings will be built and other areas will be acquired by the Federal Government. So that this formula is going up like the jumping frog of California. It is going to jump a little farther each year and become a very substantial sum, over which the Congress will have no control.

Those are some of the reasons why I am opposed to this bill. Then there is one other reason why I am opposed. If you are going to take the naked acreage in the District of Columbia and then determine the acreage owned by the United States Government and figure out a very simple, ordinary arithmetical equation and apply that to the general revenue, why not apply it in other sections of the land? Here sits the gentleman from Colorado [Mr. LEWIS] in the front seat. I think probably 50 or 60 percent of the State of Colorado is owned by the Federal Government.

Mr. LEWIS. About one-third. The same is true of other Western States. In some other Western States the percentage of the total area owned by the Federal Government is larger.

Mr. DIRKSEN. Suppose it is 30 percent that the Federal Government owns of all the landed area in the State of Colorado under the proposal, under the basic premise which is established in this bill, why should we not undertake to pay a proportion of the running expenses of the State of Colorado? There are counties out in Wyoming, Utah, Montana, and Arizona where Uncle Sam, to my certain knowledge, according to testimony presented to the Appropriations Committee, owns in excess of 60 percent of the acreage of those counties. Under this naked basic formula, why should they not come and procure the largesse of the Federal Government and say, "You did it for the District of Columbia. You put it on an acreage basis. You took the ratio of acreage owned by Uncle Sam to the

entire acreage that is manifest there and figured a percentage factor. You multiplied that by the general running expenses of the District of Columbia, and it amounts to a certain sum." Shall there be partiality? Once the formula is established, let us move a little further and assume the responsibility that logically dictates itself under that kind of a formula.

Mr. HUNTER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. HUNTER. The gentleman refers to the park area in other States. Is it not true that the United States Government maintains its park area in the various States? In other words, if it owns 10 or 20 or 30 percent of the land in those States, the National Park and Planning Commission maintains sewerage or drives or roads, which is not done in the District of Columbia? In the District of Columbia it is District taxation that pays the expenses of streets, sidewalks, roads, and sewers in and through and in front of Federal property.

Mr. DIRKSEN. The answer to that is simply this, that there are whole areas in the great West at the present time where you have not got so much as a fire trail through the dense forests. The amount of maintenance is only a pittance after all. So that there is no analogy between what the gentleman from Ohio [Mr. HUNTER] says and the existing fact.

Mr. NICHOLS. I wonder if it would not be interesting to point out that in this year's appropriation bill there is carried $54,000 in the Interior Department appropriation bill, from Federal funds, to maintain parks in the District of Columbia?

Mr. DIRKSEN. That is right.

Now, I am not oblivious to the fact that there is a growing need in the District of Columbia. Obviously that does not dictate that Congress shall be divested of its control and that Congress can determine from year to year the necessities and requirements of the District and how much of a lump-sum donation shall be made. The gentleman from Texas [Mr. MAHON] is chairman of the subcommittee dealing with the appropriations for the District of Columbia. He has manifested a sympathetic interest in the needs and demands and desires of the people here. I am satisfied that after that committee has held hearings it will do a splendid, forthright job and will confer equitable treatment upon the residents of the District of Columbia.

So that there are these reasons as to why, in my judgment, the Overton formula ought to be rejected: The first one is that it is permanent; second, the Congress is divested of control. That control was reposed in the Congress by the wisdom of the founding fathers, and I think rightly so.

Third, it sets up a dangerous precedent that may arise one day to plague every Member of this House, particularly those who live in areas where a great section of their domain is owned by the Federal Government.

And finally, this thing will automatically grow under this formula, and there will be no power in the Congress unless this act is absolutely repealed, to reclaim control and to put a ceiling upon the growth of that appropriation.

I think there are four very persuasive reasons why this bill should be rejected and sent back to the committee.

I want to concur in the observations made by the gentleman from Wisconsin [Mr. SAUTHOFF], and the gentleman from West Virginia [Mr. RANDOLPH]. After all, these are responsibilities that go along with control, and so the people here are rightly entitled to a fair share of diligence on the part of every Member of Congress as we seek to find some basic, solid, and happy solution for the problems that are on the doorstep of the District and of the Congress.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAM T. PHEIFFER. I should like to have the gentleman develop a little further the comparison he has drawn between certain Western States, where there is a large governmental domain, and the situation existing in the District of Columbia. I frankly am not able to grasp the relevancy of the comparison, for the reason that here in the District of Columbia is the seat of government, and we have the Government employing thousands of workers and carrying on the actual functions of our National Government here in a small area known as the District of Columbia; whereas in the public-domain areas mentioned by the gentleman there is none of these governmental functions being carried on. Is it not therefore simply fair play that the Government of the United States should contribute on a ratable basis to the tax burden of the District in view of the fact that this land is actually being used by the Government of the people of the United States?

Mr. DIRKSEN. I may say to my friend, the gentleman from New York, that I think there is something in the observation he makes, but it occurs to me that the predications he has made have become entirely too persuasive. I am glad the gentleman brought up the point, but I ask him to remember that the sole purpose of this bill is to develop revenue for the District; that is the reason for the formula. The only purpose of the Overton formula is to set out something that is static and that can be followed year after year without change; but do not forget the basic purpose is to develop revenue. I may say to my friend from New York that there are other ways of deriving that revenue. People are making money in the District, profits are good, jobs are continuous and steady here, and if we are going to put it on the broad basis of capacity to pay, then the tax rate will stand some jacking up. When therefore we approach it from the standpoint of revenue and forget everything else for a moment there are other ways in which revenue can be obtained. And, by way of observation, I may say that the Congress has always dealt with reasonable generosity in the affairs of the District. I believe the contribution for 1940 was $6,000,000, and I recall that it has been as much as $9,000,000 on other occasions. I believe there is enough wit, intelligence, and equity in the Congress to deal with this matter year after year.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. ENGEL. In my district there is an area of 3,000,000 acres of national forest. Some of the counties out of which this area was taken bonded themselves for school buildings and other public works before the area was taken over by the Federal Government. This has taken about one-third of the taxable value off the assessment rolls and placed it on the shoulders of the other two-thirds of the taxpayers. Does not the gentleman believe, the bonds having been issued before the land was taken over by the Federal Government, that if this formula is fair for the District of Columbia it is likewise fair to ask that the Federal Government assume its share of paying off that bonded indebtedness in my district?

Mr. DIRKSEN. I think that is a fair observation, and may I point out to the House as a fact that this formula presents a rather unusual situation? We have heard of taxes on taxes, but here we are going to have the reverse; we are going to have a contribution on a contribution. Let me prove it to you. The Federal Government's contribution in 1941 was around $6,000,000. Assume the formula contained in the pending bill yielded something like $9,300,000. This sum will be added to the general funds, be mixed with the general revenues. When we get to 1943, the general revenue will have been swelled by that additional $3,000,000 and you will take 21.19 percent of that extra $3,000,000 they got over and above last year. So that really we have here a contribution on a contribution. It is a rather interesting formula, I must say.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. LEWIS. Mr. Chairman, I was rather amazed at this formula and the argument to support it. The proponents of this bill say that the Federal Government transacts much Federal business in Washington, and, therefore, the Federal Government ought to pay to the District what amounts to taxes on the land and buildings in which this Federal business is transacted and which were bought and paid for by the Federal Government.

If you will pardon the reference to my city of Denver by way of illustration, we have considerable activity in Denver by the Federal Government. We are glad we have it. We do not ask for any largesse from the Federal Government except the opportunity to serve the Federal Government and to get the benefit of the Federal pay roll. More specifically we have a large Air Corps technical school there, Lowry Field, where there are several thousand men. We gave to the Federal Government land which cost our Denver people approximately a million dollars. Do we ask the Federal Government for a contribution toward the support of our schools where those men's children attend? We do not.

There is a great Army hospital in Denver, Fitzsimons Hospital. We gave that land to the Federal Government. The extra cost of a larger police force, due to the presence of these added men at the air school and the protection of their property, is gladly borne by our city; but I gladly emphasize there is very little difficulty with the people in those instrumentalities. But we do not ask the Federal Government for a contribution because of that extra cost to our police department. We have built at least one fire house in order to serve those districts, we have enlarged and extended our sewers and water mains. Have we asked for any contribution from the Federal Government for that? We have not. Has Denver asked for a direct annual Federal grant based upon what would be the amount of taxes on this land and the improvements thereon built by the Federal Government, if they were not exempt from taxation? We have not. We have a United States mint, a magnificent post-office building, and several branches and other Federal buildings in the heart of the business district of Denver. Have we asked for a yearly contribution equal to what the taxes thereon would amount to? We have not. If I suggested such a thing, I would be laughed down in this House. I should be if I made such a suggestion.

Yet, so to suggest would be merely to apply to our community, the principle sought to be invoked for the benefit of the District of Columbia by this bill. My reference to my own city is merely to show the absurdity of this proposal. It is the reductio ad absurdum of this proposed formula.

The gentlemen from Illinois [Mr. DIRKSEN] has referred to the fact that nearly one-third of my State is still owned in fee by the Federal Government. We do not ask for anything except the contributions which are contained in the regular acts, and they do not cover all of the cost and all of the police protection which the State of Colorado has to give in those districts. We are glad to have these Federal activities in Colorado. They attract visitors. They increase business. But, if this formula should be adopted for Washington, we could well ask that the Federal Government contribute each year a subsidy to our State and county treasuries equal to what these Federal lands, with the Federal improvements thereon, would be taxed at the rates which prevail throughout Colorado.

Mr. HÉBERT. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Louisiana.

Mr. HÉBERT. I am sure the gentleman is cognizant of the fact that only last week this House passed a bill appropriating $150,000,000 to provide for a Federal contribution to the maintenance of schools in congested areas through the national-defense program, for sewers, and for other things.

Mr. LEWIS. The new Federal plants now being built or already built for defense work are usually in places that will be temporary only. They are not in congested areas. They are, for the most part, in regions hitherto very sparsely settled, if settled at all. The Lanham bill, to which the gentleman refers, is primarily to establish schools and other facilities for new communities built up around new defense industries, which will probably be temporary only, in regions where there are now no such facilities.

Mr. POAGE. The fact that this bill applies to the District of Columbia would make the argument sound that it might just as well apply to all the country, would it not?

Mr. LEWIS. Yes.

Mr. MOTT. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Oregon.

Mr. MOTT. The gentleman from New York a moment ago made an observation which I think should not be passed by in connection with this discussion. He said that, while many States contained large areas of federally owned land, the Government transacted no business or there were no Federal activities on this land, while in Washington on federally owned property such governmental activities were carried on. The gentleman is in error. In all of these land-grant States the Government does carry on a Federal activity on the land which it owns. In the vast national forests it engages in the logging business in competition with private owners of timberland. On the public domain it engages in the grazing business, and out of this land the land-grant States get a very small amount of money to reimburse them for their tax loss and no pay roll, while in the city of Washington all of these activities carried on in Government-owned property furnish a vast pay roll to the city of Washington. So there is no analogy at all between the two cases, and, as the gentleman from Colorado stated, in States where we want Federal activities such as we have in the city of Washington, we are only too glad to donate all the land that the Government wants, because we are happy to have that pay roll, and we are glad to have this land taken off of the tax roll because the pay roll that comes out of it is many, many times more beneficial than the taxes we would receive if we were allowed to tax that land.

Mr. DIRKSEN. Let me made an additional observation. Let nobody here be under the impression that if this bill is rejected, as I hope it will be, there will be no Federal contribution for the District of Columbia. It has received $6,000,000 each year for the past 3 fiscal years and I am quite satisfied we will probably hear something from the chairman of the subcommittee, the gentleman from Texas [Mr. MAHON], relative to that matter. So the power is still here to provide the Federal contribution. Certainly it will be $6,000,000 or more after testimony has been taken by the Subcommittee on Appropriations. There is now pending here the issue of whether or not there shall be some assistance to the District of Columbia. There is pending here a precedent, a formula, that in my judgment is faulty and fallacious and ought to be rejected.

Mr. RANDOLPH. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. May I say to the committee that I have a high regard for the gentleman from Colorado but I am sure it would not be the part of fairness or good judgment on my part to allow him to say that there is an analogy between Denver and Washington, D. C., or any of the other cities in the United States with our National Capital. By the Constitution of the United States the Congress has exclusive legislative authority over the District of Columbia. That is not so in Denver. You make your own laws in Denver. Here Congress exercises exclusive authority over the District of Columbia. Congress levies taxes, Congress says how the money shall be spent, and certainly we should not allow the gentleman's statement to go unchallenged.

Mr. MOTT. Will the gentleman yield? I would like to answer the gentleman.

Mr. DIRKSEN. I yield to the gentleman from Oregon.

Mr. MOTT. I may say to the gentleman from West Virginia that in the land-grant States where the Government owns such a large proportion of the area of those States the Federal Government has complete jurisdiction over the area which it owns. I mean, the Government may do as it pleases with that property. It may sell it, it may lease it, it may do anything it wants, and the State legislatures are not permitted to make any laws to the contrary. For example, in my own State the Federal Government owns 56 percent of the area of the State. If we were allowed to tax that 56 percent we would probably not have to raise any other taxes at all in our State. We could get along almost without local taxes, but we cannot do that. We have no jurisdiction over that land and I think that is an important thing to take into consideration.

Mr. RANDOLPH. I may say to the gentleman from Oregon, for whom I have the highest personal regard, that I took into consideration what he said to a certain extent, but I do not believe you can set aside that forest or park land which is in a section where the population is scanty, and set it up against Washington, D. C., with the density of population it has. I do say that in the national forests and in the national-park areas the Congress of the United States, through the Department of Agriculture, which has jurisdiction over the Forest Service, and through the Department of the Interior, which has jurisdiction over the National Parks Service, appropriates money sufficient to keep those areas in good shape, with open trails, to take care of the people who come to visit those sections for pleasure and recreation.

Mr. MOTT. For those sections, that is correct, but they do not appropriate any for the States.

Mr. HUNTER rose.

Mr. DIRKSEN. I yield to the gentleman from Ohio, who is offering the Overton bill today.

Mr. HUNTER. I do not believe it was the intention of the gentleman from Illinois to put a false impression before the House. I cannot possibly see how he conceived the idea of a contribution on a contribution; in other words, that the

Federal Government's contribution under the Overton formula would be a percentage of the total general tax collection and would not be raised or based on the previous years, so that it could be considered in the respect of being a contribution upon a contribution. I am sure the gentleman wishes to correct that.

Mr. DIRKSEN. The arithmetic of the situation as it presents itself to my rather meager and skimpy intelligence is just simply this: In 1942 the estimate is for $6,000,000, which must obviously be added to the general fund expended. In 1943, if and when this formula should become effective, it would jump up to $9,300,000, so that in the following year you would have 21 percent of the total general revenue fund, which reflects the amount that has been added to that fund by virtue of an increased contribution.

This makes pretty good arithmetic to me, although I recognize that on occasion I think into a blind alley and I need a team of horses to pull me out; but it looks fairly sound as an arithmetical proposition.

Now I want to yield to my friend from the great open spaces of California.

Mr. SHEPPARD. Thanks for the "open spaces;" that is one of the reasons for the question. I should like to ask this, if I may: In the first place, the money that is to be appropriated here is naturally made possible through the contributions and the tax ability to pay of the great State of California and all the other States, is it not?

Mr. DIRKSEN. Right.

Mr. SHEPPARD. Does the gentleman believe that this particular proposal has been broken down so that the payments taken from the taxpayers of all the other States of the Union are comparable with the amount of taxes they are called upon to pay in their own States?

Mr. DIRKSEN. I will answer the gentleman by stating that I want all you folks to stick around this afternoon, because the gentleman from Massachusetts [Mr. BATES], who has been Mayor of Salem, Mass., for 20 years or more, and whom I regard as something of an authority in the matter of municipal finances and taxation, has gone to the trouble of digging out any amount of authorities, and when he talks to you after a while you can bet all the tea in China that his figures will be the "McCoy" because he has the dope, there is no fooling.

I want you also to stick around because the gentleman from Kansas [Mr. REES] is going to address himself to this matter, as is the gentleman from Texas [Mr. MAHON], the chairman of the subcommittee on District Appropriations; the gentleman from Oklahoma [Mr. NICHOLS], a former member of the District Committee, who was chairman of the subcommittee on Fiscal Affairs; and a great many others. I am just trying to give you a preview of the information that is in store for you this afternoon.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. In connection with that preview, I realize this is a little out of order, but I wonder if I can have those individuals who are thinking about speaking stand up or raise their hands. I want to see how many there are.

The CHAIRMAN. Does the gentleman yield for such a count?

Mr. DIRKSEN. Yes; it will be quite all right, Mr. Chairman.

You see now that there is an interest in this matter. I am very happy that at least 10 or perhaps more Members of the House stood in response to that request, to indicate that this matter will receive discussion.

Before I relinquish my authority here in the Well let me say that the gentleman from New York [Mr. BALDWIN], who, as I recall, was on the council in New York City for a great many years and who has dealt half a lifetime with municipal financing, will also discuss this matter.

Now perhaps I ought to yield.

Mr. MAHON rose.

Mr. DIRKSEN. I can yield 5 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. I want 10 minutes.

Mr. DIRKSEN. I am under obligation here to a lot of gentlemen. I will yield 5 minutes. I can yield the gentleman more time after a while, or the gentleman can get more time.

Perhaps I ought to make an observation at this point.

The CHAIRMAN. The gentleman from Illinois has the floor, and he has decided not to yield for the present.

Mr. DIRKSEN. If you do not know how we are proceeding, you will recall that when the request was made to go into the Committee of the Whole House on the state of the Union with 2½ hours of general debate, to be equally divided, there was an objection to both a division and a limitation of time; consequently, we are in the Committee of the Whole House on the state of the Union operating under the general rules, and anybody can stand in his place, and if he can get the kindly gentleman from Mississippi to recognize him, can get an hour in which to discuss this measure.

I have done all the talking I should, and I want to yield now.

Mr. MOTT. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. DIRKSEN. Yes.

Mr. MOTT. I should like to ask the gentleman's opinion as to the germaneness of an amendment to this bill which would make it include all the States in addition to the District of Columbia. As for myself, I would be very glad indeed to have such a law as this applied to the State of Oregon. We would make millions of dollars. Does the gentleman think such an amendment as that would be germane, to include all the States?

Mr. DIRKSEN. I am certainly happy to be honored as an expert in parliamentary procedure, which probably is not the case, but the gentleman is quite familiar with the rule on germaneness, and he knows that you can strike out the enacting clause and substitute a great variety of legislative rhetoric that might be entirely in line with the general purport of the measure now being considered.

Mr. MOTT. Does the gentleman believe from his observation that a considerable number of the membership would be in favor of applying it to all of the States?

Mr. DIRKSEN. I pointed out that that is probably the logical conclusion in respect to this bill. I think in all fairness that I ought to yield now to the gentleman who is chairman of the Committee on the District Appropriations, because hearings have not yet been begun on that bill. They will begin pretty soon, and I think the gentleman from Texas [Mr. MAHON] will be able to give us a preview of what this committe intends to do. I therefore yield 10 minutes to the gentleman from Texas.

The CHAIRMAN. The gentleman from Illinois has consumed 32 minutes, and now yields 10 minutes to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I am afraid that I shall not be able to give you much of a preview of the 1942 District appropriation bill. However, I am greatly interested in the measure before us and I should like to discuss it with you. We are soon going to begin hearings on the District of Columbia appropriation bill for the coming fiscal year. The Budget estimates are around $52,000,000, and I should like for the House to seriously consider this measure today and take definite action on the matter. I should hate to see the Committee rise without taking action on the bill before us—the Overton-Hunter bill. We could have a field day and make a lot of long speeches and come to no decision on this bill but I think that would be a great mistake. This bill vitally affects the fiscal policy of the District of Columbia and we cannot intelligently proceed with hearings on the District of Columbia appropriation bill for the coming fiscal year until definite action is taken on this measure. Congress is sometimes accused of treating the District like a stepchild. To such a policy I cannot subscribe. Washington is the Capital of our great Nation and it is worthy of our interest and support. The people here are as fine as the people anywhere and I want to see them given every consideration.

There are some things about the District that are unfortunate. The people here cannot vote, they cannot participate in elections as we can, and if there is anything that anybody knows to do about that, I would like to see it done, because there is a feeling on the part of many who are born here that they are deprived of some of the rights of American citizenship. I have heard little complaint from the Washington people about taxation and about the Federal contribution to the District. Personally, I think they are pretty well pleased. Their inability to participate in the Government irks them most. But those matters are not involved in this bill.

As has been explained the Overton-Hunter bill, generally speaking, would eliminate from consideration the streets, alleys, and average park area, and arrive at the proportion of the remaining area held by the Federal Government. The

Federal proportion is now about 21 percent of this area. So, the Federal Government would pay 21 percent of the taxes for the running of the District government.

In other words, it is equivalent to considering all of the property in the District as being of equal value, and taxing the Government on its part of the property just the same as you tax individuals on their part, as far as the revenue is concerned for running the District.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I would like to proceed without interruption for a moment. It is said that the District of Columbia is quite burdened with the Federal Government here, but that really is not true. All of us know that the District of Columbia is a great city because the Capital is here. Before it was established Alexandria was one of the great seaports of that day, but the Capital has been placed here and the District owes what it is to the Capital.

The people of this Capital City are basking in the sunlight of a Federal pay roll about $330,000,000 or $340,000,000 a year, a wonderful pay roll. According to the Washington Board of Trade 2,400,000 tourists come here every year, and they spend more than $60,000,000 here, and according to the figures which will not be disputed, the per capita income of the people of the District of Columbia is greater than in any comparable city in America. It is a most fortunate place, and certainly no American could find a more interesting locality in which to live and rear his family than in Washington. Unfortunately the living costs are very high and the climate is not perfect.

Congress has not made the District a door mat. Congress has given the District good government, and has liberally subsidized the District government since Washington was established. It is well run. Many cities the size of Washington have followed a course of graft and corruption. But the government here is run on a high plane. The tax rates are lower than they are in comparable cities, according to a majority of the authorities on the subject. A majority of the rules, regulations, and laws which have been made for the District of Columbia have been fair and equitable.

I read from the April 9, 1941, issue of the Washington Post, a paragraph by James B. Secrest:

> Former Corporation Counsel Elwood H. Seal, who last year made an off-the-record talk against District suffrage to a luncheon club, last week spoke openly to the Cosmopolitan Club. The burden of his argument was that taxes are low here because the District government, under the thumb of Congress, is free of graft.

It is a great compliment to the people of the District of Columbia and to the Congress that this government is free of graft, and that the tax rate is low. Washington has a great opportunity for further expansion and improvement. It is easy to misunderstand the situation here. We read a lot in the papers about traffic accidents, and there is a demand for more policemen. We may be caused to wonder as to what kind of men are serving in Congress that they will not give their Capital more adequate police protection? But when we look at the figures we find that the number of policemen per capita in the District of Columbia is greater than the average in cities of comparable size. However, in fairness it might be said that traffic problems are greater here.

If we keep on reading the papers, we find that Washington has been so well regulated that last year it won the award as being the safest city in the Nation, in spite of this congestion and all of this large income which makes it possible for there to be almost "two cars in nearly every garage."

I do not think this Overton formula ought to be adopted. You cannot say that because the Federal Government owns some of the land and brings in here a pay roll of $330,000,000 a year that we ought to tax this Government property. If we tax this Capitol, if we tax the White House, if we tax the navy yard, if we tax the post office, we have to do the same thing in other portions of the Nation.

I was talking to the Delegate from Alaska, Mr. DIMOND, today. I asked, "What percentage of the land in Alaska is privately owned?" He said, "About 1 percent of the land in Alaska is privately owned and the rest of it is owned by the Federal Government."

Who supports the Territory of Alaska? The taxpayers of Alaska.

There can be no just case made out for the Overton formula. The gentleman in another body, who is the author of it, has claimed that it settles this question; that it is something definite; that it is scientific, if you want to call it that. But there is no point in settling things if you do not settle them right. You cannot settle this thing of appropriations. We cannot settle the appropriations for the Army. We cannot settle for all time the appropriations for the Agriculture Department, the Navy Department, or any of the Departments. Year in and year out we have to wrestle with this problem of District appropriations. The Overton formula might help, but it would not permanently settle the question.

The main controversy in Washington has not been how much shall the Federal contribution be, but how much shall the Federal Government give and the District government spend for the police, for the schools, and for all the other things.

So by passing this bill you will not finally settle anything, but you will establish a dangerous precedent, an indefensible precedent. I do not think you want to establish it, but if you do want to establish it, it is all right with me. I would not complain. It would really simplify my work as chairman of the District Appropriations Committee. But I hope you will either vote the bill up or down this afternoon and not talk it to death, in order that we may know what the wish of the House is when we begin hearings next week on the appropriation bill for the District of Columbia for the next fiscal year.

There are other cities that have a lot of Federal property and a lot of nontaxable property. The city of New York has $210,000,000 worth of Federal property. We cannot afford to go into New York and let them tax us on all that property any more than we could go into other cities and permit that to be done. About 30 percent of the property in Seattle is tax exempt. You cannot lay down a rule which would permit the taxing of Government property in the city of Washington without doing the same thing everywhere else.

I want to commend the gentleman from West Virginia [Mr. RANDOLPH], and his committee for the fine spirit in which they are presenting this bill to the House, and I urge the House to give the fairest consideration to the measure and to vote it up or vote it down. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I want to commend the members of this committee for the splendid effort they have put forth at all times to try to solve the many difficult problems concerning the District of Columbia. I regret, Mr. Chairman, that I cannot share the views of the majority of the membership of that committee with reference to this bill. Let me say right here, that after hearing the splendid explanation of this proposed legislation by the distinguished Member from Illinois [Mr. DIRKSEN], I just cannot see how the membership of this House can support this measure.

Mr. Chairman, the Federal Treasury has for many years contributed millions of dollars to help pay the expenses of running this great city. The appropriations have run from $5,000,000 to $10,000,000 annually.

This plan before us today, known as the Overton plan, provides for a contribution from the Federal Treasury of a little more than $9,000,000 annually. The reason or excuse for this method is that since the Federal Government occupies about 20 percent of the land in the District, then the Government should pay about 20 percent of $45,000,000, which is the approximate amount required to run the District annually.

You will readily observe that it is not based on the question of the taxpayer's ability to pay. Neither is it based on a comparison as to the amount that is contributed by the taxpayers in other parts of the country under similar conditions.

Mr. Chairman, let us look at the problem a little further. If, because the Government occupies land in the District, we should make this contribution, then every locality where a Government building is located is entitled to the same thing. In every State where there is Government-owned land, the Government would contribute to the upkeep of the government of that State. Let us go a little further. Do you mean to say that because I have an Army post in my district that occupies about half of one of those counties, that the Federal Government should contribute every year in taxes to that county, and the city adjacent thereto? Certainly not.

Mr. Chairman, I realize that Washington is the Nation's Capital. It is the

finest Capital in all the world. As a Member of this body I do not, for 1 minute, want this Congress to shirk its obligation to this fair city or its citizens. My objection lies in the fact that the citizens of this District are not now contributing their fair share of its expenses. When they do pay their fair share, then there will be no objection to a Federal contribution if it is needed. Mr. Chairman, it is manifestly unfair to require the taxpayers in your community and mine to contribute to the expenses of the city of Washington, when its own people are not doing their part, when the tax rate and the tax burden is lower than in any other city or community of comparative size. And do not forget, no city in the world has such advantages as are provided here.

Now let me call your attention to some figures. The tax rate in the District of Columbia is $1.75 per hundred and no more. That compares with our State, county, city, township taxes all put together. This rate of $1.75 per hundred is levied on the real estate, and is supposed to be levied on personal property. Only a comparatively small amount of taxes is raised on personal property. I am informed there is a personal-property exemption of $1,000. I am also advised that the millions of dollars in bank deposits go tax-free unless they draw interest, then the income, only, is taxed. Washington is favored with a very low income-tax rate. Exemption for married persons is $2,500 and single persons $1,000; then the tax is only 1 percent for the first $5,000 income. Above $5,000 it is graduated so that it is 5 percent when it is above $20,000. The inheritance-tax law is liberal. There is no sales tax at all. Then in addition to all this, the gas-tax rate for the District is only 2 cents per gallon, lower than in any one of 47 States in the Union. The average for all States is a little over 4 cents. I have just told you that the tax rate in Washington is $1.75 per hundred, or $17.50 per thousand. I want to compare that with the tax rate in some other cities. A part of them compare favorably in size. And, in order to be more than fair, I am going to use figures taken from the National Municipal Review, that also appear in a document compiled by the Detroit Government Research Association. Putting these cities on a 100-percent-assessment basis, these figures are furnished:

Washington	$15.75
New York	27.36
Chicago	33.71
Philadelphia	28.75
Detroit	33.23
Boston	40.60
Newark, N. J	48.50

Smaller cities show similar figures:

Des Moines, Iowa	$41.25
Kansas City, Kans	30.53

I will not take the time to enumerate others for the reason that I understand the gentleman from Massachusetts [Mr. BATES] will include an extensive table of comparative figures with his statement. Attention should be called to the fact that people living in most of these places are also called upon to pay sales taxes, as well as other additional taxes.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I shall be delighted to yield to my distinguished friend from Texas who has given this problem a great deal of intelligent study.

Mr. MAHON. It may be interesting to point out that wherever the Federal Government by taking over District property in recent years has taken out $6,000 in District taxes, the increase in Federal income in Washington has been going up $1,000,000—the equivalent of $6,000 tax loss and $1,000,000 income gain. So when the District loses $6,000 in taxes, the income according to the report the last few years has been $1,000,000.

Mr. REES of Kansas. I thank the gentleman for his contribution.

Mr. Chairman, there has been some discussion that property in the District of Columbia may be taxed at its full value or possibly more. I just do not believe investigation will bear this out. For example, I have in my hand a bill introduced and now pending in this House asking for authority on the part of this Government to acquire a tract of 9½ acres described as a wooded tract called Temple Heights, at an estimated cost of $900,000. That property is, according to the assessor's records, assessed for this year at $560,103.

Most of you are familiar with the Lafayette Building property, recently completed and occupied by the offices of the R. F. C. That property, including the improvements, is assessed this year for $6,263,480. The Reconstruction Finance Corporation made a loan on that property for more than $6,000,000. Do you think the R. F. C. made a loan for the entire value of the property?

Mr. Chairman, I do not profess to know about the tax valuations of all properties, but I just cannot believe many of these properties are overassessed or overvalued for tax purposes.

Here is another thing that is rather interesting. In 1932 the real estate in the District was listed for taxes at a total of $1,226,691,000. In 1941, after all the growth and increase in building and population, total real estate listed for taxes is $1,211,208,484. A decrease of $16,000,000 in valuation for tax purposes.

Mr. Chairman, the people of this great city have not known there was a depression. When the so-called depression began in 1933, there was a great increase in employment here by the Government. There never has been a time in the last 10 years when this city did not prosper. It is growing right now by leaps and bounds. It is the "boom town" of the Nation.

Our Capital City has the biggest income per capita of any city in the country. More money is spent here than in any other city for luxuries. Here is an item from one of the local newspapers that says the people in the District spent more money for amusements alone last year than was spent in 24 of our States. Much was spent by visitors, but the people of Washington got their share of the benefit of it. This item says the total bill for amusements last year was $9,960,000.

It is undisputed, I think, that rents are higher here than anywhere in the country. Hotel space is at a premium. This great influx of people has come about, recently of course, because of the demands on the part of our Government.

Mr. Chairman, I wish I had the time to call your attention to the millions of dollars that have been expended by the Government from which the citizens of this community have benefited directly. The biggest, finest airport in this country is located just outside the city of Washington. It was built from the funds of the taxpayers of this country at a cost of somewhere between sixteen and twenty million dollars. Can you find any other place in the United States where an airport has been built without contribution from the people of the community? I am glad we have it, but I think it should be known whose money paid for it.

Furthermore, Mr. Chairman, do you know that the Federal Works Agency spent $37,439,258 in the District last year? In what other place similar in size was such contribution made? Then, let us look for a moment at the wages paid. Average wages of Public Roads Administration were 62 cents per hour. In the District it was 74 cents per hour. W. P. A. earnings in Washington were 54 cents per hour, in Kansas they were 41 cents.

Mr. Chairman, I do not want to be misunderstood. We are proud of our Nation's Capital. It is the finest and greatest in all the world. I am sure, at the same time, there are many improvements that it needs badly. If it needs new school buildings and hospitals, they should be provided. I am for that just as much as anyone here today. All in the world I ask for today is that the people of this community be given a chance to pay their fair share of the expenses required to run this District and this city. They are not doing it now.

Mr. Chairman, if the Congress will increase the tax rate of this District from $1.75 per hundred to $2.50, in accordance with a bill I have introduced, you will still be below the average of other cities of comparative size, but it will at the same time raise additional revenue of approximately $10,000,000. This is even more than is demanded from the Federal Treasury as provided under the bill we have before us today.

Mr. Chairman, I have said before, and I say again, this is not the time to ask Congress to dip into a Treasury that is in debt about $50,000,000,000 and ask the overburdened taxpayers of this country to make this extra contribution of $9,000,000. It just is not the right way to do it. All I ask again is that the people of this District come a little nearer assuming their share of the expense of the Government under which we are privileged to live.

Mr. DIRKSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, as many of you know, I served quite a long apprenticeship, 6 years in fact, on the District Committee. During 5 years of that time I was chairman of the subcommittee on fiscal affairs which handled

this type of legislation. The legislation now before us was before that committee last year and the committee at that time refused to report the legislation out.

This thing is basically wrong. This is just what the Senator from Louisiana calls it, a formula, but it is a dangerous formula. Probably there should be a formula for the District of Columbia and on account of the Federal Government's activities in the District of Columbia, perhaps the Federal Government owes the municipal government of the District of Columbia something. But it cannot be on the basis of land nor real estate.

In 1937 we had a very fine expert make a study of a formula, and he came back and suggested this, and I would like to have you listen to it because it is a formula that makes sense to me. It seems reasonable. It is a formula that the District Commissioners have never wanted to accept. It is a formula that the residents of the District of Columbia for the most part never have wanted to accept. But here is what the report shows: That the Federal Government should be paying by way of contribution to the District government the difference in the sum of money that the District government owed the Federal Government for services rendered by the Federal Government to the District government and the amount of money in services that the District government had rendered to and for the Federal Government. In other words, the District of Columbia furnishes certain police and fire protection for Government property and the Federal Government performs certain functions for the benefit of the District of Columbia. Determine these amounts, subtract the lesser from the greater, and pay the difference to whichever government has something coming. Then you have a formula that will fit this situation.

But if you do it on the basis of land, naked land particularly, then the arguments that have already been made this afternoon, and so well made, must apply. Take my own State of Oklahoma. We have there, as most of you know, about 25 percent of all of the Indians in the United States. Most of those Indians, or a great number of them, are wards of the Federal Government. They own land in severalty and the Federal Government says to the State of Oklahoma, "That land is restricted Indian land and there can be no taxes levied on it." The counties, the towns, and so forth, in the State of Oklahoma build roads and maintain public schools to educate the wards of the Government who live on their own land that cannot be taxed.

That is perfectly all right. If we are going to apply this yardstick in the District of Columbia, then will I hear my colleagues complain when Oklahoma joins with Utah, Wyoming, Montana, Colorado, and every place else where there are tax-exempt Government properties of one kind or another? Certainly not.

Mr. McINTYRE. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Wyoming.

Mr. McINTYRE. Are there any cities in Oklahoma that pay on 44 percent of the parks?

Mr. NICHOLS. Well, I do not know what this 56 percent figure in here means. All cities pay to maintain their parks.

Let me say just one further thing. Two or three very interesting things occur in the District of Columbia that you have no place else. Did you know that in the District of Columbia there is a statutory provision against the levying of bonds? Did you know that? Why, if the city of Washington wanted to build an airport, for instance, it could not vote bonds to build it. It would come to the Congress and the Congress would give it the money or turn it down. In my State of Oklahoma, Muskogee is a big town in my district, with a population of 35,000 people, and we just got through voting a $200,000 bond issue to pay for the construction of an airport.

It is nice to live in Washington where you cannot have a bond issue put on you. Do any of you pay attention to a water bill in this town? I have lived here several years and my water tax in the District of Columbia last year for a residence was about $4 or $5 for the year. That is the municipal charge. Does the city of Washington need funds? Raise the water rent a little. There is a great field there for revenue.

And this Congress comes in for quite a little criticism, too. I, together with my colleagues on the District Committee, have come before the Congress many times with different kinds of tax legislation, trying to give the people of the District of Columbia an opportunity to pay their own taxes for the support of their own government.

Those bills have been voted down. Of course, I am of the school that thinks that if you would pass a 1- or 2-percent sales tax in the District of Columbia you would settle this problem, and then you would let the itinerants, your constituents and mine who come here and use the police force and the roads, pay their proportionate share of the cost of the Government. Let the tourists help pay for it and fill the coffers of the treasury of the District of Columbia, so that we in the Federal Government could quit appropriating these huge sums by way of contributions.

Therefore I hope you gentlemen and you ladies of Congress, the next time a tax bill comes here from your Committee on the District of Columbia, will give the folks of your district a chance to pay some taxes. They are American citizens and they will pay them. But defeat this plan. [Applause.]

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield back 1 minute.

The CHAIRMAN. The gentleman from Illinois yields back 1 minute. The time of the gentleman from Illinois has expired.

Mr. BATES of Massachusetts. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Massachusetts, a member of the committee, asks for recognition.

The gentleman from Massachusetts is recognized for 1 hour.

Mr. BATES of Massachusetts. Mr. Chairman, I know how tired everybody is getting this afternoon of listening to the very intricate discussion of a very intricate problem. I appear here just for the purpose of saying a few words and confining my remarks to relatively a few moments.

I have been a member of the Committee on the District of Columbia for 5 years, and during that entire period of time a member of the fiscal relations committee. I believe that the gentleman from Oklahoma [Mr. NICHOLS], the gentleman from Illinois [Mr. DIRKSEN], and I have perhaps served longer on that subcommittee than any other Members of Congress.

The question of the contribution of the Federal Government appears before the Congress every year. There is always a discussion as to just what the relationship between the District and the Federal Government is and what is the proper amount the Federal Government ought to contribute toward the expenses of the District government. This is, however, the first time the so-called formula proposed by Senator OVERTON has been suggested to the Congress for consideration.

I am opposed to this bill and the principle upon which this formula is based. It is unprecedented and, in my opinion, unjustified, and will lead to chaos and misunderstanding in every State in this Union and in every one of the communities where the Federal Government owns a large area of land.

All of our cities throughout the Nation have suffered greatly the last 10 to 20 years, as a result of the depression. We have seen financial chaos step into the States and the communities of all the States throughout the Nation, to the extent that the Federal Government had to go into those States and those communities within the States to assist them in a financial way in order that they could carry on the load and help those in distress.

We have not had this situation in the District of Columbia. This is one of the most prosperous if not the most prosperous community in the United States, and it is due to the fact that we have seen building up within the confines of this community a pay roll with which no other section of the country can compare.

It is presumed that the real reason the Overton formula is proposed to Congress, and the reason given why we should share the expenses of the District of Columbia, is that the Federal Government has during the past few years taken over large sections of land in the District, wiped out a lot of old buildings that ought to have been wiped out, in many cases, and put in their place these very beautiful and very expensive buildings that now occupy that land. The thought expressed is that in the taking over of this land owned by private individuals, and formerly taxed in the District, we have taken from the District the revenue that formerly came from the assessments on those properties, and that assessment and revenue being lost by the District, the District suffered quite a hardship.

I asked Senator OVERTON whether or not, in his opinion, the taking over of this land and the substitution of these fine buildings and the employment of thousands of Government employees and the building up of the pay roll justified the District government in letting that

question at least be called an even one from the standpoint of the District's loss in revenue and the replacing of that revenue by this tremendous pay roll that permeates through the whole economic life stream of the District.

In 1930, as an illustration, the number of Federal employees engaged in work in the Federal buildings in the District was about 71,000. Last year it reached 155,000, an increase of 84,000 people in Federal employment in 10 years.

The all-important question is this: How did the pay rolls increase as the result of that increase in employment? That, in my opinion, is the real reason we ought not to accept the principle of the so-called Overton formula, because in the Federal Government's taking over the property we replaced it with a pay roll which spreads and filters through the whole business life of the city, sustains and improves property values, brings about a tremendous development in trade, and makes this city, in my opinion, the most prosperous city in the United States.

In 1930 the pay roll of the Federal employees employed in this city was $124,000,000. Last year it was $291,000,000, an increase in the pay roll in a 10-year period of time of $167,000,000.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Texas.

Mr. MAHON. I wish the gentleman would check my figures. According to my figures, during this period in every case where we have taken $6,000 worth of tax revenue from the District by reason of the Federal purchase of property in the District there has been an increase in the Federal pay roll of $1,000,000. That is, this has been the rate of increase of the Federal pay roll in recent years when compared to the property purchased by the Federal Government. Does the gentleman have figures on that?

Mr. BATES of Massachusetts. I do not have the figures as to the increase in value brought about by these improvements in the District.

Mr. MAHON. I do not mean that the actual improvement would bring on an increase in the Federal pay roll, but the Federal pay roll has increased while we have been taking out the property.

Mr. BATES of Massachusetts. The only thought I have in that respect is the increased valuation in the District, say, the same period of 1930 to 1940. The valuation of the realty in the District of Columbia in 1930 was placed at $1,182,000,000, and this year, according to the chairman of the board of assessors, with whom I spoke 2 hours ago, the assessed value on real property is $1,250,000,000.

Let me as an illustration compare the assessed value of some of the other communities. In New York City, in 1930, the real value amounted to $19,118,000,000; in 1938, $16,650,000,000; in Chicago in 1930, $2,830,000,000, and last year, $1,369,000,000. Philadelphia in 1930, $3,470,000,000, last year, $2,583,000,000; Detroit, 1930, $3,085,000,000, and last year, $1,836,000,000. So I could go on all the way down through all of the large cities throughout the country and show you how property values have declined in a substantial way, affecting the revenues, and making the local problems more difficult than they ever had to face before. I again call attention to the debt of these large cities of the country, and then compare it with the debt of the District of Columbia, which is approximately $10,000,000. Boston has a debt of $130,000,000; Philadelphia a debt of $445,000,000; Chicago, $399,000,000; Los Angeles, $316,000,000; Detroit, $376,000,000; Cleveland, $123,000,000; Baltimore, $154,000,000; San Francisco, $162,000,000; Pittsburgh, $140,438,000; St. Louis, $86,000,000, and the records show that every large community in the United States has a tremendous debt load that it is carrying, as compared with the relatively small load in the District of Columbia of $10,000,000 at the present time.

Mr. Chairman, I cannot come to any other conclusion, nor can any of those of us who have made a study of the fiscal problem, than that in the District of Columbia there is a mighty low tax rate and a low tax bill. I hold in my hand a copy of the last issue of the National Municipal Review, which gives the relative tax rates in every community of any size in the whole United States, and that distinctly shows that among the 50 large cities in the country the District of Columbia has the lowest tax rate and tax bill, all values being adjusted on a 100-percent basis. So we are of conviction, those of us who oppose this bill, that there ought to be some other means determined upon which we might say what the Federal contribution to the cost of the local government should be. We realize there are many interlocking services given by the Federal Government to the District government and vice versa, and in our opinion the basis on which the Federal contribution should be fixed, should be on the basis of the services the District of Columbia is compelled to render to the Federal Government in the administration of many local problems. We ought to go slow before we establish a principle such as this, which will fix for many years to come a very definite percentage of the total cost of the District government to be paid for by the Federal Government and will result as the years go on in a substantial increase, far beyond what it is now, in the Federal contribution to the cost of the District government. For that reason I join my colleagues in saying that we ought to reject this formula, we should send this bill back to the District of Columbia Committee and I am satisfied that if we can sit around a table and discuss this matter we can bring out a bill that ought to meet the approval of the Members of the House. [Applause.]

The CHAIRMAN. The gentleman from Massachusetts has used 13½ minutes.

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, earlier in the day a statement was made by the chairman of the subcommittee, the gentleman from Ohio [Mr. HUNTER], that in Ohio real estate was assessed at 30 to 35 percent of its true value. I called the gentleman's attention to the statement and asked if he would care to correct it. He said he would hold to the statement, and that in his city of Toledo such was the case.

Since that time I have been in touch with officials in Toledo. Mr. Carl E. Brandies, executive secretary to the Toledo Board of Realtors, said:

> Our real estate is appraised at 100 percent, and anyone that says otherwise does not know what they are talking about.

The chief assessor of Lucas County, Toledo, Mr. Fotheringham, said:

> So near 100 percent that it isn't funny. Painfully close to 100 percent.

I phoned my home city of Cleveland and talked with O. W. L. Coffin, secretary of the Cleveland Real Estate Board. He said:

> Real estate in Cleveland is appraised as near 100 percent as is possible.

Next I telephoned John Warner, real-estate supervisor in the Cuyahoga County auditor's office, and he said:

> Cleveland is appraised at 100 percent.

I then called other cities, but I will not take your time to give you the names of the gentlemen. But Cleveland, Toledo, Cincinnati, Columbus, Portsmouth, and Mansfield——

Mr. DINGELL. Will the gentleman yield?

Mr. BENDER. Not just now.

Mr. DINGELL. I just wanted to know what was the rate per thousand?

Mr. BENDER. The gentleman from Massachusetts just gave it to you for all cities.

Mr. BATES of Massachusetts. In Cleveland the rate is $31.95.

Mr. BENDER. In Cleveland, instead of real estate being appraised at 100 percent of its value, in some instances in the downtown area it is appraised at 150 percent of its value. As a matter of fact, owners of buildings are tearing them down, as they are in many of the larger cities in Ohio, because they cannot possibly pay taxes on the assessed value of the property. As a matter of fact, in Cleveland you can buy almost any property—and this was stated by a gentleman I interviewed regarding this particular question today—you can buy much of the property at the price which the auditor has it on the books for taxation.

We have a law in the State of Ohio whereby the assessed value is to be 100 percent. If the auditor fails to have the property carried at that rate, he is violating the law.

So I want to say that in my home city of Cleveland and in the home city of my good friend, the gentleman from Ohio [Mr. HUNTER], the city of Toledo, as well as Columbus, Cincinnati, Dayton, Mansfield, Portsmouth, and other cities throughout the State, real-estate appraisal is as near 100 percent as is humanly possible, and in many instances it is greatly in excess of 100 percent. The statement that our real estate is assessed at 30 or 35 percent of its value is grossly in error, and I am sure the gen-

tleman is not conversant with the facts or he would not have made such a statement.

As for Washington, I am sure there is no cause for complaint here as compared with my own city or with any other big city. If our city could have the advantages that the city of Washington has as the boom town of America, we would be glad to pay a premium for some of the attractions that the people here benefit from. As a matter of fact, our chamber of commerce and other organizations in Cleveland are spending hundreds of dollars annually to bring conventions and visitors to our city, so that our businessmen could reap the profits that thousands of visitors make possible.

Mr. BOLLES. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. BOLLES. What is the tax rate in Cleveland?

Mr. BENDER. The tax rate is $31.95 per thousand.

Mr. BOLLES. That is against $1.75 a hundred here?

Mr. BENDER. Yes. [Applause.]

[Here the gavel fell.]

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman and fellow Members of this House, it is not my intention to spend any lengthy time speaking on the problem before us or to quote any figures. As far as I am concerned, I first want to pay tribute to the committee on which I have had the honor to serve for a brief time, and their earnest desire to find the proper formula for the balance between the local and Federal contribution in the District of Columbia.

Secondly, I want to say that I am opposed to this bill on fundamental grounds and not on grounds based entirely on figures. In the first place, I am opposed to it because I think it ignores a fundamental point in municipal government. That is, before you undertake to provide money you undertake to provide a proper form of government. In the brief study I have been able to make of the present government of the District, it seems to me to be somewhat of a three-headed hydra, with no one particular person in charge, and the division of authority scattered fairly widely and as far as I can make out without any particular rhyme or reason.

I am not going into a lengthy history of the government. The population of this District at one time elected their legislative body as far as the city government was concerned, and at one time, also, in 1812, the city council, as it was then called, elected a mayor. It then went into the Territorial form of government, and then into the present commission form of government.

As far as I can make out in the few sessions I have sat on the committee, there is no one head which is responsible to speak on various important items as far as any fiscal problem is concerned. That is my first objection to this bill. It does not provide, before it provides the money, a city government, or at least a study of city government such as suggested in the important report made by fiscal experts appointed by the President and presented to the Seventy-fifth Congress in 1937.

In the second place, I am opposed to it because, on the basis of my own municipal experience, it is dangerous to freeze certain things into any government, and this freezes very definitely something into the present government of the District. It requires them to spend a certain amount in capital outlay. I would be the last person to say, from what I have been able to learn, that the city of Washington, the District government, should not spend some money in capital outlay, a great deal more apparently than it is able to spend at the present time, but such an expenditure should be a variable; and the fact that it is frozen into this bill makes me oppose very definitely the so-called Overton formula. In my home town of New York on many occasions we have spent hundreds of millions of dollars in capital outlay, and in the past year it so happens that we spent $78,000,000; but that is a variable, and I should hate to see it frozen into any government. As I said, the District probably needs to spend a great deal more in capital outlay than they have, and no doubt they can spend a great deal more than the Federal Government will want to give them for this purpose. But it should not be a figure frozen into the budget even on a percentage basis.

The third reason I am opposed to this bill is because it is against the mathematical record of the fiscal picture of this city so far as I can gather it. As the population has increased, as the number of transients in this town has increased, the Federal contribution has decreased, and there has been no problem in that regard. Suddenly we increase it from $6,000,000 to over $9,250,000 by this formula. It has been said here, and I am not going into it again, it has been said that most communities would like to have the transients now coming to Washington. I certainly can say as much for my own community, but I would not think of raising sectionalism or any suggestion of pork barrel here in this debate because I think this is too important to this particular community. Suffice it to say so far as my home town is concerned, my home State, we contribute over $1,000,000,000 in taxes and get back only 27 percent.

[Here the gavel fell.]

Mr. CLASON. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York.

Mr. BALDWIN. Another reason I am opposed to it is because it sets the dangerous possibility of a tax formula for all Federal property. This has been gone into at length, and I do not intend to repeat it; but certainly in my home town if we thought there was a chance of taxing Federal property on any formula whatsoever I should hate to be responsible for controlling the city government if it once got the idea; and I am also opposed to this bill on that basis.

Mr. Chairman, these are the fundamental reasons for which I oppose this measure, based on my small experience here and my experience elsewhere in municipal government. I do recognize the importance of having some decision made. I know the people of Washington have a tax load which they consider high. The record has already been made on this and it shows the tax load is not as high as they believe it is, probably not as high as it should be. It may be that too much of the tax structure falls on real estate, but I am sure the matter can be worked out equitably to this community as well as to my own, if a proper approach is made.

[Here the gavel fell.]

Mr. CLASON. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Chairman, I want to rise to protest against the passage of this bill. I think the people in Washington have been spoiled. They have not been educated to pay taxes at all, for in 43 cities in Los Angeles County we pay from $5.58 per hundred—this would be $55.80 per thousand—up to $56.90 in Santa Monica, my home town, per thousand taxes. Washington is paying only $17.50; and we do not begin to get the same benefits from our high tax rates that they get here in Washington. The people here in Washington have never known what it is to have a depression. Ever since 1932 they have had this tremendous pay roll here which today I am advised amounts to $30,000,000 per month. This is a big pay roll. My people have not had that.

Your hotels here are crowded with Federal employees and with people coming here to do business from the outside. I wonder what the owners of real estate in Washington would think if they had to run hotels with 80 percent vacancies, or apartment houses with 80 percent vacancies as we do; and not only that, but then to have the Federal Government come along with a housing program and empty the apartments by selling the houses on practically nothing down and $11 to $14 a month for 3 and 4-room homes—try to maintain and run an apartment under those conditions? These people here do not know what adverse conditions are. As a matter of fact, they have never had them so they cannot recognize them. They have had good times all the way through.

I wonder what people here would think if they should find in one county alone that the taxes were so high that 274,000 pieces of property were delinquent because the owners could not or would not pay their taxes, fearing they were going to lose the property through foreclosure or otherwise. You have numberless conventions here, all spending a great deal of money in Washington. You have all of the parks, all of these buildings, which form a good background and a fine environment to draw conventions here and go into competition with our chambers of commerce that are trying to get some of these conventions for our towns. This money is brought into Washington and is being spent in addition to the $30,000,000 per month.

I think the ramifications of a dollar spent from a pay roll are such that it goes around something like 65 times. I do not vouch for the accuracy of that statement, but I believe it reaches around in 65 different places. How well would my people like to have some of that. Therefore I say to you that the people of Washington have not been educated to bearing their pro rata or to pay their fair proportion of the taxes.

How can the people of Washington come to me and expect me to go back to my district where my people are paying already $56.90 a thousand tax rate and tell my people that I have given money to Washington where the rate is only $17.50? I have sat on no less than 25,000 cases before the board of equalization when I was a supervisor, and I think the Washington taxes should be increased. These increases should not be horizontal. All property does not get the same benefits from the money spent here. There are certain people whose benefits are greater than others. This should be recognized.

I think the tax rate in Washington should be raised, perhaps not on all properties but particularly on properties that have received tremendous benefits. I think there is something in the statement that the valuation of property should be fixed to some extent on a capitalized income basis. The home owner, the man who is trying to pay for his home, should not be increased. Therefore I would not suggest a raise on the residence property owner. But I do say that there are hotels and apartment houses, income properties, including multiple dwellings, boarding houses, and so forth, that should properly pay an increased tax, because they are receiving the benefits of this tremendous pay roll.

Let us look at this picture for a moment. I know hotels in this town that have increased their rates by $60 to $75 per month. That is not the rental of the room. That is the increase itself. If you take a hotel with a thousand rooms and it has increased its rentals $75 per month per room, that is $75,000 per month, or $900,000 a year, which is 6 percent on $15,000,000. That only represents the increase that has taken place in the asking price on those rentals per room in the last 12 or 14 months since I have been in Washington.

Mr. RANDOLPH. Will the gentleman yield?

Mr. LELAND M. FORD. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Just at that point, because of the discussion on rents in the District of Columbia, I would like to get an expression from the gentleman, because he has already given it to me privately, relative to the so-called rent-control bill which I have introduced and which is pending before the District of Columbia Committee and on which hearings are being held?

Mr. LELAND M. FORD. If they keep bringing people into this town who have to come here to work, and if they keep bringing in these conventions that should be kept outside, there is nothing to do except to go for rent control. Never in my life have I been for rent control, but I have never been up against a situation like I have been up against here in Washington. I have never seen one like it. I think there is a certain group of apartment-house and hotel owners who have grown rich. They have become the greatest profiteers out of this whole defense program, with perhaps the exception of the C. I. O. communistic labor leaders.

[Here the gavel fell.]

Mr. BATES of Massachusetts. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. LELAND M. FORD. Mr. Chairman, never in my life have I taken this stand before. I have always been for the realty side, but I have never been up against a proposition wherein our realty people wanted to take everything in sight. I think the property owners in the District of Columbia are standing in their own light and if they do not begin to pay their taxes in Washington they are going to be up against some very drastic legislation. I hope in respect to this bill that you do not grant a 5-cent piece.

[Here the gavel fell.]

Mr. BATES of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I rise to enter my protest against this proposed legislation. Some time ago I began making an investigation regarding the fiscal policies of the District of Columbia, and, following this investigation, as the Members will recall, I introduced H. R. 4549, which is a bill to increase the gasoline tax to 4 cents a gallon in the District of Columbia.

The thought that prompted this action on my part was the fact that in my State of Indiana we pay 4 cents gasoline tax to the State. In addition to that, we pay 1½ cents Federal tax, making a tax of 5½ cents per gallon on gasoline.

In Kentucky, as I understand it, they pay 5½ cents. In West Virginia they pay 5½ cents or 6 cents per gallon on their motor fuel. The thought that came to me was that if the other States of the Union were required to make contributions annually for the maintenance of the Government in the District of Columbia while at the same time the District of Columbia is assessing only 2 cents a gallon as a gasoline or motor-fuel tax against the inhabitants of the District of Columbia, such procedure was entirely unfair. In other words, by reason of the fact that the people are assessed such a small tax on gasoline which is used by those in the District of Columbia, the people of your State and the people of my State are required to make a larger contribution for the maintenance of government in the District of Columbia.

As the Members know, this year that contribution is $6,000,000. Under the proposed bill, and that has been very definitely presented to the Members of the House, and under this formula, during next year we will be required to make a contribution of nine and one-third million dollars. There is one thought that impresses me greatly with respect to the pending legislation and that is it will establish as a permanent policy, the amount of the contribution of our Government to the District of Columbia.

The question of our contribution to the District of Columbia for governmental purposes is not a permanent matter. It is a matter that should come before the House each year in accordance with the absolute necessities presented at that particular time. We should not attempt to legislate for the future years, because that policy may be entirely unfair to our Government, or, on the other hand, it might be entirely unfair to the District of Columbia. The question of the deficit in the taxes collected in the District of Columbia, and the necessary expenses of government, should be determined on a fair, equitable basis. The District of Columbia should first tax her people fairly in accordance with the tax rate fixed in the various States, and then, if there is a deficit in the amount of taxes collected with which to pay the necessary expenses of government, operated on a reasonable and economical basis, then the various States will not make objection to aiding in the payment of the deficit. But the States do object, and very seriously object, to paying a flat rate, such as is proposed under the Overton formula, and at the same time the people in the District of Columbia are paying a much lower rate of tax, on real estate, personal property, and gasoline tax, than the people in the several States are required to pay. The District of Columbia should not escape her fair share of the tax burden for the maintenance of her local government. She should respond under the same burden as every other State in the Union.

Every Member will remember, Mr. Chairman, that this year our Government is paying $6,000,000 into the treasury of the District of Columbia, to make up the deficit in operating expenses. Under this bill, if it is passed, next year we will have to pay the staggering sum of $9,389,940 as our contribution to the District of Columbia. That would be entirely unfair to the taxpayers of my State, and to those in every State in our Union.

I desire to call to your attention some of the facts with respect to the taxation of real estate in the District of Columbia. In my home State of Indiana our real estate is assessed by law at the fair cash value. Many parcels of our real estate will not sell for an amount equal to the assessed value thereof. We do not have any exemption with respect to personal property, but taxes are paid on the full assessed value. In the District of Columbia there has been frozen a tax of $1.75 on each $100 in value of real estate; yet, while in my home city of Connersville, Ind., we pay $3.24 per $100. We pay 4 cents a gallon as our gasoline tax to our State of Indiana, and the Federal tax is added. We pay in addition a gross income tax. We pay a poll tax. We pay a variety of taxes. Yet here, in the District of Columbia, when the taxpayer pays and discharges the taxes on his real estate at the rate of $1.75 on each $100 in value thereof, and pays his gasoline tax, at the rate of but 2 cents per gallon on the gasoline he or she uses, the tax burden has been fully discharged, and the taxpayer has no other tax obligations.

Your taxpayers, and my taxpayers, are called upon to bend their backs and make up the deficit. This is so unfair, that this point needs no further argument. In order to save your taxpayers, and my taxpayers, from this unfair burden, let us defeat this bill and let the people residing in the District of Columbia pay their fair share of the taxes for their own government. [Applause.]

[Here the gavel fell.]

Mr. BATES of Massachusetts. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I have just been making a few notes here in order that I might say a few words with regard to this bill.

There seems to be a recurrent fight to force the Federal Government to pay tribute to the District of Columbia. The problem from the standpoint of Congress seems to be insoluble, unless we now undertake to act decisively and courageously. Since the District of Columbia complains everlastingly because of the millions of dollars' worth of monumental buildings and parks and other attractions the Federal Government has built and is maintaining here, I believe what should be done to eliminate this problem and this aggravation, this irritation, permanently is to eliminate the source of the irritation by transferring at least 50 percent of the Government activities and personnel westward, say, to some bright and happy spot like Colorado Springs in Colorado.

I am certain the people of the City of Sunshine out there in the West will be glad, very eager, in fact, to enter into a perpetual treaty with the Federal Government agreeing never to tax its property and to supply police and fire protection and other municipal services, provide schools and health protection and other essential services, and to do so as long as the grass grows and the water flows, as the Indians out there say when they write treaties. They will feel, too, that they have obtained the long end of the bargain and made a good deal.

The millions of dollars of revenue which have been flowing into the pockets of the District of Columbia residents will be materially reduced. The gold rush will settle down to a normal flow. They will learn to appreciate what they now have and what the situation is and has been elsewhere during these trying times. Let us decentralize and thereby wipe out this perennial source of irritation.

Colorado Springs is an ideal spot if there ever was one, and the people and the chamber of commerce out there, I am sure, will make arrangements to grant to the Federal Government at least a hundred square miles where we can build all the buildings we have right here in the city of Washington. Then, I believe, the people coming to Washington will be able to get a place to live at a normal rate of rental; they will be able to go to a hotel without making reservations a month ahead; and they will get a room rental that is in accordance with the average in other parts of the country.

I believe we Members of Congress once and for all will then be relieved of this everlasting attempt on the part of the District of Columbia to grab something to which it is not entitled.

I am not worried at all, for I do not believe this bill has a snowball's chance of passing, and I do not think it should. Frankly and honestly, I do not believe the Federal Government should pay the District of Columbia a single, solitary red cent, because this Federal Government set-up maintained here with taxpayers' money has brought millions and millions of dollars annually into the District, and while the gold rush continues unabated, certain elements among the Washingtonians do not appreciate what they have and that they are the beneficiaries of something they did not create. The people here do not know what a depression is. They do not know what hard times ever were. The tougher times are in the interior, back in your home State and mine; the better things are in the city of Washington.

I am unalterably opposed to this bill. I make this suggestion: I hope the live-wire Chamber of Commerce of Colorado Springs will initiate a move and the chambers of commerce in the West generally will get together behind a tangible outline which the Congress can accept, and then let us start moving. We can move big industries; we can move Government offices and personnel. The President has repeatedly spoken for decentralization. I think the administration might support such a move.

Mr. BUCK rose.

Mr. DINGELL. My friend from California evidently is going to give me some competition. Evidently California has a bid. I yield to my friend from California.

Mr. BUCK. No; I was very much interested in the suggestion the gentleman from Michigan has made. I heard him mention Colorado Springs.

Mr. DINGELL. That is because it is a beautiful, sunshiny spot beneath heaven's blue dome where you can stop for inspiration and relaxation on the way to California; it is a place where they have and will share everything—pure water, fresh air, cool breezes, perpetual sunshine, and there live a fine and a hospitable people. It is centrally located. It is far away from possible bombing areas. I think it is an ideal, central spot.

Mr. BUCK. I was not thinking of trying to establish a new Capital, but it struck me that the gentleman's remarks were very pertinent when he hit on the Department of Agriculture. Two-thirds of the perishable commodities that are shipped east are raised in the West, and the operations have to be administered, as far as that is concerned, here in Washington. It seems to me that California would be an ideal spot for that.

Mr. DINGELL. I will not get together on that with my friend, but I will go half way with him. I will agree to locate the Department of Agriculture, as I stated, in the city of Colorado Springs, which is midway between Washington and California.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Misscuri.

Mr. COCHRAN. Did I understand the gentleman to say that in his opinion the Government should not pay the District of Columbia 1 cent?

Mr. DINGELL. That is right. The gentleman understood me correctly.

Mr. COCHRAN. Does the gentleman feel that the people of the District of Columbia should give fire protection and police protection to the Federal Government for its buildings without any cost to the Government at all?

Mr. DINGELL. That is right. I think that the amount of taxes which Washingtonians are now paying would indicate that my deductions are correct and my contentions are tenable and reasonable. I call your attention to the facts and figures which were prepared with utmost care of my distinguished friend the gentleman from Georgia, Judge TARVER, bearing upon the subject and which he will discuss immediately following my impromptu remarks upon recognition from the Chair. [Applause.]

Mr. BATES of Massachusetts. Mr. Chairman, I yield back the remainder of my time.

Mr. TARVER. Mr. Chairman, I ask recognition.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia for 1 hour.

Mr. TARVER. Mr. Chairman, I must say at the outset for the encouragement of the Committee, that I do not intend to take quite 1 hour. In fact I think what I want to say can probably be said in 5 or 10 minutes. I am not in the attitude of filibustering against the passage of this bill, because for one reason I do not think there is a chance in the world of its passing. I am very sympathetic with the efforts of the Committee on the District of Columbia, headed by our genial friend the gentleman from West Virginia [Mr. RANDOLPH], to bring about some solution of this problem, but I do not think they have accomplished that in this instance, and I doubt if they will ever accomplish it. This matter of the contribution of the Government to the District of Columbia has been a bone of contention throughout the more than 14 years that I have sat as a Member of this body and I have a notion that it will be long after I have retired. I think the question ought to be solved, and ought to be solved fairly, however much I may be lacking in optimism that that result may be accomplished.

Practically everything relating to the subject matter of this bill has been covered in able addresses made to the committee, and I would not undertake to consume your time at this late hour except that I feel there is one subject matter in connection with the discussion which has not received attention, and to which attention should be called. I serve, as gentlemen know, as chairman of the subcommittee which formulates the bill appropriating funds for the Federal Security Agency, and certain other agencies of the Government, including St. Elizabeths Hospital, the Columbia Institution for the Deaf, Howard University, and Freedmen's Hospital. I also served up until a year or so ago on the subcommittee which formulated appropriations for the National Training

School for Boys. It is with regard to those items of appropriation that I desire to call your attention to some facts which have not been mentioned. In the St. Elizabeths Hospital, the Government has made a capital investment of $12,571,000. There are confined at this time in that hospital 4,178 residents of the District of Columbia, and 2,357 patients who are not residents of the District of Columbia. In other words, 64 percent of the patients in St. Elizabeths are residents and citizens of the District of Columbia and yet the District of Columbia has never invested one single dollar as a matter of capital investment in that institution.

I do not say that the District does not pay a per diem charge for each of its patients to cover their maintenance and their proportion of the expenses of operation of the hospital, but I do say that the District has never contributed $1 to the capital investment of almost $13,000,000 which is involved, and under the terms of this bill the Government of the United States would in effect have to pay a tax in the way of contribution to the government of the District of Columbia upon lands used by the Government in the maintenance of this hospital for the insane, approximately two-thirds of whose patients are residents of the District of Columbia. Think that over and see whether your sense of fairness impresses you with the idea that that ought to be done. That is one instance of the several institutions that are maintained here in part for the people of the District of Columbia, and to which the Government of the District of Columbia does not make an adequate contribution, that is a contribution which is proportionate to the amount of benefits received.

I call attention now to Freedman's Hospital, representing a capital investment of $2,177,000. In that hospital during the past year there were 2,656 patients who were not residents of the District of Columbia and 4,053 who were residents of the District of Columbia, 60 percent of the total number hospitalized. I am referring now not to the present patient population but to the patient population during the last year. Sixty percent of the patients in the hospital during last year were residents of the District of Columbia. The District of Columbia has not invested a single dollar in the capital cost of setting up Freedman's Hospital. It does pay 50 percent of the cost of operating that institution, but it does not pay 60 percent of the cost although it has had in the past 60 percent of the patients. And it is proposed here in effect that the District of Columbia collect the equivalent of taxes on lands used for the Freedmen's Hospital. So I might go on down the line.

Take the National Training School for Boys. There are 114 District of Columbia beneficiaries there as against 230 outside the District. There is a capital investment there of $771,000. The District does not adequately share the cost of that institution. Its per diem payments are insufficient for that purpose.

The Columbia Institution for the Deaf has 73 District of Columbia students as against 155 from the remainder of the country. There is a $700,000 capital investment, to which the District has not contributed, and its contributions per student are only about half of the cost involved.

Then there is Howard University which, of course, does not belong to the Government, but in which there is a capital investment of $7,591,000, to which the Government has largely contributed, and to which the District has not contributed. Twenty-one percent of its students come from the District of Columbia.

So I think it is apparent that if there is to be a review of the obligations of the Federal Government to the District of Columbia there ought to be at the same time a review of the obligations of the District of Columbia to the Federal Government in items of this character.

Would it not be fair that an amortization charge of some sort to cover two-thirds the capital investment on a 50-year basis, say, at St. Elizabeths Hospital, where $12,571,000 has been invested by the Government, should be charged against the District of Columbia in connection with the two-thirds of the patients in St. Elizabeths who come from the District of Columbia? The following is a statement showing some pertinent facts regarding each of the five institutions named:

Institution	Number of Federal beneficiaries	Number of District of Columbia beneficiaries	Percent of District of Columbia beneficiaries	Assessment on District of Columbia	Annual per capita cost	Assessed valuation
National Training School	230	114	33⅓	$82,000	$730	$771,000
St. Elizabeths	2,357	4,178	64	2,684,000	657	12,571,000
Columbia Institution for the Deaf	155	73	32	36,500	500	700,000
Howard University	2,124	570	21	205,200	360	7,591,000
Freedmens Hospital	2,656	4,053	60	242,420	----------	2,177,000

NOTE.—The District government has never contributed any money to the capital investment of any of the above-named institutions.

These are some of the reasons for my opposition to this bill. Many others have been mentioned by other members of the committee who have addressed you at various times during the afternoon; reasons which I shall certainly not trespass upon your time to repeat. They are some of the reasons why I believe that no legislation of this kind ought to be enacted until the entire subject matter of the obligation of the Government to the District and of the District to the Federal Government is reviewed and some plan worked out by which not only may the Government pay the District what it ought to but the District may account to the Government for the benefits which it is receiving through governmental expenditures in the five channels which I have mentioned and many other channels which might be mentioned.

It seems to me also that such a plan should involve not merely a law affecting the District of Columbia, but a law which would be fair to every section of the United States and make provision for the payment of some part of the expenses of localities in which, for instance, training camps, Army posts, national forests, and other activities of the United States Government are located.

I think it is just as fair down in my district, where the Government of the United States owns more than one-third of one county and a large proportion of another, and maintains there a military post and a military park, where it has at times several thousand soldiers, some of whom stray off the reservation and commit violations of the law, occasion expense for policing and court expenses and other expenses of that character, that the Federal Government should make allowance to that little county, which has difficulty in raising enough taxes to pay for those expenses of some amount, in lieu of taxes, as it is fair that it should make an allowance in lieu of taxes to the District of Columbia.

So I feel the whole subject matter should be legislatively reviewed by a committee which will take into consideration all of these facts and circumstances and draft legislation which will deal with the problem not merely from the standpoint of the District of Columbia but from the standpoint of fairness to the entire country; and that certainly if it should restrict its deliberations to the problem in the District of Columbia alone, the benefits being received by citizens of the District, through the maintenance of these Government institutions, which those citizens do not adequately pay for, should be taken into consideration in determining the amount of contribution from the Federal Government to the District government.

That, I am sure, from the arguments made here, has not been done.

Mr. Chairman, I now yield 10 minutes to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Chairman, I will be rather brief. I have not had an opportunity to hear all of the debate upon this bill, as I have been attending a meeting of the Committee on Naval Affairs a good part of the afternoon. But sitting here for a few minutes, as I have, it seems to me that we are in a ridiculous or pathetic situation as to this bill.

Here we have the Capital City of our Nation, in which certainly every American has a pride. We have a voteless city, whose representatives we are. They have no representatives, according to legislation that this Congress has enacted. We must pass upon its tax problems. We are its representatives in the matter of taxation.

Looking about the floor a while ago I counted approximately some 60 Members out of 435, which shows that there is a vast lack of interest in the matter of District affairs. Unfortunately there is great misunderstanding between the Congress and the District of Columbia.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I would be delighted to yield, but I would prefer to wait a little bit.

Mr. DINGELL. If the gentleman is complaining because there is not a quorum present, I will call for a quorum, and we will have this out.

Mr. SASSCER. I am not complaining that there is no quorum, because I am not anxious to have an audience hear me. If the gentleman is going to speak later, I will be glad to call for a quorum.

Mr. DINGELL. No; I have already spoken.

Mr. SASSCER. We are the legislative representatives of the District of Columbia, passing upon its tax measures. I say this is no sense of criticism. We as legislative representatives, passing upon these tax measures with a definite degree of semiantagonism toward either the District of Columbia or legislation for the District of Columbia. They have no representatives. We are their representatives, and we are approaching this matter not as representatives of the District of Columbia, not as basically representatives of the National Congress of the United States, but with a tendency so often present, to approach matters from the viewpoint of the circumscribed sections from which we come.

I say that with foundation because the talk in the cloak room and the speeches here upon the floor today are based not so much on the merits or demerits of this bill as they are on the theory that the individual Member's district pays 3, 4, or 5 percent taxes; therefore the District of Columbia should pay that amount of taxes. My answer to that is that the reason they are not paying such high taxes is because we have a highly efficient District Committee and a highly efficient, well-run District government that operates this government economically and carefully. For this reason the total general expenditures have been kept at a reasonably low level.

I say in all sense of seriousness that if we are going to continue as the representatives of a voteless city and in that continuation approach its tax problems on the basis that the other sections of the country should not be taxed to support the District of Columbia, approach it purely from the home-district point of view, the District is in a sad plight. I have heard upon this floor on many occasions many measures discussed that take out of the Federal Treasury vast sums of money to go back to many of these districts, and in a ratio far greater than what the districts pay in Federal taxes. These benefits are in the form of parity payments and subsidies and, as I say, in many instances are in excess of what those same sections pay into the Federal Treasury.

When, however, the capital of the Nation is involved, when a voteless city is involved, we come here just a handful only, apparently those who oppose this legislation—the others disinterested—and with arms uplifted and hands extended say: "Don't tax me, don't tax my people to pay the District of Columbia, but make them raise their taxes to 3, 4, or 5 percent, to a parity with some of these badly managed cities before you give them any money."

In my humble opinion the passage of this legislation, if we approach this purely in our capacity as representatives of the District of Columbia, as Members of the National Congress, will be doing fairness and justness to the District. It is fair because a vast acreage of valuable downtown business section has been leveled to make way for Government use, and that taxable base goes off the assessment rolls. We should follow the passage of this Overton plan with some raise in the gas tax so this gas war might stop and that these avenues of approach that are now bottlenecks in the District of Columbia might be improved. We will then have definitely met the problem, not only from a political angle but from the angle of our obligation as Members of Congress, representatives of a voteless, not constituencies, but a voteless people who have no representation here.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. MAHON. I have enjoyed the appeal for fair play which the gentleman from Maryland has made. The people of this District are entitled to fair play and fair consideration, although I do not believe they always get it. I believe the gentleman to be right in advocating a higher gasoline tax. I will vote for it when it is offered. My only regret is that I cannot vote for it this afternoon.

Mr. SASSCER. That would not take the place of this bill, but it would be helpful.

Mr. MAHON. It would be helpful, and it would be helpful also if we passed a law prohibiting our friends in Maryland and Virginia from sending their children to District-supported schools unless they paid the cost of tuition. Now, I am not asking the gentleman to comment on that, but I think something should be done about it.

Mr. SASSCER. I shall be very happy to comment upon that. The great State of Maryland reciprocates almost to the extent of parity by educating many of the children of the District of Columbia in its university where we have various courses not in District schools. This about offsets our children from Maryland going to District schools.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. SASSCER. I yield.

Mr. MAGNUSON. I may say to the gentleman from Maryland that I am going to vote for this bill. I think it is fair and equitable. In all fairness I think it ought to be pointed out to this House that there are very few districts in the United States that have not been and are not receiving Federal aid. For the past 8 years all the taxpayers of the United States have been pouring out millions of dollars to every city in the United States for streets, sewers, playgrounds, and for every conceivable civic activity. Only last Friday—the gentleman from Georgia points out that he has an Army center in his district—only last Friday this House voted $150,000,000 to help out those cities and areas where congestion occurs because of the defense program. I believe other cities are getting fully as large if not a great deal larger share of Federal money than the District of Columbia.

Mr. SASSCER. I think the gentleman is thoroughly right. They are getting more of their share proportionately than is the District of Columbia.

Mr. TARVER. May I say in response to the gentleman from Washington that the bill we passed last Friday was for the care of soldiers and their families, not for the benefit of any city.

Mr. MAGNUSON. Oh, yes; it was for the benefit of the areas and sections where defense activities were concentrated, to provide schools for the children, recreational and sanitary facilities, and many other things.

Mr. TARVER. That was mainly to take care of the problem of educating the children; they had to have added school facilities in some of the areas.

Mr. Chairman, I yield 1 minute to the chairman of the District Committee.

Mr. RANDOLPH. Mr. Chairman, the only reason I rise at this time is because of the colloquy between the gentleman from Maryland and the gentleman from Washington. May I say that not only have the States been receiving Federal funds in the way of grants through W. P. A., P. W. A., and other funds which are disbursed, but many of the States have paid into the Federal Government less in taxes each year than the Federal Government turned back to them for the improvement of those Commonwealths.

Mr. TARVER. Mr. Chairman, I yield back the balance of my time.

Mr. POAGE. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Texas is recognized for 1 hour.

Mr. POAGE. Mr. Chairman, I am not one of those who came in here after being away most of the afternoon. I was here at 12 o'clock and I have been here all afternoon.

I heard the discussion of this matter of the bill we passed last week giving aid to the various communities. Those who have discussed it recently were not present when it was more fully discussed earlier this afternoon and when the fact was made very plain, as it is plain to all of those who recall the legislation, that there was no exemption in that bill. The District of Columbia enjoys the benefits of that legislation on exactly the same terms as every State in this Union. The District of Columbia has enjoyed the W. P. A. and all the other programs of the Federal Government on exactly the same terms as every State in this Union and as was so well brought out by the gentleman from Kansas a good long time ago in this discussion, the District of Columbia has received a larger payment per capita in W. P. A. funds than many of the States of the Union and has received a higher wage per hour from the W. P. A. for labor performed here than many States of the Union.

The District of Columbia has not suffered in discrimination at the hands of the Federal Government in regard to those pieces of legislation which have so recently been cited as being of special benefit to the States, and, therefore, leaving the District of Columbia at a comparative disadvantage. The District of Columbia has received every one of

those advantages that the State of Washington has received, it has had the same opportunity to enjoy governmental payments that the State of Washington and all of the cities in the State of Washington have received. The District of Columbia has not been excluded from a single one. The District of Columbia has had everything that everybody else has had.

In addition to that, Mr. Chairman, it has had a pay roll of approximately $30,000,000 a month. In addition to that, it has had the greatest expenditure of public money that any city in the world has ever seen. In addition to that, it has the largest body of governmental workers of any city in the world today. In addition to that, it has been the center of Federal activities during a period of time when the greatest spending program of all the world has been under way. That centers right here in the city of Washington, and all of the cream is skimmed off in the District of Columbia before it gets out into the various States and Territories.

Right here in the District of Columbia there has been a long period of prosperity that has not been enjoyed by any portion of the civilized world for the last 10 years. I do not believe the people of the District would come before this Congress to make this request if they knew the facts. But the people of the District of Columbia, unfortunately, are as incapable of knowing the facts about their own Government as are the people of Berlin, Germany. The people of the District of Columbia have no better opportunity to know what goes on in their local government than do the people of those nations where the people are not expected to know.

Why do I say that? Because the means of knowing about your Government under our form of democracy is through the public press. That is the way I know in my home town what the city government is doing. I read my daily papers. The people of Washington read the daily papers, but what daily papers do they read? They read the Washington Star, they read the Washington Times-Herald, they read the Washington Post, and the Washington News. I read those papers, too, and I have sought for a number of years to find in any one of those papers a fair or complete statement of the comparative tax payments made by this District and other cities of the Nation. [Applause.]

I read just this last week in the Washington papers what purported to be a news item and what purported to be an editorial in an attempt to explain that the "wicked" men in Congress, those who "hate" the District, those who want to do "wrong" to the District, those same men who have kept this tax rate down, those men who have given this city what the city attorney of this city said is the best government in the world, those men who have given this city a bond-free city and a graft-free city, those men who are pictured as being so wicked in the Washington papers, were reported as telling the people that Washington had a low tax rate when, according to the newspaper, Washington, in deed and in fact, was one of the worst taxed cities in the Nation and to prove this they said, "Why, Washington taxes are on a 100-percent valuation basis." They assumed that that proved the fact.

My home State has had on the statute books since 1907 a law known as the full rendition law, making it a felony to render property for less than its full value. I know it is not enforced 100 percent, but I recognize also that in my home city of Waco, Tex., we come just as near rendering property on a 100-percent basis as they do in the city of Washington.

I cite two examples. I called the attention of this House some weeks ago to a report in two of the Washington papers, that will not give the people the facts about their own government, about the sale of land on Massachusetts Avenue to the Japanese Embassy. The Japanese Embassy bought two lots out there and paid $95,000 for them. Those lots were rendered for tax purposes in Washington at a value of $64,000. The gentleman from Kansas cited this afternoon an example of where the Federal Government is today buying property out on Connecticut Avenue, paying $900,000 for a piece of property that is carried on the tax rolls at $600,000, a valuation of approximately two-thirds in each case.

This does not prove that the people of Washington are any worse than other people. But it does prove that their 100-percent perfection exists only in the newspapers. Many cities make every effort to get their property rendered at 100 percent and with just about the same degree of success.

Mr. DINGELL. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Michigan.

Mr. DINGELL. Did my friend say that Washington is a bond-free city?

Mr. POAGE. Yes.

Mr. DINGELL. I should say to my friend that he had better stop making these startling disclosures because if he continues there will not be enough votes for the bill to make it worth while for the tellers to count them.

Mr. HOFFMAN. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Michigan.

Mr. HOFFMAN. The gentleman has been speaking about the Washington newspapers. Does he not realize that they render a wonderful service to Congress because if we would read those editorials in the morning we would not have anything to do? We would know what to do each day.

Mr. POAGE. We would know what they would have us do, but I am proud to find that the Members of this House are not controlled by the Washington newspapers.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my friend and colleague from Texas.

Mr. MAHON. The gentleman in his enthusiasm to present his views on this case does not mean to leave the inference that he feels unfriendly toward the people of the District of Columbia and that the people of the District of Columbia are any worse or any better than the people of the rest of the country? Is not that the truth?

Mr. POAGE. That is very true. I tried to explain that I thought the people of the District of Columbia are as fair as those anywhere else, and that if they had the opportunity to know the facts they would not be so unfair as to ask a bill of this kind, but that it is utterly impossible for the people of this District to know the facts. There is not a paper in Washington, with the possible exception of the Southeast Leader, that will publish the facts in Washington. There is not a single daily paper in Washington that will publish tomorrow morning the facts so well brought out by the gentleman who has quoted the tax rates in the other cities in this Nation. I here and now call upon the representatives of the Washington newspapers to publish tomorrow morning in their newspapers the fact that Jersey City pays a tax rate of $5.29 per $100 valuation on 100-percent valuation, that Boston pays $4.60, that Baltimore pays $3.34, that Houston, Tex., pays $4.72, and that New Orleans pays $3.94. There are many more, but those are enough. I call upon the newspapers of Washington, if they want to prove their fairness, to publish these figures tomorrow morning, and explain to the people of Washington just why this Congress is acting as it is going to. [Applause.]

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Pennsylvania.

Mr. RICH. Probably if they published the facts they would not sell their newspapers.

Mr. POAGE. The truth of the matter is that they pay taxes in the District of Columbia and that the newspapers of Washington very generally represent large taxable values in the District of Columbia. The $1.75 ad valorem tax rate is indeed advantageous to the newspapers of Washington. It means a great deal more to the newspapers of Washington than it does to many of the smaller people for whom we have found so much sympathy this afternoon. But after all, who is it owns this real estate in Washington that is paying but $1.75 in taxes? How many of these Government workers own their homes? How many of you here own your homes? Why, this is a city of tenants, dwellers in apartment houses owned by those who are able to keep them full, and who pay practically no taxes to the District. They are the people who are benefiting, and not only they but other groups in the District are benefiting by this failure to levy taxes on the District of Columbia.

I again call upon the newspapers of Washington, if they would claim to make any semblance of giving the facts to the people of this city, to call attention tomorrow morning to the fact that the people of the District of Columbia and you and I and all the Government workers who are here pay less than half the gasoline tax in this District that is paid in the average State in the United States.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I should like to get these facts in the record so that they will be clearly understood, and we can find out what the tax rate is in various cities on the basis of what we call the adjusted tax rate on 100-percent basis of assessment. These are the tax rates for last year on the adjusted basis: New York, $27.36—keep in mind that Washington on the adjusted-rate basis is $15.75—Chicago, $33.71; Philadelphia, $28.75; Detroit, $33.23; Los Angeles, $28.45; Cleveland, $25.56; Baltimore, $30.34; St. Louis, $23.29; Boston, $40.60; Pittsburgh, $29.42; and I will stop at Washington, $15.75.

Mr. POAGE. I appreciate the gentleman's contribution, and I would call attention to the fact that in addition to the disparity that exists on just the real estate rate, in most of the cities the gentleman has named the taxpayer pays not only the real estate tax but a gasoline tax twice as high as in the city of Washington. In the majority of those cities the taxpayer pays an income tax two or three times as high as in the city of Washington. In about two-thirds of those cities the taxpayer pays a sales tax that takes more money from his pocket than does the entire ad valorem tax.

Mr. FADDIS. In addition, do not the residents of those cities pay State and county taxes?

Mr. POAGE. Yes; certainly.

Mr. BATES of Massachusetts. All the taxes are included in the rates I gave.

Mr. POAGE. The figures the gentleman from Massachusetts gave include all the ad valorem taxes, as I understand.

Mr. BATES of Massachusetts. Yes.

Mr. POAGE. The figures show that in most cities of the Nation the ad valorem tax is approximately twice what it is in the city of Washington, plus all these special taxes where they enjoy exemptions here.

It has been mentioned that the reason for these special privileges in the District of Columbia is that the District Committee has worked hard and long and has given this city a good government. In that sentiment I concur. It was my pleasure to serve on the District Committee for some time. I say publicly that I feel that the District Committee is composed of honest, honorable, and hard-working gentlemen, who would not knowingly do anyone an injustice. However, in equal frankness I must state that I feel that members of the Committee on the District of Columbia have leaned over backward in their effort to be scrupulously fair to the city they represent, and in doing so they have unwittingly and are now unwittingly doing a grievous injustice to the other millions of people throughout the United States.

I know that we need a formula, and I know that there should be a fixed ratio between the Federal contributions and the District of Columbia income. I believe that I can give this House a formula. I simply want to give the formula for your consideration, although it may sound presumptuous on my part. I believe every fair-minded Member of this House upon mature reflection will agree that the formula that I present is equitable, much more so than the one presented this afternoon. That formula would be that any time the operation of the District government, by this Congress, imposes such burdens on the District that the people of the District are obliged to pay taxes in excess of the average tax paid throughout the Nation, then and not until then would the Federal Government be obligated in morals or good conscience to make a contribution to the District of Columbia. I have no criticism of those who say that if this Government imposes burdens on the District it should meet them. I agree with that principle. Let this Government meet and pay every burden that it imposes on the District of Columbia, but there is no burden imposed until the people of this District have paid the local government taxes commensurate with what your people in your district and throughout this Nation have to pay to support their governments at home. When that time is reached, I will join hands with every Member to see to it that the Federal Government makes restitution for any wrong that it has done. In the meantime, bear this in mind. The exemption that is enjoyed by the Federal buildings in the District of Columbia is also enjoyed by the Federal Government in direct ratio to its investment in every other city in this land. The smallest village in the land, if it has a Federal Government post office, receives no taxes from that institution of the Federal Government. True, that little village does not lose very much in the way of taxes, but proportionately, and in direct proportion as it becomes a burden on the community, that community loses its tax to the same extent or ratio of its total revenues that the District of Columbia does. There has never been a record of any community coming back to Congress and saying. do not put a post office in our town, perchance we cannot tax it. On the contrary, there is a wild scramble day after day to get everything they can out of the Federal Government.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. POAGE. Yes.

Mr. RICH. Does the gentleman not believe that the greatest danger of this bill is that they are going to tax Federal property in the District of Columbia, and that that might lead all of the communities in the country to call on the Federal Government to pay taxes on a Federal building wherever it may be located.

Mr. POAGE. That is the greatest danger, but it is not the greatest injustice, and I think we should legislate on matters of justice primarily. It would be more just if the Federal Government did submit all of its property to taxation all over the United States, than to exempt simply the property in the District of Columbia. If we are going to follow the policy, then follow it all the way through. I do not want to discriminate against a man in the District of Columbia, and I will not knowingly do it, neither will I knowingly vote to discriminate against a man in Texas, in New York, or in California.

Mr. THOMASON. Will the gentleman yield 5 minutes to me.

Mr. POAGE. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, I know the Members want to get away and that is the reason I have asked for only 5 minutes. I have been here now for 11 years and I have heard this kind of debate nearly every time the District Committee reports a bill. I rise to say just a few kind words for what I think is the finest, most beautiful, and best-governed Capital City in the world. I live in a little city away down on the Mexican border, 2,200 miles from here, but this is my Capital City, just as it is your Capital City, and I have just as much interest in this great city as any man or woman who lives here. There are many and violent criticisms every time District of Columbia legislation is mentioned. The citizens of this city cannot vote. They have no mayor or city council. Unlike our foreign possessions, they cannot even have a delegate or spokesman here.

One of the favorite pastimes seems to be to hop on the fine chairman of the committee the gentleman from West Virginia [Mr. RANDOLPH] and the members of the committee. Theirs is a hard and thankless job. They work hard and are sincere but it is seldom a controversial bill affecting the District ever passes.

Pardon a personal allusion, but I resigned the office of mayor in a little city of 100,000 in order to come up here and bask in the sunlight of this beautiful city. My first love is El Paso but I have been happy to spend a good part of the last few years here. I am grateful for what the schools here have done for my children. I enjoy the beautiful parks, fine libraries, and great art galleries of this voteless city. I am so very grateful that I am willing to spend a few more years here. [Laughter.]

I was much impressed with what the gentleman from Maryland [Mr. SASSCER] had to say. I have listened to these debates all these years and have never before said a word on a District of Columbia bill. I am no tax expert, but I have had a little experience in municipal government. If there is anything about which I am convinced as a matter of justice, right, and decency, it is that we quit making a football out of the District of Columbia and determine upon some fair and just formula of taxation that will settle this question. We would not then have these heated debates at every session. I do not undertake to say whether the 21 percent mentioned in this bill is right or not. If it is not, make it 15 or 10 or 30 percent; but I recall the record shows that the time was when the Federal Government paid 50 percent, and still later 30 percent, of the cost of government for the District. There are many fine citizens residing here; and many of them have come from our own districts. I say that is unfair to the great citizenship of the District of Columbia. I am not saying this is the wisest policy or the best method to adopt. The question before this House at this time is to see that these people are treated fairly. If the gasoline

tax is too low, my good friend the gentleman from Texas [Mr. POAGE], who preceded me, and the rest of us are responsible for it. If the children of Congressmen who come here ought to pay tuition in these schools, why not do our duty, instead of abusing these people, and claim that they are receiving so many advantages for which they are inadequately taxed?

They talk about taxes—how much lower the taxes are here than they are in other places. I once served in the Texas Legislature, and I know something about the tax rate in Texas. Right in my district and also that of my friend the gentleman from Texas [Mr. POAGE] there is plenty of property that does not pay on the basis of 30 cents on the dollar much less full rendition of 100-percent valuation. The people in Texas do not pay upon a 100-percent valuation, and probably nowhere else. Why not be fair about this thing and determine on some formula that will do justice and permanently settle the question? Pass this bill or one like it, let it go to conference, employ some fair and qualified experts, and adjust the matter. The District of Columbia and the city of Washington belong to all the people. It is our responsibility. We ought to be sure we deal justly by it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. THOMASON. Will the gentleman yield me a couple of more minutes?

Mr. POAGE. No; I want to use my time myself.

The CHAIRMAN. The gentleman from Texas [Mr. POAGE] is recognized.

Mr. POAGE. Mr. Chairman, I had not expected to use any more time. In fact, I had expected to wind this thing up when I concluded my remarks. My friend and colleague the gentleman from Texas [Mr. THOMASON] asked me to yield to him, and I felt that I should. He did not see fit to allow me to ask him a question when he was discussing my remarks. I feel, therefore, that there is nothing else for me to do but to discuss those remarks with you on my own time. Inasmuch as my good friend saw fit to devote the entire 5 minutes merely to a criticism of those of us who had opposed this legislation, making merely the broad statement that we were making a political football of it, with no substantiating argument whatsoever. I am sure that on reflection the gentleman will be fair enough to suggest that those of us who see this thing in a different light are possibly actuated by the same fair motives that he is.

Mr. THOMASON. Will the gentleman yield?

Mr. POAGE. Yes; I yield.

Mr. THOMASON. I certainly did not mean anything to the contrary. If the gentleman understood me that way, I crave his pardon and indulgence, because that was not intended.

Mr. POAGE. I am happy to understand that the gentleman feels that way, because I could hardly believe he would feel that those of us who were sincerely striving to arrive at a fair and equitable formula, not only fair to the District of Columbia, but to all the Nation, were not actuated by the same motives that he was, and I am sure he will agree that there was no more politics in doing the unpopular thing, no more politics in getting my name in the Washington papers in an unfavorable light, than there was in getting up here and getting his name in the papers in a very favorable light tomorrow morning.

Mr. HOFFMAN. And his picture, too. [Laughter.]

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. McCORMACK. Could the gentleman from Texas conceive of the gentleman from Texas [Mr. THOMASON] being other than ultrafair?

Mr. POAGE. That is right; and that is why I was so shocked. [Laughter.] That is why I was so surprised. That is why I felt I should get up here and have a clear understanding of this thing. I am happy that the gentleman has made it clear.

There are one or two other things that I think must be said. The gentleman has discussed the matter of taxes in Texas. I think that I tried my best to be very fair in my statement. I do not know whether the gentleman heard all of my statement or not. I know he has not been here all the afternoon. I hope the gentleman did hear it. I stated that while the law in Texas required 100 cents on the dollar assessment, I realized we failed to meet this legal requirement in many instances, just exactly as they failed to do it in the city of Washington. I have tried to state that the people of my State are not perfect. Neither are they any worse than the people in Washington. Neither do my people do anything more than is done right here involving many hundreds of thousands of dollars in the city of Washington. I do not accuse the people of either Texas or of the District of any wrongdoing, but I do insist that my people in Texas come just as near to rendering their property at 100 percent as do the people in this District.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. PATRICK. I just want to make the suggestion that we take a vote on this.

Mr. POAGE. That is a very fine suggestion. I now yield to the gentleman from Texas [Mr. MAHON], whom I see on his feet.

Mr. MAHON. I thank the gentleman. In view of the fact we are approaching the time when we must decide on the appropriation bill for the District of Columbia for this coming fiscal year, does not the gentleman believe that this afternoon we ought to vote this measure either up or down?

Mr. POAGE. I think we ought to vote it down.

Mr. MAHON. I wanted to know if the gentleman did not think we ought finally to dispose of the matter for the guidance of the Subcommittee on Appropriations.

Mr. POAGE. Certainly. I think it ought to be voted down and think so strongly enough that I yield back the balance of my time.

The Clerk read as follows:

Be it enacted, etc., That for the fiscal year ending June 30, 1942, and for each fiscal year thereafter, there shall be appropriated, out of any money in the Treasury not otherwise appropriated, as the annual payment of the United States toward defraying the expenses of the government of the District of Columbia, an amount which bears the same ratio to the total general fund appropriations, as contained in the regular annual District of Columbia appropriation bill for defraying the expenses of the government of the District of Columbia for such fiscal year, as the land owned by the United States in the District of Columbia on the 1st day of July of the preceding fiscal year bears to the entire land area of the District of Columbia; but in calculating such land ratio for any fiscal year, a fraction of 1 percent shall be disregarded, except that a fraction of more than one-half of 1 percent shall be counted as 1 percent.

With the following committee amendment:

Page 2, line 9, after the word "centum:", add the following: "*Provided*, That out of the total amount appropriated by the regular annual District of Columbia appropriation bill for each fiscal year there shall be made available for capital expenditures an amount at least equal to the amount herein required to be appropriated by such bill as the annual payment of the United States for such fiscal year."

The Clerk read as follows:

SEC. 2. As used in this act—

(a) The term "entire land area of the District of Columbia" means the total number of acres of land within said District (44,317 acres), less the amount of such land which is permanently covered by water (5,044 acres), or 39,273 acres in all.

(b) Except as provided in section 3 of this act, the term "land owned by the United States in the District of Columbia" means the total number of acres of land owned by the United States within said District as of the 1st day of July of the preceding fiscal year exclusive of the following: (1) Any of such land embraced within the boundaries of streets, avenues, roads, and alleys; (2) 56 percent of any of such land which is embraced within the park areas of said District; and (3) any of such land used exclusively by the government of the District of Columbia.

Mr. COLE of New York (interrupting the reading). Mr. Chairman, I ask unanimous consent that section 2 be considered as having been read and to be open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

SEC. 3. It is hereby declared that for the purposes of this act the land owned by the United States in the District of Columbia as of the 1st day of July 1940 consists of 8,322 acres, determined as follows: By deducting from the 12,831 acres of land owned by the United States (exclusive of such land devoted to highway purposes), the 4,207 acres comprising 56 percent of such land embraced within park areas, and the 302 acres of such land used exclusively by the government of the District of Columbia.

Mr. RANDOLPH. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The CHAIRMAN. The question is on the motion of the gentleman from West Virginia.

The question was taken; and the Chair being in doubt, the Committee proceeded to divide.

The affirmative of the question was taken.

Mr. MICHENER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MICHENER. Will the Chair state what the question is?

The CHAIRMAN. The question now is on the negative of the motion of the gentleman from West Virginia. The affirmative has been taken. Those opposed to the favorable reporting of the bill as amended will rise and stand until counted.

Mr. TARVER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TARVER. If this motion to report the bill favorably does not carry, it would then be in order to offer a motion to report the bill with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The bill would still be in the Committee, and such a motion would be in order.

Mr. RANDOLPH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANDOLPH. I want to say that the only purpose I had in making this motion that the Committee now rise was to get the matter in the House and have a vote on it.

The CHAIRMAN. Because of the interruptions during the taking of the vote, the Chair will put the question again.

The question is on the motion of the gentleman from West Virginia that the Committee do now rise and report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 3490) to fix the amount of the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, directed him to report the same back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. RANDOLPH. Mr. Speaker, I move the previous question on the bill and the amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DINGELL. Mr. Speaker, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 70, nays 231, not voting 130, as follows:

[Roll No. 52]

YEAS—70

Allen, La.	Eliot, Mass.	Magnuson
Andrews	Gregory	Mason
Arends	Guyer, Kans.	Mills, La.
Arnold	Haines	Patrick
Barnes	Harris, Ark.	Patton
Bates, Ky.	Harris, Va.	Pheiffer,
Beam	Healey	William T.
Bland	Hébert	Plauché
Bloom	Hendricks	Ramsay
Boggs	Holmes	Randolph
Boland	Hunter	Rankin, Miss.
Boykin	Jarman	Russell
Brooks	Johnson,	Rutherford
Burch	Luther A.	Sanders
Butler	Johnson, W. Va.	Sasscer
Byrne	Kee	Sauthoff
Canfield	Kefauver	Scanlon
Cartwright	Kocialkowski	Smith, Va.
Casey, Mass.	Kopplemann	Thom
Cochran	Lea	Thomason
Cole, Md.	McCormack	Tinkham
D'Alesandro	McKeough	Voorhis, Calif.
Domengeaux	McMillan	Wadsworth
Edmiston	Maciora	Weaver

NAYS—231

Allen, Ill.	Fenton	McIntyre
Andersen,	Fitzgerald	McLaughlin
H. Carl	Flaherty	McLean
Anderson, Calif.	Fogarty	Maas
Andresen,	Forand	Maciejewski
August H.	Ford, Leland M.	Mahon
Angell	Ford, Miss.	Martin, Iowa
Baldwin	Ford, Thomas F.	May
Bates, Mass.	Fulmer	Meyer, Md.
Beckworth	Gamble	Michener
Bell	Gehrmann	Mills, Ark.
Bender	Gerlach	Monroney
Bennett	Gibson	Moser
Blackney	Gilchrist	Mott
Bolles	Gillie	Mundt
Bolton	Gore	Murdock
Bonner	Gossett	Murray
Boren	Graham	Nelson
Bradley, Mich.	Granger	Nichols
Brown, Ga.	Grant, Ala.	Norrell
Brown, Ohio	Grant, Ind.	O'Brien, N. Y.
Bryson	Gwynne	O'Connor
Cannon, Mo.	Hall,	O'Hara
Carlson	Leonard W.	Oliver
Carter	Halleck	O'Neal
Chapman	Hancock	Pace
Chenoweth	Hare	Paddock
Chiperfield	Harness	Patman
Clason	Harter	Pearson
Claypool	Hartley	Pierce
Clevenger	Heidinger	Pittenger
Coffee, Nebr.	Hess	Ploeser
Cole, N. Y.	Hill, Colo.	Plumley
Collins	Hill, Wash.	Poage
Colmer	Hinshaw	Powers
Cooper	Hobbs	Priest
Costello	Hoffman	Rabaut
Courtney	Holbrock	Ramspeck
Cox	Hook	Rankin, Mont.
Cravens	Hope	Reece, Tenn.
Crawford	Hull	Reed, Ill.
Creal	Izac	Reed, N. Y.
Crosser	Jackson	Rees, Kans.
Crowther	Jarrett	Rich
Culkin	Jenkins, Ohio	Richards
Cunningham	Jensen	Robertson, Va.
Curtis	Johns	Robinson, Utah
Davis, Ohio	Johnson, Ill.	Robsion, Ky.
Davis, Tenn.	Johnson, Ind.	Rockefeller
Day	Johnson, Okla.	Rodgers, Pa.
Dewey	Jones	Rogers, Mass.
Dickstein	Jonkman	Rolph
Dingell	Kean	Sacks
Dirksen	Kelley, Pa.	Schuetz
Disney	Kilburn	Secrest
Dondero	Kilday	Shafer, Mich.
Doxey	Kinzer	Sheppard
Drewry	Kirwan	Short
Duncan	Kramer	Smith, Conn.
Dworshak	Landis	Smith, Ohio
Eberharter	Lanham	South
Edelstein	Larrabee	Sparkman
Elliott, Calif.	Leavy	Spence
Ellis	LeCompte	Springer
Engel	Lewis	Stearns, N. H.
Englebright	Ludlow	Stefan
Faddis	McGehee	Stevenson
Fellows	McGregor	Stratton
Sullivan	Van Zandt	Wickersham
Sumner, Ill.	Vincent, Ky.	Wigglesworth
Sutphin	Vorys, Ohio	Williams
Talle	Vreeland	Wilson
Tarver	Weiss	Wolverton, N. J.
Thill	Wene	Woodruff, Mich.
Thomas, Tex.	Wheat	Worley
Tibbott	Whelchel	Young
Traynor	White	Youngdahl
Treadway	Whittington	Zimmerman

NOT VOTING—130

Anderson,	Hall,	Rizley
N. Mex.	Edwin Arthur	Robertson,
Barden	Harrington	N. Dak.
Barry	Hart	Rogers, Okla.
Baumhart	Heffernan	Romjue
Beiter	Houston	Sabath
Bishop	Howell	Satterfield
Boehne	Imhoff	Schaefer, Ill.
Bradley, Pa.	Jacobsen	Schulte
Buck	Jenks, N. H.	Scott
Buckler, Minn.	Jennings	Scrugham
Buckley, N. Y.	Johnson, Calif.	Shanley
Bulwinkle	Johnson,	Shannon
Burdick	Lyndon B.	Sheridan
Burgin	Keefe	Sikes
Camp	Kelly, Ill.	Simpson
Cannon, Fla.	Kennedy,	Smith, Maine
Capozzoli	Martin J.	Smith, Pa.
Case, S. Dak.	Kennedy,	Smith, Wash.
Celler	Michael J.	Smith, W. Va.
Clark	Keogh	Snyder
Cluett	Kerr	Somers, N. Y.
Coffee, Wash.	Kleberg	Starnes, Ala.
Connery	Knutson	Steagall
Cooley	Kunkel	Sumners, Tex.
Copeland	Lambertson	Sweeney
Cullen	Lesinski	Taber
Delaney	Lynch	Taylor
Dies	McArdle	Tenerowicz
Ditter	McGranery	Terry
Doughton	Mansfield	Thomas, N. J.
Douglas	Marcantonio	Tolan
Downs	Martin, Mass.	Vinson, Ga.
Durham	Merritt	Walter
Eaton	Mitchell	Ward
Elston	Myers, Pa.	Wasielewski
Fish	Norton	Welch
Fitzpatrick	O'Brien, Mich.	West
Flannagan	O'Day	Winter
Flannery	O'Leary	Wolcott
Gale	Osmers	Wolfenden, Pa.
Gathings	O'Toole	Woodrum, Va.
Gavagan	Peterson, Fla.	Wright
Gearhart	Peterson, Ga.	
Geyer, Calif.	Pfeifer,	
Gifford	Joseph L.	
Green	Rivers	

So the bill was rejected.

The Clerk announced the following pairs:

General pairs:

Mr. Woodrum of Virginia with Mr. Taber.
Mr. Barden with Mr. Ditter.
Mr. Gavagan with Mr. Martin of Massachusetts.
Mr. Boehne with Mr. Keefe.
Mr. Gregory with Mr. Baumhart.
Mr. Joseph L. Pfeifer with Mr. Simpson.
Mr. Bulwinkle with Mr. Elston.
Mr. Satterfield with Mr. Howell.
Mr. Clark with Mr. Thomas of New Jersey.
Mr. Martin J. Kennedy with Mr. Knutson.
Mr. Cooley with Mr. Bishop.
Mr. Kleberg with Mr. Osmers.
Mr. Doughton with Mr. Copeland.
Mr. Vinson of Georgia with Mr. Scott.
Mr. Cullen with Mr. Gearhart.
Mr. Mansfield with Mr. Winter.
Mr. Fitzpatrick with Mr. Jennings.
Mr. Sumners of Texas with Mr. Kunkel.
Mr. Kerr with Mr. Burdick.
Mr. Starnes of Alabama with Mr. Lambertson.
Mr. Rivers with Mr. Douglas.
Mr. Schulte with Mrs. Smith of Maine.
Mr. Steagall with Mr. Gifford.
Mr. Burgin with Mr. Cluett.
Mr. Gathings with Mr. Welch.
Mr. Flannagan with Mr. Case of South Dakota.
Mr. Durham with Mr. Rizley.
Mr. West with Mr. Eaton.
Mr. Peterson of Georgia with Mr. Wolcott.
Mr. O'Leary with Mr. Fish.
Mr. Green with Mr. Wolfenden of Pennsylvania.
Mr. Hart with Mr. Edwin Arthur Hall.

Mr. Kelly of Illinois with Mr. Gale.
Mr. Lynch with Mr. Jenks of New Hampshire.
Mr. Dies with Mr. Robertson of North Dakota.
Mrs. Norton with Mr. Johnson of California.
Mr. Delaney with Mr. Buckler of Minnesota.
Mr. Camp with Mr. Marcantonio.
Mr. Buck with Mr. Harrington.
Mr. Peterson of Florida with Mr. Snyder.
Mr. Merritt with Mr. Wright.
Mr. Romjue with Mr. Beiter.
Mr. Capozzoli with Mr. Sikes.
Mr. Flannery with Mr. Taylor.
Mr. Walter with Mr. Smith of Washington.
Mr. Houston with Mr. Buckley of New York.
Mr. Shanley with Mr. O'Brien of Michigan.
Mr. Ward with Mr. Celler.
Mr. Barry with Mr. Imhoff.
Mr. Myers of Pennsylvania with Mr. Smith of West Virginia.
Mr. Tolan with Mrs. O'Day.
Mr. McArdle with Mr. Scrugham.
Mr. Terry with Mr. Sweeney.
Mr. Schaefer of Illinois with Mr. Jacobsen.
Mr. Lyndon B. Johnson with Mr. Sheridan.
Mr. Tenerowicz with Mr. Shannon.
Mr. Somers of New York with Mr. Wasielewski.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, this concludes the legislation on the District of Columbia Calendar for today.

GUY A. THOMPSON, TRUSTEE, MISSOURI PACIFIC RAILROAD CO.—JEFFERSON BARRACKS, MILITARY RESERVATION

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 916) authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation, and its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War (hereinafter referred to as "Secretary"), be, and he is hereby, authorized and directed to grant to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., debtor, and successors in interest (herein referred to as "grantees") a license to maintain, operate, repair, renew, and construct, at grantee's expense, upon Jefferson Barracks Military Reservation, Mo., such passenger station, depot grounds, and sidings as, in the opinion of the Secretary, are reasonably necessary to serve said reservation and will not conflict with the use of said reservation for any governmental purpose, and to maintain, operate, repair, and renew that portion of the existing main line right-of-way of said railroad on said reservation in excess of the 60-foot right-of-way authorized by the act of Congress approved February 14, 1853 (10 Stat. 754), as amended by the act of Congress approved July 14, 1856 (11 Stat. 452): *Provided, however*, That nothing herein, or in such license, shall be construed as relieving said railroad from compliance with any of the provisions of the Interstate Commerce Act as amended, or as it may hereafter be amended. Any license so granted shall (1) be revocable at the will of the Secretary; (2) provide that the Secretary may, in lieu of revoking such license, require the grantees to relocate any such trackage or facilities for the purpose of preventing interference with the use of such reservation for governmental purposes; and (3) provide that the privileges granted thereby shall be exercised subject to such rules and regulations as the Secretary, or the commanding officer of such reservation with the approval of the Secretary, may prescribe in the interests of maintenance of good order, sanitation, discipline, public safety, and the interests of the United States.

Mr. COCHRAN. Mr. Speaker, the House passed an identical bill by unanimous consent last Tuesday. This measure has the approval of the Secretary of War and simply continues to permit the Missouri Pacific Railroad to have a right-of-way through Jefferson Barracks, Mo., which it has had for probably 75 years. It is a revokable license and as I say there is no objection to continuing the practice which I might add is also beneficial to the Government. This bill passed the Senate May 1 and at the time the House bill was passed it should have been substituted.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORN AND WHEAT MARKETING QUOTAS

Mr. FULMER submitted a conference report and statement on the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, at this point I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

STRIKES IN DEFENSE INDUSTRIES

Mr. WOODRUFF of Michigan. Mr. Speaker, some weeks ago I expressed on the floor of the House of Representatives some apprehension as to the effectiveness of the National Mediation Board appointed by the President. At that time I based my apprehensions on the fact that the Mediation Board could not intervene to function in any union disputes, or in any disagreements between labor and industry until the Department of Labor, through the Secretary, Madam Perkins, had first decided (1) that a strike or lock-out was in fact interfering with the national defense; and (2) that the Conciliation Bureau of her own Department could not successfully handle the mediation of such strikes.

I had naturally assumed, of course, at the time I discussed the new Mediation Board, that it would always be composed of individuals none of whom would have any personal interest in the outcome of the mediations through affiliation with any corporation or union involved in the disputes. I now learn, to my alarm, that on the Mediation Board which is now sitting in connection with the dispute between the General Motors Corporation and the U. A. W., C. I. O., are actually two officials on the pay roll of the C. I. O. Obviously, those members cannot be unprejudiced, dispassionate, and disinterested in the outcome of any negotiations in which their own parent organization is a party at interest.

I learn further a U. A. W., C. I. O., leader named Walter Reuther is having an active and important part in these mediation negotiations. I recall that this man's record—if it is the same individual—was placed in the CONGRESSIONAL RECORD some time ago, and that record showed this man to be a Communist labor agitator or the intimate associate of Communist labor agitators.

Certainly Communist labor agitators cannot have the welfare of the national defense of the United States at heart since what they seek to achieve is the complete disorganization and chaos in industry so that they may get a chance to take over the management and control of American industry as they have done under the Stalin dictatorship in terror-ridden Russia.

If these conditions are as I have every reason to believe they are, then it is time for the American people to be told the facts and to be awakened to the insidious danger which threatens our national defense and the security of this Nation.

From time to time I have expressed on the floor of the House or through newspaper statements the belief that, whether by design or not, these strikes were slowly forcing the Nation to a point where the administration would begin to commandeer industrial plants and operate them under governmental supervision. I have pointed out several times that such a result would lead directly to the regimentation of labor as well as of the rest of the people of this Nation, and would lead to the further demand by the administration for the validation by the Congress of the industrial-mobilization plan. That, in effect, would be a military dictatorship.

My fears of these results have been increased by the facts which seem to exist in connection with the mediation of this threatened disruption of defense work in the General Motors plants, in shipbuilding on the Pacific coast, and in other important defense industries. These mediation negotiations of the General Motors dispute have been in complete deadlock and may continue so until prejudiced partisan interest is eliminated from the membership of the Board.

According to a statement I noted in a Michigan daily paper there were several issues which were causes of the deadlock of the negotiations in Detroit.

First, there seems to be the matter of wages in which a flat demand is made for a 10-cents-per-hour increase in the wages now paid by the General Motors.

Apparently there has come about a sort of dime-an-hour-increase fad because the C. I. O. demanded and secured from another industry—the iron and steel industry—an increase of 10 cents an hour. Of course the respective conditions governing the two industries are not comparable on such a basis. Also I find by consulting Department of Labor records that the General Motors industry is now paying the highest wages of any leading industry in the Nation. Its average for

all men in car and body plants is, I learn, $1.05 an hour. Other industries in the Nation, exclusive of the automotive industry, range in wages from slightly over 80 cents an hour down to about 49½ cents an hour. Thus automotive pay is far above what are admittedly good wages in other lines of work.

It becomes apparent, therefore, that wages and working conditions are not the real issues involved in this threatened strike, and it is time the Congress and the country learn what are the real, underlying motives behind this and the other strikes which are now so gravely hampering national defense.

Another point which has been raised is that of the closed shop. Many months ago I pointed out that the closed shop in American industry is not in accordance with free enterprise, freedom of contract, the operation of a free and untrammeled economy.

Incidentally, how can the two C. I. O. men on the Mediation Board be expected to rule dispassionately and without prejudice when one of the basic tenets of their parent union is the closed shop? The closed shop would give to labor racketeers and self-seeking labor leaders dictatorial power over the working people, over industry, and over the national defense. Many of these racketeering labor leaders have already shown they are perfectly ready and willing to sacrifice the security of the Nation and the welfare of the wage earners in order to acquire power and profits for themselves.

I have always doubted—and I am by no means alone in this view—that the closed shop is in accordance with the Constitution. I believe such a regulation, that free American citizens must join and pay dues to a private association—for that is what a labor union really is—and have to submit to such assessments as may be levied upon their wages by officials who have no public responsibility for the administration of their offices, and who make no public accounting of their collections or expenditures, is not according to the Constitution. Certainly that question ought not to be decided by a mediation board such as that now sitting.

Another factor involved in this dispute about which I am greatly concerned is the loss which will accrue to the wage earners, especially those in my own district, if a strike grows out of a failure to mediate this dispute. Certainly, according to information which I have, the loss in wages to the working people in this industry will be at least $2,000,000 a day.

I have always been a partisan on the side of organized labor. I still am. I believe prosperous and happy wage earners are essential to a prosperous and secure America; but I believe a sound and prosperous industry is a prerequisite to a prosperous body of wage earners. And, above all else, paramount to every other consideration, the national safety, the security of the country, the welfare of our homes and our people—in short, the national defense—transcends every privilege or every interest of both industry and labor. No arbitrary or obstinate attitude on the part of anybody should be permitted to block successful mediation of this and all other disputes in the future, which directly or indirectly affect adversely the national defense.

EXTENSION OF REMARKS

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by my colleague the gentlewoman from Ohio [Mrs. BOLTON].

The SPEAKER. Is there objection to the request of the gentlewoman from Montana?

There was no objection.

(Mr. LANDIS asked and was given permission to extend his own remarks in the RECORD.)

Mr. HOFFMAN. Mr. Speaker, on May 2 I spoke about a Pittsburgh hospital. I ask unanimous consent to make several corrections and additions to that speech.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal, disposition of matters on the Speaker's table, and at the conclusion of any orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

EXTENSION OF REMARKS

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include radio addresses made by Rev. John A. Ryan, Senator O'Mahoney, and myself at the anniversary of the Labor Encyclicals.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

[Mr. VOORHIS of California addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under a previous order of the House the gentleman from Ohio [Mr. JONES] is recognized for 15 minutes.

Mr. JONES. Mr. Speaker, as a member of the Interior Department Subcommittee on Appropriations, at the conclusion of the hearings on the 1942 Interior Department appropriation bill, I asked the Secretary of the Interior some questions about his handling of oil leases on the public domain of Alaska, and particularly about Tommy Corcoran's client, the Iniskin Drilling Co. The record is more alarming by what is not revealed than what is said.

I quote a letter from the Secretary of the Interior to the Secretary of the Navy on the subject matter of the inquiry:

THE SECRETARY OF THE INTERIOR,
Washington, March 19, 1941.

The honorable the SECRETARY OF THE NAVY.

SIR: I have given careful consideration to the problems raised by Mr. R. E. Havenstrite's proposal for a Government loan to finance the drilling of a new test well in the Iniskin Peninsula area in Alaska held by him and his associates under oil and gas leases issued by this Department.

Insofar as these problems relate to the advisability of granting a loan, they are not within the jurisdiction of this Department, and it would be inappropriate for me to express any opinion concerning them. I would like to point out, however, that the royalties to the United States in the present leases were fixed at a specially low rate because the lessees were undertaking to explore the oil and gas possibilities of this area at their own risk and expense. Should it be decided to advance Federal funds to finance the operations of these lessees, I believe that the granting of a loan should be conditioned, among other things, on an upward revision of the royalty rates fixed in the leases. For this reason I should be kept advised of further developments in this matter and be given an opportunity to suggest what revision ought to be required in order to protect the interest of the United States entrusted to this Department.

Very truly yours,

HAROLD L. ICKES,
Secretary of the Interior.

The letter indicates Corcoran's client has a lease with the Government in the public domain of Alaska. The letter leaves no doubt that Corcoran's client has "specially low-rate" royalties to the United States. The letter does indicate that Corcoran's client has presented problems to the Interior Department. The letter leaves no doubt that Corcoran's client wants Federal funds to drill "a new test well in the Iniskin Peninsula area in Alaska held by him, Havenstrite, and his associates under oil and gas leases issued by this Department."

Bear in mind this letter was not before me when I questioned Secretary Ickes. Therefore the questions did not ferret out the analysis which I now desire to make.

Let us analyze this letter to see what the letter shows the Secretary of the Interior thought of Corcoran's proposal. The Secretary of the Interior must have thought Corcoran had a pretty good chance of getting this money for his client from the Navy Department, or there was no necessity for the letter to the Secretary of the Navy. We all know that Corcoran's role as an exbrain truster is a formidable one. It is common knowledge that Corcoran's legal fraternity is honeycombed in the New Deal agencies of the Government in particular, and everywhere else in general. We all know he has been, and very likely still is, a power behind the throne. Is Secretary Ickes the only citizen of the United States

who does not know of Corcoran's formidable position with the powers that be? The letter implies Secretary Ickes' recognition of "Tommy the Cork's" influence.

In spite of the self-serving declarations in this letter of March 19 to the Secretary of the Navy, is not the letter an implied acknowledgment that Corcoran was going to deliver the bacon to Havenstrite's company? Think of it, now, the subject matter of Ickes' letter to the Navy is about low royalties to the United States; but could not the Secretary of the Navy draw the conclusion notwithstanding the negatives of the Secretary of the Interior suggesting revision of the lease agreements with Corcoran's client that Ickes anticipated the Secretary of the Navy would furnish money for this "wildcat" oil-drilling operation? Is it not an apparent implied approval of the deal?

This letter of Secretary Ickes I have referred to was written on March 19, 1941. Four weeks later, on April 16, 1941, he came before the Appropriations Committee. I asked him some questions about oil leases. He gave general answers and his attitude aroused my interest. I resolved to make further inquiries. What I learned led me to ask that some one be recalled before the committee for specific questions on this matter. Had he volunteered more information about the general conduct of the public domain under his charge, I probably would not have pressed this matter. That was the start of what has been called in some quarters a "smear."

I asked Secretary Ickes rather than a subordinate, because the Secretary of the Interior, when apprised of my desire to know more about Alaskan oil, apparently wanted to answer my questions personally. At least, Burlew sent such word back to the committee clerk. Burlew was scheduled to come before the committee again on the 18th. After I told the committee clerk that I would be happy to comply with the Secretary's wishes, Mr. Burlew's appearance was canceled. How can it be said that there was an attempt to "smear" the Secretary when he came before the committee at his own request to answer Alaskan oil questions?

Under the established practices of the committees of the House, a Cabinet officer is given every opportuity to make a statement before or after he is questioned. He is never required to answer "Yes" or "No." He can elaborate and even correct or revise his remarks after the stenographer's notes are transcribed. This hearing is no exception. The Secretary could make any statement he wanted about the matter after I had concluded, and he chose not to do it. Now, that answers the "smear" argument.

Before talking to you today, I have rechecked the questions and answers that were given. As I said, the Ickes answers are more startling for the things that are not said than by what appears in the record.

Now, let us look at the record. The first question presumed that he was familiar with the operations of the Iniskin Oil Co. The reply, "Is this the Havenstrite group?" I hope Tommy Corcoran's appeal for wild-cat oil financing by the Government was unusual enough that when Iniskin Oil Co. was mentioned to Secretary Ickes a month later he would think of Havenstrite, like pork suggests beans. I thought his reply at the time was an Ickes fishing expedition to see how much I knew. The next reply the Secretary gave showed that the Havenstrite Co. spent about a million dollars and he did not get any oil.

The next two questions and answers indicate that the Havenstrite Co. have exploration leases on the public domain of Alaska, and not on the naval reserves.

The following question is significant:

> Did Havenstrite or his counsel recently approach you with respect to arranging for the oil which might be taken out of this Alaska well, or one of the wells, so that the oil might be stored for the Navy?

The answer did not reveal Tommy the Cork coming to see him with Havenstrite. The answer did not indicate what the plan of Government finance of this private company was. The question was broad enough to make a full explanation of Corcoran's method responsive and pertinent. Had Mr. Ickes wanted to be frank, had he not wanted to be pressed by the questions that followed, he had a full opportunity to tell all to your committee. He let the opportunity pass and the questions that follow are the result of his holding back.

He could have told your committee then if Corcoran's proposal was to have the Secretary of the Navy sign an if-and-when contract with Corcoran's client—if and when they struck oil—to take the oil. If he knew that the Navy Department agreement with Corcoran's client could be used to borrow money from R. F. C., where Corcoran's buddies are plentifully sprinkled, or the O. P. M., he had the opportunity to tell. He owed it to Congress and to our people to tell it.

Since the hearing I understand that Corcoran's client had recently had their contract renewed for a period of 5 years. They had spent about $1,000,000. How did this million affect their ability to explore the public domain? Let us look at the next questions and answers:

> Mr. SHEPPARD. Was this first well a duster; it was a dry well?
> Secretary ICKES. That is right.
> Mr. JONES. They are still drilling in that well trying to get oil?
> Secretary ICKES. I do not think so.
> Mr. JONES. Is he drilling another well?
> Secretary ICKES. No; he wants to drill another well.

On the one hand Corcoran hopes to get public funds, probably defense funds, to drill another well The claim would be national defense. On the other hand, Secretary Ickes ties up the territory for 5 years with a company that is broke—does not have enough funds to drill another well.

The next question was asked to get a frank statement from Mr. Ickes about who was to sign an agreement with Corcoran's client that would be used to pry open the door of the Treasury for the wildcat oil scheme. Mr. Ickes still did not explain why Corcoran brought Havenstrite to him if the money was to come from the Navy Department, as his answer would indicate. Corcoran saw Ickes. If he did not have power to enter into the agreement, what contribution did Corcoran hope to get from Mr. Ickes? If he could not do that, what could he do? What did Corcoran want him to do?

The next question was still addressed to the inquiry, Who was going to sign an agreement and what was the Secretary of the Interior to do for Corcoran? The reply still does not tell how Corcoran was going to get any drilling done.

What part was Secretary Ickes to play in this scheme of Corcoran's? He was pursued further. I quote my next question:

> Mr. JONES. Did you communicate with the Secretary of the Navy to persuade him or give him the impression you were favorable; that you could look upon it with favor?

I want you to particularly note that question because later on the following colloquy occurred:

> Secretary ICKES. Well, why do you assume there was a letter?
> Mr. JONES. You said there was.
> Secretary ICKES. I know, but you assumed it as a basis of your questions.
> Mr. JONES. I assumed what?
> Secretary ICKES. That I had written a letter.
> Mr. JONES. I asked you.
> Secretary ICKES. You asked me!
> Mr. JONES. I said had you communicated or written a letter or anything. I do not think I even mentioned a letter.

These are some of the highlights of the inquiry. The only part that was unsuccessful was Ickes' fishing expedition to find out whether I knew there was a letter, and incidentally to find out where I got the information to ask the questions.

Mr. Ickes said shortly after this colloquy:

> Well, it is an interesting experience to come before the Appropriations Committee and be subjected to a fishing expedition on a matter that is not within the jurisdiction of the committee. I think it is taking an unfair advantage.

Now, surely Mr. Ickes does not condemn himself for his little fishing expedition to find out how much his questioner knew and how he got his information, or does he?

The hearing on this point is unique. The Secretary of the Interior owes responsibility to be frank, informative, and enlightening to any Member of Congress addressing inquiries to him. He should not be ducking, dodging, and hedging every inquiry. He is a public officer whose every public act is the subject of inquiry of a free people. My constituents, I hope not unlike yours, expected each elected public official to answer every query about his public service. If he does not, the free men and women usually separate him from the public pay roll on election day.

In this, the last great government of free men, we as representatives owe a high and lofty duty to insure that Federal employees from top to bottom conduct the affairs of their offices in such a manner as to be above reproach. The American way of life is something more than a catch phrase to drag our people into a foreign war. It is a way of government where the people are boss, where

Congress is supposed to control the purse strings of the Nation.

The questions were asked by a Congressman to stop Government defense funds from being used to finance a wildcat private oil operator in the Alaskan public domain. I asked the questions, having a factual basis for my inquiry as the testimony of Ickes and his letter to the Secretary of the Navy proves.

Have we drifted so far away from the American way of life that a high executive in our Government can presume to criticize the kind of questions asked about his handling the leasing of public domain. Is Secretary Ickes an autocrat whose conduct, whose part in Corcoran's play to get defense funds for his client are above the questioning of a Congressman? That is what this inquiry is about. Corcoran's plan to finance his client in drilling of an oil well in Alaska. Think of it, finance a private company in the wildcat oil business on the public domain. There is no doubt about it. Who supplies the money to the governmental agencies? Congress. As a Member of Congress I felt it my duty to stop it, if possible. How much money did Corcoran want? Congress is not enlightened upon that point, but I assume since the previous operation cost a million dollars, Corcoran wanted at least another million plus his fees. What a price for my country to pay for Corcoran's influence.

The Ickes letter to the Secretary of the Navy and testimony would indicate that the Navy contemplated furnishing the money. The Navy Department is not a lend-spend agency. If the money were to come from them, the money would have to come from defense funds, and I think it would be misapplied, because wildcat oil financing is not defense. Thank God, the Secretary of the Navy apparently did not fall for the Corcoran plan.

If it were to come from one of the lend-spend agencies, wildcat oil financing is not within the purview of the New Deal social gains.

Now, let us see what we ought to know further about this wildcat oil scheme.

Who are the stockholders and investors in the company? That would be enlightening to know. I understand that Havenstrite has investors among the moving-picture stars. An investigation might show if some of the stockholders suggested employing Corcoran.

It would be interesting to know why Havenstrite could not get an ear for his problem for days. He was in Washington for days trying to get someone to listen to him. Then he hired "Tommy the Cork." Within a few hours he was talking to the Secretary of the Interior about getting money for his company to drill another well. His company is probably in bad financial shape after sinking a million dollars in a dry hole.

An investigation would show how much Corcoran's fee would be. The news article says Corcoran brags of making millions. Let us get his modus operandi. Let us see if we can stop the insidious movements of "Tommy the Cork" in the temple. Let us stop this funnelling of millions of dollars by "Tommy the Cork" of the toil and tears of our people.

Are we going to get a penny's worth of defense for every penny spent, or is Tommy Corcoran going to dissipate it?

Let us investigate this matter and see how much money we are losing on this all-out defense effort.

I made no accusations of a black bag in the entire hearing. The questions drew blood. There was no charge of a black bag. This outburst of Secretary Ickes was apparently dictated by his still small voice of conscience. [Applause.]

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Times on helicopters.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

(Mr. RABAUT asked and was given permission to revise and extend his remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday next, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from South Dakota [Mr. MUNDT] is recognized for 20 minutes.

PUBLIC-OPINION POLLS

Mr. MUNDT. Mr. Speaker, the Senate Committee on Interstate Commerce has before it Senate Resolution No. 111. I call that resolution to the attention of Members of this House and to citizens throughout the country because I believe they will want to get in touch with their favorite Senators and ask them to urge that Senate committee to hold an investigation in connection with that resolution.

In brief, the resolution asks that the Senate Committee on Interstate Commerce make an investigation without prejudice of the various public-opinion polls which are being conducted through the mails in America and which are being released to newspapers, to magazines, to Congressmen, to members of the Cabinet, and to others, and which are utilized by many speakers as basic facts. When we find public-opinion polls having reached such a point of eminence that members of the Cabinet refer to them as factual data in building talks for national broadcasts, I believe everybody in the country should be interested in knowing for sure that these polls are scientifically conducted and are being utilized as fact-finding agencies and not as opinion-forming devices.

My own curiosity in this connection was stimulated by the fact that on last Friday I received a letter from one of the leading educators of South Dakota, which I shall read to you at this time. It has to do with the matter of public-opinion polls:

OFFICE OF SUPERINTENDENT OF SCHOOLS,
South Dakota, May 8, 1941.

The Honorable KARL MUNDT,
United States Representative,
Washington, D. C.

DEAR CONGRESSMAN: Enclosed is an exact copy of a letter and questionnaire which came to me in response to my offer to act as an interviewer.

Obviously, this organization is more concerned about creating a public opinion according to its own design than getting the uninfluenced opinion of the people of the locality by random selection.

Very likely every schoolman in South Dakota, as well as all of the States in the Union, have been asked to name individuals for interviewers. My own interest in this type of work brought me this revelation.

I am wondering if you can get the "low-down" on this outfit immediately. If it deserves an exposure, I propose doing it through the educational associations through the various States.

Cordially yours,

_____,
Superintendent of Schools.

Mr. Speaker, I ask unanimous consent to include in the RECORD at this point the letter this superintendent of schools received from the Opinion Research Corporation, of Princeton, N. J., together with two sets of questions and an office form which the Opinion Research Corporation, of Princeton, N. J., sent to this superintendent of schools to determine his availability as an interviewer.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The matter referred to follows:

OPINION RESEARCH CORPORATION,
Princeton, N. J.

DEAR MR. SUPERINTENDENT: I am pleased to hear that you would be interested in part-time interviewing work on our public-opinion surveys.

I should think that you would fit in well with our national organization. Before we can make a final decision, however, we need some forms filled in and a small snapshot of you.

I should appreciate it if you would fill in the enclosed sample ballot, which is stamped "For your own opinion," the form regarding our relationship, and the "Information for files." Please return these and the snapshot in the enclosed stamped envelope. I hope to hear from you soon.

Sincerely yours,

JOSEPH C. BEVIS,
Director, Interview Department.

Please Attach A Snapshot
Of Yourself

OPINION RESEARCH CORPORATION
90 Nassau St., Princeton, N. J.

INFORMATION FOR FILES

Date.....

Mr. }
Mrs. }.....
Miss }
Street..... Date of Birth.....
Religious Denomination.....
(Specific)
City and State..... Nationality.....
Residence Phone..... Political Affiliation.....
Check whether: ( ) Single. ( ) Married. ( ) Widowed. ( ) Divorced.
Do you have a car available for interviewing? Make .... Model .... Year .... ( ) No car.

EDUCATION (check highest reached):
(—) Grade school. (—) College, incomplete.
Name of college .....
(—) High school. (—) College, graduated.
Degrees .....
(—) Business or trade school. (—) Scholastic honors if any .....

Name of firm with which you are now connected .....
Date began .....
Type of business ..... Your position in firm .....
Hours of work (please be specific) .....
Average number of hours per day you can devote to interviewing .....
Other research agencies you work for .....

OTHER WORK EXPERIENCE (list most recent first):

Organization	City	Your position	From—To

Present interests and activities .....
Please give two references of persons not related to you:

Name	Address	Occupation

OPINION RESEARCH

1. Are you in favor of all-out aid to Great Britain and other warring democracies? (□) Yes. (□) No. (□) No opinion.
COMMENT: .....
2. Do you favor an immediate declaration of war against Germany? (□) Yes. (□) No. (□) No opinion.
3a. Do you think the defense program is going ahead fast enough? (□) Yes. (□) No. (□) No opinion.
IF NO: b. Who is most to blame? .....
4. Would you be in favor of having the Government regulate prices during the defense program? (□) Yes, regulate. (□) No. (□) No opinion.
5. What do you think of the Starling Committee? (□) Favorable, on the whole. (□) Unfavorable, on the whole. (□) Undecided. (□) Never heard of it.
6. If the question of prohibition came up again, would you vote to make the whole country dry? (□) Yes, dry. (□) No. (□) No opinion.
7a. Do you think the Government should take over and run all or most factories now working on defense materials? (□) Yes. (□) No. (□) No opinion.
b. Why do you feel that way? .....
8. What do you think of the Dies committee? (□) Favorable on the whole. (□) Unfavorable, on the whole. (□) Undecided. (□) Never heard of it.
COMMENT: .....
9. Which do you think is more to blame for strikes in defense plants—labor or industry? (□) Labor. (□) Industry. (□) No opinion.
10a. For whom did you vote in 1940? (□) Roosevelt. (□) Willkie. (□) Others ..... (□) Didn't vote.
IF DIDN'T VOTE: b. Which candidate did you favor? (□) Roosevelt. (□) Willkie. (□) Other.....
11. Why did you prefer this candidate? .....
12. For whom did you vote in 1936? (□) Roosevelt. (□) Landon. (□) Other ..... (□) Didn't vote.
13. In politics, do you ordinarily regard yourself as a Republican or a Democrat? (□) Republican. (□) Democrat. (□) Other.....
14. Interviewer ..... 15. Date.....

Mr. MUNDT. I further ask unanimous consent, Mr. Speaker, to include in the RECORD at this point a form which the Opinion Research Corporation of Princeton, N. J., asked that its interviewers fill out.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The matter referred to follows:

Date.....

OPINION RESEARCH CORPORATION,
90 Nassau Street, Princeton, N. J.

GENTLEMEN: This is to inform you that I work as an independent interviewer; that I hereby solicit assignments from you in connection with the polls conducted by your organization. Any services which I may render will be rendered in the course of my business as an independent interviewer and not as your employee. I assure you that all work I do for you will be kept confidential. Of course, it is understood that the acceptance of assignments from you does not preclude my acceptance of assignments from other research organizations.

Very truly yours,
Signature .....
Street.....
City.....
State.....

Mr. MUNDT. Mr. Speaker, I am not going to take the time of the House at this late hour discussing these questions specifically, but I leave it to your judgment as you read them in the RECORD in the morning whether, for example, it contributes anything to the ability of a man to serve as an interviewer to register in Princeton, N. J., his opinion on certain of these fundamental questions which are being asked in this questionnaire. If it does not, why are the questions asked?

I do not know whether this Opinion Research Bureau is the same as the Gallup poll, although both of them come from Princeton, N. J., or whether they are disassociated opinion-searching institutions. I do know, however, that in the CONGRESSIONAL RECORD for May 9 we find a quotation from Ross Stagner, of Dartmouth College, who has made a very careful analysis of public-opinion polls, in which he states:

> The Public Opinion Research Project cooperates with the Institute of Public Opinion.

The latter institute, I believe, is the one operated by Dr. Gallup.

When school men throughout America form an attitude such as this, when questions come to us as we have them come to our offices almost daily about the reliability of these polls, I believe Members of Congress should concern themselves as to the accuracy of these polls.

I make this point very clear. I am not for one minute contending that these public-opinion polls have degenerated into propaganda organs. I do not make that charge. I do not believe it is true, and I certainly hope it is not true.

On the other hand, I do not have the information available to me, nor do you have it available to you, to counteract such charges in order to prove the opposite, and it seems to me that a nonprejudiced Senate investigation such as is called for in Senate Resolution 111 should be welcomed by the honest, accurate above-board opinion recording polls of America. If these polls are simply fact-finding, and fact-distributing agencies, certainly those who are operating them should welcome opportunity to demonstrate that fact beyond peradventure of a doubt by an investigating committee. On the other hand, if some of these polls are being distorted to formulate public opinion rather than to proue it, and are trying to creat public opinion in accordance with their own prejudices instead of simply recording it as this superintendent of schools in South Dakota seems to think—if that be true, the public is entitled to know what is going on, and what interests are determining which opinions shall be sponsored in these polls.

My reason for discussing the matter stems not only from the fact of a letter that I received from this educator in South Dakota but also because I discovered in the CONGRESSIONAL RECORD of May 9, page 3840, an analysis has been compiled by Ross Stagner, of Dartmouth College. He has made an analysis of the Institute of Public Opinion polls for the past 4 years, and especially the more recent polls with their frequent questions relating to intervention in the European war.

I think every Member should read that analysis very carefully, to determine for himself whether the opinions reached by the authority from Dartmouth College are borne out by their own study. For example, this man points out that many Congressmen are now utilizing the evidence supplied by these polls in determining their attitude on certain important questions. I remember hearing a member of the President's Cabinet on the radio not more than 10 days ago referring to the Gallup poll, in connection with one of the more or less leading questions which was based on some possible future contingency, and on the answers which were received to this question, the Cabinet officer arrived at the conclusions forming the basis of his address. This gentleman from Dartmouth College says this:

> Public-opinion studies are delicate and subject to distortion by unconscious prejudice even if no deliberate intention to deceive is present. Shrewd lawyers know how easy it is to get the average man to testify to absolutely contradictory happenings by clever questioning. Some studies have shown that a fair proportion of men will vote for a tariff increase (on an opinion blank) and, 5 minutes later, endorse the Hull program for tariff reduction. Social psychologists have made elaborate investigations to determine how opinions may most accurately be recorded.

Then of his analysis of the Gallup poll for the last 4 years he says:

> This report covers an examination of all of the American Institute of Public Opinion questions relating to foreign policy from April 1937 to February 1941. The questions asked have been studied from the point of view of strict impartiality, that is, whether they conformed to scientific principles of opinion measurement; and the results have also been examined to see whether or not they agree with each other and with outside measurements of opinion.
>
> Fifty-nine questions were chosen for special study because they related specifically to the problem of intervention.

Then this Dartmouth College analyst states that 59 questions were chosen for special study because they related specifically to the problem of intervention in the war. And he says further that of the 59 questions, 46 were of a positive type which could be answered by yes or no. Also that of the 46 questions positive in form, 39 were so framed as to foster interventionist answers and only 7 so as to oppose interventionist policies. Please note that he states that of the 46 questions which were positive in form, 39 were so framed as to induce answers favorable to American intervention and only 7

questions were on the other side. "Can this amazing difference be due to accident?" asks this authority.

I submit in all candor, Mr. Speaker, that these are serious charges.

If these charges are substantiated by the facts we are entitled to an explanation by the sponsor of these polls as to why, out of 46 questions, 39 were so phrased as to encourage answers toward intervention. If these charges are nonjustifiable, I submit to you those sponsoring the Gallup poll and similar public-opinion polls should have a right to appear before the Senate Investigating Committee and point out why those charges are erroneous. The country is entitled to the facts.

My own curiosity about these polls was stimulated something over a year ago at the time we were discussing the repeal of the arms embargo. At that time I discovered in my analysis of one of the Gallup polls a question which seemed to me to be a very decidedly leading question. I also thought I found what seemed to me to be erroneous deductions which reached out far beyond the evidence submitted by the findings of the polls to provide conclusions by the sponsor of the poll. I want to say in fairness to Dr. Gallup that I called this matter to his attention in a letter which will be found in the Appendix of the CONGRESSIONAL RECORD, volume 85, part 2, page 285. After calling it to the attention of Dr. Gallup, he conceded that my criticisms were valid, and pointed out that perhaps they had gone too far in generalizing their conclusions, and even took the pains to offer to write a new question and submit it to the people. I printed Dr. Gallup's reply in the Appendix of the CONGRESSIONAL RECORD, volume 85, part 2, page 502.

So I say my experience with Dr. Gallup has all been highly satisfactory. When I called the danger of using leading questions to his attention over a year ago he made what seemed to me an appropriate answer and offered to try to undo the damage to accurate fact-finding done by that particular question. I am therefore both surprised and disappointed to find this charge by a professor in Dartmouth College, pointing out that out of 46 questions he has studied, in 39 different instances he found that same tendency which I discovered in an analysis of the polls dealing with arms-embargo repeal in Congress many, many months ago.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. CURTIS. The gentleman has given considerable thought to this and is making a very fine statement. He is dealing with a matter that goes to the very heart of effective representative government. I wonder if the gentleman would care to voice an opinion as to whether or not these tabulated results of polls of public opinion usually affect legislation in the Congress of the United States?

Mr. MUNDT. I am sure the gentleman from Nebraska [Mr. CURTIS] is as well able to judge that as I am. I do not desire to say anything which I cannot substantiate by fact. I think we hear the Gallup poll and other polls quoted every day that Congress is in session, and we listen to Members of the Cabinet use its findings from time to time. This Dartmouth College man says that two-thirds of the Members of Congress take these poll results into consideration in making a choice. Consequently, it would seem to me that they are having an influence on the legislation which we are discussing on the floor of the Congress.

Mr. CURTIS. I believe I can truthfully say that I know of no Representative who counts noses, so to speak, on a poll and then decides how he is going to vote, but it has created this situation that is not the best. There is a conflict between a Representative studying the legislation, following the debates and hearings, and that sort of thing, and following the dictates of his own mind and conscience on it, and at the same time you might say flouting the expressed opinion of his constituents as indicated by these polls. That is a situation that I do not believe makes for good government, and does not call for the open, frank, and detailed discussion of public measures which good legislation requires.

Mr. MUNDT. I thank the gentleman for his contribution. Now, let me ask him a question. Do you agree with me that something as vital as this should be investigated by the Senate committee, so that we can get the facts in the case?

Mr. CURTIS. Very, very much so. I think we are dealing with a subject that is very important. The problems of our Government are not so simple that a man can go down the street and collect so many yeas and so many noes and have the right answer. They are matters to be studied, with long hours of work. I do not believe that polls of public opinion should go unrestrained, and, even granting that at the present time honest, sincere, capable, and truthful men are running them, unless we do something about it they will become a menace in the hands of unscrupulous men.

Mr. MUNDT. Certainly when a group of scientists makes a study of a poll and makes charges such as are found in the RECORD of May 9, on pages 3840 to 3842, that over 80 percent of the questions are loaded or leading, and that they are loaded overwhelmingly in one direction, public-opinion polls should have an opportunity to vindicate themselves in the minds of the people, or else the people making these charges should have an opportunity to substantiate them, since these matters have become important and of vital consequence.

Mr. Speaker, I am sure that no legitimate public-opinion probing agency in America would object to revealing to a Senate investigating committee just how it operates and how it checks is findings. If Members of Congress are to have these polls submitted to them in almost daily debate and to have Cabinet members quote them as official data in their public statements, we owe it to ourselves and to the country to check the processes by which these figures are secured. A serious disservice to America could result from the use of such data if it were discovered that such information was inaccurate or that it resulted from carelessly or cunningly packing questionnaires with questions so worded that the answer can almost be predicted from the phrasing of the question. We take great pains in our committee work to qualify our witnesses and to authenticate their testimony; we should do no less in making certain that public-opinion polls which purport to convey to us what the country thinks about a given issue are above reproach and are not guilty of at least intentionally trying to direct the public opinion which they function to report.

Personally I have a high regard for Dr. Gallup and for his Institute of Public Opinion. It has been a most successful venture. I am therefore greatly disturbed when another student of public opinion points out a great preponderance of leading questions in the polls, and I am hopeful that Dr. Gallup will not discredit his great service by permitting questions based on contingencies and reflecting bias to throw a grave shadow of doubt upon the reliability of a procedure which has a high reputation for accuracy when limiting itself to questions based on fact and which do not attempt to direct the nature of the reply. I am equally desirous that other polls, not as well known as Dr. Gallup's perhaps, will be equally fastidious in avoiding the temptation to become fashioners of fancy instead of finders of facts.

I think some of the following facts might well be brought out in an investigation of these polls, which should be conducted absolutely without prejudice, because I join the gentleman in hoping we can discover that these polls are sincerely, openly, and honorably conducted. I think it would be a travesty if we discovered otherwise since so many people repose confidence in them. Possibly the opinion polls have a logical and scientific reason for loading their questions all in one direction. If so, we have a right to know what it is.

First, I think we should know how many people are questioned, in a regular nonelection prediction. I had a lot of correspondence at the time I did some investigating of this subject about 18 months ago. In one of the letters the writer informed me that these polls made a practice of interviewing only about 1,800 people on any one question except on an election when they make a very careful check because since the elections follow so soon upon the announcement of the result of their poll the people would all check them for accuracy. Are 1,800 names a sufficient number to sample public opinion in America? I doubt it. Maybe they should question more people and perhaps they do. I do not know, but I think the people are entitled to know the facts. I think the people are entitled to know what kind of evidence these agencies require to show that the stipulated number of people are actually polled by interviewers. I think we should ascertain how they know that their interviewers do not go off by themselves and fill in the appropriate answers to the questions on matters where no election is in the offing to check their accuracy.

Another thing we should ascertain is why the vast majority of all loaded or leading questions are so definitely biased in favor of intervention in this war. Is there anything about an honest sampling of public opinion that demands that, and, if so, what can it be?

I think these public-opinion polls can render a great public service if conducted on an honest basis with the people answering simple questions which can be answered with a yes or no answer. I think they should discontinue what I consider to be a pernicious practice of continually asking leading questions, definitely seeking to influence the answers desired from those who are being interrogated.

I quote this concluding paragraph from the Dartmouth College Study:

> By all means, let us take "the pulse of democracy." But at the same time, let us insist that the pulse be scientifically measured, with no opportunity for conscious or unconscious bias to influence the result.

Let me conclude my remarks simply by asking you if you agree with me that this question is significant enough to merit a senatorial investigation to contact your Senator and ask him to ask the Senate Interstate Commerce Committee to act favorably on Senate Resolution 111 and to conduct an investigation. The investigation should be conducted without bias to any of the polls. I think we could expect the committee to observe the good American doctrine that companies, individuals, and polls are innocent until found guilty. I am making no charges. I am hoping that the results will vindicate the honesty with which the polls are conducted. I simply believe that the public is entitled to know that what is coming to be such an important device as a poll of public opinion is free from any possibility of being misused for propaganda purposes. A clean-cut, thorough Senate investigation should serve a very wholesome purpose in this connection. [Applause.]

[Here the gavel fell.]

ADJOURNMENT

Mr. THOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 13, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on the following days:

1. Tuesday, May 13: Representatives of the Department of Agriculture and other governmental agencies.

2. Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 2855, entitled "A bill to provide for restoration of pension to certain dependent parents upon termination of remarriage, and for other purposes," by Mr. WEAVER of North Carolina; and H. R. 1099, entitled "A bill to remove discriminations against disabled retired enlisted men of the Army, Navy, Marine Corps, and Coast Guard who served in war," by Mr. LESINSKI, of Michigan. The hearings will be held Tuesday, May 13, 1941, at 10:30 a. m. in room 247, House Office Building.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Tuesday, May 13, 1941, at 10:30 a. m. in the committee room.

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES

The Committee on Coinage, Weights, and Measures will meet at 10 a. m., Tuesday, May 13, 1941, in room 115, old House Office Building to further consider H. R. 4646.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m. in room 346, House Office Building, before Subcommittee No. 1.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

531. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide for the pay of aviation pilots in the Naval and Marine Corps Reserve, and for other purposes; to the Committee on Naval Affairs.

532. A letter from the Deputy Director, Selective Service System, transmitting a draft of a proposed bill to amend the Selective Training and Service Act of 1940 so as to authorize the deferment of men by age group or groups; to the Committee on Military Affairs.

533. A letter from the Administrator, Federal Loan Agency, transmitting a report of aid rendered by the Reconstruction Finance Corporation to the Government in its national-defense program; to the Committee on Banking and Currency.

534. A letter from the Attorney General, transmitting a draft of a proposed bill to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien-registration receipt cards; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STEAGALL: Committee on Banking and Currency. H. R. 4691. A bill to amend the Federal Credit Union Act; without amendment (Rept. No. 524). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDERSON of New Mexico: Committee on Indian Affairs. H. R. 4277. A bill to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; without amendment (Rept. No. 525). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4700. A bill to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes; without amendment (Rept. No. 526). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4658. A bill to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes; without amendment (Rept. No. 527). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. House Joint Resolution 183. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia; without amendment (Rept. No. 528). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 994. An act to appropriate the proceeds of sales or other dispositions of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes; without amendment (Rept. No. 529). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee of conference on the disagreeing votes of the two Houses. Senate Joint Resolution 60. Joint resolution relating to corn and wheat marketing quotas, and for other purposes; without amendment (Rept. No. 530). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KOCIALKOWSKI:

H. R. 4712. A bill to exempt Philippine articles shipped from the Philippine Islands to Guam from the Philippine export tax in certain cases, and for other purposes; to the Committee on Insular Affairs.

By Mr. McCORMACK:

H. R. 4713. A bill to provide for a 5-day week for Federal employees; to the Committee on the Civil Service.

By Mr. PAGÁN:

H. R. 4714. A bill providing for the temporary exclusion, in computing the public debt of any subdivision or municipality of Puerto Rico under the organic act, of certain refunding bonds issued by such subdivision or municipality; to the Committee on Insular Affairs.

By Mr. WICKERSHAM:

H. R. 4715. A bill to provide for certain residential appointments to the United States Military Academy and the United States Naval Academy; to the Committee on Military Affairs.

By Mr. McINTYRE:

H. R. 4716. A bill to provide for payments by the United States to the several States with respect to certain Indian lands; to the Committee on Indian Affairs.

By Mr. ROBINSON of Utah:

H. R. 4717. A bill to amend an act entitled "An act authorling the temporary detail of John L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia, and the Government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.); to the Committee on Military Affairs.

By Mr. WICKERSHAM:

H. R. 4718. A bill to change interest rates on loans secured by liens on United States Government life (converted) insurance to 3½ percent; to the Committee on Ways and Means.

By Mr. HARRINGTON:

H. R. 4729. A bill to prevent shortages of transportation facilities occasioned by the defense program, and to supplement and serve ocean-going vessels needed in the national defense by extending certain provisions of the Merchant Marine Act of 1936, as amended, to tugs, barges, and barge shipyards, and other vessels to be operated on the inland waterways of the United States; to the Committee on the Merchant Marine and Fisheries.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 14, with reference to the Wagner-Peyser Act approved July 6, 1933; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the Territory of Puerto Rico, memorializing the President and the Congress of the United States to consider their Concurrent Resolution No. 16, with reference to coastwise shipping laws; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their House Simple Resolution No. 249, concerning foreign affairs; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 127, with reference to foreign affairs; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. D'ALESANDRO:

H. R. 4719. A bill for the relief of Selma Shapiro; to the Committee on Claims.

By Mr. DAVIS of Ohio:

H. R. 4720. A bill granting an increase of pension to Mary E. Simmons; to the Committee on Invalid Pensions.

By Mr. DAVIS of Tennessee:

H. R. 4721. A bill for the relief of A. T. Steele and J. C. Corbitt; to the Committee on Claims.

By Mr. EDMISTON:

H. R. 4722. A bill for the relief of William Lewis Drain; to the Committee on Claims.

By Mr. McLEAN:

H. R. 4723. A bill for the relief of John Lesniak; to the Committee on Claims.

By Mr. MACIORA:

H. R. 4724. A bill for the relief of Joseph Srokosz; to the Committee on Immigration and Naturalization.

By Mr. POAGE:

H. R. 4725. A bill to confer jurisdiction on any United States district court to hear, determine, and enter judgment upon the claims of Lee Shannon for expenditures and injuries suffered in line of duty as prohibition enforcement officer during the years 1927 and 1928; to the Committee on Claims.

By Mr. REED of Illinois:

H. R. 4726. A bill conferring jurisdiction upon the court of the United States to hear, determine, and render judgment upon the claim of Albert M. Howard; to the Committee on Claims.

By Mr. SHEPPARD:

H. R. 4727. A bill granting a pension to Chudleigh Andrews Clifford; to the Committee on Invalid Pensions.

By Mr. WHITE:

H. R. 4728. A bill for the relief of King Mayberry; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1029. By Mr. CULLEN: Petition of the New York City Congregational Church Association, approving and recommending the further extension of the Hoover food plan for the starving to Jugoslavia, Greece, and all the small democracies of Europe; to the Committee on Foreign Affairs.

1030. By Mr. FENTON: Petition of the Rev. George D. Hoag and sundry residents of Orwigsburg, Pa., urging passage of House bill 4000, to prohibit the sale of alcoholic liquors on military or naval reservations or within a reasonable distance therefrom; and to prohibit prostitution or the keeping of bawdy houses within a reasonable distance from such reservations; to the Committee on Military Affairs.

1031. By Mr. FOGARTY: Resolution of the Representative Council of the City of Newport, R. I., requesting the cession, by the Government of the United States, of land in front of the post-office building on Thames Street, in Newport, R. I., in order to effect the widening of the said Thames Street; to the Committee on the Public Buildings and Grounds.

1032. By Mr. HARRINGTON: Petition of Harry McCarty, of Westfield, Iowa; to the Committee on Military Affairs.

1033. By Mr. HEIDINGER: Petition of H. R. Stearns and numerous other citizens of Eldorado, Ill., supporting the passage of House bill 4000; to the Committee on Military Affairs.

1034. By Mr. JARRETT: Petition of Ruth Kerl and other residents of Clarion County, Pa., urging enactment of Senate bill 860; to the Committee on Military Affairs.

1035. By Mr. JOHNSON of Illinois: Petition of Dan Dahlen and 49 other signers, opposing the passage of House bill 3821; to the Committee on the Judiciary.

1036. By Mr. LUTHER A. JOHNSON: Petition of the Junior Chamber of Commerce, Will Bond, president, and the Hill County commissioners court, both of Hillsboro, Tex., opposing reduction in National Youth Administration appropriations; to the Committee on Appropriations.

1037. Also, resolution of the House of Representatives of the State Legislature of Texas, and also resolution of the Senate of the State of Texas, favoring necessary steps to insure continued production and delivery to the democratic nations now engaged in war; to the Committee on Military Affairs.

1038. Also, petition of the Lions Club of Austin, Tex., favoring convoying of war materials and other essential supplies to England; to the Committee on Naval Affairs.

1039. By Mr. KEOGH: Petition of the Advertising Club of New York, committee on international trade, concerning any change in the present sugar program (such as Senate bill 937 and House bill 3582); to the Committee on Agriculture.

1040. Also, petition of the St. Louis County Chamber of Commerce, Clayton, Mo., favoring a reduction of public expenditure for nondefense items; to the Committee on Appropriations.

1041. By Mr. KRAMER: Petition of the Pismo Beach Men's Club, Pismo Beach, Calif., urging Congress to take necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

1042. By Mr. RICH: Petition of sundry citizens of Williamsport, Pa., protesting against the passage of Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1043. By Mr. THILL: Petition of Max F. Lang and other residents of Milwaukee, Wis., protesting against the enactment of House bill 4000; to the Committee on Military Affairs.

1044. By the SPEAKER: Petition of the Richmond Building and Construction Trades Council, Richmond, Va., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

1045. Also, petition of Local No. 65, of the United Automobile Workers of America, Congress of Industrial Organizations, petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1046. Also, petition of the St. Louis County Chamber of Commerce, Philip B. Fouke, chairman of the board, of Clayton, Mo., petitioning consideration of their resolution with reference to economy for defense; to the Committee on Expenditures in the Executive Departments.

1047. Also, petition of the Amity Post, No. 791, Brooklyn, N. Y., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

1048. Also, petition of Local No. 133, United Shoe Workers of America, of the Congress of Industrial Organizations, Rochester, N. Y., petitioning consideration of their resolution with reference to the Vinson bill (H. R. 4139); to the Committee on Naval Affairs.

1049. Also, petition of the National Association of Commissioners, Secretaries and Directors of Agriculture, of Columbia, S. C., petitioning consideration of their resolution with reference to agriculture prices; to the Committee on Agriculture.

1050. Also, petition of the Stone Masons Union of Columbus, Ohio, petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

1051. By Mr. FORAND: Petition of Alice Van Meter and others, of Providence, R. I., providing for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and Naval Establishments; to the Committee on Military Affairs.

SENATE

TUESDAY, MAY 13, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou, who art imaged in the loveliness of sunrise and sunset, who dwellest in the heart of man, who art in the life of every living thing, in the death of them that die, in the bloom and beauty of the summer fields, and in the inspiration of the soul that giveth understanding: Grant unto us the assurance of Thy presence wherein is strength to do our duty and courage to endure whatever may betide. Bear Thou dominion over us, rule Thou our hearts in faith with holy fear, that royal largeness may be ours as we face the troublous days that lie ahead.

Bless Thou our Nation, gracious Father; govern her and lift her up that she may become a beacon to the world, a leader among the races of mankind because of her perfect trust in Thee.

Fulfill now our petitions; grant us the yearnings of the pure and selfless heart, and "Thou, who art the author of peace and lover of concord, in knowledge of whom standeth our eternal life, whose service is perfect freedom, defend us, thy humble servants, in all assaults of our enemies; that we, surely trusting in thy defense, may not fear the power of any adversaries, through the might of Jesus Christ our Lord." Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 12, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On May 1, 1941:

S. 478. An act to authorize the Secretary of the Treasury to permit the construction and maintenance of overhanging walks on the highway bridge, Route No. 36, at Highlands, N. J., for public use; and

S. 482. An act to provide for the appointment of one additional United States district judge for the northern district of Ohio.

On May 5, 1941:

S. 1254. An act to limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States, with respect to counsel in certain matters.

On May 12, 1941:

S. 242. An act to repeal certain provisions of the act of February 25, 1929, entitled "An act to authorize appropriations for construction at military posts, and for other purposes," and the act of July 3, 1930, entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1930, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1930, and June 30, 1931, and for other purposes."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the bill (S. 916) authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 4109. An act to provide aid to dependent children in the District of Columbia;

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941;

H. R. 4365. An act to give additional powers to the Board of Public Welfare of the District of Columbia, and for other purposes;

H. R. 4498. An act to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States; and

H. R. 4599. An act to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

DEFERMENT OF CERTAIN AGE GROUPS UNDER SELECTIVE SERVICE ACT

A letter from the Deputy Director of the Selective Service System, transmitting a draft of proposed legislation to authorize the deferment of men by age group or groups (with an accompanying paper); to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from Louis Schneider, of Cincinnati, Ohio, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter in the nature of a memorial from Ethel C. Smith, of Berkeley, Calif., remonstrating against the use of United States armed ships as convoys; to the Committee on Foreign Relations.

A paper in the nature of a petition from Maurice Alexander, of Toledo, Ohio, praying for peace and protesting against the use of United States armed ships as convoys; to the Committee on Foreign Relations.

By Mr. TYDINGS:

A resolution of the Soroptimist Club, of Baltimore, Md., protesting against the enactment of legislation which would in any way increase unemployment or reduce the volume of business transacted by the cane-sugar refining industry in Baltimore; to the Committee on Finance.

By Mr. CAPPER:

A petition of sundry citizens of Eldorado, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

By Mr. WALSH:

Petitions of sundry citizens of the State of Massachusetts, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

THE DEFENSE PROGRAM—RESOLUTION OF THE FLORIDA LEGISLATURE

Mr. ANDREWS. Mr. President, I present for appropriate reference and printing in the RECORD Senate Concurrent Resolution No. 3 of the Legislature of the State of Florida, which heartily endorses the great defense program inaugurated by Congress and now being prosecuted under the fine leadership of the President.

The VICE PRESIDENT. Without objection, the resolution will be received and referred to the Committee on Military Affairs; and, under the rule, printed in the RECORD.

The concurrent resolution is as follows:

Senate Concurrent Resolution 3

Whereas by military and economic oppression and violence of autocratic powers, practically every nation of the Old World has either been unmercifully besieged and their governments dismembered or are now facing an unrelentless attack by an uncomprising tyranny such as the world has never known; and

Whereas this subversive and destructive philosophy of government has not only destroyed and threatens destruction to the democracy of the Old World, but the safety and security of the democracy of the Western Hemisphere; and

Whereas the President and Congress of the United States have long since taken cognizance of the urgency of this perilous situation, and Congress has, by appropriate legislation, put into motion the machinery, not only to build adequate defense for the safety and security of our Nation, but for a total effort for total victory for democracy throughout the world; and

Whereas the President of the United States in the course of his functions as Chief Executive and as Commander in Chief of our Army, Navy, and Air Corps, has issued to all Americans a call to the colors for national unity, a will to sacrifice in whatever position we hold in our national life, and an urgent plea to labor as well as business management and ownership to sacrifice for national defense, not in the tempo of business as usual or normalcy, but longer hours and greater production, to meet the extreme seriousness of the present situation confronting our very national life and liberty; and

Whereas the State of Florida, on account of its geographic and strategic situation has been placed in one of the few defense areas of the Nation, and must play a most vital part in national and hemispheric defense, it being the spearhead of air defense and the operations base for our aerial defenders, and that an enormous amount of national-defense construction and training is being conducted within the confines of the State of Florida; and,

Whereas the Legislature of the State of Florida is fully aware of the great need for

national unity and the responsibility for sacrifice on the part of the State government; all the people of our State, whether officials or private citizens, and the urgency for full speed ahead in united cooperation for adequate national preparedness; and

Whereas the State legislature acknowledges with gratitude and commendation the fine response with which the State government and the people of Florida are cooperating with the Federal Government in the national-defense program that this Nation be adequately rearmed at the earliest possible moment, but it is also cognizant of the fact that a more urgent responsibility lies ahead for a greater adherence to national will, a greater conformity to national unity and a greater public and private sacrifice for national safety and security; and

Whereas it is the desire of the members of the Legislature of the State of Florida to fully assist further the National Government in the more aggressive prosecution of the national-defense program, especially in view of the increasing urgency of the responsibility of world democracy to speed ahead to insure total victory; and to lend every possible facility of the State government to the total and complete execution of adequate preparedness: Be it

Resolved by the Senate of the State of Florida (the House of Representatives concurring), That the Legislature of the State of Florida most heartily endorses the great defense program inaugurated by Congress, which is being prosecuted under the fine leadership of our great President and the defense machinery, which is now in full speed ahead, and commends the Governor, Hon. Spessard L. Holland, and each and every one of the citizens of the State of Florida, for their unity of will, loyalty, devotion, and cooperation that they have shown in lending their aid to this program; and call upon the State government in all of its branches and agencies and upon all citizens of Florida to continue a more aggressive assistance and example, in loyalty to a total effort for a total completion of our defense program. The legislature further commends and urges the citizens of the State of Florida for a more loyal will to work and sacrifice, a greater integrity for national unity and a more devout awakening to the importance of total and complete national defense and a total victory for democracy; and the legislature pledges itself to do everything within the scope of its power to lend the facilities of the State government to said program; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, to the Secretary of War of the United States, to the Secretary of the Navy of the United States, to the Chief of the Air Corps of the United States, to the Governor of the State of Florida, to the Secretary of State of the State of Florida, and to each of the United States Senators and Congressmen from the State of Florida.

Approved by the Governor, May 6, 1941.

THE TOWNSEND PLAN—RESOLUTION OF BOARD OF COMMISSIONERS, CASS COUNTY, N. DAK.

Mr. LANGER. Mr. President, I present a resolution adopted by the Board of Commissioners of Cass County, N. Dak., in favor of House bill 1036, providing for old-age assistance under the Townsend plan. I ask unanimous consent that the resolution may be printed in the RECORD and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Resolution of Board of Commissioners of Cass County, N. Dak.

We, the undersigned members of the Board of County Commissioners, County of Cass, State of North Dakota, realize something must be done to provide financial security for our deserving senior citizens, and at our regular meeting have adopted this resolution:

"Whereas the members here assembled believe that a national uniform system of pensions for our senior citizens should be adopted throughout the United States of America; and

"Whereas the proposals embraced in the bill H. R. 1036 will greatly relieve, if not entirely abolish, unemployment, and will help to provide to the people the American standard of living; and

"Whereas the various States of the Union are finding it difficult, if not impossible, to raise a sufficient revenue to finance the payment of even a small pension to our aged: Now, therefore, be it

"*Resolved*, That a universal tax be levied and moneys so raised shall be divided pro rata and paid to all citizens of the United States of America who have attained the age of 60 years or over; be it further

"*Resolved*, That we most respectfully urge upon the Congress of the United States of America to bring out of committee and give a fair discussion and consideration to the basic principles of the Townsend plan, bill H. R. 1036, now in Committee on Ways and Means; and be it further

"*Resolved*, That one copy of this resolution be forwarded to each of the following: The Honorable ROBERT L. DOUGHTON, chairman of the Ways and Means Committee; and to each of our Senators and Representatives in Washington from North Dakota; and one to Townsend National Headquarters, 450 East Ohio Street, Chicago, Ill."

W. F. SUTTON,
Chairman,
Board of County Commissioners.
JOS. SPICKERMEIER.
D. A. MALSTROM.
ROY T. LANDBLOM.

FOOD FOR THE SMALL EUROPEAN DEMOCRACIES

Mr. BONE. Mr. President, the Secretary of the National Committee on Food for Small Democracies has called my attention to the fact that a resolution has been adopted by the Washington State Council of Churches and Christian Education dealing with that particular food question. I ask unanimous consent that the resolution be printed in the RECORD as a part of my remarks, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution Passed by Washington State Council of Churches

Whereas there are between thirty and forty million people in the five small democracies of Norway, Holland, Belgium, Finland, and Central Poland which have been occupied by Germany who face imminent starvation unless they are permitted to purchase food which will be permitted to pass through the English and German blockades; and

Whereas Herbert Hoover and a committee of outstanding leaders has proposed a plan which provides for a neutral commission to supervise all food in order to insure its going only to those for whom intended; and providing also that Germany agree to take no more food from these peoples and to return the equivalent of all food already taken, and further, that to assure these guaranties the British would be free to stop the supplies any moment these guaranties were not fulfilled by the Germans: Be it

Resolved, That we express ourselves as in favor of the principle of the Hoover plan; that we so notify our Senators and Representatives in Congress; and, through their respective embassies, urge Britain and Germany to give it favorable consideration.

WESLEY F. RENNIE,
General Secretary, Y. M. C. A.; Secretary, Washington Council of Churches and Christian Education.

SHORTAGE OF AIRCRAFT PILOTS AND MECHANICS—DEFERMENT BY LOCAL DRAFT BOARDS

Mr. O'MAHONEY. Mr. President, I have in my hand a letter, which was written to me by a constituent, on the operation of the Selective Training and Service Act. The author of the letter points out that in many instances persons in training in aviation as air pilots and mechanics are not being deferred. He makes out a very excellent case for the deferment of such persons. I feel that the subject is of such importance that the letter should be published in the RECORD and referred to the Committee on Military Affairs.

The VICE PRESIDENT. Without objection, the letter will be referred to the Committee on Military Affairs and printed in the RECORD as requested by the Senator from Wyoming.

The letter is as follows:

LARAMIE, WYO., *May 3, 1941.*

Senator J. C. O'MAHONEY,
Washington, D. C.

DEAR SIR: In view of the acute shortage of aircraft pilots and mechanics, the action of some local draft boards in refusing to defer persons engaged in or training for these professions almost amounts to sabotage.

I am an instructor for one of the contractors under the civilian pilot-training program. I am over the draft age myself and could probably get a job as civilian instructor for the Army if all civilian trainees were drafted. So I have no personal ax to grind. It simply seems to me to be a tremendous waste of skilled manpower and money for the draft boards to take a boy on whom the Government has spent hundreds of dollars to create a pilot and make him spend a year in a nonflying branch of the Army.

Such short-sightedness will not only cripple our military aviation but will destroy our civilian reserve. If this country is involved in the war, we will not only need many times our present number of military pilots but will also need a vast number of civilian pilots behind the lines to handle the transportation of men and materials incident to keeping these military pilots effective. We are going to need at least as many mechanics as pilots to build airplanes and keep them running.

At present the students in the civilian pilot-training program are required to meet the same qualifications as military pilots. Hence, they would be in demand for actual combat service. There are many others in the country who would make good pilots, and since they do not meet the military qualifications, they would be the logical ones to engage in the supporting transport services. The Government is not yet giving any help to the latter, but those who can afford it are learning to fly at their own expense.

It seems to me that in the interest of national defense, anyone actively engaged in flying instruction or aviation mechanics, or in aviation transportation business, or anyone enrolled in a course of training for these

occupations should be specifically exempted from the draft.

* * * * *

Sincerely,

A. H. KNOUFF.

REPORTS OF COMMITTEE ON NAVAL AFFAIRS

The following reports of the Committee on Naval Affairs were submitted:

By Mr. WALSH:

S. 372. A bill awarding a Navy Cross to Hector Mercado; without amendment (Rept. No. 278);

S. 874. A bill relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone; without amendment (Rept. No. 279);

S. 1073. A bill for the relief of Peter Joseph Costigan; without amendment (Rept. No. 280);

S. 1469. A bill to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), and for other purposes; without amendment (Rept. No. 281);

H. R. 1801. A bill amending the act of February 27, 1936 (49 Stat. 1144); with an amendment (Rept. No. 282); and

H. R. 4368. A bill authorizing a reduction in the course of instruction at the Naval Academy; with amendments (Rept. No. 283).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 12, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 392. An act for the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased; and

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 1504. A bill to amend the Selective Training and Service Act of 1940 so as to provide for the deferment, in time of peace, of certain college and university students; to the Committee on Military Affairs.

By Mr. ANDREWS:

S. 1505. A bill to extend the benefits of the act of December 17, 1919, as amended, to the widows of certain officers and enlisted men who died subsequent to July 15, 1919, and prior to December 17, 1919; to the Committee on Military Affairs.

By Mr. GREEN:

S. 1506. A bill for the relief of B. J. Rooks & Son, of Warren, R. I.; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 1507 (by request). A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the heirs of James Taylor, deceased Cherokee Indian, for the value of certain lands now held by the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. WALSH:

S. 1508. A bill to provide for the pay of aviation pilots in the Naval and Marine Corps Reserve, and for other purposes; to the Committee on Naval Affairs.

By Mr. TYDINGS:

S. 1509. A bill to authorize Lt. Robert M Morris, United States Navy, to accept the decoration tendered him by the Government of Finland in appreciation of services rendered; to the Committee on Naval Affairs.

By Mr. CLARK of Idaho:

S. 1510. A bill for the relief of Pete Elguezabal, Marcelino Yturbe, Bartolome Errea, Zenon Zubieta, Francisco Lorono, and Steve Milo Solaga; to the Committee on Immigration.

By Mr. VAN NUYS:

S. 1511. A bill to amend the act providing punishment for killing or assaulting Federal officers; and

S. 1512. A bill to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 1513. A bill to permit qualified aliens to enlist for service in the armed forces of the United States; to the Committee on Military Affairs.

By Mr. BREWSTER:

S. J. Res. 77. Joint resolution to provide for the utilization of beryllium and its alloys for national-defense purposes; to the Committee on Banking and Currency.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941; to the Committee on Naval Affairs.

H. R. 4109. An act to provide aid to dependent children in the District of Columbia;

H. R. 4365. An act to give additional powers to the Board of Public Welfare of the District of Columbia, and for other purposes;

H. R. 4498. An act to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States; and

H. R. 4599. An act to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts; to the Committee on the District of Columbia.

ACQUISITION AND USE OF MERCHANT VESSELS—AMENDMENT

Mr. VANDENBERG (for himself and Mr. CLARK of Missouri) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT TO URGENT DEFICIENCY APPROPRIATION BILL

Mr. BARBOUR submitted an amendment intended to be proposed by him to House bill 4669, the urgent deficiency appropriation bill, 1941, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill, to insert the following:

"CANAL ZONE BIOLOGICAL AREA

"For expenses of administration and for the construction and maintenance of laboratory and other facilities on Barro Colorado Island, C. Z., under the provisions of the act approved July 2, 1940, without reference to section 3709 of the Revised Statutes and civil-service requirements, $10,000, to be immediately available."

STUDY OF RADIO BROADCASTING AND COMMUNICATION PROBLEMS

Mr. WHITE. Mr. President, I ask leave to submit a Senate resolution for reference to the Committee on Interstate Commerce. The resolution proposes a study of the recent rules and regulations promulgated by the Federal Communications Commission, and of some of the problems presented to us by those rules and regulations.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WHITE. I yield to the Senator from Michigan.

Mr. VANDENBERG. May I ask the Senator if his resolution also requests the Federal Communications Commission to suspend its recent rather incendiary order pending the outcome of the investigation?

Mr. WHITE. The resolution requests that the effective date of the abovementioned rules and regulations shall be deferred until the committee shall have completed its investigation and made a report to the Senate, and for 60 days thereafter.

The VICE PRESIDENT. Without objection, the resolution will be received and referred as requested by the Senator from Maine.

The resolution (S. Res. 113) was referred to the Committee on Interstate Commerce, as follows:

Senate Resolution 113

Whereas the Federal Communications Commission (hereinafter referred to as the Commission) is an administrative agency created by the act of June 19, 1934 (48 Stat. 1064), known as the Communications Act of 1934, as amended, by act of June 5, 1936 (49 Stat. 1475) and by act of May 20, 1937 (50 Stat. 189); and

Whereas said Commission has by the terms of said act certain delegated powers and duties in respect of interstate commerce in communications and the facilities and instrumentalities used and usable in said commerce and has no powers and duties not so specifically conferred upon it; and

Whereas the Commission on May 2, 1941, in a proceeding before it styled "In the matter of the investigation of chain broadcasting," Docket No. 5060, made and published certain rules and regulations enacted and promulgated by it which said rules and regulations are alleged to constitute an attempt upon the part of the Commission to exercise a supervisory control of the programs, of the business management and of the policy to be employed by radio-broadcast stations which are licensed by said Commission pursuant to said act; and

Whereas it is urged that the Supreme Court of the United States in the case of Federal Communications Commission against Sanders Brothers Radio Station, decided March 25, 1940, interpreted and construed the Communications Act of 1934, as amended, as conferring no such power or authority upon the Commission as that which it is charged the Commission has attempted to exercise in its said rules and regulations of May 2, 1941, as aforesaid, and in so doing stated:

"But the act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business management, or of policy. In short, the broadcasting field is open to anyone, provided there be an available frequency over which he can broadcast without interference to others, if he shows his competency, the adequacy of his equipment, and financial ability to make good use of the assigned channel." Now, therefore, be it

Resolved, That the Committee on Interstate Commerce of the Senate, or a subcommittee thereof, be, and it hereby is, authorized and requested to undertake a study (1) of said rules and regulations; (2) of the probable effects thereof upon the broadcast system of

the United States and in particular upon the network organizations and licensees affiliated with said organizations or independent thereof; (3) of the probable effects thereof upon the quality of programs broadcast to the American public; (4) of whether said rules and regulations attempt to confer or do confer upon the Commission supervisory control of the programs, business management, or policies of network organizations and of broadcast licensees; (5) of whether said rules and regulations if enforced will adversely affect the broadcast structure of the United States and the service rendered thereby to the people thereof; (6) of whether they constitute a threat to the freedom of speech by radio in the United States; (7) of whether they will contribute to Government ownership and operation of broadcast stations or to regulation of them as common carriers; (8) of whether said rules and regulations are in their effect an effort to define monopoly or monopolistic practices and to assert the power of the Commission to find a licensee guilty thereof and to deny a license to an applicant because of such finding; (9) of any problem of radio broadcasting which said committee finds is raised or is affected by said rules and regulations and of the principles and policies which should be declared and made effective in legislation for the regulation and control of the radio industry, of broadcasting and of interstate and foreign communication by radio and which should guide and control the Commission in the administration of said Communications Act of 1934 as amended; (10) and finally to consider whether said Commission is authorized by present law to promulgate and enforce the rules and regulations adopted by it as aforesaid; and be it further

Resolved, That all testimony, exhibits, briefs, arguments, and reports or photostatic copies thereof, submitted by or to the Commission in connection with said proceeding Docket No. 5060 be transferred to and filed with said committee of the Senate for its study and consideration; and be it further

Resolved, That the committee shall report to the Senate as soon as practicable its findings and its recommendations concerning the matters which it is hereby requested to study; and be it further

Resolved, That said Commission be and it hereby is requested to postpone the effective date of said rules and regulations until said Interstate Commerce Committee shall have made its report to the Senate in pursuance of this resolution and for 60 days thereafter.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places, either in the District of Columbia or elsewhere, during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh Congress; to employ such experts, and clerical, stenographic, and other assistants; to require by subpena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents; to administer such oaths; and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PRINTING OF MANUSCRIPT RELATIVE TO STRIKES IN DEFENSE INDUSTRIES

Mr. THOMAS of Utah submitted the following resolution (S. Res. 114), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "Statement Showing Basic Data for the Formulation of a Policy Toward Strikes in Defense Industries in the United States, Together With Facts as to the Extent, Duration, and Severity of Those Strikes, and the Causes Therefor; Also a Summary of the State and Federal Law and Jurisprudence Which Defines the Rights and Status of Labor Insofar as They Relate in Any Way to Strike Situations," be printed as a document.

CHARLES J. KAPPLER—COMPILATION OF VOLUME V, INDIAN LAWS AND TREATIES

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 115), which was referred to the Committee on Indian Affairs:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay, from the contingent fund of the Senate, to Charles J. Kappler the sum of $2,000 for the work of compiling, annotating, and indexing the fifth volume of Indian Laws and Treaties (S. Doc. No. 194, 76th Cong.), same having been authorized by Senate resolution of February 11, 1937.

SORTING, INDEXING, ETC., CERTAIN SENATE PAPERS

Mr. TYDINGS submitted the following resolution (S. Res. 116), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized to expend from the contingent fund of the Senate not to exceed $2,000 for the employment of necessary clerical and other assistance in sorting, indexing, and transferring from their present storage space in the Senate Office Building the files of bills, documents, books, and other material of the Senate Document Room and Senate Library, as directed by the Committee on Rules.

THE RESPONSIBILITY OF THE RADIO—ADDRESS BY THE VICE PRESIDENT

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address by the Vice President of the United States at the convention of the National Association of Broadcasters, on May 13, 1941, on the responsibility of the radio, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH ON THE SELECTIVE SERVICE ACT

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address delivered by Senator THOMAS of Utah on May 12, 1941, on the subject Does the Selective Service Act Need Amendment, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH ON RESPONSIBILITIES AND OPPORTUNITIES OF UNIVERSITY EXTENSION

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an address entitled "Responsibilities and Opportunities of University Extension," delivered on May 7, 1941, by Senator THOMAS of Utah at the twenty-sixth annual conference of the National University Extension Association, in Oklahoma City, Okla., which appears in the Appendix.]

AMERICAS LAST CLEAR CHANCE—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address delivered by him at Washington, D. C., on February 20, 1941, on the subject America's Last Clear Chance, which appears in the Appendix.]

ADDRESS BY SENATOR TOBEY AGAINST INVOLVEMENT IN WAR

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by him at a mass meeting of the American Mothers of Massachusetts, in Boston Common, on Sunday, May 11, 1941, which appears in the Appendix.]

CORRESPONDENCE WITH SENATOR TOBEY ON WAR SITUATION

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a letter from Alfred E. Stearns, headmaster emeritus of Phillips Academy, Andover, Mass., and his reply thereto, relative to the participation of the United States in the European war, which appear in the Appendix.]

THE LAW OF NATIONAL DEFENSE—ADDRESS BY THE ATTORNEY GENERAL

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD an address by the Attorney General of the United States before the annual meeting of the American Judicature Society on Wednesday, May 7, 1941.]

ARTICLE BY GEN. DAVID P. BARROWS ON SOUTH ATLANTIC DEFENSE

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article entitled "South Atlantic Defense," written by former President David P. Barrows of the University of California, which appears in the Appendix.]

EDITORIAL FROM THE STATE MAGAZINE ON NORTH CAROLINA AND RELIEF

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the State Magazine, published at Raleigh, N. C., by Hon. Carl Goerch, entitled "North Carolina and Relief," which appears in the Appendix.]

CALL OF THE ROLL

The VICE PRESIDENT. The pending question is on the amendment offered by the Senator from Kentucky [Mr. CHANDLER].

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Smathers
Bilbo	Hayden	Smith
Bone	Herring	Spencer
Brewster	Hill	Stewart
Brooks	Holman	Taft
Brown	Hughes	Thomas, Idaho
Bulow	Johnson, Calif.	Thomas, Okla.
Bunker	Johnson, Colo.	Thomas, Utah
Burton	Kilgore	Tobey
Butler	La Follette	Truman
Byrd	Langer	Tunnell
Byrnes	Lee	Tydings
Capper	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

I ask that this announcement stand for the day.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

PRINTING OF EXTRANEOUS MATTER IN CONGRESSIONAL RECORD

Mr. HAYDEN. Mr. President, before we begin dividing the time, I should like to make a statement on behalf of the Joint Committee on Printing.

There has been submitted to each Member of the Senate and to each Member of the House of Representatives a regulation recently adopted by the Joint Committee on Printing under the authority of a law, which provides that the committee "shall take all needed action for the reduction of unnecessary bulk" in the CONGRESSIONAL RECORD.

I desire to point out to the Senate—and I shall print in the RECORD a table of figures showing the facts—that in the Seventy-third Congress, which began in 1933, the total cost of printing the CONGRESSIONAL RECORD was $981,630. In the Seventy-sixth Congress, which came to an end last January, it cost $1,795,310, or nearly twice as much. A large part of this expense was due to extensions of remarks in the Appendix of the RECORD.

The extension of remarks, or printing matter in the Appendix of the RECORD, is done by unanimous consent of each House. There is to be no change in the rule that if the matter to be published is less than two pages it may be inserted without an estimate; but if the material amounts to more than two pages the new rule provides that not only must an estimate be obtained but, in obtaining the consent of either body—the Senate or the House—the Member shall state what the cost will be. There have been many instances in which Members did not realize the cost. A very large number of insertions have been made in the back of the RECORD at a cost of about $45 a page, with the resultant expenditure of very large sums of money.

Mr. SMITH. Mr. President, it will not be necessary to secure an estimate of cost if the Member introducing the matter knows that it is short and will not cover more than two pages?

Mr. HAYDEN. If the matter to be printed is less than two pages there is no question about its insertion. There is an old saying that——

Little drops of water, little grains of sand
Make the mighty ocean and the pleasant land.

Extensions of remarks inserted one after another add up to a very large total. Therefore, the Joint Committee on Printing, in endeavoring to protect the Federal Treasury, has made this regulation, to which the attention of Senators is directed.

I ask leave to have published at the conclusion of my remarks the statement of cost of the RECORD to which I have referred, and a letter from the Joint Committee on Printing embodying the new rule.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Cost of all prints of Congressional Record for each session of Congress—68th to 77th Congresses

	Total cost
68th Cong.:	
1st sess.	$562,088.71
2d sess.	328,202.80
Total	890,291.51
69th Cong.:	
1st sess.	715,456.79
2d sess.	340,830.34
Total	1,056,287.13
70th Cong.:	
1st sess.	650,305.75
2d sess.	313,370.07
Total	963,675.82
71st Cong.:	
1st sess.	370,710.52
2d sess.	766,616.07
3d sess.	421,008.17
Total	1,558,334.76
72d Cong.:	
1st sess.	983,584.86
2d sess.	274,352.09
Total	1,257,936.95
73d Cong.:	
1st sess.	292,452.83
2d sess.	689,177.26
Total	981,630.09
74th Cong.:	
1st sess.	829,806.36
2d sess.	599,664.64
Total	1,429,471.00
75th Cong.:	
1st sess.	731,876.32
2d and 3d sess.	815,726.73
Total	1,547,603.05
76th Cong.:	
1st sess.	683,559.16
2d sess.	101,751.29
3d sess.	1,010,000.00
Total	1,795,310.45
77th Cong.: Jan. 3, to May 9, 1941	315,000.00

Cost of RECORD for special sessions of Senate:

Mar. 4–18, 1925	$17,987.60
Mar. 4–5, 1929	1,157.29
July 7–21, 1930	19,324.19

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON PRINTING,
Washington.

PERSONAL ATTENTION

"LAWS AND RULES FOR THE PUBLICATION OF THE CONGRESSIONAL RECORD

"Code of Laws of the United States

"Title 44, section 181. CONGRESSIONAL RECORD; arrangement, style, contents, and indexes: The Joint Committee on Printing shall have control of the arrangement and style of the CONGRESSIONAL RECORD, and while providing that it shall be substantially a verbatim report of proceedings shall take all needed action for the reduction of unnecessary bulk, and shall provide for the publication of an index of the CONGRESSIONAL RECORD semimonthly during the sessions of Congress and at the close thereof. (Jan. 12, 1895, ch. 23, sec. 13, 28 Stat. 603.)"

DEAR SIR: Pursuant to the foregoing statute requiring the committee to "take all needed action for the reduction of unnecessary bulk," and in order to provide for the prompt publication and delivery of the CONGRESSIONAL RECORD and remedy waste in the expenditures for public printing and binding, the Joint Committee on Printing, at a meeting held on April 23, 1941, adopted the following amendments to paragraphs 8 and 10 of its rules relating to the publication of the RECORD, to which the attention of all Members of Congress is respectfully invited:

"8. Appendix to daily RECORD: When either House has granted leave to print (1) a speech not delivered in either House, (2) a newspaper or magazine article, or (3) any other matter not germane to the proceedings, the same shall be published in the Appendix, but this rule shall not apply to quotations which form part of a speech of a Member, or to an authorized extension of his own remarks: *Provided*, That no address, speech, or article delivered or released subsequent to the final adjournment of a session of Congress may be printed in the CONGRESSIONAL RECORD.

"10. Estimate of cost: No extraneous matter in excess of two pages in any one instance may be printed in the CONGRESSIONAL RECORD by a Member under leave to print or to extend his remarks unless the manuscript is accompanied by an estimate in writing from the Public Printer of the probable cost of publishing the same, which estimate of cost must be announced by the Member when such leave is requested; but this restriction shall not apply to excerpts from letters, telegrams, or articles presented in connection with a speech delivered in the course of debate or to communications from State legislatures, addresses, or articles by the President and the members of his Cabinet, the Vice President, or a Member of Congress. The Public Printer or the Official Reporters of the House or Senate shall return to the Member of the respective House any matter submitted for the CONGRESSIONAL RECORD which is in contravention of this paragraph."

In the event of doubt as to whether certain matter exceeds two pages, an estimate should be obtained in advance from the Public Printer through representatives having contact with the Government Printing Office.

Respectfully yours,

CARL HAYDEN, *Chairman.*

SENATOR FROM WEST VIRGINIA

The Senate resumed the consideration of Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Kentucky [Mr. CHANDLER] to the resolution reported from the Committee on Privileges and Elections by the Senator from Texas [Mr. CONNALLY].

Mr. HATCH. Mr. President, I inquire of the chairman of the Committee on Privileges and Elections when the time limit begins, and how much time he is willing to yield to me.

Mr. CONNALLY. Mr. President, I will say to the Senator that we have an informal agreement that the time consumed in interruptions due to the presentation

of resolutions and other formal matters will not count on either side, so I assume that the time starts now; and I yield to the Senator from New Mexico such time as he may desire.

Mr. HATCH. I thank the Senator from Texas. I shall conclude my remarks as quickly as I can.

Mr. CHANDLER. Mr. President, may I amend the statement of the Senator from Texas with the observation that the speech of the Senator from New Mexico is not to extend more than 2 hours?

Mr. HATCH. I guarantee that it will not.

Mr. President, I am fully aware that we have already considered this case for 3 days. Practically all that time has been spent in a discussion of more or less technical propositions of law. We are not exactly responsible for that situation, for the case itself is quite technical. However, in the argument which I shall make I desire, if I can, to avoid repeating a great deal of the argument that has been made, although it will be necessary, in some respects, at least, to go over some of the points which have already been urged by the Senators who support the view held by those of us who think Senator Neely's appointee should be seated.

Already during the course of the debate I have voiced some of my views on the questions of law involved. I have said that if the decision had been left to me originally, when this midnight transaction took place I would have sent both men back to West Virginia and said to the people of West Virginia, "Hold an election and select the Senator of your choice." That was my original thought; but upon looking into the laws of West Virginia and the precedents of the Senate I could find no legal authority for even attempting such a course. The problem is before us. It is here for us to determine and to decide to the best of our abilities.

Senators have said, in beginning their arguments—all of them, I think—that they disclaim any personal interest in the political fortunes of either man, and especially in the political conditions of West Virginia. I shall follow suit, and reiterate my own impartiality and friendly feeling toward everybody concerned. However, Mr. President, I do not think the political fortunes of either man should be involved in this discussion in any way whatever. I do not think any personal friendships or any prejudices should enter into this decision. We are not concerned with the political factions of West Virginia. We are concerned with laying down a precedent in the United States Senate of which we shall not be ashamed. That is our duty, and that is our responsibility.

I wish to say now that, while I said that I did not criticise the men individually, I do criticise with all the force I have the course of action taken by both in sitting up until midnight on January 12, in the dead hours, when usually men of nefarious ways perform their functions. I do not think a Senator of the United States ought to be selected at such a time and in such a manner. While I do not hesitate to criticize that course of action, I still am willing to say for the two principals involved that I quite believe that Governor Holt, the outgoing Governor, and Governor Neely, the incoming Governor, both thought, according to their lights, that they were pursuing the course which was best for the people of their State.

It will be impossible for me, Mr. President, to discuss all the points that have been raised in this debate; but, as the Senator from Vermont [Mr. AUSTIN] said on Friday, I do not want my failure to discuss the points which have been made by the chairman of the committee, the Senator from Texas [Mr. CONNALLY], the Senator from Illinois [Mr. LUCAS], the Senator from West Virginia [Mr. KILGORE], and the Senator from Delaware [Mr. TUNNELL], to imply that I have abandoned any of those points. I agree with every word they have said, and I think the arguments they have made are unanswerable.

Probably the point which I should first discuss is the question whether or not Senator Neely vacated his office as United States Senator when he took the oath of office at 11:45 o'clock. I mention that point first, because it has been argued and stressed in this body that when Senator Neely, at 11:45 on the night of January 12, took his oath of office as Governor, he thereby vacated his position in the Senate of the United States, and the vacancy thus created occurred in the term of Governor Holt, and Governor Holt was thereby entitled to fill the vacancy.

Mr. President, I think that in the committee at least the majority gave hardly a moment's consideration to the contention that a statute of West Virginia could deprive a Senator of the United States of his seat in this body. The only thing relied upon is, our opponents say, that he was ineligible to take an oath of office until he had divested himself of his seat in this body. They do say that, but they do not support it, and they cannot support it by any law of the State of West Virginia or the Constitution of West Virginia, because it is not written there. What is written there is that no man shall hold two offices at the same time, and that is all that is written.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. CHANDLER. Does not the Senator answer his own question when he says that no person can hold two offices at the same time?

Mr. HATCH. I certainly do; and in order to make the Senator's argument effective he would have to say that when Senator Neely vacated his office as Senator and became Governor he was holding two offices at the same time; and the Senator does not say that, and he will not say it.

Mr. CHANDLER. Wait a moment. I will say that Senator Neely took the first oath, not at 11:45, but he took it at 11:35, and another at 11:45. The Senator from New York [Mr. MEAD] asked the Attorney General, "It is your contention"——

Mr. HATCH. I know what the Attorney General said.

Mr. CHANDLER. The Senator from New York asked:

> It is your contention that Senator Neely had to quit, give up the office of Senator, before he could qualify for the office of Governor?

Mr. HATCH. I did not ask the Senator what the Attorney General said. I ask the Senator, What does the law say?

Mr. CHANDLER. The law says that a person cannot hold two offices at the same time.

Mr. HATCH. Absolutely; and that is all it says.

Mr. CHANDLER. No two bodies can occupy the same space at the same time. Neely was paid for being United States Senator the first 12 days of January, and I submit to the Senate that he was not Governor and Senator at the same time.

Mr. HATCH. And the Constitution was not violated.

Mr. CHANDLER. He said he could not do it.

Mr. HATCH. Of course, he could not do it. There was no vacancy in the office of Governor. That raises another question. I lay it down, not merely as what I say, but as what the law says—and if the Senator disputes it I have the authorities to support it—that in order to make the taking of the oath effective as a divestment of the first office there must be a vacancy in the second office into which he enters. That is the law, and that is what the books say.

Mr. CHANDLER. May I interrupt the Senator again?

Mr. HATCH. Yes. However, I am speaking under a limitation of time. What does the Senator desire to ask?

Mr. CHANDLER. Never mind; I will have a little time of my own.

Mr. TYDINGS. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. TYDINGS. Under the laws of West Virginia is it possible for Governor Neely's term to have commenced on January 12?

Mr. HATCH. Not at all. It was absolutely impossible, and that was the point I was making. Governor Neely's term, under the Constitution of the State of West Virginia, began precisely at midnight January 13.

Mr. CHANDLER. When did the vacancy occur?

Mr. HATCH. Precisely at midnight.

Mr. CHANDLER. Who was Governor then?

Mr. HATCH. Governor Neely became Governor precisely at midnight.

Mr. CHANDLER. That is where we are in sharp disagreement. I claim that Governor Neely——

Mr. HATCH. I know what the Senator claims. The Senator claims there was an interval of time, and he claims there has to be——

Mr. CHANDLER. I claim Governor Neely could not be Governor until he qualified and did all the things——

Mr. HATCH. He did all the things.

Mr. CHANDLER. Which the law required him to do before he became Governor.

Mr. HATCH. That is exactly the point I am making. He complied with the laws and the constitution of his State, which almost commanded him to

take his oath of office before the term of his office began.

Mr. CHANDLER. The Senator cannot give him a better case than he has. He did not file all those oaths until the 25th of January.

Mr. HATCH. I hope the Senator will not argue that.

Mr. CHANDLER. I have to do it.

Mr. HATCH. That shows the weakness of the Senator's case. When he relies on such a thin argument as that, such a diaphanous argument as that, he has an exceedingly weak case.

Mr. CHANDLER. I know what a weak case is.

Mr. CONNALLY. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. CONNALLY. I hope the Senator from New Mexico, in view of the limitation of time, and in view of the fact that the Senator from Kentucky will have two hours and a half of his own time, will not waste any time undertaking to convince the Senator from Kentucky, because I know he cannot convince the Senator from Kentucky.

Mr. CHANDLER. Mr. President, will the Senator from New Mexico yield for just one more observation?

Mr. HATCH. I yield for one more observation.

Mr. CHANDLER. The Senator from New Mexico is fully capable of taking care of himself and controlling his own time. If he needs a little more time, I will give him some of mine, because I am anxious to clear up some of these matters.

Mr. CONNALLY. I control the time on this side.

Mr. CHANDLER. The Senator does, and he has given time to the Senator from New Mexico.

Mr. HATCH. Unless someone makes a point of order and takes me off the floor, I refuse to yield further.

Mr. CHANDLER. One more question.

Mr. HATCH. Very well, one more.

Mr. CHANDLER. Who controls the Senator's time, he, or the Senator from Texas?

Mr. HATCH. The Senator from Texas has been very gracious to yield me such time as I may require, or need, and he is the chairman of my committee, in charge of this debate. At any time he wishes to rise and interrupt me and make any suggestion, I shall gladly yield to him.

Mr. CHANDLER. I want to know whom to ask. I want to know if the Senator from New Mexico has the floor, and if so, I wish to ask him.

Mr. HATCH. The Senator may ask me.

Mr CHANDLER. I merely wish to know whom to ask.

Mr. HATCH. The Senator may ask me.

Mr. President, I have already said that the effect of the oath taken at 11:45 o'clock was a mere compliance with the laws, almost the commands, of the State of West Virginia; that there was no vacancy in the office of Governor; that Senator Neely did not hold two offices at the same time, and when his term began, he automatically instantly vacated his office as Senator.

What I have said has already been pointed out by most of the Senators who have preceded me, but is conclusively established by the decisions, which I think can admit of no dispute. I wish to read once more from the decision in the Taylor case, just a short excerpt from it, merely to show that I am not arguing what I think, but I am arguing, or trying to argue, what the law is. This is the decision in that case:

> Until the time when he could legally enter upon the discharge of the duties of the new office—

He could not do that at 11:45 o'clock, because Governor Holt's term had not expired then.

> There was nothing in the spirit or letter of the law declaring that his preparation for entering upon such duties would vacate his former office.

I say that is sound, it is logical, and it is reasonable.

> His taking the oath and executing the bond were but such preparation.

Mere preparation for the assumption of the duties which would later begin. The Senator from Kentucky has left the Chamber; I started to make an observation to him.

It is further said:

> Had the term of his new office then commenced such qualification would be the statutory acceptance such as would vacate his former office.

If the vacancy had been in existence at the time, then, when he took the oath, he would automatically have gone from the old office into the new.

I think that draws a line of distinction which the opposition has failed to make in this case. I do not think, honestly, they have realized that that distinction existed. I do not think the junior Senator from Kentucky has realized it.

But the distinction is there, and it is a sound and a reasonable distinction.

> If there is no vacancy to be filled at the time the qualifying oath is taken, that qualification does not divest the person of his former office.

I do not take it that it is necessary to continue arguing such a fundamental point as that. No one has ever said that the office was vacant, and that by taking the qualifying oath Senator Neely became Governor at 11:45. He could not. That was still Governor Holt's term.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. LUCAS. Is the Senator quoting from the Kentucky case?

Mr. HATCH. Yes.

Mr. LUCAS. The two offices in that case were incompatible.

Mr. HATCH. Yes.

Mr. LUCAS. Just as were the two offices we are considering in this case; and the facts, as I recall, were on all fours with the facts here, and there was nothing cited in the brief filed by counsel for the appointee, Martin, which tended to overrule or overturn or contravene in any way the law laid down by the Supreme Court of Kentucky in that case.

Mr. HATCH. The Senator from Illinois is exactly correct, and I cannot see that there is any doubt at all about the proposition I am arguing as to whether the oath taken at 11:45 did have any potent effect. It is a proposition which the opposition does not face squarely and has not faced squarely since this debate began. They center their criticism and their plea for an interval of time on the oath that was taken after midnight or instantly after midnight. So far as I have heard not a Senator has recognized for any purpose the oath taken at 11:45, except to say that it vacated the office of United States Senator. Not one time have opposition Senators met the issue that under the laws of West Virginia a man can and should take his oath of office and perform the other qualifying acts so that the instant his term of office begins he instantly, without any fraction of time, without splitting any second, becomes the new officer. That is what happened in this case.

I have said I did not want to split seconds. I have refused to split seconds, and I have tried to find a rule which would prevent the Senate from trying to split seconds, and the rule I have announced does that.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. TYDINGS. Can the Senator tell me whether it had been the custom and the precedent in West Virginia heretofore for the new Governor on beginning his term of office on a certain day, for instance, January 13, to have completely dominated the whole day from midnight on, or whether the old Governor had a part of the time up until the new Governor was actually inducted at the inaugural ceremonies?

Mr. HATCH. I cannot answer that question. As a matter of fact, I do not know what the custom has been in West Virginia in that regard.

Mr. TYDINGS. I think we can all follow the argument of the Senator, and I think it is very conclusive, except there seems to be one hiatus to some of us, and that is——

Mr. HATCH. The Senator knows I cannot make my whole argument at once, but I hope the point the Senator is about to make is one I am coming to.

Mr. TYDINGS. I hope so, too. It was argued on the floor the other day that even though the Governor did not take his oath until say 12 o'clock noon on the 13th of January, that automatically carried him back until midnight on the 12th–13th. I do not altogether concede the logic of that argument, because it would be perfectly possible——

Mr. HATCH. I intend to present that theory in a minute or two.

Mr. TYDINGS. Very well.

Mr. HATCH. I shall read from a case which I have on my desk, not to cite it simply because some supreme court has said so and so, for I think we may be a little bit vain in that regard, and that Senators are just as capable of making up their minds about what the law is and what it may be as is any supreme court; but I think the reason and the logic of any group of men might appeal to us, and that is the reason I shall read the case.

Mr. TYDINGS. I certainly hope I can be here and hear the Senator read the case, but I shall not be on the floor all the

time, and therefore I will take the liberty of asking a question which will perhaps bring into focus what I have in mind.

Mr. HATCH. Very well.

Mr. TYDINGS. Let us suppose that X is elected Governor of West Virginia, and prior to the date fixed for his term of office he takes the oath, just as Senator Neely did. But let us suppose that at half past 11 p. m. on the 12th, while walking across the street, he was struck by an automobile and was carried to the hospital.

Mr. HATCH. Does the Senator mean Governor Holt?

Mr. TYDINGS. No; Governor-elect Neely, having been elected, and having taken the oath of office at noon, let us say, on the 12th, is struck by an automobile at 11:30 o'clock p. m., he is taken to the hospital, and, actually, physically, is not in a condition to become Governor for 30 days. Who is Governor of West Virginia during that 30-day period?

Mr. HATCH. If there is a failure to qualify, the president of the State senate automatically takes the office.

Mr. TYDINGS. The Governor-elect already had taken the oath before he was hit by the automobile.

Mr. HATCH. He has qualified; then he becomes Governor.

Mr. TYDINGS. Then the old Governor would go out of office when?

Mr. HATCH. Immediately at midnight.

Mr. TYDINGS. Immediately at midnight?

Mr. HATCH. Yes.

Mr. TYDINGS. Is there dispute over that assertion by the Senator?

Mr. HATCH. I do not think so. I do not think there could be any dispute about that.

Mr. TYDINGS. The Senator can see the significance of the question, I am sure.

Mr. HATCH. I do not believe even the opposition would dispute that proposition.

Mr. TYDINGS. Even though he was not present at midnight on the 13th, or any time during the day on the 13th, and was absent in the hospital for 30 days, it is the Senator's contention that even though ill he had qualified completely and actually and was the Governor?

Mr. HATCH. And it required no other act to be done; that is the point.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. GILLETTE. Before the Senator leaves the point he was discussing when the Senator from Maryland interrupted him I wish to ask him a question. I believe the Senator took the position that the oath taken at 11:45 qualified Mr. Neely, provided he had performed all the other qualifying acts.

Mr. HATCH. Yes.

Mr. GILLETTE. And in the Senator's opinion he had performed all the other necessary acts.

Mr. HATCH. There is no question about it. That is admitted by all. There is no question about the other qualifications having been met by Senator Neely.

I now wish to say a few more words about the attempt to divide this fraction of a second. The Senator from Vermont [Mr. AUSTIN]—and I have the highest regard in the world for the Senator—very frankly said to me in answer to my question that the interval occurred when Governor Holt's term was still in existence at some point after midnight, and he recited at length to us how quickly Governor Holt could sign a commission, and how long it would take Senator Neely to take the oath of office, and he arrived at the conclusion that in that interval of time—the fractional part of a second—Governor Holt remained governor and had authority to appoint a Senator of the United States. Senators may be able to make so fine a division, but do they know what it reminds me of? It reminds me of an old doggerel on our profession:

> He could distinguish and divide
> A hair 'twixt south and southwest side.
> And wisely tell the time of day.
> The clock does strike by algebra.

I think Senators who attempt to divide a fraction of time, a second, as they attempted to in this case, go beyond even those old lines of doggerel. I do not believe algebra is high enough in mathematics to make such a division as that.

The Senator from West Virginia [Mr. KILGORE] also appealed to mathematics, and pointed out that there was a point of time, which I believe he said had length. I am not criticizing his mathematics. I have not looked at an algebra for many years, but, as I recall a point, it is a dimensional figure without length, breadth, or thickness. There was a point of time, that point of time when the terms of the outgoing Governor and the incoming Governor met, and that point was a dimensional figure which had neither length, breadth, nor thickness. Let Senators divide that if they can.

It cannot be done. To my mind it is ridiculous to ask us to determine a mad race such as the one which took place in West Virginia at midnight between two Governors each seeking to appoint a United States Senator. Who knows which one won that race? No judges with stop watches were present in one office here, and in another office there, to see how long it took. Even on a race track a record cannot be established without accurate knowledge as to the time involved. Yet we are asked, without any accurate knowledge, without any information, to say that one outran the other. If anybody can do that, he must adopt means and methods unknown to me. I say it cannot be done.

I think the Senator from Kentucky [Mr. CHANDLER] is at my rear. I seem to recognize his voice, saying under his breath, "May I ask you a question?" Yes; I yield for a question.

Mr. CHANDLER. I was afraid to ask out loud because I was afraid the Senator from Texas [Mr. CONNALLY] would stop me [laughter].

The Senator said that we are to try to decide which one won the race.

Mr. HATCH. I have already submitted a proposition which does not involve any race; and I am about to submit another proposition which does not involve any race.

Mr. CHANDLER. I understand that my friend is so disgusted with both contestants that he wants to send the matter back to West Virginia.

Mr. HATCH. The Senator heard me make my statement on the floor and in the committee; and he heard my statement today.

Mr. CHANDLER. I merely wanted to see if that was still the Senator's position. He says we shall have to decide who won the midnight race.

Mr. HATCH. No; I do not. I say that we are not going to decide that kind of a race. That is what I refuse to do. There is no race.

Mr. CHANDLER. If the Senate is to make a decision, it must decide as between two contestants who stayed up all night watching the clock. If we seat either one of them, we must seat someone who was up all night watching the clock, taking oaths, and trying to appoint somebody to the Senate.

Mr. HATCH. We do not have to seat either one of them on any such theory.

Mr. CHANDLER. We must seat one of them on such a theory, or in spite of it.

Mr. HATCH. We will seat the proper man, in spite of such theories.

Mr. CHANDLER. We cannot send the question back to West Virginia, for the reason that the United States Senate cannot call an election in West Virginia. There are certain practical difficulties which my friend realizes.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield for a question?

Mr. HATCH. I yield.

Mr. THOMAS of Oklahoma. I should like to know whether or not any photographic record was made of the finish of the race in West Virginia?

Mr. HATCH. There was no photographic finish, and no man on earth knows which nose went under the wire first.

Mr. THOMAS of Oklahoma. Will the Senator further yield?

Mr. HATCH. I yield.

Mr. THOMAS of Oklahoma. If the Senate should see fit to reject both the resolution and the amendment in the nature of a substitute, would not such action automatically send this case back to West Virginia for further consideration?

Mr. HATCH. Under the laws of West Virginia, a special election could not be called before the next general election. There is no provision for it. West Virginia would be deprived of a seat in the Senate.

Mr. THOMAS of Oklahoma. If we should reject both the resolution and the amendment in the nature of a substitute, such action would give the appointing power in West Virginia the right to proceed to fill the vacancy.

Mr. HATCH. Yes. That is the thing to which my friend, the Senator from Kentucky, objects. He says that we might as well seat Dr. Rosier in the first instance.

Mr. CHANDLER. I think that is true. If I were the Governor, I should certainly submit the name of the same man.

Mr. THOMAS of Oklahoma. If that should be done, there could hardly be a question raised about the validity of the next appointment.

Mr. HATCH. No; there could be no question whatever about it.

The point I was making was that there was no interval of time, and that the three things happened at one and the same time. Governor Holt's term expired at midnight. Governor Neely's resignation as Senator became effective at midnight. Governor Neely's term as Governor began at midnight. He had taken the oath of office before that time; and regardless of any race, he became Governor precisely at midnight, and the appointment made by Governor Holt must fail because his term of office had expired and his power had died with it.

On that point I will say to the Senator that no one contends that Governor Holt could have made an appointment effective over into the term of Governor Neely. Yet that is exactly what he tried to do. That is exactly the point made by those who argue this case in behalf of his appointment. They contend that, because the constitution of West Virginia says that a man shall continue to discharge the duties of his office until his successor is appointed and qualified, Governor Holt's term did extend beyond midnight. That might be true if Governor Neely had not already qualified, and if his term had not already commenced instantly at midnight.

Mr. CHANDLER. Mr. President, will the Senator yield for a further question?

Mr. HATCH. On that point, before I get away from it, I wish to say that I am not so sure the argument that Governor Holt's term was extended is sound. My thought is that the constitution of West Virginia means what it says. I know that the statute and some of the decisions refer to an extension of term. The constitution does not. The constitution says that he shall discharge the duties of his office, and many cases hold that a Governor holding over under such circumstances is merely acting by sufferance; that his term is not extended; and that his tenure by sufferance is for the purpose of protecting the welfare and business of the State until his successor can qualify.

Mr. CHANDLER. Mr. President, will the Senator yield for a question on that point?

Mr. HATCH. I yield.

Mr. CHANDLER. Senator Neely resigned and asked that the resignation take effect "precisely at" 12 o'clock. Is not that correct?

Mr. HATCH. That is correct.

Mr. CHANDLER. He said that he took oath "instantly after" 12 o'clock. The Senator is giving him a better case than he gave himself. In one case he said, "precisely at," and in another case he said "instantly after." What is the difference?

Mr. HATCH. That is exactly what I have said all the time.

Mr. CHANDLER. What is the difference?

Mr. HATCH. The Senator refuses to face the oath taken at 11: 45.

Mr. CHANDLER. Oh, no.

Mr. HATCH. The Senator wants an interval of time.

Mr. CHANDLER. Oh, no.

Mr. HATCH. Oh, yes.

Mr. CHANDLER. The Senator is mistaken.

Mr. HATCH. The Senator wants some interval between "precisely at" midnight and "instantly after" midnight, because that is the only way under the sun that he can possibly obtain an interval of time and the only way Governor Holt could reach out into Governor Neely's term and appoint a United States Senator.

Mr. CHANDLER. My friend is mistaken. I expressly refuse to rely on that point, because I think the other case is stronger. Senator Neely drew pay as a United States Senator——

Mr. HATCH. Mr. President, I have been speaking for nearly an hour already, and I promised that I would not consume more than an hour. The Senator may make his own speech after a while.

I wish to come to another point and lay down the proposition that, even if the oath at 11:45 had not been taken and even if the oath had not been taken instantly after midnight and even if Governor Neely had waited until 12 o'clock noon, he still had the power to appoint a United States Senator, and there was no power in Governor Holt to do so. There is no doubt that Governor Holt's term expired at midnight. The constitution of West Virginia provides that the terms of all incoming officials shall begin on the first Monday after the second Wednesday, and the law says that the first day of an official's term begins at midnight and that the preceding term ends at midnight. There is no interval. It is against the policy of the law to permit an interval to take place. A vacancy in an office between the end of one term and the beginning of another is a thing unknown to the law. There is no doubt about it.

I have said that if Governor Neely had waited until 12 o'clock noon to take the oath, it would still have been good, and he could still have filled the vacancy in the Senate. The reason why I say that is that the law which recognizes that an officer holds over into his successor's term is one of necessity. It is laid down for certain purposes and reasons. The purpose is not to enlarge the term of the outgoing official; that is not the reason at all; it is not to extend his powers, but to protect and care for the business of the State until the new Governor can qualify. It was never contemplated by the law that a new Governor, in order to protect the prerogatives of his office and have the opportunity of discharging all the duties devolving upon him by reason of the office to which the people of his State had elected him, and prevent a predecessor from embarrassing him, should have to sit up and take an oath at midnight. No law ever contemplated such a course—a course repugnant and repulsive to every thought and theory of decent government. That is exactly what I think about it; and it is not a new question. I refer Senators to the decision from which I shall now read, and I ask them to listen to me, for it is not long. Perhaps I can shorten it by reading from my notes.

In this case there was involved the employment of a sheriff.

The important question—

Said the court—

is, Would the old board have the authority to fill the vacancy for the ensuing 2 years caused by the death of Mr. Walsh?

Under a constitutional provision which fixed the official year as commencing on the first Monday of January, the outgoing board met on that day. They held a special meeting at 1:30 in the afternoon, and the outgoing board appointed a sheriff for a term of 2 years to begin on that day, which was the first Monday of January. The appointee was present. He took his oath and executed his bond. At the time that happened, the new board had not qualified; but immediately or shortly after those transactions had taken place—not at midnight but in the daytime—the new board did qualify; and the new board refused to approve the bond the sheriff had given. Later—several weeks later—the new board met and appointed a different sheriff.

That case was much clearer than the one we have here. No splitting of seconds was involved. Yet the Supreme Court of Minnesota said:

The day begins at 12 o'clock midnight, and the law does not recognize fractions of a day. (Citing cases.) It is fair to assume, however, that it was not intended by the framers of the constitution that the change in office should take place at 12 o'clock midnight. The incoming officers should have a seasonable and reasonable time at the beginning of the business portion of the first official day—

Not in the dead hours of midnight—

in which to qualify and assume their duties. Some unforeseen circumstance might delay the opportunity to qualify until the latter part of the day; but that fact could not result in depriving that day of the prestige accorded to it by the constitution. It is fairly to be inferred from the language of the section that, although the whole of the day belongs to the new official year, yet for convenience, and to prevent an interregnum, the qualification of the new officer may take place at a convenient hour, according to the exigencies of the case. If any business at all be transacted on that day by the outgoing board prior to the qualification of the new members, it should be confined to the closing up of pending matters, or to matters of necessity. All business which naturally pertains to the new official year is within the jurisdiction of the incoming board.

Governor Neely's resignation took effect at midnight, the beginning of the new day. The appointment of his successor was official business belonging to the new term; and Governor Neely, regardless of any question of public policy, was Governor of that State, chosen by the people; and, whether a person likes him or not, he was entitled to perform every duty that fell to his term of office.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. HATCH. I yield.

Mr. LUCAS. Probably it should be pointed out as an observation that the constitutional section upon which this decision was written was very similar to

the constitutional provisions with which we are dealing in the West Virginia case.

Mr. HATCH. Yes; very similar. It is not so much a question of precedent; it is the logic and the reason of the case that appeal to me; and, as I have said so often during this argument, the idea that officers should sit up until midnight to perform the functions of their office and to try to keep somebody else from doing something is repugnant to me.

Picture that scene in Charleston, W. Va., at midnight. One Governor sits in his office, with his pen poised—sending down, as he said, to have his watch set by Western Union time—ready to sign a commission for a Senator. In another office sits another Governor, I presume with his hand lifted to high heaven, before Almighty God, ready to take an oath as fast as he can, before the other one can sign a commission.

What is wrong with the reasoning of the case I have just announced? Why should not the incoming officer have all the day, and why should not the outgoing officer be restricted to performing only those duties which are necessary to conduct the business of the State and to protect the welfare of the people, as might well be required? I can think of many things.

Mr. President, I have said enough, and probably too much. I have presented my views. I do not desire to see this case turn on a split second of time. I do not desire to see it turn on a contest between two Governors, honest and sincere as they may be, each one trying to have his way. I desire to see the case turn upon a principle upon which the Senate can stand in the future. I desire to see the Senate lay down a precedent by which we can abide, and as a result of which we can say, "This is the law. This is what the Senate of the United States believes in; and no Governor in this land will ever again have to sit up until midnight to make an appointment of that kind."

Mr. President, I say to all Members of the Senate that we can make that decision. We can adopt the reasoning of the case which I have read, and say that it is the law for it is the law, that Governor Neely had the right to fix the time when his resignation should become effective. He did fix it; no one disputes his right to do so, and it became effective precisely at midnight. Under the Constitution of the State of West Virginia Governor Holt's term expired at midnight; and Governor Neely having already qualified, his term began. There was no interval. No power resided in Governor Holt to make an appointment. We can decide the case on that ground, and not split a second of time; or we can take the broader ground—and, to me, the better ground—and say, "Public officials shall have a reasonable time to qualify and to perform the duties of their offices in ordinary business hours of the day."

Mr. O'MAHONEY. Mr. President——

Mr. HATCH. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. The other day the Senator from New Mexico indicated, when I rose to interrogate the Senator from Vermont [Mr. AUSTIN], that in the Committee on Privileges and Elections he had raised the question whether the whole matter should not be referred to the people of West Virginia. Does the Senator recall what are the statutes of West Virginia with respect to special elections?

Mr. HATCH. I cannot recall the exact wording; but, with regard to the appointment of a Senator, I think if the vacancy is less than 2 years, the Governor appoints, and the appointee holds until the next general election. If the vacancy is for a period of more than 2 years, a special election must be held. This vacancy being for less than 2 years' time, there is no statutory provision for holding a special election.

Mr. O'MAHONEY. So, under the West Virginia law, this vacancy could be filled by election only at the next general election?

Mr. HATCH. Yes; and that is the reason which causes me to forsake the plan in which I believe, and in which I think the Senator from Wyoming likewise believes.

Mr. O'MAHONEY. In other words, a decision by Senators to vote against seating of either of the appointees would serve, under the present state of the West Virginia law, merely to keep a vacancy?

Mr. HATCH. No; not that. If neither qualified, then Governor Neely, of course, would appoint a man, either the same appointee or someone else. If we kept on refusing to seat an appointee, of course, the Senator is correct; there would be a vacancy until the next general election.

Mr. O'MAHONEY. I thank the Senator.

Mr. HATCH. Mr. President, I have concluded.

Mr. CHANDLER. Mr. President, the Senator from New Mexico having concluded, I yield 30 minutes to the Senator from Colorado [Mr. ADAMS].

Mr. WILEY. Mr. President, will the Senator yield to permit me to put something in the RECORD?

Mr. ADAMS. The Senator will have to take that matter up with the Senator from Kentucky.

The VICE PRESIDENT. Has the Senator from New Mexico concluded?

Mr. HATCH. Yes; I have surrendered the floor.

Mr. O'MAHONEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Bunker	Gerry
Aiken	Burton	Gillette
Andrews	Butler	Glass
Austin	Byrd	Green
Bailey	Byrnes	Guffey
Ball	Capper	Gurney
Bankhead	Chandler	Hatch
Barbour	Clark, Idaho	Hayden
Barkley	Clark, Mo.	Herring
Bilbo	Connally	Hill
Bone	Danaher	Holman
Brewster	Davis	Hughes
Brooks	Downey	Johnson, Calif.
Brown	Ellender	Johnson, Colo.
Bulow	George	Kilgore
La Follette	Overton	Thomas, Utah
Langer	Pepper	Tobey
Lee	Radcliffe	Truman
Lucas	Reynolds	Tunnell
McCarran	Russell	Tydings
McFarland	Schwartz	Vandenberg
McNary	Smathers	Van Nuys
Maloney	Smith	Wallgren
Mead	Spencer	Walsh
Murdock	Stewart	Wheeler
Murray	Taft	White
Norris	Thomas, Idaho	Wiley
O'Mahoney	Thomas, Okla.	Willis

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

Mr. ADAMS. Mr. President, I am impelled to make my statement as brief as I can, for two reasons: First, I wish to make it clear upon the RECORD that my own decision is not based upon any of the rumors and stories and personal matters which circulate about the Senate and on the floor; and, as I happen to be a member of the Rules Committee, certain other things have come to my attention. The other is that I have a clear, definite conviction as to the law of this case. I believe—and I am expressing merely my own belief—that a large part of the argument has been aside from the real point in the case. I disagree with my good friend from Kentucky [Mr. CHANDLER] as to the importance of the filing of the oath. I have tried to follow through the various arguments that have been made on both sides, and I have made up my own mind very clearly, very definitely; and that conviction I wish to express at this time.

I am entirely in accord with the Senator from New Mexico [Mr. HATCH] as to there being no interval of time between the 12th and the 13th. I recognize that there is a dividing line between Sunday the 12th, and Monday the 13th, but it is a line without breadth or duration. It is simply a contact line. One day comes up in immediate contact, as a matter of time, with the other day.

I am not in accord with the Senator from Illinois [Mr. LUCAS] in his argument that the president of the State Senate might, under these conditions, for a short or a long time, have had the powers of the Governor; but I am not concerned with that. My view is limited solely to Sunday, the 12th of January. My view is not in anywise affected by anything that happened after the midnight line between the 12th and the 13th. So I am not concerned with the midnight meetings. I am not interested in the activities of gentlemen who took oaths or signed commissions, seeing how close they could get to the midnight line. The decision, at least so far as my mind is concerned, is based upon unquestioned documentary evidence, all dealing with this 1 day.

Senator Neely sent in his resignation to Governor Holt. He fixed the time of his resignation. I recognize that he had a right to fix the time of his resignation. He fixed the time. When did he fix it? At the last instant on Sunday, the 12th of January. He resigned during the term of Governor Holt. Governor Holt was Governor, by everybody's concession, until the dividing line between the 12th and the 13th was reached.

So Senator Neely provided in terms that his resignation should take place on Sunday. Every second, every instant, every fraction of a second on Sunday was during the term of Governor Holt. There is no question as to that.

No part of Governor Neely's term began on the 12th. It began, at the earliest moment, on Monday the 13th. He served as Governor no instant on Sunday the 12th. He sent in his resignation to take effect at a certain time. He fixed the time on Sunday, and during all of Sunday Holt was Governor.

I may say that the first point that disturbed me was the question of an anticipatory appointment. My original impression was that no man could make an appointment to a vacancy which did not exist when he made the appointment. That was my curbstone feeling about it; but I find it is generally conceded that an official may make an anticipatory appointment to take effect during his term of office if it is definitely known that the vacancy also will take place within his term of office.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. HATCH. I am not suggesting this as a legal argument, but merely as a matter of precedent. It has been the practice in appointments to the Senate, and perhaps under the seventeenth amendment it is not only the practice but the law, that no authority vests in a Governor to make an appointment until a vacancy happens. That is the seventeenth amendment to the Constitution of the United States, and if the Senator will read it—and I say this without flattery, knowing his fine legal mind—if he will take the seventeenth amendment to the Constitution of the United States and read when power is conferred upon a Governor to make an appointment, he will find that it does not arise until a vacancy happens. I merely make that suggestion. I am not putting it forth by way of argument.

Mr. CHANDLER. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. I have to be excused. I am following the advice of the Senator from Kentucky. He told me not to yield.

Mr. CHANDLER. The Senator misunderstood me.

Mr. HATCH. He meant not to yield to the opposition.

Mr. CHANDLER. I said the Senator had a right to yield and a right to refuse to do so.

Mr. ADAMS. I am speaking in the Senator's time, and I am going to try to be as expeditious as possible.

I made specific inquiry of the able, learned Senator from Illinois [Mr. LUCAS], who made an argument based on his own personal legal judgment and personal integrity. I asked him the question whether or not an appointing officer could make an appointment anticipating a vacancy when the happening of the vacancy was certain and the appointment was to take place during his term, and the Senator assured me that was the unquestioned law.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ADAMS. The Senator does not need to repeat it. I am backing up the Senator. That is correct, is it not?

Mr. LUCAS. I merely wanted to corroborate what the Senator said. There can not be any question about it. All lawyers agree that an anticipatory appointment, to be good, must be made during the tenure of office of the appointing power.

Mr. ADAMS. And can be made if the vacancy is to occur. The vacancy was to occur, according to Senator Neely's own written document. According to his own statement it was to take place. He said:

> I hereby respectfully tender my resignation as United States Senator from the State of West Virginia, to become effective at precisely 12 o'clock midnight on Sunday, the 12th of January 1941.

The Senator from West Virginia therefore resigned during the term of Governor Holt. There is no question about that. His resignation became effective. There is no question as to the right of Senator Neely to submit an anticipatory resignation and to fix the time when it should take effect. If Senator Neely could reach forward and fix the time of his resignation, the Governor could reach forward and make an appointment, as he did, to take effect—when? The Governor said the appointment was to be effective from the taking effect of the resignation of the Honorable Matthew M. Neely as United States Senator. The resignation took effect during Governor Holt's term, and his appointment was made to take effect at the same instant. Therefore he made the appointment during his term.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. LUCAS. If I understand the resignation correctly, Senator Neely resigned precisely at midnight on January 12.

Mr. ADAMS. Sunday at midnight.

Mr. LUCAS. Precisely at midnight on January 12.

Mr. ADAMS. That is correct.

Mr. LUCAS. Did not the constitutional term of Homer Holt expire precisely at midnight on January 12?

Mr. ADAMS. I have not gone into the question of holding over. I have specifically avoided that. There is no question that what Senator Neely sought to do was to fix his resignation within the term of Governor Holt, but at its uttermost limit. But Governor Holt fixed the appointment at the same instant, and I know of no reason why, the resignation being offered to take effect within his term, the appointment should not take effect upon the going into effect of Neely's resignation. There need be no interval. It took place instantly.

Mr. LUCAS. Will the Senator yield further?

Mr. ADAMS. I am glad to.

Mr. LUCAS. If Governor Holt's term legally expired at midnight on January 12, as I contend it did, under the Constitution of West Virginia, how is the Senator to differentiate between that and the resigation of Senator Neely, who said that his resignation took effect at midnight on January 12?

Mr. ADAMS. He did not say that. His resignation was to take effect on "Sunday." He specified the day. Governor Holt was Governor all of Sunday. He was Governor at the instant when Senator Neely said his resignation would take effect, and at that instant on Sunday he made the appointment.

Mr. LUCAS. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Colorado yield to the Senator from Illinois?

Mr. ADAMS. I yield.

Mr. LUCAS. Does not the Senator more or less condemn what happened immediately after midnight, Senator Neely and Governor Holt attempting to split seconds?

Mr. ADAMS. I have not condemned it. I disregard it. I do not enthuse about that performance. I say to the Senator that I have tried to treat this as a case of two men in high places writing out two documents in advance. Senator Neely sent a resignation in on the 10th of January. Governor Holt, I suppose, in the daylight hours of the 11th, having received Neely's resignation, sent in a document and made an appointment. There was no midnight involvement in that, but two men sending in documents, one closing his career in the Senate, the other filling the place.

Mr. LUCAS. If the Senator will yield for one further observation, I shall not take more of his time, because I know how valuable it is. The Senator is making a great argument, and I appreciate hearing him. I say, with all sincerity that, while in the position he has taken, the Senator is disregarding what happened immediately after midnight because of the split-second proceedings, the Senator himself, under the facts, inasmuch as the resignation took place precisely at midnight and Governor Holt's term expired precisely at midnight, is now dealing with split seconds.

Mr. ADAMS. The Senator can use such terminology as he pleases. It is conceded that Senator Neely must have separated himself from his Senatorship before he became Governor, and he was very careful to do that. That is what I am trying to say. Senator Neely was coming into office at the first instant on Monday, and he said, "I want to resign at the last instant on Sunday." He did not want to have any conflict. He drew a contact line. On one side of the line he was to be Senator and on the other side he was to be Governor. And Holt said, "At the time on Sunday when Senator Neely is still considering himself a Senator, at that instant when his resignation goes into effect, my appointment goes into effect." That is on one side of this line. It is not an imaginary line. It is a line without duration, but it is there, a definite line between those 2 days, based upon these two documents signed by these two men. I have no objection to two men, representing different groups, seeking to have their own choice in the senatorship. I am disposed to think very little of the antics which took place at midnight.

Under the law I think those actions were wasted; I think the whole matter was concluded by the resignation made on the 10th and the appointment made on the 11th, both taking effect at the very conclusion of the day on Monday the 12th. So I say to the Senate, to my mind the question is not an involved one. To my mind it is clear. Perhaps no one else will concur with me, but I have felt obligated to place my conclusion upon the RECORD after study of the problem and after listening to very learned arguments.

I have heard some arguments which involved a good deal of heat. I have heard statements made as to arguments being absurd and ridiculous. I have heard arguments about the chaos that might result if certain decisions were made. As a matter of fact, I think the decision which I believe the facts require will establish a principle of law which will prevent chaos rather than result in it. I think that never in the future will such a situation confront the Senate of the United States again, but if it should we shall have a precedent upon which to base our action. While we are not overly faithful in following our precedents, I think if a precedent is established it will make action easier in the future. I will say that regardless of which way the precedent is established, it would end this sort of controversy.

I am convinced that Senator Neely ceased to be Senator, according to his own resignation, on Sunday the 12th. Governor Holt appointed Mr. Martin on Sunday the 12th. Governor Neely having divested himself of his senatorship at the last instant on Sunday the 12th, became by virtue of the constitution and the law the Governor at the first instant on the 13th. The last instant of the 12th and the first instant of the 13th touched as close as billiard balls in contact. There was no interval. I am not concerned with talk of "interregnum" and all such things. I think they have no bearing on this matter. I merely express the opinion of a lawyer who has listened to the case, and who has studied it and has tried to reach an honest, definite, legal conclusion on this question.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. LUCAS. As I understand the Senator's last statement, he does not claim there was any hiatus or interregnum at any time at all between the expiration of Governor Holt's term and the expiration of Senator Neely's term? His position is based on the terms of the resignation itself, in that Senator Neely resigned on Sunday, and necessarily by the terms of the resignation he resigned during Governor Holt's term.

Mr. ADAMS. Yes; and the appointment by Governor Holt was to take effect the instant the resignation became effective.

Mr. LUCAS. The Senator disagrees with those who claim there was this infinitesimal hiatus?

Mr. ADAMS. I am not attempting to discuss the views of other Senators. I am merely stating my own views, and I have not found it necessary to go beyond this line.

Mr. LUCAS. As I understand the Senator's position with regard to the matter of interregnum, it is that that matter of time was like two billiard balls placed together. There was no space between the 2 days.

Mr. ADAMS. Yes; that is my position.

Mr. LUCAS. I agree with the Senator.

Mr. ADAMS. As I said in opening my remarks, I do not agree with the argument that the oath of office must be filed as a necessary requirement. I am conscious of the provision of the Constitution which says that no additional test or requirement may be made other than those specified. There were two requirements, two qualifications to be met by Senator Neely. One was that he divest himself of the senatorship, and the other, that he take the oath. He could have taken the oath at any time. He had to take it before he could become Governor. That is the plain requirement. He had to divest himself of the senatorship before he could become Governor.

I have not sought to argue the question of the effect of the oath taken at 11:45 p. m. My own mind is not clear about that. I have some doubt on that point. When the condition exists that a man must divest himself of the senatorship before he can become Governor, and when one of the requirements he must meet is the taking of the oath, then when he takes the oath and takes one step into the governorship, I wonder whether he has not by that very act abandoned his senatorship. I say I think that is a matter of doubt. The Senator from New Mexico [Mr. HATCH] used rather strong terms about anyone who holds that view. I do have doubt about that matter. I think, surely, Senator Neely went out of his office as Senator on Sunday, the 12th. Perhaps he went out earlier than midnight. Perhaps he went out at 11:45. At least he took an act which was inconsistent with continuing to hold that office. But I am trying to pin myself down, Mr. President, to what I think is a definite, clear line. My opinion is definite. It has been formed after much study. It does not mean that the conclusion I have come to is sound; but, as I said, I wanted to put upon the record my contention and my reason for the vote which I shall cast.

Mr. O'MAHONEY. Mr. President, will the Senator yield before he takes his seat?

Mr. ADAMS. Yes.

Mr. O'MAHONEY. The Senator from New Mexico interrupted the Senator at the beginning of his discussion to call attention to the provision of the Constitution in the seventeenth amendment, which reads as follows:

> When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

The point of the suggestion made by the Senator from New Mexico was that the phrase in the Constitution of the United States "when vacancies happen" makes it clear that in this instance the appointment by the Governor could not take place until after the vacancy had happened. The question then is, Does that not, even on the Senator's argument, take the appointive power beyond Sunday?

Mr. ADAMS. I did not take that contention seriously, because it seems to me every statute authorizing a Governor to make an appointment is similar. That is, he makes the appointment when the vacancy occurs, and as stated by the Senator from Illinois, it is the uniform rule that if it is known the vacancy is going to happen within the term, and that an appointment is to be made, the appointment may be made in anticipation.

There is nothing distinguishing the language of the Constitution of the United States from the ordinary statutes and the State constitutions upon which the general rule is founded. So I see no distinction between the ordinary situation and this. I feel that the same right to make an anticipatory appointment under these limitations exists here as in the normal case.

Mr. CONNALLY. Mr. President, at this time I yield as much time as he may desire to the senior Senator from Nebraska [Mr. NORRIS].

Mr. NORRIS. Mr. President, we have been engaged for several days in a debate which, as I see it, is to a very great extent immaterial. We have been splitting hairs, until if they were properly divided up every bald-headed Senator in the Senate would have a luxurious growth of beautiful hair. [Laughter.]

Mr. President, three or four things stand out prominently, I think to a great extent uncontradicted, and I think they are perfectly logical. First, there never was a time when Governor Neely had any authority to appoint a Senator until he became Governor.

Second, there never was a time when Governor Holt had authority to make an appointment to fill the senatorial vacancy until and unless he was Governor of West Virginia at the time he made the appointment.

Third, the same instant that Mr. Neely became Governor of West Virginia Governor Holt ceased to be Governor of West Virginia. Hence there never was a time when a vacancy existed while Governor Holt was Governor. It therefore follows, it seems to me, as night follows day, that any pretended appointment made by Governor Holt is absolutely null and void.

Mr. CHANDLER. Mr. President, I yield 30 minutes to the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, it seems to me that the argument of the Senator from Colorado [Mr. ADAMS] completely answers the argument of the Senator from Nebraska [Mr. NORRIS], who has just spoken, if we assume that Governor Holt's term ceased at midnight and that Senator Neely's term began at midnight.

In relation to the matter now pending before the Senate, I am frank to say that at the beginning of the debate I had no intention to speak on the subject. I rise to speak in favor of the seating of Mr.

Martin as Senator from West Virginia. I am a member of the Senate Committee on Privileges and Elections. I heard the testimony given before the committee. I had no preconceived notions about the merits of the controversy. I knew neither of the gentlemen whose contentions we are now considering.

Mr. President, we are not adjudicating this matter on the basis of the personality of either Mr. Holt or Mr. Neely. These gentlemen have the right to have the unbiased judgment of this body in determining who is entitled to a seat in this august body.

The other day when the Senator from Vermont [Mr. AUSTIN] was speaking, after listening to the debate as it had progressed to that moment, I rose and said:

> I think the Senate of the United States is now called upon virtually to declare a public policy, and I agree with the distinguished Senator that it would be a very unhappy decision if this great body, which has stood through the years as a deliberative body, a body of vision and judgment in Government, should now decide that under the circumstances of the present case a former Senator of the United States should have the power to appoint his successor. I said "under the circumstances of the present case," I think a great question of public policy is involved.

Mr. President, I rise today to amplify the position which I interjected into the debate on last Friday. I ask that I may be permitted to speak without interruption in order that my statements may be entered upon the RECORD in sequence and in order.

First, let us clear the decks. Let us get rid of all the irrelevant matter, all the debris, all the rubbish. While it is true that a great deal of collateral or irrelevant matter may make a debate interesting for the occupants of the gallery or for Senators, usually such material adds only confusion to the issue.

The facts are not in dispute. They have been rehearsed a number of times in this debate, and I shall not spend a great deal of time reciting them.

We can agree at the outset that no similar case, that is, no case having all the facts of the present case, has ever been presented to the Senate for decision; but there are cases that have a material bearing on this matter. It is unanimously agreed that before a United States Senator may become the Governor of any State in this Union he must lay down his senatorial office. That is, he must divest himself of the senatorial toga, symbolizing his right to remain a Senator. In simple language, he must get out of office. It is also unanimously conceded that the Constitution of West Virginia provides that:

> Every person elected or appointed to any office, before proceeding to exercise the authority, or discharge the duties thereof, shall make oath or affirmation that he will support the Constitution of the United States and the Constitution of this State, and that he will faithfully discharge the duties of his said office to the best of his skill and judgment, and no other oath, declaration, or test shall be required as a qualification, unless herein otherwise provided.

There is another matter that we must consider—and I think it is of importance. That is that this case is not on all-fours with the case cited by the Senator from New Mexico [Mr. HATCH], in which an officer of a State laid down his office to accept an incompatible office in that State. In this case Senator Neely was laying down, either by abandonment or resignation, one of the highest Federal offices in the land to take the highest office in another government, a separate government. It does not do any good, nor does it aid us in arriving at a conclusion, to dwell upon the actions of the actors in this case, Governor Holt and Senator Neely, except as they may have a bearing upon the issues.

I say there are two issues. Let me repeat that it is not a matter of personalities. We are not discussing personalities. We are discussing reasons and principles. Furthermore, Mr. President, we are the supreme judges of the land in this matter. We are deciding this issue. There is no court of appeal. So I agree that we must reach our verdict through logic, reasoning, and the principles of common sense.

What is the first issue? It is a legal issue. Which appointment is valid—that by Governor Holt or that by Governor Neely? On this issue it is not important to dwell upon the various steps which were taken by Senator Neely by which he attempted to remain Senator until 12 o'clock midnight on January 12 and immediately after to become Governor so that he could appoint a United States Senator, except—and I say this emphatically—except as those steps are definitive of a condition of mind which we, as a trial court or jury, must interpret. I shall later discuss that point in greater detail.

There is an old saying that, "The life you live speaks so loudly what you are that I cannot hear your words." There is another saying that, "The acts you perform determine the end in view."

So, Mr. President, we are called upon to weigh the facts. Before we do so I wish to reemphasize the point that this is not a test between Neely and Holt. It is a test between two men who have come to the Senate to have their rights adjudicated.

In arriving at our conclusion we must realize that this is not a case in which a man in West Virginia gave up an office in that State to take a higher office. This is a case in which two sovereignties are involved. So, as I proceed with my argument I wish Senators would bear those two things in mind. The legal issue really divides itself into two subdivisions: (a) Did Senator Neely, to all intents and practical purposes, really abandon or vacate his office before 12 o'clock midnight of January 12?

That is a question for the Senate to decide. I have already said this situation is not similar to that in which one abandons a State office and then takes another. It is not similar, because in the present situation the Senate of the United States is the judge, here and now, of the acts which are undisputed.

I am not saying—and I desire to make this clear, because of the argument made by the Senator from New Mexico [Mr. HATCH]—I am not saying that one cannot tender a resignation to take effect in the future, even if he is a Senator of the United States; but what I am saying is that the Senate of the United States, as the fact-finding body and as the law-finding body, now is called upon to draw the proper conclusion from the facts and the acts in this particular case.

Was there an abandonment or vacation of the office of Senator by Senator Neely before an instant after midnight of January 12? If there was such an abandonment, then we do not have to go into the issue of split seconds, as has been stated here. We do not have to split hairs; we do not have to go into the long, extended argument which has been made. Under the Constitution this body is the judge of the two appointments attempted to have been made; and in order to judge the legality of one of the appointments, we must inquire, first, Did Senator Neely abandon or vacate his office?

What are the facts? On January 10 he sent a written resignation to Governor Holt, to become effective precisely at 12 o'clock midnight on Sunday the 12th of January. That resignation standing alone would leave possible no other conclusion than that he intended to resign at that time. However, there are other facts. The Senate will remember that on the 10th of January he bade farewell to the Senate, and he went to the Governor's mansion in Charleston. At 11:35 on the 12th he took and signed an oath as Governor of the State of West Virginia, pursuant to the statute of West Virginia. To the oath was attached the following:

> This oath is taken with the intent that it shall become effective the instant after I am completely divested of my office as United States Senator by virtue of my tender of resignation of the said office of Senator to Gov. Homer A. Holt.

At 11:45 he took a similar oath, to which no such appendage was placed. He took a third oath instantly after midnight; and that oath was filed, according to the certificate, at 12:50 a. m. on January 13. On January 13, at noon, he took another oath; and after this oath on January 13, he attempted to appoint Dr. Joseph Rosier to the Senate.

Now, I am asking, Is not this the situation: that to all intents and purposes, after Senator Neely had said "Good-bye" to the Senate, he then expressed to us his determination that he was ready, able, and willing to assume the office of Governor? Thus far, so good. If he had been a State official and had taken the oath at 11:45, there would be no question that that oath would be valid; but if he still remained a United States Senator at 11:45, that oath had no effect.

But my point is that just before taking that oath at 11:45 he was a Senator of the United States; that when he took that oath there was a declaration, there was an act, which spoke louder than any words. As I proceed, we shall see what the law is.

He had done everything anyone would do to get ready to take possession of the office of Governor. It is true that he collected pay up to the 12th of January. Right here is where we must consider the effect of taking an oath before midnight. It must be conceded, I repeat,

that if he was still Senator, the oath would be ineffective, even though the State law provided for such taking of oath. Why would it be ineffective? Because, I repeat, he was a Senator of the United States, which was an incompatible office.

However, the act of taking the two oaths prior to midnight was equivalent to saying, in spite of the reservation in one of them, "I am laying down my office as Senator, and I am qualifying, or starting to qualify, as Governor, pursuant to the statutes of my State."

I do not see how there can be any other conclusion, unless we are going to be lost in a labyrinth of loose thinking or legal technicalities. Senator Neely's act there shows conclusively that he was beginning to qualify, or, if we take the view of some persons, that he had qualified as Governor.

One line of argument presented in the Senate is that if under the statute he took no other oath, he would have been qualified. Now, I ask the Senate, Can a Senator of the United States qualify himself to become Governor at any time without vacating or abandoning the office of Senator of the United States? If the office of Senator is to be juggled around like a football, then perhaps one can take the other position, that any office can be vacated by resignation or by abandonment. Certainly, the taking of an oath by a United States Senator for another term in another government—listen to that: In another government!—can be considered in no other light than that of abandoning his former office; and I challenge anyone to find any authority to the contrary. The authority which has been given here is the authority applying to a situation in which a State official, pursuant to a statute in the State, takes an oath, preceding the termination of the office which he is occupying, to qualify for another term. But do we not see, Mr. President, that that is a different situation? If I took an oath to qualify as an official in Canada, would I vacate my office as Senator? I say I would. If I took an oath to qualify for an office in the State of Wisconsin, which I have the honor to represent, would I vacate my office? I say I would.

But along the legal line of abandonment, there is another phase of this matter. We have in the law a proceeding known as quo warranto; but all the decisions hold that when an officer qualifies for another office, quo warranto need not lie, that ipso facto he vacates his office.

So, at 11:45—and, I believe, at 11:30—Senator Neely vacated the office of Senator. Then what? For 30 minutes Governor Holt lived the rest of his term as Governor, and his appointment became effective. When Senator Neely qualified, or began to qualify, half an hour before midnight on January 12, that act operated not only as evidence of abandonment—and I say again that I challenge anyone to produce a case that holds that when one officeholder in one State or one government qualifies for another office in another government, that is not the best evidence of abandonment, and vacates the office.

The second phase of the legal question may be phrased thus: Assuming that there was no abandonment or vacation of the office by the acts of Senator Neely, when did he become Governor? In my opinion he became duly qualified to act as Governor after he had taken the oath and filed the certificate of the oath, as required by the Constitution and Code of West Virginia. This was done at 12:50 a. m. on January 13, 1941. It is my opinion that Governor Holt continued in office until 12:50 a. m. on January 13, 1941, because, under the Constitution of West Virginia, he was obliged "to continue to discharge the duties of his office until his successor was elected and qualified."

It is claimed, I suppose, that the requirement of the code that the certificates of oath of all officers "shall be filed and preserved in the office of secretary of state, and it shall be the duty of every person who takes an oath of office to procure and file in the proper office the certified copy of his certificate of oath as required by this section" is merely ministerial, and that, if it is mandatory, it is in conflict with the Constitution of West Virginia. The answer to that argument is that it is not in conflict; it is an addition, because the constitution does not make any such requirement or prohibit such action; and, what is more, the Supreme Court of West Virginia, in the only case that relates to the subject, has rendered a decision on that point and has held that it is a mandatory part of the qualifications. Consequently, from either angle of the legal issue, it will appear that Mr. Martin was the duly and legally appointed Senator, his appointment having been made before 12 o'clock on the evening of January 12.

If Mr. Neely vacated his office of Senator before 12 o'clock, Governor Holt had the authority and the obligation to appoint. On the other hand, if Mr. Neely had not fully qualified until 12:50 o'clock in the morning of the 13th, the appointment by Governor Holt was effective under all the decisions, because he held over until 12:50 a. m.

Now, Mr. President, I desire to refer to the subject of public policy. I heard a discussion of that question the other day. I wish to make clear my position on it. The Constitution of the State of West Virginia states definitely that—

> No person shall at the same time hold an office of trust or profit under the State and under the Federal Government.

In other words, statutes and constitutions are definitive of public policy. These provisions are substantially in accordance with the common law prohibition against holding incompatible offices.

In California under a constitutional provision that—

> No person holding any lucrative office under the United States or under any other power shall be eligible to any civil office of profit under this State—

The California court held that this means eligibility to hold office as well as to be elected to it; and hence disqualifies a person to hold a civil office of profit under the State.

It is a well-settled principle of law that the acceptance of a second office of the kind prohibited operates ipso facto absolutely to vacate the first. Senator Neely by his acts which have been enumerated, and by his taking the oath at 11:35 o'clock and 11:45 o'clock on the evening of the 12th of January, indicated at that time an acceptance of the office of which he was going to take possession immediately at 12 o'clock. This question is important, but the trouble is the debate has been going on for so many days that every one is confused; there have been a number of tangent arguments; the argument has gone up many blind alleys. I repeat that taking the oath before midnight by Senator Neely was an act of acceptance of the office. It not only indicated his acceptance, it was an acceptance; it was evidence——

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WILEY. Let me get through and I will be very happy to yield. I will be through very shortly. I do not want to take more than my allotted time. I ask that I be privileged to go on with my argument in order that the RECORD itself will show the logic, if it has any logic, and sequence of what I have to say. Then I will be glad to yield to the Senator. I say that to the distinguished Senator from Texas also.

When we couple this undisputed fact with his previous acts, then the conclusion of acceptance is clear. What is more, if we take one view of what is necessary to qualify, the taking of the oath was the beginning of his qualification. While the action was permissive under the law of West Virginia, doing the thing, Mr. President, ipso facto operated to cut off his tenure as a senator of another government. While the distinguished Senator from New Mexico was out of the room I issued a challenge.

Mr. HATCH. Oh, I am sorry I was not here. What was it?

Mr. WILEY. I will repeat it, in substance. I say that the particular precedents he used had application to offices within the same government. Now I ask him to produce a precedent to show that when one officer accepts an office in another government he does not thereby vacate the tenure of the former.

Mr. HATCH. Mr. President, I can show the Senator all the decisions in the United States holding exactly to the contrary of what he has just said. The rule of incompatibility does not apply and has never been applied by any court in the United States where separate sovereignties were involved.

Mr. WILEY. I will have to differ with the distinguished Senator.

Mr. HATCH. The Senator not only differs with me but differs with the decision of every court in the whole country.

Mr. WILEY. Mr. President, I have heard of people who have taken in the whole universe. The Senator might as well apply his statement to Arcturus and the Pleiades and to the Pacific and the Atlantic. I want to say that at one time it was my privilege to study Mechem's work. I want to ask the Senator to produce a decision which holds that if a

Senator of the United States accepts an office in Canada he does not thereby vacate his senatorial office. I repeat, if I accept an office in the State of Wisconsin, I vacate my senatorial office.

Now I will continue with my argument.

Mr. HATCH. Mr. President, will the Senator listen to me for a brief statement?

Mr. WILEY. I will conclude my remarks, and I will be glad to let the Senator come in at that time.

Mr. HATCH. Whenever the Senator is willing for me to come in, will he please let me know?

Mr. WILEY. Certainly. The Senator is always such a gentleman that I always like to accommodate him; he is mild, and his approach to a problem is very convincing, though, of course, we do "head in" at times.

Mr. HATCH. Whenever the Senator is willing to let me have an opportunity to say a word, I hope he will advise me.

Mr. WILEY. Mr. President, offices are incompatible for two reasons: First, because forbidden by the Constitution or statutes; and, second, because there is a conflict in the obligation and duties of the office. No man can serve two masters. That rule is as old as the ages, and it applies to governments as well as to every stratum of human life. No man can serve two masters; and when Senator Neely took his oath to become a servant of West Virginia he laid down the office of Senator of the United States. That rule is the crux of the debate here today, and it is so fundamental, in my opinion, that I have taken the floor, when I did not intend to speak on this subject.

The law always has been, and I say that the acceptance of a second office which is prohibited by the Constitution or statutes operates ipso facto absolutely to vacate the first. That is the rule laid down in the textbooks, laid down in the law of the land, and laid down by the leading authorities who have written on the subject.

The doctrine of public policy, outside of that decreed by the Constitution and statutes of a State, has been defined as—

> That principle of law which holds that no subject can lawfully do that which has a tendency to be injurious to the public or against the public good which may be termed the policy of law or public policy.

I again call the attention of the Senate to this great definition, which has reached down through the years of common law and been adopted in our own courts in this country; and I repeat: The doctrine of public policy, outside of that decreed by the constitution and statutes of a State, has been defined as—

> That principle of law which holds that no subject can lawfully do that which has a tendency to be injurious to the public or against the public good.

And right in that definition you can quote the phrase "No public servant can serve two governments at the same time." No man can be 100-percent loyal to America and still have some dear government somewhere else that he has to look after. And so, in the very debate that we are in is found that fundamental issue.

I shall digress for a moment, because I have been provoked to it. The Senate of the United States before has seen officers who have reached their hands into a great commonwealth of this country, and controlled Governors and State officials, and manipulated the mechanics and the dynamics and the finance of government. Now we have the reverse of that. We have a Governor who would reach into the United States Senate and attempt to control it. Public policy calls to high heaven that the Senate cannot lose this opportunity to lay down a definite rule and create a great, noble principle that will say definitely that under such circumstances as these Mr. Martin is entitled to the appointment.

Thus we say—and I again come to public policy—that contracts to secure appointments to office are void. There is a long line of decisions to that effect. Contracts improperly influencing elections are void. Contracts diminishing competition for office are void. None of the illustrations, of course, is analogous to the present case. However, they point in one clear, definite direction. There must be no trafficking in public affairs. Public office is a trust. Public office is an agency of the State, and the person whose duty it is to perform the agency is a public officer. A Senator of the United States has conferred upon him an office involving the delegation to him of some of the sovereign functions of government, to be exercised by him for the benefit of the public; but nowhere is there within the authority delegated to him the right to name his successor, and that is involved in this issue.

Are we going to define the policy that a Senator of the United States, under circumstances such as we have here, has the right to control the appointment of his successor? Governor Neely claims that he had the right as Governor of West Virginia. I think public policy requires that under the facts of this case the Senate should hold, for the reasons I have already assigned, that the appointing power was in Governor Holt, and that Mr. Martin was legally appointed Senator from West Virginia.

Let me conclude with the words that I spoke in the Senate last Friday, when I almost inadvertently got into this debate:

> The public policy of the Nation will be manifested by the precedents laid down by this Senate. This matter is bigger than Senator Neely or Governor Holt. We are in this body laying the ground work of the Nation's future.

Mr. President, I, too, have a conviction, sincerely founded, in this matter. It is without prejudice. It is without bias. It is based upon my understanding of what the Senate should decree the law of the land to be. We are the supreme judges in this instance. We are lawmakers and law decreers. Therefore, I feel that we should seat Mr. Martin.

I shall be glad now to yield to the Senator from Texas [Mr. CONNALLY].

Mr. CONNALLY. Mr. President, I thank the Senator, but I will not take up his time.

Mr. WILEY. I yield now to the Senator from New Mexico [Mr. HATCH].

Mr. HATCH. Mr. President, the Senator from Wisconsin has asked me to suggest an authority.

Mr. WILEY. On what?

Mr. HATCH. Does not the Senator remember?

Mr. WILEY. Yes. I want to know that the Senator from New Mexico remembers.

Mr. HATCH. I made this proposition——

Mr. WILEY. No; I made the proposition, sir. The Senator from New Mexico did not. He accepted it.

Mr. HATCH. I laid down this rule of law; I think I will ask the junior Senator from Kentucky [Mr. CHANDLER] if he will not agree to it. I see Judge Martin sitting up in the gallery.

Mr. CHANDLER. Let us see if the Senator will. I do not know whether he will or not.

Mr. HATCH. I know what the Senator from Kentucky thinks. The rule of incompatibility does not apply when two sovereign jurisdictions are involved.

Mr. WILEY. Was the Senator talking to me, Mr. President?

Mr. HATCH. I say, I have made that statement, and I stand by it; and there is no case to the contrary, while there are several cases to that effect.

Mr. WILEY. I ask the Senator from New Mexico to produce authority holding that a Senator of the United States could take an oath—now, listen—and qualify for an office in Canada without vacating his office.

Mr. HATCH. Oh.

Mr. WILEY. Wait a minute. I ask the Senator if I could take an oath and qualify for an office in my own State of Wisconsin—a State office—without vacating my senatorial office.

Mr. HATCH. Yes; under Taylor against Johnson, which has been cited many times.

Mr. WILEY. Will the Senator kindly give me the facts and the citation? That case, as I remember it, has no application. It does not refer to a Federal office.

Mr. HATCH. That case has been discussed here for days and days.

Mr. WILEY. That case is not an appointment.

Mr. CHANDLER. I do not blame the opposition; if my friend will yield——

The PRESIDING OFFICER. The Senator from Wisconsin has the floor.

Mr. CHANDLER. Will the Senator yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield, and, if so, to whom?

Mr. HATCH. Of course, no Senator of the United States was involved.

Mr. CHANDLER. No.

Mr. WILEY. Then, of course, the case is not in point. It has no bearing. In my statement I laid down the general rule laid down by Mr. Mechem, who is the authority on the law.

Mr. CHANDLER. Mr. President, will the Senator from Wisconsin yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Kentucky?

Mr. WILEY. Yes.

Mr. CHANDLER. The Taylor case was a case in Kentucky. Our opponents cite cases in Kentucky and Minnesota and every place on earth but West Virginia. In that case a man wanted to go from alderman to treasurer, and there was no written resignation. That case had not anything on earth to do with the question of a Governor and the United States Senate. I will make a statement that the Senator from New Mexico will agree to—that a man cannot be Governor of West Virginia and United States Senator at the same time.

Mr. HATCH. Certainly I will agree to that statement, Mr. President.

Mr. CHANDLER. That is what is involved here.

Mr. HATCH. I have argued that, and that is what I have said was involved. I have said that at 11:45 Senator Neely, when he took the oath of office as Governor, could not possibly become Governor, because there was no vacancy in the office of Governor.

Mr. CHANDLER. Then he got rid of the United States senatorship.

The PRESIDING OFFICER. The Senator from Wisconsin has the floor. Does he yield?

Mr. HATCH. The Senator from Wisconsin asked me a question. I think he yielded to me.

Mr. WILEY. No; but I shall be very happy to do so. I asked the Senator from New Mexico a question, and I think I have gotten the answer from the two distinguished Senators since they got in action. It conclusively confirms the statement I have made, and which neither the Senator from New Mexico nor any of the other Senators have borne in mind when they found this so-called precedent in which a State treasurer, say, was elected Governor of a State—the same State, the same Commonwealth—and the statute of that State provided that he could take an oath preceding the expiration of his term as treasurer; but he has never——

Mr. HATCH. Mr. President——

Mr. WILEY. Let me finish my sentence, sir. But he has not produced a case, nor has anyone else—and I challenge the opposition to do so—in which two independent, sovereign States were involved—and West Virginia is sovereign within her own sphere and the United States Government is sovereign within its sphere. When two sovereign States are involved and one officer, a Member of the Senate, the highest office in the land, goes to West Virginia and, before his term of office in the Senate has expired, takes a qualifying oath in West Virginia as Governor, then I say that was a vacation, an abandonment, of the office of Senator, and I challenge the Senator to produce any authority to the contrary.

Mr. CHANDLER. Mr. President, will the Senator yield to me?

Mr. WILEY. I yield to the Senator from Kentucky.

Mr. CHANDLER. I have the opinion of the Kentucky Court of Appeals in the case of Taylor against Johnson. Section 1744 of the Kentucky statutes provided that the acceptance by one in office of another office, or employment incompatible with the one he holds, shall operate to vacate the first. Section 3446 of the Kentucky statute reiterates the declaration of the constitution that no person shall at the same time fill two municipal offices.

This is where we catch it. Section 1530 of the Kentucky statutes provides, among other things, that all resignations from office shall be tendered to the court or officer who is required to fill the vacancy and all such resignations shall be in writing.

Neely delivered a written resignation in his case. The man in the Taylor case did not deliver a written resignation. There were two municipal offices, a man going from the position of alderman to that of city treasurer. I am sorry the Senator cited that case as one which should have a bearing on a United States Senator quitting the Senate to be Governor.

Mr. HATCH rose.

Mr. CHANDLER. I know the Senator is going to say that no one has decided whether a senatorship is a Federal or a State office. I shall not try to decide that.

Mr. HATCH. I am not going to say that.

Mr. CHANDLER. Senators religiously stay away from the decisions of West Virginia, because they do not sustain any of the contentions they make. Senators know that. I ask the Senator from Missouri whether he ever before saw men trying to sustain a position by letting all the statutes and cases of the State concerned go by the board and going out somewhere else and digging up a case?

Mr. CLARK of Missouri. It is a wonder to me they did not cite a case arising in China.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. HATCH. The Senator has made his challenges so frequently, and he has mixed them up so much, that I do not really understand just what the Senator's challenge is. But he has laid down a proposition——

Mr. WILEY. I am not surprised.

Mr. HATCH. May I continue?

Mr. WILEY. Certainly.

Mr. HATCH. The Senator has said that, in effect, Senator Neely vacated or abandoned the office of Senator. Is that right, that he did it intentionally?

Mr. WILEY. Apparently the Senator was not in the Chamber when I spent 15 minutes on that point. I shall be glad to go over it again.

Mr. HATCH. Oh, no.

Mr. WILEY. I quoted not only a rule of law, but a rule of human conduct. I said that one's life and acts speak louder than his tongue or his words, and I said that if there were involved not only two sovereign offices, but two offices in two sovereign States, when a man started to qualify for one—and it is the theory of the opposition that he was qualifying fully when he took that oath—that is not only a legal abandonment, but that it is a legal vacation of the office.

Mr. HATCH. Very well. Now the Senator has finished?

Mr. WILEY. Oh, no; I have just begun, if the Senator is going to provoke me.

Mr. HATCH. Does the Senator think, honestly, that Senator Neely intended to vacate the office of United States Senator when he took the oath at 11:45 o'clock?

Mr. WILEY. The Senator asked whether Senator Neely intended something. If I were to give my own impression, after hearing the testimony in the committee, I would say that about 11:30 o'clock on the evening of the 12th, as the midnight hour was approaching, Senator Neely was in a frame of mind fearful that he might do that which would cost him the appointing power. He may have been praying, or singing, or what not, but I am certain that throughout the whole period from 11:30 o'clock on he had but one thought in his mind, and that was: "How can I deprive the legitimate Governor of West Virginia of the right to appointing my successor?"

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. HATCH. Wait a moment; I am the one who is challenged.

Mr. BARKLEY. The Senator has challenged all of us.

Mr. HATCH. In the light of what the Senator from Wisconsin has just stated, he knows that Senator Neely did not intend to create a vacancy in the office of United States Senator during the term of Governor Holt, does he not?

Mr. WILEY. Let me say to the distinguished Senator, when he propounds that kind of a question, that I know he has had long experience in the law, and he has practiced criminal law, and has heard the court instruct the jury time and time again, "You will determine the matter of intent from the facts and circumstances in the case. You cannot reach into a man's upper chamber and see in what a confused condition he is." It is not possible to weigh the pros and cons of the question or the metaphysics of intent. What we can all admit is that when a man takes an oath for another office, in another State or sovereignty, that stands so high to express what his mind is, that in law he is estopped from ever saying he had any contrary intent.

It reminds me of the delightful experience I had with the majority leader, illustrating that very point I said to him, "You know, if I went up to you and struck you or attempted to strike you on the nose, Senator BARKLEY, no one could question my intent in the matter." I remember the Senator responded somewhat to this effect, "Well, you'd better not try." [Laughter.] The act defines the intent.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. HATCH. I merely wish to say to the Senator that I am not a great lawyer, and do not claim to be. I come from the short-grass country in the West. I have had some experience in the law, and among other things I learned in the practice of the law, that the abandonment of an office largely depended upon the intent, that there can be no abandonment of any public office without a clear intent to abandon it. The Senator himself has just stated that all the evidence in this

case shows conclusively that Senator Neely wanted to appoint his own successor. Therefore he has answered his own question, he has answered his own argument; there was no intent to abandon the office within the term of Governor Holt.

Just one more word about the challenges. The next time the Senator challenges me, will he please make it specific, whether it be toothpicks and coffee, or whatever it is, let it be clear.

Mr. WILEY. We are here representing a great people—131,000,000 of them—and we are about to define a great policy. In order to arrive at what that definition should be I had to arrive logically, as I did, and after careful consideration I reached the conclusions I have outlined in the talk I have given this afternoon. I feel that what I have stated is on solid ground. I feel that Judge Martin is entitled to be seated as a Senator of the United States.

In arriving at that conclusion there is no feeling of animosity on my part. Life is too short for hate, altogether too short. The trouble with ordinary Senate debate—and it is not only true of the Senate—is that we confuse the issue instead of simplifying it, and we run off on a thousand angles, and then come back to where we started.

Let us ask ourselves just a few questions. Can a Senator of the United States take an oath to become Governor of a State without vacating his office as Senator?

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. WILEY. Let me finish my sentence, and then I will be glad to yield. Can a Senator of the United States file a resignation stating that his resignation is going to be operative instantly after midnight, and then 30 minutes before midnight qualify for the office he wants to occupy?

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. WILEY. No, Mr. President; let me conclude. These are the tactics that have carried us so far afield in this debate. I have listened here hour after hour and day after day, and I have felt that such methods do not get us anywhere. Arguments have been made, many interruptions have occurred, Senators have gotten up and walked away, leaving sometimes only two or three present in the Senate Chamber. I do not know where we will get to, if we continue such proceedings. Let us be frank about this matter. When a man has an idea, let him present it, and then we will get some place.

I am glad of the opportunity of expressing myself forcibly on this issue. This is supposed to be the most dignified debating society in the world. We are supposed to be a group of men who represent the height of reason and logic. Yet we do not measure up to the yardstick.

Mr. President, reason, common sense, the law of the land, and public policy demand the seating of Mr Martin.

Mr AUSTIN. Mr. President, will the Senator yield?

Mr. WILEY. I yield to the distinguished Senator from Vermont.

Mr. AUSTIN. I thank the Senator from Wisconsin. On the subject of incompatibility of the offices of Senator of the United States and Governor of a State, article I, section 6, clause 2, of the Constitution of the United States has been interpreted in such a manner in Hinds' and Cannon's Precedents, volume 1, chapter 16, that it applies to just that situation, and the general rule, of course, is that when one office has the authority to fill a vacancy in the other office there is that incompatibility which the law forbids.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CONNALLY. I yield 10 minutes to the Senator from Utah [Mr. MURDOCK].

Mr. MURDOCK. Mr. President, I realize that at this hour whatever I may say can be only supplemental and cumulative. I think that every point which has any bearing or place in the debate has been quite thoroughly and efficiently covered. The distinguished Senator from Wisconsin [Mr. WILEY] intimated that in this debate we had been driven up into a blind alley. I quite agree with the Senator that that is probably where we are at this time. In the few remarks I shall make I hope I can at least turn us around and steer us back to the real point at issue.

It was intimated in the argument of the Senator from Wisconsin and in the observations made by the distinguished junior Senator from Kentucky that no authorities had been cited in support of some of the contentions made by the majority of the committee. Early in my practice of the law, Mr. President, I found out that the best place to have the law was in the books; so I say to the distinguished Senator from Wisconsin, if he had or if he has now any authorities to support the propositions and the contentions submitted by him, he certainly failed to produce them.

After listening to him, if Senators were to accept his contention, they would come to the conclusion that of necessity some great conflict existed between the United States of America and one of the States that make up the American Union. If I remember correctly, the provision of the Constitution of the State of West Virginia, it is that the Governor of that State not only takes an oath to support the Constitution of the State of West Virginia but he also takes an oath to support the Constitution of the United States of America. Certainly there can be no conflict in the taking of those two oaths. Certainly there can be no conflict or no act of disloyalty in taking an oath to support the constitution of the State and also taking an oath to support the Constitution of the United States of America.

Mr. President, we have listened to some strange propositions in this debate. The distinguished junior Senator from Wisconsin made the point that the Senator from New Mexico could not find an authority in the books holding that a Senator of the United States of America could take an office in Canada at the same time he was a United States Senator, a proposition so ridiculous and preposterous that it is amazing to me a Senator would ask that authorities be furnished to support it.

In my opinion, the Creator of the universe took care of the time element involved in this debate. He did not split any seconds. He did not split any minutes or hours. He did not arrange for the globe to stop for the divestment of one office and the investment of another. If we accept the proposition of the distinguished Senator from Kentucky we must do something that Joshua failed to do in ancient times. He commanded the sun to halt in the heavens. I do not believe it was accomplished. But if we accept the proposition which the junior Senator from Kentucky asks us to accept, we must conclude that although the earth had proceeded so that the sun was shining on the realms of Chiang Kai-shek, notwithstanding the position of the globe, that the great distinguished Governor Holt, of West Virginia, was able to stop the earth in its revolution until he signed the appointment of Clarence Martin. We are asked to imagine that; we are asked to accept the proposition that in taking the oath of office as Governor, Senator Neely laid down the office of United States Senator. If we adhere to the Constitution and statutes of West Virginia and the decisions of the supreme court of that great State, we can come to only one conclusion. That conclusion is that Mr. Rosier is the legal appointee of the Governor of West Virginia to the seat in the United States Senate.

In his evidence before the Privileges and Elections Committee Governor Holt made a statement which I think is indicative and conclusive of his position in this matter. The chairman of the committee asked him a question about when he left the office of Governor, and his answer was as follows:

> Or 3 or 4 days I was there, and I might say, Your Honors, that nobody was in a position to get into my office until I gave the word that they could get in.

Coming out of the blind alleys and looking at the legal question involved, what is it? First, when did Senator Neely resign his position in the United States Senate? Can there be any question on that point? The resignation was written. It was delivered to Governor Holt, of West Virginia, the proper person and the proper official to whom it should be submitted. That resignation specifically said that:

> I hereby respectfully tender you my resignation as a United States Senator from the State of West Virginia to become effective at precisely 12 o'clock midnight on Sunday the 12th of January 1941.

In his testimony before the committee, Governor Holt, in answer to an interrogation by me, said:

> Yes; I accepted the resignation of Senator Neely without any qualifications and without any restrictions whatever.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. HATCH. That acceptance was according to the terms of the resignation, was it not?

Mr. MURDOCK. I was coming to that point. If there had been any question

as to the resignation, it might have been, "Did Governor Holt accept the resignation of Senator Neely exactly as that resignation was submitted?" His answer to my question in the record was:

> Yes; I accepted the resignation of Senator Neely without any qualifications and without any restrictions whatever.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. MURDOCK. Mr. President, I wonder if the Senator from Texas will yield me a little additional time?

Mr. CONNALLY. Mr. President, I yield 5 additional minutes to the Senator from Utah.

Mr. MURDOCK. So, Mr. President, we have the admission without any equivocation on the part of the advocates of Mr. Martin, that the resignation of Senator Neely took place at precisely 12 o'clock midnight. We do not have to go into the realm of imagination to determine when that resignation took place.

The next question is, When did the term of Governor Holt, as Governor of West Virginia, expire? Shall we take the statement of Governor Holt? Shall we take the statement of the Senator from Kentucky on that question? Or shall we look to the Constitution and laws of the State of West Virginia in order to conclude when the term of Governor Holt expired?

What do we find? The Constitution of West Virginia fixes the term of Governor and says that it shall commence at a certain time. In this case it commenced on the 13th day of January 1941. So under the Constitution of West Virginia the term of Governor Holt had expired at 12 o'clock midnight, coterminus with the resignation of Senator Neely from the Senate.

But it is said that there is another provision of the constitution of West Virginia which says that every officer shall hold over until his successor is duly elected or appointed and qualified. If that provision of the constitution were all we had to deal with, then perhaps there might be some foundation for the position of the junior Senator from Kentucky in this matter. However, in addition to that general rule of law, which I believe is the rule of law throughout the United States unless there is a special statute, we find a special statute of West Virginia which provides that in case of the death, resignation, removal, or failure of the Governor to qualify, then the president of the Senate of West Virginia shall act as Governor of West Virginia.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. On that very question, when the opposition is discussing the split second immediately following the hour of midnight, it must be on the basis that Senator Neely had not qualified at that particular time, because that was the only opportunity there was to make the appointment of Governor Holt effective prior to the time when Governor Neely qualified. There must have been some failure of Senator Neely to qualify after the hour of midnight. Is that not correct?

Mr. MURDOCK. I think the Senator has restated the position which he so well stated the other day in his own argument. He has stated it much better than I could state it.

If we take the position that there was an interim, an interregnum, or a hiatus between the time Senator Neely resigned his seat in the Senate and the time he began his term as Governor, then if we are logical, if we stand on the Constitution and the statutes of West Virginia, and on the pronouncements of the Supreme Court of West Virginia, we must say that if there was an interim, even of a split second, under the decisions of the Supreme Court of West Virginia, that split second was filled by the president of the senate as ex-officio temporary governor.

If Dr. Rosier is seated as a United States Senator as a result of this contest we do not need to imagine any interregnum. We do not need to conjure up any split second. We do not need to imagine a photographic finish in statesmanship. All we have to do is to adhere to the laws and Constitution of West Virginia, as interpreted by the Supreme Court of West Virginia, and hew to the line.

Mr. President, I wonder if the Senator from Texas will grant me 5 more minutes to conclude. I wish to refer to a decision.

Mr. CONNALLY. Mr. President, I yield to the Senator from Utah whatever time he requires.

Mr. MURDOCK. Mr. President, in my opinion, the junior Senator from Kentucky came into the Senate Chamber with fewer facts and less law than I ever saw a lawyer come into court with; and by reason of his great ability he has made the best showing that anyone could make on the state of facts and the law that he had—or did not have—to support him. He has frequently said in his debate on this question that we are referring to the decisions of Kentucky, we are referring to the decisions of Wyoming, we are referring to the decisions of all other States; but he asks the question, "Why do we not stay with the decisions of West Virginia?"

O Mr. President, that is exactly what I desire to have him do. The other day I discussed this question with a great lawyer, a Member of the Senate. I asked him what he thought of the decisions of the Supreme Court of West Virginia in arriving at a conclusion, and immediately he told me that he had so little respect for the decisions of the Supreme Court of West Virginia that he would not want to come to a conclusion on the basis of such decisions.

I care not, Mr. President, whether some Members of the Senate respect or disrespect the decisions of the Supreme Court of West Virginia. They are the decisions which today should be controlling in this contest.

I think the vital point now before the Senate is that if there was an interim, if there was an interregnum between the time when Senator Neely divested himself of his senatorial office and the time when he began his term as Governor, then, under the decisions of the Supreme Court of West Virginia, that interregnum was filled by the president of the Senate of West Virginia. On that question I hope that the junior Senator from Kentucky will listen to what the Supreme Court of West Virginia said. He seems to like it; and he, unlike other Senators who disrespect the decisions of the Supreme Court of West Virginia, should be willing to say, after reading it, "That settles the case so far as I am concerned, and I am willing to allow the Supreme Court of West Virginia to say what is the law in that State."

In this decision, Mr. President, we have the president of the senate contesting with one of two candidates who ran for Governor, neither of whom, however, was ever declared elected. In that contest the Supreme Court of West Virginia said that, due to the fact that no one had been declared elected to the office of Governor, of course there was no one who could qualify; and by reason of that fact the president of the senate did not come in, as provided by the constitution. But after saying that they go on and say this:

> I should say—

This is the author of the opinion speaking—

> I should say, that under this provision, if General Goff had been declared upon the face of the returns elected and had failed to qualify—

As they take the position in this contest that Governor Neely had not qualified——

Mr. CHANDLER. Mr. President, will my friend yield to me?

Mr. MURDOCK. Just a minute, please, until I finish reading what the supreme court said—

> and had failed to qualify, the president of the senate would act as Governor, ousting Governor Wilson—

Or, in other words, if the same facts had existed in that case as in this case. If in the case referred to, General Goff had been declared elected, and then had failed to qualify, as the Senator takes the position that Senator Neely failed to qualify, the Supreme Court of West Virginia says that then the president of the senate would step in.

Mr. CHANDLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. No; I will not yield until I finish reading this extract from the decision; then I shall be happy to yield to the distinguished Senator.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CONNALLY. Mr. President, I extend his time 2 minutes.

The PRESIDING OFFICER. The time of the Senator from Utah is extended 2 minutes. The Senator may proceed.

Mr. MURDOCK. I thank the Senator from Texas.

I continue to read from the decision of the Supreme Court of West Virginia:

For here would be a failure to qualify by the Governor elected and so declared, and under the language quoted the president of the senate would come in.

It does not say that he would come in permanently; it does not say that the elected Governor, if after he was declared elected he had removed the disability of having failed to qualify, could not come in and take the office. What it says—and I continue to read from the decision—is this:

But the president of the senate can come into the office of Governor, or rather act as Governor temporarily ex officio.

In other words, the president of the senate needs take no further oath; but, ex officio and temporarily, he comes in and takes over the duties of the Governor until the elected Governor has been duly declared and shall have qualified.

Mr. President, if the Senator from Kentucky is interested in what the law of West Virginia is, there it is stated very succinctly and without any equivocation.

I now yield to the junior Senator from Kentucky.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CHANDLER. Mr. President, my friend now has run out of time, and I cannot speak in overtime.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. CONNALLY. Mr. President, the committee has only two other speakers; and, as the chairman of the committee, I claim the right to close the argument. So, I should be glad if the Senator from Kentucky would proceed to make his speech now.

Mr. CHANDLER. I do not concede that there is any law which gives the chairman of the committee the right to close. I have no objection, if that is his right. I have consulted the law, and I am not certain that he has that right.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. CONNALLY. Mr. President, if no speech is ready, I waive mine, and will vote at once.

Mr. CHANDLER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Idaho	Kilgore
Aiken	Clark, Mo.	La Follette
Andrews	Connally	Langer
Austin	Danaher	Lee
Bailey	Davis	Lucas
Ball	Downey	McCarran
Bankhead	Ellender	McFarland
Barbour	George	McNary
Barkley	Gerry	Maloney
Bilbo	Gillette	Mead
Bone	Glass	Murdock
Brewster	Green	Murray
Brooks	Guffey	Norris
Brown	Gurney	O'Mahoney
Bulow	Hatch	Overton
Bunker	Hayden	Pepper
Burton	Herring	Radcliffe
Butler	Hill	Reynolds
Byrd	Holman	Russell
Byrnes	Hughes	Schwartz
Capper	Johnson, Calif.	Smathers
Chandler	Johnson, Colo.	Smith
Spencer	Tobey	Wallgren
Stewart	Truman	Walsh
Taft	Tunnell	Wheeler
Thomas, Idaho	Tydings	White
Thomas, Okla	Vandenberg	Wiley
Thomas, Utah	Van Nuys	Willis

The PRESIDING OFFICER. Eighty-four Senators have answered to their names, a quorum is present. The Senator from Kentucky.

Mr. CHANDLER. Mr. President, I should like to have a few minutes before the vote.

Mr. CONNALLY. I will say that if the Senator is to make a speech, there will probably be a speech on our side when he concludes.

Mr. CHANDLER. I have no objection to that; I calculated on it, and made allowances for it.

Mr. President, the Constitution of West Virginia states very clearly that—

All officers elected or appointed under this constitution may, unless in cases herein otherwise provided for, be removed from office for official misconduct, incompetence, neglect of duty, or gross immorality, in such manner as may be prescribed by general law, and unless so removed, they shall continue to discharge the duties of their respective offices until their successors are elected, or appointed, and qualified.

That is the Constitution of West Virginia, article IV, section 6.

The 1937 Code of West Virginia provides that—

The term of every officer shall continue—unless the office be vacated by death, resignation, removal from office, or otherwise—until his successor is elected or appointed and shall have qualified.

I wish to read to the Senate of the United States the latest case in West Virginia. It is only two pages in length. I refer to the case of Broadwater against Booth, decided in West Virginia on the 21st day of May 1935. That case held that "there is no vacancy in a public office when there is an incumbent legally authorized to discharge the duties thereof."

Relator asserting title to the office of clerk of the city of Belington seeks possession thereof by mandamus.

There are some pertinent provisions of a city charter, but the facts were substantially as follows:

On the 4th of April 1935, at a meeting of the council of the city, the respondent, Howard Price, mayor, made nomination of the respondent, Earl Booth, for the office of city clerk. Upon a vote, a minority of the council approved the mayor's nominee—

"A minority of the council approved the mayor's nominee"—

a majority voted neither yea nor nay on the Booth nomination, but cast their votes for the relator, O. J. Broadwater, for clerk. Later, at an alleged adjourned meeting, attended by only the five members of council constituting the said majority, a bond tendered by relator was approved and his oath of office filed. On this setting, he asserts his right to possession of the office. Booth, who has been clerk for several years, is holding over and in control.

Under the quoted provision of the Belington charter, the mayor is given exclusive right to appoint a clerk, with the approval of council. That body may approve or reject; it cannot appoint or elect, except in case of vacancy, hereinafter discussed. The situation is directly analogous to the appointment of a State official by the Governor, by and with the advice and consent of the Senate, and the analogy must be carried to full extent. When the Senate fails to ratify an appointment by the Governor, it does not undertake to make its own choice, but leaves the matter where it belongs—in the discretion of the Governor. Upon failure of confirmation of an appointment, the Governor, with convenient dispatch, must submit another nomination—a different individual from the one injected. A similar duty devolves upon the mayor of Belington. Public officials having appointing power, as well as all other officials, who presume to discharge their duties faithfully.

Relator asserts that on the 4th of April, there was a vacancy in the office of city clerk and that council had a right to fill the same. "Whenever a vacancy from any cause shall occur in any office"—

In the Constitution of the United States, the seventeenth amendment says—

When vacancies happen the council shall by a majority vote of those present fill such vacancy. Belington charter, section 15 (acts, supra).

But there was not in fact a vacancy. Booth was holding over under a prior appointment confirmed.

The term of every officer—

Every officer in West Virginia—

shall continue (unless the office be vacated by death, resignation, removal from office, or otherwise) until his successor is elected or appointed, and shall have qualified.

The only case I know to the contrary in any way is the case cited by my friend from Utah [Mr. MURDOCK], but in that case the whole opinion of the court and the decision were based on the refusal to qualify, or the failure to qualify. Here, instead of having a failure to qualify, we have a clear indication and a declaration of intent on the part of Senator Neely to become Governor of West Virginia as soon as he could get rid of his Senatorship and qualify.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CHANDLER. No; I am not going to yield to the Senator from Utah, because he would not yield to me. I suggest that the Senator keep his seat and let me talk.

Mr. MURDOCK. I yielded to the Senator from Kentucky as soon as I got through.

The PRESIDING OFFICER. The Senator from Kentucky refuses to yield, and will proceed.

Mr. CHANDLER. In that case there was a failure to qualify, and the decision turned on the failure to qualify; and because of the failure to qualify in West Virginia a man held over for 2 years as Governor of West Virginia. In this case the Governor of West Virginia was Governor Holt; and I want it remembered by every Senator that Governor Holt did not usurp that office. He was elected Governor of West Virginia just the same as Senator Neely was elected Governor; and he was no usurper of the office. He received a majority of the votes of his party and a majority of the votes of all the votes in the election in 1936; and he was the regular, duly qualified, acting

Governor of that State, entitled to do anything that a Governor can do within the limits of his power and authority.

I have insisted all the time in this debate that Governor Holt, knowing that a vacancy would occur in his term, had the right and the power and the authority, and more than that, Members of the Senate, he had the duty to fill that vacancy if he knew it would occur during his term of office. Senator Neely had deliberately elected to quit the United States Senate in an effort to become Governor of his State. He received pay for being a United States Senator all 12 of the first days of January. He must have been a United States Senator all 12 of those days, or he owes the people of the United States money for drawing money after he ceased to be a Senator. I think it is clear that it is the law of West Virginia that no citizen of that State can be Governor and Senator at the same time. He must either keep one, or abandon one and take the other; and Senator Neely had his choice. Senator Neely did not want to be a Senator any more. He wanted to be a Governor, and he ran and he was elected; and then he sent his resignation, on the 11th day of January, or the 10th day—it got there the 11th of January—to Governor Holt. If Governor Holt was not the Governor of West Virginia, why did Senator Neely send Governor Holt his resignation? He sent him his resignation declaring his intention to quit the Senate of the United States at precisely—those are his words—12 o'clock midnight on the 12th day of January.

Governor Holt, in office, the Governor of his State, knowing that a vacancy was about to exist, or about to happen or occur, appointed Clarence Martin to be United States Senator from West Virginia. He appointed him on the 10th of January to take effect when the vacancy occurred. He appointed him on the 11th of January to take effect when the vacancy would occur as dictated by Senator Neely in his resignation. It should be remembered that Senator Neely did not do anything but write that resignation and leave a place for the Governor to put the time he received it and sign his name. That is all he left for Governor Holt to do; and Governor Holt signed his name and put in "1:30 p. m. on the afternoon of January 11." Senator Neely realized, and the attorney general of West Virginia realized, and in his opinion, page 104 of the hearings, and in his testimony, page 108 of the hearings, he says:

As we have seen—

In a written opinion to his new Governor—

it was necessary that you should cease to be a United States Senator before you were eligible—

To what?

to qualify as Governor of the State of West Virginia.

When they got the attorney general back home they must have given him an old-fashioned barnyard tanning, because they sent him back up here to change the word "qualify"; but on three occasions at the hearings I asked him the express question, and members of the Privileges and Elections Committee will remember that I said:

Do you mean that he has to quit being Senator before he can be Governor of your State?

Yes, sir.

The Senator from New York [Mr. MEAD] asked him the same question, and he said:

Yes, sir.

On page 128 of the hearings he said:

He cannot be Governor and Senator at the same time.

Then, if a man cannot be Governor and Senator at the same time, why on earth should he be permitted to control two offices which his own law says he cannot hold?

I am very grateful to my friend from Utah for saying that I came in with the fewest facts and the fewest laws and made the greatest argument. I cannot accept that compliment, because I should be ashamed of myself if I had not made a good argument, with all the law and all the facts I had. I have tried, ever since we started this debate, to keep our opponents on the law and the Constitution of West Virginia and on the actual facts of the case.

All this business at midnight that my friend from New Mexico does not like I do not like, either; but there is nothing that we can do about it.

Mr. HATCH rose.

Mr. CHANDLER. I am not saying anything that the Senator from New Mexico should object to. I suggest that he sit down.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. No.

Mr. HATCH. I heard the Senator say "New Mexico."

Mr. CHANDLER. Everything I say about the Senator from New Mexico is all right, so he does not have to worry about it. I do not like those midnight actions, either; but when we have two parties, both trying to act at midnight, if there is guilt they are equally guilty, and guilt should attach to both sides. But remember, Governor Holt appointed Clarence Martin on the 10th of January in anticipation of a vacancy. On the 11th of January he appointed him when he knew a vacancy would most certainly occur in his term. Our opponents were careful to avoid the precedents of the Senate of the United States. I never have seen the persons who make the precedents of the Senate so disrespectful of their own rules, because the precedents in every case except one—and that case turned on another question—sustain my contention. Three Senators were seated without controversy; and everyone agrees that when a Governor makes an appointment of a Senator to fill a vacancy that will most certainly occur within his term he has the right to do it, and it has been sustained time after time by the Senate of the United States.

That is this case. On the 10th of January, Governor Holt anticipated the vacancy. On the 11th of January he knew it was going to occur, and he made an appointment which took effect just as soon as Senator Neely put down his senatorship, which he had to do before he could qualify as Governor of his State; and Senator Neely said:

I am certain that the great weight of authority is to the effect that I had to divest myself of the senatorship, or take off the senatorship—take off the cloak of the senatorship—before I could put on the cloak of the governorship.

That is crystal clear; and, so far as I can figure out, that is the clearest thing anybody knows anything about. There was no dead heat. There was no eyelash finish. I know Neely was trying to be both officers. I do not blame him for that, but he could not figure out a way to do it; so why should the Senate supply him with a way to do it when he himself could not figure out a way to do it? All the Members of the Senate know how agitated he was at the hearing, and tried to figure out a way to beat his own law.

Public policy has been discussed. The decisions of the judges of the court have been discussed. My friend from Colorado [Mr. ADAMS] disagreed with me because he said he did not believe an officer had to file an oath. I have no objection to his disagreement; but I am just as certain that in West Virginia, according to the Qualls case, a public officer who fails to file his certificate of oath in the office of the secretary of state cannot serve as an officer, and if he fails to file it for a sufficient length of time and someone is appointed to take his place he loses his office. In the Qualls case, two men elected as members of the board of education failed to file their oaths, and the superintendent of public instruction appointed two men to take their places, even though they had been elected, and the court upheld the appointment. Even though they had been elected, they had failed to file the oaths, and the court held them not qualified. The other day the Senator from Illinois [Mr. LUCAS] did not like it because I read two letters of supreme court justices of West Virginia who helped to write the opinion. The court was unanimous in that case.

They said they were undertaking to say to everyone in West Virginia, "You cannot be an effective public official in this State until you have filed a certificate of your oath in the office of the Secretary of State, and if you do not do it, you have not qualified, and the Governor who is the Governor remains the Governor"—and I want my colleagues to remember this as long as they live—"until his successor is elected or appointed and shall have qualified"; except where there is a failure to qualify, as in the case cited awhile ago, and if there is a failure to qualify, then it is provided that the President of the Senate shall take the office.

Neely took an oath at 11:35 on the 12th day of January. He took another oath at 11:45. He did not think much of those himself, although he tried to write on the back of one of them, "I am taking this oath, but I don't mean it. I am taking it with the understanding that I

am still whatever I want to be under the circumstances, just so you don't get me out of either one." He took an oath at 11:35; then he took one at 11:45; but he did not file those oaths. After we opened the hearings, and began talking about these things generally, 12 days after the 13th, he went to the office of the secretary of state, or caused someone to go, and had those oaths filed. The other oath he took instantly after midnight on January 12, and he filed it at 12:50 o'clock in the office of the secretary of state of West Virginia.

It is my contention, and I think it is supported by the law of West Virginia, that a Governor cannot be the Governor until he does all things, according to the law, necessary to qualify him to be the Governor of his State. Neely had not done everything the law required him to do until he had taken or made an oath—I do not know the difference between making an oath and taking an oath. If he made the oath, he had to file it, and he had to file it, or a certificate, in the office of the secretary of state. So he filed one at 12:50 o'clock on January 13.

It is my contention that there was no way on earth by which he could be Governor of West Virginia until he had made and filed that oath in the office of the secretary of state of West Virginia.

I read letters from two judges, which the Senator from Illinois did not like, and I do not blame him; but the judges wrote them. They had a right to write them if they wanted to, and they did not have to come. They said it was the intention of all the members of their court, and the reviewers, when they went over the laws of West Virginia, said it was their intention, to make the provision as to the oath mandatory, and not directory. They said the action prescribed had to be taken in West Virginia. They have a right to require that if they desire. Is it our business if they wish to require it? Let them do what they wish to do, and that is what they said they wanted to do.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator whether any explanation was ever made to the committee or to the Senate as to why the oath taken, after midnight on the 12th–13th, was filed at 12:50 o'clock, and apparently relied on, and then later, after the question had been raised in the Senate committee as of the 16th, subsequently, on the 25th, the certificate of the secretary of state shows that the other oaths were filed, and they were put into the record. Was any explanation given?

Mr. CHANDLER. Not a satisfactory one; at least not one satisfactory to me, because certainly when the committee undertook the discussion of it, Senator Neely was relying upon his oath taken instantly after midnight, and he filed it at 12:50 a. m. in the office of the secretary of state.

Mr. CLARK of Missouri. Will the Senator yield further?

Mr. CHANDLER. I yield.

Mr. CLARK of Missouri. If the oath was an essential element to the qualification of Governor-elect of West Virginia, then the oaths referred to, taken prior to midnight, certainly could not have been validated by an oath filed on the 25th of January, could they?

Mr. CHANDLER. I do not think so. I do not know what Neely had in mind, but I suspect that when he got to that point he was grabbing at all the straws there were in the wind, and he happened to remember these two oaths, although he had not given them much weight at the time he took them. They tried to explain it by saying he was practicing. I have seen many kinds of games, and much practice, but I never saw a fellow practice getting to be Governor; that is, practicing taking oaths, so that when he got through practicing, he could be Governor of a State.

Mr. BARKLEY. Mr. President, will my colleague yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. If Neely was practicing taking oaths as Governor, was Holt practicing appointing Senators?

Mr. CHANDLER. I do not know; he did appoint one.

Mr. BARKLEY. Just about as fast as Neely took the oath, Holt appointed a Senator.

Mr. CHANDLER. No; Holt made three appointments and Neely took four oaths. The score is four to three.

It seems to me these are questions for the Senate to decide: When did the vacancy occur? In whose term did it occur? Who was the Governor of West Virginia when the vacancy occurred? Neely was not Governor, because he was United States Senator, if we take his own word for it, until precisely 12 o'clock midnight. He said he did not intend to let go of that office, although he made a couple of feints at it at 11:35 and 11:45. If that had any effect at all, it had the effect of getting him rid of the senatorship, without getting him into the governorship.

Mr. BARKLEY. Will the Senator yield further?

Mr. CHANDLER. I yield.

Mr. BARKLEY. It seems to me this is a serious proposition. How can an oath taken under these circumstances be a good oath to get a man out of the Senate, but worth nothing to get a man to be Governor? An oath is good or it is bad, and it is good as to everything or bad as to everything. How can it be good enough to get a man out of the Senate, but not good enough to get him into the governorship?

Mr. CHANDLER. I will never forget that once while I was seated in the gallery of the Senate I heard the senior Senator from Maryland [Mr. TYDINGS] stand on this floor and say that, so far as he could figure out, there was no law or provision of the Constitution of the United States that kept a man from being a damned fool if he wanted to be. I do not know how it is possible to legislate a fellow out of being foolish if he is foolish.

Mr. BARKLEY. That is not quite the question. If, taking the Senator's interpretation, he was damned fool enough to take an invalid oath, it is invalid as to all things. It could not be valid as to one thing and invalid as to another. That is a serious proposition, which appears to me to make it impossible to split the oath which he took, either the one at 11:35 or 11:45, and say half of it was good, that the half which lifted him out of the Senate is a good oath, and the half which made him Governor is no good.

Mr. CHANDLER. I cannot agree with the Senator. There are oaths which can do one thing for you and another to you. There are oaths which might be good for some things and not good for others. Senator Neely was trying to put himself into the office of Governor and at the same time to hold himself in the United States Senatorship, and he did not rely on those oaths until he became nervous about the one he actually filed at 12:50 o'clock a. m. on January 13. Then, 12 days after the 13th, he put the two oaths into the RECORD. I do not blame him for that, because he was anxious to rely on everything he had to rely on, and I always wondered why he did not file the only one he omitted to file. He went down to the statehouse shortly after noon and held up his hand again and swore to do all the things Governors swear to do, but he did not file that.

Mr. BARKLEY. Is it my colleague's contention that from 11:45 o'clock until 12 o'clock on the night of the 12th Senator Neely was trying to hold the Senatorship and at the same time hold the Governorship?

Mr. CHANDLER. I am sure he was. There is no question about it. We saw what he wrote on the oath. He wrote on it that he intended to qualify as Governor, but under no circumstances did he intend to let go the Senatorship.

Mr. BARKLEY. Under the Constitution of West Virginia, his term did not begin until 12 o'clock, and he could not by merely taking an oath prior to that hour become Governor before the constitution provided his term should begin.

Mr. CHANDLER. I shall surprise the Senator about that, because actually the term did not begin until he actually did all the things that were necessary to qualify him to begin the term. It was on the day generally set, of course, but that actually made the term 5 days shorter than the 4 years.

Mr. BARKLEY. Of course, all those things include his election by the people——

Mr. CHANDLER. Oh, yes.

Mr. BARKLEY. And a certificate by the board which canvassed the returns. That had to be done.

Mr. CHANDLER. Yes.

Mr. BARKLEY. Then he had to take the oath.

Mr. CHANDLER. To make it.

Mr. BARKLEY. Make it or take it. The constitution says "make" it, the statutes say "take" it. I presume they both mean the same. If they mean anything different, it is a question of trying to harmonize the statute with the constitution. The point is, if he could not take the oath of office, the legal oath, to make him Governor at 12 o'clock when the time arrived, how could that oath be a legal oath to deprive him of being a Senator? So if he was not Governor during that 15 minutes, and was still a

Senator, he was not holding two offices at the same time.

If he went out of the Senate by reason of that oath at 11:45 on the night of the 12th, thereby creating a vacancy—if he went out of the Senate because he otherwise would be occupying two offices at the same time in those 15 minutes, he was doing what the Constitution of West Virginia says he could not do—occupy the office of Governor before his term began under the constitution. That seems to me a very serious discrepancy as to the question of minutes.

Mr. CLARK of Missouri and Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and, if so, to whom?

Mr. CHANDLER. I yield to my friend, the Senator from Missouri.

Mr. CLARK of Missouri. I should like to ask the Senator from Kentucky if he ever heard of a situation in which a man took off his clothes a few minutes before he got into bed. That is similar to what might have happened in the case of Senator Neely in divesting himself of the Senatorship before taking over the Governorship.

Mr. BARKLEY. That is not a parallel situation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. Did I understand the Senator from Kentucky to say that the term of office did not begin until Mr. Neely qualified?

Mr. CHANDLER. I do not think there is any doubt about that. If he had not qualified his term would not have started.

Mr. HATCH. Does the Senator from Kentucky mean to say that the term of office provided for under the Constitution of West Virginia begins or ceases to be, depending upon the will or whim of a certain individual?

Mr. CHANDLER. No.

Mr. HATCH. The Senator does not mean the term?

Mr. CHANDLER. No; I am not talking about the term. I am talking about a man who is trying to qualify for a term.

Mr. HATCH. I think that is exactly the trouble with the whole case. Everyone has been talking about men and not about law.

Mr. CHANDLER. The Senator may have, but I have not. I am talking now about a man who has an office, and he does not want it, and he is trying to get another office, and the law of the State says he cannot have both offices at the same time, and he tries to get rid of one office and to get the other. I do not think any one can help him to do it. No one can tell him how to do something the law says he cannot do.

I gave an illustration here on the first day this matter was under consideration. Here is one man who holds a United States Senatorship, and here is another man over here who is holding the Governorship of a State. The man who holds the Senatorship wants to get the Governorship, although, according to all the laws I have ever read, possession is nine points of the law. The old country boys used to say, "Possession is nine points of the law, and if you have the nine points you have an advantage over the one who has the tenth point on his side." Nine points were on the side of one man in this case. That reminds me of a colored man down home who paid for a house on the instalment plan. He made his final payment, and went to the lawyer and said, "I have paid you the money." The lawyer said, "Yes. Now, of course, you want your deed." "No," said the colored man, "no, boss, I wants a mortgage." "Why," said the lawyer, "What do you mean? You don't want a mortgage." The colored fellow said, "Yes, I do." The lawyer said, "Oh, no, you want a deed." "No, sir, boss," said the colored man, "last time I had the deed and the other man had the mortgage, and now he has got the place." The colored man was not going to be fooled another time.

In the case under discussion one man had possession of the Governor's office. In listening to some arguments which have been made here one might think that Homer Holt usurped the Governor's office. He was elected to it. He was entitled to it. He was the Governor. On the other side we have a man who does not want to be Senator, who wants to quit being Senator, and run for the Governorship. But the law says, "You cannot hold both offices at the same time. You must get rid of one of them." He said, "All right, I will resign to the Governor," and he did resign to the Governor.

The Taylor case, a Kentucky case, has been cited by Senators. In that case there was no resignation, but a resignation was required. I have not been able to hold Senators to the facts in this case. Do Senators think Mr. Neely would have resigned to Governor Holt if he had not thought he must do so? He wrote that resignation out to Governor Holt. Why did he do it? Because Holt was Governor and was entitled to receive resignations of public officers in West Virginia and to accept them, and he did accept this resignation. In order to do that all he had to do was to write on it, "1:30, Homer A. Holt," and send it to the proper place.

Mr. President, a man holding a United States Senatorship, who wants to be Governor, must lay down his Senatorship. Mr. Neely could not hold both offices at the same time. As I said the other day, there must be an interregnum or hiatus, and those arguing for the other side who say there was no hiatus, there was no interregnum, say something which is ridiculous. I do not think the arguments are ridiculous; I think most of them are wrong; but the proposition is ridiculous. I would not like to say that any of my colleagues would be guilty of making ridiculous arguments. Let me get back to the illustration, and it will be found that the matter is as clear as crystal. A man holding a United States Senatorship, who wants to be Governor, must get rid of any limitation, of any burden, or of anything that keeps him from qualifying as Governor of the State, and when he lays down the Senatorship, as he had to do, and he knew it, and everyone else knew it, he left Homer Holt in the Governor's office, and Homer Holt appointed Clarence Martin United States Senator.

Mr. President, the Senator from Texas made the mistake, perhaps, of asking me to look up the law. I looked up the law.

Mr. CONNALLY. The Senator may have looked it up, but he did not find it.

Mr. CHANDLER. I will admit I did not find the kind of law that suited the Senator from Texas, but it surely suited me. I was not particularly anxious to suit the Senator from Texas. I wanted to find out what the law of West Virginia was, and I thought I found it, and when I did find it I undertook to report to the committee on the law of the State of West Virginia.

Let me say to the Senate that I never saw either one of the two men involved in this matter until they came here and each asked to be seated as Senator. I never saw either one of them before in my life. Both of them are fine gentlemen. I did not know either of them until this controversy started. I looked up the law of West Virginia and I found that the law of West Virginia was in favor of Clarence Martin. It is a matter of indifference to me personally for whom Senators vote to be seated as the Senator from West Virginia, but when the Governor of West Virginia, in office, appointed a man to be United States Senator, when he had a right to appoint him; when the law of his State is in his favor, I am not going to have it on my conscience that I failed to do what I could to have him seated as Senator.

The people of West Virginia voted for Mr. Neely to be Governor. Mr. Neely is an ingenious man. He is the only man who got the President and John L. Lewis to be for him at the same time. I have no objection to that. The President and John L. Lewis were not in agreement in the last national campaign, but they were both for Senator Neely. That is remarkable. I congratulate Senator Neely on his sagacity, on his political acumen and judgment, on being able to reconcile men who do not like each other, and in this case to get them to lie down together, but who, having lain down, do not want to continue to lie down together but want to get up.

Mr. President, I have received letters from people of West Virginia, the sheriff of Kanawha County, and others, who say that support of the administration was not an issue in the campaign. Whether it was or not has nothing to do with the matter. Clarence Martin was a Democrat appointed by a Democratic Governor who had a right to appoint him. I have supported the President of the United States on every proposition since I have been in the Senate, and I am anxious to support the President whenever I can. The Vice President of the United States is my good friend, and I am anxious to support him. But neither of them can tell me who is entitled under the law of West Virginia to be Senator. I cannot permit that to be done. I took an oath when I came to the Senate, and I shall abide by that oath. I am not going to carry on my conscience the thought that a man perhaps entitled to be appointed Senator by the Governor of his State cannot have his seat as Senator because somebody does not want

him here. I want him here if he is entitled to be here.

Mr. President, some have said that the leadership is involved in this matter. I am not making any fight against my colleague, the Senator from Kentucky [Mr. BARKLEY]. My colleague knows that since I have been in the Senate he has had no more loyal supporter than I. I have supported him on every proposition, except a couple of times when my conscience was involved, as, for instance, on the Adams amendment to the conscription bill. I could not vote for it. I voted against it, and my colleague cannot object to that. Why should the leaders make every scrimmage a war? Why should they involve themselves in the fight when it is the right of Senators to vote as their consciences dictate? Every Senator has the right to vote for the man he thinks is entitled to have the office.

Every Senator ought to ask himself, "What, in justice, ought I to do under the circumstances?" If it is just, fair, and right that Clarence Martin should be seated, we ought to seat him regardless of any other considerations. If any Senator can reconcile his conscience with voting otherwise that is his business. I have no dispute with him. I have not undertaken to question the motives of any Senator in his position on this question.

Yesterday the Senator from Illinois [Mr. LUCAS] undertook to accuse me of having already made up my mind. I do not think he should have done so. I did not accuse him. I do not know why he made up his mind, or when he made up his mind. It is none of my business; and it is none of his business when I made up my mind. I make up my mind the best I can, except when Mrs. Chandler gets after me, and then she makes it up for both of us. [Laughter.] But whenever I am dealing with Senators I will make up my own mind; and it is no affair of any other Senator when I make up my mind. I am not questioning any Senator as to when he makes up his mind. Every Senator ought to vote on this question irrespective of any influence on earth, and irrespective of any consideration except to do justice under the circumstances. I feel that Clarence Martin is entitled to occupy a seat in the Senate as a Senator from West Virginia.

My friend from New Mexico [Mr. HATCH] suggested that we send the whole question back to West Virginia.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. I suggested that that would be a wise course. I also said it could not be done.

Mr. CHANDLER. I am not intimating that the Senator indicated that such a course ought to be taken against all hazards; but the suggestion indicated to me that the Senator does not like this case. He likes it even less than I do.

There is a practical difficulty in the way of sending the question back to West Virginia. The Senate cannot call an election in West Virginia. The present Governor of West Virginia would name the same man, or someone else, to serve until the next regular election, and that would defeat the opportunity of the Senate to say whether its precedents are correct, or whether we wish to overrule them.

In my opinion the precedents of the Senate unquestionably favor the position taken by those of us who think that Mr. Martin is entitled to the seat. I ask every Senator, before he casts his vote, to lay aside, as far as he is able to do so, every weight, every influence, and every idea that has come to him from any source, except the question as to who is entitled to this seat under the circumstances.

When did the vacancy occur? Who was Governor when it occurred? I submit, Mr. President, that the answer seems clear to me. Homer Holt was the Governor, and he had a right to make the appointment which he made to the Senate, and in justice and fairness we should say that he is entitled to fill the vacancy in West Virginia's representation in the United States Senate.

Mr. CONNALLY. Mr. President, I yield 30 minutes to the senior Senator from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. Mr. President, I regret more than I can express the fact that my colleague [Mr. CHANDLER] and I differ upon the problem now before the Senate. I appreciate the fact, as he has just stated, that he has cooperated with me since he has been a Member of the Senate. I am highly gratified to say that that has been true. I am sure he has; and I sincerely trust that the same cooperation, fellowship, and friendship which have characterized our service here together may continue in the future.

Notwithstanding that, Mr. President, I feel that inasmuch as I have some convictions on this subject I am not violating any duty or propriety in giving brief expression to them.

Mr. President, I wish to discuss this problem from two standpoints, one of which perhaps, ought not to have any place in the argument, but it has been injected into the argument by those who are supporting the minority report.

The Senator from Vermont [Mr. AUSTIN], one of the ablest lawyers in this Chamber or in the entire country, and one for whose personality and whose opinion I have the greatest respect and admiration, was the first to make the point, in his address in behalf of Mr. Martin, that the question of public policy is involved. The Senator from Wisconsin [Mr. WILEY] has today emphasized that point. Evidently they think it has a place in our consideration. My colleague [Mr. CHANDLER] has squinted at it a little, too.

The question of public policy is a broad question. It cannot always be determined upon the same footing. It might be determined differently upon some other occasion. The point is made that no Senator who is elected Governor of a State during his term as Senator ought to be permitted to appoint his successor in the Senate, because to do so would give him control of two offices at the same time—that is, the governorship and the senatorship.

I should not say that the Senate is estopped from considering that subject; but it is true that this is not the first instance in which such a thing has occurred. Four years ago the Senator from New Jersey, Hon. Harry Moore, became a candidate for Governor of his State. He was elected, and when he became Governor of his State he ceased to be a United States Senator. He appointed as his successor in this body Senator Milton, who came to the Senate, took the oath of office, and served part of the unexpired term of Governor Moore.

It cannot be said that we ought to have permitted that action because every Senator liked Senator Moore, and that we ought not to permit it to be done now because perhaps some Senators do not like Mr. Neely. If the question of public policy is involved now, public policy ought to support the appointee of Mr. Neely. It may be argued that the Senate is guilty at least of laches or negligence in the performance of its duty in behalf of sound public policy in not raising the question 4 years ago, when Governor Moore's appointee came to the Senate and was seated without question.

If it is a matter of public policy as to whether the Governor of any State should be permitted to appoint his successor in the Senate, who has the first right to determine that question of public policy? Shall we decide it here, or shall the people of the State involved decide it?

This is not a question between Governor Neely and me. It is not a question between Governor Holt and me. What happens to them as individuals, or what happens to us as individuals, may be an insignificant matter. But, as I look upon it, it is a question between the people of West Virginia and me. Their rights are involved here, not the rights of either Mr. Neely or Mr. Holt.

Something has been said as to this question having been an issue in West Virginia; and I desire to mention this because it has been injected into the debate on the question of public policy. I have in my hand an editorial from the Herald-Dispatch, of Charleston, W. Va. It is a Republican newspaper. It did not support Governor Neely in his campaign, either in the primary or in the general election. Last November it supported the Republican candidate for Governor of West Virginia. It may be interesting to read what this Republican paper says about whether or not the question now before us was an issue in West Virginia:

THE ONLY ISSUE

Quibbling over obscure and highly technical points of procedure in the appointment of a United States Senator to succeed to the seat of Governor Neely has served to delay granting West Virginia its full representation in the Upper House but it has in no sense beclouded the real issue.

The issue is—

Says this Republican paper—

whether the Governor elected by the people of West Virginia, and whose political philosophy the majority endorsed by their vote, is to be permitted to name—as the State's constitution provides—a Senator with whom he can work in harmony in the interest of

the State or whether an ex-Governor whose influence was repudiated by his party and whose political philosophy was rejected by the majority of the electorate shall by some technicality seize and hold a portion of that which was removed from him by the people.

As Governor Neely's nominee for the Senate seat, Dr. Joseph Rosier represents the only expression of the popular will in the contest at issue. That Neely, if elected Governor, would name his successor and in the exercise of that selection would choose a man whose political philosophy was in harmony with his own was an issue in both the primary and general elections.

Says this Republican paper:

A majority of the State's voters gave Governor Neely such a mandate.

There are two more paragraphs to this editorial, but they are not material to the issue.

I agree with what has been said here to the effect that there was an unseemly scramble in the city of Charleston to determine a United States senatorship. Let us suppose that it was an indecent scramble over a senatorship. Where do the equities lie, if there are any equities involved in that transaction? Mr. Neely had the right to run for Governor. It is an unusual thing for a Senator to run for Governor. As a rule it is the other way around; but he had the right to run for the governorship of his State, just as other Senators heretofore have done.

The people of West Virginia and his opponents in the primary had the right to say that if he were elected Governor he could appoint his successor, just as Harry Moore had done 4 years ago. They had the right to use such an issue against him in the campaign. It was an issue. His opponents had a right to make it an issue. We know how campaigns sometimes accumulate issues which the candidates and their friends think may influence votes; but if it was a legitimate issue, then the people of that State had the right to pass on it. If it was an issue, they did pass on it by a majority of 48,000 in the primary and 112,000 in the November election.

Mr. CONNALLY. Mr. President, will the Senator yield briefly?

Mr. BARKLEY. I yield.

Mr. CONNALLY. Is it not true that the Holt faction or the Holt group admitted in the campaign the right of Mr. Neely to make the appointment, because they charged that, if elected, that is what he would do?

Mr. BARKLEY. Undoubtedly that is true.

Let us assume that this was an indecent and unseemly performance. Who brought it on? Undoubtedly it was brought on by the outgoing Governor in his effort to prevent the incoming Governor from exercising a power the people of West Virginia had said, in a primary election and in the November election, they wanted him to exercise.

We are all human. There is not a Senator in this Chamber who, under the same circumstances, would not have done exactly as Governor Neely did. If any Senator about to assume the governorship of his State should see an outgoing Governor, who had tried his level best to prevent him from becoming Governor, sprawling himself across an imaginary line, with one hand in his own term and one hand in the incoming term, with an ink bottle by his side, and with pen poised ready to write an order authorizing somebody to fill a certain office, he would do exactly as Governor Neely did; he would try to prevent such an action.

It may be that that situation ought not to have anything to do with the present issue; but it has been injected into this debate by those who are contending that Governor Neely had no right to make the appointment.

So much for the matter of public opinion. If there was an unseemly and an indecent episode in West Virginia at the hour of midnight on the 12th of January, it certainly was one that was begun by the outgoing Governor. Ordinarily, outgoing Governors exercise courtesy toward their incoming successors. I do not know of any case—although probably there are such cases—of an outgoing Governor trying to forestall an incoming Governor in the making of appointments. All the decisions and all the lawbooks say that an outgoing Governor has no right, whether from the standpoint of public policy or law, to project himself over into the incoming term in order that he may deprive his successor of the right and the power to make appointments.

Governor Holt's term expired at midnight of the 12th, that is, at the twilight hour or the twilight moment between the 12th and the 13th. If as he crossed that line, or came up to it—I do not think he could cross it—and saw the form of Mr. Neely approaching to stand on that line just as he disappeared from it, Mr. Holt could appoint a United States Senator, he could appoint to every other office within the power of the Governor in which there was a vacancy at that particular moment. If he could appoint a United States Senator and could deprive the incoming Governor of the power to make the appointment, he could tie the incoming Governor's hands and make him impotent during his term of office by making appointments to every other vacancy that existed at the moment of midnight, or whatever "hangover" there was following midnight, when he claims to have exercised the power.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Illinois.

Mr. LUCAS. On the point the Senator is discussing, it so happens that the State of West Virginia, knowing of that type of pernicious practice by the outgoing Governor, has passed a statute which permits the incoming Governor, by a stroke of the pen, without assigning any reasons for it, without filing any charges, and without doing anything else, to say to the appointee who was appointed in the dying hours of the old Governor's term, "You are out." That is all there is to it; and while I know that that cannot be done in connection with a Federal office, and cannot be done in connection with an appointment to the United States Senate, yet if the people of West Virginia had had the power to have included the office of United States Senator along with the others, I dare say they would have done so.

Mr. BARKLEY. Undoubtedly.

Now, Mr. President, let me speak of the law for just a moment. I do not set myself up as "any great shakes" of a lawyer. When I was a young man and practiced law, I thought I was a pretty good lawyer, but now I feel, as probably most of us feel after we have been here a good many years, like a Member of the House of Representatives, who when testifying the other day before a committee, and a constitutional question was asked him, said "I have been in Congress so long that I do not know anything about the Constitution." I have been in Congress so long that I could not claim now to be even a good lawyer, although I thought I was a fairly good one when I came here. I suppose that our legislative experience here does broaden us in a certain sense in our understanding of the law, but in the actual practice of it in the courthouse we all know we would be at a disadvantage if we were suddenly thrust back into the bar to cope with lawyers who have been there all the time since we have been here. But I am going to be bold enough to discuss the law nevertheless.

Much has been said here about the fact that a number of appointments were made and several oaths were taken. I suppose when Neely discovered that his outgoing predecessor was going to make appointments fast enough that he finally might get one to stick that he did the very natural thing and tried to forestall such action. I would have done it under the same circumstances; you would have done the same thing, because, whenever we are commissioned by the people, either of our States or of the Nation as a whole, to do something, we do not sit idly by or lie prone on the ground and let some officer whose term was expiring rob us of the power to do what we have been commissioned to do and authorized to do by the people.

I do not think there is any question that an appointing power, whether it be a Governor or a commission, cannot make an anticipatory appointment that will project itself far enough into the future to take effect after the authority and the office of the appointing power have expired. Nearly all the decisions and all the lawbooks hold that neither a Governor nor a mayor nor a commission can go beyond the expiration of their own terms to fill a vacancy which does not occur until after their terms have expired. Therefore, the first appointment made by Governor Holt was a nullity.

It was contended that the second appointment which he made was valid, although I think, to all intents and purposes, they have abandoned that contention. In the very beginning of the hearings, however, it was even contended that Governor Holt had 5 days to hold as Governor when Neely became Governor, because, they said, the constitution provided a 4-year term and when Holt went out of office, when the 13th day of January, 1941, came, Governor Holt lacked 5 days of serving 4 years. It so happens

that Governor Holt took the oath of office on the first Monday after the second Wednesday in January, 4 years before that, which happened to be the 18th day of January. We all know that no day of the month comes on the same day of the week year after year, there is a progression for 7 years, and each day of the week has a whack at the various days of the month; and, while the constitution of West Virginia provided that the Governor should have 4 years, and his term should begin on the first Monday after the second Wednesday in the month, it so happened that when Governor Holt took the office 4 years previously, it was not the 13th but the 18th, and 4 years from the 18th would be the 18th again; but the lack was caused by the constitutional provision that the term of the Governor begins on the first Monday following the second Wednesday in January. Yet when the hearings began before the committee it was contended, as a matter of fact and as a matter of law, that Governor Holt really had 5 days to go on the 13th day of January when Neely took over the office of Governor. But they abandoned that contention.

Is the second appointment legal? In order to hold that it is legal, you have got to hold that from 11:45 on the night of the 12th of January until midnight on the 12th of January there was a vacancy in the Senatorship.

It cannot be contended that Governor Neely at any moment during this whole procedure tried to be both Senator and Governor at the same time; that could not happen under any law; and, if there were no constitution or statute on the subject in West Virginia or anywhere else, the common law prohibits any man from holding two incompatible offices.

In the State of Kentucky the constitution prohibits the holding of incompatible offices; it provides specifically that if any man holding an office which is incompatible with one to which he has been elected, immediately upon assuming the duties of the second, he automatically vacates the first. He does not have to resign; it happens automatically. In West Virginia the constitution provides that before assuming the duties of the office of Governor—and the provision applies to every other State officer, so far as that is concerned—the incumbent must take an oath. It certainly does not mean that a State attorney general or an auditor or a judge or a sheriff who happens to be in office and is elected Governor must take the oath before he assumes the office of Governor and that a United States Senator must not do so. I do not believe any lawyer would contend that if the attorney general of West Virginia or the auditor of the State or a judge of the State courts had been elected Governor of West Virginia, and had taken the oath of office 15 minutes before his term began, he would thereby automatically vacate the office of judge or attorney general or auditor or treasurer or sheriff or whatever the office might be. I contend, and I believe there is no law to the contrary either in the constitution or statutes of West Virginia or in her court decisions, that Governor Neely had a right to take the oath of office in advance. The law required it, and it is done all over this country year after year.

In my younger days I was appointed prosecuting attorney of my county. My term ended on the first Monday in January. I was elected judge of the county court for a term which began at the same time my term as county attorney expired. On Saturday before the first Monday in January I took the oath of office to perform the duties of judge of the county court, but I did not vacate my office as county attorney until the first Monday came, which was 2 days later.

There has been much said here about what it takes to qualify. I remember that an unlettered man at one time ran for sheriff of my county and was elected. He could barely read or write. His office began also on the first Monday in January, and he walked into the office of the county judge on Saturday before the Monday which was to usher him into the sheriff's office, and he said "Judge, I want to qualify for sheriff." "Well," the judge said, "I can swear you in, but all hell cannot qualify you." [Laughter.] But he took the oath of office, and made a good sheriff. There is a difference in law between qualifying to begin an office and actually taking the office over and assuming its duties.

It is said that in West Virginia all things that are required and necessary to be done in order to make a man eligible to be Governor must be done in advance. What are those things? He must be elected, in the first instance; he must have a certificate of election, in the next instance; and then he must take the oath of office. The Constitution of West Virginia requires that before he enters upon the duties of that office, he must make or take—and I do not care which—an oath. That oath is to perform faithfully the duties of the office.

The oath that Mr. Neely took at 11:45 was either a valid oath or an invalid oath. It either had full force and effect or it had no effect whatever. In my judgment, it qualified him to be Governor beginning at 12 o'clock on that midnight. It did not take him out of the Senate of the United States. When a man resigns from an office, he fixes the terms of his resignation. He sets the time when his resignation shall take effect. Governor Neely sent a resignation to Governor Holt. He did not have to name Holt. The governorship is not a personality. The governorship is an office. He could have resigned to the Governor of West Virginia without naming anybody. Although he named Holt, who happened to be Governor at the time he sent the resignation, the resignation was directed to the Governor, and it was to take effect precisely at the time Governor Holt's term should expire and his term should begin.

Mr. President, the action of the Senate cannot here or elsewhere be reviewed. There is no appeal from our decision. But if, by our votes today, we hold that any man elected to an office when he holds another one that is incompatible with the first renders himself ineligible for the second office when he seeks to comply with the law that requires him in advance to qualify by taking an oath before he can begin his term, it would mean that hereafter, if it had any legal effect upon the administration of oaths and the beginning of terms of offices, if our decision here had the binding force of a court decision, it would be impossible for any incumbent officer elected to another office to take the oath of office, the effect of which is that when I begin the performance of the duties of the office to which I have been elected I will do it to the best of my ability, so help me God.

It is said that even though the first and second appointments of Governor Holt are not legal the third is legal, because there was bound to be an interval when Governor Neely or Senator Nealy was struggling to get out of his senatorial chair into his gubernatorial chair, and that while that struggle, that physical effort, was going on, the outgoing Governor, who must have occupied one of these chairs "put over a fast one" on him, and appointed a United States Senator.

Who knows about that? The term of Governor Holt ended at 12 o'clock under the Constitution of West Virginia; because if, for any reason—death, imprisonment, or failure to qualify—the incoming Governor failed to qualify or did not qualify or become the Governor, under the special provision of the West Virginia Constitution the president of the State senate acted as Governor from the very moment of the failure. If there was any failure on the part of Governor Neely to qualify precisely at 12 o'clock, it does not make any difference whether that failure was for 1 minute or for 5 days; it makes no difference whether it was a voluntary failure or one resulting from an impossible situation that made it necessary, while a man draws even a fleeting breath, to hold his hand up and be sworn; under none of those circumstances did Governor Holt hold over, because while the Constitution of West Virginia says that all officers elected, and so forth—and that is the provision generally found in all our constitutions——

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. May I have 5 minutes more?

Mr. CONNALLY. I yield 5 minutes to the Senator from Kentucky.

Mr. CHANDLER. Mr. President, will my colleague yield?

Mr. BARKLEY. I yield to my colleague.

Mr. CHANDLER. I think my colleague misinterprets the law of West Virginia to this extent——

Mr. BARKLEY. I have only 5 minutes.

Mr. CHANDLER. I do not want to take any more of my colleague's time. He refers to the case of a failure to qualify. I want to point out that in this case we had just the reverse. We had a declaration of intention to qualify by Mr. Neely's informing the Governor in his resignation that he was going to get rid of the Senatorship to take the office of Governor.

Mr. BARKLEY. The only legal excuse or possibility for Governor Holt to hold over at all, if he could, under even the general provisions of the constitution, was in case there was a failure on the part

of Governor Neely to qualify. He did not die and he was not imprisoned. A failure to qualify may be either voluntary or involuntary. If he were sick in bed, and could not come to take the oath of office, that would be an involuntary failure, but it would be a failure nevertheless. Who knows whether Governor Neely said, "So help me God" before Governor Holt, or ex-Governor Holt, could sign his name to Martin's commission? Neely and Holt were at different places. They were not together. Nobody was keeping time on both of them continuously. We are asked here to presume and assume that ex-Governor Holt, with his body sprawled across an imaginary line, with a pen full of ink in one hand, could write the name of Clarence E. Martin before Neely could take the oath, assuming that they were both trying to do the same thing at the same time. And whose timepiece was correct, if there is a question of split seconds? If both of them had been in the same room, racing, there might have been some way to tell which got through first; but they were at different places. There is no way to keep a check upon them.

So, Mr. President, it seems to me that in the great matter of a Senator from the State of West Virginia, if any question of public policy is involved, if it has any weight as to the performance of our duty, we have no right to ignore the fact that the people of West Virginia passed on that question. They passed on it in behalf of the appointee of the incoming Governor.

I do not believe either the first or the second appointment under Governor Holt was legal, because there was no vacancy during his term of office. No matter what else happened, or what anybody else did, his term expired precisely at 12 o'clock midnight of the 12th. The Senator from Colorado [Mr. ADAMS] has undertaken to interpret that to mean midnight of the 11th—that it was the previous midnight and not the one on Sunday. When we talk about midnight of the 12th of any month we mean the end of that day. That is the midnight of that day; and when Governor Neely sent in his resignation, fixing the time of his resignation as Senator, he fixed it at midnight, at precisely 12 o'clock, on the 12th, which was the end of the day of the 12th and not the beginning of it. So he was, as the Senator says, a United States Senator all day of the 12th; and the Senator from Kentucky [Mr. CHANDLER] says he drew his salary for all day of the 12th. For the first 12 days in January he was a United States Senator. Therefore he could not have been a Governor for one fraction of a second of the 12th. But having complied with the law of West Virginia, he became Governor, even though they might never have had an inauguration, which is not a compulsory ceremony in any way. It is done for the benefit of the public. If there never had been a public inauguration he complied with the requirements of the West Virginia law, and became Governor precisely at the time when he ceased to be a United States Senator.

Regardless of what I may think of any of the persons involved, regardless of how indecent or unusual this cat-at-a-rat-hole performance at the hour of midnight on the 12th may have been, I cannot in my conscience vote to deny the people of West Virginia the right to have their will recorded as to a United States Senator. Therefore, I shall vote for the report of the majority of the committee, to seat Mr. Rosier.

Mr. CHANDLER. Mr. President, I yield now to the Senator from Georgia.

Mr. GEORGE. Mr. President, I merely wish to state the reasons for my vote on the pending resolution, without argument. I do not care to argue the matter because to me it seems clear, and argument has already been exhausted; but upon an important question of this kind I should like briefly to state my reasons for the vote which I shall shortly cast for the substitute.

In the first place, Senator Neely, at the time he was elected Governor, was a Senator serving a term in the United States Senate which had not expired. Senator Neely recognized what is universally accepted—both under the law and as a matter of fact—the necessity of divesting himself of his office of Senator before he could become Governor of the State of West Virginia, to which office he had been elected.

If it were the ordinary case of one elected to an office who was not under a disability, we might have a different result; but Senator Neely labored under the disability of not being able to become Governor until he divested himself of the Senatorship. So he offered his resignation to the Governor of West Virginia. I believe that resignation was offered a day or two before the supposedly last day of the term of the then Governor. In his resignation Senator Neely specifically stated that the resignation should become effective exactly or precisely at 12 o'clock Sunday, or employed some similar language which is not material to me in my vote in this case.

Senator Neely had a right to offer his resignation effective at a future date; but when he offered it effective at a future date, the then Governor of West Virginia had a right to make the appointment of a successor effective at a future date. That, in the final analysis, is all there is in this whole controversy. It is not a question of when Senator Neely actually qualified, or when he undertook to qualify, or when he made up his mind. A prospective appointment can be made under the undisputed and unbroken decisions of the Senate itself. Of course, the appointment must be made by an officer in office, and it must become effective while that officer remains in office, certainly; but Senator Neely, knowing that he had to resign, not halfway resign, not partially resign, but completely divest himself of his office, said, "I offer you my resignation, Governor, to become effective exactly at a given hour." Thereupon, and not until then, did the Governor of the State have the right to make the appointment. But then he had the right to make the appointment, and his appointment, then made, to become effective exactly on the effective moment of Senator Neely's resignation, was a continuing appointment, it lasted every minute of the time up until Senator Neely had divested himself of his senatorial office, and it then became effective, concurrently with his resignation, because it had been so termed. As a matter of fact, and as a matter of law, and as a matter of morals, both the Governor and the Senator had specified the exact time when the resignation would become effective, and the exact time when the appointment would become effective.

Mr. President, the question has arisen here—and if this were the law I would not be able to cast my vote as I have indicated I shall cast it—that Governor Holt could not hold over until his successor was both elected and qualified. Reference has been made to the failure to qualify. Failure to qualify, under universal law, without a solitary exception, means an abandonment of the office, a conscious intent to forego the exercise of the privilege to which one has been elected or appointed, for such a period of time as to constitute, or at least indicate, a positive intention to abandon the office. So there was no failure to qualify. But that is not the point. As I see it, the point is simply that a resignation was offered when Holt undoubtedly was Governor, expressly conditioned to become effective at the exact moment while he was yet Governor, and Holt then made the appointment effective at the very identical moment when the resignation went into effect. So if Holt was the Governor, to whom a resignation could be made, and the completed resignation accomplished, he was bound to be Governor when his continuing act of appointment became effective, because the two became effective at once.

The case is without difficulty if one will not become confused about the rule at common law and the rule in various States which follow the common law more exactly. Let me illustrate by what has occurred in my own State. The statute in West Virginia, the Constitution in West Virginia, the construction of the Supreme Court of West Virginia, put the two States exactly on a parity. The laws of both provide the same, though not in the same words. They both aim at the same thing, and they both accomplish the same thing.

The rule in Georgia is that before one elected to the governorship, let us say, can qualify, he must make affidavit that he is not the holder of any office of trust or emolument under the United States. That is exactly and precisely, from a conscientious study of the decisions of the courts of West Virginia, based upon their statute and constitution, what that State intended to accomplish.

I wish to make one more observation, and then I shall be through. As I have stated, one elected cannot make the oath that "I will not be the holder of an office under the constitution" prior to the time when he qualifies as being Governor, because he might change his mind between the time when he made the oath and the time when he actually undertook to assume the office of Governor. So the requirement is that he must make oath that "I am not the holder."

Senator Neely was in no position to qualify as Governor of West Virginia so long as he was invested with the power of a United States Senator under the Constitution. His oaths taken prior to the time when he divested himself of that office amount to nothing, because he might have taken them all the way from the date of his election down to the 12th of January, and on the 12th of January he might have abandoned his intent. Resignation, actual resignation from office, actual divestment of his power as a Senator and his authority as a Senator, depend upon intent, continuing, unrevoked intent. So what he did on the 10th and what he did on the 11th were utterly useless, were no more valid than what a man who intended to assume office on the 12th or the 15th would have done on the 10th of January under the laws of my State.

His statement might have been literally true at the time, "I am not now the holder of the public office under the Constitution," but that is not the question. The question is, When he takes his qualifying oath is he then qualified to take that oath? Senator Neely's affidavits made prior to the one in which he fixed the time definitely, the affidavits he made prior to the actual effective moment of his resignation—because even resignations may be withdrawn—were, in my opinion, utterly useless. But when he made the resignation specifying exactly the effective moment of his resignation, it was then within the power of the sitting Governor to make his appointment, and that appointment became effective, let us say, concurrently with the expiration of the term of the sitting Governor. It is not necessary to go that far, but it certainly became concurrent with the effective hour and moment and second and instant of the resignation.

Mr. President, I do not say that there might not be questions of public policy involved. I do not care to argue them. I wanted to state the reason which impelled my vote in this case. I think I have stated it as clearly as I can state it without going into any controverted questions of law.

Mr. President, hard cases make bad laws, and that stands for the Senate of the United States as well as for the courts of justice. This is not the first case from West Virginia that has strained the judgment and imagination of many Members of this body. On a prior occasion I stood for the seating of the elected Senator, but it was a serious question, it was one which a State ought not to have raised in the manner in which it was raised, and I have confidence that this matter ought not to be here now requiring the Senate to distinguish upon narrow, technical, and legal grounds, so important a question as a seat in the Senate of the United States.

Mr. CONNALLY. Mr. President, I crave the indulgence of the Senate, and I apologize for speaking upon this question again as chairman of the Committee on Privileges and Elections upon which the burden of hearing this matter fell, and which investigated every avenue of the case. As a parting rejoinder to the arguments which have been made, I desire to submit a few remarks.

Mr. President, the distinguished Senator from Georgia [Mr. GEORGE] said in effect that he wished this case were not here. I can join with him in that wish. I wish it were not here; but it is here, and we are here, and our duty is here, and we must determine this issue one way or the other, or deny West Virginia rightful representation in this body. If we fail to seat one of the appointees, of course, the Governor could immediately make another appointment. However great this task may be we must meet it and face it.

The Senator from Georgia made reference to the case of another Senator from West Virginia, when he voted to seat the Senator. In that contest I voted against seating him. Senator Neely, from West Virginia, was then here and was leading the fight in behalf of the seating of Senator Holt. A small group of us on the Democratic side, and some on the Republican side, opposed the seating of Senator Holt, not because we disliked Senator Neely, not because we liked or disliked Senator Holt, but we opposed the seating of Senator Holt, Senator Neely's then candidate for the office, because we did not think that under the Constitution and the law he was entitled to be seated. I incurred the personal displeasure of Senator Neely because of my action in that case.

But today, after a thorough study and deliberation over this case for a month or more, I am firmly convinced that the appointment of Dr. Rosier by Governor Neely is legal, and that he is entitled to a seat in this body. Therefore I dare to speak in his behalf.

Mr. President, the Senator from Georgia always makes a strong speech, especially upon a legal question, but I want to challenge some of the propositions the Senator from Georgia submitted to the Senate. The Senator submitted the statement that the laws of West Virginia and the Constitution of West Virginia require of the candidate for Governor, before he can become Governor, to take an oath that he had disassociated himself from all other offices.

Mr. GEORGE. No, Mr. President, the Senator misunderstood me. I said that was the rule in Georgia.

Mr. CONNALLY. The Senator said "the laws and constitution."

Mr. GEORGE. I said the laws were the same; yes.

Mr. CONNALLY. Well, I thought the constitution was the law.

Mr. GEORGE. I did not say they were the same in terms, but I said they were the same in meaning.

Mr. CONNALLY. I accept the Senator's statement about that. But now let us see. The Senator said they were the same in meaning. What is the law of West Virginia on the subject? There is not a line in the Statutes of West Virginia about a prospective Governor divesting himself of any other office. The law of West Virginia simply provides that the executive officer of that State shall not perform the duties of any other office during the time he is Governor. That is all. It does not say he must resign; it does not say he must divest himself of any other office. The only statutory or constitutional requirement is that when he becomes Governor he shall not perform the duties of any other office.

Is there any Senator on this floor who can contend that Mr. Neely after he undertook to become Governor undertook to perform any function of a United States Senator at all? There is not a hint, there is not a flashlight suggestion in all the record that Senator Neely undertook to exercise any function or duty of any other office after he assumed the duties of the governorship. So he has complied with the laws of West Virginia. Here they are. If any Senators want to hear them read, I shall quote them word for word. The Constitution of West Virginia is the authority by which I speak.

I shall now refer to the theory that there must be a period of divestiture. It is like going into the old lodge room; when one comes in he must go into the anteroom and take off his citizen's clothes and put on a robe and a lot of collars before he can go into the lodge room.

There is no hiatus; there is no period of interregnum. Let me suggest to Senators that the Senator from Oklahoma [Mr. THOMAS], who sits by my side, was a Member of the House of Representatives. He was elected a United States Senator, and came over and took the oath. He was either a Member of the House or a Member of the Senate for every moment of that time. The moment he ceased to be a Member of the House of Representatives he became a Senator of the United States. He never became a private citizen for one flashlight instant. The Senator from Kentucky [Mr. BARKLEY] was a Member of the House and was elected to the Senate. He came over here and took his seat. For every moment of that time he was either a Member of the House of Representatives or a Senator of the United States. There was no interregnum. There was simply an invisible line between his term as a Representative and his term as a Senator. That was true of the Senator from Maryland [Mr. TYDINGS], who came to the Senate from the House of Representatives. Did he have to go out and take a Turkish bath in order to get rid of his investment as a Member of the House of Representatives before he could come here and qualify as a Senator? [Laughter.] No. He came right into the Senate Chamber and took his seat.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. No; I cannot yield. I am sorry, but I have only a limited time. I have been pretty liberal with the Senator.

Mr. President, the same thing is true of every other office. Mr. Justice Black, of the United States Supreme Court, was appointed from this body to the Supreme Court. I do not know whether he ever filed a resignation with the Governor of his State. I suppose he did, probably

upon assuming his duties as a Justice of the Supreme Court. He went over and assumed the duties of a Justice of the Supreme Court. He was either a Senator of the United States or a Justice of the Supreme Court for every moment of that time. There was no interregnum. There was no trial period. There was no process by which the patient had to be prepared for the operation. [Laughter.] He made the transition instantaneously from the office of Senator to that of Justice of the Supreme Court.

What are the facts in this case? Mr. President, we are called upon to perform a high and solemn duty. We are to determine, not for ourselves but for all the people of the United States, whom the people of West Virginia have selected as their Senator. A vacancy occurred. I submit that the vacancy in this case could have come only through a resignation. All agree that that resignation, by its terms, fixed the time of the vacancy. The resignation specifically provided that Governor Neely was giving up his senatorial office exactly at midnight on the night of January 12—not before, not afterward, not a flashlight of a second before 12 o'clock, not a second after 12 o'clock, but exactly on the invisible line of 12 o'clock.

What do the Constitution and the laws of West Virginia provide? They provide that the Governor of West Virginia, acting not for himself but for the people of West Virginia, shall appoint to a vacancy in the Senate when a vacancy happens; not before it happens, but either when it happens or after it happens, while it is continuous. Let me suggest at this point that a vacancy is a continuance in the future, not in the past. A vacancy looks to the future and not to the past.

Who had the right to make this appointment? Mr. Holt, as an individual, had no authority to make it. Mr. Neely, as an individual, had no right to make it. The only person on earth who had the right to make the appointment to the United States Senate was the officer who was Governor of West Virginia at the time the vacancy happened. The vacancy could not happen until exactly 12 o'clock. According to our theory, Governor Holt ceased to be Governor exactly at 12 o'clock. He therefore could not make the appointment, because he was no longer Governor. The same little invisible line that brought to an end the term of Senator Neely in the Senate also brought to an end the term of Governor Holt as Governor of West Virginia. Governor Neely could have made this appointment a month later if he had so desired, because he was then Governor of West Virginia.

But it is said that Governor Neely took an oath at a quarter to 12 o'clock p. m., and that therefore he vacated his office as Senator at that time. Of course, he could not become Governor of West Virginia until 12 o'clock, because the outgoing Governor served until 12 o'clock.

What is the law on this subject? I do not care to quote speeches. I have before me a decision of the Supreme Court of Kentucky on that subject, in the case of Taylor against Johnson. It says:

> Had Coyne done any act which, though not a voluntary vacation of the office of alderman, yet had the effect, by operation of law, of vacating that office?

Mr. CHANDLER. Mr. President, as I understand, the Senator is now reading from a Kentucky case.

Mr. CONNALLY. It is a Kentucky case. It is the only authority from the State of Kentucky, with the exception of the senior Senator from Kentucky, to which I have paid any attention in this discussion.

Mr. CHANDLER. I know that.

Mr. CONNALLY. Mr. President, what does the decision of the Kentucky court have to say on this point? This is what it says:

> While his taking the oath and executing the bond had qualified him to enter upon the discharge of the duties of the office of treasurer, he had not accepted that office, within the meaning of the statute, so as to operate to vacate his existent office as alderman. Until the time when he could legally enter upon the discharge of the duties of the new office, there was nothing in the spirit or letter of the law declaring that his preparation for entering upon such new duties would vacate his former office. His taking the oath and executing the bond were but such preparation. Had the term of his new office then commenced, such qualification would be the statutory acceptance, such as would vacate the former office. That condition did not obtain here.

That is the decision of a supreme court exactly in point, upholding the contention that when Neely took the oath at a quarter to 12 he was not vacating the senatorship. He was not undertaking to take over the governorship, because the governorship would not be vacant until 12 o'clock. In the case which I have cited the court held that the action in taking the oath was merely an act of preparation, merely qualifying the person so that when the term of his office did begin, automatically he would assume the duties of that office.

What is the law with respect to Neely's taking the oath at a quarter to 12? Again I wish to refer to the laws of West Virginia. Chapter 6, article 1, section 5, of the code of West Virginia, provides:

> The oath required by section 3 of this article shall be taken after the person shall have been elected or appointed to the office, and before the date of the beginning of the term, if a regular term; but if to fill a vacancy within 10 days from the date of the election or appointment, and in any event before entering into or discharging any of the duties of the office.

Neely was required by the statutes of West Virginia to take the oath qualifying him to become Governor after he had been elected, and before the date of the beginning of his term. He complied with the statute. He took the oath at a quarter to 12. Why did he take it at all? The only reason in the world he had to take the oath was because the law required that he take the oath; and yet the same law that required him to take the oath commanded him to take it before the beginning of his term. When he took that oath at a quarter to 12 o'clock he was then completely qualified, completely eligible, and had invested himself with all the requirements necessary to becoming Governor; and when midnight of that night arrived, exactly at 12 o'clock he ceased to be Senator, and instantaneously and automatically became the Governor of West Virginia.

Mr. President, when was there any hiatus? How could there have been any split second of time? But those on the opposing side say that Governor Holt held over—held over how long? Just about long enough to sign his name. Why could he hold over? The only reason on earth, under any conception of this case, why he could hold over for the split sixtieth part of a second would be because the new Governor had not qualified.

Does anyone challenge that statement? The only reason why he could hold over for the one-hundredth part of a second would be because exactly at 12 o'clock no one had qualified as Governor. But Mr. Neely had qualified as Governor. There was no failure to qualify. There was no period of interregnum. After 12 o'clock Mr. Holt did not have time to dot an "i," because he was no longer Governor. After 12 o'clock he could not have crossed a "t," because, when the clock struck 12 "the king was dead. Long live the king." [Laughter.] At exactly 12 o'clock the king was dead, and a new king stepped into his place instantaneously.

Senators talk about an interregnum; a space. Mr. President, as the Senator from Colorado [Mr. ADAMS] very vividly pointed out—and I thoroughly agree with him—there is nothing but an invisible line between the terms of office. A person can cross from West Virginia into Virginia, or into Kentucky. When he gets to the line, how wide is it? How wide is the State line? Can a person see it? A person cannot see it. It is invisible. Has it any width? It has no width. Has it any depth? It has no depth. Has it any height? No. It is an invisible line.

That is the case here. There is an invisible line at 12 o'clock. The old Governor passed out at 12 o'clock, and Mr. Neely automatically became Governor. Having prepared himself, having complied with all the obligations of the law, and having taken the oath, there was nothing further for him to do except to assume the duties of the office instantly upon the arrival of 12 o'clock.

Mr. President, Senators talk about public policy; but I contend that this is purely a legal question. It is purely a legal question which should be settled upon principles of law alone. When Senators lug in public policy and appeal to public policy, I begin to think they have not any firm ground in the law upon which to stand.

Let us see what is the public policy. The highest and loftiest public policy is to make the principles of our Government work in conformity with our own conceptions of duty and in conformity with the Constitution and the laws of the land. Who ought to make this appointment? Mr. President, Mr. Neely does not own this job. Mr. Holt does not own this job. The Senatorship from West

Virginia belongs to the people of West Virginia; and the reason why the constitution and the laws provided that the Governor of West Virginia—or the Governor of any other State—could fill the appointment was because the Governor was supposed to represent the people of the State. He is the executive authority, the servant and the representative of the people of West Virginia. Governor Neely's term was prospective. It went into the future. He had just come from a general election. Is it not more conformable with the theory of high public policy that the Governor who is coming in, and who for the ensuing 4 years will perform duties representing the people, should have the right to make this appointment, than that the appointment should be made by one who has taken his departure, who under the Constitution of West Virginia cannot serve after the expiration of his 4 years, who cannot succeed himself for the next 4 years?

Senators talk about public policy; but is it not sounder public policy to say that the Governor of West Virginia, whom the people of West Virginia have chosen as Governor by their last expression of wish, shall veto their laws for them if he so sees fit, or shall approve their laws, shall appoint the officers of West Virginia, and shall fill any vacancies in the Senate from West Virginia, representing as he does the people of that State? What is the sound public policy in that situation?

Mr. President, referring to the "lame duck" amendment, I say to the Senator from Nebraska [Mr. NORRIS] that this is the "lamest duck" proposition I have ever heard of. The Senator from Nebraska, by his constitutional amendment, said that a Congressman who had been repudiated at the polls could not serve for 2 or 3 months, but that he must get out, on the ground that he was a "lame duck." Here is a Governor who is gone, without any legs left at all. He is out. He is gone. [Laughter.] He undertook to serve for only a fraction of a second; yet the opposition want to perpetuate his power in the Senate by saying to the people of the country, "We will allow this Governor to project himself into the future by appointing a Senator from the State of West Virginia."

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I am sorry, but I cannot yield. I regret that I cannot yield, but I have only about 5 minutes left.

Mr. CHANDLER. Mr. President, I inquire how much time the Senator from Texas has.

The VICE PRESIDENT. One minute.

Mr. CHANDLER. I thought the Senator's time had almost expired.

Mr. CONNALLY. Mr. President, some Senators say that it is against public policy for a United States Senator to become Governor and then to appoint his own successor. The question is not whether Mr. Neely was a Senator or a notary public. The question is, Was he Governor of West Virginia? He had been elected Governor. He had performed every act required by law to make him Governor. He took the oath required prior to the time of assuming the duties of Governor, and under the laws of our democracy it does not make any difference whether he was a Senator or whether he was a tamale vendor or a peanut vendor on the streets of Washington. He had been selected by the people of West Virginia. He had complied with all the laws qualifying him to become Governor. He had resigned his Senate seat. Upon the arrival of 12 o'clock, three things happened: Mr. Holt ceased to be Governor, Mr. Neely ceased to be Senator, and Mr. Neely became Governor, all at the same instant.

The VICE PRESIDENT. The time of the Senator from Texas has expired. The junior Senator from Kentucky [Mr. CHANDLER] has 4 minutes.

Mr. CHANDLER. Mr. President, if there is any Senator on my side who desires to use any part of the time remaining to me, I shall be glad to yield it to him.

If not, in answer to the Senator from Texas I should like to say that all the cases he cites were cases of men who went from one office to another, no other person being involved. He spoke of a man who went from the House to the Senate, but that was the same man. Mr. Justice Black went from the Senate to the Supreme Court, and he was the same man.

Here is a man who tries to hold two offices which the people say he cannot hold. He can hold either one of them, but only one; and the Senator from Texas thinks that because the people have said in their laws that he cannot hold both of them, he ought to control them.

Our side has said from the start that a vacancy occurred in West Virginia's representation in the Senate of the United States. It occurred in the term of some Governor. It could not have occurred in Mr. Neely's term, because he was not Governor. It had to occur in the term of Governor Holt of West Virginia; and the Senator from Texas makes something out of the fact, as he says, that Governor Holt was "repudiated." That is not so. Governor Holt was elected Governor of West Virginia, and under the constitution of his State he was not eligible even to stand for reelection. Governor Holt was a great official of that State. He was attorney general for 4 years, and then was elected Governor for 4 years, and served with distinction in both those places. The Senator from Texas is mistaken about him, and he ought not say that Governor Holt was repudiated by the people of West Virginia.

Awhile ago I undertook to explain why I thought Governor Neely was so successful, and I have no objection to his being successful. If he could get both the President of the United States and Mr. John L. Lewis to support him in a campaign when they were against each other, he can do things that a great many Senators cannot do, and Senators had better take lessons from him.

This is the final word. It is the Senate's vote. The Members of the Senate have a right to cast their votes for anyone they desire to vote for. The Senate of the United States is the judge of its own membership. I hope it always will be. A Senator may have a good reason or a bad reason or no reason at all for voting to seat either one of these men, and there is no appeal from the Senate's decision; but ringing down through the years there will be this:

Governor Holt was the Governor of West Virginia. Mr. Neely resigned to him. Why did he do it? Because he was Governor, and Mr. Neely could not be Governor and Senator at the same time.

The other day I said that a monkey going from one limb to another cannot do it to save his life without being in the air part of the time. Mr. Neely tried to go from the senatorship to the governorship, but there was a hiatus or an interregnum. Who made it? The law of West Virginia made it, because the people of West Virginia did not want to have one man holding two offices at the same time; and if he cannot hold them, he ought not to control them.

Mr. President, I say to the Members of the Senate that they ought to say with their votes that Clarence Martin was appointed by a Governor of West Virginia who had a right to appoint him, and that he is entitled to the seat.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Smathers
Bilbo	Hayden	Smith
Bone	Herring	Spencer
Brewster	Hill	Stewart
Brooks	Holman	Taft
Bulow	Hughes	Thomas, Idaho
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lucas	Tydings
Chandler	McCarran	Vandenberg
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Danaher	Mead	Wheeler
Davis	Murdock	White
Downey	Murray	Wiley
Ellender	Norris	Willis

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

Mr. CHANDLER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The clerk will state the pending question.

The LEGISLATIVE CLERK. The pending question is the amendment, in the nature of a substitute, proposed by Mr. CHANDLER to Senate Resolution 106, seating Joseph Rosier as a Senator from the State of West Virginia, to wit: Strike out all after "*Resolved,*" and insert in lieu thereof the following: "That Clarence E. Martin, appointed by the Governor of West Virginia to fill the vacancy created by the resignation from the Senate of Matthew M. Neely, is entitled to be seated as a Senator from West Virginia."

The VICE PRESIDENT. The question is on agreeing to the amendment, in the nature of a substitute.

Mr. CHANDLER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CHANDLER. Those who vote "yea" will vote for the substitute resolution, which, if adopted, would result in seating Mr. Martin as United States Senator from West Virginia?

The VICE PRESIDENT. That is correct.

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. CONNALLY. Those who want to vote for Mr. Rosier, the appointee of Governor Neely, will vote "nay"? Is that correct? [Laughter.]

The VICE PRESIDENT. That is correct.

Mr. CHANDLER. Mr. President, a parliamentary inquiry.

Mr. LA FOLLETTE. Regular order.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. CHANDLER. Those who vote "yea" on the substitute resolution will vote to seat Mr. Martin as United States Senator from West Virginia?

Mr. LA FOLLETTE. Question!

Mr. McNARY. I call for the regular order.

Mr. DAVIS. I call for the yeas and nays.

The yeas and nays were ordered; and the Chief Clerk proceeded to call the roll.

Mr. LANGER (when Mr. AIKEN's name was called). I am paired with the Senator from Vermont [Mr. AIKEN], who is unavoidably absent. If the Senator from Vermont were present, he would vote "yea," and I would vote "nay."

Mr. LANGER (when his name was called). I make the same announcement as before, and withhold my vote.

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I transfer that pair to the junior Senator from Kansas [Mr. REED], who, if present, would vote "yea," and will vote. I vote "yea." I am not advised how the Senator from Mississippi, if present, would vote.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. Therefore, I withhold my vote. If the Senator from New Hampshire were present and voting, he would vote "yea," and if I were at liberty to vote, I would vote "nay."

Mr. VANDENBERG (when his name was called). On this question I am paired with the senior Senator from Tennessee [Mr. MCKELLAR]. If the senior Senator from Tennessee were present he would vote "nay," and if I were at liberty to vote I would vote "yea."

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Michigan [Mr. BROWN] are detained on important public business.

The Senator from New York [Mr. WAGNER] is paired with the Senator from Minnesota [Mr. SHIPSTEAD].

The Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from North Dakota [Mr. NYE].

The Senator from Michigan [Mr. BROWN] is paired with the Senator from California [Mr. JOHNSON].

I am advised that if present and voting the Senator from New York [Mr. WAGNER], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Michigan [Mr. BROWN] would vote "nay." The Senator from Minnesota [Mr. SHIPSTEAD], the Senator from North Dakota [Mr. NYE], and the Senator from California [Mr. JOHNSON] would vote "yea."

I further announce that the Senator from Arkansas [Mrs. CARAWAY] is paired with the Senator from Massachusetts [Mr. LODGE]. I am advised that if present and voting the Senator from Arkansas would vote "nay," and the Senator from Massachusetts would vote "yea."

Mr. AUSTIN. The following Senators are necessarily absent:

The Senator from Vermont [Mr. AIKEN], the Senator from California [Mr. JOHNSON], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from North Dakota [Mr. NYE], the Senator from Massachusetts [Mr. LODGE], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Kansas [Mr. REED].

The result was announced—yeas 38, nays 40, as follows:

YEAS—38

Adams	Chandler	Maloney
Andrews	Clark, Idaho	Radcliffe
Austin	Clark, Mo.	Smith
Bailey	Danaher	Taft
Ball	George	Thomas, Idaho
Barbour	Gerry	Tobey
Brewster	Gillette	Tydings
Brooks	Glass	Walsh
Bulow	Gurney	Wheeler
Burton	Holman	White
Butler	Johnson, Colo.	Wiley
Byrd	McCarran	Willis
Capper	McNary	

NAYS—40

Bankhead	Herring	Pepper
Barkley	Hill	Reynolds
Bilbo	Hughes	Russell
Bone	Kilgore	Schwartz
Bunker	La Follette	Smathers
Byrnes	Lee	Spencer
Connally	Lucas	Stewart
Davis	McFarland	Thomas, Okla.
Downey	Mead	Truman
Ellender	Murdock	Tunnell
Green	Murray	Van Nuys
Guffey	Norris	Wallgren
Hatch	O'Mahoney	
Hayden	Overton	

NOT VOTING—16

Aiken	Johnson, Calif.	Shipstead
Bridges	Langer	Thomas, Utah
Brown	Lodge	Vandenberg
Caraway	McKellar	Wagner
Chavez	Nye	
Harrison	Reed	

So Mr. CHANDLER's amendment, in the nature of a substitute, was rejected.

The VICE PRESIDENT. The question is on the adoption of the pending resolution, which the clerk will read.

The legislative clerk read the resolution (S. Res. 106), as follows:

Resolved, That Joseph Rosier, appointed by the Governor of West Virginia on January 13, 1941, to fill the vacancy created by the resignation from the Senate of the Honorable Matthew M. Neely, is entitled to be admitted to a seat as a Senator from West Virginia.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. CONNALLY. I move that the vote by which the resolution was agreed to be reconsidered.

Mr. BARKLEY. I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Megill, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

ACQUISITION AND USE OF MERCHANT VESSELS

Mr. BAILEY. Mr. President, I move that the Senate proceed to the consideration of House bill 4466, authorizing the acquisition and use of merchant vessels for urgent needs of commerce and national defense.

Mr. McNARY. Mr. President, if the purpose is merely to fix the status of the bill so that it may be taken up tomorrow or Thursday, I have no objection, but I shall object to the motion at this time if it is proposed to proceed to the consideration of the bill tonight.

Mr. BARKLEY. It is not proposed to do more than take it up today. The intention is merely to make the bill the unfinished business.

Mr. McNARY. I am assured by the able Senator from Kentucky that he does not expect that we shall proceed this evening with the consideration of the bill, but will start tomorrow at 12 o'clock.

Mr. BARKLEY. The Senator is correct.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from North Carolina.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, which had been reported from the Committee on Commerce with amendments.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for promotion in the Marine Corps.

By Mr HILL, from the Committee on Commerce:

Commander Eugene A. Coffin to be a captain in the Coast Guard; and

Sundry cadets to be ensigns in the Coast Guard.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Malcolm E. Lafargue to be United States attorney for the western district of Louisiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of H. Chess Richardson to be United States marshal for the eastern district of Louisiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Louis F. LeBlanc to be United States marshal for the western district of Louisiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Henry Robert Bell to be United States marshal for the eastern district of Tennessee.

The VICE PRESIDENT. Without objection, the nomination is confirmed

Mr. ELLENDER. Mr. President, I ask that the President be immediately notified of the confirmation of all judicial nominations.

The VICE PRESIDENT. Without objection, the President will be forthwith notified.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of James C. Capt, of Texas, to be Director of the Census.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk read the nomination of Alfred H Thomas, Jr., to be chief pay clerk.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc. That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 14, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 13 (legislative day of May 8), 1941:

UNITED STATES PUBLIC HEALTH SERVICE

Surgeon Carl E. Rice to be senior surgeon in the United States Public Health Service, to rank as such from May 19, 1941.

COLLECTOR OF CUSTOMS

Harry M. Durning, of New York, N. Y., to be collector of customs for customs collection district No. 10, with headquarters at New York, N. Y. Reappointment.

WORK PROJECTS ADMINISTRATION

Roy Schroder, of Florida, to be regional director, region III, Work Projects Administration, effective May 1, 1941.

Wilbur E. Harkness, of Florida, to be Work Projects Administrator for Florida.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 13 (legislative day of May 8), 1941:

UNITED STATES ATTORNEY

Malcolm E. Lafargue to be United States attorney for the western district of Louisiana.

UNITED STATES MARSHALS

H. Chess Richardson to be United States marshal for the eastern district of Louisiana.

Louis F LeBlanc to be United States marshal for the western district of Louisiana.

Henry Robert Bell to be United States marshal for the eastern district of Tennessee.

DEPARTMENT OF COMMERCE

DIRECTOR OF THE CENSUS

James C. Capt to Director of the Census.

COAST GUARD OF THE UNITED STATES

Alfred H. Thomas, Jr., to be a chief pay clerk in the Coast Guard of the United States.

POSTMASTERS

NORTH DAKOTA

Marjorie Zappas, Jamestown.
Nathaniel O. Knutson, Rugby.
Katherine P. Ferrell, Warwick.

OHIO

Charles B. Webb, Akron.

PUERTO RICO

Maria de Mari Burset, Yabucoa.

VIRGINIA

Thalia W. Williams, Brookneal.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 13, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, in the unbounded love of our Saviour and the world's redeemer, let anguish and sorrow melt away. We pray that they may be our peace and in weariness our power. In Him unbelief shall disappear and toilsome and gloomy ways, no longer burdened with fears, shall be brightened with His presence as confidence deepens into conviction. Heavenly Father, we thank Thee that in the perils of this life we are safe not in our own virtue, not in our own wisdom, and not in any power that we may possess, but in the plentitude of Thy mercy. Oh give us that strength that removes despondency and inspires and blends the highest manifestations of hope, persistence, and energy. O Thou who art the Author of our being, the source of our immortal souls and the goal toward which we strive, enable us to dispel the pestilent vapors of doubt and discouragement and in all things conform our lives to the pattern given by Thine only begotten Son. Thou hast put the keys of our Nation's life and destiny in our hands, grant that conscience, intelligence, and brotherhood may keep open the great doors of our Republic with increasing access to the boundless blessings of a free and righteous people. Each day may we be united in purpose, strong, calm, and confident in Thee, and Thine shall be the praise forever. In the name of Mary's holy child. Amen.

The Journal of proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 74. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House, by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 2, 1941:

H. R. 3252. An act to make emergency provision for certain activities of the United States Maritime Commission, and for other purposes.

On May 6, 1941:

H. R. 3981. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1942, and for other purposes.

On May 7, 1941:

H. R. 2082. An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes.

On May 9, 1941:

H. R. 438. An act for the relief of Hughey Parsley;

H. R. 1824 An act to authorize the construction of a bridge across the Ohio River at or near Cannelton, Perry County, Ind.;

H R. 2006 An act for the relief of Ben Torian and Joe J. McDonald;

H. R. 2684. An act granting the consent of Congress to the Highway Department of Davidson County, of the State of Tennessee, to construct, maintain, and operate a free highway bridge across Cumberland River at a point approximately 1¾ miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard;

H. R. 2766. An act to extend the times for commencing and completing the construction

of a bridge across the St. Louis River at or near the city of Duluth, Minn., and the city of Superior, Wis., and to amend the act of August 7, 1939, as amended, and for other purposes:

H. R. 2829. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Harrisburg, Pa.;

H. R. 2830. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Middletown, Pa.;

H. R. 3066. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes;

H. R. 3394. An act to authorize the Attorney General to grant easements to States over lands belonging to the United States under his supervision and control;

H. R. 3682. An act granting the consent of Congress to the commissioners of Mahoning County, Ohio, to reconstruct, maintain, and operate a free highway bridge across the Mahoning River in the village of Lowellville, Mahoning County, Ohio;

H. R. 3835. An act to exempt from internal-revenue taxes, on the basis of reciprocity, articles imported by consular officers and employees of foreign states for their personal or official use;

H. R. 3974. An act to authorize the Administrator of the Federal Security Agency to adopt an official seal, and for other purposes;

H. R. 4036. An act to amend the District of Columbia Motor Vehicle Financial Responsibility Act, approved May 3, 1935;

H. R. 4063. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Herbert M. Gregory;

H. R. 4083. An act to enlarge the powers of the property clerk of the Police Department of the District of Columbia to dispose of property coming into his possession;

H. R. 4239. An act to carry to the surplus fund of the Treasury certain trust funds derived from compensating taxes collected pursuant to section 15 (e) of title I of the act of May 12, 1933 (48 Stat. 40), as amended, upon certain articles coming into the United States; and

H. J. Res. 145. Joint resolution authorizing the Federal Security Administrator to permit the American Red Cross to construct needed recreational buildings on the St. Elizabeths Hospital Reservation.

On May 12, 1941:

H. R. 59. An act for the relief of special-tax school districts Nos. 2, 3, 4, and 5, Broward County, Fla.;

H. R. 224. An act for the relief of Antone and Mary Lipka;

H. R. 701. An act for the relief of the Allentown Airport Corporation;

H. R. 3269. An act for the relief of Mary Fortune;

H. R. 3869. An act to authorize the furnishing of steam from the Central Heating Plant to the District of Columbia;

H. R. 4057. An act to authorize the Federal Security Administrator to accept gifts for the Freedmen's Hospital and to provide for the administration of such gifts; and

H. R. 4065. An act for the relief of Martin F. Gettings.

EXTENSION OF REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Franklin (Ohio) Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BROWN]?

There was no objection.

THE SECRETARY OF LABOR

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. ELIOT]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, yesterday on the floor of the House a personal attack was made on the Secretary of Labor. The gentleman who made it extended his remarks in the Appendix, and there tried to put into the mouth of this Cabinet member words that she never said.

The Secretary of Labor is blamed for permitting strikes; but no Secretary of Labor has ever had the power to prevent strikes. She has been blamed for not settling disputes; well, since Miss Perkins assumed office she has more than doubled the size and effectiveness of the Conciliation Service of the Labor Department.

Frances Perkins reorganized the Department of Labor. It has functioned more efficiently in recent years than ever before. She took the lead in advocating great forward steps, like the Social Security Act and the Fair Labor Standards Act. She enforced the laws with scrupulous regard for the right of individuals under those laws, and she is blamed because she did not tear up those laws and, Hitlerlike, deny individuals their rights.

Every Cabinet officer's actions are subject often to constructive criticism. But the violent, abusive attacks upon the Secretary of Labor are based either on a confused idea of her actual jurisdiction and lawful functions, or, more serious, on a bitter hatred of the laws of the land and the rights guaranteed by the Constitution. The hatred too often is released in the form of an unfair, unfounded, vitriolic onslaught upon a conscientious and able public servant. [Applause.]

EXTENSION OF REMARKS

Mr. BROOKS asked and was given permission to revise and extend his own remarks in the RECORD.

ADDITIONAL TAXES

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JENKINS]?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, Mr. Morgenthau, the Secretary of the Treasury, at his press conference yesterday discussed a letter that I had written to him last week. For some time I have taken the position that before we subject the taxpayers to the additional tax burden of $3,500,000,000, we should bend every energy to reduce the expense of Government by at least a billion dollars. When Mr. Morgenthau appeared before the Ways and Means Committee at a public hearing on the proposed tax bill, in answer to questions from me, he agreed that we should be able to reduce expenditures by $1,000,000,000.

In the letter that I have referred to I asked Mr. Morgenthau to give me the benefit of his judgment and experience as to where and how these reductions could best be made. He stated at his press conference that the Treasury was giving consideration to the request set forth in my letter. I appreciate this very much, and I hope that Mr. Morgenthau and the Treasury will not fail to come forward with such suggestions.

This question of economy is a live issue, and the people are demanding that the Congress and the Executive here in Washington do their utmost to economize.

I am making this statement to the Congress in the hope that I might encourage in Congress and in the country a sentiment that will result in our being able to get along with two and one-half billion additional taxes instead of three and one-half billion. If we practice rigid economy we can do it.

If we can do this, and if we can collect most of this amount from excess profits due directly to the national-defense program, we will have shown real statesmanship, and will have relieved the taxpayers of the country of a terrible burden.

My mail indicates that there are many people in the country who are scared at the prospect of this terrific tax burden which they have been led to believe they must get read to carry. [Applause.]

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short editorial from a New Jersey newspaper.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. THOMAS].

There was no objection.

FAIR LABOR STANDARDS ACT

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. HILL]?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, on June 14, 1938, this body passed the Fair Labor Standards Act. According to section 13 (a) (2) of the act the wage-and-hour sections shall not apply to any employee engaged in any retail or service establishment the greater part of whose selling or servicing is in intrastate commerce. Thus, it was the expressed intent of Congress to apply the act only to retail establishments selling most of their goods across State lines.

The Wage and Hour Administrator is disregarding the language of the act and the intent of the Congress in his interpretations. Here is his most recent interpretation pertaining to retail and service establishments.

Even though I have been retailing hardware, paints, and farm implements for over 15 years, the Administrator says that I am no longer a retailer. I can sell a handful of nails to a carpenter, or some paint to a painter, and that is all right. But if I sell a plow to a farmer, then that is not retailing. His explanation, if you can call it an explanation, is

that a plow is not consumer goods sold regularly to the general consuming public. On the other hand, I can sell feed for a jackass, but I cannot sell a harrow to be hitched behind a son of a jackass. These inconsistencies would be amusing if they were not so tragic in their effect, and if it were not for the fact that they nullify the very idea the Congress had regarding our retailers.

We retailers all over the country are doing everything within our power to keep prices at the lowest possible levels. Of all the consumers, the farmer particularly is entitled to get all he can get for his dollar. He earns little enough as it is.

This recent interpretation will require retail farm implement dealers to operate on a 40-hour week—imagine that in harvest time—and pay time and one-half for overtime to all of our employees and service men who keep the farm machinery going.

Competition among retail farm equipment dealers is so keen that there is not enough margin to absorb this additional expense which must inevitably be passed along to the farmer.

If the Administrator persists in nullifying the expressed will of Congress, then it is our plain duty to give him a definition of a retail establishment and a retail sale which he cannot possibly misunderstand. [Applause.]

EXTENSION OF REMARKS

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. HILL]?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a short newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. CANFIELD]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subject National Defense Threatened by Communism.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. MURRAY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, the gentleman who just preceded me touched on a subject that interests me very much. The Members of Congress have a duty to perform to the consuming public. I do not believe we ought to delegate that duty to some authority downtown. There are as a part of the consuming public some 40,000,000 housewives who are interested not alone in the price of steel and heavy industry articles but in butter, eggs, bread, and the very necessities of life that every family is interested in.

I have introduced a resolution providing that the Speaker appoint five Members of the House to act as a committee to investigate and watch price rises and see to it, in effect, that not only do prices not rise unreasonably but that the quality of the merchandise remains the same, so that price stability will not be circumvented by selling an inferior quality for the same price. I say we all owe a duty to ourselves and to our constituents, Mr. and Mrs. Average American, to vote for this resolution if it is brought cut, and I anticipate the Rules Committeee will bring it out. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Mr. J. Roy Jones, commissioner of agriculture of South Carolina.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

WAGES AND HOURS ADMINISTRATION

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I want to register my protest against the conduct of the Wage and Hour Administration in destroying the small sawmills throughout the South. I said when that measure was passed that the danger would be not only that you would deny the people the right to work for their daily bread, which would virtually wipe out the Bill of Rights, but that the administration would continue to reach out and destroy private businesses the regulation of which was not in the contemplation of Congress at the time the act was passed.

If we cannot get relief some other way, I want Congress to take this proposition up and see that the American people are treated fairly under this law and under all other laws passed by the Congress of the United States. If this law is going to be used to destroy these small enterprises then it ought to be repealed. [Applause.]

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and in include therein a letter to me and my answer thereto.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an address recently delivered by Harold N. Graves, Assistant Secretary of the Treasury.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—CHARLOTTE E. HUNTER (H. DOC. NO. 209)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 4221, "For the relief of Charlotte E. Hunter."

It is the purpose of the bill to place Miss Hunter, a former teacher in the public schools of the District of Columbia, on the list of retired teachers, and to pay her, from the Teachers' Retirement Fund, an annuity computed as provided by existing law relating to the retirement of teachers in the District of Columbia public schools.

On August 7, 1939, I withheld my approval of the bill H. R. 5516, enacted by the Seventy-sixth Congress, for the same purpose; and I indicated in that memorandum my objections thereto, which are equally applicable to the bill, H. R. 4221, under consideration. It was stated in my memorandum of disapproval of H. R. 5516 that:

"This teacher entered the service on February 5, 1895, and her service was terminated by voluntary resignation on April 12, 1919, prior to the establishment of a retirement system for District teachers by the Teachers' Retirement Act of January 15, 1920, which became effective on March 1, 1920.

"The report on this bill made by the District Commissioners to the chairman of the House District Committee states that there are a number of former teachers now living in the District of Columbia who are in the same position as Miss Hunter, in that they retired from the service prior to the passage of the Teach-

ers' Retirement Act, have not contributed to the teachers' retirement fund, and are not, therefore, entitled to retirement benefits. There are likewise other former employees of the District, as well as the Federal Government, who resigned prior to the establishment of a retirement system for such employees and are, therefore, excluded from retirement benefits.

"In spite of the apparently excellent service record of the employee in this case, I do not feel that I would be justified in approving a bill which would single her out for preferred consideration to the exclusion of other cases of a similar character."

Inasmuch as it does not appear that there are any facts now presented in the case that were not considered in connection with my prior disapproval, and since the Board of Commissioners of the District of Columbia recommend that the bill be not approved, I am returning the bill to the Congress without my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 13, 1941.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the bill and accompanying documents will be referred to the Committee on the District of Columbia and ordered printed.

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to revise and extend his remarks in the RECORD.

CORN AND WHEAT MARKETING QUOTAS

Mr. FULMER. Mr. Speaker, I call up the conference report on the joint resolution (S. J. Res. 60) relating to corn- and wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

The Clerk read the title of the joint resolution.

Mr. FULMER. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that the time for debate upon the conference report be extended 30 minutes.

The SPEAKER. Is there objection?

Mr. FULMER. Mr. Speaker, I shall have to object to that. The Interior Department appropriation bill has been scheduled to go on today. Those in charge of that bill very kindly gave us permission to bring up this conference report, provided we disposed of it in 30 or 40 minutes, and at least not over 1 hour. I hope the gentleman will permit us to do that in order that we may keep faith with the people in charge of the Interior Department appropriation bill.

Mr. AUGUST H. ANDRESEN. Of course, the gentleman knows that I can offer an amendment and get an hour's time. However, will the gentleman agree to give me 15 minutes?

The SPEAKER. The Chair agreed to recognize the gentleman from South Carolina [Mr. FULMER] to bring up this conference report, with the thought that it would not take more than the usual time. The appropriation bill for the Department of the Interior has been lying on the desk here for 5 or 6 days, ever since the closing of general debate upon that bill.

Mr. FULMER. Mr. Speaker, we have a number of people who want time, but I should be very glad to give the gentleman 10 minutes. I have promised time to others.

Mr. AUGUST H. ANDRESEN. Does the gentleman object to my request?

Mr. FULMER. What request.

Mr. AUGUST H. ANDRESEN. That the time for the debate on the conference report be extended for 30 minutes?

Mr. FULMER. Yes; I shall have to object to that.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. FULMER. Yes.

Mr. COCHRAN. Has the gentleman given us any idea yet how much this bill will ultimately cost the Government—that is, the Senate amendment?

Mr. FULMER. I should be very glad to explain that as soon as we can get to it.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

(1) On page 1 of the House engrossed amendment, in line 12 of the language proposed to be inserted by such amendment, strike out "which is not harvested as silage".

(2) On page 1 of such amendment, in lines 14 and 15 of such language, strike out "which is not harvested as silage and".

(3) On page 2 of such amendment, in lines 7 and 8, strike out ", but shall not include corn harvested as silage".

(4) On page 5 of such amendment, at the end of paragraph "(7)," strike out the following: "For the purpose of this paragraph and section 323 (b) of the Act, acreage of corn harvested as silage shall not be considered acreage planted to corn, or acreage of corn harvested."

(5) On page 6 of such amendment, in line 3 of subparagraph "(a)" of paragraph "(10)" strike out "75 per centum" and in lieu thereof insert "85 per centum".

(6) On page 7 of such amendment, in lines 8 and 9, strike out "(except as provided in paragraph (7))".

(7) On page 4 of such amendment, in line 8, insert "(b) and" after "326".

And the House agree to the same.

H. P. FULMER,
WALL DOXEY,
J. W. FLANNAGAN, Jr.,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

E. D. SMITH,
J. H. BANKHEAD,
C. L. MCNARY,
ELMER THOMAS,
GEORGE D. AIKEN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

(1) The Senate joint resolution provided for an optional referendum on corn and wheat marketing quotas which would permit a referendum establishing quotas for 1 year, 2 years, or no quotas. The House amendment follows the existing law which provides for a referendum for 1-year quotas or no quotas. The conference agreement adopts the House provision.

(2) In determining quotas for corn under the House amendment, acreage planted to corn but harvested as silage is not included for quota purposes. There is no comparable provision in the Senate resolution, thus following existing law in which such acreage is included. The conference agreement omits the House provision relating to the exclusion of silage acreage.

(3) Under the Senate resolution the penalty for marketing the commodity in excess of the allowable marketing, was 30 cents per bushel on corn and 50 cents per bushel on wheat. The House amendment made the penalty rate on both commodities 50 percent of the basic loan rate to cooperators for the commodity. The conference agreement adopts the House provision. The House amendment also makes the marketing penalty on cotton and rice produced this year or thereafter 50 percent of the basic loan rate to cooperators for the commodity. There is no comparable provision in the Senate resolution. The conference agreement adopts the House provision.

(4) The House amendment contains a provision, not in the Senate resolution, under which there is to be no marketing quota for 1941 for nonallotment farms if the harvested wheat acreage is not in excess of the usual wheat acreage determined for 1941 under the agricultural program and the county committee determines that there will not be marketed an excess over the 1941 farm-marketing quota. The conference agreement adopts the House provision.

(5) The House amendment contains a provision not found in the Senate resolution establishing loan rates on the 1941 crop of cotton, corn, wheat, rice, or tobacco, if marketing quotas are in effect for them for 1941. The basic rate to cooperators is 75 percent of parity. The rate to cooperators outside the commercial corn-producing area in the case of corn is 75 percent of the basic. The rate to noncooperators (except outside the commercial corn-producing area, in the case of corn) is 60 percent of the basic rate, but only on the amount which would be subject to penalty if marketed.

The conference agreement makes the basic rate 85 percent of parity.

(6) The conference agreement also includes a provision making section 326 (b) of the Agricultural Adjustment Act of 1938 applicable to wheat. Under that subsection, which now applies to corn, the storage amount of a year when quotas are in effect may be marketed in any succeeding year when quotas are in effect to an amount equal to the excess of the farm marketing quota for such succeeding year over the production for such year.

H. P. FULMER,
WALL DOXEY,
J. W. FLANNAGAN, Jr.,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

Mr. FULMER. Mr. Speaker, I yield myself 5 minutes. This bill comes back to the House with three amendments, one of which will give to the wheat farmers the same advantage in marketing their excess wheat as we now give to the corn farmers. I am sure that my colleague the gentleman from Kansas [Mr. HOPE] will have something to say on this amendment and will approve the purpose of this amendment.

The next amendment struck out the provision permitting farmers to grow all of the silage they want to grow over and above their allotted corn acreage. A farmer may be cooperating in the commercial area, or under the soil-conservation program outside of the commercial area, and he may have allotted to him 100 acres for corn. Under the provision stricken from the bill he would be permitted to grow additional acreage of silage which he could use in feeding beef cattle, and he could feed his corn to his hogs.

The other amendment increases the 75-percent loan as carried in the House bill to an 85-percent loan. This loan is for 1 year to take care of this year's crop. There is an amendment on the appropriation bill known as the Russell amendment increasing amount for parity payments from $212,000,000 to $450,000,000, which would be helpful to increase parity payments which would increase purchasing and debt-paying power of farmers. We realized the opposition to this amendment and therefore agreed upon the 85-percent loan so as to give to farmers that which they are clearly entitled to, especially so because of the high prices they have to pay for everything they have to buy at this time. As a matter of fact, farmers are not getting any advantage or help from the defense program in line with other groups, and the assurance of these prices will enable them to pay these advanced prices on what they have to buy.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. FULMER. Yes.

Mr. POAGE. Is it my understanding that this bill now provides for 85-percent parity loans?

Mr. FULMER. Yes.

Mr. POAGE. And it is my further understanding that this provision for 85 percent of parity to the farmer is to be given out where he lives, and not at the primary market?

Mr. FULMER. Yes; that is my understanding. This price goes to the farmer.

Mr. COCHRAN. Let me say at the outset, although coming from a large city, I have consistently supported legislation beneficial to the farmers. I realize the farmer must make money if he is to buy what we manufacture.

There is nothing in this report and nothing was said the other day in reference to the ultimate cost of this legislation to the Government. I have heard the amount runs up to a tremendous sum. Can the gentleman give us any information at all as to just what this 85 percent of parity is going to mean to the Treasury of the United States?

Mr. FULMER. I would be very glad to. It does not take a dollar out of the Treasury of the United States. That is why we are passing this bill instead of having a wrangle over the appropriation bill when it comes before the House, which, if we should secure funds by an appropriation, then those funds would come out of the Treasury of the United States. Since we reported the House bill and passed same, cotton has been advancing and will be in line with the amount of the loan provided when this year's cotton is ready for sale.

Mr. COCHRAN. Cotton is selling at 11 cents?

Mr. FULMER. Cotton is now selling at 12½ cents.

Mr. COCHRAN. What does this provide? Does it provide a 14-cent loan on cotton?

Mr. FULMER. No. It will be about 13½ cents.

Mr. COCHRAN. And cotton today is selling at less than that price; is that true?

Mr. FULMER. The House bill carried a 12-cent loan. Immediately the price of cotton went up to 12 cents. If the gentleman will watch the papers tomorrow and the next day, he will find that the price is still advancing, and by the time the President signs the bill the price will be equal to or above the loan figure—13½ cents.

Mr. COCHRAN. In other words, you are pegging the price of cotton with the passage of this legislation?

Mr. FULMER. You might call it that.

Mr. COCHRAN. Now, this is going to cost something. That is a certainty. Has the gentleman any idea how many hundred million it will cost?

Mr. FULMER. I cannot tell the gentleman, but I will say to the gentleman that this will cost the Treasury less than a direct appropriation.

Mr. COCHRAN. That sounds very good. Is this an authorization?

Mr. FULMER. No; this provides for an increased loan program.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. FULMER. Mr. Speaker, I yield myself 2 more minutes.

Mr. COCHRAN. Some have said the purpose in getting this bill passed is to place in order the Senate amendment on the agricultural appropriation bill, by which they jump parity payments from $212,000,000, as passed by the House, to $450,000,000.

Mr. FULMER. That is a question that will come before the House later.

Mr. COCHRAN. When the House expressed itself on this legislation it was 75 percent of parity. Does not the gentleman think it was reasonable that the conferees should have thought about coming to an agreement at 80 percent rather than to take the Senate amendment at 85 percent?

Mr. FULMER. Eighty-five percent is considerably below the parity price of the farm products contained in this bill except rice.

Mr. COCHRAN. Why did not your committee present 85 percent when the bill was before the House?

Mr. FULMER. Because we figured at that time that we would be able to secure the adoption of the Russell amendment. It looks now that we will not be able to secure the adoption of this amendment. I would think the gentleman would be for this bill instead of against it for that reason.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. FULMER. I yield.

Mr. AUGUST H. ANDRESEN. As I understand it, under the $212,000,000 appropriation, the payment on cotton would be approximately 3 cents a pound; is that correct?

Mr. FULMER. No; that is not correct.

Mr. AUGUST H. ANDRESEN. How much a pound, soil-conservation and parity payments?

Mr. FULMER. Soil-conservation payments do not have anything to do with parity payments. That is an earned payment for doing certain actual work in connection with that program. The amount of parity cash payments amounts to about 1.36, not quite 1½ cents per pound.

Mr. AUGUST H. ANDRESEN. That is, under parity, plus the soil conservation——

Mr. FULMER. Soil conservation, as stated, does not have anything to do with parity payments.

Mr. AUGUST H. ANDRESEN. A loan under the 85 percent of parity would be 13.6, as I understand it. That would make a total on cotton, both parity loan and parity payment, of 14.96 cents. What is the price of cotton today?

Mr. FULMER. The price today is about 12½ cents and it is slated to go to and perhaps above the loan figures. Certainly the farmer is entitled to that price; in fact, he is entitled to 16 cents, and here is hoping the price will go to that figure. [Applause.]

The SPEAKER. The time of the gentleman from South Carolina has again expired.

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, the most important feature of this bill and the most important change which was made by the conferees was increasing the loan rate from 75 percent of parity to 85 percent of parity. The House also receded from what was known as the silage amendment, and the conferees adopted another amendment which provided in effect that in the case of wheat, where a farmer might have to store wheat when marketing quotas were in effect, he could

sell enough of that wheat the next year or any succeeding year in which marketing quotas were in effect to make up his marketing quota if his production for that year was less than such quota.

Those are the principal changes which were made in the bill as compared with the form in which it passed the House.

I would certainly not want to be understood as urging that loans as high as 85 percent of parity were a permanent solution of the agricultural problem. I think, as far as cotton in particular is concerned, such would be a ruinous policy to follow over a long period; but I believe that for this year, with the emergency that is staring agriculture in the face, with our export markets at least temporarily gone for cotton and wheat, this provision offers the best method that we can devise to give the farmer an opportunity to secure a price which will be fairly commensurate with the price of the things he has to buy.

This report, if adopted, will likely make unnecessary the acceptance of the Russell amendment, which increases the amount appropriated for parity payments this year by $150,000,000 and also increases the amount appropriated for parity payments next year from $212,000,000, as provided in the House bill, to $300,000,000.

I believe that if we pass this bill there will be no occasion for adopting the Russell amendment this year, and I would certainly under these circumstances not urge that we increase the amount for parity payments next year.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. AUGUST H. ANDRESEN. The loan in dollars is based upon parity. Can the gentleman tell us what the loan will be if parity on wheat goes to $1.50 a bushel?

Mr. HOPE. It will be 85 percent of $1.50.

Mr. AUGUST H. ANDRESEN. At what time of the year is this loan value in dollars fixed? Is it at the beginning of the crop year or the beginning of the harvest year? And what will be the figure for parity at that time?

Mr. HOPE. I cannot tell the gentleman just at this time the exact formula the Department uses in point of time in determining parity.

Mr. AUGUST H. ANDRESEN. The harvest for cotton, wheat, and these other basic commodities will begin in the fall when parity may be considerably higher than it is now due to the increased costs of the things the farmers have to buy; but there is no certainty now with the exception of the percentage, 85 percent of parity, as to what the loan will be at that time.

Mr. HOPE. No; I do not know that we can say there is any certainty except that it will be 85 percent of parity on the date which the Department uses as a basis.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 2 additional minutes to the gentleman from Kansas.

Mr. HOPE. With respect to the question just raised by the gentleman from Minnesota, parity prices may advance if the general price level advances, because parity prices are merely relative. It will be almost fantastic, however, it seems to me to believe that the general price level would advance enough during the next few months which would be the normal marketing period for wheat to bring the parity price up to $1.50. It may go up enough to bring the parity price up a few cents, but in my judgment that would be as far as it would go. Today the parity price of wheat is approximately $1.14. An 85-percent loan on that basis would be 96 cents.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. MURRAY. I hope the Members realize when they pass on this legislation that due to the iniquitous Smoot-Hawley Tariff Act we have a 42-cent tariff on wheat and 25 cents a bushel on corn, but that in the case of cotton we are raising the price of cotton from 9 cents up to 14 cents, and we have no protection as far as competition from the foreign cotton producer is concerned. Is that right?

Mr. HOPE. Yes. There is no tariff on cotton.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. COFFEE of Nebraska. Speaking of the parity price of wheat being $1.14 a bushel; that is at the farm, not at the terminal market.

Mr. HOPE. That is correct; that is the average price at the farm; of course, which would mean an average loan value in the country of 96 cents a bushel. That does not mean, however, it would be that price in every locality.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. DOXEY].

Mr. DOXEY. Mr. Speaker, the distinguished chairman of our House Committee on Agriculture, the gentleman from South Carolina [Mr. FULMER], and our friend the gentleman from Kansas [Mr. HOPE] have given us an analysis and explanation of this conference report. I do not want to trespass upon your time, for I know many Members want to speak, and time under the rules on this conference report is exceedingly limited. I do, however, want to say this, in addition to what has already been said, and that is there are but four major provisions in this conference report.

The conference report provides that the basic loan rate will be 85 percent of parity. This is a mandatory rate on the five basic agricultural commodities—cotton, wheat, corn, rice, and tobacco. The conference report provides that this loan rate shall be in effect for 1 year, 1941.

The conference report does not carry any legislation forcing a reduction of acreage. The House conferees were opposed to the reduction of acreage and refused to agree to any reduction. Times are too critical and uncertain.

The conferees always want to be fair. We have worked hard; and although we had many differences, we endeavored to work them out, and I think we have accomplished a great deal for agriculture. Our conference report brings the bill back to the House practically as it passed the House, with the exception that the 75-percent loan provision in the bill as it passed the House now stands at 85 percent; also, the silage-exemption provision which was in the House bill has been eliminated. Briefly, Mr. Speaker, that is the substance of this conference report. We have done the best we could. We know we are helping the American farmer, who certainly needs all the help possible.

Mr. ZIMMERMAN. Mr. Speaker, will the gentleman yield?

Mr. DOXEY. I yield for just a question.

Mr. ZIMMERMAN. There is some confusion in the minds of certain Members who think that a loan of 85 percent of parity means that it will result in a large increase in the appropriation for parity, in the Russell amendment, over the amount the House provided. Will the gentleman please explain that to us—make that clear?

Mr. DOXEY. I may say to my distinguished colleague from Missouri that this conference report has nothing to do with the Russell amendment. The Russell amendment is on the appropriation bill for the Department of Agriculture, and has reference to the $212,000,000 incorporated in that bill by the House for parity payments. We are here dealing with a conference report on a legislative bill which has no reference whatsoever to the appropriation bill. What we do here now may later on have a bearing on the amount of money Congress thinks is necessary or is willing to appropriate for future parity payments which is always contained in an appropriation bill. But we, in this conference report, have no authority or jurisdiction to deal directly with appropriation matters. Our Agriculture Committee authorizes appropriations and the Appropriations Committee makes them. The subcommittee making appropriations for agriculture, as far as the House is concerned, is presided over by the distinguished gentleman from Missouri [Mr. CANNON].

Here is what happened on what we are considering here now. The House had a joint resolution and the Senate had a joint resolution pending. The Senate resolution applied only to a referendum on quotas for corn and wheat. The House Agriculture Committee reported out House Joint Resolution 149 which not only applied to quotas for wheat and corn, but it also made this mandatory loan 75 percent of parity for the five basic agricultural commodities. That was the first time any mandatory loan legislation had been before the House for consideration.

When we passed House Joint Resolution 149 we struck out all after the enacting clause of Senate Joint Resolution 60, and inserted the House Resolution 149. It went to the Senate. The Senate disagreed to the House amendment and asked for a conference. Both the Senate and House appointed conferees. The

conference was wide open and did not pertain to any appropriation at all, but pertained to the germaneness of what was in the House Joint Resolution 149 as it passed the House, and what was in the Senate Joint Resolution 60. So the Russell amendment is in no wise in this conference and is in no wise involved in it. What this conference legislation will cost is all problematical. It is all a matter of speculation. If the market price of the various agricultural commodities goes above 85 percent of parity, there will be no necessity for a Government loan, and the way prices are going up now it may be that it will not be necessary for the Government to advance any loans at all, because corn is now above 75 percent parity, so is rice, so is tobacco, and wheat and cotton are steadily advancing. There is certainly encouraging evidence that there is more cotton being domestically consumed. In April there was more cotton consumed domestically than has ever been consumed in any month in the last several years—about 935,000 bales. With that increased consumption, with the crop already pitched and planted, with the prospect of possibly not more than a cotton crop of 12,000,000 bales this year, it may be that this is not only the most constructive legislation that could be passed, but the cheapest legislation. I mean by that, that it will possibly be the least drain on the Federal Treasury.

We are not endeavoring to pass cheap legislation. We are endeavoring to put the American farmer on an equal parity with labor and industry, and I do not believe there is a man in this Congress who begrudges what we have done for the farmers in this conference report. I hope that this conference report will be approved unanimously by this body. [Applause.]

Mr. FULMER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, 2 minutes passes by very quickly, but in behalf of the farmers of my district and of the Nation, I want to appeal to you Members of the House to approve this conference report.

All that the farmer is requesting in this bill is 85-percent loans on the five basic agricultural crops. We are not even asking parity, let alone a guaranty of a fair return for the long hours necessary to produce food for the Nation.

We ask only of you to raise the price floor from 75 percent to 85 percent of where it should in all fairness be, a price floor under part of what the farmer produces. Such a floor, guaranteed to be held firmly in position and free from the danger of collapse of our agricultural economy, will do much toward giving the farmer a square deal. He has had a raw deal too long and should at the very least be entitled to an even break with union labor and industry.

Is that too much to give to agriculture, the basic industry of all? You have an opportunity, ladies and gentlemen, to help by your vote to hold up that price structure and say to the world that the farmer is at the very least entitled to 85 percent of parity. Part of a loaf is better than no loaf at all, and 85 percent of parity looks better to me than 75 percent or less. That is why today, realizing 100 percent of parity to be a dream to come true in the future, I am fighting for this concession.

Surely this greatest of all legislative bodies, the Congress of the United States, does not expect the farmers of our great country to produce food for the rest of our people at a loss—not to say anything of furnishing such food for the untold millions of hungry, oppressed people in foreign lands. Surely 85 percent of parity is inadequate, but it is far better to help the farmer by loans to that extent and thereby enable him to hold his products for a rise, rather than permit the speculator to benefit therefrom—the speculator, whose only knowledge of farming is that of farming the farmer on the boards of trade, and becoming rich from the misery of thousands of farmers who have lost their farms because of low prices.

I have confidence in the fairness and honesty of you men and women and appeal again to you, my friends, to give some concrete assistance to agriculture from this session of Congress; no, not even parity, which the farmer should have by all moral rights, but only 85 percent of the same deal you have given to industry and labor by legislation in the past few years. Thank you. [Applause.]

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, as has just been stated by the gentleman from Minnesota [Mr. H. CARL ANDERSEN], this will serve in a way to restore to farms and agriculture parity payments. We have been over that ground so often. The farmer ought to have parity. The farm hand and workman ought to have parity, but they do not have more than half of the wages paid in industry. The farmers, when they do get parity, are the best buyers in the world. As has often been pointed out on this floor, business, bankers, and those in industry cannot afford not to allow the farmer to get parity, because every dollar the farmer gets he spends, and it increases sevenfold in the markets of the world and in restoring business and economic health to the body politic.

What is spoken of most frequently here today has to do with loans. The loan is not a gift. The loan which is to be given to farmers under this bill will be repaid and restored again into the Federal Treasury. The 85 percent of parity to be loaned on corn, will undoubtedly, in my opinion, be paid and put back into the coffers of the Commodity Credit Corporation, there to serve and be reloaned again as a revolving fund. At present there is a 61-cent-per-bushel loan on corn, and corn is now up to something like 56 or 57 cents and is going higher, so that there will not be any loss on corn or at least a very small loss. Hold that in mind.

I perhaps ought not to be asking you to increase or to put mandatory loans on wheat and cotton and other farm products, because for my own commodity, the one in which I am most interested, corn, we have already a mandatory loan in the law itself. But, as usual, I want to help every farmer throughout the whole land, both North and South, and I fully understand why there should be help for all farmers as is provided by this bill.

These loans are simply loans. This is not a price-fixing bill. It is a loaning bill and heretofore it has not been considered as a price-fixing bill. We have had these loans for many years on some of these commodities, and it has not yet fixed and will not fix the price of the commodity. Much complaint is made here because silage is not set free, that the men who are engaged in dairying cannot under this bill raise all of the silage that they can raise, and at the same time get the loans and the corn payments. But it is undoubtedly true that if one can raise all of the corn silage he can possibly produce, then there will be no control of corn production and then and thereafter we might as well do away with the law entirely. There must be some production control or else you cannot have high unit prices. High unit prices without control will bring huge surplus production and thereby depress the market. If it be true that the farmers in the dairying area cannot raise enough feed for their dairy cattle, it is likewise true that farmers in the corn-and-hog areas cannot raise enough to feed the hogs they would like to feed. There is no reason why silage should have this special gift, unless you also give a special gift of corn fodder to the hog farmer or give him other things equally advantageous. Farmers cannot have their cake and eat it, too.

Mr. AUGUST H. ANDRESEN rose.

Mr. GILCHRIST. No; I cannot yield. I have only 2 minutes left. What is the condition? The facts are that dairying is now recognized by this administration as a thing that needs help, and it will be given help. In 1940 the production of milk amounted in value to about $1,526,702,000, and that was also about one-sixth of the entire cash income of all the farmers. The Government this year is stabilizing prices.

Signs point to a good year for dairymen. Production of milk will probably set a new high record, the domestic demand for dairy products is increasing, and to this has now been added the prospect for larger shipments of concentrated dairy products to Great Britain. Prices to dairymen and the manufacturers of dairy products are higher than at this time last year. Cash income to dairymen will probably exceed $1,500,000,000 in 1941, or almost one-sixth of the total cash income to producers of all farm products.

Estimates are that there are approximately 26,000,000 milk cows on farms. The largest number on record was 27,000,000 in 1934. Probabilities are that this number will be exceeded in the next few years, since the number of young dairy stock on farms already is the largest on record.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. GILCHRIST. No; I cannot yield.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. FULMER. Mr. Speaker, I yield the gentleman 2 minutes more.

Mr. GILCHRIST. We give the dairying people aid by way of school lunches and also for the Red Cross and relief purchases and other things, and these have increased the income by millions of dollars. We give them marketing agreements, which last year amounted to almost $200,000,000 worth of products distributed among about 125,000 farmers. So that the dairy people as much as we desire to help them and will help them are getting many things others do not get.

The Department of Agriculture announced that during the period March 15–31, 1941, approximately $10,000,000 worth of surplus food commodities had been purchased. Included in the total were 4,723,000 pounds of cheese, 9,291,050 pounds of dry skim milk, and 1,124,000 cases—about 48,332,000 pounds—of evaporated milk.

Let me now quote from the address of my friend and fellow townsman, the Honorable R. M. Evans, Administrator of the Agricultural Adjustment Administration, given at Madison, Wis., 3 months ago:

> One of the most obvious forms of assistance given to the dairy farmer consists of Federal measures to increase consumption. By way of the stamp plan, for instance, nearly 22,000,000 pounds of butter have been made available to low-income families that would not have used so much butter otherwise. Free school lunches have provided children with nearly 220,000,000 pounds of surplus commodities since the fall of 1939. In the long run, the expanded research program to find new industrial uses for farm products, including a new laboratory about 200 miles from here, will gradually open up new markets for the dairy farmer.
>
> The Government's program to purchase surplus farm products for distribution to relief families has both expanded consumption and put a floor under prices. The Federal Surplus Commodities Corporation has bought about 250,000,000 pounds of butter, either in the open market or from the Dairy Products Marketing Association. These large-scale purchases, by supporting butter prices during recent years, have protected the income of dairy farmers just as effectively as have parity payments for the producers of such export crops as cotton and wheat.
>
> Today butter and milk prices are close to parity. The demand for dairy products, as reflected in prices, will no doubt continue to be strengthened as the defense program creates more jobs and bigger pay rolls in industry.
>
> In the years ahead the total consumption of dairy products will advance at least as fast as the population grows. The consumption of low-income families, in addition, can be expanded by measures such as the stamp plan that are designed for that very purpose. And the defense program, as long as it expands, will continue to boost dairy prices.

Dairymen are certainly entitled to a good wholesome farm income. We all want them to get such an income, but they should not be allowed to disrupt the whole control program and bring ruin to hundreds of thousands of farmers who are engaged in other kinds of farm production. Our zeal for the dairy farmer is sincere, but it should not lead us into the error of canceling the entire corn-control program.

I repeat that there is nothing in the bill that one should fear. I might anticipate some of the arguments that will be made, but will make one point only, because I have but 30 seconds left. The tariffs can be increased if it is necessary to prevent importations from abroad after the prices rise, as we all hope they will. It will be recalled that the Tariff Commission can increase the tariff 50 percent of the present rates if it should be necessary or helpful. I have no doubt that if this bill raises the prices of commodities, then importations over the tariff wall will not be permitted by the Tariff Commission because of the provisions to which I have called your attention. We should not and cannot disrupt the whole program. If we do not have control of farm production then we might as well do away with the whole thing.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. FULMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. CANNON of Missouri. Mr. Speaker, I make the point of order that a quorum is not present and I object to the vote on that ground.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 277, noes 63, not voting 91, as follows:

[Roll No. 53]

AYES—277

Allen, Ill.	Chenoweth	Forand
Allen, La.	Chiperfield	Ford, Miss.
Andersen, H. Carl	Claypool	Ford, Thomas F.
Andresen, August H.	Clevenger	Fulmer
Angell	Cochran	Gale
Arends	Coffee, Nebr.	Gathings
Barnes	Coffee, Wash.	Gearhart
Bates, Ky.	Cole, Md.	Gehrmann
Beam	Collins	Gibson
Beckworth	Colmer	Gilchrist
Beiter	Connery	Gillie
Bell	Cooper	Gore
Bender	Costello	Gossett
Bennett	Courtney	Graham
Blackney	Cox	Granger
Bland	Cravens	Grant, Ala.
Bloom	Creal	Grant, Ind.
Boehne	Curtis	Gregory
Boggs	D'Alesandro	Guyer, Kans.
Boland	Davis, Ohio	Gwynne
Bolles	Davis, Tenn.	Haines
Bonner	Day	Hare
Boren	Dickstein	Harness
Boykin	Dingell	Harrington
Bradley, Mich.	Dirksen	Harris, Ark.
Brooks	Disney	Harris, Va.
Brown, Ga.	Domengeaux	Harter
Brown, Ohio	Doughton	Healey
Bryson	Downs	Hébert
Buck	Doxey	Heidinger
Burch	Drewry	Hendricks
Burdick	Dworshak	Hill, Colo.
Burgin	Edelstein	Hill, Wash.
Camp	Edmiston	Hinshaw
Cannon, Mo.	Eliot, Mass.	Hobbs
Capozzoli	Elliott, Calif.	Hook
Carlson	Ellis	Hope
Carter	Fenton	Houston
Case, S. Dak.	Fitzgerald	Howell
Casey, Mass.	Fitzpatrick	Hull
Chapman	Flaherty	Hunter
	Flannagan	Imhoff
	Fogarty	Isac
Jackson	Murdock	Smith, Va.
Jarman	Murray	Smith, Wash.
Jenkins, Ohio	Nelson	Snyder
Jensen	Nichols	South
Johns	Norrell	Sparkman
Johnson, Ill.	O'Connor	Spence
Johnson, Ind.	O'Hara	Springer
Johnson, Luther A.	Pace	Starnes, Ala.
Johnson, Okla.	Patman	Steagall
Jonkman	Patrick	Stefan
Kefauver	Patton	Stevenson
Kerr	Pearson	Stratton
Kilday	Peterson, Fla.	Sullivan
Kinzer	Pierce	Sumner, Ill.
Kirwan	Pittenger	Sutphin
Kleberg	Plauché	Talle
Knutson	Ploeser	Tarver
Kocialkowski	Poage	Taylor
Kopplemann	Priest	Terry
Kramer	Rabaut	Thill
Landis	Ramsay	Thom
Lanham	Randolph	Thomas, Tex.
Larrabee	Rankin, Miss.	Thomason
Lea	Reed, Ill.	Tibbott
Leavy	Rees, Kans.	Traynor
LeCompte	Richards	Van Zandt
Lesinski	Rivers	Vincent, Ky.
Ludlow	Ridley	Vinson, Ga.
McCormack	Robertson, Va.	Voorhis, Calif.
McGehee	Robinson, Utah	Walter
McGregor	Robsion, Ky.	Ward
McIntyre	Rodgers, Pa.	Weaver
McKeough	Rogers, Okla.	Weiss
McLaughlin	Russell	West
McMillan	Rutherford	Wheat
Maas	Sacks	Whelchel
Maciejewski	Sanders	White
Maciora	Satterfield	Whittington
Mahon	Sauthoff	Wickersham
Mansfield	Scanlon	Williams
Martin, Iowa	Schuetz	Wilson
Martin, Mass.	Schulte	Winter
Mason	Scrugham	Wolcott
May	Secrest	Woodrum, Va.
Meyer, Md.	Shanley	Worley
Michener	Sheppard	Wright
Mills, Ark.	Shafer, Mich.	Young
Mills, La.	Short	Youngdahl
Monroney	Sikes	Zimmerman
Mundt	Smith, Conn.	
	Smith, Maine	

NOES—63

Anderson, Calif.	Gamble	O'Neal
Andrews	Geriach	Paddock
Baldwin	Hall, Edwin Arthur	Pheiffer, William T.
Bates, Mass.	Hall, Leonard W.	Powers
Bolton	Hancock	Reed, N. Y.
Butler	Hess	Rich
Canfield	Hoffman	Rockefeller
Clason	Holbrock	Rogers, Mass.
Cluett	Holmes	Scott
Cole, N. Y.	Jarrett	Smith, Ohio
Crawford	Johnson, Calif.	Stearns, N. H.
Crosser	Jones	Taber
Crowther	Kean	Thomas, N. J.
Culkin	Kilburn	Tinkham
Dewey	Lewis	Treadway
Ditter	McLean	Vorys, Ohio
Dondero	Magnuson	Vreeland
Eaton	Moser	Wadsworth
Eberharter	Oliver	Wigglesworth
Engel	O'Brien, N. Y.	Wolverton, N. J.
Englebright		Woodruff, Mich.
Faddis		

NOT VOTING—91

Anderson, N. Mex.	Ford, Leland M.	Marcantonio
Arnold	Gavagan	Merritt
Barden	Geyer, Calif.	Mitchell
Barry	Gifford	Mott
Baumhart	Green	Myers, Pa.
Bishop	Halleck	Norton
Bradley, Pa.	Hart	O'Brien, Mich.
Buckler, Minn.	Hartley	O'Day
Buckley, N. Y.	Heffernan	O'Leary
Bulwinkle	Jacobsen	Osmers
Byrne	Jenks, N. H.	O'Toole
Cannon, Fla.	Jennings	Peterson, Ga.
Cartwright	Johnson, Lyndon B.	Pfeifer, Joseph L.
Celler	Johnson, W. Va.	Plumley
Clark	Kee	Ramspeck
Cooley	Keefe	Rankin, Mont.
Copeland	Kelley, Pa.	Reece, Tenn.
Cullen	Kelly, Ill.	Robertson, N. Dak.
Cunningham	Kennedy, Martin J.	Rolph
Delaney	Kennedy, Michael J.	Romjue
Dies	Keogh	Sabath
Douglas	Kunkel	Sasscer
Duncan	Lambertson	Schaefer, Ill.
Durham	Lynch	Shannon
Elston	McArdle	Sheridan
Fellows	McGranery	Simpson
Fish		Smith, Pa.
Flannery		

Smith, W. Va.	Tenerowicz	Wene
Somers, N. Y.	Tolan	Wolfenden, Pa.
Sumners, Tex.	Wasielewski	
Sweeney	Welch	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Cunningham for, with Mr. Wolfenden of Pennsylvania against.
Mr. Jennings for, with Mr. Douglas against.
Mr. Copeland for, with Mr. Osmers against.
Mr. Romjue for, with Mr. Hartley against.
Mr. Bishop for, with Mr. Gifford against.

General pairs:

Mr. Johnson of West Virginia with Mr. Halleck.
Mr. Gavagan with Mr. Simpson.
Mr. Bulwinkle with Mr. Plumley.
Mr. Ramspeck with Mr. Mott.
Mr. Peterson of Georgia with Mr. Keefe.
Mr. Cartwright with Mr. Fish.
Mr. Green with Mr. Welch.
Mr. Barden with Mr. Jenks of New Hampshire.
Mr. Cullen with Mr. Rolph.
Mr. Durham with Mr. Elston.
Mr. Cannon of Florida with Mr. Kunkel.
Mr. Martin J. Kennedy with Mr. Baumhart.
Mr. Cooley with Mr. Reece of Tennessee.
Mr. Kelly of Illinois with Mr. Fellows.
Mr. Duncan with Mr. Lambertson.
Mr. Clark with Mr. Leland M. Ford.
Mr. Lyndon D. Johnson with Mr. Robertson of North Dakota.
Mr. Keogh with Miss Rankin of Montana.
Mr. Hart with Mr. Buckler of Minnesota.
Mr. Kilday with Mr. Marcantonio.
Mr. Arnold with Mr. Merritt.
Mr. Joseph L. Pfeifer with Mr. Wene.
Mr. Dies with Mr. Delaney.
Mr. Sheridan with Mr. Byrne.
Mr. Barry with Mr. Bradley of Pennsylvania.
Mr. McArdle with Mr. O'Toole.
Mr. O'Leary with Mr. Schaefer of Illinois.
Mr. Kelley of Pennsylvania with Mr. Celler.
Mr. Flannery with Mr. Tolan.
Mr. Somers of New York with Mr. O'Brien of Michigan.
Mr. Jacobsen with Mr. Buckley of New York.
Mr. Heffernan with Mr. Kee.
Mr. Shannon with Mr. Lynch.
Mr. Sumners of Texas with Mrs. O'Day.
Mr. Tenerowicz with Mr. Sweeney.

Mr. ANDERSON of California changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

INTERIOR DEPARTMENT APPROPRIATION BILL, FISCAL YEAR 1942

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year 1942, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4590, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk had read the first paragraph when the Committee rose.

Mr. CANNON of Missouri. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I also ask unanimous consent that all who spoke on the conference report may have leave to extend their own remarks.

The CHAIRMAN. That request will have to be submitted in the House and not in Committee of the Whole.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman that he may be allowed to proceed for 5 additional minutes?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, we have just witnessed in the passage of the bill, authorizing loans on basic farm products at 85 percent of parity, one of the notable events in the legislative history of the Nation. Since the Presidential campaign of 1924 platform makers and party orators have been promising parity prices for farm products. Four times Congress has, by solemn enactment, recognized the principle of parity for agriculture and established it as the objective of the farm-recovery program. And today, in the adoption of this conference report Congress has for the first time provided for agriculture the legislation already provided for every other industry putting a floor under farm prices and farm income.

Furthermore, the unanimity with which the House has cooperated on both sides of the aisle in support of this bill effectually discredits the overworked slogan that "farmers can't get together." The stock excuse of all who for selfish reasons oppose farm legislation—and they are legion—has been: "We are for it but the farmers, the farm Congressmen, and the Committee on Agriculture cannot agree on anything." The vote on this bill this afternoon conclusively disposes of that "crocodile" alibi. The farmers are together; the committee are together; the Houses are together; and together they have agreed to this report by one of the largest majority votes in the annals of farm legislation. Here is the record for the last 15 years:

Votes on major farm legislation of the last 15 years

Congress and bill	Yeas	Nays
69th Cong.: McNary-Haugen bill	214	178
70th Cong.: McNary-Haugen bill	204	122
71st Cong.: Federal Farm Board Act	366	35
73d Cong.: Agricultural Adjustment Act.	315	98
74th Cong.:		
Bankhead Cotton Act	251	115
Kerr-Smith tobacco control	206	143
75th Cong.:		
Soil conservation and domestic allotment	267	97
Cotton-price adjustment	201	127
Agricultural Adjustment Act	267	130
Parity payments for 1940	181	175
76th Cong.: Parity payments for 1941	207	176
77th Cong.: Fulmer bill	275	63

Still more significant is the fact that this bill specifically recognizes and reaffirms the principle of parity prices and the adoption of the 1909–14 purchasing power of farm products as the standard and yardstick of agricultural equity. In recent months there has been an organized attempt by those who seek to exploit agriculture to sabotage this long-established unit of measurement, and the passage of this bill, providing loans at 85 percent of parity, by such unusual majorities in both Houses, now establishes this basic principle beyond possibility of cavil or dissent.

And last but not least, the passage of this bill renders untenable the position of the Price Administration in its attempt to peg the price of pork. Under the formula provided by this bill, the parity price of corn may reach 93.3 cents a bushel, and the farmer still receive the full price in the open market.

Here are the estimates supplied by the Bureau of Agricultural Economics since the passage of the bill:

Price situation if 85-percent parity commodity loan provision is adopted

	Current parity price (Apr. 15)	Maximum to which parity price can go and the farmer still get 100 percent of parity
Corn	$0.828	$0.933
Wheat	1.14	1.20
Cotton	.16	.1833

As these prices are free on board Chicago, the price of corn on the farm would be somewhere between 95 cents and $1 a bushel, and hogs fattened on 95-cent corn, or even 93-cent corn, cannot be sold for $9.

In this connection——

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield for a question at that point?

Mr. CANNON of Missouri. If the gentleman will indulge me, I shall be glad to yield to him in just a minute.

Mr. Chairman, on April 21, in the course of debate on the floor, attention was called to the drastic discrimination by the Price Administration against agriculture. It was pointed out that in the expenditure of the $7,000,000,000 appropriation under the lease-lend bill the products, and therefore the wages, of agriculture alone were being pegged at less than parity. Press releases from the Price Administration and the Department of Agriculture were cited, repudiating the farm recovery program so painfully built up over the last 8 years and completely ignoring the vast sums from the lend-lease appropriation being poured out without stint or price-fixing restriction to labor and industry in the highest wages and the highest prices in the economic history of the world. The specious plea that consumer buying power demanded the fixing of hog prices was refuted by statistics showing hogs at $21.50 per hundred pounds and typical mechanics' wages at 59 cents per hour in 1920; hogs at $12.40 and wages at 70 cents in 1935; and hogs fixed at $9 in 1941 with mechanics' wages at 97½ cents and still

rising. Just why—if one of the two was to be selected to the exclusion of the other—just why the Price Administration should elect to fix hogs at $9 after a drop from $21.50 and at the same time ignore wages which had risen from 59 cents to 97½ cents in the same period has not been explained, but, with the permission of the House, I desire to insert in the RECORD a letter from the Price Administration touching as nearly on the subject as any communication from the Price Administration or the Department of Agriculture which has yet appeared.

The letter is as follows:

OFFICE OF PRICE ADMINISTRATION
AND CIVILIAN SUPPLY,
Washington, D. C., April 30, 1941.

Hon. CLARENCE CANNON,
House of Representatives,
Washington, D. C.

DEAR MR. CANNON: Your address before the House of Representatives on Monday last makes me believe that a brief clarification of the policy of this office with respect to agricultural prices would be helpful. Because of your deep interest in this question, I particularly want you to know that I have not singled out farm prices for special action. I will continue to support administration policies which are directed toward the improvement of farm income. There has been some misunderstanding on this whole issue which, I believe, would have been avoided had the position of my office been clearly on the record.

Some of the misunderstanding is associated with the measures announced on April 3 to increase the supplies of pork, dairy, and poultry products. First of all, I should like to state my own position on these measures.

During the past year domestic demand for meat, dairy, and poultry products has been increasing rapidly. Very recently the British Government has asked for substantial supplies of these same products. On anything so vital as our food supply we can afford no gamble with an underestimate of our needs. Any weakness in our domestic defense or any default in our aid to other countries resulting from an inadequate food supply would be inexcusable.

For these reasons I joined with the Secretary of Agriculture in steps to increase immediately the price of hogs to make increased production renumerative. For the same reasons, I concurred in the proposal to give farmers a long-term guaranty of prices of pork products, dairy products, and poultry products. The purpose of these steps was to insure that the increased production would not be marketed at distress prices—in other words, the Government rather than the individual farmer is underwriting the risk of the expansion of output. Our policy here parallels that which has been followed by the Government in minimizing the risk of industrial plant expansion for defense purposes.

This is not a price-fixing measure. No representations were made to this office by the War Department, individual Army officers, or by employers. The guaranteed prices are minimum prices, and no maximum prices have been agreed upon. Should there be a speculative advance in these or any other prices which unreasonably anticipates heavy domestic or British buying, then action will be taken. We will take it with the speculator rather than the farmer in mind.

With this clarification, I am sure that you will understand that we did not single out farm producers for discriminatory treatment. To date we have taken no steps to establish ceiling prices on farm commodities. On the other hand, we have acted to forestall increases in farm costs. You draw attention to recent wage advances in certain sectors of the steel and farm-machinery industry. The leading units in both of these industries have been enjoying relatively high profits, and in both of these cases we have taken steps to see that, unless clearly necessary in particular instances to avoid inequity, the increased costs are not passed on to customers. I am attaching a letter which I addressed last Monday to all leading manufacturers of farm equipment.

Turning to the future, I am sure that you will accept my assurance that our policy will continue to be as fair as we can make it. The President has charged me with the responsibility of using all lawful measures to maintain equitable and workable price relationship during the defense emergency and with preventing the type of price inflation which occurred during the last war. If we are to be successful, we can play no favorites—the policy must be applied across the whole board. Unjustifiable price increases and profiteering must be checked wherever they occur. But I will recognize what the Congress and the present administration have always recognized and have written into law, namely, that the prices of many farm products in past years have been too low to provide the farmer with a decent living wage for his labor. I have been a strong supporter of the objectives of the farm programs and I will continue to be. The same policy will be followed with respect to desirable and necessary improvements in farm income that we must apply to the correction of substandard returns to other groups.

Generally speaking, the policy I propose to pursue will be directed toward the largest possible measure of stability for both agricultural and nonagricultural prices. I believe such a policy to be of prime importance to agriculture itself. It has always been my feeling that the long years of farm disparity following the last war were partly the result of inflationary advances in farm prices and farm costs during the war period. The farmers' prices fell after the war was over, while his costs, his debt load, and his interest charges remained high and inflexible. He was left in the vise. To avoid a recurrence of this disaster is one of my jobs. It is my earnest desire that I will have and merit the wholehearted support of farm people in doing it.

In view of the importance of the question here discussed to farm people everywhere, I should like to release this letter to the press. Also, might I ask your good offices in seeing that it has the same circulation as your own statement. If either now or at any time in the future you wish information of any kind on policies of this office, please call on me immediately.

Very truly yours,

LEON HENDERSON,
Administrator.

With Mr. Henderson's historical summary every Member of the House is in complete accord. We agree with him that—

> Prices of farm products in past years have been too low to provide the farmer with a decent living wage for his labor.

Yet the price administration proposes to perpetuate those prices. Although hogs sold during those distress years at $10.25 and $10.05 in 1936 and 1937, respectively, Mr. Henderson now proposes to freeze them at $9.

Again he says:

> The farmer's prices fell after the war was over, while his costs remained high and inflexible. He was left in a vise.

The farmer is still in that vise. The cream separator with which he separates his butterfat costs him more today when butter is bringing 33 cents than the same separator cost him when butter was bringing 67 cents. But Mr. Henderson proposes to freeze the price of butter at 31 cents.

The freight rate on a car of eggs to New York is higher today with eggs at 24 cents a dozen than it was when eggs were 50 cents per dozen, but the pegged price is to be 22 cents per dozen. The lumber required to build a poultry house is vastly higher today when poultry is selling at 24 cents per pound than it was when poultry was selling at 36 cents per pound, but the price is to be "stabilized" at 15 cents per pound. And the corn planter with which the farmer produces corn to feed $8.45 hogs today costs more than he paid for the same corn planter when hogs were selling for $21.50. But the price administration is pegging the price of hogs at $9.

Mr. Henderson objects to the term "pegging." He explains that his price is a "minimum price." He insists that no ceiling has been established and that no maximum price has been agreed upon. But we all have vivid recollections of the fixing of the price of agricultural products in 1917 when we were told in the debate in the House and in all press releases from the Government that the prices were "minimum" prices; that no ceiling had been established and that no maximum price has been agreed upon. And we all well remember that the minimum price was the maximum price, and the price of those farm commodities remained as fixed and immutable as the laws of the Medes and Persians, while the wages and prices of labor and industry mushroomed and pyramided and skyrocketed without restraint or restriction.

Even if our wartime experience with pegged prices was not fresh in mind, a glance at the Executive order under which the Price Administration is operating, shows that according to its terms the Administration is authorized to designate maximum prices only. In paragraph (c) of section 2, provision is made for determining and publishing "maximum prices." And again in section 4, the Price Administration Committee is empowered to submit recommendations "in respect to the establishment of maximum prices." And under paragraph (a) of the second section, steps are authorized "to prevent price spiraling." But nowhere throughout the Executive order is there authorization of any kind, either by direction or inference, to fix or establish or recommend minimum prices. And yet Mr. Henderson contends that the prices he has pegged are minimum prices and not maximum prices.

And why would it be necessary, as Mr. Henderson proposes, to "give the farmer a long-time guaranty," as the letter terms it, of prices for these products when some of them are already above the fixed price and the remainder soon will be. In all the realm of absurdity there is nothing quite as absurd as that. Everybody knows that in every war hogs go up. Everybody knows that hogs will be far above $9 a hundred if left alone as the price of the products of labor and industry have been left alone. And everyone knows that the reason the price of hogs is being fixed at $9 is in order to

saddle upon the farmer the cost of providing pork for Britain while every other group in America is getting the highest wages and the highest prices ever paid in any war for all the rest of the flood of commodities being daily shipped to Britain.

The Chicago Tribune for April 29, 1941, page 21, says:

Vast quantities of pork, lard, cheese, eggs, and dry beans, all products of the Chicago area, began moving toward the eastern seaboard over the week end, presumably for shipment to England. These supplies, purchased with Government funds under the lend-lease bill, were acquired at a cost of millions of dollars sellers said yesterday.

This vast supply of farm products was purchased by the Government itself at less than parity. In other words, the farmers of America were drafted by the Government to contribute the millions of dollars' difference between the parity price promised by the Government and the price actually paid by the Government—to contribute these millions of dollars directly to the consumers of Great Britain.

And that brings us to a statement in Mr. Henderson's letter worthy of particular attention. He says he is playing no favorites—"the policy must be applied across the board." But what other class or industry is being required to contribute to shipments to Great Britain or to any other phase of the program, either services or commodities, at less than parity? Food, munitions, guns, planes, tanks, explosives, and every conceivable item in the paraphernalia of war are being rushed across the Atlantic as rapidly as they can be produced and ships can be found to transport them. And in the fabrication of guns, planes, and tanks labor is receiving more than 200 percent of parity and industry is being paid on a cost-plus basis. Labor and industry are not being asked to contribute wages or profits, and all groups engaged in the production of commodities shipped abroad are making money out of the war. Labor dictates its wages and industry fixes its prices. The labor and products of the farm alone are being requisitioned by the Government at subparity prices and the farmer alone is being required to supply his products at a price over which he has no control, and at a lower price than has been promised him in the farm-recovery program over the last 8 years. And General Marshall's staff testified in the last hearings before the Committee on Appropriations that the ration was the most important of all war munitions.

Incidentally the consistent decline in the price of hogs since the announcement of a minimum price by the Price Administration is further evidence that the price of $9 is intended as a maximum price and does not become effective until conditions which always accompany the impact of war at home or abroad advances the price to that figure under the normal law of supply and demand, which in the last war pushed the price of hogs—along with the price of industrial commodities—up to more than three times the price at which it is now proposed to peg them. In all these years in which hogs have been selling at what Mr. Henderson in his letter calls "distress prices" no one has exhibited an interest in fixing a price of $9, although Congress was busy fixing minimum wages and guaranteeing the price of coal, and oil, and transportation rates, and everything else sold under the fair-trade bill. It is only when everybody knows that hogs are going up to twice the parity price—as labor wage scales and farm machinery have already gone—that they magnanimously propose to guarantee hog prices—at less than parity.

How can it be said that the Price Administration is playing no favorites, when it is freezing the wages and prices of agriculture at less than 75 percent of parity and at the same time, by silence and inaction, encouraging the Nation-wide campaign for the increase of wage scales already in excess of 150 percent of parity?

Here are the headlines from typical items from the daily papers for the last week in April and the first week in May:

From the Chicago Tribune, April 24, 1941:

Meat packers raise hourly wage 8 percent. Wage increase affects 14,000 employees and aggregates $1,500,000 annually.

From an Associated Press dispatch for April 28, 1941:

Settlement of strike of Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers and the Pittsburgh chapter of the Pennsylvania Furniture Warehousemen's Association was settled last night with the announcement that 13 of the city's largest transfer companies had agreed to 5-cent-an-hour wage increase and elimination of a 10-cent hourly wage differential between local and long-distance movers.

From Labor's Monthly Survey of April 30, 1941:

In March and April more than 700,000 wage earners in manufacturing and construction won a pay increase, bringing the total for 1941 to date close to 1,000,000.

From the St. Louis Post-Dispatch for May 1, 1941:

INTERNATIONAL SHOE GIVES WAGE RISE

Wage increases averaging about 5 percent for the skilled and semiskilled factory workers in the International Shoe Co. plants in Missouri and Illinois have been granted by the company in the last 2 weeks. The increases ranged from 1 to 10 percent in the various factories.

From the Chicago Tribune of May 1, 1941:

Wage increases of 7½ percent have been granted by the Parker Pen Co.

Continental Steel has given its employees a 10-percent increase in wages.

C. I. O. is demanding a $15,000,000-a-year increase from General Motors. The average wage now paid is $41.24 a week.

From the New York Times, May 1, 1941:

The Westinghouse Electric Co. has increased the pay of its employees $18 per month.

The MacWhyte Co., Kenosha, Mich., has made substantial increases in its pay roll.

The Fairchild Aviation Co. has increased wages 7 cents an hour and granted 2 weeks' vacations.

From the C. I. O. News, May 5, 1941:

Pay increases ranging from 10 to 35 cents an hour were made in settlement of a 1-day strike at the Kuhn & Jacobs Moulding & Tool Co.

From the Chicago Tribune, May 3, 1941:

The General Electric Co. announces a 10-cent an hour increase to more than 65,000 employees of that corporation, the largest in the electric field.

From C. I. O. News, May 5, 1941:

A contract signed with the Worcester Salt Co. in Silver Springs, N. Y., will bring a yearly $100 pay raise to 278 employees of that company. The agreement also calls for paid vacations, time and a half for overtime, and check off on union dues.

From the New York Times, May 6, 1941:

WAGE INCREASE BY ONEIDA, LTD.

ONEIDA, N. Y., May 5.—A 5-percent wage increase for 3,000 employees was announced today by Oneida, Ltd., silverware manufacturer and holder of Government contracts for surgical instruments. The increase covers piece-rate, hour, and week-rate workers at plants here, in Niagara Falls, Ontario, and Toronto.

From the Chicago Tribune, May 3, 1941:

United States Steel increases all employees earning up to $4,000 a year.

The Allegheny-Ludlum Steel Corporation announced a 10-cent an hour increase retroactive to April 1, thereby providing for $25,000 in retroactive wages for its 7,000 employees.

From the C. I. O. News, May 5, 1941:

Wage increases of 19 and 13 percent for 10,000 workers in New York, New Jersey, Connecticut, and Pennsylvania have been negotiated with the New York Clothing Manufacturers' Exchange, effective May 19, when increases previously obtained go into effect for 135,000 men's clothing workers.

From the New York Times, May 6, 1941:

BIGELOW SANFORD LIFTS PAY

AMSTERDAM, N. Y., May 5.—The Bigelow Sanford Carpet Co., Inc., announced today a flat 3½-cent hourly wage increase for employees of its plants here and in Thompsonville, Conn. The increase, effective today, will cover approximately 6,000 workers.

From Washington Times, May 3, 1941:

The United Mine Workers today gained a dollar-a-day wage increase, settling a month-old strike which had endangered the Nation's coal supply. The new agreement brings the minimum wage to $7 a day. The increase affects 400,000 bituminous miners.

On April 22 President Roosevelt submitted the compromise which finally opened the mines.

Here are more wage increases in the steel industry:

INDIANAPOLIS, IND., May 10.—Wage increases of 10 cents an hour were gained for 3,800 employees of the Continental Steel Corporation. The increase includes workers in plants in Canton, Ohio, and Kokomo and Indianapolis, Ind.

Here is one in the laundry industry:

TOLEDO, May 10.—A new contract with the Toledo Laundry Association brought 5-cent-an-hour increases and full vacations with pay.

The increases extend to fur workers:

UP GOES THE PAY

NEW YORK, May 10.—Up goes the pay. Terms of a new agreement calling for increased pay and greater job security for 15,000

workers in the fur industry here were ratified this week. A $2 wage increase covering 3,000 floor boys and shipping clerks was ratified.

The clothing industry is not overlooked:

WASHINGTON, April 19.—Pay boosts, a weekly salary guaranty, plus overtime for hours over 48 are features of two new contracts with two of the Capital's laundry and dry-cleaning places.

Increases in the wages of workers in the farm-machinery industry are of particular interest to farmers who must buy more machinery to take the place of the men taken from the farm by the draft and the higher wages paid in nearby munitions plants:

CHICAGO, April 18.—International Harvester Co. announced today a wage increase of 5 cents an hour retroactive to April 14 for all 42,000 manufacturing department employees. The increase will add a minimum of $4,500,000 a year to the pay rolls.

MOLINE, ILL., April 15.—A pay increase of 5 cents an hour effective April 20 for all day workers and piece workers in the plants of the Deere & Co., plow manufacturers, was announced today.

HARTFORD, CONN., April 18.—The Pratt & Whitney division of Niles-Bement-Pond Co., manufacturers of machine tools and gages used in the munitions industry announced tonight an 8-percent wage and salary bonus for 3,800 workers in its West Hartford plant and office.

Transportation properly comes in for its share in the general wave of increases:

PITTSBURGH, May 8.—The Order of Railway Conductors, disclosed today it had asked two railroads for 15 percent increase. J. R. Herring, local chairman of the union said: "We are entitled to an increase. Everything is going up and we are in the steel district where everyone gets a wage increase.

Mining also participates in the general advance in wage scales:

JUNEAU, ALASKA, May 10.—The Federal courts and the United States Wage-Hour Administration today gave the Alaska Juneau Gold Mine Co. no alternative but to pay out $60,000 in back overtime due its 1,000 employees.

LIBRARY, PA., May 10.—Miners in the Montour mines have gained a dollar-a-day increase with other considerations.

The hosiery industry likewise has granted pay increases to its employees:

MARTINSBURG, W. VA., May 10.—The Interwoven Stocking Co., the Nation's largest men's hosiery plant today agreed to a general 10-percent wage increase, time and one-half for overtime and the check-off. The agreement is effective for 1 year and involves 1,500 workers.

The increase in wage scales extends to other branches of the knitting industry:

ALLENTOWN, PA., May 10.—The Arcadia Knitting Mills, manufacturers of cotton fabrics, has entered into an agreement providing for a 5-percent general pay increase. The agreement calls for an hourly minimum wage of 37½ cents. The plant normally employs 1,000 workers.

The new branch of the construction industry, the manufacture of demountable houses, is also subject to the wage-increase trend:

WASHINGTON, May 10.—New wage agreements on a 650-unit project at Indian Head, Md., were announced this week. Several firms producing prefabricated houses are included. The houses are built in special plants and assembled on the site at less cost and with more speed than older methods allow.

Among the various manufacturing industries advancing wage scales is the Westinghouse Air Brake Co.:

PITTSBURGH, April 19.—Westinghouse Airbrake Co. has signed a new agreement granting a 10 cents an hour wage increase, it was announced here today. The increase affects approximately 5,000 employees.

Another Pittsburgh company joins in the announcing of an increase in wages:

PITTSBURGH, April 19.—Jones & Laughlin Steel Corporation agreed to a 10 cents an hour increase for its 24,000 workers. The raise will cost the company about $5,000,000 a year.

The increases extend over industries operated on both land and sea:

NEW YORK, May 10.—War-risk insurance was extended to American seamen for trips in dangerous waters for the first time in the history of the American merchant marine All unlicensed seamen will receive $5,000 in individual insurance and $60 a month additional pay.

WASHINGTON, April 19.—The Seas Shipping Co. has agreed to a 50-percent war bonus for voyages in South African waters and a 15 percent war emergency increase in addition to the basic pay.

The department stores are not exempt from the general raise in wages of employees:

NEW YORK, April 19.—S. Klein, women's wear specialty shop on Union Square, mecca of bargain hunters who swarm around the entrance on sale days like angry bees, has signed an agreement for $1 weekly wage increase for some 500 workers and reduction of 2 hours per week in working time.

Even the life-insurance companies are among the agencies included in the payment of additional wages:

NEW YORK, April 19.—The Metropolitan Life Insurance Co., the largest of the "big five" life-insurance companies of the country, has agreed to the payment of $86,000 to 43 union insurance agents discharged between 1933 and 1940.

Here is another steel company which has just made a very substantial increase in wages of its employees:

CHICAGO, April 19.—The Central Screw Co. has agreed to a 30 percent wage increase. The agreement lifts minimum pay for men from 35 cents an hour to 57 cents, and for women from 30 cents to 45 cents, and provides vacations with pay.

The epidemic of wage increases also involves the electric utilities:

NEW YORK, May 10.—A settlement involving payment of $300,000 in back wages was made this week by the Consolidated Edison Co., and aggregates the largest amount of back pay ever reached through negotiation in the history of the National Labor Relations Board.

Just over the line from Washington, two companies in Baltimore have announced increases. The first is in the paint industry:

BALTIMORE, April 19.—Wage increases totaling over $42,500 have been put in effect by the Glidden Paint Co.

The second is in textiles:

BALTIMORE, April 19.—The Mount Vernon-Woodbury Mill here has upped its pay roll $27,000 a year, it was announced today.

Here in Washington, according to the Times-Herald, 7,000 construction laborers received wage increases amounting from 5 to 7½ cents an hour, and District police and firemen are asking an increase of $600 a year. The latter increase would add $1,800,000 a year to the local budget.

The number of employees and the amounts involved are further indicated by a statement appearing on the first page of Steel Facts, an official publication of the steel industry reaching the desks of Members of the House this morning:

Wage rise lifts steel pay rolls to peak rate of $1,300,000,000 a year, the highest level in the history of the industry, according to the American Iron and Steel Institute.

The general trend and extent to the far-reaching increase in wage scales in all industries and all sections of the country are indicated by the following release by the Congress of Industrial Organizations:

WASHINGTON, May 10.—Wage increases amounting to $380,000,000 annually have already been won by the C. I. O. in the first 4 months of 1941, according to the current issue of Economic Outlook, monthly publication of the economic division of the Congress of Industrial Organizations.

And the report adds this significant statement:

At the same time, the Outlook pointed out, profits continued to show large increases over 1940, having jumped 17.5 percent over a similar period last year.

In corroboration of this connection, it has been frequently testified that, although wages were drastically advanced, the cost of production per unit was not increased, and in many instances actually reduced.

I want to again emphasize that the farmer is not opposed to these increases. Profits of industry are advancing by leaps and bounds and labor is entitled to a fair share of the wealth it creates.

Moreover the larger the income of labor the larger its purchasing power in the agricultural markets.

The farmer approves these increases and supports them both in marts and legislative chambers. But he insists his meager income shall not be signaled out by the Price Administration when others are encouraged to go as far as they like.

From the New York Times, May 3, 1941:

Wage increases equal to not less than 10 cents per hour are now going into effect for 125,000 employees in the Nation's electrical manufacturing industry as result of agreements by the two largest firms in the industry, the General Electric Co. and the Westinghouse Electric & Manufacturing Co. The total money value of the wage raises is estimated to be approximately $35,000,000 per year.

These are just a part of the vast number of increases in the wages of labor sweeping over the country. The wage scales which they add to and the weekly incomes which they increase were already the highest in the history of organized

labor. But Mr. Henderson makes no mention of any of them in the daily releases with which he is flooding newspapers of the Nation. Every one of these increases was fully justified. But they increase the cost of living. They add to the retail price of practically every article of merchandise on sale today. They increase the farmer's cost of living and cost of production. But Mr. Henderson fixes a price of $9 for hogs when hogs are one-third of wartime prices and less than three-fourths of parity, while he makes no reference to wage increases when wages are three times wartime wages and more than double parity.

Here are newspaper reports showing a few items in the general upswing of prices which all consumers must pay, including the farmer.

From the New York Times, April 25, 1941:

The prices of many commodities advanced sharply in the first quarter of this year. Wholesale prices of lumber in this period rose generally about 20 percent.

Even the most indispensible necessities of life were affected as indicated by this item from the St. Louis Post-Dispatch in its issue of April 26, 1941:

Liquor price cut banned. Distillers get injunctions against eight stores for violations of fair-trade contracts.

From Associated Press report, Chicago Tribune, May 1, 1941:

Wholesale prices of men's wear creep upward in markets here. Yesterday unlined gloves were marked up 50 cents to $1.50 a dozen while lined numbers were advanced from 75 cents to $2 a dozen.

From New York Times for May 1, 1941:

Wholesale prices rose 26 percent in March. Automobiles, chemicals, paints, clothing, drugs, dry goods, liquors, electrical goods, furniture, jewelry, and optical goods advanced. Shoes rose 67 percent, hardware 41 percent, industrial supplies 68 percent, plumbing 63 percent, building materials 48 percent, machinery 51 percent, metals 102 percent. The average for March was 25 percent ahead of March last year.

From the Chicago Tribune, May 1, 1941:

Illinois crude oil marked up for the third time. The increase was the third increase this month and crude-oil prices are now 12 cents higher than in March.

OIL PRICES ADVANCED

NEW YORK, May 12.—Advances of ½ cent to 1 cent a gallon in prices of Pennsylvania lubricating oils as a result of heavy demand were announced today. Neutral oils and bright stocks were raised 1 cent and some grades of cylinder oils were boosted ½ cent.

From the Washington Star of May 12, 1941:

AVERAGE PRICE OF GASOLINE INCREASES

NEW YORK, May 12.—The American Petroleum Institute reported today the average retail price of gasoline, exclusive of taxes, in 50 United States cities on May 1 was 13.11 cents a gallon, an increase of 0.69 of a cent from April 1 and 0.20 of a cent above May 1, 1940.

The average dealer price was 9.40 cents a gallon as compared with 8.78 cents on April 1 and 9.24 cents on May 1, 1940.

And the same discrimination is shown by the Price Administration as between agriculture and industry.

It is true, Mr. Henderson makes disclaimer. And as evidence encloses with the above letter a further letter, without address, as follows:

APRIL 21, 1941.

GENTLEMEN: As you know, this office has recently taken steps to maintain steel prices at the levels which prevailed during the first quarter of this year. In announcing the steel-price schedule, I drew attention to the wide range of finished products into which steel enters as a raw material, and the importance of maintaining stable prices in these finished products.

One of the products which I had especially in mind was farm machinery and equipment. The prices of these products are an important factor in the cost of farm production. As such, they are related to the prices of our entire domestic supplies of food and fiber. Should labor supplies become scarce in certain agricultural areas as a result of the defense program farm machinery will become even more important in the farm economy.

Recently wage increases have been announced in certain parts of the industry. Moreover, I am aware that certain other cost elements have advanced. But with assured prices of the major raw material and a favorable demand in the industry generally, I feel justified in requesting that there be no increase in farm machinery prices at this time. I also request that there be no alteration in your cash discounts, trade discounts, volume discounts, carry allowances, methods of quoting prices, credit practices, or other trade or price policies which would have the effect of increasing net manufacturer's prices of individual items. Where prices of equipment have not yet been quoted for this year, I request that you adhere to the price schedules which were last in effect. I am asking your voluntary cooperation in the hope, which I am sure we both share, that other steps may be avoided in this industry.

If carrying out this request imposes undue hardships on your company in some particular, I will entertain a plea for its modification, and at any time I will be glad to meet with representatives of your industry to discuss questions raised by this request.

Yours very truly,

LEON HENDERSON, *Administrator.*

The letter is hardly convincing. It does not peg steel or farm machinery. And, emphatically, it does not propose to price either at less than parity. Here is a matter-of-fact analysis of the situation:

Commodity	1919 price	Price today	Parity price	Pegged price
Lumber	$25.00	$46.20	$25.19	No limit.
Hogs	21.50	8.55	9.24	$9 down.
Mowers	50.00	97.14	48.24	No figure.
Poultry	.60	.137	14.6	$0.15.
Kitchen chairs	.85	1.56	.82	No limit.
Eggs	.60	.2250	.299	$0.22.
Horse blankets	1.50	3.50	2.49	No limit.
Butterfat	.69	.33	.34	$0.31.

It will be observed that in every instance the 1919 price of farm products declined and the same products are selling today at a half to a third of their former price. And at the same time the price of every product of labor and industry entering into the farmers' cost of production advanced and the same products are today selling at twice their former prices. It will also be noted that the same discrepancy prevails with reference to 1909–14 prices. Yet, with labor and industry at double parity, the Price Administration proposes to freeze agriculture at less than 75 percent of parity completely ignoring the daily rising tide of wage increases more directly affecting the cost of living than any other one factor.

In extenuation, Mr. Henderson says he has no control over labor. As a matter of fact there is no statutory provision for the establishment of his office or provision for the enforcement of its decrees. So, any authority vested in the Price Administration rests on provisions of Executive Order No. 8734, issued April 11, 1941.

Under paragraph (c) of section 2, of the Executive order establishing the Office of Price Administration, it is authorized to "publish" such "elements of cost or price of materials or commodities, as the Administration may from time to time deem fair and reasonable."

Again in paragraph (d) of section 2, it is authorized to "advise and make recommendations" in respect to such "activities as may affect the price of materials and commodities."

And further, under section 4 of the Executive order, the Price Administration Committee, of which Mr. Henderson is chairman, is authorized to make findings and submit recommendations in respect to "elements of cost or price of materials or commodities."

If it is contended that the wages of labor are not one of the elements, if not the principal element, "of cost or price of materials or commodities"; or that the raising of wages is not an activity which "may affect the price of materials and commodities"; or under section 4 of the Executive order "is not an element of cost or price of materials or commodities," then how account for the universal explanation by manufacturers that the cost of labor is one of the principal elements in their costs of production and the increase in the cost of labor is the cause of the increase in the price of their products. For example, when wheat sold for $2.40 a bushel in 1919 bread was 10 cents a loaf. When wheat was 30 cents a bushel in 1932 bread was still 10 cents a loaf. And today, when wheat is $1 a bushel, bread is still 10 cents a loaf. When pressed for an explanation the bakers tell us that the cost of the ingredients entering into the production of a loaf of bread is negligible and the principal element of cost is the labor, which does not fluctuate with the price of wheat. And yet Mr. Henderson, in considering the "elements of cost and price of materials and commodities" entering into the cost and price of the principal article of diet of the American people, considers the cost of the wheat but not the cost of the labor—when the baker says it is the cost of the labor and not the cost of the wheat that determines the price the consumer must pay.

Again, the manufacturers tell us that the increase in the price of shoes is due to the increase in the price of labor and not the price of the hides from which the shoes are made.

Price of hides paid the farmer and price of shoes charged the consumer as reported by the Department

	1913	1932	1937	1941
Hides	$0.18	$0.06	$0.17	$0.14
Shoes	2.23	3.09	4.15	4.25

According to these figures it will be seen that as the price received by the farmer for the raw material went down, the price received by the manufacturer for the finished product went up. And invariably, when pressed to explain the steady increase in the price of shoes when the materials entering into their production declined the manufacturer attributed the increased price to the increased cost of labor.

Similar increases in wage scales while the cost of living declines is shown in the report of the Bureau of Labor Statistics, as follows:

Weekly earnings in buildings and construction, and of factory workers, 1913, 1919, and 1940

Occupation	1913—Earnings per week	1919—Earnings per week	1940—Earnings per week	Estimated parity earnings per week
	Dollars	*Dollars*	*Dollars*	*Dollars*
Plumbers	26.13	33.99	58.10	37.13
Electricians	23.52	32.99	58.04	33.42
Stonemasons	25.46	34.00	59.60	36.18
Steam fitters	24.80	32.68	59.91	35.24
Carpenters	23.67	33.24	55.15	32.78
Painters	22.21	33.01	50.32	31.56
Bricklayers	30.43	38.50	64.85	43.24
Factory workers	12.21	24.00	25.62	17.11

Or, if further testimony is desired, the official organ of the American Iron and Steel Institute for May 1941, just received by Members of the House this week, says:

Pay rolls are now running at an annual rate of 50 percent higher than in 1929, and over 35 percent higher than paid in 1940. In recent years pay rolls have absorbed nearly 40 percent of each dollar received by steel companies for their products. The increase in pay affected last month is expected to add from $2 to $5 a ton to the cost of manufacturing steel products.

That is rather conclusive and is from an authoritative source.

Nor is industry making any sacrifices. Mr. Henderson explains in the letter which I have just read that his policy will be directed toward the "stability of both agricultural and nonagricultural prices." But how does that comport with the facts?

While hogs are being pegged at $9, butter at 31 cents, poultry and eggs at 15 cents and 22 cents, respectively, the price of nonagricultural products has had free reign. Here are a few newspaper comments:

The Chicago Tribune reports:

Costs of construction up. Federal Works Administrator John M. Carmody said yesterday his agency has been unable to start construction of a defense housing project in Buffalo, N. Y., because of "exorbitant prices." "The first bids opened for the project," he said, "were in excess of any reasonable expectation of cost for these dwelling units." The second bids also were considered out of line.

The Wall Street Journal for May 9 reports house furnishings as advancing in price:

Rising prices in furniture mart noted. House furnishings are up. Increases in dining room and bedroom prices range from 5 percent to 15 percent. Floor coverings, lamps, and housewares are generally up 5 percent to 10 percent on new goods.

The same paper in its issue of May 8 reports increases in the price of oil and gas.

The oil industry is riding the crest of the recent widespread price increase.

Increases in the price of oil products is also reported by the Associated Press for May 8:

The Socony-Vacuum Oil Co., Inc., will advance the price of heating oil by one-tenth cent a gallon, effective May 8. Prices in New York City were advanced two-tenths cent a gallon effective May 7.

Price increases in industrial commodities are general and widely distributed as indicated in a market report carried by the Wall Street Journal of May 10:

Wholesale prices are at 3½ year high for May 3 week. The Bureau index of nearly 500 price series rose from 0.2 percent to 83.2 percent of the 1926 average. Each of the 10 major commodities except foods and metals shared in the advance. Foods declined 0.1 percent. Metals remained unchanged.

The general rise in manufactured products is reported by the Associated Press as of May 7:

Because of anticipated raw material and labor shortages, under the armament program, rising prices and increasing demand for goods occasioned by rising employment and building activity, many buyers are discontinuing short-order buying and seeking to place orders which normally would be written during the July market.

The heavy increase in the price of lumber and other building material is reflected in the hearings here in Washington, as reported in the Washington Post:

Army camps cost $338,000,000 more than estimated. The Army's new cantonments will cost $833,000,000 instead of $500,000,000, as originally estimated, Brig. Gen. Brehon Somervell told the Senate Defense Investigation Committee.

The general increase in commodity prices is also officially reported by the Department of Labor:

Further rise shown in commodity index. Wholesale price gage goes to 83, as compared with 78.5 of a year ago. The general level of wholesale prices of commodities rose again in the week ended April 19, the Bureau of Labor Statistics reported today. The Bureau's index, based on the 1926 average, was 83, as against 82.9 on April 12, 82.2 on April 5, and 70.5 on April 20, 1940.

And this morning's Washington Post carries the following colorful item:

Prices for soldiers are being "kited," Dewey says. Prices are kited for the boys in blue and khaki, according to Thomas E. Dewey, national campaign chairman of the United Service Organizations for National Defense. Following a 2-day inspection tour of eight Army and Navy bases in the Newport News area, he said: "The men said they were even being charged 15 and 20 cents a glass for beer."

The Price Administration has no comment to make on these increases in wages—all of which I and all other representative farm Congressmen fully approve. The Price Administration says in effect that wages are only from 150 percent to 200 percent of parity and, therefore, increases are in order. The sky is the limit. And again I am in heartiest accord. "The laborer is worthy of his hire," but the Price Administration does not interpret it as applicable to farm labor.

And the Price Administration has no specific prices to suggest to industry. In a general way it has intimated to one or two industries that present prices, which happen to be in excess of 150 percent of parity are enough. But even that suggestion is tentative, and Mr. Henderson in the accompanying letter assures industry that he will "at any time entertain a plea for its modification."

As a matter of fact, the Price Administration has been very lenient with industry in that respect.

The Business Executive, published by David Lawrence, in commenting on the ineffectual application of these suggestions to industry, says in its issue of April 17, 1941:

The net effect will be to produce disguised price advances in the form of premiums and special charges; to bring a little price advance here and another there that will touch off a general rise. Fact of the matter is that Price Administrator Henderson recognizes this; that his plan is to resist price advances, not to prevent them.

An instance of revocation is reported by the Associated Press in the St. Louis Globe Democrat of May 2, 1941, in which the Price Administration, after issuing a statement to the effect that "no reason exists for any unreasonable price increases in bituminous coal," revoked its request for observance of existing prices of coal and thereby authorized an increase to the consumer over prices previously designated as "unreasonable."

According to the United States News of April 18, 1941, a similar request to maintain existing prices of steel scrap was likewise withdrawn.

Likewise, the United States Daily of April 18, 1941, calls attention to the disregard of prices recommended by the Price Administration by buyers "paying premiums" to sellers of steel.

And the Business Executive of May 8 reports:

Leon Henderson's price policy in reality is: To apply a drag to prices, to force industry to justify price advances; not to try to prevent increases.

Also, his policy is to keep hands off most wage increases, to let collective bargaining work out that problem, to see that industry does not raise prices more than wage increases justify.

But there is no such assurance of adjustment to agriculture, and prices of hogs are fixed at $9, butter at 31 cents,

eggs at 22 cents. Promises to support the market have not been fulfilled, and it is difficult to escape the conclusion that the whole principal function of the Price Administration is to hold down farm prices.

This conclusion, and the philosophy on which it is based, are very well expressed in an editorial in one of the St. Louis papers, issued about May 1, 1941, entitled "Steel Balks at Price Control."

The editorial says:

> The reason assigned for higher prices of steel is the increase of 10 cents an hour in labor costs. This is said to represent a rise of 16 percent.
>
> Steel profits go up much faster than overhead as the industry nears capacity. Last year, during which 80.2 percent of capacity was reached, United States Steel profits went up 150 percent, for example. And now "big steel" is operating at 100 percent, with more profits piling up. As the Wall Street Journal points out, steel earnings are already well within the excess-profits-tax brackets.

And then the editorial closes with this significant sentence, the climax toward which the entire pronouncement is directed:

> It means, as Bernard Baruch has said, the elimination of the fundamental cause of labor trouble. And it means, further, keeping prices in line at the corner grocery store.

A more selfish, brutal, conscienceless sentence was never written. According to this editorial, it is all right to increase labor costs 16 percent when they are already 150 percent of parity. According to the same warped line of reasoning, it is perfectly proper to increase the manufacturer's profits 150 percent when they are already in the excess-profits brackets. But grind down the defenseless farmer, whose wife and children work with him 14 hours a day to feed labor and industry at less than 75 percent of parity—keep down the price of the farmer's products at the corner grocery, the only retail point of distribution. From the robber barons of Medieval Europe down to the pirates who swept the Spanish Main, you will not find a more predatory philosophy than that.

And all this despite the fact that on the authoritative determination of the United States Department of Labor as reported in Labor's Monthly Survey, the official publication of the American Federation of Labor, for April 1941:

> Living costs in March 1941, were only 1 percent above the last quarter of 1939, and less than 1½ percent above March 1940.

This is the desperate situation in which the hapless farmer finds himself. With no friends at court, deserted by the platform makers who have in every national campaign since 1924 promised him economic equality with labor and industry, his boys drafted or lured away to war industries, his costs of living and costs of production rising on every hand, the Price Administration now steps in and proposes to name farm prices below the parity adopted by the Congress, the farm organizations, and the Department of Agriculture as the objective of the farm recovery program for the last 8 years.

A notable feature of the program is the enthusiasm with which it is aided by the Department of Agriculture itself.

When the above letter was released to the press a reporter called at the Department of Agriculture and, after an extended interview, reported:

> Officials in Agriculture are elated over the Henderson statement. They say it goes much further than they had dared to hope.

No one has ever yet known the Department of Labor to entertain the hope that wage scales would be limited, and certainly it has never expressed elation over any development calculated to restrict the income of the laboring man—and especially at a time when the income of every other group and industry was advancing. No one here can recall any expression of satisfaction from the Department of Commerce that dividends and industrial incomes were being curtailed.

And no official of the Department of Labor or the Department of Commerce has ever indicated a critical attitude toward labor organizations or chambers of commerce or manifested a lack of sympathy with their efforts to secure equitable wages and better living conditions for labor or fair returns on business investments and commercial enterprise. But the unsympathetic attitude of officials of the Department of Agriculture toward farm organizations and their efforts to secure legislative and administrative alleviation of farm distress have been so obvious as to occasion comment. It was necessary to oppose the Department of Agriculture in order to pass the bill. And, on the other hand, it could never have been passed without the long and aggressive campaign and earnest cooperation of the farm organizations. I cannot refrain from expressing the appreciation I am certain all feel of the able and tactful service of President Ed A. O'Neal, of the American Farm Bureau Federation. His contribution to the American farmer in the enactment of this bill should move every farmer in the Nation to promptly affiliate himself with his nearest farm organization. And every farmer in the Nation should likewise appreciate the wholehearted support rendered agriculture in this crisis by organized labor and its representatives on this floor. Agriculture and labor have a common cause.

Notwithstanding the general understanding of the attitude of the Department toward the efforts to security parity prices for farm products, it was a matter of surprise to open the morning papers and find the following release from the Department:

> CROP LOAN RISE MAY INCREASE FOOD PRICES
>
> (By Ovid A. Martin)
>
> An increase of 10 to 20 percent in consumer prices for meats, dairy products, eggs, and poultry, and a complete revision of the Government's food-for-defense program may be expected, farm officials said yesterday, if Congress votes higher crop loans.

Here is an attempt to arouse consumer opposition to the effort to supplement the farmer's pitiful standard of living by giving him the minimum parity price for the products of his sweat and sacrifice when others are above parity.

No department of the Government has ever called attention to the effect upon the consumer when labor legislation, or coal legislation, or oil legislation, or tariff legislation, or transportation or banking legislation was before either branch of Congress. It is only when the farmer whose prices are the last to rise, the first to fall—and apparently the only prices to be pegged below parity—when the general stampede starts, that the consumer is mentioned or considered—the consumer who is himself gouging the farmer for all the traffic will bear.

This release from the Department of Agriculture at this critical time is not only unfair and unethical but wholly inaccurate.

Let us take the price of pork to the consumer, for example.

The loan rate for the 1940 corn crop was 75 percent of parity when it was announced. At the present time the parity price of corn is 82.8 cents per bushel; 75 percent of parity is 62.1 cents per bushel; and 85 percent of parity is 70.4 cents per bushel. That is, the present difference between loans at 75 percent and 85 percent of parity is 8.3 cents per bushel. When fed with the proper supplementary feeds, 9 bushels of corn will produce 100 pounds of live pork. This means that the hog farmer's production costs would be increased about 75 cents per 100 pounds if the loan rate were raised from 75 to 85 percent of parity. Boosting the loan rate from 75 to 85 percent of parity would necessitate an increase of 75 cents per hundredweight in the price at which the Government would support the hog market in Chicago. An increase in hog prices from $9 to $9.75 per hundred would mean an increase of 8.3 percent in returns to farmers. According to the Bureau of Agricultural Economics, farmers received only 57 percent of the money consumers spent at retail for pork in 1939. That is to say, 57 percent of the retail price would be increased 8.3 percent. This would mean an increase of only 4.7 percent in the total retail price of pork, instead of the 10 to 20 percent mentioned by the Department.

Boosting the loan rate for wheat from 75 percent to 85 percent of parity would increase wheat prices by 13.3 percent. The farmer gets 40 percent of the money spent at retail for flour and 15 percent of the money spent at retail for bread; therefore, a 13.3 percent increase in the farm prices of wheat would not justify more than a 5.3 percent increase in the price of flour and not more than a 2 percent increase in the price of bread, or about one-sixth of 1 cent per loaf.

This change is so inconsequential that it probably would result in no change in the retail price of bread.

Boosting the loan rate on cotton from 75 percent to 85 percent of parity would raise cotton prices about 13.4 percent. Farmers get only about 12 to 15 percent of the money spent at retail for cotton; therefore, this would not justify an increase of more than 1.6 to 1.8 percent in the price of cotton goods.

The truth is that an increase of all farm products to parity would give the consumer food at bargain prices. Compare the consumer's cost of the consum-

er's food with his income and his buying power over the last two decades:

Factory earnings and farm prices 1920–40 with comparable index numbers for price of food and cost of living

[Index numbers, August 1909–July 1914=100]

Year	Farm prices [1]	Retail price of food	Factory [2] wages, cents per hour	Cost of living
1920	211	[3]	[3] 60.6	
1921	125		[4] 52.4	
1922	132		[4] 49.4	
1923	142		54.1	
1924	143		56.2	
1925	156		56.1	
1926	145	174	56.8	178
1927	139		57.6	
1928	149		57.9	
1929	146		59.0	
1930	126		58.9	
1931	87		56.4	
1932	65		49.8	
1933	70		49.1	
1934	90		58.0	
1935	108		59.9	
1936	114		61.9	
1937	121		69.5	
1938	95		71.6	
1939	93		72.0	
1940	98		73.9	
February 1941	103	140	76.4	141

[1] Source: Page 573 of Agricultural Statistics, 1940, and current U. S. Department of Agriculture publications.
[2] National Industrial Conference Board (25 industries).
[3] Average for 7 months, June–December.
[4] Average for 6 months, July–December.

It will be noted from this table that in 1926, the year commonly taken as a criterion, the consumer was earning 56 3 cents per hour and paying an index of 145 for his food, while this year he is earning 76.4 cents per hour and paying only 103 for his food.

Let us take another table. Here is a report, one just reported, given to the press this week:

Earnings of steel workers and farm prices, 1920–41, with comparable index numbers for price of food and cost of living

Year	Farm price index numbers	Retail price of food	Average hourly earnings	Average hours worked per week	Cost of living
1920	211		70.8	63.2	
1921	125		52.2	54.1	
1922	132		50.4	58.1	
1923	142		59.6	57.7	
1924	143		63.6	51.3	
1925	156		63.3	53.6	
1926	145	174	63.6	54.4	178
1927	139		64.4	53.1	
1928	149		64.7	54.0	
1929	146		65.4	54.9	
1930	126		66.1	48.9	
1931	87		63.6	43.4	
1932	65		53.1	27.2	
1933	70		52.4	34.0	
1934	90		62.8	29.5	
1935	108		65.5	34.2	
1936	114		66.8	39.8	
1937	121		81.8	36.8	
1938	95		83.0	27.6	
1939	93		84.2	34.8	
1940	98		85.0	36.2	
1941 (April)	103	140	97.0	40.0	141

Source, 1914–1933: National Industrial Conference Board; 1934 to date: American Iron and Steel Institute.

According to this authoritative report, the steel worker who was earning 63.6 cents per hour and paying an index price of 145 for his food in 1926 is today earning 97 cents an hour and paying 103 for food.

And the retail price of food to all buyers, which was 174 to all buyers in 1926, is only 140 today. So there need be no undue apprehension on the part of the Department that an increase of 4.7 percent in the price of pork will unbalance the steel worker's budget, especially in view of the above increase of 16 percent in his wages.

Officials should take into consideration the fact that the Department of Agriculture is made for the farmers and not the farmers for the Department of Agriculture. And if the Department of Labor is in need of a few selected dictators guaranteed to look after the interest of the consumer to the exclusion of every other consideration, the American farmer could probably be prevailed upon to send over a few who have demonstrated exceptional talent in that direction in their efforts to keep the price of farm commodities below the cost of production.

Fortunately they have little control over legislation and the conference report which the distinguished gentleman from South Carolina, Chairman FULMER, reports here this morning is an effective answer to all, both in and out of official life, who have been seeking to saddle on the farmer the expense of supplying England with food while labor and industry who are sending over guns and tanks in the same ships are getting the highest wages and making the largest profits in the history of America.

It is evident from the order fixing agricultural prices at less than parity, and from the above letter, that the farmer may expect neither justice nor mercy at the hands of the Price Administration. His hogs which brought as high as $21.50 in the last war are being shipped to England at today's market of $8.45, while industrial products manufactured at a wage of 71 cents per hour in the last war are being shipped to England at today's rate of 97 cents per hour, and all other manufactured commodities at proportionate profits.

The Committees on Agriculture of the House and Senate, the most important committees in this session of Congress, and those two great agricultural leaders, Chairman FULMER, of South Carolina, and Senator BANKHEAD, of Alabama, have rendered an invaluable service by presenting this bill.

But this is temporary legislation. It is limited to 1 year. And it does not apply to hogs and other farm products. It is gratifying to know that the House Committee on Agriculture under the gentleman from South Carolina is now holding daily hearings preparatory to drafting a comprehensive bill to permanently stabilize all agricultural products at parity prices. That is all the farmer asks. He is ready and willing and anxious to contribute his share to national defense. He has never yet failed to supply food and raw materials in ample quantities for both America and her allies, and he will not fail now. He is not expecting the high prices of the last war—although labor and industry are getting more than in the last war. He will be content to work long hours, at peak production, under emergency conditions and all he asks for his labor and sacrifice is bare parity, although he pays double the parity price for many items entering into his cost of production.

Is that too much for these loyal, faithful men and women toiling laboriously, without complaint, in wind and sun and rain, from the earliest streaking of the dawn into the deepening shadows of the creeping dusk, to produce for all of us the most essential and indispensable necessity of either peace or war? Mr. Speaker, this House does not think so. And this Congress does not think so. And that is why both Houses are agreeing to this conference report by as nearly a unanimous vote as is ever granted controversial legislation of this character.

And they will be as fair with the permanent bill when it is reported from the committee. There are many who live at the expense of the farmer—the middlemen, the spinners, the warehousemen, the grain dealers, the processors, and numerous others who are always ready to conjure up obstacles.

They will tell you that you cannot solve the farm problem in Congress—that you cannot legislate prosperity. But that is exactly what Congress has been doing for years. The economic system of our fathers has been legislated out of existence. The law of supply and demand has been completely superseded by laws establishing floors and ceilings, quotas, and embargoes; guaranteeing returns on investments, limiting competition, levying tariffs, and so forth, creating supervisory agencies, and otherwise supplanting and disrupting natural economic formulas. All these arbitrary enactments legislated money into the pockets of classes and industries. They would not have been passed if they had not legislated money to favored groups—the favored groups who lobbied for them. And, of course, when they legislated money into the pockets of one group they had to legislate it out of the pockets of other groups. It had to come from somewhere, and a large part of it came out of the pockets of the farmer, with no compensating enactments to legislate it back.

But our experience with this bill proves conclusively that we can legislate money into the pockets of the farmer as well as into the pockets of any other class. The mere fact that this legislation was even contemplated affected the markets of every exchange in the Nation.

Here is the comment of the New York Times for May 1, 1941, following the first House vote on the pending bill. Although it was freely predicted at the time that the bill would never become a law, the effect on the price of cotton was immediate and convincing:

NEW YORK, May 1.—House vote on loan bill sends cotton up. Approval of FULMER'S bill inspires broad buying, with gainpushing prices to the peak for the season. List rises 16 to 20 points.

Similar gains followed the Senate action of the bill, as reported by the St. Louis Post-Dispatch the next morning following approval of the Fulmer bill by the Senate committee headed by Senator BANKHEAD:

GOVERNMENT PEGGING PLANS BOOST COTTON $3 IN WEEK

NEW YORK, May 3.—Cotton for future delivery climbed sharply in the New York

Cotton Exchange again today, closing 22 to 27 points or $1.10 to $1.35 a bale higher as legislative trends in Washington hinted a better break through higher-price pegs for the grower. Gains for the week were 67 to 74 points.

Active demand was attributed to Senate Agricultural Committee approval of an 85-percent parity loan for cotton. The Senate committee action followed House approval of a 75-percent parity loan earlier in the week.

The present loan a farmer can get from the Government against his crop, averages 9.42 cents a pound. The House would hike this to 12.20 cents. The Senate would make the rate 13.80 cents.

The Associated Press dispatches carried by the Chicago Tribune of May 4 reported:

Farm commodities rushed up to higher prices under the influence of the National Senate's Agriculture Committee's vote for 85 percent of parity loans. Most other commodities followed suit in futures markets and the Associated Press average for 35 commodities in spot sale markets, based on 1926 as 100, reached a new high since October 1937. The index was 82.03, up 0.02 from Friday.

At Chicago wheat gained from 2½ to 3⅝ cents a bushel and corn was up from ⅝ to 1⅛ cents.

Cotton in the New York futures market was $1.10 to $1.35 higher at the close after a strong opening.

The St. Louis Post-Dispatch for May 5, also stressed the effect of the progress of the pending bill on commodity prices:

COMMODITY PRICE INDEX IS HIGHEST SINCE OCTOBER 1937

NEW YORK, May 4.—Agricultural products led commodities in a strong comeback last week after the uneven performance of the preceding 7-day period.

The House and Senate vied for honors in helping out the farmer. The lower Chamber passed a bill raising loans on farm commodities to 75 percent of parity price and the Senate Agricultural Committee boosted the ante to 85 percent.

A new burst of buying in the Worth Street cotton textile market gave cotton prices additional support.

The effect of the proposed legislation was as marked in the wheat pit as on the cotton exchange. The Nashville Tennessean, for May 4, said:

LEGISLATIVE NEWS CAUSES GRAIN JUMP

CHICAGO, May 3.—Legislative news from Washington regarding the farm program had a rousing effect on the grain market today.

Reports that the Senate Agricultural Committee had voted unanimous approval of 85 percent of parity prices on Government loans on wheat, corn, cotton, tobacco, and rice, shot wheat prices up 3¾ cents on the abbreviated Saturday trading session.

Under present benefit payments, the adoption of the 85 percent of parity loans would bring farmers approximately $1.15 a bushel for wheat and 87 cents a bushel for corn on the farm. With even the prospects for such prices being established, buyers appeared in the grain pits as if by magic.

As a result, wheat closed strong.

The broad advance of prices sent all deliveries of wheat, soybeans, lard, and May corn contracts to new high levels for the season, and in some cases, even longer.

Congress can solve the long-delayed farm problem. Legislation brought about the disparity and legislation can restore parity. And the constructive program initiated by the Committee on Agriculture with the cooperation of the distinguished gentleman from Kansas [Mr. HOPE], the ranking minority member of that great commttee, one of the most useful and best beloved Members of the House, will save the farm, and in saving the farm will save the Nation.

In this program and in the enactment of legislation to implement it the Congress will have the hearty cooperation of the President. Mr. Henderson says in his letter—

The President has charged me with the responsibility of using all lawful measures to maintain equitable and workable price relationships.

But the President has not indicated approval of inequitable price relationships. Recently I submitted to the President several tables, including the following:

National income, United States, 1909–41

Year	Total national income	Nonfarm income	Farm income	Farm as percentage of total
	Million dollars	*Million dollars*	*Million dollars*	*Percent*
1909	26,415	22,070	4,345	16.4
1910	28,114	23,474	4,640	16.5
1911	28,480	24,251	4,229	14.8
1912	30,394	25,798	4,596	15.1
1913	32,133	27,560	4,573	14.2
1914	31,919	27,367	4,552	14.3
1915	33,210	28,404	4,806	14.5
1916	39,036	33,198	5,838	15.0
1917	47,385	38,482	8,903	18.8
1918	55,357	44,856	10,501	19.0
1919	60,354	48,756	11,598	19.2
1920	64,552	56,478	8,074	12.5
1921	54,210	49,883	4,327	8.0
1922	57,546	52,109	5,437	9.4
1923	66,171	59,620	6,551	9.8
1924	68,824	61,898	6,926	10.1
1925	73,278	65,852	7,426	10.1
1926	75,564	68,695	6,869	9.1
1927	76,457	69,618	6,839	8.9
1928	78,117	71,209	6,908	8.8
1929	80,372	73,542	6,830	8.5
1930	73,571	68,456	5,115	7.0
1931	62,384	59,303	3,081	4.9
1932	48,355	46,551	1,804	3.7
1933	45,771	43,174	2,597	5.7
1934	52,540	49,164	3,376	6.4
1935	57,007	52,770	4,237	7.4
1936	66,722	61,599	5,123	7.7
1937	70,753	65,282	5,471	7.7
1938	64,687	60,236	4,451	6.9
1939 [1]	68,127	63,821	4,306	6.3
1940 [2]	71,829	67,611	4,218	5.9
1941 [3]	80,350	75,700	4,650	5.8
INCLUDING GOVERNMENT PAYMENTS				
1933	45,933	43,174	2,759	6.0
1934	53,096	49,164	3,932	7.4
1935	57,590	52,770	4,820	8.4
1936	67,009	61,599	5,410	8.1
1937	71,120	65,282	5,838	8.2
1938	65,169	60,236	4,933	7.6
1939 [1]	68,934	63,821	5,113	7.4
1940 [2]	72,595	67,611	4,984	6.9
1941 [3]	81,050	75,700	5,350	6.6

[1] Revision of preliminary estimate given in table on p. 650 of 1941 agricultural appropriation hearings.
[2] Preliminary.
[3] Forecast.
Source: Bureau of Agricultural Economics.

In response, the President wrote:

THE WHITE HOUSE,
Washington, April 10, 1941.

MY DEAR MR. CANNON: The tables enclosed with your letter of March 15 I have had before me for some time. They offer striking evidence that, despite the many measures in aid of agriculture which have been undertaken and the great improvement in farm income and general agricultural conditions which have occurred in recent years, the problems of the farmer are continuing problems. We must not relax our efforts to attain further improvement. As far as practicable under conditions imposed by the national emergency, agriculture must continue to receive assistance in its efforts to attain that share of the national income to which it is rightfully entitled.

FRANKLIN D. ROOSEVELT.

[Applause.]

[Here the gavel fell.]

Mr. COLLINS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, Meridian, Miss., has a splendid example of what can be done in the way of low-rent housing projects. Meridian is my home town, and it is a progressive community with a population of 40,000 to 45,000. It has accomplished something in the field of housing of which we are justly proud.

Financed and generally supervised by the United States Housing Authority, the housing authority of the city of Meridian, which is comprised of local citizens, has constructed four low-rent housing projects. These were built for families of low incomes who were in need of suitable housing.

Of the four projects, two are for white families and two are for colored families. The two for white families contain 80 and 99 units, respectively. For the colored families, one project has 97 units, and the other has 113 units. In all there is a total of 379 dwelling units for 379 families. Three hundred and seventy-nine families are occupying decent, convenient housing facilities at a very low rent. Therefore, there are 379 happier and more contented families in Meridian.

The 2 projects for white families were constructed of concrete and brick, and the ones for colored families were constructed of reinforced concrete of a type known as the monolithic design. They are good, substantial buildings. Just as soon as the contractors finished the buildings for the whites, the units were completely occupied. The interest in these projects and the desire to occupy them is reflected in the waiting list of 75 to 100. The colored projects are filled. The 2 colored projects will provide adequate low-rent housing facilities for the Negroes. There still exists need for additional white projects in Meridian.

Considered among the show places of the city, sightseers constantly drive by these attractive housing projects. Before the projects were completed meetings were held by the United States Housing Authority to acquaint the citizens with the workings of this new housing program. Both white and colored persons spoke at various meetings until the people were acquainted fully with the projects. The projects today enjoy the practically unanimous support of the citizens.

These projects are self-liquidating and the Federal Government will not lose a cent of the money spent in my home town on housing.

This work constitutes a civic asset, in addition to raising the morale of the tenants. Many of the tenants did not know there could be such conveniences and

comforts until they moved into these apartments. They are the same conveniences in housing that many others for years have taken for granted. I do not believe there is a happier lot of people on the face of this earth than the 379 families now occupying these apartments.

To raise the standard of living always has been the American ideal. To bring adequate housing to families that formerly were denied it seems to me a marvelous example of democracy in action. Such housing projects display the community spirit working at its best.

Mr. SANDERS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I was very much impressed with the remarks of the gentleman from Missouri [Mr. CANNON].

Mr. RICH. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. I do not know whether this gentleman is going to speak on the Interior appropriation bill or not; but if he is not, this is the last speech we will have on anything but the Interior appropriation bill until we finish it.

The CHAIRMAN. The gentleman from Louisiana will proceed in order.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. SANDERS. Mr. Chairman, in connection with the farm problem, there is an issue confronting this country which should be brought to the serious attention, in my opinion, of the public primarily. According to the figures at our disposal, and in line with the remarks of the gentleman from Missouri, the farm income for 1941 will be a little in excess of 6 percent of the national income, including parity payments. A little more than 6 percent of the national income, according to these figures, will go to approximately one-third of our people.

In addition to that, we are making appropriations for defense purposes and are centralizing these expenditures in metropolitan areas. We have two problems confronting us. One is that of national defense, arming as speedily as possible to insure the safety of our country, and the other is to take care of a possible economic reaction that may follow when the defense program is concluded.

I have here some figures that I believe are of tremendous importance, and I wish to present them to the Members of the House. You will notice in the chart that I have here that of the total contracts let to date for national-defense purposes over $7,000,000,000 have been in that area between the Ohio and the Mississippi Rivers. This means that the national purchasing power is being concentrated in that area. It presents a problem of tremendous economic importance to the people; because if we continue to concentrate this purchasing power not only in one geographical area but in the metropolitan areas thereof, there follows necessarily what amounts to practically a break-down of the purchasing power in the rural areas; and, with our foreign markets gone in consequence of the turbulent world conditions obtaining today, if the rural areas or the farm element of this country lose their purchasing power, where is industry going to sell, and how will the currents of commerce and industry keep in motion?

Mr. FITZPATRICK. Will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from New York.

Mr. FITZPATRICK. How do the taxes paid in that area referred to compare with the taxes paid in other parts of the country?

Mr. SANDERS. I have not the figures.

Mr. FITZPATRICK. What is the percentage?

Mr. SANDERS. I have not the figures. I am sure the distinguished Member from New York can present the figures.

Mr. FITZPATRICK. I am asking the gentleman because he is making a comparison, and that would be the proper comparison to me, population and percentage paid in taxes to the United States Government.

Mr. SANDERS. No; that is not the only element to be considered. You must remember that the farm dollar, on account of disparity of prices, on account of tariff and freight differentials, has about a 75 percent of parity today. Farm prices are indexed at 104, but the index of prices paid by farmers is 123, whereas you have an index of labor's wages of 229.

Mr FITZPATRICK. When I ask that question the gentleman must remember that I have supported all farm legislation. I am in sympathy with it and I believe everything possible should be done for it, but I would like that other explanation.

Mr. SANDERS. The gentleman may bring that out.

Mr. CRAWFORD. Will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to congratulate the gentleman on making this demonstration here, because the very thing you are trying to get away from is that economic disease called high concentration of industry in specific spots and away from agriculture. I think the greatest tragedy we have committed since this defense program started was in further building new plants and extending old plants in industrial areas instead of putting those defense plants out in the areas where you could get a balanced agricultural and industrial operation.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

OFFICE OF THE SECRETARY

SALARIES

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, $924,570: *Provided*, That in expending appropriations or portions of appropriations, contained in this act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided*, That no part of the appropriation made available to the office of the Secretary by this section shall be used for the broadcast of radio programs designed for or calculated to influence the passage or defeat of any legislation pending before the Congress.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 2, line 5, after "Columbia" strike out "$924,570" and insert "$854,750."

Mr. RICH. Mr. Chairman, we have before us this afternoon the Interior Department appropriation bill, providing $177,000,000 for this Department. I believe this is an important measure. I have noticed during the consideration of the appropriation bills that have come before the House that in the course of the debate there would be probably 25 or 30 Members of the House on the floor. I warn the chairman of this committee that I want him to keep a hundred Members on the floor of the House this afternoon, because it is our duty to see that they are here. If the gentleman does not do that, I shall be compelled to do it.

I have offered this amendment for this purpose. We have, in the appropriation for the Office of the Secretary, for the Radio Section $19,820, and for the Division of Information $92,270. This amendment is to cut out the Radio Section and to cut down the Division of Information $50,000. This would leave the sum of $42,270 for the Division of Information. I would cut the whole business out if I had it to do, but I am afraid I could not get any votes on that side of the House if I tried to do it. I would cut it all out, because I do not believe it is worth anything to the Department of the Interior as far as the operation of the

Federal Government is concerned. I believe it is an absolute waste of money; but let that be as it may.

You are considering in the Committee on Ways and Means a tax bill to raise $3,500,000,000. The people of this country are not going to like it. To pay more taxes. I say let us stop the waste in Government first.

The Secretary of the Treasury said he wanted to cut a billion dollars off the regular appropriations of the Government. I am pointing out a way this afternoon whereby you can cut it off by the thousands of dollars at a time. You can cut off $69,820 in the first item, and it will be that much money saved from waste. I want to find out whether the Congress means that they are going to follow out the wishes that were expressed by the Secretary of the Treasury; I want to find out whether the President of the United States and the Secretary of the Treasury meant what they said, that we are going to cut down the regular expenses of Government. You are up to the test now. It is up to you. If anybody can get up here and tell us why we should continue this appropriation, then you have to use your own judgment, but we have had more propaganda, more political propaganda, on the radio, more unnecessary radio dialogs, plays, and things that do not pertain to the welfare of this country but only aid and assist in carrying on the radio programs and putting more people in the Interior Department.

Remember this: Mr. Ickes said he has increased the number of employees in the Interior Department by 226 percent. Let us economize. Let us start right here in the first item. I ask you to support this amendment.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Nebraska.

Mr. STEFAN. I want the gentleman to explain this radio station he is talking about. How has it come about? What does it cost, and what does it do?

Mr. RICH. This item is $19,820 that the Interior Department has had for broadcasting, for putting out the programs and the propaganda they put out on the radio.

Mr. STEFAN. The gentleman said they have a radio station. What kind of a radio station do they have?

Mr. RICH. They have a radio station, but this item is not for the payment for that station. This is for the wages of the men who have charge of the radio programs. One gets a large salary—I think it is $5,000, or something like that.

Mr. STEFAN. Where does he broadcast from? Where is it sent from? Where is the station located?

Mr. RICH. It is sent from the regular broadcasting stations—probably the one now located in the Interior Building, at great expense to the Government.

Mr. STEFAN. The gentleman is talking about a radio station. Where is it located?

Mr. RICH. They have a radio station in the Interior Department, but that is already constructed and paid for by the Government, at public expense. Sometimes they do their broadcasting right from the Interior Department, but they hook up with the regular broadcasting stations as well.

Mr. STEFAN. I did not know they had a radio station.

Mr. RICH. They have a radio room equipped at great cost to the taxpayers—the taxpayers paid for it.

Mr. STEFAN. Do they have a transmitting station there.

Mr. RICH. I do not believe so. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, we are not surprised that the distinguished gentleman from Pennsylvania should offer this amendment dealing with this division of information. It is the first of a series of amendments that he usually offers to this bill. He does not anticipate that it will be adopted. No doubt many other amendments to follow.

May I call attention of Members to the fact that this Interior Department appropriation bill is now reduced $6,325,270 below the estimate of the Bureau of the Budget, which is the most drastic yet made in any of the annual appropriation bills during the present session of Congress.

The particular item to which the gentleman now objects and to which the pending amendment refers, is that of the Division of Information of the Interior Department. His amendment, if adopted, would practically wipe out the entire Division of Information. If his amendment prevails, he would cut this Division in excess of 70 percent. Frankly, I cannot believe the gentleman is serious in offering such an amendment.

May I call the attention of Members on both sides of the aisle to the fact that the Department of the Interior now has one of the smallest Divisions of Information of any of the departments of Government. There are many departments of Government that have many times the amount spent for information. For instance, in the Department of Agriculture I am advised there is expended approximately $1,000,000 per annum for the Division of Information. This item is not a drop in the bucket as compared with what other departments have. I believe in all fairness the committee has pruned this item down to the very lowest possible amount with which this Department can function with any degree of efficiency.

Let me refer now specifically to the Radio Division, to which the gentleman so seriously objected. Those Members who have heard that program will, I am sure, agree that it is really educational, patriotic, and entertaining. It presents in a most interesting manner facts about our Government and of its vast and unlimited resources. This program gives much valuable information concerning the conservation of timber, of soil and water, and of all the vast resources of so vital importance to the safety and welfare of our people. The fact that the Department has received 150,000 or 175,000 letters of approval is sufficient evidence that the program is especially interesting to the public. I have three little daughters who often listen to that program, and they are not only thrilled, but always receive valuable information when they sit down by the radio and hear that splendid program. Many constituents from Oklahoma have written me that that is one of the best programs they hear. The fact that the great radio networks are willing to give this time absolutely free is sufficient evidence that it is a program well received by the public. It should be remembered that the Department is not now nor has it ever paid for time on the air for this program to which the gentleman from Pennsylvania objects. The only thing that they pay for or propose to pay for is for one or two script writers and a few clerks. So it seems that the gentleman from Pennsylvania [Mr. RICH] would make a mountain out of a molehill.

Now, to be specific, there is one salary of $3,800 involved, and a top salary to which the gentleman is objecting, of $5,200. I trust this gives Members the information desired.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. REES of Kansas. The gentleman made the statement that there was a cut here of about $6,000,000 on the total amount of the appropriations.

Mr. JOHNSON of Oklahoma. Yes; that is correct.

Mr. REES of Kansas. How does this bill compare with the appropriations carried in the bill last year?

Mr. JOHNSON of Oklahoma. It is of course a decided increase over last year, but let me call attention to the fact that there are many national-defense items carried in this bill which we did not have to provide for last year. Supplemental estimates came to our committee after the hearings started of more than $33,257,000, practically all of which were for national defense. Now if the gentleman desires to eliminate such national-defense items he is of course at liberty to do so by going on record against them at this time, but I predict that he will not do so.

Mr. REES of Kansas. But I want the gentleman to answer the question.

Mr. JOHNSON of Oklahoma. I will be glad to give my friend the exact figures, for which I certainly have no apology.

Mr. REES of Kansas. I would like to know the difference in the amounts between the two bills of this year and last year. How many million dollars more are carried in this bill than was carried a year ago?

Mr. JOHNSON of Oklahoma. This bill is $21,469,000 over this bill of last year, but practically all of that increase is to provide for power which is so urgently needed for national defense, which the gentleman I am sure does not want to eliminate.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. TABER. Mr. Chairman, I move to strike out the last word. A couple of weeks ago the Secretary of the Treasury suggested that we might practice economy in things that do not relate to the national defense. This is a good time to begin. A certain gentleman named David

Shannon Allen is the director of the radio section of this outfit. He is paid $5,200 a year. Among his duties—and this letter comes to Mr. Shield, the clerk of the Committee on Appropriations, from Mr. Burlew, the First Assistant Secretary of the Interior—we find the following:

The major part of his duties is to consult with and advise and recommend to the Director of Information concerning all matters involving radio technique, standards, dramatization, music, radio speeches, etc., and to cooperate with other departments and agencies of the Government in connection with the use of broadcasting facilities and equipment.

Is it not about time that we took our responsibility seriously and had courage enough to say that these fellows who are on the pay roll over here in the departments, who are performing no useful service, shall be taken off those pay rolls? How can we go back home to our people and say to them that we voted to carry along a lot of propaganda artists, who perform no useful function whatever? It seems to me that there ought to be a unanimous vote in this Committee to get down to business and be honest with the American people and quit these performances. I have listened to some of these programs, and they are disgusting and revolting, and there is no sense in our going on and fooling away the people's money in this manner.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr SHEPPARD. Does the gentleman recall having read the statement made before the Committee—and I assume he had from what he has already said—that there are 136,000 requests from his constituents and mine for this type of program?

Mr. TABER. If there are 136,000 American people out of 130,000,000 who are for it, that would be just about what I would expect. I do not think that I want to be fooled by any silly 136,000 out of 130,000,000 people. That speaks pretty well for the majority of the American people, and I think we ought to pay attention to the majority.

Mr. JENKINS of Ohio rose.

Mr TABER. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. There is absolutely no question but that the two great issues outside of war in this country are issues surrounding this new tax bill. Every man, or practically every man, who comes before the Ways and Means Committee insists that Congress has to cut out unnecessary expenditures. If we do not do that, we are going to be criticized to the limit. I think the gentleman is right. You cannot start at any better time than right now.

Mr. TABER. This is the time to begin. This is the first opportunity we have had since Mr. Morgenthau made his statement. Let us do it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 44, noes 73.

Mr. RICH. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. RICH and Mr. JOHNSON of Oklahoma to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 73, noes 79.

So the amendment was rejected.

The Clerk read, as follows:

GRAZING SERVICE

For carrying out the provisions of the act entitled "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), and as amended by the acts of June 26, 1936 (49 Stat. 1976), and July 14, 1939 (53 Stat. 1002), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, traveling and other necessary expenses, not to exceed $25,000 for the detection, prevention, and suppression of fires on lands within grazing districts, not to exceed $120,500 for personal services in the District of Columbia, and not to exceed $30,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, $740,000; for payment of a salary of $5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockman, $600,000; in all, $800,000.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 5, line 8, strike out "$800,000" and insert "$750,000."

Mr. RICH. Mr. Chairman, we got licked by a few votes on the first amendment. I thought, after the statement made by the administration that they were going to cut down the regular appropriations, that we would probably be able to do it. But I am fearful of the results. However, I still offer this amendment to cut this amount for the Grazing Service from $800,000 down to $750,000. Seven hundred and fifty thousand dollars is the same amount that we had for this service last year. Here is what they want to do with the extra $50,000: They want to put on three additional grazers for $7,800; four principal clerks at $9,200; three grazing agents at $5,580; three assistant clerks, $4,860; expenses, miscellaneous, for these boys to travel around, $21,510. Almost half of it is for miscellaneous.

If there is anything in this item for national defense, then God forbid. You will find this afternoon that they are going to dwell on the fact that everything in this bill is for national defense. You men who have been working for agriculture know that there is a farm agent in every county in the United States. You know we are doing everything we can for agriculture, or at least we are trying to. Now, in addition to all the men we have now on the Government pay roll to look after the grazing interests, they want to put on these additional employees, when probably they will be needed in some industry or probably needed in agriculture or somewhere else, rather than to go around and look over this grazing land. If we could handle that situation last year with the employees now on the rolls, do you not think we ought to curb it now instead of increasing it?

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. RICH. I yield.

Mr. JENKINS of Ohio. Was there anything in the evidence in the hearings indicating why they wanted to have this additional personnel?

Mr. RICH. They wanted to have more men on the pay roll, to increase the number of employees. They say that the expanse of territory is too great for the number now on the pay roll. They have large areas of ground; but we got through with it last year, and there is no reason under heaven why it should be expanded this year, unless it is to create more political jobs.

Mr. JENKINS of Ohio. Is there any single factor in this computation that would justify this increase?

Mr. RICH. As far as I am concerned, I say no.

Mr. LEAVY. Will the gentleman yield?

Mr. RICH. Yes; I yield.

Mr. LEAVY. In order that we may answer the question propounded by the gentleman from Ohio, as a matter of fact, 12,000,000 acres of land have been added under the Taylor Grazing Act in the last year, all of which requires care and policing. The revenues collected in the last year are $200,000 in excess of the operating expenses.

Mr. RICH. Oh, I do not yield any further, Mr. Chairman.

Mr. LEAVY. I was just answering the question that was asked by the gentleman from Ohio [Mr. JENKINS].

Mr. RICH. I want to get at some facts. It is a racket to get the Government to look after all grazing land and pay the expenses. When these western boys get up here and talk, they can see gold coming out of everything we are doing out there, but I can see the Treasury getting empty on everything we do out there for them. I think it is time that we got down to some real facts. It is not necessary to go to this expense. They cannot justify it.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. SMITH of Ohio. What is the amount of this appropriation as compared with the appropriation made last year for the same Department?

Mr. RICH. Twenty-one million five hundred thousand dollars more this year than last year, yet we say we are going to cut down the expense of operating the routine departments of government. When they speak about cutting down below what the Budget officer thinks we should have, let me tell you that the Budget officer sent in new Budget estimates for over $33,000,000 since the 1st of January, after this bill had been brought to the floor. It is no trick at all to go down to the Budget office and get an increase, providing you are a faithful new dealer. That is only camouflage for

good behavior on the part of good Democrats to eat out of the hand of the administration. It is a shame that you have to stoop so low as to do a thing like that.

I ask you to vote for this amendment.

[Here the gavel fell.]

Mr. TAYLOR. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let me call the attention of the House to the fact that never before 1934 was there any protection or control whatever over the use of about 150,000,000 acres of the public domain in 10 of the Western States. For 75 years there had been terrific fights, murders, and perennial wars between 20,000 cattle and sheep men, owners of millions of head of cattle and sheep, over the grazing rights on that public land. The land had become badly overgrazed, eroded, and much of it practically ruined and worthless. For 10 years some of us western Members had been trying to bring about some system and orderly regulation and use of that public domain that was outside of the forest reserves. Finally we succeeded and passed the bill I had introduced at that session of Congress and the President signed it on June 28, 1934. It has ever since been referred to as "the Taylor Grazing Act." It has been and is a wonderful success. It has absolutely regulated and controlled the orderly use of all that public domain and stopped overgrazing and has already quite largely restored much of that barren land. Grass is growing today where there were formerly duststorms. All those horrible cattle and sheep wars are a memory of the past. The law has stabilized the livestock industry throughout that vast western domain. There is no way of estimating the widespread benefits of that law.

It has become and is looked upon and has been often called the Magna Carta of the conservation of the West, and practically all the cattle and sheep men are now in favor of it.

The Government at the present time has some 90 or more C. C. C. camps working on that area, preparing suitable watering places for the stock and improving range in many ways, exterminating wild animals, cutting out poisonous weeds, putting in drift fences and many other improvements, and doing a great service to our country. There is no more useful service or meritorious item in this whole bill than this provision, because it renders a great service to our country. I feel, as does the gentleman from Pennsylvania, that wherever we can we should reduce appropriations and this committee does do a great job of reducing all the time where it is reasonably possible. We cut under the Budget all the time. We cut under the estimates of the President and the Bureau of the Budget in this bill over $6,000,000.

In view of the fact that hundreds of thousands of acres have been added to the Grazing Service, recently, I know this appropriation is eminently fair, just, and necessary.

I hope the amendment offered by the gentleman from Pennsylvania will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The Clerk read as follows:

PETROLEUM CONSERVATION DIVISION

Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the act approved February 22, 1935 (49 Stat. 30), entitled "An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes," as amended, and to include necessary personal services in the District of Columbia (not to exceed $44,500), traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed $3,100 for printing and binding, not to exceed $600 for books, newspapers, and periodicals, and not to exceed $14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, $240,000.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in connection with the petroleum conservation item I just want to let the Members know that at the present time we are shipping 50,000 barrels of oil a day to Japan and have been shipping 15,000,000 gallons of gasoline a day to Japan. We are shipping 4,500 barrels of machine oil a day to Japan.

It may not be in the interest of petroleum conservation to limit the amount we ship to certain foreign countries at the present time in order to get the almighty dollar, but it may be immensely in the interest of this country. It may mean something infinitely worse than the loss on the commercial transaction.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. RANKIN of Mississippi. The gentleman says, "We are shipping oil to Japan, we are shipping gasoline to Japan." Who is "we"?

Mr. RICH. We are, the Congress of the United States, the administration. I am one of them because I am a Member of the House; but I am opposed to it under every condition that we can lay down now for the protection and safety of American lives, American men and women, and the integrity of our country.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. ROBSION of Kentucky. In the month of April, according to reports, we sent 1,350,000 gallons of gasoline to Japan. The Japanese cannot operate their fleet of airplanes except as they get American gas. We are sending them 90 percent of their gas requirements.

Mr. RICH. I realize that, and that is the reason I say we should stop it. We all know that the Secretary of State has the power to stop it if he would. But what are you fellows going to do about it? I tried to get a vote favorable to the saving of a few thousand dollars, but I could not. What are you going to do about this oil question? I am telling you something that means much for our own national defense. What are you going to do? I ask you; you are one of the administration leaders.

Mr. RANKIN of Mississippi. I would like to answer the gentleman if he would let me.

Mr. RICH. The gentleman is one of the administration leaders. I would like to know what the gentleman proposes to do in the matter of stopping such shipments. Is he going to let them go ahead? It is an important thing today that needs careful consideration.

[Here the gavel fell.]

OIL—TEAPOT DOME

Mr. RANKIN of Mississippi. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, let me say to the gentleman from Pennsylvania [Mr. RICH] that I have fought against selling the oil supply of the United States long before he came to Congress. I fought against the attempt to steal Teapot Dome. When he says that "we are shipping oil to Japan," why did he not say the Standard Oil and other large oil companies? Why did he not say these big oil companies that are planning to get us into a foreign war are supplying the oil and gasoline to Japan with which to destroy China?

Mr. RICH. Will the gentleman yield?

Mr. RANKIN of Mississippi. For a question.

Mr. RICH. The reason I said "we" is because it says here "Petroleum Conservation Division." That is in the bill.

Mr. RANKIN of Mississippi. When the gentleman said "we" why did he not say instead the great selfish oil interests that are owned by Wall Street, the interests which financed the nomination of Wendell Willkie for President, and financed his campaign for the Presidency? Why did he not say they are the ones that are furnishing this oil to Japan with which to destroy China? They are the ones that are furnishing the oil and gasoline to Japan to be shipped through Russia to Germany with which to fight the democracies of western Europe.

We hear of these big interests demanding that the American people get behind them and do so-and-so, when, if they would manifest their patriotism, when, if they would put a stop to supplying the sinews of war to Russia, Japan, and Germany, it might help to bring about the peace of the world.

"We" are not shipping this oil to Japan. Let it be known now that it is the big oil companies that are owned by Wall Street and by the same money powers that nominated Wendell Willkie as their candidate for the Presidency.

Mr. TABER. Will the gentleman yield?

Mr. RANKIN of Mississippi. For a question.

Mr. TABER. Does not the gentleman think it is about time that he began to use his great influence with this administration to get it to take action to stop such performance?

Mr. RANKIN of Mississippi. I have been protesting against it all along. But how are you going to stop it?

Mr. TABER. By export licenses.

Mr. RANKIN of Mississippi. Yes; I will do that, but I do not want to hear the gentleman from Pennsylvania [Mr. RICH] say that "we" are doing this. Let it be understood that the same interests

that got rich out of the last war, that made millionaires out of dollar-a-year men—I repeat—let it be understood that these same big interests, some of whose names I put in the RECORD yesterday, one of them drawing a salary more than nine times the salary of the President of the United States, are the ones who agitate and keep up this struggle that is destroying humanity. They are the ones supplying the sinews of war to Japan and to Russia, and they supply them to Germany and Italy.

Mr. O'CONNOR. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Montana.

Mr. O'CONNOR. I noticed in the press recently where Mr. Rockefeller came out for convoys.

Mr. RANKIN of Mississippi. John D. Rockefeller gave money to the League of Nations with which to build a building to hold their sessions in. Then when Bolivia, in order to drive through Paraguay to get that oil from Bolivia to the Atlantic Ocean, went to the League, the League of Nations condemned Paraguay as the aggressor, and that is what disgusted the Christian people of the world with the League of Nations as it was then operating.

They want a supergovernment; and watch out for this "Union Now" movement. Do not misunderstand it. This is to put over a supergovernment so that these predatory interests, when this war is over, may continue the exact their pound of flesh from the hearts of the toiling masses of the world.

I am willing to help you stop this, but I do not want you to accuse this administration of sending oil to Japan when, as a matter of fact, it is being done by the big oil interests that are now demanding that we protect them all over the world.

It has not been but about 6 weeks since this Standard Oil Co. all but demanded that we go to war with Italy for bombing some of its tanks in the Persian Gulf, and the same day it came out that this same outfit was furnishing Japan with 40 percent of the oil and gasoline with which Japan was fighting China.

Mr. RICH. Will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman.

Mr. RICH. The reason I brought this up this afternoon is because I want some of the gentlemen to stop it. I will do anything I can to stop it, and I want a little bit of help. I hope I have stirred up the gentleman from Mississippi so that he will get out and stop the Standard Oil Co., or any other oil company from doing it.

Mr. RANKIN of Mississippi. I have been in this fight ever since they attempted to steal Teapot Dome by bribing a Cabinet officer in the Harding administration. I was trying to stop it then and I am trying to stop it now. [Applause.]

[Here the gavel fell.]

Mr. REES of Kansas. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, it seems to me that since we have practically agreed on both sides of the aisle that shipment of gasoline and oil to Japan should be stopped, then we should take some action on it immediately. I agree with the gentleman from Mississippi. It ought to be stopped. I am sure the gentleman is sincere in his efforts, but I hardly think we want to arrive at the same conclusion to which he appears to arrive, namely, that the Standard Oil Co., and other big oil corporations, are controlling the present administration.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. REES of Kansas. In just a moment. Here is the picture that he draws, as I see it. He says that he is trying his very best to prevent this thing, and, by the way, I have written to Secretary Hull along the same lines, but I got no action. Now he comes out on the floor and says it is the great big Standard Oil Co., and these other big oil companies, that are doing this thing. For goodness' sake, if that is the case, let us find out whether or not these big oil companies he talks about, these big, gigantic concerns which operate in New York City, are doing it. He talks about the control of Willkie. Willkie is out of the picture, so far as running this Government is concerned. Let us leave that out of the discussion. Let us talk about these things as they are this afternoon, and take the statement of the gentleman from Mississippi, that there are a million and a half barrels of petroleum products going to Japan every month and that Japan could not put her airplanes in the air if it were not for the gas she is getting from the United States of America.

If that is true, and that statement has been made on both sides of the aisle, then why in the world are we going to continue the export of oil and petroleum products? If the Standard Oil Co. or any other concern of that kind is controlling the administration in this respect, let us find it out, and let us do it now. Furthermore, if we agree on both sides of the aisle it is the wrong thing to do to continue these big shipments of oil and gas, we have some kind of an export organization—I believe it is called the Export Control Board—that has the power and authority to do that very thing. If that Board does not want to use its authority, let us pass legislation that will do it.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. Certainly; I am glad to yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from Kansas is the one who is making the mistake if he understood me to say that the Standard Oil Co. was controlling this administration. But I did say that these big oil companies are supplying oil and gasoline to Japan, and, incidentally, supplying it to Germany and Italy through Russia.

Mr. REES of Kansas. All right; but the gentleman also said, I think, that this administration does have the power and authority to prevent that thing. I would like to know whether he thinks it does or does not. If he does not think so, does he think we ought to enact some measure to do that?

Mr. RANKIN of Mississippi. I think the Congress of the United States has the power, and I am in favor of doing it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman from Mississippi said we have the power to control it. That is the reason I said we should get busy.

Mr. REES of Kansas. I think this responsibility ought to be assumed by somebody somewhere along the line. If the administration does not want to act, then Congress should do it.

Mr. RANKIN of Mississippi. I agree with the gentleman from Kansas; we ought to stop it.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Ohio.

Mr. BENDER. Is it not a fact there has been a war going on between China and Japan for many years, while this administration has been in power, and at any time they could have stopped the shipment of anything to either country if they had chosen to recognize the existence of that war?

Mr. REES of Kansas. I have been given to understand that they had that power and that authority.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Texas.

Mr. POAGE. The gentleman suggested that this administration has the power to stop the exportation of anything to either country if they would recognize the existence of a war between Japan and China, but is it not a fact that under the law this Congress passed it would have been necessary to stop such exportation to both of the nations, and it has been the policy of this Government not to stop it to China? I do not think it ought to be stopped to China.

Mr. REES of Kansas. I am sure the gentleman would not want to go on record as in favor of exporting gasoline to Japan. It is admitted on the floor of the House that Japan could not fly her airplanes in this war without gasoline from the United States.

Mr. POAGE. We ought to stop the shipment to Japan but not to both of them.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Is it not true that not a single barrel of gasoline could be exported to any foreign country until the exporting company first obtained a license from the Secretary of State and the right to export that gasoline?

Mr. REES of Kansas. I understand we have what is called an Export Control Board that is supposed to be functioning and looking after that situation. If it is not performing its duty, let us go back to the statement of the gentleman from Pennsylvania and "let's we" get at this problem and get something done about it, and do it now. [Applause.]

[Here the gavel fell.]

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I should like to ask the gentleman if it is not the policy of this administration on some of our products to stop exports. They have stopped exports of corn and cotton ever since 1935, as a part of our policy of encirclement of the Axis Powers. We have not shipped a bit of cotton or corn to those countries. That is the reason Brazil was able to get our German cotton market. Why cannot the same policy be applied to manufactured goods and oil?

Mr. REES of Kansas. I believe the gentlewoman will just have to ask the administration.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I take this time for this purpose: Within a few days, I understand, the House will have to consider voting on a bill which is to come from the Committee on Military Affairs to extend the control over exports from the Philippine Islands to Germany, Russia, and Japan. I simply want to impose upon the House to keep you from getting your minds too closely concentrated only on this thought of exports of oil because over in the Philippines there is a large quantity of vegetable oils and other products which are very vital to the carrying on of war, and, to my certain knowledge, long ago the President of the Philippine Commonwealth, to his credit, has been offering his services and those of his Commonwealth to the President of the United States to stop such exports, but we, the administration, and we, the Congress, have played around here, and Mr. Willkie and Mr. Hoover did not have anything in the world to do about it. The responsibility is exactly on our doorstep. It will remain there until we stop these exports of all materials essential to carrying on war which move from the United States to the Axis Powers, and God knows plenty of them are moving today.

I get so disgusted with our talk about supporting convoys, for instance, when the highest administration officials of the Government know very well that those goods are moving in tens of thousands of tons, and the gentleman from Mississippi knows it just as well as the rest of us.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. I may say to the gentleman from Michigan that the nearest we have come recently to getting into trouble in Japan, or in the Orient, was when one of our naval vessels, the *Panay*, was convoying a Standard Oil vessel into a war zone of this very war that is going on now.

Mr. CRAWFORD. That may be true. This happens to be a war of oil and iron. The *Panay* incident was long before the lease-lend program.

Mr. RANKIN of Mississippi. And that was, too, and it is the same war.

Mr. CRAWFORD. And as a general rule, some big commodity enters into it, and, of course, the administration is influenced by oil people. There is no question about that in my mind, and there is no room for the people to be confused about it. The big industries always influence both Democratic and Republican administrations, and we all know that, so there is no way we can remove the responsibility from the party in power, it does not make any difference what party that is, and in due course this party now in power will have to assume the responsibility for the errors it is now making.

Mr. COFFEE of Washington. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. Yes.

Mr. COFFEE of Washington. I just wanted to call the attention of the Committee to the fact that the Dutch East Indies have just entered into an agreement with Japan to supply Japan with 925,000 tons of oil during the next 6 months, and during the next year 1,800,000 tons of oil, or four and a half times the entire amount of oil sold to Japan by the Dutch East Indies in the preceding year.

Mr. CRAWFORD. That is a further illustration of what I have just said.

Mr. RANKIN of Mississippi. I would like to know when that agreement was made.

Mr. COFFEE of Washington. Mr. Chairman, with the gentleman's permission, I will answer that.

Mr. CRAWFORD. I yield.

Mr. COFFEE of Washington. I have a report here from the Chicago Journal of Commerce of May 10, 1941, in which they quote a London dispatch as follows:

LONDON, May 9.—Authoritative quarters told the United Press here today that the Netherland East Indies has agreed to supply Japan with 925,000 tons of oil during the next 6 months.

The agreement, according to these informants, was signed in Batavia by Dutch Director of Economic Affairs Van Mook and Kenkichi Yoshizawa, former Japanese Foreign Minister and head of the Japanese trade and diplomatic mission now in the East Indies.

It was understood that high-octane gasoline was not included in the agreement, although a small amount of petroleum suitable for lower-grade aviation gasoline will be delivered.

Unofficially it was reported that Japan had been seeking delivery of 3,000,000 tons of gasoline annually from the Netherland East Indies.

If the gentleman will permit, there is one further observation I would like to make, and that is that during November 1940 the United States Government gave export licenses for the sale of high octane gasoline to Japan in an amount exceeding twice over the entire amount of high octane gasoline sold to Japan during the preceding year.

Mr. CRAWFORD. And Japan is one of the Axis Powers, and we are keeping our Pacific Fleet, except a few patrol boats, over there now in putting up a sham that we want to keep Japan out of the Dutch East Indies, and we know very well that this type of operation is going on.

Mr. COFFEE of Washington. We are told that we are not selling high octane gasoline, when, as a matter of fact, we actually license the sale of high octane gas to Japan three and a half times as much as before.

Mr. CRAWFORD. That was Dutch East Indies and not Standard Oil.

STATEMENT OF THE HONORABLE J. M. ELIZALDE, RESIDENT COMMISSIONER OF THE PHILIPPINES TO THE UNITED STATES, ON S. J. RES. 76 BEFORE THE SENATE MILITARY AFFAIRS COMMITTEE

Mr. Chairman and members of the committee, I appear before this committee to express the unqualified support of the Commonwealth government for this legislation which would control the exports from the Philippines of materials necessary for national defense.

The members of this committee who are familiar with the economics of the Philippines can easily visualize the problems that are bound to result from the passage of a law aimed at the control and, in some cases, the limitation of the outward flow of our main products. The main objective of the economic provisions of the independence law was to stabilize our export trade by easing us out from complete dependence on the American market. In line with this purpose, we have been endeavoring to channel our exports to new markets. But, just as some progress was being made in this program, unfortunate world events have thwarted our plans. Today, having lost the bulk of our European markets, we find ourselves dependent partly on trade in the Pacific area, but still leaning very heavily for our income on the United States, a market which is gradually being closed to us by statute.

But in spite of the prospects of a precarious economy, I can say with great pride that it was the President of the Philippines who initiated the official action toward the control of Philippine exports. In a cable to Secretary of the Interior Harold L. Ickes, under date of March 11, he made the following commitment in behalf of his administration:

"If serious consideration is really being given to this matter the Philippine Government will be pleased to cooperate in any plan that might be deemed in the best interest of both the United States and the Philippines and will be prepared to work out an export control system in conformity with any arrangement desired by the United States."

Previously I had been instructed to assure Federal officials of the unstinted support of the Commonwealth to any plan of export control that might be consistent with the defense plans of the United States.

Because of the nature of an export control plan, carrying with it, as it does, international implications, guidance, and direction were sought from the Department of State, through Assistant Secretary Dean G. Acheson, from the Department of the Interior, and from the Administrator of Export Control, General Maxwell. We then prepared this legislation upon which we all agreed in conference. That legislation is now before the committee at the request of the Secretary of War.

The Philippines today export products of great importance for national defense. Manila hemp, which is converted into Manila rope, and which is an essential requirement for all Navy and merchant marine vessels, is a monopoly of the Philippines. We are also large producers of copra, coconut oil, base metals, Philippine mahogany, another important material for ship construction, and many other products of great importance. The limitation or curtailment of any of these exports involves the loss of present and future markets, with the consequent dislocation of the economy of the country.

But in spite of all these facts I wish to recall before this committee the repeated expressions by the President of the Philippines, pledging full support to the United States national-defense program. We feel

that in the present world struggle of spiritual values, our side is unalterably with the United States. Consequently, with the utmost pride and satisfaction we pledge our support to the noble cause, and to this important legislation.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have not objected to this very interesting discussion which, of course, has been out of order. This rather extended discussion does concern a very important matter which Congress may sooner or later be called upon for drastic legislation and regulations. May I add that I am sympathetic to the suggestions that oil, gas, and other supplies, including pig iron and many other valuable materials should not be furnished Japan to use against China, or later possibly against the United States, but may I call your attention to the fact that the Petroleum Division of the Department of the Interior has no connection whatever with the subject matter of this discussion. The Petroleum Division is simply administering the Connally Hot Oil Act, and it is doing a mighty good job of it. This item was cut by our committee from $255,000 to $240,000, which we feel is a pretty drastic reduction considering the increased activities in this Division.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read:

The Clerk read as follows:

BITUMINOUS COAL DIVISION

Salaries and expenses: For all necessary expenditures of the Bituminous Coal Division in carrying out the purposes of the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), as amended by the act of April 11, 1941 (Public, No. 34), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Secretary of the Interior, are necessary for the efficient discharge of the responsibilities of the Division; contract stenographic-reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed $3,250 for purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including one for use in the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary; and not to exceed $1,800 for purchase and exchange of newspapers, lawbooks, reference books, and periodicals, $3,029,000.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 7, line 16, after the word "periodicals", strike out "$3,029,000" and insert "$2,687,000."

Mr. RICH. Mr. Chairman, all I want to say to the committee at this point is this: $2,287,000 is the amount they had last year for the operation of the Bituminous Coal Commission. With coal in demand as it is under the defense program, there is no use tacking onto the operators any greater expense than is necessary. I realize that this money comes from the operators, but ultimately the consumers of this country pay the bill. There is no use letting the Bituminous Coal Commission increase its operations and increase the number of employees under present-day conditions, because they spent over $11,000,000 in 5 years under the Guffey Coal Act, and all they did was furnish the price of coal in the various districts. I will admit that the Bituminous Coal Commission is being operated today much more efficiently and with less friction than it was 5 years ago when they had a seven-man board. I prefer it as it is now. But we can cut this down to $2,687,000, and the Bituminous Coal Commission will be better off, the people will be better off, and it is a small saving. Will you accept it?

[Here the gavel fell.]

Mr JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

I was much pleased to have my distinguished friend, the ranking minority member on the committee, make the statement that the Coal Commission is now functioning better than it did under the old set-up. I heartily concur in that statement. There is no question but what there was considerable confusion under the old seven-man set-up. Under the present set-up, however, the testimony before the committee was to the effect that the work of the Coal Division has increased very greatly. Yet the appropriations have been reduced considerably, and we were convinced that they are doing an efficient and economical job. For example, at this time the Coal Division has a backlog of 858 cases in connection with compliance work. Every one of these compliance cases must be tried. This is an entirely new activity and those cases add considerably of course to the work of the Coal Division. In spite of that, your committee cut this appropriation drastically. The committee accepted the figures as presented and suggested by a minority member of the committee and cut the appropriation $221,000. Frankly I am surprised and somewhat chagrined that an amendment should be offered now to further reduce the appropriation.

In my opening statement to this committee several days ago I strongly indicated that in my judgment this particular division was cut entirely too drastically. I feel that way about it today, but the committee agreed to go along with that drastic cut in order to effect a savings. I do not hesitate to predict that when the bill gets to the other end of the Capitol a portion at least of the cut will likely be restored. Certainly the appropriation should not be cut any further.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 51, noes 61.

Mr. RICH. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Oklahoma and Mr. RICH to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 66, noes 79.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment by Mr. DIRKSEN: On page 7, line 16, strike out the period, insert a comma and the following: "Provided, not to exceed $500,000 of this sum shall be expended in the District of Columbia for personal services."

Mr. DIRKSEN. Mr. Chairman, in the sum of $3,029,000 for the Bituminous Coal Commission is the sum of $1,550,000 for personal services. There will be $1,550,000 worth of people on the pay roll of the Bituminous Coal Commission in the fiscal year 1942. That means they will have 1,149 people employed, and of that number 715 will be in Washington. Sixty-two out of every 100 people employed by the Bituminous Coal Commission will be on the pay roll in the District of Columbia. Their business is to conduct hearings. Their business is to look after coal and marketing studies. Their business is to develop accounting statistics and that sort of thing, the kind of thing that can be done in Pittsburgh; the kind of thing that can be done in Wheeling, W. Va.; the kind of thing that can be done in Chicago and in Springfield; the kind of thing that can be done up in Erie or in Scranton. It can be done in a hundred places, yet, notwithstanding that fact, 62 out of every 100 people in the employ of the Coal Commission will be on duty in Washington, D. C. The result is that they have to spend $280,000 for travel back and forth. They have to spend $29,000 for telegrams and communications. They spend $170,000 for rent in and out of the District of Columbia. That is the compound of that appropriation. Now, do you want to stop it? All right. Vote for that amendment. That amendment says that not over $500,000 out of that appropriation, which is one-third of the entire amount available for personal services, shall be expended here in Washington.

They will have plenty of time in which to make an adjustment. They can operate here for the next few months, while they are finding quarters in Pittsburgh, Wheeling, Detroit, Chicago, Scranton, or some other place. There will be plenty of time for them to do it. Your constituents might get a little something of benefit. And, finally, since all this money comes out of the consumer in the form of a tax on the coal that is burned, let us give back a little to the people. Let them use one-third here in the District of Columbia but two-thirds in all the rest of the United States, wherever they may set up their offices.

This amendment puts a limitation of $500,000 on the amount which can be spent for pay-roll purposes in the District of Columbia. If you want to stop this confusion, this congestion; if you want to cut down travel and telegraphic expense; if you want to start decentralizing some of these nondefense agencies, this is the time to do it. So I suggest that you vote for this amendment.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VAN ZANDT. Is it not true that an operator who is called to Washington at the present time must come at his own expense?

Mr. DIRKSEN. Not only that but he can scarcely find any hotel accommodations when he gets here. At the present time a lot of them are having to stay in Baltimore and commute back and forth. There is but one way we can remedy it, and that is to cease appropriating; to limit the pay roll that can be used in these nondefense activities in the District of Columbia. This amendment does not cripple them. They are amply able to establish a proper skeleton staff in the District of Columbia, but it gives the rest of the country a break. So I suggest that you vote for the amendment now pending.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would not charge that there have been amendments to cut appropriations offered to this bill for the mere sake of offering them. I would not charge that this House is dividing along partisan lines upon these various proposals to cut the items in this bill. The vote in two or three instances this afternoon, unfortunately, would seem to indicate that the division is along party lines.

The Interior appropriation bill covers the whole of the United States.

Mr. TABER and Mr. DITTER rose.

Mr. LEAVY. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Was the last observation of the gentleman intended apologetically so far as the solidarity of the Democratic group goes in supporting the spending program?

Mr. LEAVY. No; I am not making an apology; I am merely stating the facts.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I cannot yield further.

Members on the Republican side of this House are just as deeply interested and concerned in this piece of legislation that appropriates for hundreds of activities throughout America as are Members on the Democratic side of the House, and I trust this bill will not be attacked merely for the sake of making an attack. Now, let us go to the principle of the amendment that was offered.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. After I make my statement if I have time I will yield.

We are asked by this amendment to do what? To cut $500,000 off the allowances for this agency for expenditure in the District of Columbia. In other words we are asked to cut this item half in two insofar as it effects the activities here in Washington. If the agency is needed at all this would wreck it.

I grant that there may be differences of opinion as to the wisdom of this type of legislation, but that is not for consideration here. Congress enacted the Guffey Coal Act and reenacted it recently, and under its provisions we are collecting from the American public for its administration for the next fiscal year a sum estimated at $4,500,000. The committee allowed $3,000,000.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I cannot yield now. We made a cut. We heard evidence for a long period of time. We gave this matter serious consideration and then we decided upon this figure. Does the Membership of this House want to assume responsibility without any evidence whatever, just merely making a blanket cut of 50 percent for a great activity? We may not agree that it was wise to begin it, but this amendment would cripple it so that it could not function at all.

Mr. DIRKSEN. The gentleman is not talking about my amendment, surely.

Mr. LEAVY. Yes.

Mr. DIRKSEN. My amendment does not cut the whole amount 1 penny, does not disturb the total at all.

Mr. LEAVY. I probably misunderstood the amendment.

Mr. DIRKSEN. The amendment does not cut a dollar off the appropriation.

Mr. LEAVY. It cuts $500,000 of the money to be spent in the District of Columbia.

Mr. DIRKSEN. It only limits the amount that can be spent here, but it does not disturb the appropriation. does not cut a penny from the appropriation.

Mr. LEAVY. If that is the position of the gentleman, then it seems that he would cripple the agency in a central functioning place so that it could not work in the field, and that would be just as bad as cutting $500,000 directly from the appropriation.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. FITZPATRICK. If we cut this $500,000 it means that the agency must go into the field, and it will cost more money, with the result that the agency will come in for a deficiency. There is no economy in the amendment offered.

Mr. LEAVY. None whatever, and the amendment should be defeated. I trust the membership will only approach this matter absolutely free from anything that would even remotely indicate a partisan bias.

[Here the gavel fell.]

Mr. DINGELL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not intended to discuss the so-called Dirksen amendment, but I feel constrained to do so. I want to compliment the gentleman from Illinois [Mr. DIRKSEN], for I think he is very adept in parliamentary maneuver and extremely able at playing the game of the minority in attempting, as in this instance, to sabotage the Bituminous Coal Act. It is a sort of worn-out trick, however, and we are all aware of the fact that it is not intended for any other purpose than to cripple the Bituminous Coal Division by way of a reduction or placing a limitation on an appropriation bill.

Mr. DIRKSEN. Will the gentleman yield?

Mr. DINGELL. Not at this time. The fact of the matter is that we on the Ways and Means Committee who have basic jurisdiction over the bituminous coal legislation, did not take any such action as that proposed by the gentleman from Illinois, and we are thoroughly familiar with the problems of the Bituminous Coal Division. There is nothing original about the idea or anything of value. On the contrary, it is worthless and detrimental and might prove costly. I will say frankly I would personally resent any such attempt as that proposed here to be undertaken on the part of the Committee on Appropriations.

The functions of the Bituminous Coal Division are extremely complex and these must primarily be centered in one place. I would have no objection to transferring in their entirety the offices and the functions of the Bituminous Coal Division to some central location outside of Washington but I am definitely positively, and uncompromisingly opposed to dividing its functions and separating the personnel and offices, and placing such other crippling limitations upon this important governmental agency. It just does not make any sense to me. It is unfair and spiteful. I trust the committee will turn down this amendment because it is really not an amendment. It is a stab in the back.

I now yield to the gentleman from Illinois.

Mr. DIRKSEN. If my memory serves me correctly, yesterday in the course of discussion of the Overton bill the gentleman from Michigan suggested that we move half of the Capital to Colorado Springs, Colo.

Mr. DINGELL. I wanted to give the gentleman the opportunity to ask that very question, because I wanted to repeat for his benefit that I did not oppose moving the entire Coal Division outside of Washington to any part of the United States, but in toto, not in part, and not in such a way as to curb it or in any sense cramp its performance and functions. If the gentleman will make a motion to transfer it as a whole to another part of the country, I might be on his side, in his corner, but not to split it up or gerrymander the agency, or in any other way handicap it. I think that answers the gentleman's question. I thought I made myself clear earlier when the gentleman was not attentive to my remarks when I illustrated what I had in mind.

Mr. Chairman, I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN), there were—ayes 47, noes 68.

So the amendment was rejected.

The pro forma amendment was withdrawn.

The Clerk read as follows:

PRINTING AND BINDING

For printing and binding for the Department of the Interior, $319,735, of which $107,000 shall be for the National Park Service, $90,290 for the Bureau of Mines, and $47,300 for the Fish and Wildlife Service, including the publication of bulletins which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of the

bulletins to be delivered to or sent out under addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they may direct.

Mr. DITTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are many things that the majority takes occasion to boast of. It seems to me that one thing they can very rightly take credit for is the amount of printing and binding they do.

The document I have before me does not come out of the Interior Department. Let that be said to the committee's credit and to Mr. Ickes' credit. But it does come out of the New Deal administration. I should like to have someone on the majority side try to justify the expenditure for this book called Training Man Power. I wish there was some way that we might put in the RECORD the type of book we now have before us, the cost of it, the extravagance of putting together an item of this kind purely for propaganda purposes.

It serves no other need. It seems to me that we have come to a pretty low ebb when I can turn to one of these pages and have before me the appeal that is being made in the name of national defense in this program. I have here a page marked "Negroes trained as defense workers." I have the highest regard for the contributions of citizenship which have been made by the colored people in many fields. I think we have come to a low ebb when an appeal has to be made through a propaganda program to try to get the colored vote by this big headline "Negroes trained as defense workers."

Then I turn to the other side and I see on the opposite page the exploitation of those who are in need. Equally, I say, a despicable trait to take the worthy purposes of the national-defense program, training the manhood of America for defense needs, and then exploiting—that is all it is—the W. P. A. workers, stooping again purely for purposes of making your own position stronger with those who are in need, by holding up to them what you are doing through this exploitation program.

I want you to take a copy of this and go through it page after page and estimate what the cost of this thing must have been. After you have read it from the first page to the last page, see whether you do not agree with me that its only purpose is the statement that is made on one page, and that is the admission of the whole story. I turn to one of these pages and read the word "purpose." It is in big headlines "Purpose." Then I come to the three significant words after that "To tap reservoirs." That is the purpose, to tap reservoirs. What reservoirs? Why, the financial stability of the American people, to keep tapping them, the way you have been tapping them all along, the great reservoirs of savings of the people, frittering them away in this day of dire need, in this day when every resource should be husbanded, when there should be on the part of every man here in the House the greatest and the gravest concern of how our dollars should be spent and why they are being spent. How can you urge unity or appeal to patriotic sacrifice with this evidence of extravagance before you?

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. I say in this hour of grave need, you have come to a point brazen enough—and I confess that it takes a degree of brazenness—to be able to say that the purpose is to tap reservoirs. It seems to me most significant that on every vote that has been taken here this afternoon, every vote that has been taken to try to husband our resources, over on the majority side there has been nothing but a tapping, tapping, tapping. This tapping may run the well dry, make no mistake about that.

I ask you, and I plead with you, with those who I believe realize their responsibility, let us make an end of this useless propaganda program paid for by the taxpayers. I plead with you this afternoon to cast aside these tawdry things of politics, cast aside these things that are only but for a day, and in their stead let there come and well up in your hearts and minds and spirits the great need of the American people. America needs men who are eager to give of their strength and substance, not men who are hopeful only of getting strength and substance. Every dollar which has been spent on this propaganda effort is sapping the vitality and strength so sorely needed today. Let us set ourselves to the serious task of building the Nation not on the pages of propaganda, but on the record of real achievement. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma rose.

The CHAIRMAN. For what purpose does the gentleman from Oklahoma rise?

Mr. JOHNSON of Oklahoma. May I make the suggestion that I am not going to object to this speaking on extraneous matters, but it occurs to me that we might proceed with the bill. We are trying honestly to finish the bill this evening.

Mrs. BOLTON. Mr. Chairman, I move to strike out the last three words.

Never in our history have we as a country been so in need of calm, clear, principled thinking. Never have we had greater need to consider the fundamentals of the thinking of those who fathered this Republic lest we depart wholly from them.

It is my privilege to represent Ohio as vice regent upon the council of the Mount Vernon Ladies' Association. The council is sitting at Mount Vernon and is celebrating its seventy-fifth anniversary.

I wish it were possible for me to give you the feeling of Mount Vernon when the crowds have gone, and, as last evening the moon rises in its miraculous beauty over the mansion that was the home of Washington. But words are inadequate.

During the daytime thousands upon thousands of people visit this wonderful spot and expose themselves to the stimulation and beauty of Mount Vernon.

Last night, we council members sat down to a simple meal back in the little house that we built for the ladies, and we had as our place cards some of the maxims of Mr. Washington. Talking about these with several of the House Members this morning, it was suggested that it might do us all good to listen for a moment to two of the short paragraphs from Mr. Washington's writings. One was written in 1795:

> The madness of the European powers, and the calamitous situation into which all of them are thrown by the present ruinous war, ought to be a serious warning to us, to avoid a similar catastrophe so long as we can with honor and justice to our national character.

Another, written in 1781:

> We must not despair; the game is yet in our own hands; to play it well is all we have to do, and I trust the experience of error will enable us to act better in future. A cloud may yet pass over us; individuals may be ruined and the country at large, or particular States, undergo temporary distress; but certain I am that it is in our power to bring these matters to a happy conclusion.

It is still in our hands, is it not, Members of the House, to consider with sanity and balance all matters brought before us, weighing them all in the light of the pure Americanism of George Washington. [Applause.]

Mr. HOOK. Mr. Chairman, I move to strike out the last two words. I could not help rise in my place here when the gentleman from Pennsylvania [Mr. DITTER] criticized the Work Projects Administration and during his tirade referred to the Nation at large and said, "Its splendid manhood that wants to be challenged." I wonder if the gentleman is acquainted with the fact that the Work Projects Administration has established an educational program of vocational training, where they train the young men in the use of machines, so that they may be able to go out and obtain work and not remain dependent on the Government? I wonder if he is aware of the fact that the Work Projects Administration has done an admirable job in training men over 45 years of age so that they may also have a vocation and be able to operate a machine, so that perhaps we may tap that great reservoir of youth and middle age in the interest of national defense? Yes; the Work Projects Administration has not only tapped that great reservoir in helping the youth of America to a better day, but it has stepped into the breach when, under certain circumstances the War Department, especially in my State, made a blunder in one of the camps.

The W. P. A. had to lend their assistance and set up their program in order to cut down the cost of those camps.

Yes, the W. P. A. has not only given jobs to men and women on relief, but has relieved much human suffering, and is today building a foundation so that youth and middle age may be given an opportunity to do their bit in the interest of national defense. In my State alone the Work Projects Administration in the last year has trained over 3,000 youths in the use of machines and the use of lathes, and has obtained for those youths jobs in automobile factories at real wages and not W. P. A. wages.

Yes, they have trained men over the age of 45 who did not have a vocation, trained them in the use of machines which enabled them to be placed at work in factories at real wages. That, Mr. Chairman, is a job well done. It is a job that was much needed for many years. We must have the youth of America trained so that they will be able to help themselves. That is the job that the Work Projects Administration is doing and with proper administration will add much to our economic and industrial structure which will be in the interest of national defense. [Applause.]

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

BONNEVILLE POWER ADMINISTRATION

For all expenses necessary to enable the Bonneville Power Administrator to exercise and perform the powers and duties imposed upon him by the act "to authorize the completion, maintenance, and operation of the Bonneville project, for navigation, and for other purposes," approved August 20, 1937 (50 Stat. 731), including personal services, travel expenses, purchase and exchange of equipment, printing and binding, and purchase and exchange, maintenance, and operation of motor-propelled passenger-carrying vehicles, to remain available until expended, $22,858,500, of which amount not exceeding $4,000,000 shall be immediately available, not exceeding $15,000 shall be available for personal services in the District of Columbia and $885,600 shall be available for expenses of marketing and transmission facilities, and administrative costs in connection therewith: *Provided*, That $2,000,000 of the foregoing amount shall be available only for the construction of additional transmission lines from the Grand Coulee Dam to Spokane, Wash.

Mr. RICH. Mr. Chairman, I make a point of order against the language on page 13, beginning in line 25, "that $2,000,000 of the foregoing amount shall be available only for the construction of additional transmission lines from the Grand Coulee Dam to Spokane, Wash.," that it is not authorized by law.

The CHAIRMAN. Does the gentleman from Washington [Mr. LEAVY] desire to be heard on the point of order?

Mr. LEAVY. I do, briefly, Mr. Chairman.

The CHAIRMAN. The Chair will be pleased to hear the gentleman. Had the gentleman from Pennsylvania [Mr. RICH] completed his statement?

Mr. RICH. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from Washington is recognized on the point of order.

Mr. LEAVY. Mr. Chairman, the basic act providing for the construction of Grand Coulee Dam provides in this language:

For the purpose of controlling floods, improving navigation, regulating the flow of streams of the United States, providing for storage, for the delivering of stored waters thereof, for the reclamation of the public lands and Indian reservations, and other beneficial uses, and for the generation of electrical energy as a means of financially aiding and assisting. * * *

Then omitting a portion of the language—

The President, acting through such agents as he may designate, is hereby authorized to construct, operate, and maintain dams, structures, canals, and incidental works necessary to such projects, and in connection therewith to make and enter into any and all necessary contracts, including among other things, structures, canals, and incidental works necessary in connection therewith.

In August 1940 the President by Executive order provided that the power generated at Grand Coulee should be distributed by the Administrator for Bonneville, and the responsibility for marketing that power was placed in the Bonneville Administration.

If by law we can appropriate money for this activity in its entirety, and if we have that responsibility, then certainly by law we can appropriate money for a particular phase of such activity and so designate that apropriation for a particular purpose.

I submit, Mr. Chairman, that the point of order should be overruled.

Mr. TABER. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman, but the Chair would first like to inquire of the gentleman from Washington where he read the Executive order of the President? Is that in the hearings?

Mr. LEAVY. That is in the hearings on page 159, the first paragraph.

The CHAIRMAN. The Chair would be pleased to hear the gentleman from New York [Mr. TABER] on the point of order.

Mr. TABER. Mr. Chairman, I just want to call attention to the fact that not one single word of the language of the authorization act that was read authorizes the construction of a power line. It authorizes canals, approaches, and incidental structures, but not one single word authorizes the construction of a power dam.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule. The gentleman from Pennsylvania [Mr. RICH] makes a point of order against the language appearing in line 25, page 13, extending through line 3 on page 14 of the pending bill, on the ground that the appropriation there included is not authorized by law.

The Chair has examined with some degree of care the act to which reference was made by the gentleman from Washington [Mr. LEAVY], in his discussion on the point of order, which is the Rivers and Harbors Act approved August 30, 1935. The gentleman from Washington very kindly assisted the Chair in citing the language of this act with respect to the Grand Coulee Dam. Without repeating the language quoted by the gentleman from Washington, the Chair desires to invite especial attention to the following provision included in the act, which is a part of the language quoted by the gentleman from Washington:

And incidental works necessary to such projects.

The Chair is of the opinion that that language, taken with the entire act and the clear purpose of the act as stated, would form a sufficient basis to sustain the appropriation included in this item of the pending bill. Therefore the Chair is of the opinion that this item is authorized by existing law, and the Chair therefore is constrained to overrule the point of order.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 13, beginning in line 25, after the word "provided", strike out the words "that $2,000,000 of the foregoing amount shall"; and, on page 14, strike out lines 1, 2, and 3, inclusive.

Mr. RICH. Mr. Chairman, if there is any Member of this House I like personally when not on the floor, it is the gentleman from Washington [Mr. LEAVY]. I have the highest regard for him personally, I like him; but I have a duty to perform in trying to carry out what I think was the intent of Congress when it voted the money for Bonneville and Grand Coulee, and that was the purpose of putting it in the hands of the President of the United States and the engineers. That is what the first regulation was—that this should be entirely in the hands of the President and engineers. It did not say that a Member of Congress should run a power line from Bonneville up to Spokane.

You have all received this little booklet: Spokane Says the Columbia River Power Authority Is Not the American Way. You have all gotten that little booklet, you know about the vote that was taken at Spokane recently by the people in Spokane. That was a citizens organization. Some Members of Congress from Washington do not like the results of the vote of the people of the city of Spokane.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I cannot yield now.

They do not like it because the people of Spokane said: "We want to treat the power companies as we should like to be treated," nor do they like it when the citizens of Spokane want to say whether they are going to run a power line into Spokane or not, whether the people of Spokane can say what should be done in the matter of furnishing them power. The Congress ought not to take what a Congressman wants to do contrary to what the vote of the people in the district was. I think to do so would be wrong regardless of whether the proposition came from the gentleman from Washington or somebody else. Why, if my brother, or my mother, or my grandmother got up here and wanted me to do something that was wrong, I would not do it; and I am not going to do it for the gentleman from Washington [Mr. LEAVY], much as I like him. Now, let me read from this Columbia River power project:

The Spokane Spokesman's Review of March 30, 1941, describes a bill to create the Columbia River Power Authority as one which might with almost equal force be called a bill to direct the Secretary of the Interior to acquire and operate all power companies in the Pacific Northwest.

Then I skip down a way and read the following:

The people are to be told what they shall own. The people are to be told who shall operate the business in this community and they shall forever subject themselves to the arbitrary rule of the Secretary of the Interior however he may wish to govern his kingdom.

Electric power is the heart of any district. Control of the heart is control over the life and progress of the community. Control of electric power would provide the Secretary with the tool to make or break any business in the community, to permit or prohibit any operation of any enterprise in the district, to keep the people in darkness or in light according to his whim. Who could ask for more power?

I could go on and read a lot from this booklet, but you all have it; it will be enlightening to you. I say it is not your duty to run this power line to Spokane, it is not your prerogative against the will of the Spokane people, and you ought not to permit it. The gentleman from Washington, CHARLIE LEAVY, is a grand fellow, but let us not put him up against all the people in Spokane, especially when the majority voted against this proposal at the last election. Now, you decide; you decide whether you are going to let a Congressman do what the people of a great city decided they should not do. What will your decision be? I am for striking out this power line to Spokane until the people of Spokane want it.

Mr. RANKIN of Mississippi. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am surprised that the gentleman from Pennsylvania [Mr. RICH] would rise in the House and read from that publication of spurious propaganda. When I get through riddling it in a few days, the unmitigated gall of it, and the tactics resorted to to defeat the will of the people of Spokane he will be ashamed that he ever exhibited it on the floor of this House. [Applause.]

I have seen Power Trust corruption. I have seen them override the will of the people. I have seen their nefarious control of certain elements of the press. They have invariably bribed officials, intimidated Governors, and browbeaten legislators; but, in my humble opinion, there has been nothing worse than that debacle in Spokane, Wash., the net result of which the gentleman from Pennsylvania has exhibited to the House and which I expect to explode at an early date.

Mr. RICH. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN of Mississippi. I will yield for a question, but not a speech.

Mr. RICH. Has the gentleman read that pamphlet?

Mr. RANKIN of Mississippi. Oh, Lord, yes.

Mr. RICH. Did the gentleman see what it had to say about the gentleman from Mississippi [Mr. RANKIN]?

Mr. RANKIN of Mississippi. Yes.

Mr. RICH. No wonder the gentleman exploded.

Mr. RANKIN of Mississippi. Of course, they jumped on me because I told the truth about them. [Laughter.] Why, the gentleman from Pennsylvania is one of the most misled men I have ever seen when he comes down into the Well of the House and reads from that spurious document.

Mr. RICH. It says the people of Spokane——

Mr. RANKIN of Mississippi. Mr. Chairman, I do not yield further. He cannot read that stuff to the House in my time.

The people of Spokane, of course, will come again and demand this power, and they will get it in due time without being robbed with overcharges in their rates.

Besides, Spokane is not the only community in that area. I was one of the men who insisted on J. D. Ross building that power line from Bonneville up to Grand Coulee. This is a continuation of that line. This is a line out into the area not only to serve the people of Spokane but to serve all the communities in that area, the smaller towns, the country districts, that great irrigation area up there that needs this power to pump water, those farmers on whom this Nation must depend for its daily bread. This is a line to supply power to them so that they may use it to build up their homes and to make them comfortable and attractive places in which to live.

Why certainly this line is going to be built, and we are not going to let that bunch of highbinding Power Trust grafters get hold of it. We are going to build it; and if you knock this provision out, we will put it back in the Senate. If every Member of the House knew the facts behind this situation, the amendment offered by the gentleman from Pennsylvania [Mr. RICH] would not get a half-dozen votes, and I doubt if it would even get his.

I sincerely hope the amendment will be voted down and that this provision will be held in the bill. [Applause.]

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the most interesting part of the speech of the gentleman from Mississippi is that he admitted the statement that the gentleman from Pennsylvania [Mr. RICH] read out of that booklet or whatever it was, was true that Spokane voted against this municipal electric program. When he did that, that was about the end of the story except insofar as he got into a lot of cheap propaganda.

Mr. Chairman, here is the picture and here is the crux of this $2,000,000 item. Are we going to spend a couple of million dollars spreading out existing power facilities on anything except the aluminum proposition? We are going to need every bit of power that we have in this country for production of aluminum in the next 3 or 4 years and the more we go ahead in fancy schemes to get rid of our money, to get rid of our electricity, and to diversify its use so far as other things are concerned, the less we are going to be able to produce in aluminum that is going to be needed in the next 3 or 4 years for national defense.

Why not let such things as this go until after we get through this mess we are in and until after we get through with this war crisis that hangs over the world? Let us make some contribution toward constructive work for national defense instead of spreading all over the lot into all kinds of enterprises in all directions where we are not contributing but where we are diversifying our efforts and destroying the effect that we may otherwise give to national defense.

[Here the gavel fell.]

Mr. LEAVY. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. I just want to correct the error of the gentleman from New York [Mr. TABER]. I never admitted there was a word of truth in that pamphlet. I do not think there is.

Mr. LEAVY. Mr. Chairman, my genial, lovable colleague from Pennsylvania has taken the time to tell you how much he would do for me, but this is one of the many instances in which he could not go along.

Mr. Chairman, very naturally there is no Member of the House who would be more deeply concerned politically about what might happen in Spokane than I am. That is my home city. The people there by their votes send me to Congress, or have the power to keep me at home.

I could not in 5 minutes tell you the terrible story of the Power Trust, the corruption and abuse, the illegal and improper influences that it set in motion out there in the recent city election. I will tell you that they came in and cut rates just 30 days before that election in the city of Spokane, a city of 125,000 people, and they made a rate cut to the extent of $750,000. They reduced the bills just before the election. Now, they were either robbing us before this reduction or they are going to go broke under this new rate.

Mr. Chairman, this amendment does not save a dollar. It leaves the aggregate appropriation just as it is. I asked to have this earmarked in order that a line may be built east to Spokane, because one is built and two more are being built west in order to reach a place where power can be used. To carry this power west for use, you must travel 232 to 250 miles, and to go east we only go 90 miles to bring us to a real center where five transcontinental railroads meet, at Spokane, and where the Government is giving serious consideration to erecting plants that will help relieve this terrific need for light metals.

Why would it not be economy to build this line 92 miles rather than to build it 250 miles and suffer the tremendous line loss that always occurs on a great transmission line? Why not build it the shorter distance and meet rail transportation, and there erect a part of these reduction plants?

There is a crying need for aluminum today, and out on the west coast they want to double the production capacity. The aluminum that is being manufactured on the Pacific coast now has to be shipped clear across the continent in the form of alumina, then made into aluminum bars, loaded on freight cars again, shipped across the continent to Kensington, near Pittsburgh, made into plane parts and wings, then loaded on freight cars and shipped back west again, where 60 percent of the planes are produced. Would it not be much better to allow us to bring the power where those who know the situation best think it should be brought, so that we can utilize our rail transportation in connection with our

power facilities and production? That is all this item does.

May I say a word now about the city of Spokane? The power in question that would be carried on this line will all be used, regardless of whether the city does or does not use 1 kilowatt-hour of it, because the demand is there now in that region about Spokane.

Mr. CARTER. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from California.

Mr. CARTER. I am a little confused about this matter, having listened to three or four speeches. Did the city of Spokane hold an election in which it declined to take over the distributing system of the public utility up there?

Mr. LEAVY. That is correct, but that has no bearing one way or the other upon the question of this power.

[Here the gavel fell.]

Mr. CARTER. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for 2 additional minutes.

Mr. RANKIN of Mississippi. Make it 5. I want the gentleman to answer him on that.

Mr. CARTER. Mr. Chairman, I have a unanimous-consent request pending, I believe.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CARTER. Will the gentleman from Washington state how long ago this election took place, and what the result was?

Mr. LEAVY. The election was held in March of this year, and the result was a 3 to 2 vote against——

Mr. CARTER. Against the proposal?

Mr. LEAVY. Against spending $4,200,000 to acquire the private system. There was only about 70 percent of the registered vote gotten out.

Mr. CARTER. This proposed line would serve largely the city of Spokane, and the city of Spokane is the largest city that would be served by the line?

Mr. LEAVY. This line would not need to serve the city of Spokane at all. If a single magnesium plant, on a small scale, came in there they would use the entire power output that this line would carry. The city of Spokane uses electricity liberally, but it uses only about 50,000 kilowatts a year. This line will carry 100,000 kilowatts. It is purely a line to serve such industry as will in all probability locate there at this population and transportation center, and to serve numerous R. E. A.'s and communities in this section.

Mr. CARTER. Notwithstanding the refusal of the city, there is ample need for such a line into that territory?

Mr. LEAVY. Undoubtedly there is.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Idaho.

Mr. WHITE. Is it not a fact that on each side of Spokane, north in the great metaline field and east in the Coeur d'Alene region, there is great use for this power for electrolytic production of zinc, a strategic metal? Is not that area one of the heaviest consumers of power?

Mr. LEAVY. One of the great copper, lead, and zinc regions of the United States is just east of Spokane and north of Spokane.

Mr. WHITE. They built one of the highest tension lines in the country to get power into the Coeur d'Alene region for the electrolytic production of zinc.

Mr. LEAVY. The gentleman is correct. Those industries are now suffering from actual power shortage. [Applause.]

[Here the gavel fell.]

Mr. ANGELL. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I hesitate to take any more of your time and that of the Committee in a discussion of this amendment, but inasmuch as opposition has developed on my side of the House I crave your indulgence for a few moments, because Bonneville, as you know, is in my district.

There are three considerations in the construction of a project to provide electrical energy. One, of course, is the power plant itself, which is now pretty well completed at Bonneville and well on its way to completion at Grand Coulee. Second, there must be transmission facilities to carry that power to the points where it can be utilized. Third, there must be transformers to step down the power to such a condition that it may be actually used in industry.

The bill before us today provides for transmission facilities and also for substations so that the power may be taken to various points that are utilizing it.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Pennsylvania.

Mr. RICH. Then why do you not leave it in the law that is now written, so that it is in the hands of the President and those who are now controlling Bonneville and Grand Coulee? Why should we write the legislation?

Mr. ANGELL. The engineers who have passed upon this problem have determined what is essential for the greatest utilization of this great wealth of power that is being developed on the Columbia River. We as laymen are not competent to pass upon these technical questions. The electrical and construction engineers in their wisdom have determined these problems as to where the transmission lines shall be, where the substations shall be, and where the power ultimately should be utilized.

Mr. RICH. That is just what this amendment does; it puts it in the hands of the people who are now administering it instead of letting the Members of Congress say where the lines should be run. The people who are now administering it, plus the President of the United States, have the power to place it just where they think best.

Mr. ANGELL. I beg to disagree with the gentleman, but I wish to discuss this just a little bit further, because, as you may know, the white metal aluminum is the very vital metal which we need in national defense.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Washington.

Mr. LEAVY. Is it not a fact that the Administrator and the engineers at Bonneville testified that this line should be built eastward to Spokane?

Mr. ANGELL. That is absolutely true. I have the record before me, but there is not time to read it in this discussion.

I call your attention to an article which appeared in a Washington paper today, the Post, I believe it was, calling attention to testimony which was given yesterday before the Senate investigating committee with reference to our needs for aluminum in the national-defense program. In this article it is stated that next year every bit of aluminum which is now used in commercial transactions other than national defense must be eliminated from that use and we must utilize aluminum for this one essential purpose—national defense.

Do you realize that 30 percent of the aluminum produced for national defense is being produced right there on the Columbia River now from these two projects, Bonneville and Grand Coulee?

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Massachusetts, our distinguished majority leader.

Mr. McCORMACK. Is my understanding correct that we have to depend upon imports of aluminum for the main part of our supply of aluminum in the United States?

Mr. ANGELL. I may say to the gentleman from Massachusetts, we have been doing that, and particularly we have been importing from South America the raw products from which we make aluminum.

Mr. McCORMACK. That makes it all the more important that we should increase our domestic production not only as a means to advance our national defense now but for long-range business purposes in the future?

Mr. ANGELL. The gentleman is correct. I further call the attention of the House to the fact that Mr. Batt, Production Chief in the Office of Production Management, testified that next year we will require 1,400,000,000 pounds of aluminum in the national-defense program, and that that will mean tripling the output that we are presently producing. Grand Coulee and Bonneville power will produce, in April 1942, 626,000 kilowatts, which, translated into aluminum, will mean 626,000,000 pounds. In other words, this transmission line which we are authorizing in this bill, and which is the subject of the amendment is for the tying together of Grand Coulee and Bonneville, for the utilization at the present time in defense industry of this large reservoir of power which is absolutely necessary to national defense. We should not hamstring this great industry. I hope that the Members on my own side of the aisle in their great zeal for economy, and we are all zealous, of course, to accomplish economy, will not at this critical day in the world's history attempt to cut down on essential materials needed

for national defense by adopting this amendment. Airplane construction depends on aluminum. Without it our defense program will fail. We must be prepared to control the air.

I quote a portion of the Post article to which I have referred:

DEFENSE TO GET ALL ALUMINUM, SENATORS TOLD

(By John G. Norris)

Direct military needs next year will take all available sources of aluminum, leaving none for electric refrigerators, pots and pans, or other civilian needs, William L. Batt, Deputy O. P. M. Production Chief, disclosed yesterday.

At the same time, defense officials said there was "a distinct possibility" that a 40-percent instead of a 20-percent cut in 1942 model automobile production may be necessary.

Testifying before the Senate Defense Investigating Committee, Batt admitted that estimates made last year by the Defense Commission as to aluminum requirements had proved entirely inadequate. He declared that the production goal fixed in this field and other defense production is not high enough to meet requirements.

"Our sights all the way down the line are too low," the former precision bearings manufacturer stated.

* * * * *

Batt told the Senate committee that should the new B-19 superbomber become the "tactical weapon of the future," 1942 aluminum requirements might be 1,400,000,000 pounds instead of 1,200,000,000 pounds as now expected. Such demands can be met, he said, but it will require "all the power of Bonneville Dam plus all the power that Grand Coulee will be producing at that time."

Production facilities for aluminum will be increased this month when the Reynolds Metal Co. starts operations, the O. P. M. official said. Heretofore, the Aluminum Corporation of America has been the only American producer.

Mr. Chairman and gentlemen of the Committee, on April 30, when the bill was under general debate, I discussed at some length its merits and my remarks appear at page 3454 of the CONGRESSIONAL RECORD of that date. I there pointed out the need of this appropriation for national defense.

The CHAIRMAN. The time of the gentleman from Washington has expired. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The Clerk read as follows:

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, $900,000, including not to exceed $5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed $5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed $10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Mr. RICH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 16, line 23, strike out "$900,000" and insert, "$750,000."

Mr. RICH. Mr. Chairman, I see that the House is in no frame of mind for economy. You are not going to economize in any manner, and I have only picked out a few things we might strike from this bill. It seems to me that the country at large ought to know that this administration is not going to economize in the regular departments of government and I want the people of the country to know that the administration and all of the new dealers and everybody concerned on that side of the House are not going to do it. The vote shows this afternoon the new dealers are not going to economize.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield for one question?

Mr. RICH. Yes; for one question.

Mr. FITZPATRICK. The gentleman complains about this Department, yet in one bureau of the Department fees to the amount of $7,000,000 were turned over to the Treasury of the United States, and the gentleman is complaining about $900,000 for the administration of the act.

Mr. RICH. Who turned in $7,000,000? Let me hear about that.

Mr. FITZPATRICK. On page 802 of the hearings the gentleman will see that the total turned in was $7,057,942.15.

Mr. RICH. What was that turned in for?

Mr. FITZPATRICK. For charges made in the Land Office, for money received.

Mr. RICH. What for? For surveys?

Mr. FITZPATRICK. Leases on oil lands, rents, and matters of all descriptions.

Mr. RICH. But I am talking about the survey of public lands. Let us keep on the subject.

Mr. FITZPATRICK. That is in the Land Office.

Mr. RICH. I do not yield any further. The gentleman is as far off the subject as the North Pole is from the South Pole.

Mr. TABER. Mr. Chairman, will the gentleman yield to me to correct an error?

Mr. RICH. I yield.

Mr. TABER. The gentleman from New York said that they turned into the General Treasury $7,000,000. That total on page 802 of the hearings shows that it was $1,045,000 that was turned into the general fund.

Mr. RICH. That is about as near correct as anybody on that side could possibly get.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. RICH. Not any more. Last year we spent $750,000 for surveying the public lands. I do not think they ought to have that much, but I am willing to give them that much. Let us cut $150,000 from this item for that reason. It will be only a few years before you will have to survey this again, because to survey all of the public lands of this country and mark them, even though they tried to mark them permanently, it will have to be done again in a few years, and you will be continually doing it, so that it is only a waste of money.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICH. I ask you to save $150,000 of this item. For goodness sake, show a little disposition to cut down Government expenses.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. WHITE. The gentleman knows that the Government could not pass title to land until it is surveyed. You have to lay it out in townsites and survey this land, and file it in the Land Office, and everything is based on the survey.

Mr. RICH. I realize that, but $750,000 will do all of the surveying and give you all that information, and you do not need $900,000. Let us vote once for $150,000 worth of economy. Will you do it?

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the amendment.

I am sure the distinguished gentleman from Pennsylvania did not make the statement intentionally that there was spent last year $893,880. There remains 41,500,000 acres to be surveyed. Nothing can be done with this land; no title can be given; no revenues can be received; leases cannot be made until the surveys are made. This is the most economical investment the Government has. The amount of money is approximately the same as devoted to this activity last year. I ask that the amendment be defeated in the interest of economy.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The amendment was rejected.

The Clerk read as follows:

For general support and rural rehabilitation of needy Indians in the United States, $1,000,000, of which amount not to exceed $1,000 shall be available for expenses of Indians participating in folk festivals, and not to exceed $50,000 shall be available for administrative expenses incident thereto, including personal services in the District of Columbia (not to exceed $25,000) and elsewhere, and printing and binding (not to exceed $250).

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 56, line 21, after the word "States", strike out the balance of the line and the balance of the page, and on page 57 strike out lines 1 and 2.

Mr. RICH. Mr. Chairman, I just meant to strike out that "support and rural rehabilitation, $1,000,000."

The object of that is this: We have our W. P. A. projects and we have our relief. Now we are writing into this bill the very things that the relief agencies administer to the Indians previous to the establishment of this in this bill. Five hundred thousand dollars is to be relief money to be distributed by the Indian Bureau. It does not seem that we should be putting relief money into this bill.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes; I yield.

Mr. O'CONNOR. I call the gentleman's attention to the fact that the Indians, as a rule, are discriminated against in being given W. P. A. relief, upon the theory that they are wards of the United States Government and it is up to the Government to look after them. That is why there is no item in this bill that is more necessary for these poor Indians than this $1,000,000 item which will give them a chance to have something purchased for them out of which they will be able to make a living.

Mr. RICH. Do you mean to insinuate that when we vote money for relief, this administration never gave anything to the Indians? Do you mean to insinuate that the administration drew the line against the Indians of this country?

Mr. O'CONNOR. I am saying this to you, just as I said before, the Indian is discriminated against in our relief program, upon the theory that the Indian is the ward of the United States Government, and it is up to the Government to look after him.

Mr. RICH. When the Government looks after the white man, why would it not look after the Indian? It seems to me the white man has pushed the Indian clear off the end of the log, and now they ought to take care of them in the same manner that we take care of white men. But I do not see why we should put $1,000,000 into this bill to permit the Indian Bureau to distribute as they see fit.

Mr. O'CONNOR. I know the gentleman pretty well and I do not believe the gentleman wants to see Indians or white men or red men live off of dog meat in this country. That is what some of these landless Indians were living off of a year ago.

Mr. RICH. Well, we have appropriated money to look after all the people of this country. Why does the Government permit the Indians to eat dog meat?

Mr. O'CONNOR. As a matter of fact, they do not give the Indian anything, but the Indian has to go out and get what he can. Sometimes the only thing he can get is dog meat.

Mr. RICH. You said they did not give the Indian anything, and now the only thing he can get is dog meat.

Mr. O'CONNOR. No; it is what he can get, and that is dog meat, that was a year ago.

Mr. RICH. Well, let us get after this administration then, and see that they do the right thing. They have been doing the wrong thing long enough.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes; I yield.

Mrs. BOLTON. I think it would be advisable if we as a Congress inquired into the work that we as a nation have done for and against, largely against, the Indians. I served for a year on the Indian Affairs Committee I would like to see this Congress go very seriously into a study of what the Wheeler-Howard Act and the way it is administered has done to the Indian. It is a shocking situation and one that we should be very deeply ashamed of. [Applause.]

Mr. RICH. Well, I think, Mr. Chairman, that this amount should not be in this bill, but we should administer the funds that we give for relief to the Indians and the white men alike. That is the reason I ask that it be taken out of this bill.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am very much afraid the gentleman from Pennsylvania, who has one of the biggest hearts in the world, is terribly misinformed as to the status of this fund, for the effect of his amendment would be to shove the Indians clear off the end of the log.

The facts are that for a number of years the Indians were eligible for W. P. A., or for help from the Farm Security Administration. A couple of years ago that situation was changed. Rulings of attorneys in the General Accounting Office threw them off relief as far as the Farm Security Administration was concerned. Then in the W. P. A. appropriation bill, a year ago I believe it was, a fund was set up for Indian relief and they went off W. P. A.

We were told that the specific fund for Indian relief was to take the place of the work relief the Indian had received on W. P. A. and F. S. A. and the old direct relief fund for unemployable, needy Indians. This item was in the general relief appropriation bill, $1,700,000 to cover the phases of Indian relief that were formerly handled by W. P. A. and Farm Security and emergency direct relief. It represented a cut of several hundred thousand dollars.

This year the Budget reduced that item of $1,700,000 to $1,300,000, and $1,300,000 was recommended for this bill. The committee has cut that $1,300,000 recommended by the Budget, cut it already down to $1,000,000 and now the amendment offered by the gentleman from Pennsylvania would strike out the entire $1,000,000 and the Indian would be crowded entirely off the end of the log, for they have been taken off W. P. A. and have not been eligible under Farm Security Administration rulings for farm relief.

Let me go further and point out that a year ago when the relief appropriation bill was passed, when the reduced figure of $1,700,000 was set up for Indian relief, the regular estimates were set up for a year of general W. P. A. relief for whites and blacks throughout the country. When that bill was under consideration in the Congress an amendment was adopted making the general W. P. A. relief funds available for expenditure within 8 months, but that provision was not extended to the amount for Indian relief. And later, as you will recall, the Congress made another appropriation for 4 months for general W. P. A. relief, but it did not make any additional amount available for Indian relief. So the amount that was originally scheduled to run the W. P. A. for a year was spent in 8 months, and funds were added to take care of the last 4 months of the fiscal year, but the amount for Indian relief, already cut, was not increased. Mr. Indian got the go-by as usual.

In addition to that fact, this year the Budget reduced that $1,700,000 to $1,300,000. The committee has already reduced the $1,300,000 to $1,000,000, and now the amendment before you would strike that out entirely.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. COCHRAN. This is for unemployables, is it not; people who cannot work by reason of physical disability or age?

Mr. CASE of South Dakota. No; it is for general relief among the Indians, one-half for direct relief and one-half for work projects, according to the committee report.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to my colleague from South Dakota.

Mr. MUNDT. I would like to add to the presentation being made by my colleague from South Dakota that the Indian is probably the most ignored member of our whole American citizenship. The Indian Affairs Committee gets the call on the calendar about once a year to present bills, and it brings bills before you to rectify the position of the Indians, but the membership of the House very seldom attends. In fact, it makes District of Columbia day look like give-away day at Glasgow in comparison. We cannot get the Members to attend; we cannot get the bills through; consequently it is imperative that this amendment be defeated; that this sum be left for the relief of the Indians.

Mr. CASE of South Dakota. My colleague speaks from experience and personal knowledge.

Mr. Chairman, the committee in attempting to justify the reduction makes the following statement on page 10 of the report:

> The committee is of the opinion that the actual reduction of $200,000 recommended under this head is fully justified because of the increased activities in connection with the national-defense program.

As a matter of fact, as I have explained, there is an actual reduction of $300,000 from the Budget and of $700,000 from last year. To attempt to justify such a reduction on such grounds is ridiculous. I have not yet heard of a single national-defense project being located anywhere in the Indian country or anywhere that it has given any Indian a chance for a job. The amendment now before you would strike out the item altogether. Certainly the gentleman was misinformed or he would never have offered it. I ask for the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 56, line 21, strike out "$1,000,000" and insert "$1,100,000."

Mr. CASE of South Dakota. Mr. Chairman, I shall not take my entire 5 minutes on this amendment, because I have explained the situation in opposing the previous amendment. Let me recount briefly, however, that the Budget estimate was for $1,300,000. The committee cut it to $1,000,000. The committee said they had transferred $100,000 of this reduction to the item for road construction, but reference to roads in the report indicates that that item was earmarked so it does not become available for general relief. Consequently, as far as Indian relief and rehabilitation is concerned, the cut is $700,000 below the amount of last year and $300,000 below the Budget recommendation this year.

The justification offered in the committee report is that the reduction—

is fully justified because of the increased activities in connection with the national-defense program.

That adds insult to injury. If the cut were offered in the name of economy or patriotism, that would be something else—but because of "increased activities in the national-defense program"—I challenge any Member of the House who can cite one project anywhere in the Indian country where the Indians have a chance to get jobs on national-defense projects. Is there a Member of the House who can cite one single national-defense project in or near an Indian reservation where an Indian has an opportunity to go and get a job? Nobody answers. There is not one, yet the justification given for this reduction is that the Indians can secure jobs through the national-defense program. My amendment seeks to restore $100,000, making a total of $1,100,000, which would still leave the fund $200,000 below the Budget and $600,000 below last year, a cut of 35 percent.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Montana.

Mr. O'CONNOR. There is not a defense project in the Dakotas, Wyoming, or Montana, in which States we have a huge Indian population.

Mr. CASE of South Dakota. The gentleman knows whereof he speaks. And in other States with large Indian population, I have heard of not a single defense project offering jobs to Indians—none except the chance to join the Army. And the Indians do that. They are loyal and patriotic citizens. Why treat them this way? I hope you will support my amendment. It will still leave the fund $200,000 below the budget and 35 percent below last year's figure when the Indian was already given the short end of the deal.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment was rejected.

The Clerk read as follows:

Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, $90,740, to be immediately available, and to remain available until June 30, 1943.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just want to call your attention to the fact that the Reindeer Service in Alaska is now costing $90,740 a year. This is to look after the reindeer up there. It is quite a tidy sum and it will continue to be at least that much or more each and every year for the rest of our lives, or as long as Uncle Sam continues to be a Santa Claus.

Mr. Chairman, after the fight we put up to try to save the money that was expended for the purchase of these reindeer, may I say that the people who were sent up there to purchase the reindeer by the Department of the Interior did a good job. They bought them for about half of what it was stated it would be necessary to pay for them. Uncle Sam practically owns all the reindeer in Alaska. I want to give credit to the Department of the Interior for the job it did in purchasing these reindeer. There were not as many as they said there were in Alaska. Now that you have them you will have to take care of them each and every year. Uncle Samuel a real Santa Claus.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Boise project, Idaho, Payette division, $500,000: *Provided*, That such part of the storage capacity of the Cascade Reservoir, and the costs thereof, shall be reserved for other irrigation or power developments in and adjacent to the Boise project, as shall be determined by the Secretary of the Interior.

Mr. RICH. Mr. Chairman, I make a point of order against the language on page 78, beginning in line 15, reading as follows:

Provided, That such part of the storage capacity of the Cascade Reservoir, and the cost thereof, shall be reserved for other irrigation or power development in and adjacent to the Boise project, as shall be determined by the Secretary of the Interior—

On the ground that this is legislation on an appropriation bill.

Mr. LEAVY. Mr. Chairman, does the gentleman make the point of order just against the proviso?

Mr. RICH. Yes.

Mr. LEAVY. Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Shoshone project, Wyoming: Heart Mountain division, $150,000; Power division, $300,000; Willwood division, $15,000.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

I do this not for the purpose of offering an amendment but to see if we can reach some agreement relative to adjournment or the reading of this bill. We have but one reading clerk here this afternoon and he has been reading well and continuously for some time. I am wondering if the chairman of the committee expects to move that the Committee rise within the next few minutes.

Mr. JOHNSON of Oklahoma. It is entirely up to the gentlemen here as to what we propose to do. I am sure this committee would agree to skipping several pages if the gentleman wants to make such a unanimous-consent request.

Mr. CARTER. We have some amendments to offer and I have no doubt that other Members have amendments. I believe ample opportunity should be given to offer amendments wherever desired.

Mr. JOHNSON of Oklahoma. I agree with the gentleman.

Mr. CARTER. Mr. Chairman, at this time, then, I ask unanimous consent that we may skip over to the top of page 82, Colorado River Dam fund, and that anyone having amendments anywhere between where the Clerk is now reading and the top of page 82, line 3, be privileged to offer those amendments at this time, and that the pages intervening be deemed as read.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. TABER. Reserving the right to object, I do not believe we ought to pass over the reading of a general appropriation bill, and for that reason I feel constrained to object.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CARTER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Would the gentleman advise the House and myself, if he can, how many amendments may be offered which the minority would want to debate tomorrow? I ask this because of other considerations that confront us.

Mr. CARTER. I know of perhaps six or seven.

Mr. McCORMACK. Has the gentleman an idea about how long the debate on these amendments would take?

Mr. CARTER. I presume it would take the usual 5 minutes on each amendment.

Mr. McCORMACK. We shall not continue much longer today, I am sure of that. Furthermore, the House knows that the leadership of the House on both sides feel that, rather than have the Members subjected to long days of work, unless there is some emergency the committee should rise sometime after 5 o'clock, between 5 and 5:30. Having in mind the fact that tomorrow is Calendar Wednesday and that the gentleman from Alabama [Mr. STEAGALL] wishes to call up some bills which his committee wishes considered, is it fair to assume that the consideration of this bill may not take much more than an hour or an hour and a half?

Mr. CARTER. I should think it would take a couple of hours. That is my best estimate.

Mr. McCORMACK. Would the gentleman from Alabama be interested in continuing with Calendar Wednesday tomorrow if the consideration of this bill does not take too long?

Mr. STEAGALL. I, and I am sure the members of the committee, would be glad to have whatever time we may be able to get tomorrow. We have the whole day as a matter of right.

Mr. McCORMACK. That is true; I understand that.

Mr. STEAGALL. Notice has been given to the members of the committee and to numerous Members of the House that our committee would have the floor tomorrow. This legislation is important. It is a defense measure, pure and simple. I do not know of anything that ought to take precedence over its consideration. However, of course, I am not going to object to a request by the leader.

Mr. CARTER. May I say to the gentleman from Massachusetts that if we run until say 5:30 this afternoon we may be able to finish in an hour or an hour and a half tomorrow?

Mr. McCORMACK. The reason I asked is that when we get into the House I intend to ask unanimous consent that Calendar Wednesday be dispensed with tomorrow only to the extent that it is necessary to complete this bill, and that Calendar Wednesday business then be taken up if the gentleman from Alabama so desires. I understand there is some legislation the gentleman is anxious to bring up. I am glad the gentleman from California asked for this time so that this colloquy could ensue.

Mr. STEAGALL. I would not object to the request of the gentleman from Massachusetts to dispense with Calendar Wednesday. If there is time enough left so that we can pass one of the bills that we are anxious to consider, of course we want the time.

Mr. McCORMACK. My only desire, and the gentleman from Massachusetts [Mr. MARTIN] concurs in it, is to try to help cut as much as we can. Of course, my unanimous-consent request can be objected to, but I am personally in such a position that I would feel constrained to submit the unanimous-consent request and let this bill continue to completion. I was hopeful that if we could get through in a reasonable period tomorrow, in say an hour or about that time, the gentleman from Alabama could then take up the bill he has in mind.

Mr. MARTIN of Massachusetts. If the gentleman will yield, I may say for the benefit of the gentleman from Alabama that he probably could get two of his bills through without any great difficulty. I understand there is opposition of a formidable character to only one of them.

Mr. STEAGALL. I do not expect any fight on more than one of the bills, but the gentleman from Massachusetts [Mr. McCORMACK] has suggested that he had information that there would be opposition to two of these bills.

Mr. McCORMACK. No; the suggestion was made that because one of the bills provided for an increased authorization it might be well not to ask unanimous consent for its consideration and passage. May I ask the gentleman from Massachusetts if my recollection is correct?

Mr. MARTIN of Massachusetts. That is true. A billion dollars was involved, and we felt that the bill involved too much money to be taken up under unanimous consent. I want the gentleman from Alabama [Mr. STEAGALL] to understand that I have no understanding from any source that there will be any serious opposition to that, but simply I desired to submit a unanimous consent for consideration, in view of the amount involved.

Mr. STEAGALL. One of these bills involves an increase in the lending and borrowing capacity of the Reconstruction Finance Corporation, and there is in the other bill the gentleman has in mind a provision which extends the limits of insurance that may be guaranteed by the Federal Housing Administration.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RANKIN of Mississippi. Mr. Chairman, I ask unanimous consent to extend the remarks I made this afternoon.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DWORSHAK. Mr. Chairman, I offer the f llowing amendment, which I send to the desk.

The Clerk read as follows:

Page 79, following line 20, insert a new paragraph: Grand Valley Project, Idaho: For further investigations, exploratory and preparatory work, $75,000.

Mr. DWORSHAK. Mr. Chairman, recently, during the debate on this measure, the distinguished gentleman from Washington [Mr. LEAVY] made the statement that he always supported every meritorious proposal made for reclamation development. Throughout the consideration of this bill today I observed that the majority members of the committee have consistently and forcefully supported every amendment and every proposal for the expenditure of funds for reclamation development and other activities covered by the appropriations for the Interior Department.

In harmony with this program, I wish to take a few moments to discuss this amendment providing for $75,000 to conduct and complete engineering investigations and to secure data on the Grand Valley project in eastern Idaho. Three years ago, this project was approved by the engineers who made an investigation. Just recently, the Bureau of Reclamation approved a report as to its feasibility, and as recently as March 3, the Army Engineers Board likewise approved the Grand Valley project as to its economic feasibility. I was informed that, probably within the next 30 days, the report will be transmitted to Congress by the Budget Bureau in regard to this project. In other words, unless this amendment of mine is adopted today, making possible the completion of the investigations and the securing of this engineering data, it is likely there will be a delay of 11 months, because it would involve deferment until next year, when another appropriation bill comes up for consideration.

I shall not go into the mechanics of the project. It provides for the conservation of water in the Great Snake River in eastern and southern Idaho. The Snake River is a branch of the Columbia River. This project involves flood control, power development, and the use of water for reclamation development; and I stress at this time that it contemplates no additional acreage. The reclamation feature simply provides supplemental water for existing acreage. The power development involves about 30,000 kilowatts to be generated, and the Federal Power Commission recently reported a deficiency of 30,000 to 35,000 kilowatts of power in eastern Idaho. This is not a huge hydroelectric development, but it will provide needed power in eastern Idaho. The public utility operating in that area and public agencies which need this power have already offered tentative contracts to take care of the entire output of electricity. Then, in southeastern Idaho, contiguous to this proposed development, lie the greatst phosphate deposits of any State in the Union, estimated at about 8,000,000,000 tons. These phosphates cannot be processed unless there is an abundance of cheap power provided, and I urge at this time that the committee support my amendment in order that reports on the investigation of this project and the engineering data required may be made available, so that there will be no attempt to authorize construction of this project or the awarding of this contract until these investigations have been completed. The Grand Valley project is an economic development in line with the program outlined by the gentleman from Washington [Mr. LEAVY], a member of the subcommittee having the bill in charge. I ask your support, because it is in the interest of not only national defense but the economic defense of the Nation.

Mr. PIERCE. Will the gentleman yield?

Mr. DWORSHAK. I yield.

Mr. PIERCE. What is the purpose of this power, to go the same as American Falls went and Black Canyon, into the hands of the utilities?

Mr. DWORSHAK. The distribution of that power was handled by the United States Bureau of Reclamation.

Mr. PIERCE. At a rate whereby you are paying double and treble what you ought to be paying.

Mr. DWORSHAK. I will say to the gentleman that the city of Idaho Falls, a community of 15,000 residents, other public agencies there, and the Idaho Power Co., have already offered to take over the entire amount of power in excess of that required for the operation of this particular project.

Mr. PIERCE. That is precisely what I am objecting to—turning it over to the private utilities.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment. The gentleman who has just addressed the committee [Mr. DWORSHAK] appeared before the Committee on Appropriations and made a very impressive and informative state-

ment. Moreover, I think I can safely say that the committee was sympathetic with what the gentleman is attempting to do. The gentleman has just said that he hopes to get a Budget estimate. Personally I hope the gentleman does get a Budget estimate. No doubt his is one of the many worth-while projects which this Congress will be called upon to make appropriations for within the next few months or possibly years. But this is not the only worthy project presented to the committee.

Mr. DWORSHAK. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. DWORSHAK. I endeavored to point out that there is no effort being made now to authorize the awarding of a contract; but that it is necessary to complete these investigations and secure the data before a Budget estimate can be made for the consideration of the Appropriations Committee.

Mr. JOHNSON of Oklahoma. I understand the gentleman and the committee felt very favorable to his project, but the committee did not have any more information with reference to his project than it did with reference to several others. As I recall, there were 26 Members of the House who appeared before our committee, most of whom had what they believed to be urgently needed projects, and the committee was deeply impressed with the merit of several. In fact, many of them were worth while and meritorious. The committee felt favorably inclined to assist many of them, but if it had approved all of the needed projects it would have required an appropriation of some $44,000,000 above the Budget estimate. We had to stop somewhere. While Members personally feel friendly to the project, and are hopeful for the Budget estimate that the gentleman says he feels he will be able to secure, we nevertheless do not feel that under the circumstances we can accept the gentleman's amendment at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho [Mr. DWORSHAK].

The amendment was rejected.

The Clerk read as follows:

The Public Works Administration allotments made available to the Department of the Interior, Bureau of Reclamation, pursuant to the National Industrial Recovery Act of June 16, 1933, either by direct allotments or by transfer of allotments originally made to another department or agency, and the allocations made to the Department of the Interior, Bureau of Reclamation, from the appropriation contained in the Emergency Relief Appropriation Act of 1935, the Emergency Relief Appropriation Act of 1937, and the Public Works Administration Appropriation Act of 1938, shall remain available for the purposes for which allotted during the fiscal year 1942.

Mr. RICH. Mr. Chairman, I make a point of order against the language on page 8, from line 14 to line 25, inclusive, that it is legislation on an appropriation bill and not authorized by law.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I do not care to discuss the point of order further than to say that the matter objected to is authorized under rule XXI as being work in progress. Let me call the Chair's attention to page 705 of the hearings. Judge Leavy is interrogating Commissioner Page of the Reclamation Service. I read as follows:

Mr. LEAVY. Now, under the Public Works Administration allotments made available for these various surveys, is that activity now in progress?

Mr. PAGE. Practically all of those are finished. This is just making available a few small balances which remain of the original allotments made for surveys and other purposes.

Now, may I remind the Chair that it has been repeatedly held that such surveys are in order and that a point of order does not lie against them. If I recall correctly, the same gentleman has raised the same point of order in an identical case and that the present distinguished occupant of the chair has overruled his point of order.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Oklahoma [Mr. JOHNSON] who the official was that gave that information?

Mr. JOHNSON of Oklahoma. Mr. Page, Commissioner of Reclamation, gave the information I have just quoted.

I might cite rule XXI, to which I have referred. It is in part as follows:

Thus the continuation of the following works has been admitted: A topographical survey, a geological map, marking of a boundary line, marking of graves of soldiers, a list of claims, and recoinage of coins—

And so forth.

Mr. TABER. Mr. Chairman, would the Chair hear me for just a moment on that?

The CHAIRMAN. The Chair would be pleased to hear the gentleman from New York.

Mr. TABER. This is not an item for the continuance of projects, nor is it limited to that, but it is an extension of acts which have or will have expired. Some of them were given an extension a year ago in the appropriation bill that was carried then. A further extension is clearly not authorized by law. There is nothing in the exception to the rule like continuation of a project that would apply to this particular paragraph. It does not do that.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from Pennsylvania [Mr. RICH] makes a point of order against the paragraph appearing in the bill beginning on line 14, page 80, and extending through line 25 on page 80, on the ground that it is legislation on an appropriation bill.

The Chair has examined the language of this paragraph rather hurriedly but, he feels, with sufficient care to determine that it appears to be exactly the same language as is included in a paragraph of the Interior Department appropriation bill which was considered on March 2, 1938. To that language a point of order was made by the gentleman from New York [Mr. TABER] on the same ground as now stated by the gentleman from Pennsylvania [Mr. RICH].

At that time the Chairman held:

It authorizes reappropriations of appropriations heretofore made, for the work is in progress. The Chair therefore overrules the point of order.

The Chair also invites attention to the fact that on page 705 of the hearings of the pending bill it is stated by the Commissioner of the Bureau of Reclamation that the items here covered constitute work in progress.

Therefore the Chair is constrained to overrule the point of order.

The Clerk read as follows:

Colorado River development fund: For continuation and extension of studies and investigations by the Bureau of Reclamation for the formulation of a comprehensive plan for the utilization of waters of the Colorado River system, as authorized by section 2 of the Boulder Canyon Project Adjustment Act, approved July 19, 1940 (54 Stat. 774), $250,000 from the Colorado River development fund, to remain available until expended, which amount shall be available for personal services in the District of Columbia (not to exceed $5,000) and in the field and for all the other objects of expenditures specified for projects hereinbefore included in this act under the caption "Bureau of Reclamation," under the heading "Administrative provisions and limitations," but without regard to the amounts of the limitations therein set forth.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 81, line 18, strike out "$250,000" and insert "$100,000."

Mr. RICH. Mr. Chairman, I realize the hour is getting late and that the Members are tired, but here is an opportunity to save $150,000. I want to reduce the amount from $250,000 to $100,000. I offer the amendment for this reason, that on the Colorado River development you are spending money to go out and try to find new projects. The gentleman from Idaho addressed us a few minutes ago urging the appropriation of $75,000 to investigate a project in his district in Idaho, one which was characterized by the Democratic side of the House as a worthy project. It seems to me, however, with all the reclamation projects you have started you ought not to be spending money contriving some way to find something else to spend money on. I cannot for the life of me see why you want to make this investigation and continue to make these surveys for more reclamation projects. Have you not started enough already? It is going to take a number of years to complete what you have started. You have no money to do so. Do you not think you ought to complete what you have already started? I think this would be the wise thing to do. I do not believe you should go ahead and continue to make survey after survey for more projects when you have not got money enough to finish the projects you have already started. You are simply bankrupting the Nation.

I think the wise thing would be for this committee to sustain this amendment cutting the amount down to $100,000 instead of granting the amount carried in the bill, $250,000. In fact, I think you should cut it all out. You are the greatest spenders the world ever knew.

You do not possess sound business judgment; this I say from my observation of the many unsound things you do. Will you ever learn? I hope so before you wreck our Treasury. It is bare as old Mother Hubbards' cupboard.

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am extremely familiar with the terms of this act. I served on the original Colorado River Commission. This appropriation is authorized by section 2 of the original Boulder Canyon Project Act and also by the act that was passed on July 19, 1940, specifically in section 2.

The reason for this item lies in the fact that the upper four States of the Colorado River Basin furnish the greatest proportion of the water of the river. It was the understanding that this appropriation should be made possible from the Boulder Dam funds in order that the projects of the upper States might be given fair consideration and examination.

This involves, not the expenditure of a few dollars to develop a new project but the prompt utilization of this great stream, the third greatest on the American continent and one that has potentialities for the production of power equal to almost any stream on the face of the earth. For this reason I ask that you vote down this amendment, because it wou'd be short-sighted at this time, particularly during this defense period, when perhaps power will be the deciding feature in this titanic struggle between nations. This money is absolutely needed and required, and it is authorized for the continuation of work which has begun.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. RICH. Does the gentleman believe the national-defense program is going to be continued so long that any of the projects which might be started on this river would be completed before it was finished? Is the national-defense program to continue indefinitely?

Mr. SCRUGHAM. This is a project for the conservation of power, the conservation of water resources. It is all the more urgent at this time for the purpose of national defense, but it should be continued indefinitely. It makes for prosperity, it makes for comfort, it makes for civilization.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. LEAVY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. DOXEY, having assumed the Chair as Speaker pro tempore, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 459) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, had come to no resolution thereon.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business be suspended tomorrow to the extent necessary to complete the pending bill, and that thereafter, if the gentleman from Alabama [Mr. STEAGALL] desires, the committees may then be called. I make this request in order to protect the gentleman and his committee, if he decides not to go ahead tomorrow, so that he may be protected on the next Calendar Wednesday call.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1942

Mr. SNYDER filed a conference report and statement on the bill H. R. 4183, making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes.

EXTENSION OF REMARKS

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their own remarks on the conference report considered by the House today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. ZIMMERMAN]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee today, and to include certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a broadcast delivered by my colleague from Missouri [Mr. PLOESER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr SHORT]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to place in the RECORD my remarks on this same bill made as of April 30 following the reading of the Puerto Rican hurricane relief item on page 139; that I may also include in my remarks of this afternoon a brief statement by the Resident Commissioner from the Philippine Islands.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short letter, and a resolution, relative to a patriotic meeting at Hugo, Okla.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT]?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. RABAUT]?

There was no objection.

Mr. RABAUT. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD and to include a sermon delivered by Rev. John J. Reilly, director of the Shrine of the Immaculate Conception.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. RABAUT]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain tables in connection with the farm situation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very splendid and able address made by my colleague from Massachusetts [Mr. CONNERY].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes.

ALIEN CAMP AND OTHER PROPAGANDA

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include excerpts from newspapers.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I again want to call the attention of the Members of Congress to Camp Nordland, the German-American Bund center at Andover, N. J., which has been opened for business for disseminating Nazi propaganda and other Nazi and un-American activity. At the present time no person can enter the grounds unless a special pass is obtained from the so-called fuehrer or leader of that camp, which has been condemned over and over again both by the American Legion and other patriotic groups as subversize and un-American.

The object of opening the camp now is for the sole purpose of collecting money for the German aviators and other prisoners of war in Canada. They are having a drive which will take place, Mr. Speaker, at North Bergen, N. J., and at Camp Nordland. This money is to be collected from American people beginning June 30, and, in my opinion, is nothing but a racket by a group of bundsters who are spreading propaganda to the effect that the German prisoners now in Canada need their help.

Speaking again about the German prisoners of war in Canada. From information I have received, I do not know that they can get any help over there and I do not know that the Canadian

Government will permit it, yet we in this country allow the bundsters to parade around the country appealing to the American people for money and help.

At this time I must again call attention to the fact that on May 23, 1940, I had occasion to address the House on the German Library of Information, which is the official propaganda agency of the German Government, directly under the control of the German Consul in New York City, who receives his instructions from the German Propaganda Minister, Mr. Goebbels.

This propaganda agency in the German Government is conducting its work quite openly without restraint or hindrance, and the CONGRESSIONAL RECORD of the date of my speech contains excerpts of the manner in which this German Library of Information is untrammeled in its conduct of propaganda throughout the United States.

Our own post office has granted second-class-mail privileges to this agency of the German Government, and information which our own Government could not transmit to its citizens is carried quite freely through our mails. It is almost pathetic to see how we in this country are unable to engage in the slightest bit of correspondence with anyone in Germany without being subjected to the severest kind of censorship while, on the other hand, the German Government can flood us with propaganda.

Thus it is not surprising to see references to this film, Victory in the West, in the official organ published by the German Library of Information in New York City. This is what the German Library of Information has to say about the film:

> Among all the documentary films of the past year the most effective and grandiose is, without doubt, Sieg im Westen (Victory in the West), recently shown for the first time to enthusiastic audiences throughout the world.
>
> Made by order of Field Marshal General von Brauchitsch during the battles of last May and June, this documentary picture is something entirely new, inasmuch as it was filmed in the midst of actual fighting. Most of the component parts were prepared by the reporter squadrons of general headquarters, but what makes Sieg im Westen unique is that thousands of feet of film seized by the victorious German armies from the British, French, and Belgian troops were also incorporated. Nearly 3,000,000 feet were condensed into the approximately 12,000 feet of the feature.
>
> Sieg im Westen is part III of a documentary military film which will cover the entire war.

There is, therefore, no question but that the German high command has deliberately and for its own purposes filmed the whole story of the rape of Holland and Belgium, and the destruction of France, and that now our people are being shown this propaganda through the moving pictures undisturbed.

Again, on August 27, 1940, I referred to the German Library of Information and its propaganda work, and I think a very fine summary of what this library of information does is contained in the recent book by Richard Rollins, entitled "I Find Treason," page 208 and following pages, from which I shall now quote:

> The library is a German Government agency. The German Government and not Dr. Schmitz supports the library. Dr. Schmitz and his staff are salary employees of the Nazi government. New York City Magistrate Keutgen said an admission by the German Embassy that the library was an agency of its Government exempted it from the law. The library's propagandizing goes far. It works in the closest kind of cooperation with unofficial Nazi propaganda bureaus. It gives its mailing list and material to nonregistered, nondiplomatic groups. Italian consulate members and Fascist leaders have been traced to this office. One of the unofficial propaganda depots was the American Fellowship Forum. The figure behind both the library and the forum is brilliant, well-known George Sylvester Viereck, a United States citizen, who has, since his place on the Kaiser's World War pay roll, been a German propaganda agent stationed in this country. Viereck is paid $500 a month to be the correspondent of a Munich newspaper. On September 27, 1939, he concluded a pact with Beller, then head of the library, to prepare articles and news for Facts in Review, to offer expert advice on all German propaganda problems, and to present to the American public the true picture of events abroad.

In the distribution of films throughout the country, the totalitarian powers have found the occasion to instill into our people a propaganda of fear. Taking their clue from the fact that a good many nations in Europe folded up without any real fight against the juggernaut of military power which Germany launched forth, a great number of films found its way into this country which visualize this idea of fear throughout the length and breadth of the United States.

Such are the famous pictures known as Victory in the East and Victory in the West, both of which pictures have caused large numbers of people to become convinced that the German Army is invincible. It is such pictures, shown in all our cities and throughout the country which may eventually succeed in paralyzing our military effort and our work of rearmament.

Under the present law, pictures coming from other countries are subject to a qualified censorship by our customs agencies. If a picture is obscene, its admission to the United States can be prevented. But there is no law on the books which in any way interferes with the importation of what they call news reels. Now, news reels, as a rule, are a factual presentation of conditions and perform an additional function in informing the public. Where a picture is shown for the purpose of informing us of conditions, such a picture is desirable, and its distribution throughout the United States should be encouraged and its dissemination made easy. On the other hand, where a picture is made with the sole object of being disguised or undisguised propaganda, its distribution is not only against the public interest, but definitely harmful and inimical to the good order of the country.

There is an old saying that pictures speak louder than words. Many a person, who, by reading the newspapers would obtain a more or less general view of a particular situation prevailing in the world, will be more impressed by a scene that he naturally considers to be an actual picture of conditions. Where such a picture is made with the sole object of containing an atmosphere of fear, something should be done to make its distribution difficult if not impossible.

Realizing the importance of moving pictures, all totalitarian nations have forbidden the presentation of moving pictures to their subjects except by authority, but these same totalitarian governments do not hesitate to send pictures to our country, where they would not permit our pictures to be exhibited to their own subjects.

You see, it is all one way. We accept all the trash that is sent to us from abroad without fear or favor, but the totalitarian governments will not accept our pictures unless they are prepared to suit their own ideas and views. Very often films are sent to South American countries and thereafter shipped from South American countries to our States by totalitarians to disseminate this malicious propaganda. Unless we take a decided stand against it, this propaganda of fear is liable to spread and paralyze our efforts for national defense.

Thus, by describing the invincibility of the German war machine, our people are treated to a beautiful view of how the Nazi government can sweep away everything that stands in its path, and if we do not yield gracefully we shall find ourselves in the position of Holland and other countries whose people were crushed by the Nazi juggernaut, as were the people of the Low Countries. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 30 minutes.

THE CONVOY QUESTION DEMANDS AN ANSWER

Mr. BENDER. Mr. Speaker, a little less than 1 year ago, the political leaders of America met at Philadelphia and Chicago and declared their opposition to war. We were not going to involve the people of our country in another European catastrophe. We were determined to keep American interests as far away from Europe as we possibly could. Not a drop of American blood was going to be spilled on a foreign battlefield. This was less than 12 months ago. We wrote this sentiment into the political platforms of both the Democratic and Republican Parties. We were even ready to keep American shipping at home, rather than run the risk of involvement in a war which we did not want. Neutrality was our objective.

Within a few months we had changed our tune. We were no longer neutral. We had become nonbelligerents. Our policy was altered to furnish all aid to Britain short of war. It was still "short of war." We began to look upon ourselves as a great producer. We would build the ships, the planes, the tanks, and we would sell them to Great Britain. It was all to be done for cash on the barrel head. It looked for a very brief moment like a good thing. All gain and no risk.

Business was to continue as usual and perhaps a good deal better. Our manufacturers started to count their potential profits. They started too soon.

Before we had settled back in our seats the first act was over. The comforting assurance that no American boys would ever be sent to fight on foreign soil vanished into thin air. The short-of-war, business-as-usual fantasy disappeared. We got, instead, the lend-lease bill. We discovered that we were to give the implements of war to England. We were no longer selling. We were not even lending or leasing. We were giving.

Today, the issue has advanced one step further. It is a decisive and, I believe, an irretraceable step. The administration leadership calls this step naval patrols. The rest of the Nation uses another word, convoys. Perhaps all this discussion is entirely academic. James Roosevelt, the son of our President, has been widely quoted in the press of our country in the last week. He has expressed the opinion that we are already in this war except for the shooting. If we are in it already, there is no need for administration spokesmen to beat around the bush. There is no need for them to soften the effect of convoys by calling them patrols. There is no need for this frantic campaign by Secretary of War Stimson, Secretary of the Navy Knox, Secretary of State Hull to drum up enthusiasm for our entry into the war.

Let us know and understand the facts before we adopt a final position. What are the arguments in favor of the convoy system? What is the reasoning which prompts the administration to expend its time in this direction? In the last few weeks, official figures reveal a tremendous loss in British shipping. Since the war began, more than 5,000,000 tons of English bottoms have been sunk. Britain can build no more than 2,000,000 tons a year. This is a serious predicament. If the materials we are producing for Britain are being sent to the bottom, we are producing them in vain. I recognize the soundness of this reasoning. But what are the facts? Are the goods being sent from our shores getting over to England? The facts refute those who argue the necessity for American convoys.

Admiral Emory S. Land, Chairman of the United States Maritime Commission, is the man best equipped to know what is happening to our shipping. He tells us that of 205 ships leaving American ports for British destinations in the first 3 months of 1941, only 8 were sunk. Since the last day of February, not a single vessel traveling from an American port to Great Britain has been lost. We deplore the loss of the 8 ships and their cargoes. We deplore more deeply the possibility that American lives were lost with them. But is this ratio of loss sufficient to induce the people of our country to move right into the firing line? Do the fathers and mothers of America want to send their boys into a second World War because 8 cargoes destined for England have not been delivered? I think the answer must be obvious. There is no need for convoys on the facts. Our goods are getting through to Britain.

If the facts do not justify the tremendous agitation for patrols, what is behind this talk? Does the President have information which may induce him to change his opposition to the convoy system? Is there any new development in the European situation which the people of our country should know? What is the significance of all these speeches by Cabinet members and congressional weather-tappers?

Only a few days ago, newspaper columnists revealed the state secret that our Navy has a squadron of ships in the Indian Ocean. The Japanese were first to let this information out of the bag. No one in civilian life outside of the White House inner circle knows what other dispositions have been made of various parts of our fleet. A week back, newspaper reports from Vichy spoke of an American ship escort accompanying a large fleet of ships to the Red Sea. The rumor was denied. But if we have battleships already in the Indian Ocean, it is easy to understand how it started.

To me, all these serious matters point to one conclusion and one conclusion only. The administration is determined to whip up war sentiment wherever it can. A United States Senator close to the White House has demanded the bombing of Tokyo. Others believe that we should declare war and bring our Navy into action at once. Those who disagree with the administration viewpoint are described as dumb. Convoys mean shooting and shooting means war. President Roosevelt made this remark only a short time ago. It is just as true today as it was in April. It will be just as true tomorrow.

But for those who desire our intervention in this war, nothing could be better designed. You picture the possibilities. In 1917 it was the *Lusitania* which created the war incident. We have tried to prevent the recurrence of such an episode by restraining all shipping. But convoys, by whatever name you choose to call them, will create another *Lusitania*. They will be fired upon by German or Italian vessels. As sure as the fate they are tempting, some of them will be attacked by dive bombers or submarines. And even though we recognize the right of Axis forces to attempt their destruction, the loss of American lives will kindle the war spirit which Washington is seeking to rouse today.

All this is nothing new. Mark Twain wrote a short story far removed from his usual humor a good many years ago. He called it The Mysterious Stranger. And in it he said:

> I can see a million years ahead. And this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for war. The pulpit will warily object, at first; the great big bulk of the Nation will rub its eyes and try to make out why there should be a war, and will say earnestly and indignantly, "There is no necessity for it." Then the handful will shout louder.
>
> A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded. But it will not last long; those others will outshout them, and presently the antiwar audience will thin out and lose popularity. Before long you will see this curious thing: The speakers stoned from the platform and free speech strangled by hordes of furious men, who in their secret hearts are still at one with the stoned speakers—as earlier—but do not dare to say so. And now the whole Nation will take up the war cry and shout itself hoarse and mob any honest man who ventures to open his mouth; and presently such mouths will cease to open.

Already the process is under way. Those who oppose the steps which are leading us inevitably into war are being fought. Senator WHEELER has been called an appeaser. Only a few years ago his patriotic devotion to his country won him serious consideration for a Presidential nomination. Gen. Hugh Johnson has been denied the right to sacrifice his financial security for his Nation. Seven years ago he stood arm in arm with the leadership of his country. Colonel Lindbergh has resigned his commission because his views were not acceptable to the national administration. Philip La Follette, former Governor of Wisconsin, finds himself denied the right to state his views in Pittsburgh and Miami.

The prophetic words of Mark Twain are coming home all too realistically. Let the American people refuse to be deceived. If we are to enter this war, let us do it because we choose intelligently and intentionally to do so. Let us not be deceived into it. Let us refuse to shut our eyes to the significance of naval patrols. We are not children. We are a mature people, capable of understanding the relative dangers of a German victory and American intervention in this terrible war. We want neither. It may be that our desires cannot be granted. But let us understand the steps we are taking.

Today convoys are not necessary to achieve the purpose we have agreed to further. American goods to aid England are arriving at their destination. American convoys mean shooting, and that shooting means war. Keep these facts in mind, for they are real; they have meaning; they are neither hysteria nor emotion. Make up your mind on the basis of the facts. Your conclusions may be different from mine. But as for me, I believe that the safety of America lies in the strength of our people, the fertility of our farms, the production of our mines and our factories. It does not lie on the blood-stained battlefields of Europe. It does not lie in the storms of the Atlantic nor the reaches of the Pacific. If we accept the responsibility of convoys, we shall not be able to stop there. We shall be dragged, day by day, into a conflict which will create new wounds. It will heal none. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Massachusetts [Mr. CASEY] is recognized for 15 minutes.

PRICES

Mr. CASEY of Massachusetts. Mr. Speaker, in the last few weeks news of the Battle of the Balkans, the Battle of Africa, and the Battle of the Atlantic have monopolized attention to such an extent that a little news item bearing vitally on the battle of the United States escaped almost everyone's attention. On

April 27 the Bureau of Labor Statistics released figures showing that the cost of living was about 2½ percent higher now than it had been before the outbreak of the war, and that an increase of about 3 percent more was likely to occur by the middle of September.

Taken by themselves these figures are by no means alarming. An increase of 5 to 6 percent in living costs during 2 years of war abroad and the most intensive rearmament effort in our history at home is not excessive by any standard. But how much further will we go? Are we again taking the first steps on the same inflationary spiral that we climbed 25 years ago, and are we again heading toward another 20 years of painful economic readjustment? Or have we learned enough from our last disastrous experience to be able to take the necessary measures to avoid such a repetition and to take those steps quickly, firmly, and effectively?

Last month I brought this very important problem to the attention of this House in general terms. I have since had an opportunity to go over the situation in detail, and I propose to point out briefly some of the specific factors which are causing prices to go up at the present time and some of the measures which can be taken at once to prevent our commodity markets from getting out of hand.

First and foremost, of course, is the disruption of world trade directly caused by the war. Commodities ordinarily obtained from central Europe and Scandinavia have almost entirely disappeared from the market; such drugs as belladonna have gone up 10 times in price since August 1939. Imports from other sections of the world have not been cut off completely, but they are becoming increasingly difficult to obtain as the shortage of shipping becomes more acute. Ocean freight rates and insurance rates have been advancing almost without let-up; for example, it now costs $25 to bring a ton of burlap from Calcutta, where it cost only $7.50 in the summer of 1939. Before the war sugar could be shipped from Cuba for 13 cents a hundred pounds; today it costs 50 cents. As a result, the prices of all these imports such as manganese and chromium ores, quinine, tungsten, burlap, iodine, coffee, cocoa, and sugar—basic products essential as well to peacetime industry as to the armament program—have all been moving up very rapidly to as much as double their pre-war levels. Even coastwise shipping has been affected; prices of fuel oil in northeastern cities have been considerable higher than usual during the past 2 winters because tanker rates on shipments from the Gulf coast have more than quadrupled.

With world conditions as they are, it is clear that the shipping situation is going to get much worse before it gets any better. But this does not mean that we must throw up our hands and do nothing. We cannot, of course, expect to obtain these sea-borne goods as cheaply as we did before the war broke out. But neither is it essential that we pay exorbitant prices for them. I am fully aware that the costs of operating ships are higher today than they were 2 years ago, and that insurance rates have risen very substantially. However, there is no excuse whatever for the increases in shipping rates which have actually occurred. It simply does not cost four times as much to operate ships carrying fuel oil from Galveston to Boston as it did a year or two ago; it should not cost four times as much to bring sugar from Cuba to the United States or six times as much to bring mahogany from Africa to New York. In fact, the entire shipping situation seems to afford the clearest indications of outright profiteering that have been brought to my attention so far. I cannot understand why the Maritime Commission has been so slow in acting not merely to prevent rates from going higher, but to bring them down to figures bearing at least a remote relation to actual operating costs. Remember that the increase in rates does not put one single extra freighter into service nor land one additional ton of any essential commodity in the United States. If we are to protect the housewife from having to pay outrageous prices for sugar, coffee, and cocoa; if we are to keep the costs of the armament program from skyrocketing because of advancing prices for manganese and tungsten and rubber and tung oil, the shipping-rate situation deserves first and immediate attention.

At the same time I am convinced that steps should be taken to ration the supplies of scarce imported commodities in order to prevent buyers from uselessly bidding against each other for goods whose supplies have been unavoidably curtailed. There is no valid excuse for raising the prices of belladonna 1,000 percent; someone is simply taking advantage of the situation. Last but not least, industry should adjust as quickly as possible to the use of substitutes in order to lessen its dependence upon goods which must be transported by water. Yet even now, manufacturers of oil burners are continuing a vigorous advertising campaign to induce home owners in New England to install their equipment at low prices and on easy terms, completely ignoring the probability that there will not be enough tankers next winter to bring the oil from the mid-continent producing fields to the northeastern consuming centers.

As regards the domestic situation, conditions in general are, of course, far better. Nevertheless, defense and British orders, coupled with expanding civilian demand, have imposed a very heavy strain on many industries. Steel mills have been operating at full capacity; zinc smelters just cannot turn out enough metal to meet current needs, and textile mills, particularly those producing the coarser cloths needed by the Army, have fallen farther and farther behind orders. In many cases this has led to a wild scramble for supplies on the part of buyers seeking to anticipate shortages or to forestall price advances which they believe to be impending. Orders have been placed almost regardless of price; scrap zinc and aluminum and nickel were bought at prices far above the market quotations for the virgin metals. Prices of as standard a textile as print cloth rose 30 percent in the past 4 months alone, and there have been numerous reports that premiums ranging as high as 25 percent and more are being paid to insure prompt delivery of standard everyday commodities.

I fully realize that there has been a real increase in production in many industries, particularly in those dependent upon imported raw materials. Wage advances have added to costs in a few cases, but they have been far less of a factor than is generally supposed, and in many instances their effect has been more than counterbalanced by lower overhead due to increased production. In any event, these necessary increases in cost do not by themselves constitute the real threat of inflation.

I am much more concerned about those cases in which prices have gone up far more than the increases in costs of production can possibly warrant. For example, while the farmer is getting very little more for raw cotton today than he did a year ago, prices of cotton yarns and cotton cloth as well as of cottonseed oil, have been climbing rapidly; prices of worsted fabrics have gone up faster than the price of raw wool; prices of lard have been skyrocketing while the price of hogs has been advancing much more slowly, and so on down the line. This does not necessarily imply that there has been any profiteering in the true sense, but merely that demand has temporarily outrun supply and that buyers are frantically bidding against each other to fill what they consider to be their requirements. It is noteworthy that in many of our industries, and particularly in our heavy industries, prices have been kept down in spite of this pressure by buyers. Price quotations for such basic materials as copper, lead, zinc, and steel have not gotten out of line and the manufacturers of these products are cooperating effectively with national-defense officials in the effort to prevent runaway markets. Unfortunately this is not true in some of the other instances which I have mentioned. Prices of cotton yarns and cotton textiles, of lard and tallow and cottonseed oil, of some kinds of lumber, of some canned foods, and of a considerable range of other products have advanced more than can possibly be justified on any cost basis.

I have heard it said by some that prices should be allowed to go up in order to compensate industry for the lean years of the past decade. In peacetime there may be some point to this contention, but today it just cannot be maintained. In any emergency such as the present, when the threat of a disastrous inflation is so imminent, price advances must be kept to the minimum necessary to maintain a fair operating margin.

I am confident that most of our big businessmen fully realize the seriousness of the situation and are doing their best to cooperate in the prevention of runaway markets, but the few who are not cooperating can readily nullify these efforts. It is obvious that this must not be allowed to happen and that Government must be equipped with adequate powers to prevent it from happening. Price ceilings must be established for those commodities which are getting out of line and adequate powers must be provided for their enforcement. At the

same time, every effort must be devoted to remedy those bottlenecks in production which have occurred, to anticipate others before they are upon us, and to keep prices generally in line by the simple expedient of insuring as far as possible that there should be enough of every kind of essential commodity to go around.

I have repeatedly pointed out that consumers get pushed around because they have no organized lobby to exert pressure in their behalf and because there is no legislative agency before which they can bring their problems and their protests. Consumers cannot individually come to the Government to find out where their interests are involved and to speak up for those interests.

I believe that the time is ripe—in fact, it is almost overripe—for this Congress to take specific steps to protect Mr. and Mrs. America from the threatened spiraling of prices. I have introduced a resolution asking that there be established a committee to investigate the costs of the necessities of life; this committee to be composed of five members of the House of Representatives, to be appointed by the Speaker. Very shortly I shall appear before the Rules Committee asking for a rule on this resolution, and I am confident that the Rules Committee will grant it.

This problem is now receiving the attention of several other agencies of the executive branch of the Government. During the last war many governmental agencies, such as the emergency rent laws, were introduced in order to keep prices from soaring far beyond any justifiable limits.

A watched pot never boils, and it is my conviction that, no matter how many agencies in the executive department are interested in prices, a committee in the legislative branch should make it its duty to act as a watchdog in the interest of decent prices, particularly those necessities of life such as food, medicine, and clothing.

I therefore earnestly solicit the support for this resolution of every Member of this body. There is nothing partisan about it. Its main purpose is to protect the constituents of all of us, Mr. and Mrs. America. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CUNNINGHAM (at the request of Mr. GILCHRIST), for 2 days, on account of important public business.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 74. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941; to the Committee on Ways and Means.

ADJOURNMENT

Mr. CASEY of Massachusetts. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 14, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON FLOOD CONTROL

The Committee on Flood Control will continue hearings on Wednesday, May 14: Senators and Members of Congress.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4017, a bill permitting exemption from certain restrictions on political activity in municipal affairs, on Wednesday, May 14, 1941, at 10 a. m., in room 346, House Office Building, before Subcommittee No. 1.

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Wednesday, May 14, 1941, at 10 a. m., on H. R. 3361, to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R. 181. Mary W. Osterhaus, by Mr. Bland.
H. R. 341. Inez Clair Bandholtz, by Mr. Hoffman.
H. R. 492. Rosalie C. Hood, by Mr. Sparkman.
H. R. 902. Elizabeth Painter Menoher, by Mr. Reece of Tennessee.
H. R. 1493. Florence Sharp Grant, by Mr. Darden.
H. R. 2190. Nellie J. Merriman, by Mr. Marcantonio.
H. R. 2787. Ethel Wise, by Mr. Traynor.
H. R. 3312. Grizelda Hull Hobson, by Mr. Jarman.
H. R. 3358. Adelaide Westover, by Mr. Woodruff of Michigan.
H. R. 3560. Jeannette W. Moffett, by Mr. Rivers.

The hearings will be held Thursday, May 15, 1941, at 10:30 a. m., in room 247, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

535. A letter from the Postmaster General, transmitting a draft of a proposed bill authorizing the designation of Army mail clerks and assistant Army mail clerks; to the Committee on Military Affairs.

536. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved May 13, 1908 (35 Stat. 128; U. S. C., title 34, sec. 383), relative to retirement of officers of the United States Navy after 30 years' service; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4258. A bill to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States; with amendment (Rept. No. 531). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 1642. A bill granting to regular employees of the District of Columbia not paid on an annual or monthly basis the same benefits with respect to holiday leave with pay as are enjoyed by similar employees of the Federal Government; with amendment (Rept. No. 532). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 1073. A bill to amend the Classification Act of 1923, as amended; with amendment (Rept. No. 533). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 2074. A bill to amend section 353 (b) of the Communications Act of 1934, as amended; with amendment (Rept. No. 534). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 166. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.; without amendment (Rept. No. 535). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 167. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.; without amendment (Rept. No. 536). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee of conference on the disagreeing votes of the two Houses. H. R. 4183. A bill making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes; without amendment (Rept. No. 537). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 4730. A bill to amend section 92, title 2, of the Canal Zone Code, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. FADDIS:

H. R. 4731. A bill to establish additional national cemeteries; to the Committee on Military Affairs.

By Mr. FLANNAGAN:

H. R. 4732. A bill granting the consent of Congress to the department of highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia; to the Committee on Interstate and Foreign Commerce.

By Mr. FULMER:

H. R. 4733. A bill to add certain lands to the Boise National Forest, the Salmon National Forest, and the Targhee National Forest in the State of Idaho; to the Committee on Agriculture.

By Mr. HÉBERT:

H. R. 4734. A bill to regulate the practice of professional engineering and creating a

board for licensure of professional engineers in and for the District of Columbia; to the Committee on the District of Columbia.

By Mr. O'LEARY:

H. R. 4735. A bill to amend the act approved October 10, 1940 (54 Stat. 1105), to permit such responsible officers as may be designated by heads of departments or establishments to authorize or approve the allowance and payment of expenses incident to the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty; to the Committee on Expenditures in the Executive Departments.

H. R. 4736. A bill to authorize the Department of Agriculture to make open-market procurements where the agrgegate amount involved does not exceed $100; to the Committee on Expenditures in the Executive Departments.

By Mr. VOORHIS of California:

H. R. 4737. A bill to provide for the issuance, by the Administrator of Veterans' Affairs, of regulations providing for more liberal policies in determining the service connection of disabilities, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. ALLEN of Louisiana:

H. R. 4738. A bill to authorize improvements within the Red River Basin, La.; to the Committee on Flood Control.

By Mr. MAY:

H. R. 4739. A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additicnal pay for employees who forego their vacations; to the Committee on Military Affairs.

By Mr. HOOK:

H. J. Res. 124. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that republic and the United States, dated May 1, 1923, May 23, 1932, and May 1, 1941; to the Committee on Ways and Means.

By Mr. JARMAN:

H. Con. Res. 34. Concurrent resolution authorizing the printing as a House document a revised edition of the pamphlet entitled "Our American Government: What Is It? How Does It Function?"; to the Committee on Printing.

By Mr. VREELAND:

H. Res. 207. Resolution authorizing the United States Maritime Commission to negotiate with the city of Newark, N. J., for the use of Port Newark as a shipbuilding yard; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURGIN:

H. R. 4740. A bill granting a pension to Clarence Clyde Cope; to the Committee on Invalid Pensions.

By Mr. GALE:

H. R. 4741. A bill for the relief of Midwest Oil Co.; to the Committee on Claims.

By Mr. KEFAUVER:

H. R. 4742. A bill for the relief of William A. Hammond; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1052. By Mr. EATON: Resolutions passed by the Women's State Republican Club of New Jersey, Inc., at their convention, urging upon Congress all possible effective aid to Great Britain; to the Committee on Foreign Affairs.

1053. By Mr. PATMAN: Petition of the Senate of the Forty-seventh Legislature of the State of Texas, urging the President of the United States and the Congress of the United States to take necessary steps to insure continued production and delivery to the democratic nations now engaged in war to meet their immediate needs in combating the war against the totalitarian aggressor nations; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, MAY 14, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, Thou transcendent secret, transcendent height, depth, length, and breadth, the plenitude of all insufficiency, the perfection of all imperfection: We bow before Thee in reverent adoration with a deep sense of our defects in the midst of all our blessings, conscious of our failures in the midst of our achievements, and with sighs of unrest for that which we are not.

Grant that in cherishing our ideals we may never neglect the work that needs doing today. Make us alive and responsive to the claims of the Nation upon us, alert to what the ever-changing circumstances of the times may require from us, in speech or spirit, to the call for gentleness here, for courage there, and, above all else, make us wise and strong to the ultimate fulfilling in us of Thy divine will with power.

We ask it in our dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 13, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bunker	Gillette
Aiken	Burton	Glass
Andrews	Butler	Green
Austin	Byrd	Guffey
Bailey	Byrnes	Gurney
Ball	Capper	Hatch
Bankhead	Chandler	Hayden
Barbour	Clark, Idaho	Herring
Barkley	Clark, Mo.	Hill
Bilbo	Connally	Holman
Bone	Danaher	Hughes
Brewster	Davis	Johnson, Calif.
Bridges	Downey	Johnson, Colo.
Brooks	Ellender	Kilgore
Brown	George	La Follette
Bulow	Gerry	Langer
Lee	Pepper	Tobey
Lodge	Radcliffe	Truman
Lucas	Reynolds	Tunnell
McCarran	Russell	Tydings
McFarland	Schwartz	Vandenberg
McNary	Smathers	Van Nuys
Maloney	Smith	Wallgren
Mead	Spencer	Walsh
Murdock	Stewart	Wheeler
Murray	Taft	White
Norris	Thomas, Idaho	Wiley
O'Mahoney	Thomas, Okla.	Willis
Overton	Thomas, Utah	

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

SENATOR FROM WEST VIRGINIA

Mr. KILGORE. Mr. President, Dr. JOSEPH ROSIER, Senator-designate from West Virginia, is now in the Chamber, and ready to take the oath of office.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath will be administered to him.

Mr. ROSIER, escorted by Mr. KILGORE, advanced to the Vice President's desk, and the oath prescribed by law was administered to him by the Vice President.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

SERVICES AND PAY OF CUSTOMS OFFICERS AND EMPLOYEES

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize regular tours of duty for customs officers and employees at night and on Sundays and holidays without extra compensation, and generally to clarify the provisions of the customs laws relating to the rendering of services by customs officers and employees at night and on Sundays and holidays, the assignment of customs officers and employees to perform overtime services, and the payment of extra compensation and expenses for such services (with an accompanying paper); to the Committee on Finance.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Oklahoma; to the Committee on Agriculture and Forestry:

"Resolution 51

"Resolution memorializing the Congress of the United States of America to enact appropriate legislation to increase the purchase of farm homes for tenant farmers in the State of Oklahoma by the Federal Farm Security Admininstration under the tenant purchase program

"Whereas the experience of the Federal Farm Security Administration in purchasing farms for tenant farmers in the State of Oklahoma under the tenant purchase plan

establishes that no loss would be sustained in purchasing farms for the many worthy and industrious tenant farmers within the State of Oklahoma; and

"Whereas the purchase of farms for tenant farmers under said plan has established that ownership of farms by actual farmers results in more careful tilling and conservation of the soil; and

"Whereas the purchase of farms for tenant farmers in the State of Oklahoma by the Federal Security Administration has resulted in improving the social and economic welfare of the State and Nation; and

"Whereas the future welfare of the State of Oklahoma and the United States of America is greatly dependent upon the conservation of the soil and the maintenance of thrifty and prosperous home-owning farmers; and

"Whereas the purchase of farm homes for worthy and industrious tenant farmers will result in improving the social and economic welfare of the State and Nation: Now, therefore, be it

"Resolved by the House of Representatives of the Eighteenth Session of the Oklahoma Legislature:

"SECTION 1. That it is the sense of the membership of the House of Representatives of the Eighteenth Session of the Oklahoma Legislature that the farm tenant purchase program being carried on by the Federal Farm Security Administration should be expanded and the purchase of farm homes for tenant farmers in the State of Oklahoma should be increased, and that the Congress of the United States of America be, and it is hereby requested to enact appropriate legislation expanding the farm tenant purchase program in the State of Oklahoma and increasing the number of farms purchased by the Farm Security Administration for worthy tenant farmers in this State.

"SEC. 2. *Be it further resolved*, That copies of this resolution suitably engrossed and authenticated be transmitted to the Members of the Oklahoma delegation in the Congress of the United States and that copies of this resolution be also transmitted to the Speaker of the House of Representatives and the presiding officer of the Senate of the Congress of the United States.

"Adopted by the house of representatives the 6th day of May 1941."

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution of the Building and Construction Trades Council of Richmond, Va., pledging that there will be no stoppage of work on account of jurisdictional disputes between any of the building and construction trades on any building or construction project essential to the speedy and successful completion of the national-defense program; to the Committee on Education and Labor.

By Mr. CAPPER:

A petition of sundry citizens of Bazine, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

By Mr. CONNALLY:

A resolution of the Senate of the State of Texas; to the Committee on Foreign Relations.

"Senate Resolution 127

"Whereas the national emergency demands that we render the utmost aid to Britain in compliance with the lend-lease bill recently passed by the Congress, and now being partially put into effect, and that it called for production and delivery of the necessary supplies, and these supplies naturally will be of no value on the wharves of the eastern coast line, but must be delivered to the point of use if any immediate value to the democracies is to be realized; and

"Whereas the creation of bottlenecks in defense industry will unquestionably seriously handicap not only the production, but the delivery of defense supplies; and

"Whereas the national administration is carrying on courageously under the present handicap of being unable to deliver said supplies to Great Britain at the point of delivery: Now, therefore, be it

"Resolved, That the Senate of the Forty-seventh Legislature of the State of Texas hereby petitions the President of the United States and the Congress of the United States to take necessary steps to insure continued production and delivery to the democratic nations now engaged in war, to meet their immediate needs in combating the war against the totalitarian aggressor nations, and that copies of this resolution be sent to the President of the United States, to the President of the United States Senate, and to the Speaker of the House of Representatives of the National Congress, and to the Texas delegation in Congress for their immediate presentation for congressional consideration."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Foreign Relations.)

PROTEST AGAINST INDUCTION OF BOYS 18 TO 21 YEARS OF AGE INTO THE ARMY

Mr. CAPPER. Mr. President, this morning I received a letter, which I shall read to the Senate, and ask consent to have it referred to the Committee on Military Affairs. The letter reads as follows:

MANHATTAN, KANS., *May 9, 1941.*

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: The Women's Society of Christian Service of the First Methodist Church of Manhattan, Kans., in regular meeting today unanimously adopted the following motion:

"That we send a letter to Senator ARTHUR CAPPER to be read before the Congress protesting the induction of boys into the Army under the age of 21 years."

For the sake of the welfare of the youth from the ages of 18 to 21 we urge your serious consideration of this action, and ask that you give voice to this protest on the floor of the Senate.

Respectfully,

Mrs. F. A. MARLATT,
President.
Mrs. RALPH NOBLE,
Corresponding Secretary.

Mr. President, I desire to say at this time that any proposal to induct boys of 18 years of age into the Army for military service certainly ought to receive very serious consideration before being adopted. I, myself, cannot approve any such legislation unless the existence of our Republic is much more seriously threatened than at the present time. The petition of these mothers should receive the sympathetic attention of the Senate.

The VICE PRESIDENT. Without objection, the letter, in the nature of a petition, addressed to the Senator from Kansas will be referred to the Committee on Military Affairs.

PROTEST AGAINST CONVOYS AND WAR FROM MOTHERS AND DAUGHTERS OF PENNSYLVANIA

Mr. DAVIS. Mr. President, at the request of the organization known as the Mothers and Daughters of Pennsylvania I ask that there be printed in the RECORD and referred to the Committee on Foreign Relations a letter from them addressed to me protesting against convoys and war.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

MOTHERS AND DAUGHTERS
OF PENNSYLVANIA,
Philadelphia, Pa., May 3, 1941.

Hon. JAMES J. DAVIS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: We, the Mothers and Daughters of Pennsylvania, being constituents of Senator JOSEPH F. GUFFEY and yourself, wish to protest against convoys patrol or any measure that would lead America into war.

Remember that our Government is founded for the people, of the people, and by the people; therefore, 85 percent of the true Americans of the United States do not want war.

Will you please have the courage and the honesty to read this letter on the floor of the Senate in behalf of the Mothers and Daughters of Pennsylvania, who urge you to use all the power you possess to strive to keep us out of war and for a just and lasting peace.

Sincerely yours,

MOTHERS AND DAUGHTERS
OF PENNSYLVANIA,
FLORENCE A. MCCLORY, *Secretary.*
Mrs. ELIZABETH HEINERICH,
Acting Chairman.
Mrs. CATHERINE MEARS,
Treasurer.
Mrs. FLORENCE MCCLORY,
Secretary.

RESOLUTION OF WAUPACA COUNTY (WIS.) BOARD OF SUPERVISORS—THE NATIONAL DEBT AND FOREIGN WAR

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the Board of Supervisors of Waupaca County, Wis., protesting against the tremendous expenditure and exorbitant debt increases by the national administration, and also against involvement in any war which will take our young men to fight in a foreign land.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolution 8

To the Honorable County Board of Supervisors:

GENTLEMEN: The Board of Supervisors of the County of Waupaca, State of Wisconsin, representing a population of over 34,000 persons, prides itself in conducting the affairs of Waupaca County with a balanced budget and holding expenditures under income and seriously objecting to expenditures which would force Waupaca County into debt.

We likewise know that a tremendous large majority of the citizens of Waupaca County, all a peace-loving people who abhor war, but nevertheless are loyal, patriotic citizens who would fight to their last drop of blood for the defense of our beloved country.

We believe in the United States of America with life, liberty, and the pursuit of happiness; and

Whereas our national administration apparently has little regard for excessive expenditures of increased national debts by spending billions upon billions of dollars and by increasing the national debt of billions

more, which if continued will surely mean disaster; and

Whereas acts now taking place at Washington, D. C., appear to be leading our country into a war which would take our young men to foreign lands to fight, bleed, and die: Now, therefore, be it

Resolved, That the Board of Supervisors of the County of Waupaca, State of Wisconsin, representing a population of 34,576 persons, hereby protests against the tremendous expenditure and exorbitant debt increases by the national administration and also protests against involvement in any war which will take our young men to a foreign land to fight, bleed, and die; and be it further

Resolved, That a copy of this resolution be sent to Congressman Reid F. Murray, Senator Robert M. La Follette, Jr., Senator Alexander Wiley, and the President of the United States, Franklin D. Roosevelt, so that our protests may be made known to them.

Dated at Waupaca, Wis., May 7, 1941.

Approved and passed at the regular session of the board on May 7, 1941.

RESOLUTION OF ILLINOIS CONFERENCE, EVANGELICAL LUTHERAN AUGUSTANA SYNOD—MAINTENANCE OF PEACE

Mr. WILEY. Mr. President, I also present for printing in the RECORD and appropriate reference a letter from the secretary of the Illinois Conference of the Evangelical Lutheran Augustana Synod, embodying a resolution adopted by the recent annual convention of the conference at Monmouth, Ill.

There being no objection, the letter embodying a resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE ILLINOIS CONFERENCE OF THE EVANGELICAL LUTHERAN AUGUSTANA SYNOD,
Chicago, Ill., May 8, 1941.

The Honorable ALEXANDER WILEY,
Senate Chamber, Washington, D. C.

DEAR SIR: In accordance with instructions received, I respectfully beg to submit to you the following resolutions:

"Whereas the Illinois Conference of the Augustana Synod, representing approximately 70,000 Lutherans, is meeting for its eighty-ninth annual convention at Monmouth, Ill., in a day of universal anxiety, stress, and strife; and

"Whereas the Augustana Synod has repeatedly expressed its conviction that war, as a method of settling international disputes, is contrary to the spirit of Christ and the Gospel: Be it therefore

"*Resolved*—

"1. That we express our gratitude to God for our beloved country, for the spiritual foundations on which it was founded, for its high idealism, for its free institutions, and for its democratic form of government.

"2. That we emphatically declare our opposition to such policies as will tend to involve the United States in actual participation in the present world conflict.

"3. That we solemnly remind our chosen national leaders and representatives of their repeated promises that American soldiers and sailors will not be sent to fight in foreign territories, and we expect that these pledges shall be honestly kept.

"4. That we commend all members of Congress who have opposed involvement of our country in the present conflict, and we urge them to support all measures designed to conserve our national strength and resources for full and effective national defense.

"5. That we earnestly plead with the President of the United States and his advisers that they make the fullest use of the tremendous influence which they possess in an effort to stop the spread of the present suicidal struggle and to explore every means by which peace negotiations may be speedily inaugurated between the belligerent nations.

"6. That we ask our pastors and people continually to make supplications before the throne of mercy, confessing our individual and national sins, and imploring God to grant us His pardon and to turn away from us the judgment we have so fully deserved; and that we plead for bleeding and suffering mankind in all war-cursed lands, that the God of Peace may cause His spirit to still the passions of human hatred and strife and to bring their woes and sorrows to an end.

"7. That copies of this resolution be sent to the President of the United States, to the Senators and Representatives in Congress from the States of Illinois, Wisconsin, Michigan, and Indiana and to the press, and that we request all pastors to read these resolutions from their pulpit."

Very truly yours,

J. A. LANDIN,
Secretary, Illinois Conference.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate:

S. Res. 116. Resolution providing for sorting, indexing, and transferring certain Senate documents and papers (submitted by Mr. TYDINGS on May 13, 1941), with an amendment.

Mr. BILBO, from the Committee on Agriculture and Forestry:

S. 1300. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making of grants of aid, with amendments (Rept. No. 284).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BREWSTER:

S. 1514. A bill providing for the transfer of certain property from the Home Owners' Loan Corporation to the Department of the Interior for national-park purposes; to the Committee on Banking and Currency.

By Mr. MURRAY:

S. 1515. A bill for the relief of Mrs. Jessie A. Beechwood; to the Committee on Claims.

By Mr. LANGER:

S. 1516. A bill to enable low-income family groups which are not receiving public assistance to acquire food under the stamp plan for distribution of surplus agricultural commodities; and

S. 1517. A bill to enable low-income family groups which are not receiving public assistance to acquire food under the stamp plan for distribution of surplus agricultural commodities; to the Committee on Agriculture and Forestry.

By Mr. WALSH:

S. 1518. A bill to prohibit the use of the mails or other channels of interstate or foreign commerce for the delivery or transmission of any advertisement, solicitation, statement, or other communication wherein the word "olympic" or any of its derivatives is used in such a manner as is likely to deceive the public; and

S. 1519. A bill to prohibit the use of the mails or other channels of interstate or foreign commerce for the delivery, transportation, or transmission of any tickets, advertisements, solicitations, statements, or other communications containing false statements or representations as to the amateur character of any event, competition, or spectacle, for the purpose of selling tickets of admission to or raising funds for the support of such event, competition, or spectacle; to the Committee on Interstate Commerce.

ADDRESS BY SENATOR WILEY BEFORE P. E. O. CONVENTION

[Mr. WILEY asked and obtained leave to have printed in the RECORD a speech delivered by him before the P. E. O. convention, held at the Shoreham Hotel, Washington, D. C., May 14, 1941, which appears in the Appendix.]

ARTICLE ON EUROPEAN FOOD SITUATION BY J. I. FALCONER

[Mr. BURTON asked and obtained leave to have printed in the RECORD an article on the European food situation, written by Dr. J. I. Falconer, department of rural economics of Ohio State University, and published in the Ohio Farmer, which appears in the Appendix.]

ARTICLE BY E. W. RISING ON "THE NEW SUGAR ACT"

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an article by E. W. Rising entitled "The New Sugar Act," which appears in the Appendix.]

CORN AND WHEAT MARKETING QUOTAS—CONFERENCE REPORT

Mr. BANKHEAD. Mr. President, I submit the conference report on Senate Joint Resolution 60 and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

(1) On page 1 of the House engrossed amendment, in line 12 of the language proposed to be inserted by such amendment, strike out "which is not harvested as silage"

(2) On page 1 of such amendment, in lines 14 and 15 of such language, strike out "which is not harvested as silage and".

(3) On page 2 of such amendment, in lines 7 and 8, strike out ", but shall not include corn harvested as silage".

(4) On page 5 of such amendment, at the end of paragraph "(7)," strike out the following: "For the purpose of this paragraph and section 323 (b) of the Act, acreage of corn harvested as silage shall not be considered acreage planted to corn, or acreage of corn harvested."

(5) On page 6 of such amendment, in line 3 of subparagraph "(a)" of paragraph "(10)" strike out "75 per centum" and in lieu thereof insert "85 per centum".

(6) On page 7 of such amendment, in lines 8 and 9, strike out "(except as provided in paragraph (7))".

(7) On page 4 of such amendment, in line 8, insert "(b) and" after "326".

And the House agree to the same.

E. D. SMITH,
J. H. BANKHEAD,
C. L. MCNARY,
ELMER THOMAS,
GEORGE D. AIKEN,
Managers on the part of the Senate.

H. P. FULMER,
WALL DOXEY,
J. W. FLANNAGAN, JR.,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report? The Chair hears none. The question is on agreeing to the report.

Mr. BANKHEAD. Mr. President, I do not care to take any time about the matter. I should like to have a yea-and-nay vote on the adoption of the report. I think every Member of the Senate knows what is involved.

Mr. McNARY. Mr. President, is this the conference report on the so-called commodity parity loan measure?

Mr. BANKHEAD. It is.

Mr. McNARY. I understand that the measure passed by the House provided for a 75-percent parity loan. The joint resolution as introduced in the Senate, considered by the Senate committee, and reported to the Senate, was for a 100-percent loan. Later the Senate agreed to an 85-percent loan, and that was agreed to in conference. This is the conference report on that matter, is it?

Mr. BANKHEAD. It is.

Mr. McNARY. If there is to be a roll call on agreeing to the report, I think there should be a fitting explanation by the able Senator from Alabama. The matter is a very important one. I may say that I probably had little to do with the compromise which brought about the present figure; but I know that the measure affects, probably beneficially, the producer, and that it may somewhat increase the cost to the consumer. It is a large item. Before we vote, I think we should thoroughly understand about the subject matter. For that reason, I suggest that the able Senator make a statement if he desires an expression of the Senate by a vote at this time.

Mr. BANKHEAD. I shall be glad to comply with the Senator's suggestion.

Mr. HATCH. Mr. President, before the Senator begins his remarks may I ask him a question? I want him to explain a matter. I saw in the morning newspaper a statement by some department official to the effect that if this 85-percent parity loan were adopted it would increase the cost to the consumer some 10 or 20 percent. I am thoroughly in disagreement with that statement; and I should like to have the Senator, in his explanation, comment a little bit upon it.

Mr. BANKHEAD. I shall be glad to do that, also.

Last week I addressed the Senate on the general subject of parity income for farmers, and submitted a number of tables which were included in the RECORD. I do not intend at this time to review the arguments presented to the Senate last Tuesday.

This subject has been under consideration by Congress for practically this entire session. Early in the session a bill was introduced by me providing for parity price loans up to 100 percent. The bill was duly considered by the Senate Committee on Agriculture and Forestry. Hearings were held which covered some days and made up a pretty full record upon the subject. Later the committee went into the consideration of the bill; and, although there was not an entirely full membership present, the committee with those present, 13 or 14 Members, unanimously voted a favorable report on the bill. The bill is now on the calendar, but has not been called up for consideration because it was well known by those who were keeping in touch with the situation that the House was considering a loan bill, and it was thought advisable to wait until the House took action.

Later, at a meeting of the Senate Committee on Agriculture and Forestry called to consider that subject exclusively, the bill and the principles involved were again considered by the committee, and with a pretty full membership present the committee agreed to support an 85 percent loan. We did not then bring the matter to the Senate for action under my original bill, which was on the calendar, for the same reason. Senate Joint Resolution 60 was passed by the Senate. The House committee had reported a 75-per-cent-loan measure. So when the House acted on Senate Joint Resolution 60 it adopted some amendments, including one inserting the 75-percent provision.

The joint resolution came back to the Senate, and the Senate disagreed to the House amendment because it was the judgment of the Senate Committee on Agriculture and Forestry that the loan should be 85 percent; so the matter was sent to conference. The only changes the conferees made in the measure as passed by the House were to eliminate an amendment which had been put in in the House on the subject of silage and to change the 75 percent to 85 percent.

The report of the conference committee was unanimously agreed to by each House unit. In other words, the five Senate conferees supported the 85-percent provision, and the five House conferees also agreed to the 85-percent provision.

The conference report then went to the House for action; and there a yea-and-nay vote was taken, as most Members probably may have noted, on the acceptance of the conference report fixing the loan rate at 85 percent. The vote over there stood 274 on a roll call in favor of the acceptance of the conference report, with 63 in opposition—a vote of about 4 to 1. So we now have here the same conference report under a motion to approve the report.

In answer to the question propounded by the Senator from New Mexico [Mr. HATCH] about a newspaper report, we all know that there are certain groups who, on all occasions when the welfare of the farmers of the country is brought to the attention of Congress, oppose in a general way any action favorable to increasing the income of farmers, primarily upon the asserted ground that it will result in an increase in cost to consumers.

Mr. President, if that position were taken and maintained in the case of all other groups of earners and workers, there might be some excuse for presenting that suggestion every time anything comes before the Congress in the interest of the farmer. It has not been long since at this session of Congress, after a 2-year trial, a measure providing for a continuance of the Bituminous Coal Commission was presented to the Congress. It was well known that the operation of that law tended to increase the wages of the coal miners because of the fixation of the selling prices by the coal operators. As we all know, the measure was supported largely by the coal miners. No one raised the point here that we should not pass remedial and progressive legislation to help preserve and promote one of our great industries because there would be some increase, somewhere along the line, in the selling price of coal. On the contrary, Congress, with very little opposition, after a 2-year experience under that law and knowing its effect, proceeded to continue the law in effect for 2 years longer.

Did we hear any complaint here when the National Labor Relations Act was under consideration by the Congress on the ground that benefits to union labor in the matter of increasing their earnings would injure the consumers of the country? I do not recall any argument based upon that ground. There were some opponents to the passage of the bill creating the National Labor Relations Board, but the objections were based upon other grounds than because of the interest of the consumers, though thoughtful men fully understood that under the operation of that act, giving to the workers the lawful right to organize, the lawful right to present their claims without being punished economically or otherwise, the result would be an improvement in working conditions and an increase in earning power on the part of the industrial worker.

Mr. President, the workers organized, and I heard no objection to the passage of that law because the increase in wages of the industrial workers would be injurious to the general consumers of the country.

There are many programs which have been passed by the Congress. We find railroad rates fixed by the Interstate Commerce Commission, and no effort here in the interest of the consumers, after many long years, to repeal the law establishing the Interstate Commerce Commission, although many years ago it recognized that transportation by railroad constituted a monopoly. All competition was eliminated, and freight rates were fixed on a basis which the Interstate Commerce Commission thought would be reasonably profitable to the transportation companies, and at the same time not greatly injurious to the public.

We find that some professional economists, some persons who never in their lives produced a single commodity, either agricultural or otherwise, are the ones who, in the main, take to the newspaper columns to air their views. As we know, there are in the Department of Agriculture, a department which should be representing the farmers to help them get a fair deal and obtain justice, some theorists who assert that they are representing the consumers and not the farmers. Every one of them should be eliminated from the Department of Agriculture.

Mr. President, I do not know the source of the reports which were published in the newspapers. I do know that the statements of fact made are not true. In my former speech I presented a table in which the cost of cotton, wheat, and corn

were involved. Really, tobacco and rice are not involved in this program. The prices of those commodities are now above parity, and the producers of those commodities will not operate under this loan program, unless there is some unexpected change in the situation. So there are only three commodities affected.

I saw a statement that the program would increase the cost of living by 5 percent, or 10 percent, or some other arbitrary amount.

Mr. HATCH. If the Senator will yield, I think it was stated it would be as much as 20 percent, although I am not sure of that.

Mr. BANKHEAD. Probably it was so stated. Those responsible for such reports have gotten so wild, reckless, absurd, and extreme in their opposition simply because for the first time in many years Congress is now ready to act with a degree of fairness and justice to the great unorganized agricultural workers of this country.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BANKHEAD. I am glad to yield.

Mr. GILLETTE. Is it not also a fact that even with the yardstick which we use, the period which we called the parity period, even in that most favorable relationship, the farming element have never had their proportionate share, and did not have their proporationate share of the national income?

Mr. BANKHEAD. That is correct. Considering the percentage of the population they comprise, it is true they never have had it.

Consider cotton, and let us see what percentage the price to the farmer represents in the matter of the cost of living. It was pointed out in my speech, in the table prepared, not for this occasion but previously prepared by the Bureau of Agricultural Economics, a scientific organization, a nonpolitical civil-service organization, that the raw cotton in a $2 shirt costs less than 1½ cents. Suppose the price of the cotton were doubled—and this program would not do that—suppose the price were doubled and the farmer were paid 3 cents for the raw material. The shirt would doubtless still sell at the same price, $2. Where is the percentage in the increase of the cost of living in that proposition?

Mr. President, the laundryman who washes a shirt gets 5 or 10 times as much every time he launders the shirt as the farmer who toils to produce the cotton gets for the raw material in the shirt. Yet we hear talk about a little, infinitesimal increase in the cost of the raw cotton which goes into the manufactured product increasing in some substantial way the total cost of living.

The news articles mentioned refer not to how much the cost of cotton or the cost of corn will be increased. The writers are not fair enough to confine their assertions to a situation of that sort, which would give the public a true and accurate understanding of the percentage in the increase in the cost. These theorists, these economists, whose names are not given to the public would be ashamed, in my judgment, to permit their names to be used as sponsors for any such brazen and absurd suggestions as have been carried in the newspapers during the last few days.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield?

Mr. TAFT. Would the Senator state, purely for information, the present loan prices on the three commodities, and what they will be after the passage of this measure?

Mr. BANKHEAD. I shall be glad to. The present loan price on cotton is about 56 percent of parity. It is also true of wheat that the present loan price is about 56 percent of parity.

Mr. McNARY. Mr. President, I think the Senator from Ohio desires to have the loan price per pound on cotton and per bushel on wheat and corn.

Mr. BANKHEAD. The loan price on cotton is about 9 cents a pound. The loan price on wheat is 65 cents a bushel. The loan price on corn is about 61 cents a bushel. Those are the present rates. Since the passage of the Agricultural Adjustment Act of 1938 there has been a mandatory loan price on corn of 75 percent. The other commodities have had a rate, dependent on the judgment of the Secretary of Agriculture, which would range from 52 percent as a minimum to 75 percent as a maximum. So, under the present law the 75-percent loan is really permissible, but the trouble is the Department has been unwilling to fix the loan at the maximum figure, except, of course, that the loan price on corn was fixed at 75 percent. That loan price has been in effect for 3 years

Mr. TAFT. Would the Senator state what the new loan figures would be in cents per pound or per bushel for the three commodities?

Mr. BANKHEAD. Yes. Under the 85-percent program contained in the bill the loan price on cotton will be 13.49 cents; on corn it will be 69.87 cents; on wheat, 96.22 cents; on tobacco, flue-cured, 19 cents; on fire and dark air-cured tobacco, 8.41 cents; on burley tobacco, 18.53 cents. If the Senator will turn to page 3611 of the CONGRESSIONAL RECORD of May 6, he will find the table setting out those figures.

Mr. TAFT. Will the Senator again yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. Will the Senator state what the present market price of these three commodities is? The market price of wheat is approximately the same as the new loan price.

Mr. BANKHEAD. The market price has been increasing on all these commodities since the prospective passage of this legislation. I am unable to give the Senator exactly the farm price of these commodities.

Mr. SMITH. Will the Senator yield to me for a moment?

Mr. BANKHEAD. Yes.

Mr. SMITH. If the measure shall be passed, I think it will not result in costing the Government a penny by reason of the increase in loan prices, because this morning the market on cotton opened only 15 points below the loan price. Middling cotton was quoted this morning at 13.15 cents. The proposed legislation will fix 16 cents a pound on cotton as 100 percent parity; 85 percent would be 13.6 cents; so cotton would have to go up only a few points more for the market price to be equal to the loan price. It is my opinion that under this measure the farmers will sell their cotton and not put it in the loan, because the market price always exceeds the loan price by a certain amount.

I am informed that the situation with respect to wheat is practically the same.

Will the Senator from Alabama yield further to me?

Mr. BANKHEAD. I am glad to have the Senator proceed.

Mr. SMITH. Every time there has been an increase in farm prices we have heard calamity howlers talk about the consumers. I do not believe that any man who produces cotton will think that he will make any money with cotton at from 13 to 14 cents a pound. Wheat at a dollar or a dollar and a quarter a bushel will not increase the amount the consumer has to pay for bread. Even if it did, the man who produces the wheat is entitled to something. I do not think we in this body should attempt to make peons and paupers out of the producers of that which sustains our lives, even though our action should raise the price to the consumer, and I do not admit that it would at all.

I know that in 1917 and 1918 cotton went to 42 cents or 43 cents a pound. That did not result in increasing to any great extent the price of manufactured goods. I think the most wholesome thing I have seen during the present session of Congress is a determination on the part of the Members of the House and Senate to give the farmer some small break.

Mr. TAFT. Mr. President, by what I have said I did not intend to imply any criticism whatever. I am simply trying to get the facts. I asked the Senator from Alabama what the market prices of cotton, wheat, and corn are, simply so that we may know whether the new loan prices are higher or lower. From what the Senator says, I think the price of cotton is fairly close to the prospective loan price. Will the Senator give me similar information with respect to wheat and corn?

Mr. SMITH. The same percentage holds true with respect to wheat. So we may be faced with the prospect of no loans at all during the coming year, but that the market will absorb the commodity.

Mr. TAFT. Will the Senator explain one other matter? Let us assume the Government makes 13½-cent loans on cotton. Of course, we do not consume, as I understand, our entire cotton crop; so would it be necessary to sell that loan cotton at a discount in order to get rid of it abroad?

Mr. SMITH. No; we will put what we do not consume in a loan.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. McNARY. Free cotton, then, will move in this country, and that which

formerly has gone as export will be held under Government loans.

Mr. SMITH. Yes.

Mr. BANKHEAD. In answer to the Senator from Ohio, let me say that it is my judgment that this year there will be little, if any, surplus cotton.

Mr. SMITH. For this year's crop.

Mr. BANKHEAD. The latest report available shows that the domestic consumption of cotton in 1 month—April—was 939,000 bales. The annual consumption, assuming it continues at that rate, will be 11,200,000 bales. If we take into consideration, then, the quantity of cotton that will doubtless be taken by the Surplus Marketing Administration for distribution in the form of mattresses and other manufactured goods, it is perfectly evident, unless there should be a break-down in the volume of consumption, that there will be no surplus cotton.

Mr. TAFT. Can the Senator state how many bales of cotton the Government either now owns, or with respect to which it has loans?

Mr. BANKHEAD. Unhappily the Government owns a great deal of cotton. It owns 6,200,000 bales, which it has owned for some years. It had loans on about 5,000,000 bales more, but a large part of that has been drawn out by borrowers and sold.

Mr. TAFT. Does the Senator know how much?

Mr. BANKHEAD. No; but probably 1,000,000 bales.

Mr. TAFT. Of the 5,000,000 bales, about 1,000,000 have been drawn out?

Mr. BANKHEAD. Drawn out and sold.

Mr. SMITH. The amount reported day before yesterday was 10,041,000 bales.

Mr. TAFT. So, in effect, the Government today owns between 10,000,000 and 11,000,000 bales.

Mr. SMITH. As the Senator has said, the Government owns approximately 6,000,000 bales, and has loans or an equity with respect to about 5,000,000 bales. The Government either owns outright or has an equity in 10,041,000 bales.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BANKHEAD. Let me ask the Senator from Georgia [Mr. RUSSELL] if he can give us the figures with respect to the amount in which the farmers have an equity.

Mr. RUSSELL. I do not know the exact number of bales in which the farmers now have an equity, but I have been advised that, due to the increase in the price of cotton, caused, as I see it, almost altogether by the loan legislation, farmers have been disposing of their equity; and the amount with respect to which there are Government loans at this time is probably considerably below 5,000,000 bales.

Mr. BANKHEAD. I think it is below 4,000,000 bales.

I now yield to the Senator from North Dakota.

Mr. LANGER. I think it is generally conceded that the producers of wheat have not received the cost of production. It is also conceded that with the war coming on the cost of the machinery they have to buy will be much higher. I should very much like to know why the Senate conferees did not insist on 100 percent of parity.

Mr. BANKHEAD. We did the best we could. Originally the House voted only 75 percent. We had to give and take.

Mr. President, I do not wish to prolong the debate. Coming back to the question asked by the Senator from New Mexico [Mr. HATCH] with regard to the general talk about the increase in the cost of living to the consumers, I have briefly discussed cotton. Let me refer briefly to wheat. I should like to have the attention of the Senator from Ohio [Mr. TAFT], if I may. I know the Senator is seeking information, and I am glad to try to furnish it.

I discussed the increase in the cost of cotton and showed how negligible it is from the standpoint of the increase in cost by reason of the amount paid to the farmer. That is the only legitimate increase in the cost.

Let us see about wheat. The amount received by the farmer for the wheat in a pound of white bread is only a fraction of a cent.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. I do not for a moment dispute the Senator's desire to raise the price, and I do not intend to oppose the conference report. My difficulty is the question of economics involved in getting rid of the surplus, of which the Government has already acquired a large amount and may acquire more. I do not think that the proposed difference in price is in any way unfair to consumers in the United States; and if a sound means can be found for raising that price, I certainly am glad to support it. The Senator does not need to argue with me the question of whether or not the small proposed increase in price would injure the consumer. I do not think it would.

Mr. BANKHEAD. I shall not proceed further along that line.

I wish to make this statement in public to the Senator: Going back to the pre-war days, the parity-price period, I wish to call the attention of Members of the Senate to the fact that that period of 4 years is generally recognized by the economists as representing the fairest balance of exchange between industrial and agricultural prices. I wish to say to the senior Senator from Ohio that during that pre-war parity period, the most prosperous and most satisfactory in the history of this country, his great father was President of the United States. I have often remarked elsewhere that the record shows that President Taft was a wonderful business executive. We are now seeking to go back to the same situation of balance in the relations between agriculture and industry that existed during the period which brought so much prosperity, happiness, and contentment to the people of this country. I do not make that statement merely because the Senator from Ohio is present. I have said the same thing on other occasions, when he was not present.

Mr. TAFT. I thank the Senator for his very kind reference to that administration.

Mr. BANKHEAD. I mean it very sincerely.

Mr. President, I shall consume no more time. I am ready to vote. I think we ought to have a yea-and-nay vote. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUCAS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gerry	O'Mahoney
Austin	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Reynolds
Bankhead	Guffey	Rosier
Barbour	Gurney	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Smathers
Bone	Hill	Smith
Brewster	Holman	Spencer
Brown	Hughes	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Butler	Langer	Tobey
Byrnes	Lee	Truman
Capper	Lodge	Tunnell
Chandler	Lucas	Tydings
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Wallgren
Connally	McNary	Walsh
Danaher	Maloney	Wheeler
Davis	Mead	Willis
Downey	Murdock	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present. The question is upon agreeing to the conference report on Senate Joint Resolution No. 60. On this question the yeas and nays have been demanded and ordered. The clerk will call the roll.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Vermont will state the parliamentary inquiry.

Mr. AIKEN. Will the Chair state the question?

Mr. McNARY. Mr. President, the Senator from Vermont, as I understand, desires to know if the question is upon the adoption of the conference report.

The PRESIDING OFFICER. That is correct. The question is on the adoption of the conference report. The clerk will call the roll.

The legislative clerk called the roll.

Mr. AUSTIN. I announce the necessary absence of the senior Senator from California [Mr. JOHNSON], who would vote "yea," if present.

Mr. GLASS. I have a general pair with the senior Senator from Minnesota [Mr. SHIPSTEAD]; but, inasmuch as he votes for everything the farmers want, I am confident that if present he would vote "yea." As I intend to vote the same way, I am therefore at liberty to vote, and vote "yea."

Mr. McNARY. I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am advised that, if present, he would vote "yea," as I am about to vote. I vote "yea."

Mr. TYDINGS. My colleague the junior Senator from Maryland [Mr. RADCLIFFE] is necessarily absent from the Senate. If present, he would vote "yea."

Mr. HATCH. My colleague the Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained from the Senate. If present, he would vote "yea."

Mr. STEWART. My colleague the senior Senator from Tennessee [Mr. MCKELLAR] is necessarily absent because of illness. If present, he would vote "yea."

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON] and the Senator from New York [Mr. WAGNER] are absent because of illness.

I am advised that, if present and voting, the Senator from Arkansas [Mrs. CARAWAY], the Senator from Mississippi [Mr. HARRISON], and the Senator from New York [Mr. WAGNER] would vote "yea."

I further announce that the Senator from Virginia [Mr. BYRD], the Senator from Iowa [Mr. HERRING], and the Senator from Utah [Mr. THOMAS] are detained in Government departments on official business. I am advised that, if present and voting, the Senator from Iowa and the Senator from Utah would vote "yea."

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

The Senator from Tennessee [Mr. MCKELLAR] is paired with the Senator from Michigan [Mr. VANDENBERG].

Mr. MCNARY. The Senator from Kansas [Mr. REED], the Senator from North Dakota [Mr. NYE], and the Senator from Minnesota [Mr. SHIPSTEAD] are unavoidably absent. If present, all these Senators would vote "yea."

The Senator from Wisconsin [Mr. WILEY] and the Senator from Illinois [Mr. BROOKS] are detained on official business. If present, they would vote "yea."

The result was announced—yeas 75, nays 2, as follows:

YEAS—75

Adams	Ellender	Murray
Aiken	George	Norris
Andrews	Gillette	O'Mahoney
Austin	Glass	Overton
Bailey	Green	Pepper
Ball	Guffey	Reynolds
Bankhead	Gurney	Rosier
Barbour	Hatch	Russell
Barkley	Hayden	Schwartz
Bilbo	Hill	Smathers
Bone	Holman	Smith
Brewster	Hughes	Spencer
Brown	Johnson, Colo.	Stewart
Bulow	Kilgore	Taft
Bunker	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Butler	Lee	Tobey
Byrnes	Lodge	Truman
Capper	Lucas	Tunnell
Chandler	McCarran	Tydings
Clark, Idaho	McFarland	Van Nuys
Clark, Mo.	McNary	Wallgren
Connally	Maloney	Walsh
Davis	Mead	Wheeler
Downey	Murdock	Willis

NAYS—2

Danaher	Gerry

NOT VOTING—18

Bridges	Byrd	Chavez
Brooks	Caraway	Harrison
Herring	Radcliffe	Vandenberg
Johnson, Calif.	Reed	Wagner
McKellar	Shipstead	White
Nye	Thomas, Utah	Wiley

So the report was agreed to.

EXTENSION OF STATUTE OF LIMITATIONS IN WAR-RISK INSURANCE CASES

Mr. LANGER. Mr. President, on February 25, 1941, I introduced Senate bill No. 952 extending the statute of limitations in suits on war-risk insurance cases.

No authoritative decision on what constituted permanent and total disability under these insurance contracts was rendered until the Supreme Court of the United States passed upon the question in the case of *Lumbra* v. *United States* (290 U. S. 551) in the year 1934. This case was a signal for many of the United States circuit courts of appeals to usurp the function of a jury by deciding issues of fact. At the time that the Lumbra decision came down actions on war-risk insurance contracts were barred. Recently, the Supreme Court of the United States again passed upon the question of permanent and total disability under war-risk insurance contracts. This case is of utmost importance to disabled World War veterans and their beneficiaries because it definitely lays down the rule that issues of fact should be decided by a jury.

I therefore ask that the decision of the Supreme Court in the case of Leroy A. Berry against United States, decided on March 5, 1941, be printed in the RECORD for the information of claimants who have previously been denied rights under these insurance contracts. This decision reversed a decision of the United States Circuit Court of Appeals for the Second Circuit, reversing a judgment in the veteran's favor entered in the District Court of the United States for the District of Vermont. It lays down the important rule that an insured does not have to be absolutely helpless or bedridden in order to recover insurance benefits, and that he may perform some labor and still be permanently and totally disabled.

It adds a very good reason why the statute of limitations should be lifted in these cases.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

[*Berry* v. *United States of America*. United States Supreme Court. No. 336, October term, 1940. March 3, 1941. On petition for writ of certiorari to the United States Circuit Court of Appeals, Second Circuit. Reversed. (For opinion by Circuit Court of Appeals, see 3, Life Cases 948.)]

VETERAN TOTALLY AND PERMANENTLY DISABLED—DELAY IN FILING CLAIM

Plaintiff was seriously wounded in active service while his policies of war-risk insurance were in force. His injuries necessitated the amputation of his left leg, and although he was given vocational training in photography and automobile mechanics, he was unable to follow either as an occupation or to follow any other gainful occupation. However, he tried to operate a farm, but failed, and then tried to sell aluminum cooking utensils, but could not continue at such work. He did not file this action seeking to recover benefits provided under his policies until 13 years after he became disabled. The jury in the trial court found that he was totally and permanently disabled within the meaning of his policies, and a judgment was entered in his favor on their verdict. The court of appeals reversed that judgment. However, this court finds that the evidence substantially supported the jury's verdict, and the judgment of the court of appeals is reversed, and that of the district court affirmed. The fact that the plaintiff attempted to work rather than lie idle should not prevent his recovery of disability benefits to which he was rightfully entitled.

C. L. Dawson, 923 Fifteenth Street, Washington, D. C., P. F. Gibson, F. E. Barber, Jr., Brattleboro, Vt., for petitioner.

Francis Biddle, Solicitor General, for respondent.

RULINGS BELOW

Black, J.: Petitioner sued the United States in a Federal district court, alleging that he became totally and permanently disabled prior to November 31, 1919, while his policies of war-risk insurance were in force and effect.[1] Trial was had and evidence heard. The trial judge declined to grant the Government's request for a directed verdict in its favor. The jury found for petitioner. The Government, without having made any motion either for a new trial or for judgment notwithstanding the verdict, took the case to the circuit court of appeals. Upon review that court held plaintiff had not produced sufficient evidence to justify submission of the cause to the jury. The court did not, however, remand the case to the district court for further proceedings, but reversed the judgment and dismissed the cause of action.[2]

QUESTIONS PRESENTED

The petition for certiorari presented two questions: First, whether there was sufficient evidence to sustain the verdict; second, whether the circuit court of appeals erred in dismissing the cause instead of remanding it for a new trial. This second question invoked our jurisdiction in order to obtain an authoritative construction of subdivision (b) of rule 50 of the Rules of Civil Procedure. In part that subdivision provides:

"Whenever a motion for a directed verdict made at the close of all the evidence is denied or for any reason is not granted, the court is deemed to have submitted the action to the jury subject to a later determination of the legal questions raised by the motion. Within 10 days after the reception of a verdict, a party who has moved for a directed verdict may move to have the verdict and any judgment entered thereon set aside and to have judgment entered in accordance with his motion for a directed verdict."

Since the Government made no such motion within 10 days after the verdict, petitioner urged here that the circuit court of appeals was without power to dismiss the cause but should have remanded it for a new trial. But while this important point, upon which the circuit courts of appeals are not in complete agreement,[3] is one of the two questions upon which the petition for certiorari rested, there is no occasion for us to reach it here. For we find that there was sufficient evidence to sustain the jury's verdict, and we hold that the district court properly denied the Government's motion for a directed verdict in its favor.

[1] Though petitioner alleged that his policies were in effect until November 30, 1919, in reality it was necessary for him to show that he became totally and permanently disabled prior to September 1, 1919. This variance in dates is not material, however.

[2] (3 Life Cases, 948) 111 F. (2d) 615.

[3] Compare *Conway* v. *O'Brien* (7 Automobile Cases 387), 111 F. (2d) 611, 613 (C. C. A. 2d), reversed this day, with *Pruitt* v. *Hardware Dealers Mutual Fire Ins. Co.* (2 Fire and Casualty Cases 393), 112 F. (2d) 140, 143 (C. C. A. 5th). And see *United States* v. *Halliday*, decided January 9, 1941 (4 Life Cases 1194) (C. C. A. 4th).

POSSIBLE JURY FINDINGS

Rule 50 (b) goes further than the old practice [4] in that district judges, under certain circumstances, are now expressly declared to have the right (but not the mandatory duty) to enter a judgment contrary to the jury's without granting a new trial.[5] But that rule has not taken away from juries and given to judges any part of the exclusive power of juries to weigh evidence and determine contested issues of fact [6]—a jury being the constitutional tribunal provided for trying facts in courts of law. Here, although there was evidence from which a jury could have reached a contrary conclusion, there was testimony from which a jury could have found these to be the facts: Petitioner suffered injuries on June 16, 1918, while serving in the front lines in France. On that date, in the early morning hours, bits of shrapnel wounded him in the right arm, right shoulder, right hip, and in front of the right ear. He was helped to a dugout by another soldier. There he found others who were wounded. About 15 minutes after he arrived at the dugout another shell struck, immediately in front of the dugout door. All the 9 or 10 men present were either killed outright or were so badly wounded that they were unable to leave. Petitioner's left leg was practically cut off below the knee. He twisted a part of his wrapped leggings around his wound to stop the bleeding. About 6½ hours later he was taken on a stretcher and carried back to the first-aid station. There his wounds were temporarily dressed. After another 6 or 7 hours he was carried to the hospital. Shortly thereafter an operation followed and his left leg was removed. He underwent several operations in the hospitals in France, leaving that country for the United States in August of 1918 and arriving in Boston on September 7. He was treated in hospitals in the United States until about Christmas 1918.

During the years between the time of the injury and the time of the trial, petitioner suffered repeatedly from abscesses and blisters on the stump of his left leg, and his right leg has caused him inconvenience, suffering, and disability. In addition his nervous system has shown serious and continuous impairment, so much so that the circuit court of appeals properly said, "Certain it is that he was neurasthenic, and had uncontrollable accesses of terror at any explosion, or even during thunderstorms." There has never been a time since his injuries when he could do work which required him to stand upon or use the stump without having it blistered, chafed, or abscessed within 2 days. Several physicians who examined and treated him through the years were of opinion that he would never be able to work continuously at a gainful occupation because of his condition, and that he had never been able so to work since the wound was received. The Government gave him vocational training both in photography and in automobile repair work. He tried both, but from his own evidence, corroborated by that of his employers in many instances, the jury could have found that in spite of his determination to succeed, he was physically unable to do so. He bought a farm. He was compelled to depend on the work of his own family and relatives in this undertaking, but the venture was a failure and he lost the farm. He tried to operate a garage in partnership with another. In this, too, he was unsuccessful and the jury could have found that his failure was attributable to his physical disabilities. For a time he was engaged as a salesman of aluminum cooking utensils. But here again the jury could have found that his contribution to the venture was small. For as elsewhere, there was testimony tending to show that it was a member of his family, in this instance, his wife, whose labors made it possible for this activity to be carried on. Taking the evidence as a whole, the jurors, who heard the witnesses and personally examined the petitioner's wounds, could fairly have reached the conclusion that since his injuries petitioner never had been able, and would not be able thereafter, to work with any reasonable degree of regularity at any substantially gainful employment. The trial judge, who had the same opportunity as the jury to hear the witnesses, denied the Government's motion for a directed verdict and correctly instructed the jury what they must find from the evidence in order to return a verdict for petitioner.[7]

TOTAL AND PERMANENT DISABILITY

It was not necessary that petitioner be bedridden, wholly helpless, or that he should abandon every possible effort to work in order for the jury to find that he was totally and permanently disabled.[8] It cannot be doubted that if petitioner had refrained from trying to do any work at all, and the same evidence of physical impairment which appears in this record had been offered, a jury could have properly found him totally and permanently disabled. And the jury could have found that his efforts to work, all of which sooner or later resulted in failure, were made not because of his ability to work but because of his unwillingness to live a life of idleness, even though totally and permanently disabled within the meaning of his policies.[9] Nor does the fact that he waited 13 years before bringing suit stand as an insuperable barrier to his recovery. His case was not barred by any statute of limitations. Whatever weight the jury should have given to the circumstance of petitioner's delay in filing his claim, that weight was still for their consideration in connection with all the other evidence in the case.

There was evidence from which a jury could reach the conclusion that petitioner was totally and permanently disabled. That was enough. The judgment of the circuit court of appeals is reversed, and that of the district court is affirmed.

It is so ordered.

[4] Compare *Slocum* v. *New York Life Insurance Co.*, 228 U. S. 364, with *Baltimore & Carolina Line* v. *Redman*, 295 U. S. 654.

[5] The relevant portion of the rule provides: "If a verdict was returned the court may allow the judgment to stand or may reopen the judgment and either order a new trial or direct the entry of judgment as if the requested verdict had been directed."

[6] See *Gunning* v. *Cooley*, 281 U. S. 90, 94; *Richmond & Danville R. R.* v. *Powers*, 149 U. S. 43, 45; *Texas & Pacific Ry.* v. *Cox*, 145 U. S. 593, 606; *Railroad Co.* v. *Stout*, 17 Wall. 657, 663.

[7] The Government expressed satisfaction with the trial judge's charge, which, as to total and permanent disability, contained this statement: "A total disability is any physical or nervous injury which makes it impossible for a person to follow continuously a substantially gainful occupation at any kind of work for which he was competent or qualified, physically and mentally, or for which he could qualify himself by a reasonable amount of study and training. The word 'total' as applied to 'disability' does not necessarily mean incapacitated to do any work at all. The word 'continuously' means with reasonable regularity. It does not preclude periods of disability which are ordinarily incident to activities of persons in generally sound health, for nearly all persons are at times temporarily incapacitated by injuries, or poor health, from carrying on their occupations. If Berry was able to follow a gainful occupation only spasmodically, with frequent interruptions, due to his injuries, and his shock, he was totally disabled. A disability is permanent when it is of such a nature that it is reasonably certain it will continue throughout a person's lifetime."

[8] *Lumbra* v. *United States* (290 U. S. 551, 559–560).

[9] See *United States* v. *Rice* (72 F. (2d) 676, 677); *Nicolay* v. *United States* (51 F. (2d) 170, 173); *United States* v. *Lawson* (50 F. (2d) 646, 651); *United States* v. *Godfrey* (47 F. (2d) 126, 127); *United States* v. *Phillips* (44 F. (2d) 689, 691).

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Taylor, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 916) authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation, and it was signed by the Vice President.

ACQUISITION AND USE OF MERCHANT VESSELS

The Senate resumed the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

Mr. McNARY. Mr. President, I should like to have the attention of the able Democratic leader, the Senator from Kentucky [Mr. BARKLEY].

The unfinished business is now in the hands of the Senator from North Carolina [Mr. BAILEY], and I think a special order has been made for its consideration. I have no objection, of course, to the bill being considered today and could not, indeed, prevent any consideration, but I should like to have an understanding with the senior Senator from Kentucky that the unfinished business shall not be disposed of today and that the final vote on it and on any amendments that may be offered, if that should be desired, may go over until tomorrow.

Mr. BARKLEY. I will say to the Senator from Oregon that I have conferred with him about this matter, and also with the Senator from North Carolina [Mr. BAILEY], the chairman of the committee in charge of the bill, and the Senator from Georgia [Mr. GEORGE], who is the author of the bill; and because of situations which may involve the absence of a few Senators who might want to vote on it today and who remained here because of the contest, which was concluded yesterday, I am perfectly willing to enter into an agreement that we will not vote finally on the bill until tomorrow. Of course, the trouble about that is always that when Senators know there will not be a vote until the next day they proceed elsewhere and do not listen to the debate.

Mr. McNARY. I have no intention of objecting to the consideration of the bill today, but I think the able Senator from Michigan [Mr. VANDENBERG] has an important amendment to offer. I only want it understood that the final disposition of the bill shall not be had today and that opportunity might be afforded to offer amendments tomorrow.

Mr. BARKLEY. That is entirely agreeable, but I hope that we may proceed with the discussion of the bill——

Mr. McNARY. I hope so, too.

Mr. BARKLEY. And to offer any amendments which are to be offered and to discuss them, so that we may go ahead.

Mr. McNARY. I am quite in accord with the Senator.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield, if I have the floor.

Mr. VANDENBERG. The agreement the Senator is now discussing has no bearing upon any vote upon any amendment, has it?

Mr. McNARY. No. I can say that.

Mr. BARKLEY. Do I understand the Senator from Oregon to indicate that he did not want a vote on any amendment?

Mr. McNARY. No. I want to proceed in the regular order today, and dispose of all of them we can, but I simply do not want the final vote today, nor do I want any Senator who may desire to do so to be precluded from the opportunity of offering an amendment tomorrow.

Mr. BARKLEY. I understand that agreement will not interfere with the orderly procedure on the bill today, and the offering of amendments that are to be offered and their disposition. There will be no final vote on the bill until tomorrow, and I presume there will be no preclusion tomorrow of the opportunity to offer amendments if any Senator has a desire to offer amendments.

Mr. McNARY. Exactly.

Mr. VANDENBERG. My attention was directed to the Senator's observation that when an agreement of this sort is made Senators usually absent themselves from the Chamber, and I wanted to emphasize the fact that probably the most important and critical vote in connection with this particular bill will not be upon its final passage but will be upon an amendment which can be voted upon this afternoon.

Mr. BARKLEY. That is true. I simply put in that casual remark so that Senators would not absent themselves because we are going on with a discussion of the bill and the disposition of the amendments which we can dispose of.

The VICE PRESIDENT. The first committee amendment will be stated.

The first amendment of the Committee on Commerce was, in section 1, page 2, line 3, after the words "United States", to insert "including the Philippine Islands and the Canal Zone", so as to read:

That, for the purposes of national defense, during the existence of the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense:

Mr. BAILEY. Mr. President, as chairman of the committee to which this bill, House bill 4466, was referred, it falls to me to explain its provisions, to make some comment that would tend to indicate its legal effect, and to present to the Senate some of the reasons for its enactment. This I shall proceed to do, and, first, by way of a word as to the origin of the proposed legislation.

The bill came up by way of suggestion from the President of the United States in a formal message to the Congress, in which he set out that there is a growing shortage of available merchant-ship tonnage suited to our national needs. He pointed out that whereas we have the power of taking and requisitioning ships under our flag, we have not such power with respect to ships in our ports under foreign flags, and he suggested that, "in accordance with international law," we should assert our power by way of giving him authority through the Maritime Commission or other agency—

To purchase, requisition, for any period during such emergency, charter or requisition the use thereof, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in the waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense.

A bill in accordance with the bill sent along with the President's message, as a suggestion of the type of legislation he desired, was introduced by the senior Senator from Georgia [Mr. GEORGE], chairman of the Committee on Foreign Relations. I may say that, due in some measure to the fact that he took the view that a bill of this type dealing with shipping should be referred to the Commerce Committee rather than to the Foreign Relations Committee, the bill came before the Commerce Committee.

A similar bill was introduced in the other House, and thereafter another bill was introduced, and the House proceeded to consider the two bills. It practically rewrote the proposed legislation, and in the form of H. R. 4466 it came before the Committee on Commerce of the Senate. The committee, after rather extensive hearings, reported the bill practically as passed by the House. The Senate amendments are very few, and I believe only one or two are of real significance.

That is the legislative history of the matter up to now. The bill comes here with a favorable report of the Commerce Committee; the favor of the House and the House committee, approved by the Secretary of State, the Department of Commerce, the Navy Department, and, I think, one or two other departments of the Government.

Mr. President, I may say at the outset that the bill probably is of very much greater significance than most of us realize. It is extraordinary in the history of nations—it is, I think, without precedent in the history of this Nation—that, being at peace, we should undertake to requisition or take title to ships of other nations with which we are at peace, lying in our ports.

The matter gave me considerable concern on that point, and before I take my seat I expect to submit a few remarks on that aspect of the subject. I may say now that we are setting an example for other nations as well as a precedent for ourselves. It is not beyond the possibilities that we may be inviting retaliation; but the matter is presented to us as one of very great urgency, and as necessary not only to our commerce, but—to use the words of the President—to our "ultimate defense."

Section 1 of the bill begins:

That, for the purposes of national defense, during the existence of the national emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1942, the President is authorized and empowered, through such agency or officer as he shall designate, to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to, or the possession of, for such use or disposition as he shall direct, any foreign merchant vessel which is lying idle in waters within the jurisdiction of the United States, including the Philippine Islands and the Canal Zone, and which is necessary to the national defense.

There is a proviso as to compensation to which I shall come; but before proceeding to that proviso I wish to discuss the words—

to purchase, requisition, for any period during such emergency charter or requisition the use of, or take over the title to * * * any foreign merchant vessel.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. VANDENBERG. Before the Senator leaves his discussion of the general purpose of the legislation, I should like to ask him to make one particular statement. He will recall that unfortunately, in the testimony before the Commerce Committee, the evidence given by Assistant Secretary of State Breckinridge Long was not taken down. I should like to have the Senator state, if he will, for the RECORD, what Mr. Long, speaking for the State Department, said was the practical objective of this bill; in other words, what the contemplated use of these ships was to be.

Mr. BAILEY. Assistant Secretary Long stated before the committee in the executive session that it was the intention, and he left the impression upon my mind that it was the exclusive intention, to employ these ships in the trade between this country and South America, and possibly in the coastwise trade of our own country, should there be necessity. He also stated, as I recall, that limitation of the use of these ships to the waters on this side of the world was intended by our country, and that that was the understanding of the Inter-American Financial and Economic Advisory Committee, whose resolutions were filed with us on the day following, and will be found on pages 5 and 6 of the record. But he desired no limitation to be written in the bill.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. BAILEY. I yield.

Mr. VANDENBERG. In other words, the Senator is confirming my understanding that Mr. Secretary Long, speaking for the State Department, gave us

distinctly to understand that the use of these ships, when taken over, was to be a use essentially on our own trade routes, and that the Government did not have in contemplation their transfer to other belligerents?

Mr. BAILEY. That is just what I have said; and there is a record of this matter in the record of the hearings. The matter came up, being presented by the senior Senator from Michigan [Mr. VANDENBERG]. He stated his recollection of the statement of Mr. Long. He asked me what my recollection was. I stated it, and I think the senior Senator from Missouri [Mr. CLARK] corroborated our understandings. I do not think there is any question about that.

To proceed with these words of legal intendment, "to purchase," that is purchase under the bill; to purchase, you might not say quite at arm's length, but, I take it, to purchase on fair terms, and in the light of the power to requisition, or to charter, or to take over the title.

The word "requisition," according to the interpretation of the Chairman of the Maritime Commission, Rear Admiral Land, is not a taking in the sense of condemnation.

It is taking temporarily, for the purpose of use, paying compensation for the use, and with a view to the return of the property taken.

"Charter" I need not mention. Charter is a matter of contract; a bargain; an agreement.

The final term is "take over the title to," and as I interpret the words "take over the title to," they mean title and possesssion, the right of use, of transfer, and of perpetual ownership.

These are the definitions not written in the bill, but they are the definitions given by the Chairman of the Maritime Commission, and they are the definitions under which I am putting forward the legislation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. While I understand the statement of Assistant Secretary Long, as expressed by the Senator from Michigan and the Senator from North Carolina, in terms to place a limitation upon the use of the word "disposition," on page 2, line 1, the Senator, in explaining the terminology, has omitted any reference to the disposition of the vessels. I wonder whether the Senator would not elaborate for us his own thought as to what is meant by disposition later as the President shall direct.

Mr. BAILEY. That is implied in my definition and understanding of the phrase "take over the title to." It is not to take an equitable title; it is not to take a trustee's title; it is to take title to and possession of "for such use or disposition as he shall direct."

That is absolute. We take the ship and do with it what we please—we sell it; we give it away; we run it; we run it where we please. That is what it means.

Mr. DANAHER. The Senator does not find that "disposition and use" and "disposition or use" mean the same thing?

Mr. BAILEY. No. I use a thing as I would use my knife, and when I dispose of it I give it away or sell it. That is the difference. I part with it.

Mr. DANAHER. There is no limitation in the language, then, upon what ultimate disposition may be made of a vessel?

Mr. BAILEY. Absolutely none; and it was in contemplation by those who drew the measure, and certainly by the Maritime Commission, that with respect to ships purchased and ships to which we take title we should have them in absolute ownership and right. I take it there is no question about that.

I think there is a limitation in the word "requisition." We require the use of a property, or we require the ship itself, and it is my judgment that there is predicated in that the return of the ship to the owner at the end of the emergency.

Since I have come to that point, I may say that I tried to learn a little about international law as to matters like that covered by the bill. But it should be said on the threshold that a man cannot learn even a little about international law in a short time, and I would not think of staking my judgment against the advices of the State Department in such matters. But in looking up this question I came across the case of the seizure of the Dutch ships by our country when our country was a belligerent—which makes all the difference in the world in these rights. I was very much impressed by the statement of President Woodrow Wilson that those ships should be returned to their owners in Holland at the end of the war, that if one of them should be lost we should make full reparation, that all damages should be paid. I must say that that commended itself to me as being worthy of his Scotch ancestry and his old Scotch Covenanter convictions of morality. I may come to that later. I desire to go on with the explanation of the bill.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. VANDENBERG. Is the Senator intending to come back to a discussion of this conception of our rights under what used to be international law in connection with this matter?

Mr. BAILEY. I have brought with me one book on international law, and if I have time I think I will read the text and some of the notes in that book, and rest the matter right there.

Mr. VANDENBERG. That is what I desire to have the Senator do; and I am sure he will be able to find the time.

Mr. BAILEY. Never having studied international law, I do not feel that I should undertake to say that one thing is international law and another is not. There may be international lawyers in the Senate, and, if so, I shall defer to them. I do not claim to be one.

Mr. VANDENBERG. May I ask the Senator one further question?

Mr. BAILEY. Yes.

Mr. VANDENBERG. Whether it be international law or international morals, I should like to ask the Senator what his conception is of the situation in which a neutral puts itself if it confiscates the property of one belligerent and turns it over to another.

Mr. BAILEY. The Senator poses this question, a neutral country seizing a ship or property of a belligerent country and turning that property over to the belligerent's adversary. Unquestionably such a country has not only gone beyond the bounds of international law, but has intervened to the point of inviting the country which claims to be wronged to take any step which it may consider necessary to avenge itself.

Mr. VANDENBERG. In other words, it is a provocative act of war?

Mr. BAILEY. I have stated it as I think I should state it.

We can undertake to make international law. We should not be under any misapprehension about that. International law is not a past, an accomplished and fixed thing. It is a living and an expanding code. It changes from year to year and from occasion to occasion; and that is so about the common law, it is so about the statute law, and lately it has gotten to be so about the Constitution of the United States. There is nothing unusual about that.

In the present state of affairs, as in all crises and in every great war, international law has been permanently affected by unusual situations. There have been changes. Changes are now being made, and changes will continue to be made. I am not troubled about that.

There are precedents for the action proposed, and they are in the report in a letter from the Secretary of State. I do not think the precedents serve to constitute the establishment or the institution of international law, but they are precedents.

I do not mean to read a lecture to anyone, and I do not know that I would have developed this phase of the matter at all, had not the Senator from Michigan put the question to me which he did pose. The instinct for justice runs throughout the world, in every kindred and every tribe. That goes for the lowest tribes, in the darkest land. That instinct for justice, derived either from reason or experience, or religion in some from or degree, always works out a morality, not a written code, but a practice of self-imposed restraints, restraints not imposed by legislatures, not imposed by churches, but imposed by nations upon themselves, by tribes upon themselves, and by individuals upon themselves. All that is derived from the inherent instinct of the human being for justice. That is the basis of the moral law, and that is also the basis of international law.

If Senators will let me take a text—when Abraham had his colloquy, as the Scriptures would indicate, with the Almighty Himself, he addressed the Almighty, saying:

> Shall not the Judge of all the earth do right?

That was the instinct for right in the heart of the wanderer coming out of Ur of the Chaldees and not knowing whither he went, but knowing for what he looked, a city, or a civilization, that is what it meant, whose builder and maker is God.

That is the instinct for justice which produces the unwritten moral law of men and of tribes and nations. I do not hesitate to say that you may defy it, but you will inevitably pay the penalty.

Mr. President, I did not mean to get off on this matter, but I am going to make another remark along that line. I have often thought that the economic collapse in our land was first a moral collapse; that all that has happened from 1929 until now was not merely caused by disregard of economic rule, or merely by political mistakes, but that America, the many people of the United States, high and low, lost almost all regard for the moral law. There was moral collapse, because men, not having that regard, ceased to impose upon themselves those restraints which men of just sense always impose upon themselves.

I heard here in the Senate not long ago that the famous leader of the Senate, the late Oscar Underwood, had a way of saying that he could get along with any man and he could deal with any man except the man who had no limitations. I think that is profoundly true. Senator Underwood meant to say that you could not count upon the man who did not impose upon himself certain moral restraints and say, "Thus far and no further"; that "This is wrong, and I will not do it"; that "This is right and I will keep within the bounds of it." You do not know how to deal with such a man, and you do not know how to deal with a nation which disregards the moral law. That is our trouble with Germany today. Mr. Hitler cannot give us any assurances, because there is no assurance in him.

I do not know why his third in command took that sudden flight to Scotland, but I think he fled because he knew he could not trust Hitler any longer; that he had differed with Hitler, and that he feared for his life. He did not know what might happen—that is my theory—when dealing with a man who has no capacity whatever for the imposition of moral restraint. That is the case of the world, and that is the case of the United States today. That accounts for a great many of our actions. It accounts for a great deal of my thinking. We are dealing with a man of mighty power, of vast capacity for doing what he wishes to do, with a great army back of him, magnificently trained and marvelously equipped. Not a human being on earth, not Goering, nor Hess, nor Stalin, nor Mussolini, nor you, nor I, can repose the slightest faith in anything Hitler says he will do or not do. That is the state of the world today, and that is the great factor.

I wish my country, not just for the sake of the moral law, but for the sake of its own nationals, always to adhere to the great standards that are established amongst men; they are the guideposts determining the road to the right and the road to the wrong.

Mr. President, all of that is by way of response to the question put to me by the Senator from Michigan.

Now I come to the provision——

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. I wish to say to the Senator from North Carolina that I have listened to him attentively, and I agree with his conclusions. I have reached the same conclusion the Senator has reached with reference to the reasons why Mr. Hess left Germany. But if he left for the reason that he was insane, then I think the people of Germany may very well ask why it was that they had an insane man in second or third place. I agree with what the Senator said about the collapse in the United States being caused by reason of a moral let-down. But I wish to go a little further and say that my judgment is that as a result of the last war there was not only a moral let-down in the United States of America, but as I traveled throughout Europe I found there was a moral let-down on the part of all the people of Europe, and the same thing was true throughout the world.

Mr. President, I do not believe that millions of American boys or millions of German boys or millions of French boys can be sent out to kill each other and the commandment, "Thou shalt not kill," be violated without a profound moral effect resulting. I say to the Senate that the last war resulted in a moral let-down not only on the part of the men who went to Europe to fight, but on the part of the men and the women of the United States of America and of men and women throughout the world. If we become involved in the war now raging, we will have another moral let-down, which I am afraid will be so serious that it will be a long time before we will recover from it.

Mr. BAILEY. I would not disagree with my honored friend on the degrading consequences of warfare, but I do not care to discuss that question now. I have attempted to say that warfare is justifiable only under necessity; but when it is justifiable under necessity there is a moral obligation which reaches up into the highest capacity of the human being. He must be willing to give his life and the lives of his sons. I do not care to dwell on the philosophy of it; but when that question comes I think I shall be willing to discuss it with the Senator. I do not want to confuse it with this legislation.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. WHEELER. The Senator just made a statement which I wish to challenge. He said that a man should be willing not only to give his own life, but also the lives of his sons.

Mr. BAILEY. I beg the Senator's pardon. I did not speak personally.

Mr. WHEELER. I understand the Senator did not speak personally; but I have heard the statement, "I am willing to give the life of my son." That is what Dorothy Thompson and others have said; but I say to the Senator that no individual has the right to give the lives of his sons, because the lives of his sons do not belong to him. The lives of my son and of everybody else's sons belong to them and not to their parents. Otherwise we should be following the philosophy prevalent in Europe and Asia, and saying that we have a right to sell our sons or give them away. The people of the United States, under our democratic form of government, have never recognized the right of individuals either to give or sell their sons.

Mr. BAILEY. Mr. President, my friend the distinguished Senator utterly misunderstands me. I do not think a father has the right to give the lives of his sons; but I do think that a country has the right to demand them.

Mr. WHEELER. That is different.

Mr. BAILEY. The father has a right to consent; and that has always been so.

At that point we get into the moral regions of war. I do not care to go into those questions. I should like to go on with the bill. I have made quite a departure. I think, however, that it was relevant, because it all related to justice and to international law.

In the bill we undertake to do equity by way of the proviso in the first section:

Provided, That just compensation shall be determined and made to the owner or owners of any such vessel in accordance with applicable provisions of section 902 of the Merchant Marine Act, 1936, as amended.

Section 902 of the Merchant Marine Act of 1936 provides that upon taking the ship of any American under the necessities of national defense or national emergency—

it shall be lawful for the Commission to requisition or purchase any vessel or other watercraft owned by citizens of the United States, or under construction * * * or to requisition or charter the use of any such property.

It then goes on to provide the means of payment for it. The means of payment is that there shall be just compensation for the loss, damage, or use, and that upon the taking of any ship there shall be full reimbursement of the value thereof. Further:

In all cases, the just compensation authorized by this section shall be determined and paid by the Commission as soon as practicable, but if the amount of just compensation determined by the Commission is unsatisfactory to the person entitled thereto, such person shall be paid 75 percent of the amount so determined and shall be entitled to sue the United States to recover such further sum as, added to the said 75 percent will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

So it must be said that there is the same provision respecting compensation upon taking the ship of a foreign citizen or foreign corporation in our waters as there is for taking the ships of our nationals. I do not think we would be expected to pay more to others than we pay to our own citizens, but I do think that we would be expected to pay to others what we pay to our own citizens. So in that respect the whole moral phase of the matter of compensation is accounted for, except possibly in one respect.

If we take title to a ship or a number of ships belonging to Denmark, we are not able to charter them, and we do not requisition them but take them. We would be paying for them under the statute, but at the end of the emergency

or at the end of the war the commerce of Denmark and the owners would be deprived of the use of ships at a time when they would need to use them, and we should probably have the advantage. That is the reason why President Woodrow Wilson was determined, when he seized the ships of the Holland owners, that they should not only be compensated but that the ships should be returned.

There are 84 ships in our waters, 2 of them under the German flag, 28 under the Italian flag, 39 under the Danish flag, 1 under the Rumanian flag, 11 under the French flag, 2 under the Estonian flag, and 1 under the Lithuanian flag. That accounts for the total. I am hoping that the policy of requisition will be used so far as possible, and that the policy of returning the ships at the end of the emergency will be followed as far as possible. That is in accordance with the example set by Woodrow Wilson and our American Government. I believe that will be done, except in cases of purchase or cases in which, under some unforeseen circumstances, we find a justification for doing otherwise.

Mr. President, that is about all that it is necessary to say about this legislation. I think perhaps I should make some statement about one of the committee amendments, because it will come up for discussion. I refer to the amendment which reads:

Provided further, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase, and that transfers of vessels in contemplation of this act, from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject, shall be disregarded.

I offered that amendment because I became convinced from my investigations of international law—and I think it is absolutely undisputed—that it is an act of war for one government to seize a ship belonging to another government. Such action is an invasion of that government's sovereignty. It is a challenge to its sovereignty. We make a distinction between a ship which flies the Danish flag and is owned by a Danish corporation or a Danish individual and a ship which belongs to the Danish Government. A ship which is owned by the Kingdom of Denmark carries with it the sovereignty of the Kingdom of Denmark. We cannot take possession of it without an act of intervention amounting to an invasion of or a challenge to the sovereignty of that nation.

It is fortunate that none of these ships is owned by any foreign nation, so far as we can learn. So, the amendment would not at all affect the status. I submitted the amendment and asked for its adoption, and now ask for it, on the ground that at least it observes the proper course for this Government. If the amendment be adopted, we will not violate the standard of never taking possession of a ship the title to which is in a foreign nation.

Section 2 provides that—

Funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.)—

A very recent act—

are hereby made available to carry out the provisions of section 1 hereof, including payment of the costs of repair, reconstruction, or reconditioning necessary or incidental to the use or disposition under this act of vessels acquired, or the use or possession of which is acquired, under such section.

Section 3 provides that—

The United States Maritime Commission, whenever it finds that vessels in addition to those otherwise available are necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense, is authorized, notwithstanding any other provision of law, (1) to charter any vessel, whether undocumented or documented. * * *

I take it there is no objection to that. It simply would give the power to enter into contracts for operating the vessels, in case we can find them and we need them; and the Commission would have the right to charter a vessel to a private operator, or to any department of the United States Government. That is the meaning of section 3.

In subsection (b) of section 3—

The Commission is authorized to provide such insurance and reinsurance with respect to vessels * * * chartered, purchased, requisitioned, or the title to which, or the possession of which, is taken over, under this act, as it may deem necessary in connection with the operation, use, or disposition thereof under this act—

And so on. We had to put in such a provision. The Commission would take the risk. Ships never operate except under insurance, and last year Congress provided that should it be found difficult to obtain insurance from private corporations, the Government itself could carry the insurance, and could put up an insurance fund.

Section 4 provides that—

Whenever the United States Maritime Commission is authorized to charter vessels under section 3—

That is, the vessels taken by charter—

hereof, it is further authorized, notwithstanding any other provision of law, to purchase any vessel, whether undocumented or documented under the laws of the United States or of a foreign country, deemed by the Commission to be suitable for transportation of foreign commerce of the United States or of commodities essential to the national defense, without regard to the provisions of section 3709 of the Revised Statutes, at such price and upon such terms and conditions as it may deem fair and reasonable and in the public interest.

Under the provisions of section 4 we would waive competitive bidding, and would provide that such purchases may be made in the discretion of the Maritime Commission. I take it that this section is included because of the fact that now we have reached such a stage that it is very difficult to proceed by the normal policy of competitive bidding.

The final section, section 5, provides that—

Notwithstanding any other provision of law, during the effective period of section 3 of this act, any vessel (except a vessel constructed under the provisions of the Merchant Marine Act, 1936, as amended), not documented under the laws of the United States, acquired by or made available to the Commission under this act or otherwise, may (1) in the discretion of the Secretary of Commerce be documented as a vessel of the United States under such rules and regulations—

And so on. I take it that there is no real difference of opinion regarding that section. It could not possibly raise a controversy. When we take a vessel we should have the right to document it under our laws and our practice.

I have covered the total sum of the proposed act.

Why is the bill put forward? In the first place, Mr. President, shipping throughout the world has been destroyed to a very great extent. We do not know the exact figure. I saw a statement issued from Berlin—and when statements come out of Berlin I think they are apt to come with official authority—that the Germans had destroyed 10,000,000 tons of merchant vessel shipping since the war broke out. That is an enormous tonnage. I think the British admit that they, themselves, have lost between five and six million tons. If so, that is at least one-fifth of their tonnage, and, of course, the losses continue.

I have a little trouble in my mind about the question of tonnage. One man calculates on the basis of gross tonnage. Another calculates on the basis of deadweight tonnage; and I think that gives rise to a great deal of confusion. We find in the report a statement from one of the labor organizations stating that since the war began the British have had, all told, about 33,000,000 tons of merchant ships. We find another statement that they began the war with about 16,000,000 tons. I do not think that the difference in types of tonnage, or calculations of tonnage, or categories of tonnage, would account for that discrepancy; but there is this to be said, that the gross tonnage of a ship measures the ship's carrying capacity, including the carrying of its own supplies, its crew, its coal, its oil, its food, its repair parts, and everything else; and net tons measure a ship in terms of its cargo-carrying capacity. The "tons displacement" is a naval term not applied at all to merchant ships, and relates only to the tonnage of the water displaced by the ship in the water.

At any rate, there has been a tremendous loss in the carrying capacity of ships on the seas, not only with respect to the ships sunk, but with respect to the routes, with respect to delays, with respect to convoying, all of which slow down the processes of commerce.

Not only so, but there has been a tremendous diversion of our merchant shipping from normal commercial purposes to war purposes. Great Britain has found it necessary to abandon a large portion of her commercial business. Other countries have found themselves in the same position. The North Atlantic shipping has very greatly increased; but the shipping to the Orient has very greatly decreased. Our shipping to South America and to South Africa has increased, because we have been shut off altogether from Europe—I should not say altogether, but to a very great extent.

And our commerce, be it remembered, has for years been dependent upon foreign ships.

So we not only have to calculate on the losses of the ships, the sinking of immense tonnage, the damage of many more ships, being laid up now in the yards for repair, the diversion from the trade routes and the routes of peaceful trade to the routes of war trade. It is a fact, which the Senate must confront, that there is a serious emergency in transportation upon the seas. Our commerce is involved; our exports are involved; our imports are involved; our welfare is involved; and I think I can say also our defense is involved, because, although it is frequently overlooked, the merchant ship is just as indispensable in war as is the naval ship. Naval ships cannot operate without merchant ships. The merchant ships supply the naval ships, for naval ships cannot carry all their supplies. The merchant ships supply to us, in case of need, indispensable sources of the manufacture of munitions. The merchant ships between our Atlantic ports and Pacific ports of our own country are of very great importance, the merchant ships on the Great Lakes are of great importance; and when it comes to the world trade, we must take care we do not run into a shortage.

But men say we created that shortage ourselves by selling or giving away a great many ships to Great Britain. Measurably, that is true, but that is a fact accomplished; it has been accomplished by the authority of the Congress under the Lease Lend Act and other acts, and, of course, no apologies are made for that. I think it might as well be said over and over again that this country, having committed itself to the policy of the lease-lend bill, will carry out that policy; we will carry it out in our own way and in our own interest and in our own defense, and we will not ask anybody else about it.

I am not talking war; I am not talking convoys; but I am talking the right of the United States to defend itself in its own time, in its own way, and to the fullest extent that its own people and its own Congress think necessary. I do not think anyone can challenge that statement.

So, Mr. President, I have stated the reasons for the enactment of the bill. There is the emergency, both commercial and defense. The bill comes to us with the approval of every department to which it has been referred.

Having said that, I think I will be content to fulfill my promise to read a little about the requisitioning of property and of ships from a book entitled "International Law Chiefly as Interpreted and Applied by the United States," written by Charles Cheney Hyde, volume 2, which comes from the Senate Library.

We have heard a good deal said here and there about the right of angary. That is an ancient right which was thought at one time to be obsolete, but it was revived very largely in the World War. As to the origin of the word "angary," it came from the Romans. I see the Senator from South Carolina is recalling his high-school experience. Angaria, I will say for the benefit of the Senator, is the Latin form. That was the land use of the term, and it signified the right, I may say in passing, of the Roman mail carrier to take a farmer and his team to help carry the mail. The carrier had the right to take the farmer and his team so that the mail might be carried. That was because of a power of the government and the necessity of carrying the mail; that was the argument. That was the land use, but as applied throughout the period covered by the books, so far as I can see, angary is the right of a belligerent to take a ship of a neutral in its ports. It is not the right of a nation at peace. Angary relates altogether to the rights of a belligerent, according to every doctrine and every authority I can find. I read:

> The right (of angary) is certainly an ancient one, and its existence has been recognized, though admittedly, in some cases, with reluctance, by nearly all writers on international law, from Grotius downward. * * *

I am reading from the footnotes on page 254 of the volume:

> It is also relevant to point out that the existence is recognized in a series of treaties entered into by the German Empire during the second half of the nineteenth century.

The treaties are referred to.

We are not concerned with that beyond the fact that this right is confined to belligerents, and here the text says:

> It is believed to be impossible to define the necessity which justifies requisition or to limit the uses to which neutral ships may be put.

That is by a belligerent.

> Doubtless the judgment of the belligerent as to the gravity of its own needs must be deemed to suffice, provided the reasonableness of its conclusion is established by conditions of which the existence is beyond dispute.

It will be noted that even with respect to the exercise of the right of angary a nation must not only be at war but it must be under a grave situation and a necessity which is manifest.

Now, returning to the text, I will read about a page, beginning on page 266:

> The requisitioning of Dutch ships in 1918.
>
> In 1917, and at the beginning of 1918, a considerable amount of Netherlands tonnage lay idle in American and British ports where coal necessary for bunkering and export licenses was withheld. The United States and England were in utmost need of tonnage for the transportation of men and supplies to France, and, incidentally, required all available fuel, of which the amount on hand was insufficient. The extremity of this necessity was notorious; upon the response to it hung the issues of the war. Holland was in dire need of foodstuffs from North and South America and desired also powder and fertilizer therefrom. For the transportation of these articles the Dutch tonnage in the trans-Atlantic service was needed. Holland was in want also of certain indispensable articles from Germany, such as coal. Germany deemed it of highest interest to restrict the amount of tonnage under any flag available to its enemies, and was unscrupulous in the measures employed to destroy vessels utilized by them. Moreover, it was determined to exact, as the price of its own exports to Holland, free exportation therefrom of products affected by the Dutch supply of fodder and fertilizers, such as butter, cheese, cattle, horses, poultry, and eggs, and hence to sanction no arrangement between the Netherlands and the associated governments placing any restriction upon this trade. Holland, while not indisposed to conclude an agreement with the latter, placing at their disposal much-needed tonnage in return for a reasonable allowance of foodstuffs, with transportation therefor, encountered German opposition to any arrangement with those Governments restricting Dutch exportations to Germany, and unwillingness also on the part of the owners of Netherlands ships to permit their vessels to be used for belligerent purposes; and it was also confronted with the certainty that any ship so employed would be subjected to attack by German submarines whenever possible. Under such conditions negotiations between Holland and the associated governments were naturally unfruitful and any general arrangement, or of even a modus vivendi which the Dutch Government found itself capable of observing.
>
> The natural result followed. The President, by a proclamation of March 20, 1918, announced that "the law and practices of nations accords to a belligerent power—

This is President Wilson—

> the right in times of military exigency, and for purposes essential to the prosecution of war, to take over and utilize vessels lying within its jurisdiction.

That is international law as stated by a great President of the United States. I have here a statement from Mr. Secretary Lansing of the attitude of this Government, and a statement by President Wilson of March 20, 1918 (Official Bulletin, March 21, 1918):

> The action taken—

This is with respect to the Dutch ships—

> leaves available to the Netherlands Government by far the greater part of their merchant marine and tonnage, which, according to estimates of their own officials, is ample for the domestic and colonial needs of the Netherlands. Shipping required for these needs will be free from detention on our part and will be facilitated by the supplying of bunkers. The balance is being put into a highly lucrative service, the owners receiving the remuneration and the associated governments assuming the risks involved. In order to insure to the Netherlands the future enjoyment of her merchant marine intact, not only will ships be returned at the termination of the existing war emergency, but the associated governments have offered to replace in kind rather than in money any vessels which may be lost by war or marine risk.

That is the attitude of President Wilson.

Mr. President, I could read a great deal more, but I am satisfied with the statement of the standard set by President Wilson in the World War. I am thinking that here we must rely upon the argument of absolute necessity to the national defense; and, even there, if it be said that we are not keeping within the exact terms of accepted international law, we must then say that we are setting a new precedent in international law because we think we have a right to do so, and because we are willing for other nations to set the same standard. All that, of course, is founded upon the right of any nation to change—I would not say to defy, but to change—international law, to alter it, to improve upon it, or to accommodate itself at the expense of the change to its own necessities of commerce or defense. I think that is the ground that we can take and that we may maintain.

In the course of time we shall know whether the nations of the world will commend this sort of action. In the course of time we shall be confronted with treaties which will present this very question to us. With such a law having been once enacted, even for a short time, I do not imagine that any nation that is fearful of its strength in respect to merchant shipping would let its ships lie idle in any foreign port in time of war, because they might be taken under this doctrine of emergency; but we can deal with all those things when we come to them, and we can make our adjustments accordingly.

Meantime, I am supporting the measure with the reservations I have stated, with the demand for the return of the ships and equal justice at the end of the period. With that expectation, and the assurance from the chairman of the Maritime Commission that he intends to proceed by purchase and by charter and by requisition rather than condemnation, and will invoke condemnation or the use of arbitrary power with compensation only when necessary, and actuated further by the urgency of the State Department and their assurance in writing here that the procedure and the law are within the standards of international law and that our country has a right to proceed according to this bill, I am laying it before the Senate and asking for its enactment.

Mr. LUCAS, Mr. GEORGE, and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from North Carolina yield, and, if so, to whom?

Mr. BAILEY. I yield to the Senator from Illinois; but I wish to say to the Senator from Georgia that I wish that amendment put forward at the earliest possible time, and I am going to provide for it.

Mr. GEORGE. I was about to ask the Senator if I might not be privileged to offer the amendment which was submitted to the committee immediately after the adoption or disposal of the amendment offered by the committee.

Mr. BAILEY. I hope that will be agreed to. I am sorry that in the hurry of adjourning we overlooked that amendment; but it was submitted to the committee, and I think the members of the committee who are here present will testify that there was no opposition to it. It provides for adjudication of funds derived from these ships when there is a just claim or an alleged claim.

I now yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, if I correctly followed the statement made by the distinguished Senator from North Carolina in connection with this legislation, authority is being granted to the head of the Maritime Commission either to purchase——

Mr. BAILEY. To the President, through such agency or officer as he shall designate. The President has the power.

Mr. LUCAS. Will the Senator again state the things which the Chairman of the Maritime Commission or that agency may do with respect to the purchase of these ships,

Mr. BAILEY. He goes in to purchase them and pay for them under the general power of the bill, and to pay for them what they are worth if he buys them; and he pays for them out of the funds provided in the act of March 27, 1941. We provide here that that fund may be resorted to. It is the Lease Lend Appropriation Act of March 27, 1941.

Mr. LUCAS. As I understood the Senator, none of the vessels in controversy belongs to any of the various governments he has mentioned.

Mr. BAILEY. That is the information of the Chairman of the Maritime Commission.

Mr. LUCAS. Assuming that whoever this governmental agency may be will have some difficulty in the negotiations for purchase under this bill, do we authorize condemnation under the bill?

Mr. BAILEY. No; no condemnation is provided for, but the bill says we have the right to take title to and possession of the vessels; and I think that is an exercise of sovereign power. I think we can go and take them, and the procedure will be analogous to condemnation when we come to compensation under section 902; but no court process is provided, which the Senator seems to have in mind.

Mr. LUCAS. I understand.

Mr. BAILEY. Now, let me make a correction. I answered the Senator, according to the information given in the committee, that no government owned any of these ships. I made that statement in my remarks; but I have here one of the counsel for the Maritime Commission. He has just suggested to me that I should save myself a little on that subject, as they will recheck it. I think the Senate is entitled to that information. They do not know, but they will recheck it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. VANDENBERG. I desire to ask the Senator about one other phase of the matter which is particularly related to the issue which will be raised by the amendment submitted by the senior Senator from Missouri [Mr. CLARK] and myself.

The Senator will recall that in the Committee on Commerce hearings I persistently sought to discover what is the precedent set by the British attitude in its previous refusal to sanction a transfer of German ships to Chile and to the Chilean flag under precisely the general formula which is contemplated by the proposed legislation. The Senator will recall that for 2 or 3 weeks I tried to ascertain precisely what was the British attitude, inasmuch as our general information was that the British were complaining in the case of the transfer of German ships in Chile to Chilean sovereignty and the Chilean flag; that the British were complaining at that point against precisely the sort of a transfer which is contemplated here. It seemed to be pertinent to know whether the British protest, which stopped this sort of transfer in Chile, as I understand, still persisted in respect to the British attitude. The Senator will recall that yesterday the committee authorized a letter to be written to the State Department for a specific response from the State Department in respect to this matter, and I inquire whether the State Department has responded.

Mr. BAILEY. The letter went forward yesterday, and I hope to have an answer, but really I did not expect to have one by this morning hour. I think there will be a response, to be sure, and when it comes I shall turn it over to the Senator from Michigan.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. I understand that most, if not all, of these ships are privately owned. Let us assume a case, please. Suppose we sought to take $2,000,000 worth of Dutch ships. Would the Senator understand that on the principle by which we take the Dutch ships the Government of Holland, whatever it is, may, by way of retailiation, seize $2,000,000 worth of American investments in Holland?

Mr. BAILEY. Mr. President, I mentioned the matter of retaliation. That is one remedy a nation has. I am not inviting retaliation, but I just have this in my mind. If some nation is irritated or provoked by the taking of the ships of its nationals here, and not having the opportunity to take one of our ships in its waters, but having the opportunity to take property of an American in its territory, it might do so. That is all I have in mind. I said that was one of the risks we must run. But I do not know whether that right will be invoked or not. I know that when Mexico expropriated certain agricultural lands as well as oil properties of Americans in Mexico we did not retaliate. I think we recognized the right of Mexico to the expropriation and merely demanded that there should be proper compensation. I do not desire to go into the law in respect to that, but I will say that the law regarding ships in waters temporarily idle, and the law regarding oil wells or agricultural lands are entirely different. I do not wish to discuss those matters, but I do not want anyone to think that I believe they are both under the same doctrine of law. They are not.

I am not saying there will be retaliation. I am not saying that if in the years to come some other nation gets into trouble and finds our ships tied up in its harbors it will take them. I do not know. But I am saying that when we set the example, we cannot complain if it is followed.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BAILEY. I yield.

Mr. DANAHER. Does the Senator from North Carolina know of any other nation in modern history which has resorted to this particular precedent?

Mr. BAILEY. Yes. We have a reference to that in a letter from the Secretary of State, on page 6 of the record, and I think I should read it. I asked the Assistant Secretary of State to give me some precedents sustaining his views of this proposed legislation. In the letter it is stated:

Some precedents of the seizure by neutrals of vessels belonging to belligerents were re-

ferred to as follows by Assistant Secretary Long at the executive session of your committee.

We are proposing to seize not only ships of belligerents but ships of other neutrals; so that we cannot say that the answer is altogether responsive.

(1) In November 1915 the Italian Government requisitioned 34 German merchant vessels in Italian ports. The German Government made no protest, hoping, no doubt, that Italy would join the Central Powers or would at least remain neutral.

(2) In February 1916 the Portuguese Government requisitioned 72 German vessels in Portuguese ports. The alleged cause of the seizure was stated to be the economic situation created by the illegal destruction of Portuguese shipping by German submarines.

That is a clear case of retaliation.

The two nations were formerly at peace although hostilities between their colonies in East Africa had taken place.

I think that takes it out of the rule. That is an exception.

(3) In May 1917, the Brazilian Government having revoked its proclamation of neutrality, requisitioned 42 German vessels. After Brazil's declaration of war in November, they were leased to the French Government.

They went through the process of revoking their declaration of neutrality, then they seized the ships, then they joined the war, and then they transferred the seized ships.

(4) In August 1918 Spain requisitioned about 90 German vessels in Spanish ports. The Spanish Government declared that the seizure was indispensable for its existence, and apparently regarded the vessels requisitioned as substitutes for its own vessels sunk by German submarines, and consequently no compensation was payable.

I think that is out of the precedents for this proposed act.

Within the past few days, France has requisitioned 15 Belgian ships.

No comment is made upon that, and, of course, I do not understand it. There are two countries under the heel of the German leader, one raiding the other. I cannot argue anything about it. I do not know enough about it. But these are the precedents, for whatever they may be worth.

Mr. VANDENBERG. Mr. President, will the Senator yield to me for a question in connection with the precedents?

Mr. BAILEY. I yield.

Mr. VANDENBERG. Is there a single thing in any precedent submitted by the State Department which remotely bears upon our present contemplation, which involves an act of a neutral in taking the property of one belligerent and delivering it to its enemy? Is there anything in the precedents bearing upon that?

Mr. BAILEY. I think the Senator has made his question very broad. I would say there is a great deal which more or less—I would not say definitely, but which more or less—bears upon our situation. The Senator has asked whether there was a single thing which even remotely bears upon it. Here are seizures which are made by a Government at peace. They were in the midst of the World War, but that does not affect the question; we are in the midst of a war. They were at peace, and they seized these ships. What reasons did they have? It appears that in two cases the reasons were compensatory and retaliatory. I think in one case I saw no reason; I do not know. If the Senator wishes me to say in all candor that I do not think any of the precedents are on all fours with the present contemplation, I would say frankly that they are not; but I would not say they did not remotely afford a precedent.

Mr. VANDENBERG. Will the Senator also say that the precedents establish exceptions to a rule, rather than establish a rule?

Mr. BAILEY. The rule of international law is to the contrary, and when we take this step we are by way of adding a precedent which will tend to fortify other precedents, which, if approved by other nations, will create a new view of international law. That is my view about it.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. DANAHER. I wish to thank the Senator for his patience with me. I heard most of his splendid address, let me say, and I wish to congratulate him on the presentation he made. For a few minutes I necessarily was absent, and the Senator may have discussed what I have in mind. If so I hope he will tell me so, and I apologize if I ask him to duplicate.

Mr. President, as I understand, under the Constitution it is the duty of Congress to make all legislation in reference to the disposition of property of the United States, and all needful rules and regulations respecting it. We turn now to page 2, line 1 of the bill, and discover that we are authorizing the President of the United States to make not only such use of these ships, but such disposition as he shall direct. I should like to know from the Senator from North Carolina if any standards have been discussed by which the disposition of these ships should be governed and controlled?

Mr. BAILEY. Yes; the standard there is the national defense, and the President is the Commander in Chief. I do not think there is any trouble there. The Congress must necessarily delegate the power of regulation, the power of disposition. I am perhaps as jealous of the powers of Congress as is anyone else. When we fix the policy, then when it comes to executing the policy I think it is necessary to contemplate that we should turn it over to the hands of administrators, who may issue any regulations, within the law, that may be necessary and calculated to carry out the policy. I do not think there is any trouble there. When we say this is done for the national defense, that is sufficient. I will say on that point I do not think the Congress is the judge of the strategy in the national defense.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BAILEY. Yes.

Mr. DANAHER. Is there anything in the bill which would prevent the President in making "such disposition as he shall direct" turning the vessels over to a belligerent power?

Mr. BAILEY. I think not; and that is the subject of the amendment proposed in the committee by the Senator from Michigan [Mr. VANDENBERG]. When we take the title to a ship, under the lease-lend bill, I do not think there is any question, and I do not think anyone will contend, that we could not give the ship away, or sell it, or do what we please with it.

Mr. DANAHER. But such a disposition is certainly contrary to what Mr. Breckenridge Long explained to the committee; is it not?

Mr. BAILEY. Undoubtedly. I think Assistant Secretary Long may have been under some misapprehension. I think I should say that when it was suggested that we should limit the activities of these ships, as proposed in the amendment of the Senator from Michigan, Admiral Land very courteously but most emphatically opposed it. I wrote a letter to the Secretary of State, and in answering it the Secretary himself said he wanted no limitations. He thought they would be improper. The letter from the Secretary of State to me will be found in the RECORD.

Mr. DANAHER. Mr. President, will the Senator yield for one more question?

Mr. BAILEY. Yes.

Mr. DANAHER. I should like to ask the Senator's judgment on one point. In making disposition of the vessels, does he not feel that we may properly retain title to them, authorizing their use only, so that when this war is over at least we will have some shipping which we will be able to use to carry our goods, and say what goods will go in the ships, and at what rates, and to what ports?

Mr. BAILEY. If the Senator will divide his question from his argument I will answer the question and let the argument go.

Mr. DANAHER. I introduced the argument sufficiently, I take it, to apprise the Senator from North Carolina of the purpose of my question.

Mr. BAILEY. What is the question?

Mr. DANAHER. Specifically the question is, Does not the Senator from North Carolina feel that we ought to make, as a standard fixed by the Congress, a disposition somewhat short of a transfer of title?

Mr. BAILEY. Does the Senator mean that we should not transfer the title to these ships?

Mr. DANAHER. Yes.

Mr. BAILEY. I voted in the committee for the Vandenberg amendment. Does that answer the Senator's question?

Mr. DANAHER. It goes a long way toward doing so, for it certainly indicates a state of mind on the part of the Senator from North Carolina. I am asking his judgment out of his experience.

Mr. BAILEY. I am speaking as chairman of the committee in charge of the bill. I think it is my duty to present this bill as authorized to be reported through me, and to give it full support. Personally, I can vote any way I please on amendments, but as chairman of the

committee, representing the committee, if I am not very much mistaken it is my duty to support the bill as it is, and go right down the line behind it. I think if the chairman takes any other view he is going to get himself into hot water sooner or later. He cannot stand here on the floor and give play to his personal views by way of any kind of word that would look like treachery to the cause that is placed in his hands by his committee.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. Yes.

Mr. CONNALLY. In reply to the suggestion of the Senator from Connecticut, as I understand the Senator, he wants to retain title to these ships. Does not the law provide that American vessels shall have American seamen on them?

Mr. DANAHER. Mr. President, I did not know the Senator was addressing me. I thought he was addressing the Senator from North Carolina. I did not pay to the Senator from Texas the attention he deserves. I am sorry.

Mr. CONNALLY. As I understand, the Senator from Connecticut is willing to take the ships over, but he wants to retain some kind of a title.

Mr. DANAHER. No, Mr. President; I do not even imply that I am willing to. Let me make the Senator clear on that point. What I am trying to ask is whether or not some disposition of the ships cannot be made to the end that when the war is over we may reclaim them and have some control of them and disposition of them.

Mr. CONNALLY. Why, certainly, under the lease-lend measure we can lend them. We do not have to give them. On the other hand, though, if we retain absolute title, and then man them with American seamen, and they engage in war traffic, will not that bring us a little closer to the brink of war? Suppose we were to turn them over to the British and say, "Here, take them, and man them with your sailors, and go ahead and use them." It seems to me, if we are to take them over at all, we should take them over with complete liberty of action with regard to them. What is the use of taking them over unless we are going to control them—unless we say that we shall do with them as we please? For that reason I shall vote against the amendment of the Senator from Michigan.

Mr. VANDENBERG. Mr. President, will the Senator withhold his final judgment until he has heard the case on behalf of the amendment because I assure him it is very persuasive?

Mr. CONNALLY. I know that the Senator from Michigan always is persuasive. I have observed that and I will withhold my further expression of my views until I have heard his views.

Mr. DANAHER. Mr. President, I wish to say to the Senator from North Caroline that I respect his position as chairman of the committee and I will not impose on him further.

Mr. BAILEY. No; I am perfectly willing to answer the Senator's question. Go ahead and ask it. I have stated my views and what I am going to do. What is the question and I will answer it?

Mr. DANAHER. Then, I will rephrase it in this way: I should like to know, out of the experience of the Senator as chairman of the Committee on Commerce, if there is any way by which, by agreement or otherwise, the purpose of this proposed legislation can be achieved with some right of remainder over, so to speak, in the interest of the United States, to the end that when the war is over we will have some shipping to which we can turn to carry our goods in competition with the nations of the world?

Mr. BAILEY. I do not think the Senator's position in that respect is well founded. We shall have shipping at the end of this emergency, but it will not be related to the shipping which we are discussing. We are building much better ships than these, and we shall have very fine ships. The rate of building is shown in the report. The Senator can see what a great program we have.

This gives me an opportunity to say that I think the one activity of our Government which anticipated this situation was the Maritime Commission. It has been building ships since 1936 at a tremendous rate.

The Senator is arguing that we want the Italian and Danish ships at the end of the war. Oh, no, Mr. President. I do not know what will happen to them, but if they are in existence at the end of the war, I want to follow the policy of Woodrow Wilson and send them back. We should say to the owners, "They are your ships, and we will pay the damages. We took them in the emergency." We shall be operating much better ships. That is why I read the precedent as to the seizure of the Dutch ships. I am not in favor of taking these ships in order that we may have the ships and the Danes may not have any. I do not think that would be straight.

Mr. DANAHER. Mr. President, I have not argued any point. I was simply raising questions with respect to which those of us who are not on the committee are very much in the dark. I thank the Senator.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. TAFT. Section 3 (b) relates to the Commission's power to insure the ships. I think it has power to insure other ships when satisfactory insurance cannot be placed otherwise. Was there any testimony which indicated whether or not that process is satisfactory under the present insurance arrangements?

Mr. BAILEY. I discussed that question in the Senator's absence.

Mr. TAFT. It was suggested today by the Banking and Currency Committee that possibly the Reconstruction Finance Corporation might desire power to conduct the business of marine insurance; and I wondered whether or not the present system was operating satisfactorily or whether there was any testimony with regard to it.

Mr. BAILEY. The present system is not operating. It has not been invoked. It has not been found necessary. I asked the Chairman of the Maritime Commission specifically if he had taken any action under the insurance powers which we gave him last year. He said he had taken no action. There had been a great deal of talk about it, but the necessity had not arisen.

Mr. TAFT. There was no complaint on the part of the Maritime Commission as to the method prescribed in the existing law?

Mr. BAILEY. No. I think the Commission is pursuing the proper policy. We ought to take insurance from American insurance companies as far as we can, and perhaps from some other companies if necessary, as long as it pays us to do so. Then, when the insuring power of private parties becomes unavailable on account of great losses, or when the rates become so high that the owners cannot afford to operate the ships, then we must come in. I think that was what was in contemplation in the Insurance Act.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. I notice that section 2 says:

> Funds appropriated by the act of March 27, 1941 (Public Law 23, 77th Cong.), are hereby made available to carry out the provisions of section 1 hereof.

Is that the general appropriation made available for the Maritime Commission, under which it is to proceed with the program to build ships?

Mr. BAILEY. No. That refers to the lease-lend appropriation of March 27, 1941.

Mr. BARKLEY. It is not the Maritime Commission appropriation?

Mr. BAILEY. Oh, no.

Mr. BARKLEY. So that section does not in any way impinge upon the funds which the Commission has available, or which have heretofore been appropriated to carry out the shipbuilding program?

Mr. BAILEY. No. It refers to the other act.

Mr. GEORGE. Mr. President, I hope we may proceed with the amendments. I believe the committee amendments are noncontroversial. I, therefore, express the hope that we may proceed with the amendments in order that I may offer the amendment which the chairman of the committee has indicated he would accept, since it has been presented to the committee.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment, on page 2, line 3.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 2, line 9, to strike out, "*Provided further*, That in the event any vessel taken over under the provisions of this act belongs to any government now indebted to the United States the compensation to be paid for such vessel or vessels shall be paid by crediting same upon such existing debt and not by payment of cash" and insert "*Provided further*, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase, and that

transfers of vessels in contemplation of this act, from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject, shall be disregarded: *And provided further*, That the Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this act for employees displaced by the taking of any ship hereunder and report to the Congress their action within 30 days after the enactment of this act."

Mr. BARKLEY. Mr. President, I should like to ask the chairman of the committee a question about this amendment. It says:

Provided further, That under this act no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase—

Of course, any voluntary agreement to purchase from a government would be possible under this provision—

and that transfers of vessels in contemplation of this act from persons or corporations to governments, or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject shall be disregarded.

That language is not quite clear to me. I understand that the language undertakes to avoid the possibility of private owners of vessels transferring their vessels to a government in order to come within the exception; but I do not quite understand the language:

or transfers by such persons or corporations within 60 days of the introduction of the bill and the President's message to Congress on this subject.

That does not seem to be limited to transfers to governments. What is the Senator's interpretation?

Mr. BAILEY. Any transfer made by a person or corporation with a view to defeating the intent of the section would be disregarded, and the language was put in the double form so as to be as comprehensive as possible.

Mr. BARKLEY. Suppose the transfers are not made within 60 days?

Mr. BAILEY. The language refers to any other transfers.

Mr. BARKLEY. So it is all-inclusive.

Mr. BAILEY. Yes.

Mr. BARKLEY. The language is broad enough to prevent any transfer with a view of defeating the purpose of the act.

Mr. BAILEY. Yes; transfers within 60 days are void anyway. Any other transfers intended to defeat or take advantage of the act would be disregarded.

Mr. BARKLEY. So the language is all-inclusive.

Mr. BAILEY. Yes.

Mr. BARKLEY. Under the language of the proviso, no transfer to a government would be legal.

Mr. BAILEY. Let me say that the subject of ships has been pending in the departments for a full year. There has been a great deal of controversy, and all the parties have been informed of the situation. If any transfer had been made even a year ago with a view to defeating the purposes of this legislation, it could be disregarded.

Mr. BARKLEY. So, as a matter of fact, even without the inclusion of the 60-day provision, all such transfers would be void.

Mr. BAILEY. Yes; the 60-day provision is absolute. With respect to transfers outside the 60-day period, the facts would have to be ascertained. The 60-day time limit is absolute.

Mr. BARKLEY. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 2, line 9.

The amendment was agreed to.

The next amendment was, in section 5, on page 8, line 6, after the word "agencies", to insert "or departments."

The amendment was agreed to.

The next amendment was, on page 8, line 16, after the word "agencies", to insert "or departments."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. The bill is still before the Senate and open to further amendment.

Mr. GEORGE. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 2, line 9, after the word "amended" and the colon, it is proposed to insert:

Provided further, That compensation hereunder shall be made by payment into the Treasury of the United States, and when so paid shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such charter, requisition, or taking of title; and the holder of any such mortgage or lien or the stipulator in any such stipulation may commence within 6 months after such payment into the Treasury and maintain in the Court of Claims of the United States a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties for adjudication of the claim. Such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing to the Attorney General and the Secretary of the Treasury; and any final decree shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction.

Mr. GEORGE. Mr. President, I may say in explanation of the amendment that I originally suggested an amendment different in form, and the whole purpose of the amendment which I suggested was that in the case of the arrest of a ship under a proceeding in admiralty, and therefore already in the hands of the courts at the time of the requisitioning or the taking over under this act, the purchase price should be paid into the registry of the court, so that the claimant might proceed against the fund as if the ship had not been disposed of or taken over by the Government.

This particular form of the amendment has been suggested as preferable to the amendment which I originally suggested by the attorneys of the Maritime Commission and the Department of Justice. It would seem to accomplish the same purpose, except by some circuity of action, which I suppose is perfectly natural when we come into the departments, because they are always looking to see how far around they may go in order to reach the same point.

My amendment simply proposed that if the vessel had been seized and was in the course of administration, the compensation paid should be paid into the registry of the courts, to be dealt with by the courts under the rules of law and equity applicable, so as to protect lien holders for any claims they might have on the property.

The amendment in its present form provides that the fair compensation to be paid in all cases shall be paid into the Treasury, and that then anyone having a lien may proceed in the manner as set forth in the amendment. It would accomplish the same purpose, in that it would protect the real interest of any bona fide lien holder or claimant to any interest in the ship or cargo.

So I ask that the amendment be adopted. The chairman of the committee advises that he has no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. VANDENBERG. Mr. President, I ask that the amendment which now lies on the clerk's desk be read.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Michigan [Mr. VANDENBERG] for himself and the Senator from Missouri [Mr. CLARK].

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following new proviso:

And provided further, That the flag ships of nations now engaged in war requisitioned pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

Mr. LA FOLLETTE. Mr. President, will the Senator yield for the purpose of suggesting the absence of a quorum?

Mr. VANDENBERG. I yield.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Bridges	Clark, Mo.
Aiken	Brooks	Connally
Andrews	Brown	Danaher
Austin	Bulow	Davis
Bailey	Bunker	Downey
Ball	Burton	Ellender
Bankhead	Butler	George
Barbour	Eyrd	Gerry
Barkley	Byrnes	Gillette
Bilbo	Capper	Glass
Bone	Chandler	Green
Brewster	Clark, Idaho	Guffey

Gurney	McNary	Stewart
Hatch	Maloney	Taft
Hayden	Mead	Thomas, Idaho
Herring	Murdock	Thomas, Okla.
Hill	Murray	Thomas, Utah
Holman	Norris	Tobey
Hughes	O'Mahoney	Truman
Johnson, Calif.	Overton	Tunnell
Johnson, Colo.	Pepper	Tydings
Kilgore	Radcliffe	Vandenberg
La Follette	Reynolds	Van Nuys
Langer	Rosier	Wallgren
Lee	Russell	Walsh
Lodge	Schwartz	Wheeler
Lucas	Smathers	White
McCarran	Smith	Wiley
McFarland	Spencer	Willis

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. WALSH. Mr. President, I should like to inquire if there is any intention to dispose of the pending bill this afternoon?

Mr. VANDENBERG. It has been agreed that there will be no final vote until tomorrow.

Mr. WALSH. Then, I take the opportunity of presenting an amendment which I send to the desk and which I ask to have printed. I also ask that the amendment be printed in the RECORD and that there be printed with it a letter from the Navy Department concerning the amendment which the Navy Department asked me to have added to the pending bill and as to which I believe there will be no contest.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table, and will also be printed in the RECORD, together with the statement submitted by the Senator from Massachusetts.

The amendment intended to be proposed by Mr. WALSH to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent need of commerce and national defense, and for other purposes, is as follows:

On page 8, amend section 5 (f) to read as follows:

"(f) The Commission, or any other Government agency to which the Commission transfers by sale or charter any vessel purchased or chartered by the Commission under this act, may, with any funds available, and without regard to the provisions of section 3709 of the Revised Statutes, repair, reconstruct, or recondition any such vessels to meet the needs of the service intended, or provide facilities for such repairs, reconstruction, or reconditioning."

The statement submitted by Mr. WALSH is as follows:

NAVY DEPARTMENT,
BUREAU OF SHIPS,
Washington, D. C., May 14, 1941.

Memorandum for Hon. DAVID I. WALSH,
Chairman, Naval Affairs Committee,
United States Senate.

Subject: Pending legislation, H. R. 4466.

1. In addition to the requisition or purchase of foreign ships, H. R. 4466 contemplates vesting authority in the United States Maritime Commission to obtain by purchase or charter certain other commercial vessels "whenever it finds that vessels in addition to those otherwise available are necessary for transportation of foreign commerce of the United States or of commodities essential to the national defense." The proposed act also gives the Commission authority to recharter such vessels "to any department or agency of the United States Government."

2. Under section 5 (f) "The Commission without regard to the provisions of section 3709 of the Revised Statutes may repair, reconstruct, or recondition any vessels utilized under this act."

3. Undoubtedly certain of the vessels obtained by the Commission will be rechartered to the Navy Department and will require conversion to fit them for naval service. Under previous legislation there is some question as to whether authority exists for the Department to finance the cost of such conversion. To remove this doubt the following amendment to section 5 (f) of H. R. 4466 is recommended:

(f) The Commission, or any other Government agency to which the Commission transfers by sale or charter any vessel/vessels purchased or chartered by the Commission under this act, may with any funds available, and without regard to the provisions of section 3709 of the Revised Statutes, repair, reconstruct, or recondition any such vessel/vessels to meet the needs of the service intended or provide facilities for such repairs, reconstruction, or reconditioning.

S. M. ROBINSON,
Chief of Bureau.

Mr. VANDENBERG. Mr. President, I wish to make a brief statement regarding the pending amendment, which is offered on behalf of the senior Senator from Missouri [Mr. CLARK] and myself. I shall undertake to demonstrate—and, I think, demonstrate unanswerably—that this amendment would not in any degree impair the presumed and announced purposes of the pending bill if the statement made by the representative of the State Department to the Commerce Committee of the United States Senate is a valid definition of the purposes of the bill. Yet this amendment would remove from the bill itself one clearly provocative factor which does not stop short of acts directly leading toward war. So if we can accomplish our full purpose under the bill, as I assert I can prove—but can do it within the boundaries of our repeated pledges always to stop short of acts of war, it seems to me the Senate should be somewhat interested in the effort which the Senator from Missouri and I are making.

Mr. President, I should like to add, as an evidence of my own good faith in this connection, that I stated in the Commerce Committee—and the Senator from Missouri made the same statement—that if this amendment shall be adopted, I will support the bill and vote for it. And, Mr. President, if unity is wanted in this country, if unity is wanted in the Senate, if unity is wanted in respect to our approach to the national crisis, I respectfully suggest that unity is purchased at a very cheap price if we can have a practically unanimous Senate upon this bill in return solely for taking out of it a provocative act of war which is not necessary in order to accomplish the purpose to which the bill is officially addressed.

I may add, Mr. President, that although the distinguished chairman of the Senate Commerce Committee, the senior Senator from North Carolina [Mr. BAILEY] has just announced that he feels himself restricted by his official position to support this bill as reported, and will oppose any amendment to it, I call the Senate's attention to the fact that when this amendment was submitted in the Commerce Committee the able Senator from North Carolina voted in favor of it, and he made the specific statement, which stands in the record of the committee, that it would be the cheapest price with which national unity could possibly be purchased.

I think, Mr. President, that with this amendment in the bill, the measure could be passed almost unanimously, so that the only price which would have to be paid for unity would be to take out of the bill a provocative act of war which is not necessary in order to achieve the purposes which are attributed to the proposed legislation officially by the State Department and by the sponsors of the measure. I confess I cannot understand the attitude which would resist an opportunity of this attraction.

Mr. President, I ask Senators to bear in mind as we proceed the fact that 84 ships are covered by this legislation.

Mr. CLARK of Missouri. Mr. President, will the Senator permit me to ask him a question before he proceeds with his argument?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. VANDENBERG. Yes.

Mr. CLARK of Missouri. Unfortunately, the testimony of Assistant Secretary of State Long—who was the official witness for the administration on behalf of the bill—was not taken down. I simply should like to make it a matter of record that when we discussed in the Commerce Committee day before yesterday this amendment which the Senator from Michigan and I have proposed, there was no divergence of opinion in the committee as to what the Assistant Secretary testified to with regard to the aim of the bill, which was specifically to put back these ships on the runs which they had been making between South America and North America prior to the internment of the ships. In other words, the chairman of the committee and every member of the committee who had been present and listened to the testimony of the Assistant Secretary of State, Mr. Long, agreed as to what the purport of his testimony had been.

Mr. PEPPER rose.

Mr. VANDENBERG. Mr. President, before I yield further, let me say that in the absence from the Chamber of the Senator from Missouri I put the same question to the chairman of the Commerce Committee without prejudice, and asked him to state what the official attitude of Assistant Secretary Long was; and the distinguished Senator from North Carolina made precisely the statement which the Senator from Missouri has just repeated, adding, of course, that the representative of the State Department finally refused to agree that there should be any restrictions in the bill, that being the native, natural attitude of any branch of our bureaucracy which wants to get all the power it can get at any time it can get it. But the fact remains that Assistant Secretary of State Breckenridge Long categorically stated—and it goes to the

very basis of the argument I shall present to the Senate—that the paramount purpose of taking over these ships was not to put them in any international pool, but was to use them primarily and fundamentally to replace ships on our own trade routes, particularly in Central and South America.

Mr. CLARK of Missouri and Mr. PEPPER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. VANDENBERG. I yield first to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, did not the Assistant Secretary of State, Mr. Long, also specifically state that that was the basis of an agreement which had been entered into between the United States and the other American republics to restore the facilities for pursuing the trade between North and South America which had heretofore been carried on largely by these very same ships?

Mr. VANDENBERG. The Secretary did make that statement, and brought the agreement with him and put it in our record as a further demonstration of the attitude.

I now yield to the Senator from Florida.

Mr. PEPPER. Mr. President, in spite of whatever the reason of the Assistant Secretary of State may have been—whether or not it may have been due to what the Senator characterizes as the inevitable tendency of an administrative department to want all possible power—the fact is, is it not, that the Assistant Secretary of State, Mr. Long, appearing before the Senate Commerce Committee, made the request or expressed the hope that this limitation would not be put in the bill?

Mr. VANDENBERG. There is not any doubt in the world about it.

Mr. PEPPER. Mr. President, will the Senator yield for a second question?

Mr. VANDENBERG. Certainly.

Mr. PEPPER. Is it not also a fact that Admiral Land, the Chairman of the Maritime Commission, testifying in the presence of the able Senator from Michigan now speaking, and to the committee, also expressed the hope that this limitation would not be put in the bill?

Mr. VANDENBERG. There is not any doubt about it.

Mr. PEPPER. I thank the Senator.

Mr. VANDENBERG. And it is equally true that for 8 years there has not been a committee hearing under the dome of the Capitol in which the administrative branches of the Government have not asked for blank checks and insisted that the checks should be blank.

Mr. President, let me now return to a presentation of the specific problem involved, because it is very important that Senators should have it in mind.

There are 84 ships in contemplation of the reach of this legislation. Two of the ships are German ships. Twenty-eight are Italian ships. That makes a total of 30 ships belonging to belligerents in the present war. That means that 54 of the ships do not belong to belligerents. That means, in turn, that the pending amendment does not touch 54 ships at all. In other words, the Government will have just as complete freedom of action respecting 54 of the 84 ships when this amendment is adopted as it would have if there were no amendment. That fact cannot be too strongly emphasized, and in the presentation of the matter to the American people I hope it will be equally emphasized, because it is so often said that this amendment seeks to hamstring the entire use of the authority contemplated under this grant of power. The amendment does not touch 54 of the 84 ships at all, and it hamstrings nothing.

How does it affect the 30 ships which are German ships and Italian ships? Does it say that they shall not be requisitioned? No. Does it say that the Government shall not have complete power of purchase or charter if possible? No. Does it say that the Government cannot take them over and use them for its own purposes as it sees fit on its own trade routes? No. Even in respect to the 30 ships that we are taking from belligerents, we are still as free as if the amendment were not in the bill as respects our own use of them. The only thing in the world that will be done by adopting the amendment is to say that this neutral Government shall not violate every fundamental of international law and international morality; and, having taken 30 belligerent ships, turn them over to another belligerent adversary—a clearly provocative act of war.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I am very happy to yield.

Mr. PEPPER. If the Senator injects into the matter the question of morality, does he distinguish the moral question presented in case this Government should take a ship of this belligerent character and put it into American trade and then take an American ship and give it to another belligerent—Britain, for example—and a case in which it might do that directly?

Mr. VANDENBERG. Yes; I make a very distinct differentiation, and that is one of the reasons why I say this amendment cannot possibly hamstring this legislation in the purview of its own authorship. Mr. Secretary Long says that the purpose of the transfer of all the 84 ships is to put them on our trade routes, particularly in Central and South America, to replace ships that have been taken off those trade routes, so as to reestablish our own essential trade. Just so long as the administrators of the bill stay within that prospectus, there is not anything in this amendment which interferes with the use of either the 54 ships or the 30 ships of the belligerent powers. The only point at which the amendment enters the equation is where it asserts the fundamental rule that a neutral—and that is what we still are, regardless of how much our actions may compromise the use of the word; one is either neutral or belligerent—a neutral cannot take the ships of one belligerent and transfer them to an adversary belligerent without committing a provocative act of war.

It may be said that we have committed so many provocative acts of war that one more or less makes no difference. That is no argument, so far as I am concerned, because the action of Congress and the judgment and the intent and the purpose of Congress must be judged in respect to each decision it is called upon to make.

What is the intention of Congress with respect to all of this proposed legislation? Is it not the intention of the Congress to stay short of war, if humanly possible—short of the war into which some of our more belligerent gladiators would plunge us on four continents and two oceans simultaneously; short of the war into which they would plunge us despite our unpreparedness to fight a war on one continent or one ocean; short of the war which would disintegrate our own democracy in the name of saving democracy somewhere else; short of the war which the American people do not want, and have been promised they will, if humanly possible, be saved from suffering? Is not that the intent of Congress? Is not that the intent that was pledged behind the very lend-lease bill itself when it passed through Congress? Is it not the fundamental pledge and promise of both great political parties? Was it not the fundamental pledge and promise of both great candidates for President of the United States? Is it not the fundamental pledge and promise for which a vast majority of Americans still insist upon holding the Congress responsible? I think it is. And if it is to aid Britain, aid intrepid, courageous Britain to the last material possibility, as I would do with all the rest, still, if it is our purpose to avoid, let me say, needless acts of war—because this particular thing is a needless act of war within the purview of the proposed legislation itself—if our purpose is still to stop short of acts of war, then I would like to know why in heaven's name there should be any opposition to an amendment which takes an act of war out of the bill without impairing the effectiveness of the bill in any way whatsoever.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. PEPPER. Mr. President, if the Senator is interested primarily in preserving the peace of his country, as I think all are, does he not think that purpose will be better served by making it possible for Britain to get the materials which we are making in this country by having the ships available to transport them than by not having the ships?

Mr. VANDENBERG. The question which the Senator is submitting goes to the general problem of convoys, goes to the general problem of transoceanic transportation. I decline to enter that field of argument in connection with the pending bill, for I do not desire to have anyone think by any stretch of the imagination that I admit that that factor is involved in the bill, because my fundamental point of view is that there is not a thing in the limitation which the amendment proposes which restricts in any degree the use of the power under the bill to take advantage of these requisitioned ships precisely as the State Department

has officially told us they proposed to use them.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. PEPPER. Is not the whole purpose of the able Senator's amendment to make it impossible, if we get these ships, to transfer them to Britain?

Mr. VANDENBERG. The amendment would not interfere in the remotest degree with the transfer to Britain of 54 of the 84 ships; it would not interfere in any degree with the transfer of the other 30, if they were purchased or chartered or procured under agreement. It would interfere only to the extent that the 30 belligerent ships should not be transferred to the other belligerent, but should be put on trade routes of our own, as we have been promised is the contemplation.

Mr. PEPPER. Will the Senator yield further?

Mr. VANDENBERG. I yield.

Mr. PEPPER. In other words, the Senator is perfectly willing to vote for a bill which would take Danish ships, or French ships, or the ships of some other country into the ownership of this country, or into the power of this country, and turn those over to Britain; but he is not willing to let our Government, if it finds it necessary to do so, turn over to the British some German ships which may happen to be in our harbors as the others are?

Mr. VANDENBERG. The Senator has precisely stated my position, and he has described a position which insists upon recognizing the fundamentals of international law, and which insists upon saving ourselves from needlessly provocative acts of war. It seems to me that is not only a fundamental distinction of importance, but it is also a distinction which goes to the very root source of the essential American attitudes at this time in connection with the desperate decisions which we are having to make.

Mr. PEPPER. Will the Senator yield for one last question?

Mr. VANDENBERG. I yield.

Mr. PEPPER. Will not the Senator admit that at the present time perhaps the greatest need the British have is for shipping facilities in order to transport goods to Great Britain?

Mr. VANDENBERG. Again we are off on a tangent, and if we are going into that field, I desire to discuss the question of how much of our aid to England is going to the bottom of the sea in the North Atlantic, and to discuss whether it is 40 percent, as the propagandist says, or whether it is 4 percent, as Admiral Land intimates on the basis of reported sinkings, or whether it is 10 percent, or some other percentage. I do not want to go into that field at all, because I insist it is not related to the problem which is submitted to the Senate in connection with this particular amendment.

In perfect seriousness I am presenting an amendment which I think improves the proposed legislation; I am presenting an amendment which would put the bill in a shape in which I could very happily support it myself. I completely agree with the fundamental purpose of the proposed legislation. I think we have a complete right to take this idle interned shipping and turn it to our own use. I am perfectly willing, in connection with turning it to our own use, in turning it to our defense, that it should be turned over even to—what do we say?—to the democracies with which we are cooperating. I am perfectly willing that it should go into British use, just so long as we do not commit that needlessly provocative act of war which time after time after time serially, finally amounts to a challenge which brings us into the blood and tears of the fundamental conflict itself, against the prayers of 90 percent of the American people.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. If I understand the situation, out of the 84 vessels now interned in the United States, 54 belong to the nationals of nonbelligerents.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. And those nonbelligerents include the victims of the so-called aggressor powers.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. As a matter of abstract justice as between the belligerents and the nonbelligerents, as between the aggressors and their victims, how does the Senator draw the distinction as between our moral right to take the ships belonging to the victims of aggression, and trying to take the ships belonging to those who have precipitated this situation, except on the ground that by taking their ships we may provoke them into war?

Mr. VANDENBERG. That is exactly the distinction.

Mr. BARKLEY. Is there any other distinction?

Mr. VANDENBERG. There is no offense to the rights of these nonbelligerents, these victims, to whom the Senator refers, because in any event we are bound, by the terms of the proposed legislation to pay full compensation for taking over the ships.

Mr. BARKLEY. That is all true. The theory is, then, that we are to take over 54 of these ships because the nations whose nationals own them cannot help themselves, and therefore cannot provoke war, but we are to decline to take the 30 because those nations might find it possible to help themselves and to provoke war.

Mr. VANDENBERG. The Senator can state it as he sees fit. The amendment does not interfere with taking over the 30, as I have repeatedly said. We can take them over, and we may use them exactly as the State Department has promised they will be used. If we want to use them in a fashion in which the State Department has stated they will not be used, we cannot do it and respect the provision of law with regard to the transfer of the ships of one belligerent to another.

Mr. BARKLEY. In other words, we can take over all 84 of the ships, and we can turn over to any belligerent 54 of them, ships which belong to the victims of aggression, but as to the 30 which happen to belong to the nationals—not the governments, but the nationals—of the aggressor nations, we cannot turn them over to a belligerent, and the reason is that the 54 vessels belong to those who cannot help themselves, and the 30 belong to those who may be able to help themselves.

Mr. VANDENBERG. The reason is no such reason at all, and the Senator knows I have said nothing of the sort. The reason is that a neutral cannot trade the property of one belligerent to another belligerent without creating a provocative act of war. Senators who are perfectly willing to proceed with provocative acts of war—and that phrase I freely concede is a relative term and a matter of degree—Senators who have no fear about provocative acts of war and their serial consequences will have no interest whatever in the argument I present. Senators who do want, so far as is humanly possible, to continue to stop short of war in our program will lend a friendly ear to the thing I am submitting to the Senate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield to the Senator from Florida.

Mr. PEPPER. I merely wanted to ask the Senator if he thought we could furnish billions and billions of dollars worth of tanks, and antiaircraft guns, and ships which we make in our own yards and which we buy from other sources, and powder, and ammunition, and airplanes, and all that sort of thing, to Great Britain, while we are neutral, as the Senator said, to be used purposely against Germany with our good wishes, and yet, as he says, we cannot take 30 ships that may happen to be here, for which we are going to pay, and let Britain have them, without it being an overly provocative act?

Mr. VANDENBERG. I went all over that before the Senator came in. I fully recognize the fact that we have committed many provocative acts of war, and there have been many provocative speeches on the floor of the Senate by able Senators who are keenly interested in a belligerent attitude on the part of the United States, and I freely concede that we have given ample offense to any country that wants to make it an excuse to attack us, but I am saying that that is no reason why the process should continue when Congress is required, upon its responsibility, to make a specific decision in respect to a specific piece of legislation. And I am insisting upon confining my attention to the legislation pending and its effect.

I know the Senator from Wyoming has something on his mind, and I yield to him.

Mr. O'MAHONEY. Mr. President, the Senator is gifted with a keen insight. I did want to ask the Senator one or two questions. The copy of the proposed amendment which I have in my hand bears an amendment written in longhand. The word "requisitioned" has been substituted for the words "taken over."

Mr. VANDENBERG. So that the amendment will apply only in case of requisitioning.

Mr. O'MAHONEY. In other words, if any of these 30 vessels should be pur-

chased, then the amendment would not apply?

Mr. VANDENBERG. That is correct.

Mr. O'MAHONEY. Then, I observe that the concluding phrase of the amendment reads:

> Shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

How does the Senator construe that latter phrase? What is intended to be prohibited by it? Before the Senator answers, let me say what I have in mind.

Mr. VANDENBERG. Before the Senator does that, may I confess to the Senator that the language has no special significance, so far as I am concerned. It is the precise language which was used in the so-called Culkin amendment in the House of Representatives. That is its source and it is the sole reason why it is phrased as it is.

Mr. O'MAHONEY. I suppose the authors of the collective amendment had some purpose in putting it in there. I merely wish to observe that if the vessels which are purchased should be used to promote the military and naval objectives of a belligerent that would also constitute an act of war, would it not?

Mr. VANDENBERG. I do not think I follow the Senator.

Mr. O'MAHONEY. If the United States of America, acting under the authority of this measure, as amended—if this amendment were adopted—should purchase from their owners certain German vessels in our harbors, and then should do what is not prohibited by this amendment, namely, permit their use to promote the military or naval objectives of a belligerent—that is to say, Great Britain——

Mr. VANDENBERG. Yes; I follow the Senator.

Mr. O'MAHONEY. That would constitute an act of war?

Mr. VANDENBERG. No; so far as the amendment is concerned, everything is limited by the use of the word "requisitioned," and the amendment would apply to no ship which was not requisitioned from a belligerent.

Mr. O'MAHONEY. I understand that, but I failed to make myself clear, and I realize that I have some difficulty of that kind.

Mr. VANDENBERG. It is my fault.

Mr. O'MAHONEY. The point is this: The Senator, by his amendment, does not prohibit the use of purchased vessels to promote military objectives of a belligerent.

Mr. VANDENBERG. No; and I think there is a great difference because a purchase represents a meeting of minds. A requisition represents the use of a sovereign power.

Mr. O'MAHONEY. Yes, but if the United States uses its own vessels, which it has purchased, to promote the military objectives of a belligerent, is it not by that very act taking part as a belligerent?

Mr. VANDENBERG. If I follow the Senator I do not think so.

Mr. O'MAHONEY. Then the Senator is of the opinion——

Mr. VANDENBERG. Well, I find it difficult to follow the Senator.

Mr. O'MAHONEY. I am sorry, Mr. President, because I do not want to confuse the Senator, as I think he knows. Let us forget now about the belligerent ships. Let us think only of the vessels of neutral nations. If the United States takes over, by purchase, neutral vessels, they then become the property of the United States, do they not?

Mr. VANDENBERG. Yes; that is correct.

Mr. O'MAHONEY. Then, if the United States uses its own vessels to promote the military objectives of one of two belligerents, it is committing an act of war on behalf of the belligerent which it is definitely aiding by the use of its vessels, is it not?

Mr. VANDENBERG. In degree; yes, sir.

Mr. O'MAHONEY. Yes. Then, the amendment offered by the Senator from Michigan and the Senator from Missouri makes what appears to be a very fine distinction between the kind of use which shall be given, and the use which will be made of these seized vessels. The amendment, as I see it now, as the Senator has explained it in answer to my question, provides that with respect to vessels which the United States acquires by purchase from German owners it may not use those to promote the military objectives of Great Britain against Germany.

Mr. VANDENBERG. Oh, but it can. It can do what it pleases with any vessel it purchases.

Mr. O'MAHONEY. Yes, the Senator is quite right. Let me put it on this basis then. With respect to those vessels which are requisitioned and not purchased, if they are requisitioned from Germany, then they may not be used to promote the military objectives of Great Britain?

Mr. VANDENBERG. That is right.

Mr. O'MAHONEY. But if they should be requisitioned from a neutral country, then they may be used under this amendment to promote the military objectives of Great Britain?

Mr. VANDENBERG. Yes.

Mr. O'MAHONEY. And the Senator has no objection to that?

Mr. VANDENBERG. None whatever.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BARKLEY. If the Government of the United States cannot use any requisitioned German or Italian-owned ships to promote the objectives of any belligerent in this particular war, and can only do so in case of purchase, which means voluntary sale, negotiation as to price, and all that, does the Senator think the United States Government would be able to purchase any of the 30 vessels?

Mr. VANDENBERG. Probably not.

Mr. BARKLEY. In other words, if the Senator's amendment is adopted it means that of the 84 vessels now interned in the United States, only 54 could by any stretch of the imagination be used to promote the objectives of any belligerent.

Mr. VANDENBERG. That is correct.

Mr. President, there is one further consideration to which I wish to advert very briefly before I take my seat. I think perhaps it is a reason why the vote on the amendment should go over until tomorrow, so that the record may be complete.

There is a precedent involved on the part of the British Government itself in respect to official attitudes toward transactions of the nature contemplated by the pending bill. Some months ago the Government of Chile undertook to requisition certain German ships, I believe in the harbor of Valparaiso. I think three ships were involved. The British Government insisted that it would not permit the ownership of the German ships to pass to the sovereignty of neutral Chile, and permit the ships to proceed to sea under the immunity of a neutral. Britain insisted that she would have to retain unto herself the right of capture of the German ships, even though they had been requisitioned and transferred to Chilean sovereignty.

I have made that statement of fact perhaps too dogmatically. I have made it on the ground of the best knowledge at my disposal. For 3 weeks I sought in the Commerce Committee to obtain an official factual statement from the State Department regarding this circumstance, because it seemed to me that it had a tremendous bearing upon the appropriate attitude which we should take in respect to the pending bill if the official attitude of the British Government heretofore has been hostile to the formula written into the bill, and if the attitude of the British Government heretofore has been to deny that a successful transfer could be made as contemplated under the terms of the bill.

At the meeting of the committee day before yesterday the committee authorized a letter to be written to the State Department raising this fundamental question and asking for information. The chairman of the Commerce Committee tells me that a response is expected in the morning. Therefore, Mr. President, so far as this phase of the matter is concerned I am quite willing to await the arrival of the State Department's documents and to postpone any consideration of that precedent until the State Department has spoken.

Therefore at the moment I am content to conclude by saying, as I said in the beginning, that the only thing my amendment does is to take out of the bill the one factor which is in the direction of a provocative act of war, and which is absolutely unnecessary to the objective of the legislation itself, if that objective was correctly reported by the State Department to the Commerce Committee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. PEPPER. Mr. President, I have only a few brief remarks to make. I do not know whether I saw the able chairman of the Foreign Relations Committee [Mr. GEORGE] about to rise. If he

prefers to address the Senate at this time, I shall be glad to defer to him.

Mr. GEORGE. It is quite all right.

Mr. PEPPER. I have only a few remarks to make. I am a member of the Commerce Committee, Mr. President, and had the advantage of attending most of the hearings on this subject.

The amendment which the Senator from Michigan now offers is substantially, if not literally, the Culkin amendment, which was offered in the House of Representatives and was voted down in the House. The bill came to the Senate without that amendment because of the negative action of the House of Representatives.

In addition, the able Senator offered the amendment in the Commerce Committee, a vote was taken on it, and the amendment was not approved by the Commerce Committee. At the time the amendment was offered by the able Senator from Michigan, Admiral Land was in the committee room, not having departed after the completion of his testimony. The question was then addressed to Admiral Land, in the presence of the committee and of the able Senator from Michigan, and Admiral Land stated to the committee that in his opinion it was not desirable that these restrictions be added to the bill.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. The question was also addressed to Admiral Land as to whether in all his experience he had ever heard of a bureaucrat coming to Congress from one of the Government bureaus or departments and not opposing any restrictions on the widest authority that might possibly be granted by the Congress, to which he shook his head and answered, "No." Is that correct?

Mr. PEPPER. And, to make the drama complete, he smiled.

Mr. CLARK of Missouri. He shook his head. I posed the question as to whether any other member of the committee had ever seen any bureaucrat come before a committee of Congress and not oppose any restriction on the utmost authority that might be granted by the Congress.

Mr. PEPPER. If the able Senator from Missouri wants to take advantage of this occasion to express his opinion of so-called bureaucrats, it is all right with the Senator from Florida.

Mr. CLARK of Missouri. Mr. President, if the Senator will further yield, the Senator from Florida undertook to tell what happened in the Commerce Committee day before yesterday. I was merely relating the rest of the conversation which took place in the committee.

Mr. PEPPER. Mr. President, the fact remains, as I stated before the interruption of the able Senator from Missouri, that Admiral Land, speaking as a witness who had been testifying in behalf of the bill, expressed his view that the proposed amendment is not a desirable limitation to be imposed in the bill. Moreover, the able Senator from Michigan has admitted that the same sentiment was expressed by the Assistant Secretary of State.

It was brought out in the testimony of Admiral Land that the figures show that since March of this year ships in the possession and use of the British have been sunk by the Germans at the rate of 5,000,000 tons a year, and that the present rate of construction of ships by both Britain and the United States is a little less than two and a half million tons a year. So if we take into consideration the present rate of construction and the present rate of loss, ships are being sunk twice as fast as they are being built.

While testifying before our committee in behalf of the bill, Admiral Land told about our shipbuilding program, how much we had lined up for this year, how much we had in prospect for 1942, and how much was in prospect for 1943.

We all know how serious is the need of the British Government for ships to transport supplies to Britain. We know that we passed the lease-lend bill, not as a gesture but as a means of making it possible for Britain to obtain materials. If the materials cannot get there, it is not necessary to say that they do no good.

The able Senator from Michigan proposes an amendment the sole purpose of which, so far as its effect is concerned, is to tie the hands of the Government, whatever be the emergency, however great the crisis, against taking a ship which belongs to a German or Italian national who has been paid for the ship in the same way any other national is paid for his ship, and letting Britain have it upon terms satisfactory to our own Government. That seems to me to be a sensitiveness on the part of the able Senator from Michigan in regard to the Germans and Italians which makes a great sacrifice that it does not seem to be necessary for this country and our cause to make.

In conclusion the able Senator referred to the policy of the British Government in regard to the action of Chile in taking over certain German ships.

He left the inference—and I am sure of this, from having previously heard the Senator express himself on the subject—that perhaps the British were not permitting the Chileans to do what they desire us to do, from which they expect to derive benefit. As I communicated to the able Senator from Michigan, yesterday I telephoned Mr. Adolph Berle from the Commerce Committee room and asked him if he had the facts as to what was the British policy on this matter. He stated to me that, as he understood, the British Government had taken the position that a neutral power may not take a vessel belonging to a belligerent—a belligerent so far as the British are concerned—divest the belligerent vessel of its belligerent character simply by taking it into neutral hands, and, thereafter, give it an immunity from subsequent assault by the British Government if it were used in a way inimical to the interest of the British Government.

However, I learned from Mr. Berle that his impression was that the British had said to the Government of Chile—

> We shall be glad to waive the right upon which we have been insisting, and upon which we think we have the right still to insist, if you will give us certain assurances that you will not use the belligerent vessels in any way inimical to our interests.

Without being an apologist for the British, that seems to me to be a reasonable distinction; and I assume that they would apply the same principle to our Government. I do not suppose that our Government contemplates taking belligerent vessels and using them in a way that would be inconsistent with and inimical to the interests of Britain as a belligerent power.

So, based upon that understanding, there is no difference in the policy of the British Government as related to the Chilean Government and as related to the Government of the United States.

Mr. BROOKS. Mr. President, I am not a member of the Commerce Committee; so, of necessity, my information is confined to what I learned from the report of the able and distinguished chairman of the Commerce Committee and what I subsequently have heard during the short debate on the pending amendment.

As I understand the amendment, it is designed with one thing in mind—to establish at least one move, as we come at this dangerous moment to the brink of war, to show some unity on the part of the legislative branch of the Government.

The bill involves only a few ships—30 in number. I desire to add to what the distinguished Senator from Michigan said, that it seems to me it is a cheap price to pay to enable us to show unity on the part of this body, as, in my judgment, all of us are agreed in standing wholeheartedly for our national defense. The only question I have found upon which the Members of this body differ materially is in relation to acts by us which would break the camel's back and finally throw us into war.

It will be remembered that when we were discussing the lease-lend bill, which since its passage has been quoted quite considerably in everything else that is suggested on this floor, out of this Chamber word went to the world and to the people of America from the chief advocates of that bill that it was to keep us out of war. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The officials of the galleries understand the rule of the Senate; and the Chair asks them to caution our visitors to observe the rules, or to clear the galleries.

The Senator from Illinois may proceed.

Mr. BROOKS. As we went through the debate on the lease-lend bill there was little difference of opinion as to our desire to assist Britain, as was shown by the vote on the $7,000,000,000 appropriation bill; but it will be remembered that during that debate we were assured that Britain did not need or want our men. Mr. Churchill said so; the President had said so; and if we read the reports of the debates on this floor, we will find that the Senators also said so. The purpose of passing that bill was to keep the war away from our shores; and when an appropriation of $7,000,000,000 was asked for, the largest single peacetime appro-

priation in the history of this free country, it was for material, not men.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. CLARK of Missouri. The Senator will recall that the Sunday before the Foreign Relations Committee of the Senate reported the so-called lease-lend, or give, bill, as the case may be, and the day before Mr. Willkie appeared before the Foreign Relations Committee, Mr. Churchill went on the air on a world-wide radio hook-up, ostensibly addressed to the world, but really addressed to the Foreign Relations Committee of the United States Senate, in which he specifically said that no expeditionary force would ever be asked.

The Senator will also recall that since that time the tempo of the advocates of the war has now advanced to the proposition—which is freely admitted on behalf of those who are trying to get us into war—that we should get into it and that an expeditionary force probably will be needed, to England, Asia, Africa, or some other place.

Mr. BROOKS. I remember the broadcast, because I felt it was an unfair advantage for the head of one government to choose that time to make such a statement to the American people. It was a broadcast to America, for no other country is privileged to listen to foreign broadcasts. Mr. Churchill's broadcast came into our homes at the time the Senate was engaged in debate on the lease-lend bill; and I remember that the broadcast was an assurance from Britain to American mothers and fathers, whom others had assured again and again and again, that their sons, American boys, would not be used in an expeditionary force.

Mr. CLARK of Missouri. The Senator will recall that to all intents and purposes Mr. Churchill, by way of the radio, appeared as a witness before the Senate Foreign Relations Committee.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKS. I yield.

Mr. BARKLEY. Surely the Senator does not hold Mr. Churchill responsible for the fact that in the countries controlled by Hitler, Mussolini, and other dictators the people are not permitted to listen to the radio?

Mr. BROOKS. No; I say to the Senator from Kentucky that I do not hold Mr. Churchill responsible for anything except what he said to the people of America during the debate on the lease-lend bill, when we were in deliberation on the floor of this body, which is supposed to be the last great, free, deliberative body in the world. He chose that time to speak into the homes of America, and he told the people of the United States—

> Have no fear. We do not want your boys—not this year, not next year, not any other year. All we want is the tools, and we will finish the job.

Mr. BARKLEY. I do not recall that he has made any contradictory statement since then.

Mr. BROOKS. I understand that; but when the British say they want convoys or that we must get the goods there, it is obvious that the goods cannot be delivered with canaries or with pigeons. We must deliver them with American boys if we are to get them there.

We were assured that we would not use our boys to get the goods there; we were assured that we would only provide the material, and that Britain did not need the men.

I am not sure that the enactment of this bill would result in a violation of international law, but when we take a step which may result in violating international law we come that much nearer to provoking Germany to declare war against us. After all, a people will stand being insulted just so long; and we have done almost everything we could think of, except shoot at the Germans, to provoke the German Nation to declare war against us. I know that it is in the heart of the Senator from Michigan, as it is in my heart and in the heart of the American people, that we should not for 30 ships have a division in our ranks at a time when we should be as a unit, and that we should not for 30 ships cause that last act to be taken which may drag us into the war.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROOKS. Yes; I yield.

Mr. BARKLEY. The last statement of the Senator presents the issue involved in the Vandenberg amendment. There is no issue of convoys involved in that amendment. The only question is whether the 84 ships shall all be treated in the same way; that whatever we do about any of them we do it with respect to all of them on the same basis, and whether if we requisition the 30 ships we shall do it, as we propose to requisition the other ships, and in no case not to compensate for them, no matter how we take them over, whether we do it by purchase or by what we call requisition. There is a technical difference between the word "requisition," I think, and taking over, but I shall not go into that. I repeat that the only question involved in the Vandenberg amendment is whether if we take over the 30 ships belonging to German and Italian citizens, we will say, we will deal with them just as we deal with the ships taken over that belong to the victims of the Germans and Italians; and in no case would the convoy issue be involved at all, because, even though we should turn them over to a belligerent, it would not involve following them up and convoying them and escorting them over there after they were taken over by the belligerent nation.

Mr. BROOKS. May I call attention to the word "escorting" which the Senator just used? "Escorting," "patrolling" are soft terms, Senator—but "convoying," particularly into a war zone, sir, is a hard-shooting word, and that means war. I expect that we will hear the word "escorting" a good deal more in the near future; we have not heard much of it as yet.

Mr. BARKLEY. I do not recognize any great difference between the word "escorting" and the word "convoying." I happen to have gone across the sea during the World War on a troopship. For a certain number of miles out of New York that ship and others were accompanied by American gunboats and cruisers of one sort or another in a group; they were all within sight; but the naval vessels turned back at a certain point, and the other ships went across the main part of the ocean unescorted. When they reached the other side they were met by a convoy or by escorting ships, but they were all together. I do not know that there is any technical difference between the word "escort" and the word "convoy"; I have no technical difference in my own mind; but what I meant was that if the 30 ships were either purchased or taken over and paid for and then transferred to Great Britain or any country allied with Great Britain that would not involve any more convoying by the American Navy of those ships than is involved in the sailing of any other British ship which would sail under the British flag, and they would be, to all intents and purposes, British ships. So I do not see where the word "convoy" and the word "escort" come into the equation in regard to this amendment.

Mr. BROOKS. Because the Senator used the word, I merely wanted to point out that we had not heard it before, and I thought we would hear a lot more of it in the future. So I wanted to say that, in my opinion, escorting is the same thing as convoying.

Now, let me answer, if I may, the other suggestion about the 30 ships. I think, so far as the Senator from Michigan is concerned, as he explained, I thought, so ably, the difference is that we are yet a neutral, and no matter what acts we may have committed we are still a neutral because we are not actively in the war; and that is the one thing that America is hoping and in all my heart I am hoping we will not be. But, under international law, for a neutral to take, under the authority of its government, the ships of one belligerent and deliver them to another belligerent would be an act for which the Senator from Michigan believes, and I sincerely believe, it would be easy for them to declare war on us.

I am talking about the 30 ships only, I will say to the Senator. Those 30 ships are not going to amount to enough in the scheme of things when we have already appropriated $7,000,000,000 and the President has the right to give to Britain other ships which we can buy at other places or which we can procure in other ways. We have appropriated the money; we are not withholding 1 pound of material from Great Britain; and we are still asking you, sir, as the majority leader, and we are asking the other Members of the Senate to yield on one point. We want the Senate to be a unit in providing for the national defense; but we do not want to take one more step that will lead us closer to the brink of war. I think the acceptance of this amendment is a most desirable and far-reaching step for unity in the Senate, and I think, if it were adopted, there could be an almost unanimous vote behind the administration. I do not think anybody, whether in the Maritime Commission or any other place, is more ready to say that we are going to keep out of war than is the Senate; and

we can begin to have this unity if we can tread more softly now, and we can move on and carry out the purposes which the Senator from Kentucky so successfully led the fight here to have us proclaim. We are dedicated to those purposes, but let us not take such action as will plunge us into the war. Because we are not taking away 1 pound from Britain, we are not stopping her from getting 1 ounce of material; we have acted to give her $7,000,000,000; and I think the amendment should be accepted as an evidence of good faith and unity and another evidence that we are not going to continue to step on and insult other peoples and force them to get us into the war.

Mr. BONE. Mr. President, will the Senator yield?

Mr. BROOKS. I yield the floor.

Mr. BONE. Mr. President, I have not seen in print the amendment tendered by the Senator from Michigan, and I will ask the question, How many of the ships proposed to be taken over by the Government are ships now belonging to actual belligerents?

Mr. VANDENBERG. Thirty of the eighty-four.

Mr. BONE. Thirty of them are German ships?

Mr. VANDENBERG. German and Italian ships—2 German and 28 Italian.

Mr. BONE. How many ships are involved in the total?

Mr. VANDENBERG. Eighty-four. In other words, the amendment would not touch 54 at all, but would leave the Government completely free to use them in any way they should see fit—to give them to Britain or to use them in any fashion they desired with any belligerent. Even the 30 belligerent ships could be taken over and requisitioned and used in our own trade routes in any way we should see fit. But I remind the Senator, who evidently was not in the Chamber at the time of the discussion, that the spokesman of the State Department said that the purpose of the whole legislation was to put 84 ships out of 84 on our own trade routes; so that, under the statement of our own State Department, there is not a single inhibition in the amendment; the only thing in the world the amendment would do would be to prohibit an ultimate needless provocative act of war.

Mr. BONE. Is it a fact that the Federal Government now has at its disposal ships which it might substitute for the ships belonging to belligerent powers?

Mr. VANDENBERG. It certainly has.

Mr. BONE. So that the ships belonging to the belligerent powers and seized under this legislation could be utilized by us in place of those which we would transfer to Great Britain? Is that the idea?

Mr. VANDENBERG. Exactly.

Mr. BARKLEY. Mr. President, I am trying to develop this matter. So far as an act of belligerency or a provocative act is concerned, assuming that the Senator's amendment shall be adopted, if we took over the 30 ships by purchase, then utilized them on our natural trade routes and took 30 ships now engaged on our natural trade routes and turned them over to Britain in lieu of the 30 we might turn over if the Senator's amendment were not adopted, would not that be a mere subterfuge by which we would accomplish the same purpose, and would it not, to all intents and purposes be as provocative as if we turned over the identical ships which we would take from belligerents?

Mr. VANDENBERG. No, Mr. President; in my judgment it would not. If the process the Senator describes were to proceed, it would simply be the process which was authorized by the lend-lease bill. To whatever degree that is provocative it would be provocative.

Mr. BARKLEY. It would be a roundabout way to accomplish the same thing.

Mr. VANDENBERG. But the policy which is asserted under the bill without this amendment adds to whatever provocation there is in the lend-lease formula a further provocation which is clear and specific and distinct, when a neutral takes the property of one belligerent and transfers it to another. I do not see how there can be any possible argument about it.

AGE OF SOLDIERS OF CIVIL WAR

Mr. BONE. Mr. President, I wish to take a moment to read into the RECORD some interesting figures which I acquired over 30 years ago.

As a small boy I was very much interested in Civil War history, because my own family was deeply involved in that terrible struggle. I think it may be of more than passing interest to the American people to know something of the age of the boys who fought that war. I am impelled to read these figures into the RECORD because of the proposal to drop to 18 years the age when we draft boys. As the technology of war changes we find older men utterly unable, physically and emotionally, to stand the impact of modern mechanized warfare.

Some 35 years ago a well-informed clerk in the War Department dug up from the musty files containing the history of the Civil War these figures concerning the age of the boys who fought that war. It is interesting to note that men of maturity refused to fight, or at least not very many of them did fight. Even our generals were young men, as Senators will recall. Many general line officers were in their thirties.

Of the 2,278,588 soldiers enlisted in the war on the Union side, all but 118,000 were less than 21 years of age.

The list is as follows:

Twenty-five boys 10 years of age. They were probably drummer boys.

Thirty-eight boys 11 years of age.

Two hundred and twenty-five boys 12 years of age.

Three hundred boys 13 years of age.

One hundred and five thousand boys 14 and 15 years of age.

One hundred and twenty-six thousand boys 16 years of age.

Six hundred and thirteen thousand boys 17 years of age.

Three hundred and seven thousand boys 18 years of age.

One million and nine thousand boys 18 to 21 years of age.

I have heard my father describe the battlefield at Gettysburg—a battle in which he participated in an Indiana regiment—and as he walked over that field he had occasion to observe that the poor boys in butternut gray who had been blasted to death by Union guns on Cemetery Ridge, Little Round Top, and Cushing's Battery in the center of the line were young boys, pitifully young.

War now is exacting a greater and greater toll from the young. Not long ago, in a committee hearing I was helping to conduct, one of the best-educated men in America appeared before the committee and said that the frightful impact of the Civil War on the best of the young men of the United States had taken a tragic toll from the Nation. It had destroyed thousands of the best of our young men, and left others physically incapacitated, so that they could not breed the right kind of children for the generation that was to follow.

We need only contemplate what is going on in the world now, and know the physical and emotional impact of this war upon our civilization, to realize that we are building a veritable hell for the generations to come; for this war is taking the best of the boys of all the countries involved in it.

While I was talking to a military man the other day—I am not sure he was accurate in his statement, but it is at least worth thinking about—he said he had been advised that of the army of young men evacuated from Dunkirk back to Britain, a large percentage are now mental cases. The frightful shock of sustaining the impact of dive bombing, of tank fire, of machine-gun fire, and the hell of bursting shells was enough in itself to unsettle beyond all hope the emotional life of that vast army of fine young men of Britain, who probably were the cream of the physical crop of the British Isles.

The American people may well contemplate the effect of war upon the emotional life of the Nation; and we may well ask ourselves whether, if we go through the bloody holocaust of war, we shall transmit to another generation anything that is physically worth while in the matter of human beings.

Mr. CLARK of Missouri. Mr. President, in connection with what has been said by the Senator from Washington, I simply desire to call his attention to the fact that it has been estimated very many times by competent authority that the Napoleonic wars reduced the stature of the males of France more than 2 inches.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations from the Committee on Post Offices and Post Roads were submitted:

By Mr. HAYDEN:

Several postmasters.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. BARKLEY. Mr. President, on behalf of the Senator from North Carolina [Mr. REYNOLDS], I report from the Committee on Military Affairs certain routine promotions and appointments, and ask for their present consideration.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection to the present consideration of the nominations? The Chair hears none. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

Mr. BARKLEY. I ask that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 15, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of May 8), 1941:

COAST GUARD OF THE UNITED STATES

TO BE CAPTAIN

Eugene A. Coffin

TO BE ENSIGNS

Joe Louis Horne
Chris Vincent Brush
Helmer Sheppard Pearson
Chester Arthur Richmond, Jr.
John Starr
James Matthew McLaughlin
Whitney Matthews Prall, Jr.
Henry Frederick Rohrkemper
Charles Frederick Scharfenstein, Jr.
Robert Stancell McLendon
Walter Richardson Lewis
Robert Powell Cromwell
Kenneth Richards Goodwin
James Ward Kincaid
Kingdrel Navarre Ayers
Victor Anthony Guminski Schmidt
Elmer Albert Crock
James Alexander Palmer
George William Girdler
Bernhard Russell Henry
Louis Thomas O'Neill
Robert Catlin Gould

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

To be lieutenant colonels

Alfred C. Cottrell
Herman H. Hanneken
Arthur D. Challacombe

To be majors

Charles G. Meints
Hartnoll J. Withers
John H. Coffman
Walter L. J. Bayler
Earl S. Piper

To be captains

Henry B. Cain, Jr.
Frank P. Hager, Jr.

To be chief marine gunner

Ira Brock

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Lt. Col. Murray Charles Wilson
First Lt. Roy Tripp Evans, Jr.

TO ORDNANCE DEPARTMENT

Capt. Joseph Allen McNerney
First Lt. Daniel John Murphy
First Lt. Harry Edgar Mikkelsen

TO AIR CORPS

Second Lt. Leonard Edward Symroski
Second Lt. Melville Offers

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Rudolf William Riefkohl, Quartermaster Corps (colonel, Army of the United States).

Alexander Camman Sullivan, Field Artillery (colonel, Army of the United States).

Joseph Peter Vachon, Infantry (colonel, Army of the United States).

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE LIEUTENANT COLONEL

George Vardeman McPike, Air Corps.

TO BE MAJORS

Frederick Earl Calhoun, Air Corps.
Carl Ralph Feldmann, Air Corps.
Ralph Powell Swofford, Jr., Air Corps.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

GENERAL OFFICER

John Watt Page, to be brigadier general, Adjutant General's Department, National Guard of the United States.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 14, 1941

The House met at 12 o'clock noon.

Rev. William A. Ruppar, missionary at large, Lutheran Church, assigned to Kings County Hospital, Brooklyn, N. Y., offered the following prayer:

Gracious Lord of Power and Might: Preserve Thy people. We pray Thee to continue to maintain our true righteous justice and government so that all things may take place in an orderly way and whatsoever peace may be left in this world be not destroyed by secret enmity or by the plotting or intrigue of those in high authority; nor allow external good order to be corrupted by debased and impure living of the members of our Nation. Help us, O Lord, to make every sacrifice and endow us with clear vision and wise perception so that we shall be able to preserve from harm our own native soil—the fairest portion of the whole earth. Hear us and grant us our plea in accordance with Thy will and Christ's Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE WILLIAM ANDREW SMITH

Mr. COCHRAN. Mr. Speaker, I ask recognition for the purpose of making an announcement.

The SPEAKER. The Chair recognizes the gentleman from Missouri.

Mr. COCHRAN. Mr. Speaker, William Andrew Smith died early this morning. He was better known to us all as Andy Smith. Andy Smith was the CONGRESSIONAL RECORD clerk at the Capitol and the official representative of the Public Printer at the Capitol for matters relating to the CONGRESSIONAL RECORD. He was born December 13, 1854, in Baltimore, Md., and was 86 years, 5 months, and 1 day old. He was appointed to the Government Printing Office as a messenger on September 13, 1873, when he was 19 years of age, so that his length of service in the Capitol added up to 67 years, 8 months, and 1 day. All of this service was performed at the Government Printing Office in the Capitol, with the exception of about 1 year. His service at the Capitol therefore has exceeded 66 years. By special enactment on June 6, 1930, Congress authorized his retention in the public service beyond the retirement age and beyond the extensions permissible under the law for such period as the Public Printer should determine. He has continued in active service up to the present time.

On September 13, 1923, he celebrated his fiftieth anniversary of service and was presented with an appropriately inscribed gold watch by 200 of his colleagues and friends at a ceremony held in the auditorium of the Government Printing Office.

Mr. Speaker, no one ever met a sweeter or happier character or a more efficient public servant than Andy Smith. His radiant personality and accommodating

nature endeared him to everyone with whom he came in contact. He typified our expectations of an ideal public servant.

In the 66 years of his service at the Capitol, Mr. Smith has known personally more Representatives and Senators than any man in the history of our Government. At the time he came here Ulysses S. Grant was President of the United States, and Speaker Blaine was presiding over the Forty-third Congress. The galaxy of statesmen he has known during his long service is a roll call of the outstanding men in Congress in this period of our country's history.

Andy Smith was not only a public servant, he was an institution. He was as nearly a fixture in this Capitol as it is possible for any human being to become. Beloved and respected by all Members, Senators, and employees, he will be greatly missed. His genial smile and his cheery whistle sprayed sunshine wherever he went. He performed his duties with a rare fidelity and efficiency. He lived a full life of continuous service to his fellowmen, and no man, no matter how lofty his station, had more friends, commanded more respect, or will be more missed than Andy Smith. Mournfully, Mr. Speaker, but proudly, I place a garland on his memory and say that he was in truth an exemplification of everything that a true American should be, as a father, a husband, a Christian gentleman, a citizen, a public servant, and a friend.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, yesterday for the first time in centuries the British House of Commons met outside its ancient chamber in the shattered House of Parliament in which has been written the history of the democratic institutions of the world. So great was the havoc wrought by the damages incident to the vicissitudes of war that the chair of the Speaker of the House, from which had been handed down, in bygone years, the decisions establishing the basic principles of the parliamentary law of our own House of Representatives was completely destroyed. But the principle of parliamentary equity of which it was the symbol was not destroyed. There will always be a Speaker. There will always be a London. There will always be an England. And there will always be a Mother of Parliaments. When in London, just a little while ago, I visited the imposing edifice in which it sat and studied with deep interest its procedure, its routine, and its scholarly staff of employees. One of the things which impressed me most was the long terms of incumbency of its service personnel. Those who served on the floor, especially, included many venerable men who had spent their lives in the intricate and exacting service of the Parliament untouched by the currents and countercurrents of party control which ebb and flow with the passage of the years.

I was interested to observe that here in our own House we have followed not only the parliamentary precedents running back to the Witenagemot but likewise have emulated that happy custom of retaining on our own staffs key employees who have shown special aptitude and exceptional talent regardless of parties and party ties and the inevitable swing of the pendulum of political control.

Such men as Tyler Page, now dean of all the Congressional staffs here on the Hill—whom we all delight to honor—and who honors the House by his service and association. Our own Joe Sinnot and Jim Scanlon who came here with my class thirty years ago. Mark Shields, who, if paid the actual value of his service, would be receiving $50,000 a year at a minimum. A. E. Chaffee, the veteran Reading Clerk of the House. Elmer Lewis, the encyclopediac Superintendent of the Document Room. Dave Lynn, the distinguished Architect of the Capitol. Kenneth Romney, our versatile Sergeant at Arms. Frank Collier, who so efficiently superintends the minority's diversified interests. The indispensable John O. Snyder whose sage counsel has piloted more bills through the House than many chairmen. Joe McGann, the premier committee clerk of the Congress. Allister Cochrane, dean of the reporters of debate. R. J. Speir, who occupies the same position on the committee staff. Mrs. Harriott G. Daley, the only telephone operator when the Capitol exchange was first started in 1898, Warren Hatcher, appointed by Speaker Clark. The ever-available Gus Cook, supervising engineer. Harold Lincoln, record clerk of the Library of Congress. Ed Brown, the office superintendent who comes in more intimate association with the individual Members of the House than any other one official. Charles R. Torbert, and others who should be named, who for a third of a century or more have rendered such efficient service and have become so proficient that the loss of any one of them would be a greater disaster that that of most any Member of either House of Congress.

That was particularly true of Andy Smith, and on that account, as well as because of our long friendship, I note with deepest regret the passing of that gentle, kindly, lovable, efficient servant of the House. He came to our service in 1873, and served until yesterday—the extraordinary term of 67 years, 8 months, and 1 day, the longest term of incumbency of any employee in any department of the Government, from the administration of Washington down to this day. Last night, in his sleep, peacefully, as peacefully as he had lived, he passed on to that great House "not made with hands," in which, at last, his own record, the record of his blameless life, and his devoted service, are emblazoned forever in letters of light. I am certain I express the sentiment of everyone here when I deplore his loss; when I express our deep regret at his passing; when I call to mind the invaluable service he has rendered in his long and useful life, and when I speak our admiration for the example which he has set of devotion to duty, and integrity of public service. Peace to his ashes.

Mr. LUDLOW. Mr. Speaker, I would like to join the two gentlemen from Missouri in paying my loving tribute to William Andrew Smith.

There will be a great deal of sadness in the official circles of Washington today. To many it will seem not only that the life of one near and dear has gone out, but that an institution has fallen, so intimately has the departed one been identified with our day-by-day associations over a period of time that seems to reach backward into the illimitable past.

As the gentleman from Missouri [Mr. COCHRAN] and the gentleman from Missouri [Mr. CANNON] have said, William Andrew Smith, clerk in charge of the CONGRESSIONAL RECORD, died suddenly of heart disease at his home, 3817 Jocelyn Street, last night. He was at work yesterday, as he had been on all other days since the memory of his coworkers on the CONGRESSIONAL RECORD runneth not to the contrary, and when he departed at the customary time in the afternoon it was with a cheery "good-bye, boys." He spent all of yesterday attending to his usual duties of receiving orders for reprints of speeches, mailing the CONGRESSIONAL RECORD, and so forth, without the least sign of an ailment of any kind. With undeviating regularity he had been constantly on the job for so many years that I hesitate to give an estimate of the time when he took a day, or even an hour, off duty. In fact, no one seems to remember when he was not on the job, and he died as he would like to have died, in the service of his country and in the full possession of his faculties.

When I came to Washington to take a place in the Press Gallery exactly 40 years ago, Mr. Smith was one of the first officials I met, and the friendship between us remained strong throughout the years. His office for many decades had been a little niche, a sort of cubbyhole, in Statuary Hall, where he was always ready to give kind and helpful advice to Members of the legislative branch on all matters relating to the distribution of their speeches and affairs connected with the daily RECORD of Congress.

Mr. Smith was born on December 13, 1854, and was 86 years old on his last birthday. His service with the Government Printing Office began on September 13, 1873, when he was appointed a messenger, and it had extended unbroken over a period of over 67 years, of which 65 years were spent in the Capitol Building. After serving for a time as a clerk he was appointed to take charge of the CONGRESSIONAL RECORD office at the Capitol in 1907, and at the time of his death he had held that position for 34 years. Next to him in point of length of service in the Capitol is Mr. William Tyler Page, whose connection with the Capitol Building has been continuous since 1881.

One day early in September 1923 a luncheon was tendered at the Government Printing Office to celebrate the

forty-ninth birthday anniversary of George H. Carter, who was then the Public Printer. Mr. Smith, who was one of the guests, happened to remark casually that he had gone to work in the Government Printing Office 1 year before Mr. Carter was born. The remark was overheard by Carter and others and they then and there decided that something should be done to show the esteem in which Mr. Smith was held. The sequel occurred on September 13 when Mr. Smith was summoned to the Public Printer's office, ostensibly to talk over some details, but to find himself facing 200 of his old associates who, after many speeches of happy felicitations, presented him a gold watch, suitably inscribed. On that day he had been an employee of the Government Printing Office exactly 50 years.

The first telephone used between Government departments in Washington was one of the old wall-box variety between Mr. Smith's office at the Capitol and the Government Printing Office. The same instrument is in use today, after being in continuous service since 1879.

Under the Retirement Act Mr. Smith became eligible for retirement on account of age on December 13, 1924, on his seventieth birthday, but he loved the Capitol and his work and by his request he had been continued in service by extensions ever since he reached retirement age.

"Andy" Smith, as he was familiarly and affectionately known, is one of the very few persons who have been mentioned by name in statutes providing for their employment. By Public Law No. 311, Seventy-first Congress, approved June 6, 1930, it was provided that "the Public Printer may continue the employment under his jurisdiction of Mr. William Smith, CONGRESSIONAL RECORD clerk at the Capitol, notwithstanding any provision of the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and any amendment thereof, prohibiting extensions of service for more than 4 years after the age of retirement."

Mr. Smith always considered the 13th his lucky day. On December 13, 1854, he was born in Baltimore. On September 13, 1873, he was given his first position in the Government Printing Office and he died shortly after midnight of May 13, 1941.

Mr. Smith was an efficient, faithful, devoted employee of the Government, and he leaves a splendid record of honorable service as a priceless heritage to his widow and son. It will be a long time before those of us who knew him so well and esteemed him so highly can bring ourselves to a realization that he has gone to that bourne that is beyond our vision and understanding, and many of us will be thinking of the words of James Whitcomb Riley, the immortal Hoosier poet, on a similar occasion:

I cannot say, and I will not say
That he is dead. He is just away!
With a cheery smile, and a wave of the hand,
He has wandered into an unknown land,
And left us dreaming how very fair
It needs must be, since he lingers there.

EXTENSION OF REMARKS

By unanimous consent Mr. ENGEL was granted permission to revise and extend his remarks.

STRIKES IN INDUSTRY

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, I received a telegram a few days ago which read:

Organized 10 percent minority of teamsters threatens entire building industry Detroit area by cutting off sources of supply at lumber yards and building materials depots. This is a deliberate attempt of a minority of teamsters to throttle Detroit's much needed defense-housing program.

Two days ago that strike was called; violence and rioting broke out; 16 persons were injured. Yesterday a War Department official admitted that strikes had caused the loss of nearly 1,700,000 man-days of production on Army contracts. This morning's press carries the news that from New England to California, from the Atlantic to the Pacific, strikes have brought shipbuilding and production of arms and ammunitions to a standstill. Tomorrow morning at 7 o'clock 61 General Motors plants will close if radicals and Communists have their way, and $750,000,000 in defense contracts will not proceed.

Mr. President, if you do not have the power to stop these destructive strikes, I believe this Congress, by a unanimous vote, will place that power in your hands.

We ought to be ashamed to ask the young manhood of this Nation to wear the uniform of the United States and at the same time tolerate strikes in our defense program. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a House joint resolution adopted by the Sixty-second General Assembly of the State of Illinois.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INVESTIGATION AND MEDIATION OF LABOR DISPUTES

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following report on the bill (H. R. 4139) to further expedite the national-defense program in respect of naval construction and procurement, by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes, which was read, referred to the House Calendar, and ordered printed:

House Resolution 198

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4139) to further expedite the national-defense program in respect of naval construction and procurement by providing for the investigation and mediation of labor disputes in connection therewith, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider, without the intervention of any point of order, any matter which relates to labor disputes and conditions in national defense. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous questions shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PEARSON AND ALLEN ON MARINE INSURANCE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, this morning the Times-Herald of Washington, D. C., published the following statement in the column known as the Merry-Go-Round, by Drew Pearson and Robert Allen. This article is syndicated and is published throughout the United States.

It is hard to believe, but the Government of the United States actually is paying war-risk insurance to the Japanese for helping to insure the steamship *America*, pride of the United States merchant marine.

This is just part of the revelations over reinsurance which are breaking this week at the Justice Department. These probes also show that when a vessel is insured, Axis insurance companies get all the data regarding its cargo, time of departure, destination, and the interior plan of the ship.

Thus, despite all the censorship of Secretary of the Navy Knox, Germany has had an easy means of knowing all about every ship that leaves the United States.

This is accomplished when American insurance companies, because of the heavy risk involved, in insuring a cargo in wartime, reinsure with various foreign companies. In other words, they sell part of the policy abroad, thus distribute the risk. That is how Japan makes a lush profit on insuring American vessels even vessels owned by the United States of America.

Last year Congress passed a law providing war-risk insurance for United States shipping, but the Maritime Commission, for reasons best known to itself, has declined to take advantage of the law. Commission members state frankly that they wanted to throw the business to private insurance concerns—as long as private insurance was available.

* * * * *

INSURANCE POOL

Then when the steamship *America* is fully insured with private companies, these companies turn around and reinsure with a pool,

including the Tokyo Fire & Marine Insurance Co., the Meiji Insurance Co. of Tokyo, Generale of Triesti (an Italian firm) and five German companies.

This insurance pool also includes Scandia of Copenhagen, a country which has been taken over by Hitler; Christiana General of Norway, also Nazi occupied; and Le General of Paris, also in the hands of the Nazis.

When a ship is insured, information regarding its cargo, destination, etc., is passed around among the insurance companies which participate. Thus the Nazis probably have known—through reinsurance companies—all about every vessel sailing.

Note.—In the case of the steamship *America*, the United States Government owns a heavy mortgage and control of the vessel, also pays it a heavy subsidy. Yet the Maritime Commission shuns the insurance fund voted by Congress and lets part of the profits—as well as the confidential information—go to Axis insurance companies.

I am bringing this article to the attention of the House because of the fact that reference is made to the failure of the Maritime Commission to properly administer the marine insurance fund that was created by the last Congress. It is also inferred that because of the reinsurance arrangements, some of the Axis Powers are not only getting American money through insurance premiums but are at the same time obtaining confidential data concerning the sailing of our ships, their cargoes, and their destination.

I do not say that the conclusions drawn from these statements by Pearson and Allen are correct, but I do say they should be carefully studied to determine—

First. Whether or not foreign insurance companies located in the Axis countries are in reality getting insurance business on United States ships.

Second. To what extent secret United States data is being learned through direct insurance or reinsurance coverage.

Third. Failure of the Maritime Commission to intelligently administer the Government marine insurance fund so as to be able to supply the insurance requirements of American shipowners.

Should the charges of Pearson and Allen be true, I expect the Attorney General to take appropriate and immediate action to correct the situation. [Applause.]

SHIPMENT OF PETROLEUM PRODUCTS TO JAPAN

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Speaker, on yesterday there was some discussion between the gentleman from Mississippi [Mr. RANKIN] and myself concerning the shipment of petroleum products to Japan, that are being used for carrying on her war with China.

My attention has been directed to a recent Associated Press statement from Washington that says:

Japan's feverish hunt for vitally needed oil for its Army and Navy as well as for its industry, was reflected today in the Commerce Department statistics showing considerably increased purchases in the United States.

This article goes on to say that—

During March the United States exported 1,553,000 barrels of petroleum products to Japan, compared with 1,279,000 barrels in February and 1,491,000 barrels in January.

The Japanese need for oil for further Army and Navy activity and reduction of stocks because of war in China and penetration into Indochina was believed by experts to have forced intensification of efforts to import a lot of oil in a hurry. The large shipments to Japan in March were despite recent United States export-control measures which require licenses for all metal containers of five or more gallons capacity. This covers much of the petroleum shipments to the Far East. Officials say 20 Japanese-Government-owned tankers are now in constant service and Japanese shippers are experimenting with shipments in wooden barrels instead of metal containers.

Mr. Speaker, if it is the policy of the administration to tolerate and approve this sort of thing this Congress and the people ought to know it. If the people of this country favor such a policy, let us find it out and do it right away. Some time ago, an Export Control Board was established under act of this Congress, being Public, 703, and given power and authority to deal with this problem; I am informed that the administration has acted with reference to certain materials to other countries, then why has it not acted with reference to petroleum products. If the administration does not want to act, then let the Congress take action. Of course, if we do not mean what we have said so many times about Japan and her conduct in this war, let us find out about it. I think it is high time for this Congress to look into this problem, and if necessary take definite action.

EXTENSION OF REMARKS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include House Joint Resolution 21, passed by the State Legislature of Illinois.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include three short editorials from the Gaelic American.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a recent editorial on Herbert Hoover from the Binghamton Sun.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLAUCHÉ. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an address delivered by Governor Sam H. Jones of Louisiana on May 12, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GOVERNOR SAM H. JONES OF LOUISIANA

Mr. PLAUCHÉ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLAUCHÉ. Mr. Speaker, 1 year ago today the State of Louisiana rejoined the Union and again took its rightful place among its sister States.

On May 14, 1940, my fellow townsman, Sam H. Jones, was inaugurated Governor of Louisiana. Under his leadership, corruption, greed, gangsterism, and dictatorship were defeated and, I hope, forever banished from the State.

In accepting leadership of the forces which so earnestly desired a restoration of democracy in Louisiana, Sam Jones realized that the chances of success were meager, indeed, and that he had nothing to gain and everything to lose, but at the same time he realized that a supreme effort must be made if the people of Louisiana were ever to regain their freedom, and so he put love of State and devotion to democratic institutions above personal desires and inclinations and for 5 long months he stumped the State, each day traveling hundreds of miles in all kinds of weather and never making less than three speeches and more often four or five.

His courage, his sincerity, and his eloquence kindled in the hearts of the people a will to win. He did not disappoint them. In the 12 months that he has been in office he has kept every promise that he made to the people of Louisiana. He has not betrayed the confidence which was reposed in him. His accomplishments are too numerous to detail in the time allotted me but they will be found in the Appendix of the RECORD.

Mr. Speaker, even if Sam Jones had failed to carry out every promise which he made, other than that to restore honest and democratic government to the State of Louisiana, the people would forever be indebted to him. The people of the whole Nation, as well, Mr. Speaker, should be grateful to him for he has demonstrated that the American people can make democracy work.

ECONOMIES IN NONDEFENSE APPROPRIATIONS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, Secretary Morgenthau has suggested a slash of $1,000,000,000 in nondefense expenditures. That sentiment has been frequently echoed before the House in re-

cent days. The White House, however, is strangely silent on this subject.

I remember so vividly that day in January 1938 when the President stood before this Congress with his annual message and with a challenging toss of the head said:

> To many who have pleaded with me for an immediate balancing of the Budget by a sharp curtailment or even elimination of Government functions I have asked the question, "What present expenditures would you reduce or eliminate?" And the invariable answer has been, "That is your business, I know nothing of the details but I am sure that it could be done."

That is not what you or I would call helpful citizenship.

This was the President's challenge to the Congress to suggest the functions that might be eliminated or the items which might be curtailed in the hope of effecting economies.

Yet the President himself is chargeable and responsible under the Budget and Accounting Act of 1921 for preparing the Annual Federal Budget and for suggesting estimates for appropriations to the Congress. Since he has been in office, he has annually sent his Budget message to Congress recommending appropriations to carry out his program. This included appropriations for the very items which the Secretary of the Treasury now suggests should be curtailed or eliminated.

Hundreds of supplemental and emergency estimates for appropriations have been sent to the Congress since I have been a member.

In my humble judgment it also becomes the responsibility of the President and the Budget Bureau, which is under his direction, to send revised estimates to the Congress in connection with appropriations. If the Administration now seeks to eliminate entirely or to substantially curtail such activities as the C C. C., the N. Y. A., W. P. A., agricultural payments, and so forth, it is the clear responsibility of the President to send revised estimates to Congress before the appropriation bills for the fiscal year 1942 have been completed. These programs were initiated and defended by the President and the administration. It is now his responsibility to indicate to the Congress to what extent they shall be modified.

To that end I am today introducing a resolution citing the President's responsibility and requesting that he send revised Budget estimates to Congress at once indicating how and where the proposed $1,000,000,000 shall be saved.

The President and the Secretary of the Treasury should get together and compare notes.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article on how Hitler is being benefited by our defense program.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with the anniversary of the first year in office of Sam Jones as Governor of Louisiana and to include an excerpt from the recent book, Louisiana Hayride.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. HÉBERT]?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very short editorial from the Quincy (Ill.) Herald-Whig, and also one or two quotations from President Roosevelt and Mrs. Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. CHIPERFIELD]?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from today's Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CLEVENGER]?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial, and also to extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

EMPLOYMENT OF WHITE-COLLAR WORKERS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I think it is extremely doubtful whether the increase in private employment in the past 6 months will be approximated by an increase in private employment in the next 6 months. It seems to me obvious that the large private plants, now engaging in defense work in three shifts, cannot expand much further.

It is equally obvious that the supply of skilled workers has been tapped. It was low to begin with. So they are all taken care of.

I want to direct your attention to one class of people who seem to be forgotten—the white-collar workers of America. They truly live in the Dust Bowl of business. No pressure groups exert any pressure in their behalf. The white-collar worker is the forgotten man.

Mr. Speaker, I rise at this time to ask that the Members of Congress give to the problem of the white-collar worker serious study and consideration when the W. P. A. bill comes before us for consideration. That is the only way I know of that he can be taken care of. If we do not take care of him under that bill, we will force him and her, the white-collar workers of America, to go on the relief rolls.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. KEOGH. Mr. Speaker, one has to live in Brooklyn to appreciate the Brooklyn Dodgers. The New York Times treated that subject editorially yesterday, and I ask unanimous consent to extend my own remarks in the RECORD and to include that editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KEOGH]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a table showing national expenditures for defense, by States.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. FORAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two brief addresses delivered in Statuary Hall on Rhode Island.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FORAND]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. ELIOT]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a short letter addressed to the United States Congress from a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short clipping from the New York Herald Tribune, wherein General Dawes endorses Hoover on the matter of foreign policies, especially with reference to convoys.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

WAR-RISK INSURANCE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, the story we read in the newspapers with reference to insurance and reinsurance of our war-risk problem is to be rather an amazing news story. I think every general insurance brokerage firm in the United States is fairly familiar with the way those matters are handled. I think the accounting department of every insurance company in the United States that deals in that kind of insurance is familiar with the transactions that have been going through their books the last several weeks, so why a news story should break out in that form is beyond my understanding. Certainly, those in charge of Government matters that have to do with war-risk insurance and fire and marine insurance know that that is the general procedure. But what is difficult for us to understand at the present time is why our administration permits the reinsurance to be placed with insurance companies of the Axis Powers, who thus have access to all information pertaining to the cargoes, the make-up of the ships, and the origin and destination of the ships. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNS. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes on the subject of I Am An American Day.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. and Mrs. B. W. Ashworth, of Lewistown, Mont., on the war question.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks in the Appendix of the RECORD and include therein extracts from a speech of former President Herbert Hoover.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a part of a letter written by myself.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, FISCAL YEAR 1942

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4590, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

COLORADO RIVER DAM FUND

Boulder Canyon project: For the continuation of construction of the Boulder Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A), and, subject to approval of plans therefor by the Secretary of the Interior, for construction of and equipment for (1) a school building and grounds and (2) an emergency hospital, in Boulder City, to be operated and maintained under regulations to be prescribed by said Secretary; $5,000,000, to be immediately available and to remain available until advanced to the Colorado River Dam fund; and there shall also be available from power and other revenues not to exceed $750,000 for operation, maintenance, and replacements of the Boulder Dam power plant, and other facilities, including payment to the Boulder City School District, as reimbursement for instruction during the 1941-42 school year in the schools operated by said district of each pupil who is a dependent of any employee of the United States living in or in the immediate vicinity of Boulder City, in the sum of $45 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations to be prescribed by the Secretary of the Interior, which amounts of $5,000,000 and $750,000 shall be available for personal services in the District of Columbia (not to exceed $25,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this act, under the caption "Bureau of Reclamation, administrative provisions and limitations," without regard to the amounts of the limitations therein set forth:

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday we worked quite faithfully on this bill. We offered amendment after amendment. The minority leader, a few moments ago, before the House convened, told me, "You worked hard all day, and you did not save a nickel." That is the truth. We tried to cut down this appropriation bill in a measure that would be in line with what the Secretary of the Treasury suggested it should be cut, but we got no aid or assistance from that side of the House.

We have a few amendments we are going to offer today. If you on that side of the House are really desirous of trying to cooperate with the Secretary of the Treasury, it seems to me that on some of these amendments you will give us a little aid and assistance, if the Secretary of the Treasury is speaking for the administration. We do not have votes enough on this side to put any amendments through, and the responsibility for the failure to make reductions in this bill lies not with the minority side of the House but with the majority side of the House.

We are considering here an appropriation of $5,000,000 for the Boulder Canyon project. You will note in connection with this project at Boulder City that the Government expects to build a hospital and more schools. They are building the whole city, because it is on Government-owned land.

It seems to me the Interior Department should make some arrangement whereby certain lands there could be disposed of so that the Government would not have to own, control, and operate a city as well as Boulder Dam. When it comes to operating a hospital, it makes no difference in what city of the United States the hospital may be located, charitable gifts are required in order to maintain it, because many people who go to the hospital are unable to pay their way. And so we have to look to the people in the community to help support it. In this instance the taxpayers all over the United States support it. That happens in every community in my district, but here we are building Boulder City, and we are expecting the Federal Government to reach down into the pockets of the taxpayers in my district and yours to support the things going on in this community. I do not think it is right or just, and I think the Federal Government should give to the people who live in that district the opportunity to run their own community without the Federal Government owning it.

I think that the gentleman from Nevada [Mr. SCRUGHAM] probably would be glad to have that cooperation, and I assure him that if he does, I am willing 100 percent, because I believe we should take the Government out of business in every place we can. I believe that we should try to get the Government to put the responsibility back on the local community. The gentleman knows and I know the way the Federal Government is going now, that there is a wreck ahead, because we will be financially embarrassed to the point where this Nation will break down under the strain placed upon it, and we should call on the American citizens in every part of this country to do their duty and assume

their responsibility, and the Government should permit the people of this country to have the freedom that our Constitution grants to them, and we should try in every way possible to permit the greatest latitude to every State in every community to govern itself. In order that we may not break down this country, I ask that the Interior Department give serious consideration to the State of Nevada, and the citizens who live in Boulder Canyon, that we may eliminate the responsibility from the Government, and permit these people to administer their own affairs and govern their own cities.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Bullshead project, Arizona-Nevada, $5,000,000, for the purposes and substantially in accordance with the report thereon heretofore submitted under section 9 of the Reclamation Project Act of 1939, and subject to the terms of the Colorado River compact.

Mr. TABER. Mr. Chairman, I make the point of order that the item contained in this project is not authorized by law. I make the point of order against the entire paragraph which has just been read, beginning in line 22, page 84, and ending in line 2, page 85.

Mr. SCRUGHAM. Mr. Chairman, the project is fully authorized. It is stated in the hearings, page 729, that the project has been thoroughly investigated and was not authorized at the time of the report, but it has now been authorized in accordance with section 9 of the Reclamation Act of 1939. I call attention to the CONGRESSIONAL RECORD of April 28, 1941, page 3367, under the head of "Executive communications," item 473, which fully conforms to the requirements of law. The project is authorized.

Mr. TABER. Mr. Chairman, I call the attention of the Chair to the hearings at page 731, the last paragraph at the bottom of the page:

Mr. PAGE. It has not had as yet the certification of the Secretary and the approval of the President, as required by law.

The CHAIRMAN. What is the date of the page to which the gentleman refers?

Mr. TABER. The date is April 3, 1941.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. TABER. Yes.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from New York makes the point of order against the paragraph appearing in the pending bill beginning on line 22, page 84, and concluding in line 2, page 85, on the ground that it is not authorized by law. The Chair has examined section 9 of the Reclamation Act, approved August 4, 1939, which appears to be adequate authority for the Secretary of the Interior to recommend the project here in question. That section reads in part as follows:

SEC. 9. (a) No expenditures for the construction of any new project, new division of a project, or new supplemental works on a project shall be made, nor shall estimates be submitted therefor, by the Secretary until after he has made an investigation thereof and has submitted to the President and to the Congress his report and findings on—

(1) the engineering feasibility of the proposed construction;

(2) the estimated cost of the proposed construction;

(3) the part of the estimated cost which can properly be allocated to irrigation and probably be repaid by the water users;

(4) the part of the estimated cost which can properly be allocated to power and probably be returned to the United States in net power revenues;

(5) the part of the estimated cost which can properly be allocated to municipal water supply or other miscellaneous purposes and probably be returned to the United States.

If the proposed construction is found by the Secretary to have engineering feasibility and if the repayable and returnable allocations to irrigation, power, and municipal water supply or other miscellaneous purposes found by the Secretary to be proper, together with any allocation to flood control or navigation made under subsection (b) of this section, equal the total estimated cost of construction as determined by the Secretary, then the new project, new division of a project, or supplemental works on a project, covered by his findings, shall be deemed authorized and may be undertaken by the Secretary. If all such allocations do not equal said total estimated cost, then said new project, new division, or new supplemental works may be undertaken by the Secretary only after provision therefor has been made by act of Congress enacted after the Secretary has submitted to the President and the Congress the report and findings involved.

The Chair invites attention to the fact that on April 28, 1941, the Secretary of the Interior transmitted to the Congress a communication including the project here in question. The gentleman from New York states that the statements made by the Commissioner of the Bureau of Reclamation were made on April 3. Thereafter, the Secretary of the Interior complied with the provisions of the act by transmitting a communication on April 28, 1941, recommending this project. Therefore the Chair is constrained to overrule the point of order and does overrule the point of order.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 84, beginning in line 22, strike out the remainder of the paragraph and all of lines 1 and 2 on page 85.

Mr. TABER. Mr. Chairman, I have offered this amendment in order that we might stop, for the time being at least, embarking on a project which will cost us $41,200,000. This is the initial item, and if we embark upon it it will require the expenditure of $5,000,000 in the fiscal year 1942.

It seems to me we ought not to embark upon new projects under present circumstances; that we should try to conserve our energies and the financial structure of the Government so that we may have enough money to finance the war situation that we are facing. There is no use fooling ourselves into believing that we can go along with business as usual and finance an effort of from twenty to thirty billion dollars in a single year for war purposes. We have to begin somewhere to protect the Treasury of the United States and to postpone the construction of new projects if this country is going to survive right side up. We can go along and attempt to have business as usual, but if we do we are going to create a situation which will result either in debt, repudiation, or inflation. I appeal to the membership of the House to cease trying to play politics and to try to show a little patriotism, try to show a little moral respect for our duty to the people of the United States and for the protection of the Treasury of the United States.

I appreciate that gentlemen from these territories are anxious to build up their territories, but none of these things can be completed in time to produce power for anything in connection with the emergency that we are facing. We do not take our situation seriously. Gentlemen all over the country are playing with fire and demanding their share of what is going around. Let us begin now to show an interest in protecting the country and cease to be selfish.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. WHITE. Does the gentleman know this project is reimbursable and the Government will be repaid?

Mr. TABER. I know that it is not reimbursable, and that it comes out of the general fund of the Treasury, and that it never will be reimbursed to the general fund of the Treasury. It is not an item that comes out of the reclamation fund. If it is reimbursed, it will go into the reclamation fund, from which more reclamation projects will be created.

Mr. WHITE. I call the gentleman's attention to the fact that under section 9 of the Reclamation Act it is reimbursable.

Mr. TABER. The gentleman does not understand what he is talking about, because the language right in this bill says that this money comes out of the general fund of the Treasury.

Mr. WHITE. But it is reimbursable.

Mr. TABER. It is not reimbursable. It does not go back into the general fund of the Treasury. We have, since 1939, passed a bill that turns this money over to the reclamation fund whenever anything is paid back. Evidently the gentleman is not up to date upon the success of himself and some of the others as Treasury raiders. I supposed he had advertised to his friends back home his accomplishments; but I wish the House would take this seriously and at least begin to economize on things that we do not need and that cannot help in the present emergency.

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Chairman, I rise in opposition to the amendment.

I have high regard for the sincerity and respect for the consistent beliefs of the gentleman from New York [Mr. TABER], who made this proposal, but he shows by his statement an entire lack of familiarity with details of the situation which are involved.

It is proposed to build the Bull's Head Dam and powerhouse to generate 180,000 kilowatts of power. It will be most urgently needed in 3 years to provide electrical energy for the Southwest. According to the reports from the Federal Power Commission and other agencies, within 3 years the power of the Boulder Dam will be entirely absorbed, even though we do not have a greatly increasing national-defense demand. It will take over 3 years to build the Bull's Head project, but it will come into service at a time when the maximum demands, including the possible defense load, will come into operation.

The particular defense item, where the power may be urgently needed, lies in a matter which is given in the hearings on the Justice Department appropriation bill for 1942. Beginning on page 346, there is what might be termed startling testimony from Assistant Attorney General Thurman Arnold, in charge of the Antitrust Division, in regard to reasons for the pending shortages of magnesium and aluminum, metals that are absolutely necessary in the building up of our defense program, especially in aviation.

The area tributary to the Boulder Dam contains perhaps some of the largest known deposits of magnesite and of brucite in the entire world, which are available for use in the manufacture of the light metal magnesium. A plant for its construction should be located at Boulder City or Las Vegas. This power project is one of the first magnitude as a defense necessity. The plans have been thoroughly worked out and perfected in detail, and it is reimbursable. The costs of this project will be paid by the power consumers. It will be returned to the Federal Treasury through the reclamation fund.

Mr MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. SCRUGHAM. I yield.

Mr. MURDOCK. I have understood that this was authorized or promoted by the Defense Council.

Mr. SCRUGHAM. It was approved, but not promoted by them.

Mr. MURDOCK. As a part of our general defense program.

Mr. SCRUGHAM. It is needed as a part of our general defense program.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr SCRUGHAM. I yield.

Mr. LEAVY. The reclamation fund is always the property of the Federal Government, is it not?

Mr. SCRUGHAM. Absolutely.

Mr. LEAVY. And when these projects are finished and liquidate themselves as similar projects have been doing for the last 30 years, the Government will not only get its money back but will own these great hydroelectric facilities?

Mr. SCRUGHAM. Yes, sir. Such is the case with Boulder Dam, and it will be the case with this project. It will be paid for in full by the consumers, after which the project will be owned by the Federal Government.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. SCRUGHAM. I yield.

Mr. TABER. The reclamation fund is available only for the construction of further reclamation projects, is it not?

Mr. SCRUGHAM. Under the present laws; yes.

Mr. TABER. And when it is reimbursed it is reimbursed in 40 years without interest?

Mr. SCRUGHAM. That is correct.

Mr. TABER. And this money would not go into the general funds of the Treasury, just as I stated.

Mr. SCRUGHAM. All such moneys are fully under the control of the Congress. At any time the Congress feels that the reclamation policy has not been wise, or that it has not been for the good of the country at large and for the development of the reclaimed areas of the country, it is always in the power of the legislative branch to vote for a change. The results in the past have been uniformly of great benefit to the prosperity of the Nation as a whole, as well as to the States and communities directly affected. Millions of people are being enabled to live happier and better lives and nearly all costs are being repaid when due.

Mr. STARNES of Alabama. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute and to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The CHAIRMAN. The gentleman from Alabama is recognized for 6 minutes.

Mr. STARNES of Alabama. Mr. Chairman, in the very near future, I hope to speak at some length on the question of the national-defense program and its sabotage by numerous unions affiliated with the C. I. O. At this point, I wish merely to observe that the Congress and the country are confronted with a problem of organized treason. The facts which I shall present to the House in the very near future will show beyond any possibility of dispute that the top leadership of the C. I. O. and hundreds of leaders in lesser positions in the C. I. O. unions are guilty of obstructing the progress of national defense, and that this obstruction is nothing more nor less than treasonable aid to Adolf Hitler.

Today, I wish to present a few facts concerning the recent strike at the J. Sklar Manufacturing Co. of Woodside, Long Island, N. Y. This company manufactures surgical equipment for our Army hospitals. Equipment and surgical instruments vital to the health and safety of our soldiers. Its uninterrupted production is absolutely vital to the national-defense program. I do not wish to appear sentimental, to the contrary I want to state in language that is plain and blunt that the persons who engineered the stoppage of production at the J. Sklar Manufacturing Co. were toying with the lives of our young men who have been called into the service of their country. I know of no other way of putting the matter than to say that it is a damnable outrage that the lives of our boys must be put in danger—not against the panzer divisions of Hitler, not in the battle of the Atlantic—but by the Communist labor racketeers who are working for Hitler under the leadership of John Llewellyn Lewis and Philip Murray.

The leader of the strike at the J. Sklar Manufacturing Co. was none other than James Lustig. Lustig appeared as the spokesman for the striking union before the Mediation Board. The Dies committee exposed the Communist Party record of James Lustig almost 3 years ago, yet he continues in the strategic position of national organizer for the United Electrical, Radio and Machine Workers of America.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. RANKIN of Mississippi. While we are talking about convoys and the effort of these Communists to deter our defense effort, does the gentleman think it would be a good idea for the United States Army to convoy, if necessary, some laborers to work to keep our defense industries going?

Mr. STARNES of Alabama. I quite agree with the gentleman.

Mr. Chairman, the Dies committee has continued for these 3 years to call attention to the Communist leadership entrenched in the United Electrical, Radio, and Machine Workers of America, a Communist leadership which is exemplified in the person of James Lustig.

In all of these 3 years we have heard not a word—not even one little weasel word—from John Llewellyn Lewis and Philip Murray by way of repudiation of the Communist penetration of their C. I. O. unions. And so James Lustig and hundreds of his fellow Communist Party members proceed without any interference in their treasonable service to Adolf Hitler.

I hold in my hand a photostatic copy of an article from the Daily Worker which sets forth James Lustig's public endorsement of the Communist Party. Associated with him in this endorsement of the Communist Party is James Matles, also a high national official of the United Electrical, Radio, and Machine Workers of America. But Lustig and Matles are not the only strategically placed officials of the C. I. O. who have public records of affiliation with the Communist Party. In this one article alone we find the names of a dozen prominent C. I. O. officials who publicly endorsed the Communist Party.

We have made an investigation of the circumstances under which James Lustig, Communist and C. I. O. official, brought about the stoppage of the production of surgical equipment at the J. Sklar Manufacturing Co. These circumstances are shocking beyond belief. Lustig deliberately planned that one or two of the men in the plant should act insubordinately and compel the company to discharge them. When this was done, the next step was to use the discharge as an occasion to incite the employees of the plant to go on strike. I say that this Communist maneuver was conspirative,

premeditated, and provocative in the fullest sense. It is also illustrative of what even a few Communists are able to do in the service of Adolf Hitler so long as they are tolerated—yes; even welcomed—in the leadership of the C. I. O.

The vast majority of our working men and women, including the rank and file of the C. I. O., are loyal and patriotic. They have a great stake in the outcome of our battle for production. They want to produce for security. Without their help we cannot win. They must not be subjected to selfish, racketeering, communistic leadership which is aiding Adolf Hitler—even though such leadership has the tacit and sometimes open approval of John Llewellyn Lewis and Philip Murray.

I do not care how sentimental some people may wax in their oratory about the sacred rights of labor. I warn my colleagues that the people of America will not tolerate much longer the device of covering up treason with fine phrases. The people of this country are behind the program of national defense. We are a patient people and democratic people, but the Communist and racketeering agents of Hitler who wrap themselves in the mantle of labor leaders are about to strain our patience to the point of breaking. Our democracy is going to discipline itself for the defense of America, and the Lustigs, the Eggerts, the Christoffels, and their superiors in the C. I. O. who support and uphold them must be branded for what they are in this hour of national emergency. They are the treasonable agents of Adolf Hitler. [Applause.]

Mr. Chairman, I referred to a photostatic copy of an article appearing in the Daily Worker. The article I referred to is as follows:

THIRTY-EIGHT WORKERS' ORGANIZATIONS ENDORSE COMMUNIST PARTY PROGRAM—PARTY'S FIGHT FOR MASSES' NEEDS CITED IN STATEMENT — INDUSTRIAL UNIONS, UNEMPLOYED COUNCILS, WOMEN'S COUNCILS AMONG BACKERS OF "RED" CANDIDATES

NEW YORK.—Thirty-eight workers' organizations have endorsed the Communist Party ticket and program in the New York municipal elections. "No other has shown daily its stubborn and ceaseless fight in the shops and streets for the needs of the masses," says the statement signed by these unions, unemployed councils, and fraternal organizations.

Headed by such fighting unions as the Marine Workers Industrial Union, the Needle Trades Workers Industrial Union, the Steel and Metal Workers Industrial Union, the organizations supporting the Communist Party, state:

"Only the Communist Party, as the party of the working class, represents the interests of the entire working population, stands squarely on the principle that the provision of adequate food, clothing, and shelter and the defense of the rights and living standards of the workers are the primary issues in this campaign."

Among the organizations signing endorsement for the Communist candidates are the Unemployed Councils, Friends of the Soviet Union, Councils of Working Class Women, Anti-Imperialist League, Workers Ex-Servicemen's League, and the Labor Sports Union.

Needle Trades Industrial Union: Ben Gold, general secretary; Louis Hyman, president; Irving Potash, secretary; Isadore Weisberg, manager, dress department; Joseph Boruchowitz, manager of cloak department; Samuel Burt, fur dressing department; Ben Stallman, organizer of bathrobe department; Dominick Montello, organizer of custom tailors.

Steel and Metal Workers Industrial Union: James Lustig, organizer; James Matlis, secretary.

Marine Workers Industrial Union: Ray Hudson, national secretary; Thomas Ray, secretary.

Food Workers Industrial Union: Jay Rubin, general secretary; William Albertson, organizer of hotel and restaurant department; Sam Kramberg, organizer of cafeteria department.

Alteration Painters Union: Morris Kushinsky, secretary.

Shoe and Leather Workers Industrial Union: Fred Biedenkapp, organizer; Isadore Rosenberg, secretary.

Building Maintenance Workers Industrial Union; Mort Sher, secretary.

Drygoods Workers Union: Louis Kfare, vice chairman; Chester Fierstein, chairman.

Furniture Workers Industrial Union: Morris Pizer, secretary.

Independent Carpenters Union: Isaac Berman, organizer; Herman Bogartz, secretary; Nathan Ellin, treasurer.

Taxi Workers Union: Harold Eddy, organizer; Abner Feigin, financial secretary.

Cleaners and Dyers Union: Max Rosenberg, secretary.

Laundry Workers Industrial Union: Sam Berland, secretary.

Building and Construction Workers League: Jack Taylor, secretary; Sam Nessin, general secretary.

Trade Union Unity Council: Andy Overgaard, secretary; Rose Wortis, assistant secretary; Sheppard, organizer.

Office Workers Union: Laura Carmon, organizer.

Unemployed Council: Israel Amter, national secretary; Carl Winter, secretary of Greater New York; Richard Sullivan, organizer of Greater New York.

International Labor Defense: William Lawrence, secretary, New York district; William Patterson, national secretary; William Fitzgerald, organizer, Harlem section.

Workers International Relief: Pauline Rogers, New York City secretary; Alfred Wagenknecht, national secretary.

Friends of the Soviet Union: B. Friedman, secretary.

Anti-Imperialist League: William Simons, national secretary; John Bruno, secretary, New York.

Anti-Imperialist Alliance: Y. Y. Hsu, national secretary.

Workers Ex-Servicemen's League: Harold Hickerson, national secretary; Joseph Singer, secretary, city committee; Emanuel Levin, national chairman; P. Cashione.

Council of Working Class Women: Clara Bodian, secretary; Clara Shavelson, educational director; Sarah Licht, organizing secretary.

Labor Sports Union: Mack Gordon, secretary, New York district.

International Workers Order: Max Bedacht, national secretary, Jewish section; Harry Schiller, New York City secretary; Sadie Doroshkin, secretary city central.

Russian Mutual Aid: Joseph Soltan, president, New York district committee.

English Workers Clubs: J. Landy, Edith Zucker.

Finnish Workers Federation.

Jewish City Club Committee: Abraham Laschowitzky, secretary; Harry C. Costrell, national secretary.

Icor: S. Almazov, national secretary; Abraham Olkin, secretary, New York district.

John Reed Club: Moe Brogin, executive secretary.

Peu & Hammer: M. Vetch.

League of Workers Theatre: Harry Elion, national secretary; Alfred Sacks, executive director.

Mr. RANKIN of Mississippi. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, for fear that the membership of the House, after listening to the very able address of the distinguished gentleman from Alabama [Mr. STARNES] might lose sight of the amendment now before the House and accidentally vote wrong and help strike this provision from the bill, I rise at this time in opposition to the amendment offered by the gentleman from New York [Mr. TABER]. I want to answer the charge that this is unnecessary from the standpoint of national defense and that it is a waste of public money.

Every dollar put into this project will come back to the United States Government. It will not only come back in dollars and cents, it will come back with interest paid and it will come back manyfold in the benefits to the people of this country, and especially in that great southwestern section that needs this development so badly at this time.

We are today in a power shortage and one thing that is most in demand is electricity to carry on the business of this country; to carry on our work of national defense; and to carry on our legitimate industries as well as our domestic affairs.

Here is water going waste, running wanton to the sea. Here is a wealth richer than the diamond mines of Golconda absolutely going to waste. If you were to announce the discovery of a diamond mine in the district of the gentleman from New York [Mr. TABER], he would not wait to take lunch, and three-fourths of the Members of the House would go with him, and we would spend millions, yes, and hundreds of millions of dollars, digging in the ground to find something that is intrinsically worthless and is only used to excite the vanity of fastidious people. But what do we have here? A great wealth, a great natural resource going to waste. We are trying to redeem this great natural resource which God has given to the American people, and to conserve this water power that is now going to waste under a provision that will make it pay for itself in a few years and add abundantly to the comfort and convenience and to the wealth of those people and at the same time help build up our country and contribute to the national defense. I cannot go along with the gentleman from New York when he asks us to ruthlessly strike this provision from the bill.

Mr. RICH rose.

Mr. RANKIN of Mississippi. I yield to the gentleman from Pennsylvania.

Mr. RICH. I do not care to ask any questions, because I expect to show the fallacy of the gentleman's statement when I take the floor in a few minutes.

Mr. RANKIN of Mississippi. That will insure the defeat of the amendment. [Laughter.]

The CHAIRMAN. Without objection, the gentleman's request is granted.

There was no objection.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, we talk much today about national defense and we condemn

those who are delaying in any way the national defense, as we ought to condemn them, because any stoppage, whether deliberate or accidental delay, in our national defense is very bad for the country no matter what might be the cause of it. I say it is just as possible to delay the production of the machinery of war, which we need for our own defense and for the cause of freedom, by failing to supply the necessary power for manufacturing as much as it is possible for disgruntled workmen or greedy employers to stop that production.

Mr. Chairman, this is a defense measure. It involves the building of a dam on the Colorado River in order to furnish more nearly adequate electric power in the Southwest, and is one of the primary defense measures, as was brought out by the gentleman from Nevada when he answered my question a moment ago: Is this not approved by the defense council? It certainly is approved. There is a power shortage all over our country. There is a power shortage in southern California, in the State of Arizona, and throughout various parts of the Southwest. We just recently voted the money to put an additional dam on a tributary of the Tennessee River in order that we may have additional power to manufacture aluminum needed in our airplane construction.. I say that not only aluminum, but magnesium and certain strategic materials, such as manganese and other minerals, are needed.

In the whole mineralized area for 150 miles around Boulder Dam there are many of the essentials needed in the manufacture of warplanes and war materials. For this reason we must have this additional dam as a defense measure in the speeding up of our production.

I am surprised when I find that gentlemen who are willing to vote huge sums for defense in one direction are failing to go along to give us a properly rounded program in other directions. How foolish it would be for us in the name of defense to vote to build a navy yard and not build ships. How foolish in the cause of national preparedness to build powder plants and not guns, or build gun factories and not build powder mills. If we are so desperately anxious to do something for the Army, why do we not give up our own lunches to feed the Army? Why do we not take off our shoes and give them to the soldiers that they may be shod? What an idea to do a good thing in a foolish way; what an example of penny wisdom pound foolishness; but it is about as sensible as the proposals made here to save money.

The point is: This dam built on the Colorado River at the Bulls Head site below Boulder will not only produce additional power at that dam but it will firm the power at Boulder Dam. We need additional equipment at Boulder Dam to furnish more power, which is capable of being produced here. Some of that power is now secondary power because the water that is going through Boulder Dam is used largely for irrigation, so that we cannot produce a maximum amount of power at Boulder Dam unless we have a reservoir below it, as we would have in the case of the Bulls Head Dam.

I want to point out now that electric power is just as necessary in the winning of a war as powder or guns because it is by means of power that we produce the machinery of modern war. This Bulls Head Dam, which is authorized by this appropriation and appropriated for, will give such additional power in a section of our country where increasing activities in national preparedness are taking place.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Montana.

Mr. O'CONNOR. While speaking about national defense, speeding up, and so forth, it seems to me it might be proper to let the country know that the sentiment of Congress is that the large companies which have huge contracts for the construction of defense materials should farm them out to small industries which are today idle because of no work. Such action would help a lot.

Mr. MURDOCK. Of course, I want all citizens, as well as all sections, to have part in defense, but that is a matter that I cannot enter into now. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I call attention to page 84 of the bill, under the heading "General fund, construction," where it is stated:

> And to be reimbursable under the reclamation law.

The statement that this money would all be paid back into the Treasury with interest is not true. The money will be paid back into the reclamation fund, to be spent for additional reclamation projects, without interest, under the bill.

The point I wish to make at this time is this: This is an entirely new project; it has not been started yet. There has not been a dollar spent on construction. Yet you are asked here and now to spend the sum total of $41,200,000 over the period of the 3½ years that it will take to construct it.

I call your attention to the statement made by Mr. Page on page 73 of the hearings:

> Mr. PAGE. This is a new dam. No money has been spent on it yet, except for an investigation.

The gentleman from Washington [Mr. LEAVY] asked Mr. Page how long it would take to finish the project, and Mr. Page said:

> We expect it can be made available at the close of the fiscal year 1944.

It will take 3½ years to complete this project at the best the engineers can do, and it will cost $41,200,000. You know that, as a rule, the projects we start cost from 10 to 20 percent more than the first estimate. Now, they want $5,000,000 in this bill for starting this project. It seems to me that this Congress, in view of all the projects on which you have launched, could do nothing better at this time than to defer this project until you have completed the other reclamation projects that will require millions and millions and millions of dollars. I believe that is the reasonable thing and the sensible thing to do. As far as the national emergency is concerned, you know that no power will be generated there for use in this national emergency until 1945.

It seems to me that if you want to save a few dollars, as the Secretary of the Treasury said you should, this is the best opportunity you will have in the whole bill. I do hope the Members of the House will consider that fact and consider it now. Let us not start all the new projects anybody can conceive of. Do not let them stick their nose under the tent for $5,000,000, and then realize that you have to add to that sum $36,200,000 before the project will amount to anything.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. RICH. No; I will not yield, because this money is not paid back into the Treasury. The money does not come into the general fund. You are only camouflaging the American people, you are only trying to camouflage the people who are here in the gallery, you are only trying to camouflage everybody when you say this goes back into the Treasury of the United States. It does not do that.

Mr. WHITE. I regret exceedingly that the gentleman is not familiar with the provisions of the Raker Reclamation Act. If the gentleman understood that act better he would not make such statements, because these funds are reimbursable. Further, we will have a good many people to take care of when this defense program is over and we should prepare now, we should start these projects now.

Mr. RICH. I do not yield any further. I did not yield for that remark, but I will let it stay in the RECORD.

It is stated in this bill—

> and to be reimbursable under the reclamation law.

You know the reclamation law does not provide for paying money back into the Treasury, and under this law you will get no interest on your money. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I realize it is a rather unpopular thing to take the floor with a view of cutting down appropriations after they have been passed upon by the committee in charge of the legislation and have the approval of the Bureau of the Budget, but I wish to appeal to this House on just a little different ground from those who have preceded me, if I may, and tell why this item should, at least, be deferred.

Let us admit for the moment that this project is worth while. We may admit

everything that has been said in favor of its being a worth-while project. Yet I wonder if we cannot get to a place somewhere along the line in trying to cut down expenses where we will make an effort to get along without some of the things that we do not absolutely have to have at the present time. Under this item we are starting out to spend something over $40,000,000. We are going to take $5,000,000 out of the Treasury here and now. Of course, it is suggested that this is being done for national defense. We do so many things these days in the name of national defense, but it is admitted that this project will not be completed until after 3½ years. Is it not time just for once in our lives to come to a halt, stop, and take a little credit to ourselves for cutting down some of these expenses? I have admired the zeal of the distinguished gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In fact, I hesitate to attack this item because of his interest in this legislation. The same is true regarding other Members who are particularly interested in this legislation.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. In a moment. All I am suggesting is that for once in our lives we let this matter go for awhile. If, later on, in a year or two or three or four from now this Congress thinks it can afford this extra expense, then all well and good, but so far as the national defense is concerned right at the present moment, you could not use it, and you could not use it for at least 3½ years. You could not do anything with it to help national defense until then. I think you can do your country a lot more good if you have the courage of your convictions and put this project off for the present, at least. Later on, if you think you want to put this money into it, that is a different thing, but let us not do it right now with the condition of the Treasury as it is this afternoon, in May 1941, and with the demand we are making on the people of this country for additional funds to carry on our defense program.

Something has been said about this money being paid back to the Treasury. At least for the present we are taking it out of the Treasury. Perhaps in 20 or 30 or 40 years, if things go along all right, if these plans are carried out as we hope they will be carried out, the money may be reimbursed, but this afternoon the money is to be taken out of the Treasury, and we are going to owe $5,000,000 more than we owe at the present moment, and in 3 or 4 years from now we are going to owe thirty or forty million dollars more. Then, possibly in 30 years we may start to get the money back. I do not know. I am talking about the situation this afternoon. The project may be all right but I think we should use our good common sense and put this off for awhile. We have not started to spend this money yet. Let us not add to our overburdened obligations. We have so many outstanding obligations and commitments that we have already made, commitments whereby we start to spend a few millions, and then we promise to spend more on and on for years and years to come. I do not say this project is not worth while. There is nothing probably wrong about it, but I appeal to the House as earnestly as I can that we put the thing off for the present and save this $5,000,000. Right now let us give our attention to the immediate needs of our country. I yield now to the gentleman from Arizona, in whose district this money is proposed to be spent.

Mr. MURDOCK. Would the gentleman favor canceling a contract for the $80,000,000 battleship that just had its keel laid down a few days ago and that will not be completed until 4 years from now?

Mr. REES of Kansas. Certainly not. That does not connect up by any stretch of the imagination with this project. The keel in this case has not been laid and this project will not be completed for at least 3½ years.

Mr. MURDOCK. They are both defense propositions.

Mr. REES of Kansas. They are not connected at all, as I view it. And I am for necessary defense projects.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. DWORSHAK. Mr. Chairman, I have a question that I want the chairman of the committee to answer. How is the power to be distributed that is to be generated at the Bullshead power project?

Mr. SCRUGHAM. It will be conducted through twin transmission lines of 161,000 volts capacity from the Bullshead project to Parker Dam—a distance of 80 miles. Additional transmission lines of similar capacity will connect with the Boulder Dam lines, and a connection to Phoenix and Gila pumping plant are also contemplated.

Mr. DWORSHAK. Some of this power will be distributed through private utilities?

Mr. SCRUGHAM. It all goes into a pool, from which power may be sold to private utilities, if they contract for the power.

Mr. DWORSHAK. Just like Boulder Dam?

Mr. SCRUGHAM. Yes.

Mr. DWORSHAK. I refuse to yield any further. At present, a large part of Boulder Dam power is being sold to private utilities in Southern California.

Some of this Bullshead power would likewise be distributed through private utilities. Yesterday, when I offered an amendment, the gentleman from Oregon [Mr. PIERCE] impugned my purpose when he said:

> That is precisely what I am objecting to—turning it over to private utilities.

Mr. Chairman, it seems peculiar that whenever anyone in the State of Idaho offers a project, some such reference is made in order to handicap it. Why not be consistent and fair and give us the same consideration which is being extended to Boulder Dam, to Grand Coulee, and to Bonneville? It may be interesting to the Members of the House to know that, including an appropriation which was approved yesterday, a total of $60,958,500 has been made available for constructing transmission lines to distribute Bonneville power—not to build generators, but solely to distribute the power—and I want to make the record clear that, so far as Idaho is concerned, the people in our State are almost 100 percent in favor of developing our own reclamation projects, because we have the greatest potential undeveloped power sites of any State in the Union.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I have only 3 minutes.

I say, at this time, it will be impossible to develop future reclamation projects in Idaho, unless we can build power projects in order to share in the cost of the development.

I want the gentleman from Oregon [Mr. PIERCE] to know that it may be all right to spend $61,000,000 to build transmission lines to distribute power generated at Bonneville, but I want it understood that in Idaho we have our own power facilities and our own potential water sites, and we are serving notice upon the Bonneville administration that we do not want those transmission lines to be extended into the southern part of our State, thus retarding our own development. [Applause.]

During the past 8 years there has been allocated from special funds and appropriated by Congress a total of about $481,000,000 for the Bureau of Reclamation. Of this huge amount, the State of Idaho has received only approximately 2 percent, indicating that it has not equitably participated in reclamation development.

In the great Snake River Valley of Idaho there is an imperative need for supplemental water storage, as well as power development, to meet the existing deficiency in electricity. It does not appear logical to permit Snake River water to flow into the Columbia to Bonneville Dam, there to be used for the generation of power and later destined for transmission to Idaho. We have our own projects to develop, and contend that Grand Valley Dam on the south fork of the Snake River should receive immediate consideration, so that its early construction may be undertaken. Therefore, I regret that majority members of this Appropriations Subcommittee yesterday opposed and defeated the amendment which I offered providing for $75,000 to complete investigations, exploratory, and preparatory work on this project.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman I certainly have no quarrel with the distinguished gentleman who has just addressed the Committee. If he desires to go on record as being against the Government owning its transmission lines as his speech indicated that is his business; but it is not my position. Now let me say that as far as the speeches that have been made today against this particular project are concerned they would have applied a few years ago against T. V. A. The same kind of arguments were made then that the T. V. A.

could well be put off, that it was not essential. We were told over and over by some of the same gentlemen the T. V. A. was an impractical dream; yet where would America be today with the black clouds of war with which we are now threatened, if we did not have the power of T. V. A.?

The same old argument was made against Central Valley in California. The same argument was frantically made by some of the same gentlemen against Boulder Dam. Men stood in the well of this House and pled, argued, and begged the Congress to put off the building of Boulder Dam. The same arguments or excuses were repeatedly made against Bonneville and Grand Coulee; yet the committee was advised that we are facing a real shortage of power in all those areas today. Just suppose the Congress had followed such short-sighted leadership then. Just where would we be now? These gentlemen were wrong then just as they are dead wrong now.

Let me assure you that the committee did not go off half cocked without considering every phase of the matter. We had Commissioner Page before the committee. He told us that this had long been included in the Boulder Canyon program. He assured the committee it was essential for additional power at this time. The committee found that there is now a power shortage, and soon will be a very serious shortage in this area if this national emergency continues very long. The fact is that before this emergency is over, this or a future Congress is likely to be called upon to construct additional dams for additional power which is so essential to a real national-defense program. For that reason the committee included this important addition to the Boulder Dam program. I think it is highly essential that this program be completed as soon as it is humanly possible to do so. I sincerely hope that the program will be completed more quickly than is now contemplated.

The amendment ought to be, and I am confident will be, overwhelmingly defeated.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 51, noes 67.

Mr. TABER. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. JOHNSON of Oklahoma and Mr. TABER to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 64, noes 99.

So the amendment was rejected.

The Clerk read as follows:

Parker Dam power project, Arizona-California, $6,000,000.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Oklahoma. Mr. Chairman, we must insist that the speakers speak in order. We are trying to finish this bill in the next couple of hours if possible. We have been very patient about gentlemen speaking out of order, and I hope the gentleman will proceed in order.

The CHAIRMAN. Of course, under the rules, nobody can speak out of order except by unanimous consent.

The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, I was going to ask unanimous consent to speak out of order. Does the gentleman object to that?

Mr. JOHNSON of Oklahoma. I shall not object at this time, but I shall have to object if any other Members ask that permission.

Mr. HOOK. Mr. Chairman, I object.

Mr. PIERCE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I cannot allow the remarks of our colleague from the State of Idaho [Mr. DWORSHAK] to pass without putting in a word of reply.

Mr. TABER. Mr. Chairman, I make the point of order that the gentleman from Oregon is not speaking to the amendment.

The CHAIRMAN. The gentleman from New York makes the point of order that the gentleman is not speaking to the amendment. The gentleman from Oregon will proceed in order.

Mr. PIERCE. I am speaking in reply to the remarks made in regard to what I stated; what was said just a few minutes ago.

Mr. TABER. The gentleman from Michigan [Mr. HOFFMAN] was not allowed to speak out of order. I do not intend to have others speak out of order under the circumstances. I shall have to insist upon the point of order, Mr. Chairman.

Mr. PIERCE. Mr. Chairman, I ask unanimous consent to reply to the gentleman from Idaho, who used my name and called attention to a little colloquy that took place yesterday between us and to make a statement on the matter that he presented to the House at that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

Mr. SHAFER of Michigan. Mr. Chairman, I object.

Mr. TABER. Mr. Chairman, I object.

Mr. PIERCE. Mr. Chairman, then I ask unanimous consent to revise and extend my remarks and place it in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

Mr. TABER. Mr. Chairman, I object to that.

The Clerk read as follows:

Water conservation and utility projects: For the construction of water conservation and utilization projects and small reservoirs, including not to exceed $200,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed $20,000 shall be available for personal services in the District of Columbia), all as authorized by the act of August 11, 1939 (53 Stat. 1418), as amended by the act of October 14, 1940 (54 Stat. 1119), $3,500,000, to be immediately available and to remain available until expended: *Provided*, That the appropriation contained in the Interior Department Appropriation Act, 1941, of $3,500,000 for such projects, including the amounts specified for surveys, investigations, and administrative expenses in connection therewith, is hereby continued available until expended.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 86, line 23, strike out the period and insert "*Provided further*, That of the funds appropriated under this head for any fiscal year the sum expended on projects involving Indian trust and tribal lands as authorized in the act of October 14, 1940, shall not exceed 10 percent of the amount appropriated."

Mr. CASE of South Dakota. Mr. Chairman, I have explained this amendment to the members of the committee on both sides of the aisle, and I think there is no objection to it.

Mr. JOHNSON of Oklahoma. I may say to the Members that the committee has no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, this amendment is understood by the members of the subcommittee, and I appreciate their kindness in agreeing to it. For the purposes of the RECORD, however, possibly it should be stated what the amendment does. It does not increase the total appropriation. It provides a direction in its use by way of a limitation.

The act of October 14, 1940, which amended the act of August 11, 1939, specifically authorizes projects involving Indian lands. In two or three different places the act refers to them. In making findings on the feasibility of projects the Secretary of the Interior is specifically directed to report on the Indian lands involved, if any. Up to this time, however, no projects involving Indian lands have been started, although some have been placed under consideration.

Land ownership in most reservations is intermingled. Watersheds do not stop when they come to Indian lands any more than they stop when they leave Indian lands and reach white-owned lands. They cannot hop and skip. Until the act of October 14, 1940, was approved, however, the Bureau of Reclamation hesitated to work on Great Plains projects that involved some Indian land. On the other hand, the Bureau of Indian Affairs hesitated to use its limited funds to develop water-conservation projects, part of which was for the benefit of white-owned lands.

That created a "no-man's land" for people living in watersheds of intermingled or checkerboarded ownership. Yet they all, whites and Indians, merited consideration.

The language in the act of October 14, 1940, was placed there specifically for the purpose of dealing with this situation. That is recognized both in the Bureau of Reclamation and the Bureau of Indian Affairs, as well as in the Budget Bureau. The only hitch has come in an uncertainty as to how extensively the funds appropriated for the Great Plains program under this act, generously referred to by many as the Case-Wheeler Act, should be used for projects involving both white and Indian lands.

Officials in charge of this program said to me that they would like to have from the Congress some indication of the extent to which the funds provided for the program should be used in projects to serve this land of intermingled ownership. I have discussed the matter with the people in both the Bureau of Reclamation and the Bureau of Indian Affairs. The language in the amendment offered is satisfactory to both Bureaus. It is in the nature of a limitation to meet the parliamentary situation involved in offering an amendment to an appropriation bill in the Committee of the Whole House, but it is intended and understood to indicate the proportion of this program that may agreeably be expended on lands of mixed ownership where feasible projects are found.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 86, line 17, strike out "$3,500,000" and insert "$2,000,000."

Mr. RICH. Mr. Chairman, if the members of the committee will note the bill, they will see from line 18, on page 86, the amount of the appropriation that was made for water conservation and utility projects last year was $3,500,000. Much of that money remains in the hands of the Interior Department unexpended. The language from line 18 to line 23 gives permission to carry that amount over into the fiscal year 1942. I do not have the exact figures, but I know the amount carried over is quite a considerable sum. Each and every year we appropriate $3,500,000 for this particular purpose. The money is accumulating and is carried over from year to year. It seems to me this is an item on which we could eliminate $1,500,000 without injury to anyone, and it certainly would be a great benefit to the Treasury.

I cannot for the life of me understand why no effort is made to economize on these bills. A few minutes ago the Democratic membership of the House voted unanimously for $5,000,000 to begin a new project which ultimately will cost $41,000,000. They prove they are not for economy.

On this water-conservation item each year we appropriate $3,500,000. It is only reasonable and only sensible that if they do not utilize the money we appropriate we should cut the amount of the appropriation. We can cut it $1,500,000 at this time and reclamation will not in any way suffer. On the contrary the country will be benefited.

I ask your support of this amendment.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this water-conservation and utilization program is another program that has come into the Reclamation Service in the last 3 or 4 years. It began with a $5,000,000 appropriation and began without specific legislation having been passed authorizing it, as the need was great and emergent.

Last year, in order to meet the objection that there was no specific legislation authorizing it, the Congress passed what is known as the Case-Wheeler Act, which specifically provides for this service. It primarily meets the needs of that area in the United States we sometimes erroneously refer to as the Dust Bowl region. It takes care of the needs of thousands of people who otherwise, if they did not have the benefits of proper water conservation and utilization, would be made objects of public or private charity, or be driven elsewhere to seek new homes.

There is no great carry-over in this item from last year. The original $5,000,000 of 2 years ago did have a carry-over, and for that reason last year we appropriated $3,500,000. This is the amount being sought here this year. Let me read what Commissioner John Page has to say on this, and those of you who know Commissioner Page know there is no more careful, conservative, and sound official in the executive departments of the Government than he. He says:

The same amount is in the Budget for this year. Under this we have four projects approved by the President, with allocations made for them, and the fifth is almost ready.

Now, I want you to get this. Here is what a man who really knows has to say:

It is a wonderfully beneficial program, and it is only because of the lack of engineers and agricultural information that it has not gone forward more rapidly in the last year. For the current year we made allowance for additional engineering from the numerous projects now set up.

Here is another instance where the money is paid back to the Federal Treasury—every dollar of it. The work on the projects is done by W. P. A. and C. C. C. Those activities are not reimbursable, but the money itself is. I do not believe that anyone who has an understanding of this would think of supporting an amendment to reduce this activity. I hope the amendment will be voted down.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will speak briefly. As Commissioner Page stated, this program was delayed in getting under way because of a lack of advance engineering information, but work has been started and funds have been programmed. So, the balance unexpended is not a carry-over in the sense that the gentleman from Pennsylvania had in mind.

In speaking of this program, Commissioner Page has testified that in proportion to dollars expended this Great Plains program gives promise of returning more benefits to the country, and helping more families than any other program which the Bureau of Reclamation has undertaken. I have been told by members of the committee that more Members of the House appeared in behalf of this item than any other in the bill.

It should be kept in mind that the basic act requires the repayment of these funds as the gentleman from Washington has pointed out. In some cases, the repayment is underwritten by water conservation districts, in some by soil conservation districts, and at least in one case by a municipality. The repayment record on this program promises to be one of the best of any program the Government has ever helped to finance.

These are very small projects. None of them bring into cultivation large amounts of new land. Most of them are simply supplemental water projects. They help people and the people pay for the help.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The amendment was rejected.

The Clerk read as follows:

Valley Gravity Canal and Storage Project, Texas: For the completion of investigations and commencement of construction of the Valley Gravity Canal and Storage Project, Texas, in substantial compliance with the engineering plan described in a report dated February 3, 1940, entitled "Report of Conference of Engineers to the American Commissioner, International Boundary Commission, United States and Mexico, on the Valley Gravity Canal and Storage Project (Federal Project No. 5)" and report appended thereto, $2,500,000, to be immediately available and to remain available until expended: *Provided*, That said sum shall be available to the President for allocation in accordance with the act entitled "An act to amend the act of May 13, 1924, entitled 'An act providing for a study regarding the equitable use of the waters of the Rio Grande', etc., as amended by the public resolution of March 3, 1927," approved August 19, 1935: *Provided further*, That from said sum expenditures may be made for personal services in the District of Columbia (not exceeding $15,000), and in the field, for the payment of fees for professional services, including experts, engineers, and attorneys, and for all other objects of expenditure as specified for projects hereinbefore in this act under the caption "Bureau of Reclamation," under the headings "Salaries and expenses" and "Administrative provisions and limitations," but without regard to the amounts of the limitations therein set forth.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 87, after line 24, insert "*Provided*, That no part of the appropriation herein made shall be available until the agency charged with the administration of the fund shall be satisfied, and shall so certify to the Secretary of the Treasury, that no person employed upon the work provided has been required as a condition precedent to employment to join or not to join or to pay any sum to any organization."

Mr. HOOK. Mr. Chairman, I make a point of order against the amendment. It is legislation on an appropriation bill.

The CHAIRMAN (Mr. COOPER). Does the gentleman from Michigan desire to be heard on the point of order?

Mr. HOFFMAN. No; the precedents sustain the amendment.

The CHAIRMAN. The Chair would be pleased to have the gentleman from Michigan cite the precedents.

Mr. HOFFMAN. Fourth Hinds', section 3943. I copied it from that precedent.

The CHAIRMAN. What is the citation?

Mr. HOFFMAN. Fourth Hinds', section 3943. We have put this in other bills; at least, not the exact wording but similar wording.

The CHAIRMAN. Does the gentleman from Oklahoma [Mr. JOHNSON] desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. No.

The CHAIRMAN. Does the gentleman from Michigan [Mr. HOFFMAN] desire to be heard further?

Mr. HOFFMAN. Only to call the Chair's attention to the fact that several times during this session and last session we have added this same amendment to bills, except it referred to Communists, to people who advocated the overthrow of our Government.

The CHAIRMAN. The Chair does not recall that points of order were raised against those amendments to which the gentleman refers.

Mr. HOFFMAN. I am sorry, but I do; and I think the Chair will, too, when I refer to the incident. The gentleman from Virginia [Mr. SMITH] offered a double amendment, you may say, which referred to both and a point of order was made against both, but nevertheless we voted on both. The point of order was overruled.

The CHAIRMAN. Is the gentleman prepared to give that citation?

Mr. HOFFMAN. No; I cannot. I think it was during this session. I thought it was in the minds of most of us. A substitute was offered by the gentleman from Michigan [Mr. RABAUT] to one of them, which was adopted instead of the original amendment.

Mr. LEAVY. Mr. Chairman, a portion of the proposed amendment is such that the same thing is referred to in another part of this bill, paragraph 7, the last paragraph of the act. In part, therefore, this amendment would be a duplication for what is already in this bill.

The CHAIRMAN. The Chair may say in reply to the gentleman from Washington that that in itself would not make the amendment in order. That is, the fact it may already be in the bill.

Mr. TABER. Mr. Chairman, if I may be permitted, from what I have heard of the amendment, this seems to be a pure limitation that no funds shall be permitted to be paid to any person who is required as a condition precedent to employment to do certain things. There is no additional duty in any way imposed upon anyone and there is no legislation contained in the limitation.

The CHAIRMAN. The Chair is inclined to feel that the gentleman from New York is correct as far as he has gone in his argument on the point. However, what does the gentleman from New York have to say with respect to the provision in the pending amendment imposing certain additional duties on the Secretary of the Treasury?

Mr. TABER. As I understand it, the amendment does not impose additional duties.

The CHAIRMAN. "And shall so certify to the Secretary of the Treasury." Certainly he has to receive the certificate.

Mr. CASE of South Dakota. Mr. Chairman, I would like to be heard on the point of order.

Mr. HOFFMAN. Mr. Chairman, may I be heard further?

The CHAIRMAN. The Chair is hearing the gentleman from New York [Mr. TABER] if he has anything further to say.

Mr. TABER. The Secretary of the Treasury only has the right to expend any of this money as Congress gives him that right. This, however, does not require as a condition precedent to payment that the Secretary of the Treasury shall perform any other duty than he is now required by law to perform. Before any payment can be made at the present time the Congress has to authorize it, and the conditions precedent laid down in the legislation to the operation of the appropriation have to be complied with.

Mr. CASE of South Dakota. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from South Dakota.

Mr. CASE of South Dakota. Mr. Chairman, it occurs to me that the case is analogous to the precedent that was ruled upon some years ago which related to the payment of extension funds to agricultural colleges. I am sorry that I am unable to give the exact citation, but I am sure the Parliamentarian will remember the case. In that instance an amendment was offered to an appropriation bill to provide that no part of the extension funds should be paid to any college where members of the faculty engaged in polygamy. That amendment was ruled out of order on the ground that it imposed on the Secretary the additional duty of determining whether any faculty members came under the ban. Subsequently, however, the Chair did hold in order an amendment which provided that the funds should not be paid until the members of the faculty had provided the Secretary of Agriculture with a certificate or statement to the effect that they did not believe in the practice of polygamy. The change put the burden of proof or imposed the duty on the individual rather than on the Department or the Secretary. Since that time it has been customary in provisions in appropriation bills to provide that where something is required to be done it suffices to come within the rule if the person himself provides the certificate to the departmental officer concerned.

In the pending bill, in section 7, we have a similar provision, stating that no part of any appropriation may be made to any person who advocates or who is a member of an organization that advocates the overthrow of the Government of the United States. The person concerned carries the burden of proof by being required to furnish an affidavit. The proviso reads:

> That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate—

And so forth. Those provisions have all been drawn along that line, and I think the precedents hold them in order.

Mr. HOFFMAN. Mr. Chairman, may I be heard now?

The CHAIRMAN. Permit the Chair first to reply to the observation made by the gentleman from South Dakota.

The Chair points out the distinction that the certificates required to be submitted under the conditions mentioned by the gentleman were to be submitted by individuals not officers of the Government. The pending amendment imposes additional duties upon officials of the Government. In that the Chair can see a very clear distinction between the situations submitted by the gentleman from South Dakota and the pending amendment.

Mr. CASE of South Dakota. If the Chair will permit, of course, I have not read the amendment, but from what I have been able to hear of the discussion I thought the language was similar to the precedent relating to extension funds.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from Michigan further.

Mr. HOFFMAN. My point was that on the left page which the Chair has before him one amendment was held improper, but if the Chair will read on down and over to the top of the next page he will see the distinction. I drew this amendment to come within the decision where it was held proper, and where the distinction was pointed out.

Further, may I say that in view of the fact that a subsequent paragraph of this bill requires such a certificate as to Communists drawing pay, I can see no reason why this amendment should be out of order or be legislation any more than that would be.

The CHAIRMAN. Has the gentleman concluded his statement?

Mr. HOFFMAN. I have.

The CHAIRMAN (Mr. COOPER). The Chair is prepared to rule.

The gentleman from Michigan offers the amendment which has been reported by the Clerk. The gentleman from Michigan [Mr. HOOK] makes the point of order against the pending amendment that it proposes legislation on an appropriation bill.

The author of the amendment has cited as a precedent supporting his contention that the amendment is in order, a decision appearing in section 3942 of the fourth volume of Hinds' precedents. The Chair has examined that decision and is inclined to agree with the gentleman from Michigan that there is some analogy between the question under consideration here and the question under consideration under that decision, but the Chair invites attention to the fact that this decision was made in 1901. The Chair also invites attention to a subse-

quent decision, on January 6, 1923, which appears in section 1706 of volume 7 of Cannon's Precedents. This is a rather lengthy decision, but it appears to the Chair to be directly in point on the question here presented.

After citing numerous precedents, the Chairman of the Committee of the Whole, Mr. Hicks, had the following to say:

As a general proposition the Chair feels that whenever a limitation is accompanied by the words "unless," "except," "until," "if," "however," there is ground to view the so-called limitation with suspicion, and in case of doubt as to its ultimate effect the doubt should be resolved on the conservative side. By doing so appropriation bills will be relieved of much of the legislation which is being constantly grafted upon them and a check given a practice which seems to the Chair both unwise and in violation of the spirit, as well as the substance, of our rules. Without endeavoring to lay down any hard and fast rule, the Chair feels that the following tests may be helpful in deciding a question of order directed against a limitation, first having determined the powers granted or the duties imposed by existing laws:

Does the limitation apply solely to the appropriation under consideration?

Does it operate beyond the fiscal year for which the appropriation is made?

Is the limitation accompanied or coupled with a phrase applying to official functions, and if so, does the phrase give affirmative directions in fact or in effect, although not in form?

Is it accompanied by a phrase which might be construed to impose additional duties or permit an official to assume an intent to change existing law?

Does the limitation curtail or extend, modify, or alter existing powers or duties, or terminate old or confer new ones? If it does, then it must be conceded that legislation is involved, for without legislation these results could not be accomplished.

If the limitation will not fairly stand these tests then in my opinion the point of order should be sustained. Applying in the present instance the standards set forth, the judgment of the Chair is that the point of order is well taken and the Chair sustains it.

The Chair invites attention to the fact that the pending amendment provides—

That no part of the appropriation herein made shall be available until the agency charged with the administration of the fund shall be satisfied, and shall so certify to the Secretary of the Treasury, that no person employed upon the work provided has been required as a condition precedent to employment to join or not to join or to pay any sum to any organization.

The Chair is of opinion that this amendment would impose additional duties upon the officials who would have to make the certificate contemplated by the amendment. The Chair is likewise of opinion the effect of this amendment would be to impose additional duties upon the Secretary of the Treasury, at least to the extent of requiring him to receive the certificate contemplated under the amendment. Therefore, under the precedents cited by the Chair, appearing in section 1706 of volume VII, Cannon's Precedents, the Chair is of opinion that the amendment does embrace legislation on an appropriation bill. The Chair, therefore, sustains the point of order.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE of South Dakota. Did I understand the Chair to read that the amendment required some agency of the Government to make the certification rather than the individual?

The CHAIRMAN. Of course, the Chair has already ruled, but would be pleased to reply to the parliamentary inquiry. The amendment states the agency charged with the administration of the funds.

Mr. CASE of South Dakota. In that case, I certainly agree with the Chair in his ruling.

The CHAIRMAN. The Chair sustains the point of order and the Clerk will read.

The Clerk read as follows:

In all, salaries and expenses, United States Geological Survey, $3,911,400.

Mr. HOFFMAN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 93, after line 21, insert "*Provided*, That no part of the moneys appropriated by this act shall be available to pay the salaries or expenses of any person who is an alien."

Mr. HOFFMAN. Mr. Chairman, I ask permission to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, this noon's issue of one of the local newspapers has this headline:

First Lady says people demand force meet force.

In most of these strikes which are holding up the national defense it is the alien——

Mr. HOOK. Mr. Chairman, I make the point of order that the gentleman is not addressing himself to the amendment. The amendment is with regard to aliens.

The CHAIRMAN. The Chair is of opinion that the last word uttered by the gentleman from Michigan was the word "alien." The gentleman will proceed in order.

Mr. HOFFMAN. The point I was trying to make and what I said was that in these defense strikes the inspiration, or whatever you want to call it, for violence comes from the alien all too often, and that it is doubtful whether we should meet that violence with violence. So, when the First Lady says here this morning that the people demand force meet force——

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I cannot believe—I am sure that she did not mean that those people in Detroit, for example, who are being beaten, as men and women were beaten in the recent Ford strike by people, some of whom I charge on good authority with being aliens, as well as members of the C. I. O.—the First Lady cannot mean, I am sure, that the other people, the workers who were being assaulted, should arm themselves and go down on the picket line and stage a pitched battle. I do not think that is what she refers to. Yet she says that the people are thinking of meeting force with force. If that is good practice when dealing with Hitler, why not apply it to her friends, the Communists and others, who stage these riots and beatings? Why let the pickets have a monopoly of the head cracking? In the Sunday edition of the papers in Detroit there is a full-page ad. You will find it outside in the Detroit Free Press and in the Detroit News—a full-page ad, paid for by the employees, not the employers, not politicians, and that ad starts out with the words, "Let freedom ring," and ends with the words, "Liberty and justice for all." The ad sets forth the story that is all too common in Detroit. We have in Michigan a Democratic Governor, and I hope my friends on the other side will listen, and a Republican attorney general, whose duty it is to enforce the law just as much as it is the duty of the Democratic Governor to enforce the law. I hope now that no one will say that I am using politics to stress my argument. So far as law enforcement goes, they are two of a kind. We are not getting enough enforcement of the law. One is a Republican and the other is a Democrat, and each has taken an oath to enforce the law. Neither one is doing it, and I will cite the record as the week goes on. By the way, I wrote a letter to the Democratic Governor and the Republican attorney general calling their attention to this ad and asking them to give us a little more enforcement of the law up there because these people here say—and with the permission of the House I herewith insert the whole advertisement. It reads:

[From the Detroit Free Press of May 11, 1941]

"LET FREEDOM RING"

The American workman is blessed above all workers of the world. Chief among these blessings is the right to make his own decisions.

This fundamental right is guaranteed every American by the Constitution of the United States and by the sound moral reasoning upon which this democracy is founded.

We, employees of Currier Lumber Co., prize this right above all our possessions.

But in spite of all the safeguards of government and law, agitators from outside our midst are using strong-arm methods to deny us our rights.

They are denying us the right to make our own decisions.

They are denying us our right to go about our work as we will.

They are threatening us, collecting in mobs to taunt and ridicule us—they are "ganging up" in ruthless brutality to beat and pummel us.

We think the people of Detroit hate the cowardice and flagrant disregard of law and civil liberties which lie behind these actions.

We think the people hate these actions regardless of who the perpetrators are.

The law guarantees us the right to join or to refrain from joining any group we choose. We, the average American workmen, have the moral and legal right to decide. Only those who are in fundamental disharmony with America and its ideals would deny us this right by rule of the club and fist.

It is not the way of Americans to gather in surly mobs, fortified by clubs and brickbats to beat workmen.

This is the way of the brute and savage. This is the way of men who believe in rule by might and violence.

Friday afternoon, for example, two Currier Lumber Co. employees were driving to the plant. A mob of nearly 100 men followed them for several miles, waited a strategic moment and opened fire with bricks and stones, forcing the truck to the curb. Quickly the mob swung at the driver and his helper, tried to smash the truck, and then vanished when a crowd gathered.

These "hit-and-run mobsters" must not be allowed to roam Detroit streets terrorizing workmen, beating men, and savagely damaging equipment.

Detroit is one of the few cities in America where the average workman can own his own home. We are helping make this possible. We will continue to make it possible if the racketeers and muscle men can be kept out of our industry.

This is a job for the public. We need your support in this battle for our rights and our freedom. Won't you please report any such occurrences as the one described above? Cooperate with the Detroit Police Department, which is doing a wonderful job against terrific odds.

At Currier Lumber Co. are employed approximately 25 percent of those working in Detroit's lumber industry. We are helping house Detroit. President Roosevelt has declared Detroit "a defense area in which an acute housing shortage exists or impends." We consider it a patriotic duty of every American to heed his President and give his utmost to solve these vital problems.

We are trying with every ounce of our energies.

Yet in the face of these facts—and in spite of the gravity of the situation—certain agitators who give nothing to the common cause deny us our rights, and maliciously interfere with an important program.

These are the sincere thoughts of Currier Lumber Co. employees—not one of whom belongs to any group involved in a strike—whose one aim is to work peacefully. We, of our own accord, are putting our case before the American public because we know it will find a democratic reception.

Each Currier worker has contributed to the cost of this advertisement. We wish we could sign our names but we fear exposing our families to "brass-knuckle revenge." We have filed with this newspaper a list of our names, open to those in authority.

"With liberty and justice for all."

Do we need law enforcement? Do workers need protection? Will they get it?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask for recognition.

Mr. Chairman, the committee does not object to the amendment offered by the gentleman from Michigan. On the other hand, it is very sympathetic with what the gentleman is trying to do. I assume, of course, the gentleman knows the committee has gone considerably further than his amendment proposes in language that has been inserted in the bill. If Members will turn to page 141 and read section 4 it will be found that what the gentleman is attempting to do is taken care of in a very adequate way by the language to which I have referred in that section. In fact, the bill goes considerably farther.

Mr. HOFFMAN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. In a moment. Let me read the language to which I refer to the gentleman:

No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States—

And so on. That goes considerably further than the gentleman's amendment. Personally I have no objection if the gentleman wants to duplicate it by putting his amendment in in another place.

Mr. HOFFMAN. For safety's sake and as a matter of protection, I would like to have it in.

Mr. JOHNSON of Oklahoma. Let me say to the gentleman from Michigan, for whom I have a very high regard, that I would like to cooperate with him; but, of course, I cannot speak for the committee. Frankly, I would be glad to accept the amendment. Certainly, I am in full sympathy with what he is attempting to do in this instance.

Mr. FITZPATRICK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN]. I would like to read to you in its entirety, section 4, on page 141 of the bill. It reads as follows:

No part of any appropriation contained in this act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States or a person in the service of the United States on the date of the approval of this act who being eligible for citizenship had theretofore filed a declaration of intention to become a citizen or who owes allegiance to the United States.

I think in justice to aliens who came in here legally and made application for citizenship, who have respected our laws and our Constitution, and who are now employed, should not be driven out of their positions. I believe that section No. 4 goes far enough in dealing with aliens and that the amendment offered by the gentleman from Michigan should be defeated.

Mr. HOOK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, really there should not be any necessity to make any comment with regard to this amendment. I rise here in defense of the fine people, both Republicans and Democrats, of the State of Michigan. I rise in defense of the law-enforcing officials and agencies of the great State of Michigan. Yes; we have a Republican attorney general and we have a Democratic Governor. The people of the State of Michigan, in their judgment, through their votes at the polls, placed those two men at the head of the respective departments, and those two men should not be maligned for actually upholding the law. They are the choice of the people. I believe they are sincere in their zeal to do their duty as they see it. I fully realize that the attorney general and the Governor of the State of Michigan do not view the law in the same light as the gentleman from Michigan [Mr. HOFFMAN], and feel that is to their credit that they do not. They actually have enforced the law.

We have one of the finest State police organizations in the United States in the State of Michigan. Of course, that has been maligned also.

Now, with regard to the great ad that was supposed to be in the newspaper, supposed to be signed by employees, I have my doubts whether that ad was paid for by the employees. I could just as well charge that it was paid for by the fascistic organization and the pro-Nazi organization headed by Gerald K. Smith. Yes; I could charge that; but I am not going to. I am going to leave it up to your good judgment. I am saying this—that if the gentleman from Michigan [Mr. HOFFMAN] would leave in the hands of the great Governor of Michigan and the law-enforcing agents of that great State the problem of taking care of the strikes and the labor situation in Michigan instead of raising all this unnecessary howl and strife on the floor of this House he would be doing a great service to this Nation and to the State of Michigan. You cannot keep bringing those things to the front, charging on the floor of this House violations of law when no violations of law exist, without having the thing stirred up to the point where you will have a few crackpots going off and raising the dickens so as to cause trouble.

The gentleman should realize that the Ford strike is settled, and I hope he does not stir up the people to such an extent that strife and bloodshed will be the result. The good people of Michigan do not appreciate the statements that may keep that struggle alive. I trust that the gentleman will let the people of Michigan and the Ford workers remain in peace. The real, honest, true-blooded Americans in Michigan who labor for a living do not follow in the footsteps of those who are trying to crash down on labor.

Let me close by saying that I do not believe this amendment should be adopted, and I agree with the argument of the gentleman from New York along those lines. Probably your father or your mother was an alien. Probably your grandfather or your grandmother was an alien. Some of our ancestors certainly were aliens. So why come out here as a matter of spite, if I may say so, and try to place into this bill an amendment on a subject that is foreign to the subject of the bill and is already taken care of by the committee? It is about time we got down to business instead of wandering off into extraneous fields at every move. We are here to legislate, not smear.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The Clerk read as follows:

NATIONAL PARK SERVICE

Salaries: For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the

accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national-park and national-monument purposes: *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, $262,260, of which amount not to exceed $11,000 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to call the attention of the House to the fact that in 1930 we had 53 parks and national monuments. By 1940 you had increased them to 162. In 1930 the cost of administering the National Park Service was $1,818,250. In 1940 it cost $3,804,112 to administer the Park Service.

Receipts from the national parks in 1930 were $1,015,740.56 and the number of visitors 3,240,656. In 1940 receipts were $1,928,077.93, and visitors were 16,681,695. The receipts are not in proportion to the attendance. Why?

The expansion of the system of national parks and monuments is becoming a very great burden on the taxpayers of this country. You will notice that, notwithstanding the large increase in the number of parks and monuments, the receipts have not kept pace proportionately, and the reason is that each year of the last 7 I have been on the Appropriations Committee practically every park or monument has received increased appropriations and additional employees. In very few instances do the superintendents of any of the parks ask for a reduction. Some of the parks pay their way, and a little more than pay their way, but the Secretary of the Interior should try to make these parks a paying investment for the Government. With the great number of visitors to the parks and monuments, these recreational areas could be made to pay their way; were a little higher fee charged, they could easily be made self-supporting. It seems to me the Secretary of the Interior should put a little more business into the operation of the National Park Service and make it pay its way. It would be a fine thing, and I am sure the people who receive the benefits would be glad to support them.

I suggest that the Secretary of the Interior go a little further than he has and, also, that he not yield to the suggestion certain people are making that certain parks be relieved of the slight fees now being charged. I realize that some Members of Congress have parks or monuments in their districts, and they say, "Do not charge for my parks, charge for the parks in the other fellow's district."

Mr. Chairman, if the membership is interested in the operation of the parks, from the standpoint of the Government as a whole, they would give aid and assistance to the Secretary of the Interior so he could carry out this feature of the national-park system. I hope we will give him this support.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the pro forma amendment for the purpose of pointing out that while the number of parks have increased in recent years, this is a matter over which our committee has no control. The gentleman is a little late in his speech in opposition to the increase of the parks in this country.

The gentleman has referred to the fact that some Members of Congress have parks in their districts. There are unfortunately no parks in the district I have the honor to represent in Congress; I wish there were. I think the national parks and monuments are things the poor man, the poor woman, the boy and girl in this country appreciate.

The gentleman points out that there has been a decided increase in the number of parks and monuments. There has been. They have been placed on our doorsteps, and Congress must take care of them; this Committee must take care of them.

The gentleman might also have pointed cut that whereas only 8 years ago there were about 3,000,000 people who visited the parks, last year more than 16,000,000 people visited them.

Reference has been made to the fees charged for entrance to the parks and the statements made that if we charged higher entrance fees we might get more money from the public. Let me call your attention to the fact they are charging an entrance fee of $3 per car at Yellowstone Park and $1.50 each for people who visit Carlsbad. In my opinion, the entrance fees at both of these parks are now excessive. I further believe that if they were reduced the Park Service would probably receive more money.

Mr. Chairman, the point I want to make is that the people appreciate these parks, they are going to the parks, and the attendance has increased by some 13,000,000 people in the last 3 years.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Hot Springs National Park, Ark.: For administration, protection, maintenance, and improvement, including not exceeding $1,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, $77,890.

Mr. NORRELL. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. NORRELL: On page 109, line 8, after the word "work", strike out the sum "$77,890", and insert "including not exceeding $7,000 for payment of the Federal Government's share of resurfacing and reconstructing of Reserve Avenue from its intersection with Cottage Street at the entrance to the Army and Navy Hospital northeasterly to its intersection with Palm Street and that portion of Spring Street and Laurel Street immediately adjacent to and surrounding the grounds on which the Government free bathhouses are located, $84,890."

Mr. CARTER. Mr. Chairman, I make a point of order against the amendment on the ground it is not authorized by law.

Mr. NORRELL. Will the gentleman reserve his point of order?

Mr. CARTER. I will reserve it.

Mr. NORRELL. Mr. Chairman, ladies and gentlemen of the Committee, I want to be perfectly frank. This point of order may have to be sustained, if made, but I desire to present to the Committee today the matters embraced in the amendment.

You have at Hot Springs, Ark., an Army and Navy hospital, which is one of the finest in the Nation and to which all of you go. We have down there a free bathhouse. People from all over the United States go there and those who are unable to pay for their baths have the privilege of bathing in these curative waters.

The streets in front of the Army and Navy hospital and free bathhouse are worn out. They are dangerous to travel over. I refer to the streets in front of the Army and Navy General Hospital at Hot Springs and extending around the free bathhouse. They are unsafe for automobiles to be driven over, to say nothing of ambulances and hearses.

Mr. Chairman, the people owning adjacent property to the streets are desirous of paving the street in front of the hospital and the streets extending around the free bathhouse. They want to pay their part, and they are asking that the Government defray its portion of the expense of improving these streets. They are afraid there will be accidents, wrecks, and probably deaths because of the unsafe condition of the streets.

Mr. Chairman, the matter is entirely in the hands of the Committee. I hope the gentleman may withdraw his point of order and permit this amendment, involving only $7,000 in a bill that he has brought in here which appropriates in excess of $77,000,000, to be adopted. I feel I have discharged my duty to the people of Hot Springs and to the patients of the Army and Navy hospital when I bring the matter before you. It is your responsibility now.

Mr. RICH. Will the gentleman yield?

Mr. NORRELL. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman states this will only cost $7,000. Can he tell us where he will get the $7,000?

Mr. NORRELL. The same place the gentleman is getting money for some improvements in his congressional district.

Mr. RICH. Very few improvements have been asked for my district, and may I say that I have voted against these ruthless expenditures, and the gentleman has not voted to cut down one thing in this appropriation bill.

Mr. NORRELL. Mr. Chairman, I yield for a question, not a speech. If the point of order is withdrawn and the amendment is adopted, I expect to get the money from the same place that we are going to get the $77,000,000 contained in the bill under discussion.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. NORRELL. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. Do not concede that point of order, because it is not well taken.

Mr. NORRELL. I do not concede the point of order at all. I hope it is not in order, but I want to be perfectly fair. If the Chair sustains it, there will be no fuss from me, because I am frank to say that I really do not know what the situation is, except I do know we need these improvements.

I appreciate this splendid Budget committee, and this is the first time in the history of my congressional career that I have offered amendment to an appropriation bill. The committee has done a fine job, and I have nothing but praise and compliments; but, Mr. Chairman, this is in the nature of an emergency, and, in my opinion, I ought to exhaust every means before surrendering; hence I have offered the amendment, and I hope if the point of order is not withdrawn it will be overruled by the Chair and the amendment agreed to. [Applause.]

Mr. CARTER. Mr. Chairman, I insist on the point of order.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. RANKIN of Mississippi. Does the Chair desire to hear argument against the point of order?

The CHAIRMAN. If any is to be made. The Chair does not know any authority of law for the amendment.

Mr. RANKIN of Mississippi. I think I can cite some.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. RANKIN of Mississippi. Mr. Chairman, the point of order of the gentleman from California [Mr. CARTER] is based on that provision of the rule which forbids legislation on an appropriation bill, but to that provision there are certain exceptions, and this amendment falls within one of those exceptions. For instance, this Government owns that hospital. It is a naval hospital owned by the Federal Government. It is used not only by the men in the service of the Navy but by the veterans of the country. It is a Government project. This street is in front of it. Not only has the Government a perfect right to improve the surroundings of that hospital but it would even have a right to purchase additional property for that purpose. And an amendment for that purpose would be in order under the exception to which I refer.

I call the attention of the Chair to the fact that probably the outstanding example of this kind that has been before this House since I have been a Member was a case where this principle was thoroughly thrashed out, in 1924, I believe. The Chair will find it in the RECORD of March 27 or 28 of that year. At that time the Shiloh National Park was owned, as it is now, by the Federal Government. Twenty miles away the Government owned the Corinth National Cemetery. An amendment was offered to an appropriation bill providing that the Government purchase and improve the highway connecting the two, 20 miles long.

The distinguished former Speaker of this House, Mr. Longworth, I believe was at that time majority leader, and the distinguished gentleman from California, Mr. Barbour, who is now out of the House, made this same point of order against the amendment. One of the ablest parliamentarians who has been here since I have been in Congress, Hon. John Q. Tilson, of Connecticut, was in the chair. He held that the amendment was in order, that since the Government owned this property it had a right to improve its surroundings or to extend it by adding adjoining property. He overruled the point of order, and the House adopted the amendment.

Here we have a naval hospital owned by the Federal Government and used by the employees and the enlisted men and the officers of the Navy, as well as by veterans all over the United States. In front of this hospital, according to the statement made by the gentleman from Arkansas [Mr. NORRELL] the streets are in need of repair, and this amendment is to provide funds for the improvement of those streets that are used for the benefit of this Government hospital.

I submit that this amendment comes within that exception to the general rule against legislation on an appropriation bill.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield.

Mr. SHEPPARD. I should like to ask the gentleman whether or not he knows definitely if the property under discussion here is the property of the United States Government or of the municipality.

Mr. RANKIN of Mississippi. It is a public street.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield to the gentleman from Arkansas.

Mr. NORRELL. The property the Federal Government is asking to pave is that portion of the property that the Federal Government owns, part of it being a part of the Navy General Hospital. The citizens who own the property across the street are going to pay their part. By this amendment the Government is being asked to pay only its part of the cost. In other words, the Government owns the property on which this money will be spent.

Mr. RANKIN of Mississippi. Then, Mr. Chairman, that completely answers the point of order made by the gentleman from California. The gentleman from Arkansas says that the Government owns the property on which this money is to be spent. It owns it in connection with this naval hospital. We have a perfect right to appropriate money for this purpose. This street is adjacent to the hospital and gives access to it. It is owned by the hospital, and we have a perfect right to appropriate money to improve it.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield for a further question?

The CHAIRMAN. All of this discussion is supposed to be for the benefit of the Chair.

Mr. SHEPPARD. I beg the Chair's pardon.

The CHAIRMAN. If there is any further argument on the point of order, the Chair would be pleased to hear it, but a great deal of the discussion has not been on the point of order.

Mr. RANKIN of Mississippi. Mr. Chairman, my argument, boiled down, is not only that this is adjacent to and necessary for the proper use of this naval hospital but that this property is owned by the Federal Government, is a part of the grounds of the Naval Hospital, and that we have a right to appropriate for this improvement. That is authorized by the general law, and, therefore, it comes within the exception and not under the general rule which the gentleman from California invokes.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Arkansas who owns the street that is here sought to be paved?

Mr. NORRELL. If the Chair will permit, here is the blueprint.

The CHAIRMAN. The gentleman can answer. Is the title to the street in the city or in the Federal Government?

Mr. NORRELL. There are people who own the property on one side of the street, private individuals. The Government owns the property on the other side of the street. Throughout the history of Hot Springs, when the streets have been improved, half of the cost of the improvement has been paid by the people on one side and half by the Federal Government on the other. This is the third time that improvements have been made to that street, and the Government has financed its part on each and every occasion. It is Federal property.

The CHAIRMAN. Is the title to that street in the Federal Government or in the city?

Mr. NORRELL. The Federal Government has fee simple title to the center of that street, and we are only asking that the Government pay the cost of improvement of that part of the street the fee simple title to which is vested in it, according to my information.

The CHAIRMAN. Who exercises the police power over the street?

Mr. NORRELL. In the Park Service proper there is a superintendent. If a crime is committed in that area, as I understand, the Federal Government has jurisdiction. The streets there are under the joint supervision of the city of Hot Springs and the Park Service. This street can never be improved unless it is improved jointly by those two organizations.

Mr. RANKIN of Mississippi. In that connection, Mr. Chairman, I call the attention of the Chair to the fact that in the case of this very Shiloh Memorial Highway I am talking about, while the Federal Government owns it, the State of Mississippi enforces, or attempts to enforce, the criminal laws along that highway.

The CHAIRMAN. The Chair would like to inquire of the gentleman from

Oklahoma, chairman of the committee in charge of the bill under consideration, is the gentleman prepared to advise the Chair as to who holds the title to the street here in question?

Mr. JOHNSON of Oklahoma. Answering the Chair, I am compelled to say that the Park Service advises the committee that the city has jurisdiction over that street, and in fact owns the street. That is the information given the committee. The title is in the city.

The CHAIRMAN. The Chair is prepared to rule.

Mr. NORRELL. Mr. Chairman, will the gentleman yield to me for a moment, with the permission of the Chair.

The CHAIRMAN. The gentleman from Oklahoma was answering a question propounded by the Chair. Is the gentleman from Arkansas prepared to disagree with the gentleman from Oklahoma?

Mr. NORRELL. I wanted to propound a question to clarify that matter, with the permission of the Chair.

The CHAIRMAN. The Chair is satisfied with the answer given by the gentleman from Oklahoma, unless the gentleman from Arkansas is prepared to state that the information given the Chair by the gentleman from Oklahoma is incorrect.

Mr. NORRELL. I am prepared to advise the Chairman that the Federal Government owns the fee-simple title to one-half of that street, notwithstanding anything that the Department of the Interior might say.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Arkansas offers an amendment which has been reported by the Clerk. The gentleman from California [Mr. CARTER] makes the point of order against the amendment on the ground that it is not authorized by law. The Chair invites the attention of the gentleman from Arkansas to section 3779, volume 4, Hinds' Precedents, which appears to the Chair to be directly in point on the question presented. This section reads as follows:

A proposition to repair paving originally laid by the Government in a city street adjacent to a public building was held not to be in continuation of a public work.

A proposition to pave city streets adjacent to a public building was held to be without authority of law.

By reason of that decision and that precedent, the Chair feels that he is compelled to sustain the point of order. The Chair therefore sustains the point of order, and the Clerk will read.

The Clerk read as follows:

National military parks, battlefields, monuments, and cemeteries. For administration, protection, maintenance and improvement, including not exceeding $8,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, and including the maintenance and repair of the approach road to the Custer Battlefield National Cemetery and the road connecting the said cemetery with the Reno Monument site, Montana, and not exceeding $308 for right-of-way easements across privately owned railroad lands necessary for supplying water to the Statue of Liberty National Monument, $424,025.

Mr. BENNETT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BENNETT: Page 114, line 19, after the word "Montana", insert "not exceeding $25,000 for the acquisition and $5,000 for improvement of lands and buildings at Wilsons Creek Battlefield near Springfield, Greene County, Mo."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I make the point of order against the amendment that it is not authorized by law.

Mr. BENNETT. Mr. Chairman, will the gentleman reserve the point of order?

Mr. JOHNSON of Oklahoma. I reserve the point of order.

Mr. BENNETT. Mr. Chairman, I realize my predicament in view of the ruling of the Chair a few moments ago, but I hope that after a brief explanation the gentleman from Oklahoma will not press the point of order. It has recently been brought out that the Federal Government owns 162 national parks in the Nation. Missouri is one of the leading States of the Union, and yet there is not a single national park in all the Commonwealth of Missouri. Missouri furnished as many soldiers to both the North and the South during the Civil War as almost any other State in the Union.

The Battle of Wilsons Creek was the bloodiest battle ever fought on the American continent up to that hot day, August 10, 1861, when soldiers from 7 States, soldiers from Missouri, Texas, Louisiana, Arkansas, Illinois, Iowa, and Kansas met in deadly combat. Thirteen hundred and two Federal soldiers out of a total of 5,000 that day gave their lives for the Union. Twelve hundred and forty-two brave boys from the South gave their lives for the cause that was dear to their hearts. There Gen. Nathanial Lyon, who saved Missouri to the Union, gave his life for this Republic. No braver man ever marched beneath the Stars and Stripes than Nathaniel Lyon. Small of stature, inconspicuous except in manner, this red-bearded Connecticut Yankee bachelor left an indelible impression on his time. He died at the early age of 42 years. All of his property, amounting to nearly $50,000 was left to his country. Not one thing did he withhold from his beloved Union. That estate of $50,000 at reasonable interest, compounded, from 1861 to date would amount to $640,000. The little army which fought under Lyon was later to furnish the Union with seven major generals: Scofield, Stanley, Steele, Sigel, Granger, Osterhouse, and Herron, and 13 brigadier generals among whom were Sturgis, Carr, Plummer, Mitchell, Sweeny, Totten, Gilbert, and Powell Clayton, and among the Missourians who fought in the southern army at that point and later became major generals were Price, Parsons, Slack, Shelby, John B. Clark, Jr., Colten Green, and Cockrell.

Sons and grandsons of the men who fought there are interested in having a portion of that battlefield set aside as a national park. When I am at home a week seldom passes when some son or grandson of a soldier who fought at Wilsons Creek does not come to my office and wish to see that battlefield. It is now a pasture, with no improvements whatever. I have talked with Representatives from Oklahoma, Texas, Louisiana, Arkansas, Illinois, Iowa, Kansas, and my own State, and there is a feeling that this Government has too long neglected to do something in honor of the brave fellows who gave their lives on that battlefield.

Missouri was by far the richest slave-owning State, richest in slaves, richest in soldiers, richest in mining, richest in manufactures and everything that goes to wage a successful war. Had General Lyon not saved Missouri to the Union, the outcome of the Civil War might have been entirely different.

I plead with the gentleman that he not press the point of order and that this amendment be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. Does the gentleman from Oklahoma insist on the point of order?

Mr. JOHNSON of Oklahoma. Yes. I wish to make a brief statement first, however.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have been very deeply touched by the brilliant statement made by the gentleman from Missouri [Mr. BENNETT]. I think I should say that many of my own close blood relatives fought in the Battle of Wilsons Creek. I am familiar with it. I have many friends and relatives in the district represented by the gentleman from Missouri and I am familiar with that territory.

I understand the gentleman is in hopes of receiving a Budget estimate. I hope he does receive it. But at this time obviously there is no authority in law for the appropriation that the gentleman desires, and I therefore must insist on the point of order.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Missouri, is there now any federally owned battlefield or monument at Wilson Creek, Mo.?

Mr. BENNETT. There is not, Mr. Chairman.

The CHAIRMAN. The effect of this amendment would be to establish a new Federal battlefield or monument?

Mr. BENNETT. Yes, Mr. Chairman; and I realize as one who for 4 years presided over a legislative body that the point of order is well taken. I am sorry that the gentleman presses it.

The CHAIRMAN. The gentleman from Missouri in effect concedes the point of order.

Therefore the Chair sustains the point of order made by the gentleman from Oklahoma.

The Clerk read as follows:

Mount Rushmore National Memorial Commission: Any unexpended balances of funds available for obligation for the Mount Rushmore National Memorial on June 30, 1941, are hereby continued available during the fiscal year ending June 30, 1942, for the same purposes for which such funds were originally appropriated and under the same conditions and limitations with respect thereto.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

I simply want to make reference to the Mount Rushmore National Memorial Commission. I assume by the language in the bill that the balance now in the Treasury, not having been exhausted, to the credit of this Commission will be expended by the Commission as it now exists. There is this change, however, in that the original sculptor of these heads at Mount Rushmore National Memorial Park has died. As I understand it, his son is to complete the work. The expense of doing this work has far exceeded the expectations of Congress originally, but that is water over the dam. If this item now means that it is to be finally completed, it will certainly be well worth while.

There was recently presented to the Committee on the Library a bill relative to the location in the park for the remains of the sculptor. A representative of the Park Commission appeared before the committee and opposed the bill on principle, but the Committee on the Library, of which I have the honor of being a member, voted to report the bill, and it has recently been passed by the House. It seemed as though there was ample room for a tomb, where the acreage is as large as that of the Mount Rushmore Memorial Park. So far as the House is concerned, we have already agreed to allow the remains of the sculptor who designed the work there to be deposited some place within the several hundred acres which constitute the Rushmore Park.

I hope that the work of the sculptor will be completed in due time without additional expense.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Certainly.

Mr. CASE of South Dakota. I appreciate the remarks which the gentleman from Massachusetts has made. He has been the ranking minority member on the Committee on the Library, which has had charge of this work. As the gentleman has stated, the sculptor did die during the past year. The Commission made a revised contract with his son to complete the work on the heads according to the models. The gentleman may be interested in knowing that I had a letter from the son within the last week in which he stated that the work on the heads would be completed by the end of July with the money that is carried over here by the unexpended balance.

Mr. TREADWAY. I congratulate the gentleman from South Dakota on his ability to put this matter through so satisfactorily to the Congress.

I withdraw the pro forma amendment, Mr. Chairman.

The Clerk read as follows:

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 percent of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget: *Provided further*, That no part of the foregoing appropriations for the National Park Service shall be available for the payment of the salaries or expenses of any employee of the National Park Service assigned to duties in connection with the Jefferson National Expansion Memorial in St. Louis, Mo.

Mr. RICH. Mr. Chairman, I move to strike out the last word. I want to call attention to the fact that the same language with reference to the Jefferson National Expansion Memorial in St. Louis was in the bill last year; but I have picked up the St. Louis Star of May 9, in which it says that the National Park Service has spent $30,000 on this particular Jefferson National Park.

Now, it seems to me that when the Congress writes into a bill a particular prohibition, and when these bureaucrats simply take the bull by the horns and decide they are going to spend $30,000 of Government money when they were told they should not spend it, we are going pretty far. The President of the United States ought to take notice of that. If Secretary Ickes, who has been responsible for the Interior Department, is going to permit $30,000 of the Federal Government's money to be spent contrary to law by himself or one of his officers, either Mr. Ickes ought to be put out of office or the President of the United States ought to censure him for doing something that the Congress stated should not be done.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Appropriations herein made for the National Park Service shall be available for any expenses incident to the preparation and recording of title evidence covering lands to be donated to the United States for administration by the National Park Service.

Mr. RICH. Mr. Chairman, I make a point of order against the paragraph on page 118 from line 3 to line 7, inclusive, on the ground that it is legislation on an appropriation bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Hereafter fees incident to admission to the national parks and monuments and other areas in the national park system, charged and collected with the approval of the Secretary of the Interior, shall be exempt from all Federal tax on admissions.

Mr. RICH. Mr. Chairman, I make a point of order against the language on page 118, beginning in line 8 down to and including line 12, on the ground that it is legislation on an appropriation bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, we are compelled to concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam National Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the act of January 31, 1931 (16 U. S. C., 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, to be immediately available and to remain available until expended, $3,000,000, of which not to exceed $2,250,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941: *Provided*, That not to exceed $60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia: *Provided further*, That no part of this appropriation shall be available for road construction in the Kings Canyon National Park, Calif., except on the floor of the canyon of the south fork of the Kings River.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 119, line 1, after the word "expended", strike out "$3,000,000" and insert "$2,125,000", and after the word "exceed", strike out "$2,250,000" and insert "$1,375,000."

Mr. RICH. Mr. Chairman, all I want to do is to call the attention of the House to the fact that the Secretary of the Treasury said we could cut down on the nondefense expenditures of the Government. I am not offering an amendment here to cut the amount down below the amount appropriated last year. Last year for roads and trails we gave them $2,125,000. This year, however, the committee saw fit to raise the amount to $3,000,000. It seems strange after you have spent the money on roads and trails you have in the last 8 years that you now want to increase this item $875,000. Is there no help for the Treasury in this House? Will you sustain this amendment? I leave it to you. Let us see what you will do.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am greatly shocked and surprised that the gentleman from Pennsylvania would call upon this body at this time to repudiate an obligation made in last year's bill. All I want to do is to call attention to the fact that this item is simply and merely a carrying out of the contractual obligations of last year's bill.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. RICH. Does the gentleman mean to say that the item in line 1 after the word "expended" $3,000,000 is for contractual obligations?

Mr. JOHNSON of Oklahoma. I am advised that that is the case.

Mr. RICH. Where does the gentleman get his advice?

Mr. JOHNSON of Oklahoma. If the gentleman from Pennsylvania will turn to page 562 of the hearings on last year's bill he will read that this is a contractual obligation.

Mr. RICH. The amount of $2,250,000 is for contractual obligations. I am cutting them both down so that this year they will have the same amount they had last year.

Mr. JOHNSON of Oklahoma. If the gentleman will bear with me a moment I

will read that item from last year's bill. For the benefit of the gentleman from Pennsylvania I read from the 1941 act making appropriations for the Interior Department the following:

Provided further, That in addition to the amount herein appropriated the Secretary of the Interior may also contract projects, incur obligations, and enter into contracts for additional work not to exceed a total of $3,000,000, and his action in so doing shall be a contractual obligation of the Federal Government, etc.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I shall be pleased to.

Mr. RICH. Let me call to the gentleman's attention that had he continued reading he would have read the following:

Of which not to exceed $2,250,000 shall be for the payment of obligations incurred under the contract authorization under the head of the Interior Department Appropriation Act of 1941.

That is the amount of the contractual obligation. The $3,000,000 is the new appropriation.

Mr. JOHNSON of Oklahoma. That is exactly what I am saying, and that is exactly what I read.

Mr. RICH. I am cutting both items down by $875,000—at least that is what I want the committee to do.

Mr. JOHNSON of Oklahoma. The gentleman says he is cutting them down. He just thinks he is doing it. The fact is he asks us now to repudiate the Government's obligations under these contracts, the very thing against which the gentleman has been lecturing the House for quite a while.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in about 1929 the Bad Lands National Monument was first authorized by law, but it was not actually created until the Presidential proclamation of 1939, which found that the conditions set up in the act of 1929 had been met. Those conditions were that certain lands should be acquired and turned over to the Federal Government and that certain highways should be constructed. Those conditions were met, and the President of the United States made the proclamation establishing the monument. In the first year of its administration by the National Parks Service that monument ranked third of all national monuments in the country in point of number of visitors.

It was assumed that when the national monument was formally established the roads would then be maintained by the Park Service. However, the Park Service advised me in late 1939 or early 1940 that it did not feel free to take over the maintenance of the roads until a legislative act was passed by the State turning over the jurisdiction. The legislature had already met and adjourned in 1939, and it did not meet again until January of this year. In January and February of the present year the jurisdiction legislation was considered, passed, and is now an act of the State of South Dakota.

The question I would like to ask the chairman of the subcommittee is: If it is his understanding that this appropriation for the maintenance of roads and trails in the national monuments will be available, in whatever amount may properly be apportioned for the maintenance and improvement of the roads within the Bad Lands National Monument?

Mr. JOHNSON of Oklahoma. May I say to the gentleman that under his statement, in my judgment it would be clearly eligible for the Park Service to take over.

Mr. CASE of South Dakota. I thank the gentleman.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Blue Ridge, Natchez Trace, and George Washington Memorial Parkways: For continuing the construction and maintenance, under the provisions of section 9 of the act of September 5, 1940 (Public, No. 780), of the Blue Ridge, Natchez Trace, and George Washington Memorial Parkways, including not exceeding $2,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, $6,000,000, of which $4,500,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941: *Provided,* That not to exceed $50,000 of the amount herein appropriated shall be available for personal services in the District of Columbia: *Provided,* That $1,600,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose: *Provided further,* That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress.

Mr. REES of Kansas. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. REES of Kansas: On page 119, line 19, strike out "$6,000,000, of which" and after "$4,500,000" insert the word "which."

Mr. REES of Kansas. Mr. Chairman, the purpose of the amendment is to strike from this paragraph an additional expenditure of $1,500,000 included in this bill, to continue the building of what is known as Natchez Trace Parkway and the Blue Ridge Parkway. The bill provides for the expenditure of $6,000,000 this year. I would like to cut it more, but I am told contracts have been authorized and made for $4,500,000 of this money. So there is little we can do about that. As a matter of fact, I objected to this item that was in the bill last year. I tried to take it out. We were informed that it was "just an authorization" and not an appropriation of money. So we are here this afternoon with four and a half millions practically spent and not appropriated. Some of the Members, particularly interested in having this money spent in their communities, may tell you that the entire six million has been contracted. I say to you that there is no authority up to this time for the spending of the extra million and a half dollars included in this bill.

Mr. Chairman, this project is a scenic highway, or "parkway" as it is called, commences somewhere up in the mountains of Maryland or Virginia, and winds its way over and around the mountain ridges in the direction of the Gulf of Mexico. It is being built in pieces or sections in various States it traverses. I believe it is supposed to be about 800 miles in length, and will cost the Federal Government about $60,000,000 or $70,000,000 when completed. Mr. Chairman, this proposal started 4 or 5 years ago when the administration dipped into the relief funds of the Treasury and handed about $3,000,000 or $4,000,000 to the sponsors to begin this project. There is where the "camel got his nose under the tent." The next year those interested come to the Congress and asked for $4,000,000 or $5,000,000 to continue building the parkway. I think by this time more than $20,000,000 of the taxpayers' money has been already spent.

Now, here is the irony of it. This expensive road is not built under the same terms as Federal highways are built in your State or mine. This road is built entirely at the expense of the Federal Government. There is no matching of funds on a 50–50 basis. Your taxpayers and mine pay the entire cost of construction. The sponsors will make a lot of the fact that the land for the parkway is contributed by the State or the community. Mr. Chairman, that is a pretty small item when you realize that it it is nearly all rough mountain land with very little value. It is a mighty small item when you realize that road is costing $70,000 or $80,000 per mile.

Mr. Chairman, the question is asked why the funds are not matched as ordinarily done in the building of highways in this country. The only excuse is that the Government, you know, builds and maintains its highways in the national parks. So the sponsors called this road a parkway and then got the Congress to make these authorizations and contributions.

I have nothing to say to those of you who may talk about the grandeur and beauty of this mountain roadway. But I do tell you that it is a luxury that we cannot afford right now. It is a thing that we do not actually need, especially in view of the condition of the Nation's Treasury, and when we need every dollar we can save for actual defense expenses. I realize, when completed, this road will pass through a number of States, and I appreciate the zeal of those Members who are particularly interested i having it built.

Mr. Chairman, I just don't believe very many Members on this floor will even try

to justify the expenditure of these funds at this time. As I told you before, this is just a beautiful, expensive, scenic roadway that winds through the mountains of the South. Never before has anyone suggested that it might have any connection with national defense. Today it is being suggested that it may be utilized for military purposes. You and I well know, as a practical matter, it does not even belong in such a program. It is a winding mountain road being built in sections and will not be completed for several years.

Mr. Chairman, if we will only use a little horse sense, we can save $1,500,000 for our people this afternoon. No possible harm will be caused thereby.

Mr. Chairman, we have been told over and over again that we should cut and trim everything that is not absolutely necessary. And yet only a handful of this membership will have the courage to sustain my amendment. There isn't one of you who can give a good reason for voting against it. If we are in earnest about concentrating on national defense, let us do it.

Let me appeal to you that the very least you should do is to forego the spending this one and one-half million out of the six million, only 25 percent, then later on, if we can afford it, give consideration to this matter.

Another thing, Mr. Chairman, if and when this emergency is over—and we trust that it may not be too long—we will have men out of work by the thousands. We will be looking for places for their employment. It will be time enough then to give consideration to such projects. Right now we should use the money, the manpower, and the machinery directly in speeding our defense program.

Mr. Chairman, I do not say that this parkway will not be used. I do say it is not necessary at this time. Let me call your attention to a statement in the hearings as one of the important reasons for spending this $6,000,000. Here is what is said:

> Recreational aspects should not be overlooked, especially when people are under a much greater strain than during ordinary circumstances and when recreation in the form of motoring is available to such large numbers of people in the nearby cities.

In other words, we should provide this fine parkway to help relieve the strain on people who can afford to motor on it and enjoy the scenery. Mr. Chairman, by way of comparison, let me tell you that while this $6,000,000 may seem comparatively small, it equals the approximate that is contributed for a whole year for the dependent aged, the dependent children, and the blind people in my State of Kansas.

One thing more, Mr. Chairman, this Department of the Interior bill provides for the expenditure of the huge sum of $177,000,000. The committee takes credit for keeping this amount $6,000,000 below the Budget estimate. But we should know the whole story, and that is that bill provides for spending $21,469,245.61 more than last year. The committee is not to be critized too much. It is the membership of this House and their constituents who are also responsible for making extra demands. I say that where additional funds may have been absolutely necessary, reductions should be made elsewhere. Again I say, in view of an almost bankrupt Treasury, and in consideration of the people whom we represent here today, let us forego some of these luxuries and economize a little before it is everlastingly too late. [Applause.]

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from Kansas, I am fearful, is mistaken in taking the position that this is not a part of a contract authorization provided in the appropriation bill of last year. I have before me the appropriation act for the Interior Department for 1941, and it specifically provides that—

> In addition to the amounts herein appropriated, the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $6,000,000, of which $2,100,000 shall be for the Natchez Trace Parkway and shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to the mileage of said parkway—

And so forth. It then provides for the remainder of the $6,000,000—$3,900,000—to be for the Blue Ridge Parkway. So it is a contract authorization. The hearings disclose that the money is obligated almost to the full amount of the authorization.

If I understand it correctly, the amendment is to reduce this amount by $1,500,000. If I am not clear on this, I want the gentleman from Kansas to correct me. I assume that is the $1,500,000 referred to for the Natchez Trace.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I am reading from the bill, and the language of the bill is as follows:

> To be immediately available and remain available until expended, $6,000,000, of which $4,500,000 shall be for the payment of obligations incurred under the contract authorization under this head in the Interior Department Appropriation Act, 1941.

Mr. LEAVY. Correct.

Mr. REES of Kansas. I assume that only $4,500,000 could be applied to that purpose.

Mr. LEAVY. The reason the $4,500,000 is made immediately available is that it will become due in this current fiscal year. There is still $1,500,000 of contract authorization that would carry over to the fiscal year 1942, for which we are appropriating.

You will note this is one of the rare exceptions where appropriations are made that are immediately available, and it is to meet contract obligations. If the Congress thought it wise to repudiate contract authorizations made last year, we could cut this bill for the next fiscal year to a sum where there would be nothing whatever to obligate or spend, and that would be the effect of the gentleman's amendment, if it prevailed.

Mr. REES of Kansas. Does the gentleman want the House to understand that the entire $6,000,000 has already been obligated? Does the gentleman mean to say the whole thing has been contracted for, here and now?

Mr. LEAVY. I do not want to say that and I do not believe the hearings disclose that contracts have been closed upon all of this sum. Bids are out, and they were at the time of the hearings. Some of them have perhaps been let since. We have the hearings. All of these contracts are provided for before the close of this fiscal year, and they are to be cared for in the next fiscal year, but $4,500,000 of this amount, 75 percent of it, may have to be spent in the current fiscal year. That is why it is made immediately available upon the passage of this bill.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The gentleman from Kansas talks about an authorization last year. This was authorized many years ago. Under the provisions of that law, the States are to contribute the right-of-way, and large portions of the right-of-way have already been bought by the States for this purpose.

Mr. LEAVY. Exactly. The only reason this project as a whole since its inception 4 years ago has not moved forward more rapidly, now that we are in it—irrespective of the wisdom of going into it; and I believe it was a wise thing to do—is that the States through which the roadway goes were required to obtain this extensive right-of-way.

Mr. Chairman, the amendment should certainly be voted down. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I call attention to the fact that the committee has brought out a bill here with a limitation, on line 19, page 119, whereby only $4,500,000 could be used for the payment of contract authorizations. They have carried a total appropriation of $6,000,000. The amendment offered by the gentleman from Kansas would reduce the appropriation of $6,000,000 to $4,500,000, which is just the amount the committee under this bill permits to be spent to pay contract authorizations.

I believe the House ought to understand just what that situation was and not vote on this amendment under a misapprehension. If we carry this amendment, the same amount of money will be available to pay contract authorizations that would otherwise have been available, but no more money for more improvements would be permitted at this time. It is perfectly apparent that we ought not to embark on any more improvements of this kind at this time, and we ought not to do it under such a misapprehension as I gathered from what the gentlemen from Washington said.

On page 539 of the hearings, Mr. Demaray said that $4,500,000 was for actual

contract authorizations, $750,000 for parkway maintenance and protection, and so forth, and $50,000 for personal services in the District of Columbia.

Mr. LEAVY. Mr. Chairman, will the gentleman yield to me for a statement?

Mr. TABER. I yield to the gentleman from Washington.

Mr. LEAVY. If the gentleman will turn to page 546 of the hearings he will find that Mr. Demaray said this in reply to my question, as follows:

Mr. LEAVY. I notice that you have $4,500,000 of the $6,000,000 authorization available to meet the contract authorizations. What about the other $1,500,000?

Mr. DEMARAY. The other $1,500,000 is largely involved in Natchez Trace project, due to the slowness of the States of Tennessee and Alabama in acquiring rights-of-way. It will also be necessary to provide for overhead, maintenance, and fiscal and accounting services.

Mr. TABER. I have not time enough to read further, and that means there is a million and a half outside of contract authorizations which would be used for other purposes. The design of the amendment of the gentleman from Kansas is to stop this. I hope the amendment will be adopted.

Mr. DOUGHTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Kansas. We can all appreciate the zeal of the gentleman from Kansas [Mr. REES] and the gentleman from Pennsylvania [Mr. RICH], one of the ablest men in this House, for economy at this time. Knowing their fair-mindedness, as I do, I am sure that if they understood the situation as fully as some of us, they would not be offering the amendment to cut down this appropriation. In 1940 an appropriation of $2,000,000 was made to carry on the work of the Blue Ridge and the Natchez Trace Parkway, and the Park Service was authorized to enter into contracts and authorizations to spend $6,000,000 on these two great parkways, authorized by act of Congress. The Park Service advises me, and I talked with Mr. Demaray today, that every dollar of this $6,000,000 will be needed to cover the contracts already let, or the obligations already incurred, or those that will be incurred, out of the authorization of the 1940 act between now and June 30. If the gentleman does not want the Government to repudiate its obligations and if he wants to upset the work of the Park Service, then I am sure that he will not want this amendment adopted.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. RICH. Will the gentleman tell us where we can get this money?

Mr. DOUGHTON. Oh, if the gentleman from Pennsylvania knew this project as well as I do, and if he would take a ride some week-end over this parkway, he would come back rejuvenated and reinvigorated, and would look 20 years younger than he does now, although he does not now look over 40 years of age, and I am sure that he would also become one of the most zealous enthusiasts for this appropriation. I am sure, knowing the gentleman's fairness and broadmindedness, if he understood the importance of this appropriation and the obligation of the Government to carry out the contracts already made, he would not oppose this appropriation.

The Blue Ridge Parkway, when completed, will connect the Shenandoah and Great Smoky Mountains National Parks by means of a 485-mile scenic road averaging 2,500 feet in elevation. The project was started in 1935 and, since then, 304.5 miles have been completed or are under contract for grading and surfacing. A continuous paved unit of 140 miles is open to traffic between Adney Gap, Va., and Deep Gap, N. C. Another portion of the Roanoke-Asheville unit, 50 miles between Grandfather Mountain and Mount Mitchell, is graded and will be provided with hard surfacing this year.

In Virginia existing funds and funds to cover contractual authorizations will provide for the grading of 107 continuous miles between the south end of Shenandoah National Park and Black Horse Gap. Of that unit 8.5 miles have been surfaced. Work remaining to be completed in Virginia includes grading and surfacing 39 miles near Roanoke, surfacing 98 miles on other portions, and constructing the James River and Roanoke River bridges.

In North Carolina there are two gaps totaling 22 miles to be completed in the Roanoke-Asheville unit. In addition, 50 miles between Grandfather Mountain and Asheville remain to be hard-surfaced, two major structures over the Swannanoa and French Broad Rivers remain to be built, and approximately 70 miles remain to be constructed between Asheville and Soco Gap for which funds have not been made available.

The Natchez Trace Parkway, a 454-mile project connecting Nashville, Tenn., and Natchez, Miss., over the general route of the Old Natchez Trace, was started in 1937. Since then 85.6 miles have been completed or are under contract. Existing funds and funds to cover contractual authorizations will provide for the grading of 49 additional miles in Mississippi, 10 miles in Tennessee, and 3 miles in Alabama, in addition to bridges on completed sections and other work.

Mr. WHITTINGTON. Is it not also true that the preceding paragraph follows the Budget, and we have included this in the Budget, and that is all that is done with reference to the Natchez Parkway, east of the Mississippi?

Mr. DOUGHTON. Yes; and as suggested by the gentleman from Mississippi, the States have gone on in good faith and acquired the rights-of-way. The Federal Government is put to no expense, as far as the right-of-way is concerned.

Mr. REES of Kansas. And does the gentleman know any place in the whole United States where the highways are built, except in Government-owned property, where the Government pays for the building of the entire highway?

Mr. DOUGHTON. This is not a highway, it is a parkway.

Mr. REES of Kansas. That is where it gets its name.

Mr. DOUGHTON. It is just as much a parkway as is the Smoky Mountain National Park or any other national park.

Mr. RANKIN of Mississippi. And let me say in reply to the gentleman from Pennsylvania that we are going to get the money at the same place that the gentleman from Pennsylvania is going to get the money to build that fish hatchery in his State, included in this bill. [Laughter.]

Mr. DOUGHTON. And I am sure the gentleman from Pennsylvania and the gentleman from Kansas, as well as the gentleman from New York [Mr. TABER], in their ardent enthusiasm for economy, would not want the money already expended to be wasted, which would be the case if funds were not provided for completing this parkway. There are certain gaps, and unless they are closed, the whole expenditure of money would be thrown away.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DOUGHTON. I regret my time has expired.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

[Applause.]

Mr. RICH. Mr. Chairman, I rise in support of the amendment.

The first thing, I want to tell you about the fish hatchery. The first fish hatchery that was started under the White Act was started in the district of my predecessor and my own district. They have never finished it. If they get the $15,000 that is in this bill they will probably finish it. That was 12 years ago. The amount of money that they give to my district would not build a twentieth of a mile of this parkway.

The Blue Ridge Parkway is 485 miles. The Natchez Trace Parkway is 454 miles. As was said by the gentleman from Kansas [Mr. REES], there is not anything like it that was ever started in this country in the construction of what they call a parkway, almost a thousand miles long, 800 feet wide, where they are building the highway down through the grand old South, and the Federal Government is going to pay all the expense. We have contributed for this parkway up to this time on the emergency allocations $3,313,000. We have regularly appropriated $18,226,000. We are asked now to contribute $6,000,000 for the contract authorizations that were made last year. This project, when completed in its entirety, will cost $61,000,000 or more.

Now, we have been talking about national defense. If there is anything in this bill that is considered for national defense, I do not know what it is, because in times of national emergency they would not let the big Army trucks go on this highway. They say that this is made for pleasure vehicles.

Mr. FORD of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. RICH I want to say this with reference to the gentleman from North Carolina [Mr. DOUGHTON]. There is

nobody I respect any more than I do the gentleman from North Carolina, but if I thought I could go down over that highway and become 20 years younger, I would not object to 1 cent of this money being spent, because I want to find that fountain of youth. But I do not think that is going to make me 20 years younger. I think it will make the people of this country all 20 years older, because they will have to bend their backs to carry the tax bill which I hope the gentleman from North Carolina is going to bring in here; a bill, say, for about $3,500,000,000 or more. I hope he brings in a bill for $5,000,000,000. It will be necessary. I will support it, because we need to save this country. We do not want to bankrupt this country. I hope the gentleman will bring in a bill that will total $5,000,000,000, because it is necessary to get that money to save our country from bankruptcy.

Mr. DOUGHTON. Will the gentleman yield?

Mr. RICH. Yes, I yield to my distinguished colleague.

Mr. DOUGHTON. The gentleman has expressed the hope that we will bring in a bill for $5,000,000,000. Will he help us find the source where we can get the $5,000,000,000?

Mr. RICH. I will do my best. I would say lower the income-tax brackets and make everybody in this country with an income of $500 who is single, and $1,000 for married people, pay a tax. That is where you should start. Do not bring in a bill without that, please.

Mr. DOUGHTON. We want all the help we can get, especially from broad-minded, patriotic gentlemen like the gentleman from Pennsylvania.

Mr. RICH. Tax the Members of Congress about 20 percent and see whether that will get any votes. [Laughter.]

Now, according to the justification, the estimate of $6,000,000 represents the amount of the contract authorizations in 1941 appropriation item for parkways. Of that amount $4,500,000 is to cover actual contract authorizations. This is the statement that was made by the Interior Department. So if you cut out one and one-half million dollars, as provided in the amendment offered by the gentleman from Kansas [Mr. REES] I do not think we will repudiate any of the obligations we have made. I believe, from the standpoint of national economy, from the standpoint of the National Treasury, from the standpoint of common sense and good, sound business judgment we ought to support this amendment.

We have offered about 25 amendments and we have not saved anything. Here is the place where you can save some money. Let us do it.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The motion was agreed to.

THE NATCHEZ TRACE

Mr. RANKIN of Mississippi. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the gentlemen who have preceded me in opposition to this appropriation for the Natchez Trace talk about this being for a road and say this money should be used for national defense. One thing we are short on in our national-defense program is highways. We are going to have to build some highways before this defense program is over; highways such as this one, or wider.

On this Natchez Trace highway the States have furnished the entire right-of-way. We are going to have to build highways where the States will not furnish the right-of-way before this defense program is completed. Look what is happening in Europe, where the highways have been congested, in the present war. This Natchez Trace highway is being constructed to take care of such an emergency.

The gentleman from Kansas [Mr. REES] talks against this highway and says he does not even know where it is, where it begins, or where it ends. I will tell him where it is. When we needed a highway of this kind for national defense, old Andrew Jackson was in command of the American forces, and he went over this highway, he and his ragged veterans, from Nashville to New Orleans, where they "taught the newly fledged American eagle to match his talons with the lion's strength."

To stop it now merely to cut down this small expense after we have asked the States to provide the right-of-way and they have purchased the land and are ready for the work to continue—to stop it after all the work that has been done would be, in my opinion, sheer nonsense.

I want to say to the gentleman from Pennsylvania [Mr. RICH] that I was simply joking him about his fish hatchery. I am for it. When we got our fish hatchery in Tupelo, one of Private John Allen's friends said there was a sucker born in Tupelo every minute. [Laughter.]

I am sure there will be one born every minute in that section of Pennsylvania when he gets that hatchery completed. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken; and on a division (demanded by Mr. REES of Kansas) there were—ayes 39, noes 67.

So the amendment was rejected.

The Clerk read as follows:

Historic sites and buildings: For carrying out the provisions of the act entitled "An act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666), including personal services in the District of Columbia, $20,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 120, line 25, after the figures "$20,000", strike out the period, insert a colon, and the following: *"Provided,* That no part of this or any other appropriation contained in this act shall be used to pay the compensation of any person who prescribes or collects any visitation fee on account of any person visiting the shrine in the District of Columbia known as the house where Lincoln died, or who shall have entered into any contract with any concessionaire under which such concessionaire is permitted to charge any fee from any person on account of visiting such shrine."

Mr. DIRKSEN. Mr. Chairman, last month occurred the seventy-fifth anniversary of that sad day when the embodied genius of Abraham Lincoln was blacked out. To me he was a rather mystic blend of heaven and earth, an amazing genius who came, I think, ordained by some strange prescience, at a time when he was needed to hold this country intact.

Every year sees Abraham Lincoln's glory enhanced, and every generation finds new glory for him. To me Abraham Lincoln has a strange and magic effect upon people. The hardened hawkers of Washington are somehow softened under his spell. I have seen children with great wide eyes of reverence stand and view the seated Lincoln in the suffused glow of the twilight. They report that nearly 2,000,000 people stood and reverently contemplated Lincoln's Memorial in 1940. Whether it is a soldier, a general, or a buck private, or a diplomat, or a debutante, or who it is, they all hearken to the spell of Abraham Lincoln.

I submit to you this afternoon what a travesty for an opulent government that spends money with such lavishness to charge 10 cents each for the people of this country to visit the place where the soul of Lincoln took flight. You can stop it by adopting this amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield to no one in my respect and admiration for the memory of Abraham Lincoln. He was not only a great man, a good President, and a real friend of humanity but it is now generally conceded by all fair-minded people that the South had no better friend than Abraham Lincoln.

Moreover, it is possible that the modest charge now being made for those who visit the building where President Lincoln died cannot be justified. The fact is, as one member of the committee, I would be glad to go with my friend to the Park Service and make the suggestion that the 10-cent fee be eliminated; but may I suggest to my good friend, the gentleman from Illinois, that this is not the proper way to take care of this situation? It is a bad precedent at this time to start eliminating charges at any of the parks, monuments, recreational centers, or other places where they are now charging the public. It is possible that the Park Service is charging at other places where possibly it should not. But the Park Service is not the only organization that charges the public for visiting sacred and historic spots. Take the case of Mount Vernon. I have many complaints, for example, against a charge that is being made to school children who visit the home of the Father of our Country. Frankly, I think it unfortunate that school children must pay to visit Mount Vernon. Maybe that can be justified. I realize that it is owned by private individuals and also

that someone must keep that place in repair. Just as every school boy and girl should be permitted to visit the beautiful and historic home of George Washington, I agree that they should also visit the house where Lincoln died without charge.

If this amendment, however, is accepted at this time there is likely to be other demands to eliminate charges at many other places. If the gentleman will review the hearings, he will find there are many places where much higher charges are made.

This committee is faced with the rather unusual paradox this afternoon of the ranking member of the Appropriations Committee complaining bitterly that the Park Service is not charging enough in many places, and another member of the committee saying we ought not to make any charge at all at one place. Let me respectfully suggest that our friends on the minority ought to get their heads together. [Laughter.] Seriously, I am sure that the Park Service will be glad to cooperate with the committee in this, but I really feel it is a bad precedent at this time to write this prohibition into the bill.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. After we laud the great Lincoln for what he said and for his frugality, may I say that Lincoln did believe in seeing that the country was kept solvent. If he were here, he would not object to our charging an admission fee in order to try to carry on that building as a museum, so that it will not be an expense to the Federal Government in times like this. I believe Lincoln would approve it if he were here, and I hope there will be no reduction in any fees that are now charged those who visit these shrines, whether it be Lincoln's shrine or any other shrine, because the solvency of the country certainly requires that these admission fees be retained. I hope the amendment will be voted down.

Mr. WHITE. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Idaho.

Mr. WHITE. I wonder if the gentleman from Pennsylvania is in favor of charging an admission to the Washington Monument and the Lincoln Memorial? We could get a big revenue there.

Mr. RICH. I would so recommend at this time of such great need for funds to keep this country from going into bankruptcy, we are on the very verge of it—the enormous deficits of the past 10 years have created the greatest debt our Nation has ever experienced; it is twice as great as it was after the World War at the highest point.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

Mr. DONDERO. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, the amendment offered by the gentleman from Illinois seeks to strike from this bill the charge of 10 cents to visit the old Ford Theater, where Lincoln was assassinated, and the house in which Lincoln died, at No. 516 Tenth Street, in this Capital City. I do not know by what authority the Department of the Interior ever levied that charge to visit those two places.

The chairman of the committee has raised the question that protests and objections have come to him because of the charge to visit the home and the shrine of the Father of Our Country. This property does not belong to the Federal Government. It belongs to an association. That is not true of the house in which Lincoln died or of Ford's Theater, where he was assassinated. Both of these places belong to the Federal Government.

It seems to me that at a time like this, and under conditions in which we find our country today, this Congress could do much to preserve for the American people and the children of the rising generation the great characters of our Nation by making it just as easy as possible to visit these shrines without charge.

I know that many thousands of people come to the city of Washington, and they do not even know that Ford's Theater is open to the public until they are told. Invariably, when they find it out, they make the visit. Incidentally, may I say that 600,000 people more visited the Lincoln Memorial than visited the Washington Monument in 1940. I do not say that it is because they love Washington less or Lincoln more; but it does show the interest of the American people in the two greatest characters ever reared on the Western Hemisphere.

Let us adopt the amendment offered by the gentleman from Illinois and preserve those two places. Let us make them available for the youth of this land and the rising generations of America to see where one of the greatest men who ever walked across the pages of history in the last 500 years died, where his soul took flight, and where he made the supreme sacrifice for the Government of the United States.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this debate reminds me of an effort I made many years ago, carried on unsuccessfully, to restore to the custody of the United States Government and remove from the control of the organization now owning Mount Vernon the greatest shrine in this country where today there is a definite charge of 25 cents for all admissions, even including children. If there is one place this Government ought to own and take care of, if there is one place that ought to be conducted free for the American people, it is Mount Vernon. Certainly this is the greatest shrine in this country and ought to be recognized as such by this Congress. I have protested without avail against the control of that property by a self-pepetuating organization of women. I respect women tremendously, but I think here is one occasion where they ought to step aside and have that shrine given over to the control of the Federal Government for the people of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN), there were—yeas 51, noes 43.

So the amendment was agreed to.

The Clerk read as follows:

Recreational demonstration areas: For administration, protection, operation, and maintenance of recreational demonstration areas, including not exceeding $10,000 for the purchase, operation, and repair of motor-driven passenger-carrying vehicles, and including not exceeding $4,000 for the purchase of land, including expenses incident thereto, $234,000.

Mr. RICH. Mr. Chairman, I make the point of order against the language on page 121, from line 12 to line 18, inclusive, that it is legislation on an appropriation bill, not authorized by law.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I call the attention of the Chair to the fact that the recreation areas referred to in the language against which the gentleman has raised the point of order are now in existence. They are owned by the Federal Government and are now actually going concerns. They were, as you will recall, established from emergency funds. Having been established, they are authorized as going concerns. I cite as a precedent section 1280, volume 7, of Cannon's Precedents.

The CHAIRMAN (Mr. COOPER). The gentleman from Pennsylvania makes the point of order against the paragraph appearing in the pending bill on page 121, lines 12 to 18, inclusive, that it is an appropriation not authorized by law.

It appears to the Chair that the Government, already owning the recreational areas mentioned here, would certainly have the right to appropriate funds for the administration, protection, operation, and maintenance of these areas.

In that connection, the Chair invites attention to section 1280, of volume 7, of Cannon's Precedents, and reads the following sentence:

An appropriation for expenses of the General Staff College was held to be in order on an appropriation bill.

It appears under the authority of that precedent, and for the reason stated, that the appropriation is authorized, and the Chair overrules the point of order.

Mr. TABER. Mr. Chairman, may I be permitted to call the Chair's attention to something?

The CHAIRMAN. The Chair will be pleased to hear the gentleman from New York.

Mr. TABER. In line 16 are the words—

and including not exceeding $4,000 for the purchase of land.

That is absolutely without any authority, and that being without any authority, the whole paragraph is without authority.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Oklahoma, the chairman of the committee, is the land referred to here adjacent to the areas which the Federal Government already owns?

Mr. JOHNSON of Oklahoma. I may say to the Chair that the land in question is all within the park area and surrounded by the park area. I would be pleased to send a map to the Chair so that he may see the situation, if he so desires.

The CHAIRMAN. It was the Chair's understanding that that was the situation; so, clearly the appropriation is authorized by law.

The Chair overrules the point of order.

The Clerk will read.

The Clerk read as follows:

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, acquisition, and operation of fish-cultural stations, general propagation of food fishes and their distribution; propagation and distribution of fresh-water mussels; purchase, collection, and transportation of specimens and other expenses (including not to exceed $5,320 for personal services), incidental to the maintenance and operation of aquarium; and all other necessary expenses, $1,055,230, including $15,000 for commencing the establishment of a fish cultural station in the vicinity of Houston, Tex., including the purchase of land, the construction of buildings, ponds, water supply, improvements to grounds, purchase of equipment, and other necessary expenses.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 123, line 10, after "stations", insert "including the erection of necessary buildings and other structures."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I may say that this is simply a perfecting amendment, and money is included in the bill for this purpose.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I very seldom rise to support an increased appropriation, but this is such a modest one that I believe I am perhaps justified in doing it.

I note on page 19 of the committee's report that included in the amounts under this item is an additional amount for fish food, $25,000. I do not believe any money could be more appropriately expended than this amount, as it means an increased production from hatcheries for the benefit of the fishermen of the country. Fishing is one of the great sports of the country. In addition, the commercial aspect of propagating fish is well worth while and produces a livelihood for many people. I believe the committee has done well to add this amount to the general appropriation.

In that connection, Mr. Chairman, I wish to thank the subcommittee and its able chairman, the gentleman from Oklahoma, for the courtesy extended to me when I appeared before the committee in behalf of a very small item that they kindly included in this fish-hatchery appropriation, an item for food for fish. The Federal hatchery at Hartsville, Mass., will be able to greatly increase the output which sportsmen throughout the section will enjoy. I appreciate the courtesy extended to me by the gentleman and his committee associates.

Mr. JOHNSON of Oklahoma. Permit me to say in reply to the gentleman that we thank him for his very kind statement. May I also make the observation that in spite of anything we want to do, personal equations do enter into these things. Although the members of the committee had not visited this hatchery, we were so impressed by the statement made by the gentleman and influenced by our profound respect for him that we actually earmarked some of this food for the hatchery in his State.

Mr. TREADWAY. I thank the gentleman for his kind words, and particularly for including in the appropriation the item in which I am interested.

[Here the gavel fell.]

Mr. CREAL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, as the standing vote does not show who voted, I merely wish to say that I voted for the Dirksen amendment, with good and sufficient reasons. This amendment has to do with the place of death of Lincoln. In my county is located the place where Lincoln was born, several acres, with buildings, cabins, and so forth. We make no charge for visiting that place. Should there be a proposal to make such a charge, I would be very much inclined to oppose it with all my might. Such a charge does make a difference. If an automobile loaded with five or six members of a family passed in front of such a building, 300 or 400 yards away from it, and they had to pay 10 cents apiece, or a total of 50 or 60 cents to see it, it just means they would not go in and would not see it. So I want to be consistent. I do this merely to get it into the RECORD, because I might have occasion some day to fight in self-defense, and in that case I would ask my good Republican friends to assist me. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

The unobligated balance of the appropriation remaining under the limitation of $155,000 to establish or commence the establishment of stations authorized by the act approved May 21, 1930 (46 Stat. 371), contained in the Department of Commerce Appropriation Act, 1940, under the head "Propagation of food fishes," which was continued available during the fiscal year 1941, is continued available during the fiscal year 1942, and the unobligated balance of the appropriation remaining under the limitation of $120,000 for the establishment of stations in Arkansas and Mississippi, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pa., and on Williams Creek, on the Fort Apache Indian Reservation in Arizona, contained in the Interior Department Appropriation Act, fiscal year 1941, under the head "Propagation of food fishes," is continued available during the fiscal year 1942.

Mr. HOOK. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 124, in line 4, strike out "$120,000" and insert in lieu thereof "$105,000," and strike out all after the comma, after the word "Oklahoma," down to and including the word "Pennsylvania," in lines 6 and 7. In line 12, strike out the period, insert a colon and the following: "*Provided further*, That none of these funds are to be expended for the further development of the station at Lamar, Pa."

Mr. HOOK. Mr. Chairman, economy, like charity, begins at home. I do not believe we should exceed the Budget. This was never recommended by the Budget. In fact, if you will look in the hearings, on page 844, you will find the following, listed among others:

Lamar, Pa., buildings improvement, $10,000.

This came here in the bill for $15,000. Then you will find, on page 841 of the committee hearings, the following colloquy:

Mr. RICH. Would that put it in operation?

Mr JACKSON. Yes.

Mr. RICH. To make it an economical operating unit?

Mr. JACKSON. Yes; to make it an economical unit.

Mr. RICH. When you made a request to the Bureau of the Budget, did you have that included in your report?

Mr. GARDNER. To do the work on existing hatcheries, there was included $96,000 for development work at stations in general.

Mr RICH. Did you include the $15,000?

Mr. JACKSON. That was not itemized as such.

Now, the Bureau of the Budget did not recommend it. As I understand, last year there was $20,000 for this project which was in excess of the Budget and was not recommended by the Bureau of the Budget. If we are going to have economy, let us have economy. Let us not come up here and holler economy when it comes to somebody else's district, but forget all about economy when it comes to our own district. You know there is a great difference, and I feel that if we are going to cut down, if we are going to have economy that is fine, but if we are going to appropriate, appropriate, and ignore economy, if we are going to exceed the Budget, it should come from some other source than the gentleman from Pennsylvania [Mr. RICH]. I have heard him continuously propound the question, "Where are you going to get the money?" I would like to know where we are going to get this $15,000. He may have some sleight-of-hand magic that he does not care to expound to his colleagues.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOOK. No; I cannot yield at this time. I call attention to a further statement under the section "Fish and Wildlife Service," on page 1346. The gentleman from New York [Mr. TABER] appeared before the committee, and in speaking of the fish and wildlife service, he said, "I feel this is a racketeering outfit." Now, the gentleman from New York has fought for and asked for economy at all times. He stands before this Committee and he says that this is a racketeering outfit because they would not allow an excessive amount for land in his district. The gentleman from

Pennsylvania [Mr. RICH] says, "Let us cut down on everything." Still he wants to exceed the Budget, because it is in his own district, and yet at the same time his friend and colleague says that the very agency he expects to spend $15,000 in his district is a racketeering outfit. I cannot agree that it is a racketeering outfit, but it is not recommended by, and also exceeds the Budget. I think we ought to cut it out. We should practice economy by adhering to the Budget and follow the advise of the gentleman in this particular instance.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. Yes.

Mr. McCORMACK. Of course, we all know that the gentleman from Michigan has a very kind heart, and we all know that he does not want to confuse this item with any remarks that might have been made by the gentleman from New York [Mr. TABER], and my understanding is that this is a very deserving project. I hope that my friend from Michigan will not press his amendment.

Mr. HOOK. Of course, I have been swayed by the arguments of the gentleman from Pennsylvania. He has preached economy and wants to adhere to the Budget. I want to agree with the genial gentleman.

Mr. McCORMACK. I know, but I wonder if my friend realizes that the gentleman from Pennsylvania is very sincere. That is one thing about him, and another thing about the gentleman from Pennsylvania, because of his sincerity, is that he has a very unifying effect upon the members of the Democratic Party. I hope the gentleman from Michigan will not press his amendment.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. Yes.

Mr. FITZPATRICK. I rise to say that the gentleman from Pennsylvania [Mr. RICH] did not request this $15,000.

Mr. HOOK. But it still is in excess of the Budget. He did not object to the inclusion of it in this bill. If the gentleman from Pennsylvania wants to exceed the Budget; if he does not want to cut down this bill and wants to ignore his advice on the question of economy, I would be willing to withdraw my amendment. I hope we will not be chided by the gentleman from Pennsylvania any more, since we have now discovered the fact that he does not want to practice what he preaches.

The CHAIRMAN. Does the gentleman from Michigan withdraw his amendment?

Mr. HOOK. I withdraw the amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States; investigations and experiments in respect to the aquatic animals, plants, and waters in the interests of fish culture and the fishery industries; and maintenance, repair, improvement, equipment, and operation of biological stations, $476,475.

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Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 125, line 5, strike out "$476,475" and insert "$511,475."

Mr. DIRKSEN. Mr. Chairman, I am always fully conscious of the fact that I bear an extra cross in view of the economy admonitions that have resounded in this Chamber not only today but on many other days. I also recognize the fact that I have been one of those stern economy advocates ever since I have been here. But there come times, of course, when a little money judiciously expended is really in the interest of economy. [Laughter and applause.] It can be so easily and so generously illustrated. I have always thought of national defense as a component of guns and airplanes, soldiers in uniforms, barracks, and all that sort of thing. But there are some items of national defense that do not meet the eye. For instance, let me say to all of you hunters and fishermen, we will have 1,500,000 young men scattered over the country in cantonments and in a little while we may have 2,500,000. That is the equivalent of 25 cities of 100,000 population. Have you ever thought of the difficulty that confronts every city of that size with respect to sanitation and sewage disposal? What does the Army do? In some instances, some of this raw sewage may find its way into the streams of the country. That is item No. 1. It must have proper care. Secondly, it came to my attention recently from the Bureau of Biological Survey that some of the Army and Navy bombing squadrons, while training, while practicing gun fire, were dropping shells upon the spawning grounds of some fish. The President recognized that fact because he set up a liaison officer between the Army and Navy and the fish and wildlife service in the hope that something might be done to preserve the spawning ground and preserve intact, free from contamination, those streams that are fish-breeding streams today. Finally, the waste of many defense plants may find its way into fish-bearing streams.

Consequently, I think they need a little extra money. They need seven additional persons and two mobile field units, all of which can be obtained with $35,000. That ought to persuade itself to everybody who is interested in conservation and everybody who has held a fishing rod over a stream in the hope of catching a member of the finny tribe.

I respectfully suggest that this would be a very judicious expenditure, in view of the tremendous preparation program now being undertaken, in the hope that if spawning grounds or streams are to be contaminated or destroyed, this money can be used to preserve them.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. COCHRAN. I think the gentleman has put his finger on a very important subject. I had the Bureau of Public Health send one of its doctors or sanitation men out to Missouri to make an investigation to see what they are going to do with reference to polluting the mountain streams of Missouri, where they are building a camp to take care of 70,000 men. There are about six streams affected there. They are also liable to do the same thing with the Missouri River. They went out there. The only answer I got was that the Army said they were going to take care of that. The question is, Are they going to take care of it? They should be made to take care of it before those camps are opened, because once they pollute those streams they are gone forever as a place for the people of this country to enjoy some recreation and some fishing.

Mr. DIRKSEN. I am glad the gentleman from Missouri will join with us in voting for this amendment.

This particular agency at one time was in the Department of Agriculture appropriation bill and came before the committee on which I have served. I have given considerable time to this over a period of years. So I have followed the fortunes of the Biological Survey, which has been transformed into the Fish and Wildlife Service, and I firmly believe they need this money.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to intrude upon the gentleman for just an observation pertaining to my splendid colleague from the great Southwest, who is showing such magnificent concern about fish and their offspring and who will let the poor Indian go bare naked. [Laughter.]

Mr. DIRKSEN. I urge you, I importune you, to adopt this amendment, because I think they need this money.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am always reluctant to oppose any amendment offered by the distinguished and able gentleman from Illinois [Mr. DIRKSEN]. I am also reluctant to oppose any amendment that could be of any possible benefit to the Fish and Wildlife Service, for which I have a very high regard.

I feel that the funds Congress is expending for the Fish and Wildlife Service is money well spent, but let me call attention to the fact that we are now appropriating in this item of this bill $97,000 more than was allowed for the same item in the current year. There are many other items in the bill the committee would like to increase if it were possible to do so. But we could not do so and at the same time bring this bill to you reduced over $6,000,000 below the Budget estimates.

There is, of course, no Budget estimate for this proposal. The gentleman did not appear before the subcommittee in support of this item. Nor did he make a suggestion to the committee indicating his desires in order to give members an opportunity to study the matter, nor did he present this proposal to the full com-

mittee. I think, therefore, it is only fair to this committee to say that we did not have an opportunity to investigate it. I hope the gentleman will get a Budget estimate for it so that we shall be able to help him.

Perhaps I should suggest "off the record" that when this bill gets toward the other end of the Capitol the chances are it will not be held down to the $6,000,000 below the Budget estimate. The gentleman, who is very astute in usually getting items he is especially interested in, of course, still has a chance to run down to the other end of the Capitol. He knows what happens when bills get to the other body. I am not making any predictions, but frankly I am one Member who will not be greatly shocked if and when the gentleman slips over to the other end of the Capitol and gets his item in the bill later. [Laughter.]

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. MUNDT. I yield.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Chairman, I know of the interest of the chairman of this subcommittee in conservation and wildlife and clean streams. I want to call to his attention that the reason for the request made in the amendment offered by the gentleman from Illinois is because the problem was not called to the attention of the Fish and Wildlife Service in time for it to make the proper appearance before the subcommittee when it was holding its hearings.

I have in my hands a copy of a letter which President Roosevelt wrote to the Secretary of the Interior, dated February 21, recommending at that time that this service be instigated, pointing out that it was highly essential if we are going to have adequate care for not only the natural resources of the country but the human resources as well that careful steps be taken not to increase the pollution problem in America. After this letter had reached the Secretary of the Interior, he called it to the attention of the Fish and Wildlife Service. At that time they could no longer appear before the committee to make the proper presentation to secure these funds.

I submit that the gentleman from Illinois speaks correctly when he says this is an economy measure. There is no economy, let me assure you, in risking an epidemic in this country. If we pollute these streams needlessly without giving adequate attention now to this new problem because of these Army camps and this great industrial activity, and an epidemic takes place, it will not take very long before costs will exceed by many times the $35,000 requested by the Fish and Wildlife Service. Not only will a vast sum of money be spent to curb the epidemic, but the problem will still remain unsolved. Here is a case of where an ounce of prevention is worth a pound of cure.

Let me call your attention also to the fact that in the last Congress the House twice appoved a bill to quarantine the pollution problem of America for which we were at that time willing to spend $250,000. The same bill in a different form passed the Senate, also carrying $250,000 for this purpose. Because of differences in the conference committee the bill died in conference. We now have an opportunity with $35,000 to set up investigatory machinery, to set up some field units to go out to these Army camps and into these industrial areas to work with those in charge of these construction jobs to see to it that the pollution problem is not aggravated. We have not yet taken any steps to correct it, we have not yet quarantined it. Let us at least take steps now not needlessly to make the problem worse than it is at the present time. It seems to me such action is economy. It is not extravagance. I think the President and I think the Fish and Wildlife Service are eminently correct in making this request of us at this time, and I believe it will bear rich dividends to the Congress.

I urge you in the interest of economy to vote for this $35,000 appropriation, which is a very reasonable insurance premium to pay to make sure the pollution hazard does not so greatly increase during the defense program that it will endanger our already rapidly diminishing natural resources, completely pollute our Nation's streams and lakes, and jeopardize the public health of America.

I especially urge those of you along the great Ohio River to support this legislation, because the rapidly expanding industrial units in this area may well push the problem of pollution there beyond the point of public endurance. Take the city of Cincinnati, Ohio, for example, which is already suffering from the crime of pollution to the extent that its drinking water is now pumped from the same river reservoirs which receive its sewage and industrial wastes. Defense expansion will increase the pollution peril in Cincinnati and in cities farther down the Ohio River unless the Government takes steps to safeguard the public health as new defense establishments come into being. Here is a practical opportunity to do something constructive about the rapidly increasing pollution problem in the Ohio River, and you Members from that section of the country should be up here supporting this amendment.

This amendment will not correct the existing pollution menace, and we who have been fighting the battle against illegitimate and ill-advised pollution do not consider it an answer to the existing problem in any sense of the word. But, on the other hand, it is a step forward, and it does provide a means of offering Government assistance so that new expansions will not ignore the rules of public health and the creed of sound conservation in construction of Army camps and defense industries. If this House so late in the day and with so few Members presently on the floor declines to approve this amendment, I hope it will be added in the Senate; but I hope that those of you who are here now will support this constructive step to give official guidance to the end that the pollution problem will not be needlessly aggravated as we move forward with our great national-defense program. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 27, noes 49.

So the amendment was rejected.

Mr. JACKSON. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JACKSON: On page 125, line 5, strike out "$476,475" and insert "$501,475."

Mr. JACKSON. Mr. Chairman, in asking my colleagues for this amendment increasing the moneys appropriated for "Inquiry respecting food fishes, Fish and Wildlife Service" by $25,000, I wish to bring to your attention the critical situation of an industry vital to national defense.

Principally because the money necessary for scientific research into the supplies of herring available to commercial fishermen in Alaska has not been provided to the Fish and Wildlife Service, that Service has deemed it necessary this year to cut fishing quotas and close fish-reduction plants, halving the normal production of Alaska herring oil.

The defense industries which rely upon herring oil will be seriously hampered unless something is done to push production back up to the average yield of approximately 5,000,000 gallons of oil.

The Fish and Wildlife Service estimates that an additional $25,000 will enable it to conduct a limited year-round survey of the fishing grounds. The spawning grounds of the herring in southeastern Alaska, Prince William Sound, and the Kodiak district could be studied. The tagging of fish, now carried on in a limited way in southeastern Alaska, could be extended to the other two main herring districts in order to learn the migration habits of the fish and give a better indication as to the abundance of fish in those areas.

The existence of such a research program would undoubtedly enable the Fish and Wildlife Service to meet the present emergency by relaxing somewhat the restrictions placed on the industry.

The war has cut off from American industry the supplies of Norwegian cod and herring oil normally used for vitamin feeding of poultry, cattle, and other stock, for the tanning of leather, for paint and soap manufacture. These processors have turned to Alaska herring oil as a substitute, making it imperative that domestic production be kept at the highest possible level. The leather people, busy on defense orders, are particularly concerned.

The importance of a full operation of the herring reduction plants in Alaska

this season has been recognized by the Bureau of Materials of the Office of Production Management. And the President, by a proclamation issued March 27, has put fish oil under the export control system.

Yet, as matters now stand, half the fishermen who ordinarily go north next month to harvest the herring crop will stay in their home ports on Puget Sound. Half the plants will be closed and half the herring oil needed by defense industries will not be produced.

If this situation were caused by a strike, there would be headlines, and perhaps some of my colleagues would make a speech or two. In this case, however, closed-shop agreements between the employers and the unions covering fish prices and wages have already been signed, following a very short period of negotiation. Cooperation has reached a point that might well be copied by other groups. One man, a fisherman, has been designated by both the labor unions and the operators' association to speak for the entire industry in all dealings with the Department of the Interior, which has jurisdiction over the regulation of Alaska fisheries.

No; the seat of the trouble is right here in Washington, D. C. And Congress must shoulder its full share of the blame for not appropriating for the Fish and Wildlife Service the sums needed for a modest inquiry into the herring problems.

In order to work out fishing regulations, the Fish and Wildlife Service conducts a program of scientific research. With regard to the herring industry, however, the extent of that research, due to the small budget available to the Service, is such as to make estimates of the abundance of fish very difficult.

The present Alaska herring investigation has a staff of only one man and operates on a budget of $7,500, which must include wages, transportation, maintenance in the field, scientific equipment, and so forth. It is patently impossible to conduct a survey of a complex industry stretching over a couple of thousand miles of coast line with such limited facilities.

Lacking sufficient scientific data, the Fish and Wildlife Service has had to pretty much shoot in the dark on quotas for the herring industry. The Service has taken the position that to err on the side of conservation is wiser than to take a chance on depletion.

The few thousand dollars it would take to conduct a minimum program of research in each major herring fishing district would make it possible to much more closely estimate the amount of fish that can safely, from the conservation point of view, be taken from the present fishing grounds. It would open new grounds. It would, I am convinced, lead to an expansion rather than a cut in production.

The small investment in this field recommended by my amendment will pay big national-defense dividends.

There is an element of grim humor in the fact that the regulations cutting down on Alaska's herring-oil production were issued by the Department of the Interior on March 4. For Germany and Britain are waging in the North Sea a side battle for fish oil. And it was on March 4 the English Navy staged its sensational raid on the Lofoten Islands. The raid's purpose was to destroy the herring-oil factories and storage tanks.

A few days ago the papers carried a Stockholm dispatch stating that fish—hungry Norway's last unrationed food—would be henceforth rigidly controlled. No cod or herring can be sold fresh for food or salted down without special permit from the Nazis.

According to the article, this step was taken so that the bulk of all fish caught can be reduced to fish oil and fish meal. The brown-shirt blitzkrieg machine needs fats and vitamins to balance the diet of the Army and of industrial labor. And even more important, the news story continues, fish oil is an important element in the manufacture of certain explosives.

Germany's gain is our loss. America's leather-tanning industry last year used 12,000,000 pounds of Norweign cod oil. With the source of supply cut off, it had to find a domestic substitute. The mixers of cattle and chicken foods, the paint manufacturers, and others are in the same fix.

These people find that Alaska's herring oil fills the bill. The problem is to secure a sufficient supply.

The 1941 fishing season is at hand. The hardy fishermen who harvest the herring crop from the high seas and from the bays and inlets of the Alaska coast, are getting their boats and nets into shape for the annual trek north from Puget Sound. Plant operators are lining up their shore crews, purchasing supplies.

The fishing season lasts but 3 months. Everything must run smoothly and at top speed in order to turn a million barrels of herring into 5,000,000 gallons of herring oil.

What I say here is not meant as criticism of the Fish and Wildlife Service. The Service is charged by Congress with responsibility for protecting the natural resources in Alaska waters in the interest of the general welfare. It is proper that the Fish and Wildlife Service regulate to prevent overfishing.

It must also be remembered that although the 1941 fishing regulations were not issued until March 4, the drafting of them occupied several months before that, during which time the importance of this problem to the national-defense effort was not as clear as it is now.

However, since the problem now is a great deal broader than the welfare and investments of Alaska's fourth largest industry, it is appropriate to examine whether there is not some way to maintain the production level demanded by national defense.

Some temporary solution of the problem of maintaining the proper level of production this year must be found. The industry and the unions are working on that problem with the Fish and Wildlife Service now. A modest and practical plan has been jointly proposed to the Service by the interested groups. The industry's recommendations are designed to maintain production insofar as is possible by shifting the burden onto unexplored areas.

I am confident that in the conferences now being held, adjustments will be made to avert the impending crisis in the production of this defense material.

As a matter of fact, many difficulties might in the future be avoided by closer cooperation between the industry, the unions, and the Department of the Interior. The Department might well follow the procedure used by many administrative agencies in giving advance notice of intention with regard to regulations. Thorough discussions could then take place before the final issuance of rules and quotas. This should result in the promulgation of better, more practical regulations.

In the interests of fair play for the industry and for the men employed in it and in the interests of the national-defense effort, this matter of Alaska fishing regulations should be viewed in a new light both by the Government and by those who in the past have been critical of the fish-reduction industry.

This amendment is offered as a step toward a permanent solution of the problem. The $25,000 asked is very small. The industry's stake—$6,000,000—is large. Labor's stake, 1,200 jobs—is important. And the considerations of national defense demand that we take favorable action. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Washington [Mr. JACKSON].

Mr. Chairman, the gentleman has made a very excellent address, but for the same reason that I was forced to oppose the Dirksen amendment, I feel compelled to oppose this amendment. The gentleman does not have a Budget estimate.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON].

The amendment was rejected.

The Clerk read as follows:

Maintenance of mammal and bird reservations: For the maintenance of the Montana National Bison Range, the Upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita Mountains Wildlife Refuge, and other reservations, and for the maintenance of game introduced into suitable localities on public lands under supervision of the Fish and Wildlife Service, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, trails, bridges, ditches, telephone lines, rock work, bulkheads, and other improvements necessary for the economical administration and protection of the reservations; for the enforcement of section 84 of the act approved March 4, 1909 (18 U. S. C. 145), entitled "An act to codify, revise, and amend the penal laws of the United States," and acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (16 U. S. C. 715i); for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, $825,550.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 130, line 5, strike out "$825,550" and insert "$833,550."

Mr. DIRKSEN. Mr. Chairman, the purpose of the increase of $8,000 proposed by the amendment is to provide funds for dredging Quiver Creek, in Mason County, so that the Fish and Wildlife Service and the Illinois Natural History Survey can make use of their boathouse.

The situation today reminds me of the skilled cabinetmaker who spent an entire winter building a large and fancy canary cage in his cellar to accommodate several score of canaries. When he had completed the cage he found to his own discomfiture that he had built it so large that it would not pass through the cellar door, and he had to tear it down and reassemble it where it was to be located.

The Fish and Wildlife Service had a boathouse on upper Quiver Creek which it used for the accommodation of its field force and its boats. Along came the War Department engineers and constructed a series of locks and dams in the Illinois River, thereby lowering the water level so that the upper reaches of the creek are dry in all seasons and the boathouse can no longer be used unless the boats could be equipped with wheels.

We are now confronted with one of two alternatives. Either the boathouse must be torn down and moved or the creek must be dredged. Deepening the creek would be the most satisfactory solution of the matter, and it is estimated to cost $8,000.

The item has the approval of the Fish and Wildlife Service, and I am grateful to the subcommittee for accepting the amendment.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the committee has considered that item, and has agreed to accept the gentleman's amendment.

Mr. DIRKSEN. Mr. Chairman, I am deeply grateful to the gentleman from Oklahoma [Mr. JOHNSON].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

The Clerk read as follows:

Total, Fish and Wildlife Service, $7,783,175, and in addition thereto funds made available under the Migratory Bird Conservation Fund of which amounts not to exceed $919,120 may be expended for personal services in the District of Columbia, and not to exceed $77,100 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That funds available for the work of the Fish and Wildlife Service shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; books, periodicals, and newspapers (not to exceed $100); rubber boots, oilskins, first-aid outfits, and rations for officers and crews of vessels; for the expenditure from appropriations available for the purchase of lands of not to exceed $1 for each option to purchase any particular tract or tracts of land; and for the employment, by contract or otherwise, of men with equipment, boats, work animals, animal-drawn and motor-propelled vehicles: *Provided further*, That not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of the Fish and Wildlife Service herein provided for shall be available interchangeably for expenditure on the objects included within the general expenses of said Service, but no more than 5 percent shall be added to any one item or appropriation: *Provided further*, That the Fish and Wildlife Service may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, boats, aircraft, typewriters, computing or duplicating machines, or parts, accessories, tires, or equipment thereof, in part payment for vehicles, tractors, road equipment, boats, aircraft, typewriters, computing or duplicating machines, or parts, accessories, tires, or equipment thereof: *Provided further*, That cooperative work conducted by the Fish and Wildlife Service shall be subject to the provisions of the act of July 24, 1919 (5 U. S. C. 563–564): *Provided further*, That commutation of rations (not to exceed $1 per man per day) may be paid to officers and crews of vessels of the Fish and Wildlife Service under regulations prescribed by the Secretary of the Interior, and money accruing from commutation of rations on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels; and the act of March 5, 1928 (5 U. S. C. 75a), shall not be construed to require deductions from the salaries of officers and crews of vessels of the Fish and Wildlife Service for quarters and rations furnished on vessels of said Service.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment to correct a typographical error.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: Page 132, line 20, strike out the semicolon and insert a comma.

The amendment was agreed to.

The clerk read as follows:

GOVERNMENT IN THE TERRITORIES

TERRITORY OF ALASKA

Salaries of the Governor and the secretary, $15,600.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed $7,520; janitor service for the Governor's office and the executive mansion, not to exceed $3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, $16,620, to be expended under the direction of the Governor.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hold in my hand a press release from the Department of the Interior, dated April 17, 1941, which announces the appointment of Dr. Ruth Gruber as field representative in the Department of the Interior by the Secretary of the Interior, Harold L. Ickes. She will go to Alaska to make a social and economic study of developments in that Territory.

I am wondering, Mr. Chairman, if this is the first step in a movement in Alaska similar to what we have been experiencing in Puerto Rico, which was established in Puerto Rico primarily by the present Governor of Alaska. If the Members of the House desire to do so, they can obtain from the Library, a book, I Went to the Soviet Arctic, written by this same Dr. Ruth Gruber. In going through that book I get the impression that in taking her training in Russia and in Germany, Dr. Gruber fell very much in love with the ideologies, the culture, and the philosophies of those countries.

When you go into the Puerto Rican situation, which very shortly follows in this bill, you will find that something like $75,000,000 has been spent in that grand experiment down there, and I think research will indicate that less than 1,000 permanent jobs have come to the Puerto Rican people out of the expenditure of that approximately $75,000,000 in Puerto Rico. So I am taking this time of the House to call its attention to these two developments.

I sincerely hope that as Dr. Gruber goes through the great Arctic Circle of Alaska and mixes with our people and those subjects of ours there she will teach them genuine Americanism and not carry into those areas the philosophies which she picked up in Russia and in Germany.

This press report, as a matter of fact, directs our attention to the fact that she took her degree from Cologne in 1932, that she has traveled extensively in this country, in the U. S. S. R., Germany, Holland, Mexico, and the Scandinavian countries, and that plus a study of the literature which she has written prompts me to make these remarks.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I am not familiar with the book to which my good friend refers, nor have I ever met the lady in question. In fact, I never heard of her until now. Did I understand the gentleman to say that any money provided in this bill is for the purpose of paying the expenses of this lady to Alaska? In other words, is she on the pay roll of the Department of the Interior?

Mr. CRAWFORD. She has been appointed field representative in the Department of the Interior and will go to Alaska to make a social and economic study of developments in that Territory.

Mr. JOHNSON of Oklahoma. I thank the gentleman. I was not so advised.

Mr. RICH. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Pennsylvania.

Mr. RICH. The money provided in this bill will carry out the instructions of the Secretary of the Interior. If this lady has been teaching those things in this country, it seems to me that the administration ought to do something now to eliminate such teachings from any department of our Government.

Mr. CRAWFORD. Mr. Chairman, we have a situation in Puerto Rico, which, in my opinion, is one of the great tragedies under the American flag and I directly tie the present Governor of Alaska to the foundation work of the program which has miserably failed in Puerto Rico. I am suspicious that a similar situation is now beginning to develop in Alaska and that this is one of the foundation stones.

That is the only object I have in bringing out these facts at this time.

Mr. TABER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York.

Mr. TABER. I wonder if the gentleman would not prepare an amendment which would prevent the payment of any salary to this woman?

Mr. CRAWFORD. I would prefer not to do that.

Mr. TABER. It would seem as if the Congress ought to act. This has been put on our doorstep. Now we ought to act and not pass the buck to somebody else. I wonder what the chairman of the committee thinks about it.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that I never heard of this lady until now. I cannot speak for the committee, but personally, I would not want a dollar of this money spent for any such propaganda purposes. On the other hand, I do not feel that I could condemn the lady without some evidence on which to base such action.

Mr. TABER. This is a press release from the Department of the Interior. That ought to be enough on which to base action.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

The Alaska Railroad: All amounts received by the Alaska Railroad during the fiscal year 1942 shall be available, and continue available until expended, for every expenditure requisite for an incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with oth.r branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; maintenance and operation of lodges, camps, and transportation facilities for the accommodation of visitors to Mount McKinley National Park, including the purchase, exchange, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles as authorized by the act of March 29, 1940 (54 Stat. 80); stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding $100 in value; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed $6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1942, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than $7,500: *Provided further*, That not to exceed $12,500 of such fund shall be available for printing and binding: *Provided further*, That not to exceed $30,000 of said fund shall be immediately available, in accordance with the provisions of the act of March 29, 1940 (54 Stat. 80), for the purchase of the personal property, structures and buildings of the Mount McKinley Tourist & Transportation Co., for the construction of additional camps or lodges and appurtenances thereto, and for the purchase or reconditioning of equipment thereof.

Mr. JONES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 136, line 21, after the semicolon, strike out the remainder of the page, and on page 137, line 1, strike out all of the words and figures to and including the first semicolon.

Mr. JONES. Mr. Chairman, the effect of this amendment is to keep out of this appropriation bill the money to purchase the equipment, horses, tents, and busses of the Mount McKinley Tourist & Transportation Co. The authority for this appropriation was contained in a bill that passed the House on March 29, 1940.

This is the situation. There are not very many people who go to Mount McKinley. The owners of this transportation company have invested considerable funds in the equipment they have. They did not particularly desire to sell to the Government and they do not now want to sell, but the Interior Department decided that they wanted to buy this equipment and run the transportation company themselves.

The amount involved is $30,000, although the value of the property is much more than it would be to the Government. It seems to me that this would be a good time to save $30,000 and keep the Government from going into this private venture. Further, we would give these people another year of operation. They are just beginning to pull out of debt. They have made a tremendous investment there. Give them another year to make some money on their equipment, to see what they can do with it. It is too late in the year for the Government to buy equipment for use during the current season of the park. It would do no harm to let the purchase go until next year. I sincerely hope the members of the committee on the majority side will not insist upon this $30,000 purchase being made this year, and will accept the amendment.

This park concessionaire is unlike concessionaires in other national parks of the country. They have not been making money. The amount they have made is very small. In other parts of the country, such as in Yellowstone National Park, the concessionaires make so much money that the officials are allowed by the Interior Department to receive enormous sums, $16,000 for the president, $9,000 for the purchasing agent, and so forth. The situation of this concessionaire is unlike the situation of concessionaires in other national parks. I hope out of consideration for this concessionaire, who has gotten into an unprofitable venture, you will accept this amendment and give these people a chance to work another year with their equipment and property.

[Applause.]

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I say to my splendid colleague and fellow worker on the committee that I appreciate his attitude, but at the same time I listened very attentively at the time the presentation was made by the Department in justification of the appropriation of this amount of money and the purchase of these properties. I am sure my colleague will recall that I asked the general manager of the Alaska Railroad, who has been there over a long period of time, what his personal equation was in respect to the properties that were up there and with particular reference to the trucks. The equipment is antiquated. In many instances the equipment is of White make, some 12 or 14 years old. While we know that White trucks have a long life, nevertheless their usefulness is practically a thing of the past. The physical aspects of the properties they have are such that the property has very little value.

I will concede that those people have lost money during their experience up there, but may I ask my colleague if that is not one of the chances any business management takes when it goes into one of our public parks and makes such an investment. The investment is made on the basis of speculation. They knew when they made the investment that they would have only a certain time in which to operate. That is a portion of the hazard.

I do not believe from the hearings, to which both of us were permitted to listen, that there is a disposition on the part of the Park Service to take these people out of circulation without allowing them a reasonable time to operate. I believe, Mr. Chairman, that the least we can do is to see that the $30,000, which I believe is a complete and adequate amount of money to cover the amount of properties they have to turn over to the Government, remains a component part of the bill, and I suggest to my colleagues of the House that the amendment offered by the gentleman be voted down.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Ohio.

Mr. JONES. May I say that when the matter of the authorization came up in 1940 I was on the Committee on Territories, and I took the position that the property is not worth $30,000 to the Government of the United States. I thought the Government should not go into that sort of business under the circumstances, but that if it were going into such a business it ought to buy new equipment. However, that is water over the dam.

I would still urge the members of the committee to accept my amendment, in order to give those people an opportunity to carry on for another year. It will not hurt them, and it will be $30,000 saved for national defense and for other immediate necessities that we have for defense work.

Mr. SHEPPARD. I believe my colleague will recall that upon direct inquiry of the Assistant Secretary of the Interior he stated that at this time there was no disposition to shorten their contract beyond the period of the first of the next fiscal year, so I respectfully

suggest that the Members vote down the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 56, noes 67.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 137, after line 25, insert "No part of the funds appropriated in this act shall be paid to Dr. Ruth Gruber."

Mr. TABER. Mr. Chairman, I was so shocked by the revelations of the Interior Department press release that the gentleman from Michigan [Mr. CRAWFORD] called to the attention of the House that I feel there is a responsibility upon the part of this House to see to it that the propagation of communism is stopped by the Interior Department. Just think of the Interior Department of this Government in times like these appointing a woman of that type as a field representative to go out and make a social and economic study of developments in Alaska. She is the author of a book which the gentleman from Michigan [Mr. CRAWFORD] has in his possession at the moment in his seat—I Went to the Soviet Republic. She traveled extensively in Russia. If we are going to stand for that kind of performance by the Department of the Interior, it is about time that the American people knew it, because any of us who vote to pay this woman a salary is not fit to sit here in the House of Representatives.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BULWINKLE. I wish the gentleman would tell the House what this woman has done, if anything.

Mr. TABER. She has been appointed as a field representative.

Mr. BULWINKLE. Oh, I am not talking about her appointment. I am asking about her reputation, or things that she has done.

Mr. TABER. The book shows the whole story. It speaks for itself. It would take me half an hour to do what the gentleman wants. I will show the book to the gentleman and he can read it.

Mr. BULWINKLE. But I want the gentleman to tell me what she has done.

Mr. TABER. She has been to the Soviet, and she has spent her time there. She has gone into the Soviet Arctic and studied their situation, and she has written a book in which she expreses her communistic philosophy in three-hundred-and-odd pages.

Mr. CRAWFORD. Mr. Chairman, if the gentleman will permit, are we going to back up a policy of free advertising in press releases by a department of the Government of a book that she has written and from which she draws private funds? That is one thing. I have been cruising through the book all afternoon, sitting on the floor to try to find out what is in it. It is Soviet propaganda of the worst type.

Mr. TABER. She approves of all their ideas.

Mr. BULWINKLE. Does she say so in the book?

Mr. TABER. Yes; item by item.

Mr. CRAWFORD. And in the first chapter of the book she makes an apology for having to return to the United States because of the culture she talks of under the German regime.

Mr. BULWINKLE. That is what I wanted to find out. I want to know something about it before I vote upon it.

Mr. TABER. We have a responsibility here. If we are going to let somebody in a department of the Government pull off that kind of stuff and put that sort of people in office, it is about time for us to act and show where we stand.

Mr. MURRAY. Is it not true that we have been appropriating money to the Dies committee to investigate communistic activities, and we appropriate money for communal enterprises year after year?

Mr. TABER. We have been doing too much of that and we ought to stop it, and I hope it will stop this particular set-up. As the gentleman from Michigan said, it will load us up, if we continue Mrs. Ruth Gruber in Alaska with another set of outrageous communistic performances such as they have had in Puerto Rico. I do not want to be a party to that sort of thing, and I propose to go on record against it. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Chairman, when the gentleman offered his amendment and got the book in question about which so much has been said, I, of course, fully expected that he would quote at least one sentence from the book which would condemn this lady. Although the gentleman rushed back to get the book and waved it in the air he evidently failed to find any of the many things that have so shocked him. Frankly, I never heard of the woman before and I do not know that there is such a person living. But let us be fair about this thing and not go off half cocked and take some drastic action without any evidence whatever. If the gentleman will offer one paragraph, one sentence, or one word to show that she is unpatriotic or disloyal to this Government or that she is advocating or has ever advocated the overthrow of the Government then I will be glad to join with him in support of his amendment. Is it possible, however, that this body of fair-minded men and women, simply because the hour is late and our patriotism at this particular time is running high and it will be so easy to do so, prejudge a woman without even giving her an opportunity to be heard? Is she to have no day in court? The worst criminal in the land is permitted to have his day in court. I cannot conceive of sane, level-headed men taking such a drastic action unless there is at least some evidence on which to base such unusual action. May I suggest the mere fact that the lady has traveled in Europe or even in Russia is not conclusive evidence that she is disloyal? Surely that alone is insufficient to cause this body to prejudge her as a radical Communist or as being disloyal to the United States.

Moreover, the fact that she writes for the London papers would surely indicate that she is neither a Russian nor a Nazi sympathizer. It is stated that she also writes for some of the New York papers, as well as for many other American papers and periodicals.

Now the gentleman says he has been reading her book all afternoon. I would suggest that if there is a statement in the book that condemns her as being unpatriotic some gentleman would have offered it to the committee. Therefore, until someone reads something in this book that has been exhibited around over the floor to condemn the lady I certainly shall not agree to the amendment.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOOK. If I recall correctly, there is a law on the statute books which provides that no person who advocates the overthrow of the Government of the United States by force or violence shall be on the pay roll of the United States Government.

Mr. JOHNSON of Oklahoma. That is true, and that provision is also in this bill.

Mr. HOOK. Therefore, I would suggest that the gentleman refer this to the Dies committee, where it probably will be investigated.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MASON. The book is full of innuendoes and generalities advocating the doctrine of the Communist Party. There are no direct statements any more than the lady states that "I am a Communist"; but the last paragraph is enough for me, and I ask the privilege of reading it.

Mr. JOHNSON of Oklahoma. Well, if the gentleman who has been searching so diligently through the book in question for one sentence to condemn the author has finally found the evidence he and others evidently are so anxious to discover, I would personally thank him to read it into the RECORD. Let the rest of us in on this book that has so shocked the nerves and all the sensibilities of the gentleman from New York and several others who feel so terribly outraged that a lady who has actually visited in several countries of Europe, including Russia, should be connected with a department of Government.

Mr. MASON (reading):

But I know that some day I shall go back and bathe again in the Yenisei at Molokov Island, take midnight walks in Igarka, work with its newspaper people and pioneers, get up at dawn at a polar station, swim in the Arctic Ocean, and rush back to a steaming breakfast shouting "Zdravstvuitye" until that full-mouthed greeting seems to ring across the Arctic.

Mr. JOHNSON of Oklahoma. Well, now, just is not that shocking? Especially that bath she hopes sometimes to take. [Laughter.] If that one para-

graph is a sample of her book, this discussion may increase the author's popularity as well as the sales of her book. Possibly it is that high-powered word, supposedly Russian, that should condemn her. Maybe it is those long-looked-for midnight walks that have so shocked the fine sensibilities of some of our older Members. Just think of it gentlemen. The author admits that she is also guilty of sometimes entertaining the hopes of going back to Europe. Frankly, I must confess that down deep in my heart I too sometimes actually found myself wishing that I might be able once again to visit Europe, but I have never so far forgotten myself as to actually wish to bathe in the Arctic Ocean. That is the last straw. [Laughter.]

Seriously, there is not one sentence or word in the paragraph read even to indicate that this lady about whom so much fuss has been made has even by inference endorsed the Soviet regime or any other form of government inimical to the interests of the United States.

Mr. BULWINKLE. I am not defending the lady in question.

Mr. JOHNSON of Oklahoma. Neither am I. In fact, I have stated that I never heard of her before, nor have I had the rare privilege of reading her book.

Mr. BULWINKLE. But about the only thing she said she wanted to do was to take a bath. [Laughter.]

Mr. MASON. Oh no; she wanted to go back to Russia.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by the Chair) there were ayes 64 and noes 49.

So the amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that in connection with the amendment adopted by the committee on page 130, that I may extend my remarks in the RECORD at that point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

PUERTO RICAN HURRICANE RELIEF

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loan heretofore made, as authorized by Public Resolutions Nos. 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed $20,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1942.

Mr. CRAWFORD. Mr. Chairman, I have asked for this time so that I may have a visit with some of the members of the committee to see if we can develop a little information for each other in connection with certain activities embraced in this bill, specifically some of those which have to do with the Puerto Rican Reconstruction Administration, as set forth on pages 26, 27, 28, and 29 of the hearings, part I.

It appears to me, Mr. Chairman, that the committee should be congratulated on the action it took last year in reducing the appropriations pertaining to activities in Puerto Rico. I believe the testimony as set forth in Part I on the pages to which I have referred proves that the committee was right in the action it took last year in reducing the appropriations for P. W. A. activities and P. R. R. A. activities in Puerto Rico.

On page 26 Mr. Burlew, of the Interior Department, referring to the activities of P. R. R. A. in Puerto Rico, stated—

It is going to be practiacly at an end June 30 of this year, and if we cannot use the revolving fund it will be completely ended; there will not be anything further.

May I ask the gentleman from California [Mr. SHEPPARD] if he would care to answer this question: Has the committee given any consideration to that point raised by Mr. Burlew, with reference to permitting the officials of the Puerto Rican Reconstruction Administration to resort to the use of the funds down there in a revolving manner, instead of insisting that they continue to come to the Congress for appropriations for the P. R. R. A.?

Mr. SHEPPARD. I do not recall any particular inquiry on that particular subject, I may say to the gentleman.

Mr. CRAWFORD. Of course, those Members of the House who are not Members of the Committee on Appropriations have not had a chance to go through these hearings heretofore, but I notice that in the first three lines on page 26 Mr. Burlew refers to the proposition of using the revolving fund. Then he comments further with reference to what the revolving fund may amount to. I am submitting this inquiry. Did the committee make any detailed inquiry as to what Mr. Burlew meant when he suggested that they resort to the use of the revolving fund in connection with the P. R. R. A.?

Mr. SHEPPARD. Individually I would say no; there was nothing proposed in the Budget; there was no provision made; and that was just a comment upon the part of the Assistant Secretary at that time which the committee did not develop further because it did not believe it was interested at that particular time.

Mr. CRAWFORD. Mr. Chairman, with that thought cleared up before us, may I refer to certain activities of the P. R. R. A., as set forth in tables on pages 28 and 29 of part I of the hearings?

A close examination of the financial balance sheets and operating statements of these activities, as set forth in those schedules, which I shall not enumerate, I believe, will clearly indicate to anyone who wishes to make an analysis of the record that there has been maladministration of the affairs of certain of those particular corporations. When I refer to the balance sheets I mean the certified balance sheets of the auditors who are employed, from whom you get absolutely unbiased statements as to what has taken place. Those records are here on the table. I have had access to them and I have examined them very closely over a period of weeks. This is what we have done there, very briefly.

The United States Government created the Puerto Rican Reconstruction Administration. The law which brought that operation into being authorized the P. R. R. A. to make loans to so-called cooperatives. These cooperatives have gone out and become involved through our Government in the building of the plants, as set forth in the schedules on the pages to which I have referred.

We have now had a period of years watching these operations. We have had a chance to size up the judgment of those in charge of the operations. Time has passed, the seasons have come and gone, crops have been produced, processes have been resorted to in the way of clearing various crops and operations through the mills, and we now have the financial results. We now have the letters from these officials and we have certified statements of the public accountants setting forth what has occurred. In the letters of the officials they present what I would call, in operating terms, their alibis, and I raise these questions at this time to point out to the members of the committee and the Members of the House that we can well watch our course with reference to the future of the P. R. R. A., and particularly with reference to the suggestions made by Mr. Burlew to the effect that they be permitted to use the revolving funds with which to carry on these operations.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to say to the gentleman that I believe if he would refer this matter to the Deficiency Subcommittee, it would be in its proper place. This matter has never been presented to this subcommittee at any time during the time I have been a member of it. I am sure the interest the gentleman manifests here is a very worthy one and I would suggest that when that committee is in session again, the gentleman make his presention to them.

Mr. CRAWFORD. I agree with the gentleman on that observation, and I am simply bringing it up at this time because anyone who takes these financial statements and watches the course of the activities of these various agencies that have been created will find that it is extremely difficult to trace the financial operations. There is clear-cut evidence that the Government can get into operations that are just as difficult to analyze and comprehend as the so-called holding companies operating under private industry. I am satisfied that our officials in the Department of the Interior located in continental United States are not fully familiar with what is going on in Puerto Rico. I am satisfied that the so-called boards of directors of these various cooperative associations are not familiar with the financial transactions and what is taking place; and in saying this now I do not mean to cast any

reflections on any of the Puerto Rican administrators, except to point out that, in my judgment, their qualifications have been somewhat less than they might have been to handle such technical operations, as evidenced by what has developed in the meantime.

We have situations down there where these great aggregations of capital were furnished by the Government of the United States to the Puerto Rican Reconstruction Administration and, in turn, to these theoretical cooperative organizations. I say theoretical because the money was never paid in by the cooperatives. And now we find developed in these reports that the cooperatives, having failed financially, are now turning these properties back to the Puerto Rican Reconstruction Administration, a Government agency, to do with as it can.

I now bring up this one question. What is the Government of the United States, through the P. R. R. A., eventually to do with these properties? Are these properties to be eventually carried until we grow tired and weary and then sold to——

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I yield the gentleman from Michigan 5 additional minutes.

Mr. CRAWFORD. And then sold to someone who wants to go in there and pick the golden goose, buy the properties for a penny, and proceed then to operate under good management on low capitalization and make quite a financial success out of something after the Government has taken anywhere from 25 percent to 75 percent loss on the investment.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. RICH. When the Government has set up these corporations with less than $2,000 worth of stock and then loaned anywhere from $1,000,000 to $3,000,000 to these corporations, and they then say they are not Government owned and operated, what is the gentleman's opinion about that?

Mr. CRAWFORD. To me it is pure piffle, because in the language of the operator it is an alibi. That is exactly what we call it when we sit around our production committees in the industries I happen to be connected with. They, and when I say, "they" I mean the officials of the P. R. R. A., take the position that its relation to the cooperative is that of the bankers to the borrower, and yet they take the position it is not quite exactly that because they must not exercise the same degree of business judgment in making the loan that a commercial bank would demand and make in extending its loans to a private borrower. We have a half-chicken-half-egg proposition that is not proving successful financially. Now, it may be giving great relief to some people down there, but I have studied these records closely enough, and I am familiar enough with some of the operations to believe that under proper administration these things can be made financially successful, and that is the thing I want to see accomplished—not just go along and make a financial mess of the thing and eventually stigmatize the whole operation to such an extent that the Congress will grow weary and, eventually, eliminate every phase of it and insist on these properties being practically given away to somebody who wants to slip in there and, as I said a while ago, pick up a golden goose for future operations.

I am afraid that is exactly what is going to happen. I should say that there is one operation referred to in these tables on pages 28 and 29 which for the time being seems to be financially successful. That is the cement company operation. I have gone through the record as quickly as I could to ascertain why that is successful. I do not find the information. Therefore my imagination has to run wild. I suspect that the success of that particular operation is no doubt due to the fact that we are carrying on tremendous construction activities in connection with the defense program in Puerto Rico, and no doubt we will find that the cement company down there is selling cement to the Government at a very handsome price, and perhaps out of that is the reason for this particularly pleasant operation which the balance sheet indicates for the time being. I would like to have the facts in respect to that, but apparently they are not available, and as our friend from California [Mr. SHEPPARD] has stated, perhaps a deficiency committee later on will obtain fuller information for us. Certainly I do not mean to criticize the committee at this time for not having more information at present, but I reemphasize that there are land cooperatives and sugar cooperatives down there and fruit canning cooperatives and other activities, many of which have proved dismal financial failures, and perhaps are being dumped back on the P. R. R. A. At a later time perhaps from a deficiency appropriations committee we can go into this and develop it in much more detail than at present. Many of these figures presented are on the grounds that they come from a private operator and are confidential.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. RICH. Mr. Chairman, I yield the gentleman 3 minutes more.

Mr. CRAWFORD. They present these figures in what they term a confidential manner. Otherwise I would be glad to take these reports and read from them and let you gentlemen see exactly what has happened. As Members of Congress, you gentlemen are entitled to see them, anyway, but I do not want to stand here and divulge operating secrets to their competitors, and perhaps bring about embarrassment. But these operations are being financed by the Treasury of the United States and the burden is falling back on my taxpayers and on yours, and I think to that extent we are in duty bound to trade ideas with each other with reference to these various activities, and particularly in view of the fact that Mr. Burlew has indicated to the committee at some future time they may ask for the privilege of using this revolving fund in any way they desire. To me that means that in due course those revolving funds can become completely dissipated, without any tangible results, with further experimentations and perhaps increased financial losses, and for these reasons, Mr. Chairman, I hope the Committee will forgive me for taking this time and making these observations. [Applause.]

The Clerk read as follows:

SEC. 7. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 143, line 1, after the word "violence", insert "or who by force or violence compels anyone to join any organization as a condition precedent to obtaining work."

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOOK. Mr. Chairman, I make the point against the amendment that it is not germane to the section and that it is legislation on an appropriation bill and not within the Holman rule.

The CHAIRMAN. The Chair is prepared to rule. The section to which the amendment is offered is clearly a limitation on the salaries to be paid from the funds here provided. The Chair has examined the amendment offered by the gentleman from Michigan. It appears to be very clearly a further limitation. The Chair is therefore constrained to overrule the point of order.

The point of order is overruled.

The gentleman from Michigan is recognized for 5 minutes in support of his amendment.

Mr. HOFFMAN. Mr. Chairman, I doubt if anyone on this floor would support the proposition that Government money should be used to pay a man who, by force, prevents another man working, especially on a defense job. That is all this amendment is drawn to prevent, and the reason for it is found in the recent epidemic of strikes, those which are prevailing now.

To say that the law is enforced in Michigan is to ignore the facts. It is quite true we are having more law enforcement in Michigan of late than we

have had for some time. As an illustration, I might cite the fact that some 40 or 50 public officials in the county of Wayne, in the city of Detroit, among them the former sheriff and the former prosecutor of the county, have been indicted and convicted. They have taken an appeal, so we do not know the result of that; but many officers have been convicted there of crimes because they accepted money for permitting violations of law. Let me call your attention to sworn testimony given on April 8 in a Federal court, which shows that this practice of driving men from their jobs prevails in that city. This is only one instance. I can give you dozens of them; I can give you a hundred of them from sworn testimony. Now, get this one:

This is the experience of Howard C. Braden as given by him under oath before the Honorable Arthur J. Tuttle, of the United States district court at Detroit, in a suit then pending.

Braden was employed in the steam-maintenance department. Tuesday night about 11:30 he went to work. Because of the strike he stayed in the plant until Friday morning, and at that time left the plant, going through the line of State troopers at gate 4 and crossing the road to get his car from the parking lot. He asked the State police about getting his car, and was told they had nothing to do with it, and that he would have to ask the U. A. W. A.-C. I. O. pickets. The pickets, who had on C. I. O.-U. A. W. A. hats and badges and some pins, told him that he could not get it. They then asked him if he belonged to the U. A. W. A.-C. I. O., and upon being told that he had not made any arrangements to join yet, they said, "Well, you better join up." He told them, "No, thanks; I would like to get some sleep at home and think it over." He was then told, "Well, you can't get your car out."

With a fellow employee he then started walking down Miller Road, but when he came to the underpass four pickets were waiting. Braden testified:

The one, seemingly the leader, had a baseball bat in his hand, and another one had a shillelagh made out of lead, a blackjack wrapped with adhesive tape, about 2 feet long, and another one had a long wooden stick, 2 inches in diameter, three, and they said, "Hey, Slim, come over here." And I said, "Thanks, I got a ride home." They said, "We said come over here," so they started down the hill, and I started up the hill, and I met them on the hill. They said, "We want to see you down at the office." And I said "I want to get some sleep." And they said, "They want you at the office."

He then testified that two of them marched him along and that he was pretty scared and finally they put him in a car and said they were taking him down to the Local 600 off on Michigan Avenue; that instead of stopping there, they drove along to a street between Cabot and the next street west and then marched him upstairs into a room where there were about 30 men congregated.

He testified:

They gave me quite a talking to about joining the union, mostly persuasive talk, and quite a cussing out for staying in the plant.

Question. What did they say, do you want to tell us just in your own language?

Answer. It is pretty strong.

The COURT. Let us hear it.

Answer. Well, they called me a — — scab and a few other vile names along with it, and said——

The COURT. Whisper it to the reporter down there.

Answer. Called me a — — — —, and about all the others that come with it.

Then they talked me into what they thought was a nice way of talking me into the union.

They had their sticks and clubs with them yet, and they asked me, "Now do you want to join the union, or do we have to work on you?"

About that time I was ready to join anybody's union, and I told them, yes, I would join the union. He said, "You talk to the head man."

They then took the witness before another man, who asked him if he was ready to join and for him one of the pickets said, "Yes, he is all set."

No one was there, however, to take his application so they started to take him over to Local 600 of the U. A. W. A.-C. I. O.

The witness continues:

On the way out they stopped and about everyone in there asked me different questions about how we were fed and treated, and every answer I gave them, the one I recognized there, for every answer I gave him he called me a — — liar.

Question. Who is he?

Answer. A man by the name of Harry Smith.

Question. Was he a Ford employee?

Answer. He was at the time.

Question. Had you worked with him?

Answer. No, sir; I have known him for years. He was considered a friend of the family. And he was in there, and he asked me quite a few questions about conditions in the plant in general, and as to how we were fed and all, and everything. I told him. I was scared enough that I wouldn't lie to nobody, and every answer I gave them was strictly the truth, and he called me a liar for everything I said.

The big fellow everybody called Frenchie—that is the only name they called him, and he seemingly was the leader of the six, and he said, "come on," and they led me through and walked me across Michigan Avenue, and west about a block and a half to the Local 600 office.

They took me in Local 600, and I got quite a calling down there about being a scab.

Question. How many were in the 600 office?

Answer. Out in front there were 200, and in the office there must have been a good two dozen.

Question. That was Local 600 of what union?

Answer. Of the C. I. O. union, U. A. W.-C. I. O.

Question. Go on from there.

Answer. They took me in there, and I thought to be signed up, but instead of that they called—he seemed to be the head man. I don't know who he was But he took me in the front office. It is an office in the front. He looked around for a vacant office first, and couldn't find one, and he took me in the front office, and told the secretary that she would have to leave, that he wanted to talk to me.

So when she left, he started in on myself and the other fellow, he called us ——— to start with, and a few other vile names that were the same as the ones called before, and asked why we didn't walk out with the others, and asked me why I didn't belong to the union, and I told him I had no reason to join the union; I had no grievance against the Ford Motor Co., none whatsoever, and above all things I didn't see their union as the best, although I was awfully easy as to how I said it.

They talked to me in there for about 2 hours.

He talked to me about the union and all the good it was going to do, because I said I had no grievance against the Ford Motor Co. He looked up in the air and he said, "Offhand, I would say you were another one of these — rugged individualists."

When he talked to me long enough and he figured he was wasting his time enough, he said, "Do you want to join now or don't you?" And all along I had been set to sign and I said, "Sure, I will join, but all I have is $1.80, and I knew the first month's dues and membership was $2.00."

He was sitting in a swivel chair facing me at the time, with Frenchie on one side with the baseball bat. He said, "I don't even want to talk to you." This other young fellow with me pulled out a half dollar and said, "I will give it to you," so then he said, "All right, take him in the back room and write him up."

They took me in the back room, then, in front of a fellow named Sam Leonard. His name is on the receipt for $2, and they wrote me into the union.

What do you think of an instance like that, it can be multiplied many, many times. It might be called the gentle art of persuasion as practiced by the C. I. O. with a baseball bat.

It shows the recruiting methods of the C. I. O. It is a form of peaceful picketing. It has been approved by Justice Frankfurter, provided, as stated by the Justice, the beatings are not too severe.

Well might he have said, "Provided the baseball bats were not too hard, or too heavy, or used with too much force."

Is it not time that we should deprive men who follow the practice of the C. I. O. as outlined above from receiving Federal money on defense jobs?

Has the time not arrived when Federal funds should be used for law enforcement rather than paid to those who, with the administration's approval, intimidate men so that their organization may collect fees? The foregoing is just one instance of a violation of the law but the procedure is common practice and an end should be made to it.

I realize that amendments similar to this which I offered will not be adopted, but I offer them so that I may get before the House from time to time a little of what is happening throughout the country.

When legislation designed to prevent these unlawful practices which prevail so extensively comes before this House, it is my hope that the instances which I have cited may not be forgotten.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN.]

Mr. Chairman, there is no question that the matter of abuses in labor, in capital, and in the whole field of production are many, but certainly through the Department of the Interior appropriation bill we cannot begin to either solve these problems or lay down a policy.

Let us look for a moment at what this amendment would mean to the appropriations here involved if we were to write it into law. At Grand Coulee there are some 3,000 men working under an A. F. of L. contract. Down in the Central Valley we have 7,000 men working under an A. F. of L. contract. You can go on down into southern California where they are completing the All-American Canal and you will find contractors who have labor contracts. The same is true of the Boulder contracts. The Central Valley contracts on the park-to-park highway, for which we have appropriated money, and undoubtedly you will find that those contracts are with recognized labor organizations. How foolish we would be to attempt by law to destroy the very things we created by law. Every existing labor contract on Interior Department work is a valid and subsisting contract.

If we were to write a provision into a single small appropriation bill like this, we would virtually cripple every activity in the Interior Department and make it absolutely incapable of functioning. We would not in any way remedy the evils, either real or imaginary, which my friend from Michigan seeks to remedy. I trust that we will use sound judgment, irrespective of what we may think concerning the labor problem, and not attach this type of policy-making legislation onto an appropriation bill that would virtually break down the entire activity involved in this Department.

Mr. HOFFMAN. Will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. When this question properly comes before the House, will the gentleman support legislation which will stop these violations?

Mr. LEAVY. I certainly will give consideration to all the facts, and when convinced of what they are, I will act upon them. But I must say now, I am not convinced of such facts as the gentleman states.

Mr. HOFFMAN. If I can prove to the gentleman it is customary for those unions to indulge in force, violence, and beatings, will the gentleman support legislation to stop it?

Mr. LEAVY. I have listened to the gentleman for 5 years and I still am not convinced. [Applause.]

Mr. HOOK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am not going to take all of the time allotted me. May I say that the Ford strike in Michigan has been settled? The people over there are satisfied that they have peace. We have labor peace in Michigan. For God's sake, do not start that thing up again by raising a howl continually on the floor of this House. It is peace we want over there, it is peace we have, and it is labor peace we will keep unless the gentleman from Michigan [Mr. HOFFMAN] stirs it up with his wild, satirical statements on the floor of this House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk concluded the reading of the bill.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. JONES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. JONES. Mr. Speaker, I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. JONES moves that the bill be recommitted to the Committee on Appropriations with the recommendation that the Appropriations Committee reduce the bill $21,469,245.61 from the various items thereof, with the exception of the following portions of items specified in the hearings as national defense: Geological Survey, $1,182,500; Bureau of Mines, $1,845,000; public works construction, Bonneville Power Administration, $18,142,900; Bureau of Reclamation, $22,250,000; the tribal funds in the Bureau of Indian Affairs; and Bureau of Reclamation, Central Valley project, $34,750,000; and report the bill to the House as amended.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit offered by the gentleman from Ohio [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 76, noes 104.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the Clerk may be permitted to correct the totals.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COLORADO-BIG THOMPSON RECLAMATION PROJECT

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD, and include therein a statement by Mr. John C. Page, Commissioner of Reclamation, and some small tables.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LEWIS. Mr. Speaker, all members of the Colorado delegation are grateful to the House for approving the appropriation to continue construction on the Colorado-Big Thompson Reclamation Project, which appropriation is included in the Interior Department appropriation bill which has just been passed.

The Colorado-Big Thompson Reclamation Project in northern Colorado, when completed, will provide a supplemental water supply for a region which has been under cultivation for approximately 70 years. No new land will be brought under cultivation, but the present inadequate water supply will be supplemented in order to stop crop losses, due to shortage of irrigation water, which have averaged over $6,000,000 annually for the past 10 years, and which in 1940 amounted to over $12,000,000. In an extension of remarks by me, printed in the Appendix of the CONGRESSIONAL RECORD, page 1997, is included a statement by Mr. J. M. Dille, secretary manager of the Northern Colorado Water Conservancy District, showing the disastrous effect which these long-continued crop losses, due to shortage of water, have had upon the economic condition of the district and the increased burden of relief which has been thrown upon local, State, and Federal Governments.

Although the headwaters of four great rivers—the Platte (which is a tributary of the Missouri), the Arkansas, the Colorado, and the Rio Grande—rise in our State, this is the only large reclamation project now under construction in Colorado.

No part of this project lies in my congressional district, which includes the city of Denver only. The western part of the project lies in the congressional district of Hon. EDWARD T. TAYLOR, the eastern part lies in the congressional district of Hon. WILLIAM S. HILL, the same congressional district represented during preceding Congresses by Hon. Fred Cummings. Nevertheless, this project is of State-wide interest. It has the approval and support of both our United States Senators, of all four Representatives from Colorado, and of all State and local offi-

cials regardless of partisan politics. It is the project in which at this time the people of Colorado and the entire Colorado delegation in the Congress are greatly interested.

Prompt repayment in full to the United States of the cost of the irrigation features of this project, in accordance with provisions of the Reclamation Act, is fully assured.

The plan for repayment has been carefully worked out and approved by the Interior Department and by the taxpaying electors of the district and has been embodied in a contract. In an extension of remarks, printed in the Appendix of the CONGRESSIONAL RECORD, page 1945, I set forth the details of this financial plan. The contract for repayment of the cost of the irrigation features of the project is with Northern Colorado Water Conservancy District. This is a public body created pursuant to a statute of the State of Colorado which statute has been approved by the Supreme Court of Colorado.

This water conservancy district organization has power to levy, upon all lands which will receive water from the project, the charges for water as part of the taxes on such lands. In recognition of the indirect benefits to be derived from the irrigation features of the project by all landowners, businesses, industries, and utilities within the area served by the project, the district organization has power to levy and has levied taxes on all property, real and personal, within the district. Included within the boundaries of the district, in addition to the cultivated lands, are 29 cities and towns, large and small. The total population included within the district, according to the 1940 census is about 137,000, of which about 66,000 is rural and about 71,000 urban. The total assessed valuation of property within the district is $140,000,000.

Cost of the power features of the project, plus interest at 3 percent per year, will be repaid from sale of power for which there is an ample and increasing market. The electric power features of this Colorado-Big Thompson Reclamation Project, and the market for power in this region, were explained by Mr. R. J. Tipton, an eminent engineer of Denver, Colo., who is consultant for Colorado Water Conservation Board and for Northern Colorado Water Conservancy District, in his statement made on April 17, 1941, before the Interior Department Subcommittee of the House Appropriations Committee. His statement is included in my extension of remarks, printed in the Appendix of the CONGRESSIONAL RECORD, page 2209.

Mr. John C. Page, Commissioner of the Bureau of Reclamation, on April 3, 1941, gave the following testimony before the House Appropriations Committee concerning the Colorado-Big Thompson Reclamation Project:

Mr. PAGE. Mr. Chairman, I submit the following justification:

Colorado-Big Thompson project, Colorado

	Emergency	Regular	Total
Appropriation requested for 1942 (reclamation fund)			$3,000,000
Funds heretofore made available:			
National Industrial Recovery, 1933 act	$150,000		
Public Works Administration, 1938 act	1,400,000		
Reclamation fund:			
Regular appropriation:			
1938 act		$900,000	
1939 act		1,250,000	
1940 act		1,500,000	
Deficiency appropriation, 1940 act		850,000	
Regular appropriation, 1941 act		2,000,000	
	1,550,000	6,500,000	8,050,000
Additional amount required for completion after 1942			43,238,000
Estimated cost			54,288,000

GENERAL DESCRIPTION

Location and water supply: The lands to be benefited by the Colorado-Big Thompson project are located near Fort Collins, Loveland, and Longmont, Colo., on the eastern slope of the Rocky Mountains, while the source of supply of the water to be used to supplement the present irrigation supply for these lands is the headwaters of the Colorado River on the western slope.

The Colorado-Big Thompson project involves the construction of a system of reservoirs, canals, and a pumping plant on the western slope, a long tunnel through the Continental Divide; and a system of reservoirs, canals, and power plants on the eastern slope. The waters of the Colorado River and certain tributaries will be conserved on the western slope, diverted by tunnel to the eastern slope, passed through a series of high-head power plants, stored in a system of reservoirs, and later released to the Poudre, Big Thompson, and South Platte Rivers and to St. Vrain Creek for distribution through existing canals and ditches to 615,000 acres of land which now have an inadequate water supply taken from these South Platte tributaries.

A replacement reservoir is being built on the Blue River, a tributary of the Colorado River, to furnish an ample water supply for vested interests and future rights for irrigation and power on the Colorado River below the mouth of the Blue River.

Crops and markets: This being a project to stabilize one of the old established, and most vital agricultural areas in Colorado, the crop record has already been written in such facts as the national reputation for excellence gained by melons, celery, and fruits from the locality. This is a great livestock-feeding area. Sugar beets and forage are important crops. The markets and marketing patterns have been well established. The size of farm units and irrigation practices will be unchanged by the project under the act of June 16, 1938 (52 Stat. 764), which exempted the project from the excess land provision of reclamation law.

Authorization: By provision in the 1938 Interior Appropriation Act of August 9, 1937 (50 Stat. 595), the project was authorized in accordance with the plan described in Senate Document No. 80, Seventy-fifth Congress, which provided a repayment contract should be completed. The contract was completed and fulfilled the requirement (Acting Comptroller General decision A-93229, March 21, 1938). The project was adopted on December 21, 1937, by the President's approval of the finding of feasibility and is being constructed under the reclamation law.

Features of project: The principal features to be constructed on the project are as follows:

1. Green Mountain Reservoir and power plant on Blue River. The dam is an earth and rock embankment, 270 feet high and 1,300 feet long. The reservoir will have a capacity of 152,000 acre-feet, and the power plant will contain two 10,800-kilowatt generators.

2. Granby Reservoir, on the Colorado River, with a capacity of 462,000 acre-feet, the principal storage feature of the project.

3. North Fork Diversion Dam, which will form an extension of Grand Lake, to be known as Shadow Mountain Lake.

4. Granby pumping plant and canal to transfer stored water from Granby Reservoir to Shadow Mountain Lake.

5. Diversion dams and canals to collect water from western-slope streams for storage in Granby Reservoir.

6. The Continental Divide Tunnel, 13 miles long, with a capacity of 550 cubic feet per second, to convey water under the Continental Divide and Rocky Mountain National Park from Grand Lake and Shadow Mountain Lake to the Big Thompson River.

7. Power canal No. 1, extending from the east portal of the Continental Divide Tunnel to power plant No. 1.

8. Power plant No. 1, to be located on the Big Thompson River near Estes Park, with an installation of two 15,000-kilowatt generators.

9. Arkins, Horsetooth, and Carter Lake Reservoirs, on the eastern slope, to provide supplemental and regulatory storage.

10. A system of canals for conveying water to the reservoirs and to the various streams from which it will be drawn for irrigation.

11. Power plants Nos. 2, 3, 4, and 4-A, to be located on the Thompson River, with a combined capacity of 88,500 kilowatts.

12. Transmission lines to transmit power to the pumps and commercial markets.

Cost and repayment: The Northern Colorado Water Conservancy District has agreed to repay one-half of the cost of the entire project up to a maximum of $25,000,000. Revenues from power will be sufficient to repay the other part of the total estimated cost of $54,288,000. About 25 percent of the district's obligation will be repaid by an ad valorem tax on all property within its boundaries.

CONSTRUCTION PROGRAM

Progress to June 30, 1940: Construction of Green Mountain Dam and power plant was in progress. The outlet works tunnel was completed and the Blue River diverted in September 1939. Excavation for stripping the river section and construction of the cut-off walls were practically completed. Excavation for the powerhouse was nearly done and excavation for the spillway was well started. This work involved the excavation of 1,682,000 cubic yards of material, the placing of 14,700 cubic yards of concrete, and the placing of 119,000 cubic yards of earth and rock fill in the dam. This feature was 35.7 percent complete.

Construction of the 8,000 lineal feet of the Continental Divide Tunnel extending west from the east portal was awarded to S. S. Magoffin Co., Inc., on April 25, 1940, on its bid of $471,123. The contarator had driven 264 feet of tunnel and excavated 3,000 cubic yards of material.

Other work completed on the project included Green Mountain camp; Shadow Mountain camp; transmission lines from Dillon, Colo., to the west portal of the Continental Divide Tunnel, with a switching station at

Dillon, and substations at Green Mountain Dam, Hot Sulphur Springs, Granby, Shadow Mountain camp and at the west portal of the Continental Divide Tunnel; transmission line from Loveland, Colo., to the east portal, with substations at Estes Park and at the east portal of the Continental Divide Tunnel; transmission line from Greeley to Fort Morgan, Colo., with extensions to Brush and Wiggins, Colo., including substations at Fort Morgan, Brush, and Wiggins, Colo.; roads to both portals of the Continental Divide Tunnel; portal excavation at both ends of the tunnel; and a telephone line from Kremmling to Green Mountain camp. The Estes Park headquarters was practically completed at the end of the fiscal year, with a small amount of landscaping and 50 percent of the sewage-disposal plant yet to be completed by Civilian Conservation Corps enrollees and Government forces, respectively.

For fiscal year 1941: Construction of Green Mountain Dam and power plant is being continued by contract. Placing of the dam embankment and concrete in the powerhouse and spillway will be well under way, and by the end of the fiscal year the contract will be approximately 54 percent complete.

Engineering investigations being conducted on power canal No. 1 will all be completed during the fiscal year.

The Troublesome substation, located near Troublesome Village, was completed early in August, and the Cache La Poudre substation, located 4 miles east of Windsor, Colo., was completed in November by Government forces. It is also proposed to construct a transmission line, including necessary switching and metering equipment, from a point on the Seminoe Dam-Greeley transmission line, about 2 miles west of Greeley, to the near Loveland tap, Loveland, Colo., approximately 20 miles long.

Landscaping by Civilian Conservation Corps enrollees at Estes Park and construction of a sewage-disposal plant by Government forces will be completed.

For fiscal year 1942: Construction of Green Mountain Dam and power plant will be continued by contract, and it is estimated that the contract will be approximately 78 percent complete at the end of the fiscal year. Installation of power-plant machinery by Government forces will be started during the year. It is expected that the penstocks, gates, and needle valves will be purchased early in the fiscal year. Construction of Granby Dam and Reservoir will be started.

Construction of the Continental Divide Tunnel will be continued through the award of additional contracts for tunnel excavation of approximately 7,600 lineal feet. It is estimated that these contracts will be completed by April 1, 1942, and to that date approximately 5.2 miles of the tunnel will have been excavated.

After fiscal year 1942: There follows a tabulation, by fiscal years, of the proposed construction program for this project after the fiscal year 1942 (unless otherwise indicated, work on the feature named continues through the year and the sums indicated are estimates of requirements by years):

Fiscal year 1943, $4,828,000:
- Green Mountain Dam and power plant (completion).
- Granby Dam and pumping plant.
- Continental Divide Tunnel.

Fiscal year 1944, $8,000,000:
- Granby Dam and pumping plant.
- Continental Divide Tunnel.
- Horsetooth Dam and supply canal.
- Carter Lake Dam and supply canal.
- Arkins Dam and supply canal.

Fiscal year 1945, $11,098,000:
- Granby Dam and pumping plant (completion).
- Continental Divide Tunnel.
- Horsetooth Dam and supply canal.
- Carter Lake Dam and supply canal.
- Arkins Dam and supply canal.
- Irrigation canals.
- Power canal No. 1 and barrier.
- Power plant No. 1.
- Colorado River improvements.

Fiscal year 1946, $10,138,000:
- Continental Divide Tunnel.
- Horsetooth Dam and supply canal (completion).
- Carter Lake Dam and supply canal (completion).
- Arkins Dam and supply canal (completion).
- Irrigation canals (completion).
- Power canal No. 1 and barrier (completion).
- Power plant No. 1 (completion).
- Power canal No. 4.
- Power plants Nos. 4 and 4-a.

Fiscal year 1947, $2,014,000:
- Continental Divide Tunnel (completion).
- Power canal No. 4 (completion).
- Power plants Nos. 4 and 4-a (completion).

After 1947, $7,660,000:
- Completion of power-plant installations to be deferred until power markets justify construction.

Estimated cost and expenditure program

Features	Estimated ultimate cost	Expenditures to June 30, 1940	Expenditure program, fiscal year 1941	Estimate program, fiscal year 1942	Balance to complete after fiscal year 1942
Green Mountain Dam and power plant	$6,838,000	$2,050,000	$1,460,000	$1,500,000	$1,828,000
Granby Dam and reservoir	4,066,000	226,000	60,000	500,000	3,280,000
Colorado River improvements	300,000				300,000
Horsetooth Dam, reservoir and supply canal	7,214,000	96,000			7,118,000
Carter Lake Dam, reservoir and supply canal	3,431,000	40,000			3,391,000
Arkins Dam, reservoir and supply canal	3,486,000	35,000			3,451,000
Continental Divide Tunnel	10,314,000	537,000	1,232,000	1,000,000	7,545,000
Granby pumping plant and canal	1,668,000	9,000			1,659,000
North Fork Dam and Shadow Mountain Reservoir	505,000	91,000			414,000
Western Slope diversion and feeder canals	867,000	25,000			842,000
Irrigation supply canals	1,297,000	48,000			1,249,000
North Poudre pumping plant	200,000	2,000			198,000
Power plant No. 1	1,778,000	14,000			1,764,000
Power plants Nos. 2, 3, 4, and 4a	4,170,000	20,000			4,150,000
Power canal No. 1 and barrier	1,265,000	24,000	10,000		1,229,000
Power canals Nos. 2, 3, 3a, and 4	4,550,000	29,000			4,521,000
Transmission lines and substations	2,341,000	690,000	80,000		1,571,000
Permanent improvements: Green Mountain, Shadow Mountain, and Estes Park camps	(1)	885,000	27,000		−912,000
Plant and equipment, materials and supplies, etc.	(1)	360,000			−360,000
Total	54,288,000	5,181,000	2,869,000	3,000,000	43,238,000
Funds available:					
Appropriation or estimate		6,050,000	2,000,000	3,000,000	43,238,000
Carry-over			869,000		

[1] Included in above features.

NEED AND VALUE OF EARLY COMPLETION OF PROJECT

Mr. PAGE. That is to continue work on the tunnel, which is the principal feature, and on which good progress has been made. It has reached the point where in ordinary progress, we should complete one of the reservoirs on the western slope, so that when the tunnel is open we can commence to put water through it. If we do not start on the Granby Reservoir we will reach the time when we will require a tremendous effort to catch up, or we will not be able to make the project effective when it should be ready to go.

Mr. LEAVY. How long will it be until the tunnel will be completed?

Mr. PAGE. About 4 years yet before we can count on that.

Mr. LEAVY. Is the completion dependent on the appropriation?

Mr. PAGE. There is only so much money.

Mr. LEAVY. I notice that after this fiscal year, if you are allowed the whole amount of $1,000,000, it will require $43,238,000 to complete this project, which is a project in the nature of a supplemental water supply for the farms in northeastern Colorado.

Mr. PAGE. It will serve about 615,000 acres.

Mr. LEAVY. If it justifies itself at all, would it not be extremely important that a project of that nature be proceeded with to completion at the earliest possible date?

Mr. PAGE. It would be of immeasurable benefit to that territory, because they are very short of water there this year.

Mr. FITZPATRICK. I happened to be out there not long ago, and I think there are 75,000 farmers in that particular section. You would be surprised to know that where they have some irrigation it is in fine condition, but where they have not any irrigation the situation is pitiful and the water cannot come too soon.

Mr. PAGE. That is true.

Mr. LEAVY. Is this another project that is being limited because you have to look to the revolving fund for appropriations?

Mr. PAGE. That is right.

Mr. LEAVY. Is it a project where repayments are reasonably sure?

Mr. PAGE. I think you can go a little stronger than that. I know of no project on which they are surer than this one. You have 614,000 acres developed, and you have power assets in connection with it.

Mr. LEAVY. At the rate we are going it will take about 15 years before you can grant them full relief.

Mr. PAGE. That is right.

Mr. FITZPATRICK. I think that should be hurried along because it makes a big difference to the people on the east side. Take the situation from Cheyenne down to Greeley, and you will find in that section of fine farms they are very short of water.

Mr. PAGE. There are 15 good towns in that territory.

Mr. SHEPPARD. What is the volume of intake contemplated?

Mr. PAGE. Of water?

Mr. SHEPPARD. Yes.

Mr. PAGE. The plans are for about 320,000-acre feet. The capacity is about 550 second feet.

Mr. SHEPPARD. That is referring to the tunnel capacity?

Mr. PAGE. Yes; the tunnel has a capacity of about 550 cubic feet of water per second.

Mr. SHEPPARD. What is the drop from the intake to the exit?

Mr. PAGE. In the tunnel itself there is very little fall, but when you get on the east side, on the Big Thompson side, there is about a 1,200-foot drop in 7 miles, which will be used by the power plants all the way down the river. All told there are 5 plants.

Mr. LEAVY. What is the total generating capacity?

Mr. PAGE. About 180,000 kilowatts.

Mr. LEAVY. These facilities will be the property of the United States Government?

Mr. PAGE. Yes, sir; and the water users are not charged with it. The whole management and operation are entirely in the hands of the United States.

Mr. LEAVY. Have you contracted that power?

Mr. PAGE. No, sir; it has not been sold at all, although in connection with the Kendrick project we have transmission lines through Cheyenne and into Colorado down to Greeley and to Brush and Wiggons, and the rest of that territory. We are now selling the Kendrick power, with the Big Thompson power yet to come to towns and to rural electrification projects in that territory.

Mr. LEAVY. There is a ready market?

Mr. PAGE. Yes; the market is quite short there now.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement I made before the Committee on Appropriations. This matter slightly exceeds the limit, and I have received an estimate from the Public Printer.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. D'ALESANDRO and Mr. CRAVENS asked and were given permission to extend their own remarks in the RECORD.)

Mr. MYERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein my statement before the Federal Hospitalization Board regarding the location of the proposed veterans' hospital for Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to extend the remarks I made today by including therein a newspaper article from the Daily Worker.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. FENTON. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Pennsylvania [Mr. SCOTT] be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT

Mr. MOTT. Mr. Speaker, due to the fact that on yesterday the Committee on Naval Affairs held sessions in the morning and afternoon, it was not possible for me to be on the floor when the vote was taken on the conference report on the Agricultural bill. I should like the RECORD to show that had I been present I would have voted for the conference report.

EXTENSION OF REMARKS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article from the Washington Star.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to include in the revision of my remarks a newspaper article from the Detroit Free Press.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a letter and an editorial.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. Under special order heretofore made the Chair recognizes the gentleman from West Virginia [Mr. RAMSAY] for 10 minutes.

AID TO BRITAIN

Mr. RAMSAY. Mr. Speaker, political freedom is the beginning and end of all proper human life. All things are possible for a free people—even moderation and generosity.

History has shown, over and over again, that any nation would sooner govern itself badly, corruptly, and incompetently than be efficiently governed by an alien. A nation can be suppressed by alien dominance for hundreds of years, as Bulgaria, Poland, and Greece have in the past, and still retain the spirit and determination to get free at last. From the point of benefit it would often be to the best interest of the subject race to go on being under domination of another. Good government is a jewel; and there is something in the Anglo-Saxon nature which makes it regard self-government as a jewel and regard alien government over their own country as a devil.

America has one treasure she shares with Great Britain. That is freedom of thought and freedom of speech. You can think, and talk, and laugh in these two countries. No secret police will stop you. There are no Lipari Islands near Manhattan Island. There is no gestapo on Broadway.

Let us hope America, in this time of bombing airplanes, tyranny, and mass insanity, will assert its power and majesty to secure peace and tranquillity. Not only for itself, but for the world.

Germany, the country whose ancient people witnessed the march of the hordes of Attila and the paladins of Charlemagne, and whose hills have echoed to the tramp of Roman legions, the hymns of the crusaders and the artillery of Napoleon, should know better than to try to crush out the spirit of liberty in a free government in an Anglo-Saxon land.

This is not the first time that ambitious tyrants strode across the stage of the world in an attempt to dictate and control the very lives of all the peoples of the globe by the use of fire and the sword.

The Corsican Corporal carried the eagles of France beyond the Alps; stood on the bridge of Lodi with the tricolor in his hand; dictated the great treaty on a raft at Tilsit; and fought Russian snows and Russian fires at the gates of Kremlin. The great Emperor, whose iron heels rang out upon the tessellated floors of the capitals of Europe, as he toppled their thrones and used them as stepping stones upon which to mount the throne of the Empire of France, only kindled the fires of freedom that burn in the hearts of free people, until they finally engulfed him, and drove him into exile where he beat out his heart against the barren rocks of St. Helena.

America, the land of liberty, that was conceived in battle and born in freedom, has placed on the dome of its National Capitol a bronze figure of the Goddess of Freedom, and beneath this dome has dedicated a hall, by national law and affectionate sentiment, to the segregated States of our Union. And, in the city of Washington are to be found countless monuments and statues to the heroes of our wars that were waged for freedom and liberty—Yorktown, Gettysburg, Santiago, the Marne, and Chateau Thierry. Therefore, the people of this great country who enjoy every freedom are not going to stand idly by in cowardly isolation and see the fires of liberty extinguished throughout the world—one by one—by the spawn of Attila.

The question we must decide now is, How far shall we go; how far shall we support the British people? Will we go forward, or will we now withdraw to our own shores and prepare alone, to withstand the destructive forces now operating in the world? The people of the United States must answer this question, thinking only about its own preservation.

The question is not, Shall the British Empire be protected? I believe we will all agree it has been a great force in the advancement of civilization, and it would be better for us if it should continue. But when international law has been destroyed, the first duty of the country is to defend itself.

I believe the President has constantly kept this in mind during the European war and always will maintain lines to guard us against war, notwithstanding the lend-lease bill. These are not cowardly acts. It is not ignoble to protect our country against war, but the time has come when all candid men must realize, if we want to be effective against the forces that are antangonistic to our every form of government, we must give greater aid to Britain, or Britain will fall. This fact makes it imperative that we decide—and decide now—whether our own protection will be aided and secured by protecting and preserving Britain, or shall we stand alone on our own soil to face whatever issues the conquering totalitarians may bring to us.

Speaking for myself, I am ready to go forward and take whatever steps may be necessary to assure delivery of our supplies to the British. Production must be increased. We must assume more responsibility. Of course, there will be increased danger by this policy, but this policy is the only one that will prevent us from facing a much greater peril of standing alone, while ruthless conquerors sit astride three continents.

We have made our promise to aid democracy in every way short of war; we have given our pledge; we cannot turn back now, the hour is too late; the die is cast. We must come through if we ever expect to use the words "national honor" again. The hour of decision is here. In this great danger we cannot shirk our responsibility nor hide from our destiny. It is our duty in this great cause to hold high the torch of liberty and go forward marching under the banner of freedom. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CLAYPOOL, for 4 days, on account of important business.

SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 916. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.), the House adjourned until tomorrow, Thursday, May 15, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Thursday, May 15, 1941, at 10:30 a. m., in the committee room.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R. 181. Mary W. Osterhaus, by Mr. BLAND.

H. R. 341. Inez Clair Bandholtz, by Mr. HOFFMAN.

H. R. 492. Rosalie C. Hood, by Mr. SPARKMAN.

H. R. 902. Elizabeth Painter Menoher, by Mr. REECE of Tennessee.

H. R. 1493. Florence Sharp Grant, by Mr. DARDEN.

H. R. 2190. Nellie J. Merriman, by Mr. MARCANTONIO.

H. R. 2787. Ethel Wise, by Mr. TRAYNOR.

H. R. 3312. Grizelda Hull Hobson, by Mr. JARMAN.

H. R. 3358. Adelaide Westover, by Mr. WOODRUFF of Michigan.

H. R. 3560. Jeannette W. Moffett, by Mr. RIVERS.

The hearings will be held Thursday, May 15, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10:30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

537. A letter from the Acting Secretary of the Navy, transmitting report of awards made under the authority of the act of March 5, 1940, Public, No. 426, Seventy-sixth Congress, third session; to the Committee on Military Affairs.

538. A communication from the President of the United States, transmitting estimates of appropriations for new items of expenditure, supplemental estimates of appropriations, and a number of amendments affecting the Budget for the fiscal year 1942 (H. Doc. No. 211); to the Committee on Appropriations and ordered to be printed.

539. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize regular tours of duty for customs officers and employees at night and on Sundays and holidays without extra compensation, and generally to clarify the provisions of the customs laws relating to the rendering of services by customs officers and employees at night and on Sundays and holidays, the assignment of customs officers and employees to perform overtime services, and the payment of extra compensation and expenses for such services; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Virginia: Committee on Rules. House Resolution 198. Resolution providing for the consideration of H. R. 4139; without amendment (Rept. No. 538). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 4743. A bill providing for the naturalization of certain wives and children of citizens of the United States who lost citizenship through service in the allied forces during the World War; to the Committee on Immigration and Naturalization.

By Mr. BROOKS:

H. R. 4744. A bill to authorize improvements within the Red River Basin, La.; to the Committee on Flood Control.

By Mr. CANNON of Florida:

H. R. 4745. A bill to amend an act entitled "An act to provide for an extension of the conditions under which a money allowance for quarters may be paid to certain noncommissioned officers of the Army of the United States," approved October 17, 1940; to the Committee on Military Affairs.

By Mr. HEFFERNAN:

H. R. 4746. A bill to establish a civilian air reserve; to the Committee on Military Affairs.

By Mr. PATMAN:

H. R. 4747. A bill amending the Federal Reserve Act by conferring additional duties upon the Federal Deposit Insurance Corporation with respect to the guarantee of life-insurance reserves, and for other purposes; to the Committee on Banking and Currency.

By Mr. SCRUGHAM:

H. R. 4748. A bill authorizing the western bands of the Shoshone Tribe of Indians to sue in the Court of Claims; to the Committee on Indian Affairs.

By Mr. VREELAND:

H. R. 4749. A bill to incorporate the Junior Cavalry of America; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 4755. A bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind," and for other purposes; to the Committee on Labor.

By Mr. BALDWIN:

H. J. Res. 185. Joint resolution requesting the President of the United States of America to exercise the powers vested in him under H. R. 1776, to enable the Government of Eire to purchase, loan, or lease military equipment, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DIRKSEN:

H. Con. Res. 35. Concurrent resolution requesting the President to advise the Congress of his recommendations respecting a reduction of $1,000,000,000 in the nondefense items of the Budget for 1942; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLASON:

H. R. 4750. A bill for the relief of Perley M. Silver; to the Committee on Military Affairs.

By Mr. FLANNERY:

H. R. 4751. A bill granting a pension to Minnie Loch Durshimer; to the Committee on Pensions.

By Mr. HARE:

H. R. 4752. A bill for the relief of J. C. Cleveland; to the Committee on Military Affairs.

By Mr. WILSON:

H. R. 4753. A bill for the relief of James C. Rose; to the Committee on World War Veterans' Legislation.

H. R. 4754. A bill granting an increase of pension to George W. Weekley; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1054. By Mr. JARRETT: Petition of J. J. Jones and other residents of Endeavor, Pa., urging passage of Senate bill 860; to the Committee on Military Affairs.

1055. Also, resolutions of the Young Peoples Society of the Bog Bend Methodist Church at Mercer, Pa., opposing convoys; to the Committee on Foreign Affairs.

1056. By Mr. KEAN: Petition of sundry citizens of New Jersey opposing House bill 4000; to the Committee on Military Affairs.

1057. By Mr. KEOGH: Petition of Reserve officers of the State of New York, concerning national defense; to the Committee on Military Affairs.

1058. Also, petition of the New York State Council of Brewery Workers of Utica, N. Y., concerning the proposed tax increase on beer; to the Committee on Ways and Means.

1059. By Mr. KRAMER: Petition of the State Lands Commission of the State of California, protesting against moves by certain people to get the sanction of the President of the United States for filing court proceedings on behalf of the United States against the State of California and those holding under and subservient to the State of California, with the object of taking from the State of California submerged lands in and on the coast of the State of California; to the Committee on the Judiciary.

1060. Also, resolution of the Downey Chamber of Commerce, relative to the location of free ways for the transportation of defense materials, along the Los Angeles River, etc.; to the Committee on Military Affairs.

1061. Also, petition of the Tahoe-Pacific Highway 20 Association, California, wherein they request Congress to appropriate the millions necessary for strategic highway repair in the State of California because they feel that the people of California should not be required to pay the usual share percentage of such costs because of the fact that national-defense engineers have estimated that this great amount of work should be done, and that it should be considered strictly as a national-defense necessity; to the Committee on Military Affairs.

1062. By Mr. O'BRIEN of New York: Petition of citizens of Rochester, N. Y., urging enactment of legislation to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1063. By Mr. PADDOCK: Petition of 25 citizens of the State of Illinois, protesting against the enactment of House bill 4000; to the Committee on the Judiciary.

1064. By Mr. RICH: Petition of sundry citizens of Bradford, Pa., opposing Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1065. By Mr. SHAFER of Michigan: Petition of more than 5,000 citizens of the State of Ohio, opposing convoy of American ships or ships of foreign flags by the United States Navy, and opposing the entry of this country, with any part of the armed forces of the United States, into any foreign war; to the Committee on Foreign Affairs.

1066. By Mr. STEVENSON: Petition of Nellie Zeeh and 200 other voters of Wauzeka, Wis., registering unalterable opposition to any act by this Government leading to any war other than to repel an invasion of our country; to the Committee on Foreign Affairs.

1067. By Mr. THOMAS of New Jersey: Petition of 25 citizens of Hunterdon County, N. J., urging the enactment of Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1068. By the SPEAKER: Petition of the Evangelical Lutheran New York Conference, Jamestown, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1069. Also, petition of the Industrial Union Council, of Tarentum, Pa., petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1070. Also, petition of the Lions Club, of Austin, Tex., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1071. Also, petition of the Texas Cotton Ginners' Association, Dallas, Tex., petitioning consideration of their resolution with reference to the Russell amendment and the cotton-marketing program for the duration of the war; to the Committee on Agriculture.

1072. Also, petition of the Amalgamated Clothing Workers of America, Kansas City, Mo., petitioning consideration of their resolution with reference to antistrike legislation; to the Committee on the Judiciary.

1073. Also, petition of the State land commission of Sacramento, Calif., petitioning consideration of their resolution with reference to submerged lands of California; to the Committee on the Judiciary.

SENATE

THURSDAY, MAY 15, 1941

(Legislative day of Thursday, May 8, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O merciful God, Father of mankind, Lord of all things in heaven and earth, the land, the sea and all that therein is: Give us the strength to live this day in accordance with Thy will for us, in soundness of heart, integrity of purpose, and with faith in our fellowmen.

Help us to live so honestly and fearlessly that nothing shall be able to deprive us of the joy of conscious integrity, or cause us to prove recreant to the trust imposed by our high calling. Grant to each one of us some new vision of Thy truth, that, in obedience to the teachings of Thy blessed Son, we may help to build a new life of love in which the ills of our social order and the anguish of our war-torn world shall disappear, looking to the dawn of brotherhood and mutual service. Reveal to us Thy will, O God, and teach us how to do it, that, in striving for the highest good, we may grow nearer each day to the fullness of the stature of Him, in whom all things are perfected, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 14, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Brooks	Connally
Aiken	Brown	Danaher
Andrews	Bulow	Davis
Austin	Bunker	Downey
Bailey	Burton	Ellender
Ball	Butler	George
Bankhead	Byrd	Gerry
Barbour	Byrnes	Gillette
Barkley	Capper	Glass
Bilbo	Chandler	Green
Brewster	Clark, Idaho	Guffey
Bridges	Clark, Mo.	Gurney
Hatch	Maloney	Stewart
Hayden	Mead	Taft
Herring	Murdock	Thomas, Okla.
Hill	Murray	Thomas, Utah
Holman	Norris	Tobey
Hughes	O'Mahoney	Truman
Johnson, Calif.	Overton	Tunnell
Johnson, Colo.	Pepper	Tydings
Kilgore	Radcliffe	Vandenberg
La Follette	Reynolds	Van Nuys
Langer	Rosier	Wallgren
Lee	Russell	Walsh
Lodge	Schwartz	Wheeler
Lucas	Shipstead	White
McCarran	Smathers	Wiley
McFarland	Smith	Willis
McNary	Spencer	

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER], are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The Senator from Washington [Mr. BONE] is attending the commissioning of the battleship U. S. S. *Washington* and is, therefore, necessarily absent.

Mr. AUSTIN. The Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, LEGISLATIVE ESTABLISHMENT (S. DOC. NO. 53)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, under the Architect of the Capitol, for maintenance of Senate Office Building, in the amount of $27,900 (with accompanying papers); to the Committee on Appropriations and ordered to be printed.

ARMY MAIL CLERKS AND ASSISTANTS

A letter from the Postmaster General, transmitting a draft of proposed legislation authorizing the designation of Army mail clerks and assistant Army mail clerks (with an accompanying paper); to the Committee on Military Affairs.

AWARDS OF CONTRACTS FOR THE NAVY

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Naval Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a memorial from Frieda Lohse, of Holmdel, N. J., remonstrating against involvement in war and the use of United States armed ships to convoy vessels through war zones; to the Committee on Foreign Relations.

A letter from the secretary of the New York Conference of the Lutheran Augustana Synod in convention assembled at Erie, Pa., embodying a resolution adopted by the conference protesting against the use of United States warships as convoys and also against involvement in foreign war; to the Committee on Foreign Relations.

A letter from the executive officer of the State Lands Commission of California, Sacramento, Calif., transmitting a resolution adopted by the commission protesting against the United States attemping to assume jurisdicion over State-owned tide and submerged lands in California; to the Committee on the Judiciary.

By Mr. CAPPER:

A petition of sundry citizens of Phillips County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

By Mr. TYDINGS:

A memorial of sundry citizens of Baltimore, Md., remonstrating against the convoying of vessels by United States armed ships through war zones, or any involvement in war; to the Committee on Foreign Relations.

The petition of the Congressional Districts Modification League (national headquarters, Washington, D. C.), praying for the enactment of legislation legalizing lotteries under Federal control; to the Committee on the Judiciary.

Petitions of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

AID TO THE BLIND—RESOLUTION OF THE ILLINOIS LEGISLATURE

Mr. BROOKS. I present for printing in the RECORD and appropriate reference House Joint Resolution No. 29, adopted by the Sixty-second General Assembly of the State of Illinois, memorializing the President and the Congress to amend the Social Security Act in such manner as to prohibit the Social Security Board from disapproving any State plan for aid to the blind on the ground that such plan permits and encourages the blind to contribute to their own support, by earnings and income in addition to the State grant, without suffering a corresponding reduction in the amount of the State grant, or on the ground that the property, income, or other requirements in the State plan are too liberal.

The VICE PRESIDENT. Without objection, the resolution presented by the Senator from Illinois will be received, referred to the Committee on Finance, and printed in the RECORD, under the rule.

The resolution is as follows:

House Joint Resolution 29

Whereas the Federal Social Security Board has construed section 1002 (a) and other sections of the Social Security Act as authorizing such Board to veto any State plan for aid to the blind which such Board regards as treating the blind too generously; and

Whereas such Board in construing such sections has insisted that the States do not retain the power under the Social Security Act to determine, by statutory standards, what blind persons are in need and shall be eligible for assistance under any State plan for aid to the blind; and

Whereas the Board has insisted that State plans be so administered that blind recipients will be constantly under the dictation and domination of social workers in the management of their conduct and funds; and

Whereas such Board has insisted that recipients of blind aid under a State plan be not allowed to earn any money in addition to the amount of such aid; and

Whereas all of such positions taken by the Social Security Board are in patent abrogation of the stated purpose of the Social Security Act, namely, to enable the States to make adequate provision for their blind citizens: Therefore be it

Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Illinois (the senate concurring herein), That the President and Congress of the United States be memorialized to amend the Social Security Act in such manner as to prohibit the Social Security Board from disapproving any State plan for aid to the blind on the ground that such plan permits and encourages the blind to contribute to their own support, by earnings and income in addition to the State grant, without suffering a corresponding reduction in the amount of the State grant, or on the ground that the property, income, or other requirements in the State plan are too liberal; and be it further

Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States and to all of the Members of Congress from the State of Illinois.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

S. 346. A bill to authorize the President of the United States to dispose of certain public vessels, and for other purposes, with amendments (Rept. No. 285);

S. 347. A bill authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel, without amendment (Rept. No. 286);

S. 992. A bill to amend sections 4613 and 4614 of the Revised Statutes of the United States to include captures of aircraft as prizes of war, without amendment (Rept. No. 287);

S. 1074. A bill for the relief of Austin L. Tierney, without amendment (Rept. No. 288);

S. 1468. A bill to authorize the Secretary of the Navy to establish a fuel depot at Middle and Orchard Points, Wash., without amendment (Rept. No. 289);

H. R. 2107. A bill to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands, without amendment (Rept. No. 290); and

H. R. 4105. A bill to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character, without amendment (Rept. No. 291).

By Mr. BROWN, from the Committee on Banking and Currency:

S. 1438. A bill to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes, with amendments (Rept. No. 292).

By Mr. HUGHES, from the Committee on Claims:

H. R. 179. A bill for the relief of Frank E. Nichols, without amendment (Rept. No. 293);

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly, without amendment (Rept. No. 294);

H. R. 816. A bill to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York, without amendment (Rept. No. 295);

H. R. 188. A bill for the relief of Maj. R. Lee, with an amendment (Rept. No. 296); and

H. R. 768. A bill for the relief of William E. Thomas, with an amendment (Rept. No. 297).

By Mr. SCHWARTZ, from the Committee on Claims:

H. R. 713. A bill for the relief of Elizabeth Hessman; without amendment (Rept. No. 298); and

H. R. 4073. A bill for the relief of Marijo McMillan Williams; without amendment (Rept. No. 299).

By Mr. BROOKS, from the Committee on Claims:

S. 851. A bill for the relief of Edson E. Downs; without amendment (Rept. No. 300);

H. R. 926. A bill for the relief of Hazen G. Chamberlain, M. D., and Cuba Memorial Hospital; without amendment (Rept. No. 301);

H. R. 1731. A bill for the relief of Beulah Bell Nolte and George C. Nolte; without amendment (Rept. No. 302); and

H. R. 2054. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen; without amendment (Rept. No. 303).

By Mr. TUNNELL, from the Committee on Claims:

S. 1142. A bill for the relief of J. Mae Chambers and Retta E. Hultgren; without amendment (Rept. No. 304); and

S. 1156. A bill for the relief of Jess W. Harmon; with an amendment (Rept. No. 305).

By Mr. ELLENDER, from the Committee on Claims:

S. 820. A bill for the relief of Emiliano Lopez and Eliza R. Lopez; without amendment (Rept. No. 306); and

H. R. 3309. A bill for the relief of Louis J. Banderet; without amendment (Rept. No. 307).

By Mr. AUSTIN, from the Committee on Military Affairs:

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia; without amendment (Rept. No. 308).

By Mr. HILL, from the Committee on Military Affairs:

H. R. 4534. A bill to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; with amendments (Rept. No. 309).

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

S. 879. A bill relating to certain Carey Act lands in Wyoming; with an amendment (Rept. No. 310).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unani-

mous consent, the second time, and referred as follows:

By Mr. CLARK of Missouri:

S. 1520. A bill relating to the appointment of clerks for United States district courts; to the Committee on the Judiciary.

By Mr. ANDREWS:

S. 1521. A bill to provide that the Navy ration shall include canned or powdered or concentrated fruit juices; to the Committee on Naval Affairs.

S. 1522. A bill to change the name of the Santa Rosa Island National Monument to Santa Rosa Island National Recreational Area; to the Committee on Public Lands and Surveys.

By Mr. HOLMAN:

S. 1523. A bill for the relief of the Portland Sportwear Manufacturing Co.; to the Committee on Claims.

By Mr. REYNOLDS:

S. 1524. A bill to authorize the deferment of men by age group or groups under the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. LA FOLLETTE:

S. J. Res. 78. Joint resolution requesting the President to proclaim October 9 as Leif Erikson Day; to the Committee on the Judiciary.

HOUSE BILL REFERRED

The bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. WHEELER submitted an amendment proposing to appropriate $500,000, to be immediately available and to remain available until expended, for the commencement of construction of transmission lines, substations, and other facilities for the Fort Peck reclamation project, Montana, intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. THOMAS of Oklahoma submitted amendments intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 65, after line 11, to insert the following:

"Five Civilized Tribes, Oklahoma:

"Dormitory facilities, Jones Academy, $75,000."

On page 65, line 21, after the semicolon, to insert the following:

"Dormitory facilities (Fort Sill School), $75,000.

"Dormitory (Riverside School), $75,000."

PARITY PRICES FOR BASIC FARM COMMODITIES

Mr. THOMAS of Oklahoma. Mr. President, yesterday the Senate completed action on Senate Joint Resolution 60, relating to certain phases of agricultural legislation. In that measure it was provided that loans might be made on certain farm commodities up to 85 percent of parity price. There is no law by which we can determine parity prices; so, in order that we may have some official statement, I have prepared a resolution reciting certain facts in the preamble and then providing as follows:

Resolved, That the Committee on Agriculture and Forestry be authorized and requested to hold immediate hearings on the question of parity prices on necessary and essential farm commodities, and that at the earliest convenient date the said Committee on Agriculture and Forestry be requested to report to the Senate the result of its investigation.

Mr. President, all the resolution asks is that the Committee on Agriculture and Forestry be authorized to proceed at once to investigate how parity prices are determined, and then, after the investigation is made, to report its findings to the Senate. At this time I submit the resolution. If there is no objection, I ask that the resolution be agreed to at this time, so that the committee may act on it immediately.

Mr. BARKLEY. Mr. President, I think probably that resolution should go to the committee and let the committee report it.

Mr. THOMAS of Oklahoma. I have no objection to that procedure, if the request be made. The only reason I suggested the procedure I did is that the resolution seeks to authorize and request the committee to act immediately.

Mr. BARKLEY. Yes; but it is usual that resolutions of this sort go to the committee, and that the committee then report back to the Senate. I think that is the better practice.

Mr. THOMAS of Oklahoma. I have no objection. The same purpose will be accomplished either way. I submit the resolution and ask that it be referred to the Committee on Agriculture and Forestry.

The resolution (S. Res. 117) was referred to the Committee on Agriculture and Forestry, as follows:

Whereas the United States is now experiencing a major national emergency; and

Whereas in such emergency it is deemed absolutely necessary that all vital interests and necessary groups be protected, promoted, and placed on sound financial and economic basis; and

Whereas in this emergency agriculture is one if not the most important interest; and

Whereas our farmers are in a most deplorable financial and economic condition due to the existing low commodity prices, which are far below parity in relation to the things which farmers must of necessity purchase; and

Whereas taxes, interest, and debts cannot be paid and the Budget cannot be balanced until our farmers receive at least parity prices for the things they produce and the Nation must have; and

Whereas there has been recently a rise in the price of commodities, but still present prices are far below parity; and

Whereas there has just been held in Washington a conference of commissioners, secretaries, and directors of agriculture representing a majority of the States of the Nation; and

Whereas in such conference the following resolution was adopted:

"Believing that agriculture is entitled to equal protection as the foundation upon which our national defense must be supported, and that it should be assured complete equality with industry and with labor;

"And believing that those agricultural commodities which are traded in on the commodity exchange is the least number of agricultural products that should be assured parity prices in the domestic market;

"And believing that the domestic prices on these products should be protected by a tariff or excise tax on competing imports to the extent that the landed cost equals parity plus 10 percent;

"And believing that the surpluses of those products of which we produce more than our domestic requirements be sold in the world markets at world prices and thus put the American farmer in a position to vigorously compete in the world markets to regain their rightful position to share in the commerce of the world: Now, therefore, be it

"*Resolved,* That we urgently request the Congress to provide the means by which the farmers of the Nation be paid full parity prices on their products consumed in the domestic market.

"*Resolved further,* That a copy of this resolution be forwarded to the President of the United States, the Secretary of Agriculture, the President of the Senate, the Speaker of the House of Representatives, and to each Member of the Senate and House"; and

Whereas the public press reports that the responsible officials of the Agriculture Department are opposed to full parity prices on agricultural products and are insisting that prices should be fixed and stabilized around the present price levels; and

Whereas official representatives of the farmers, recognizing the present high level of prices of the things which farmers must purchase, are of the opinion that the fixing and stabilizing of farm prices around the present levels would mean ruin and disaster for our farmers and the agricultural interests of our Nation; and

Whereas no satisfactory formula for the fixing of true parity prices for agricultural products has as yet been formulated, hence, true parity prices have not as yet been fixed; and

Whereas it is the conviction of farmers and the representatives of the farmers that under the present general system of prices farmers must have at least the minimum prices on basic farm commodities as follows: Cotton, 25 cents per pound; wheat, $1.50 per bushel; corn, $1 per bushel; oats, 50 cents per bushel; hogs, $12 per hundredweight; and cattle, $13 per hundredweight; and comparable prices on other necessary farm products; and

Whereas in this emergency it is deemed necessary that a formula for the fixing of parity prices should be developed and announced; and

Whereas the public national interest demands that no agency of the Government should assume or undertake the task of fixing maximum prices on necessary agricultural products below the parity prices for such products; and

Whereas both Democratic and Republican Parties have repeatedly resolved:

(a) That farmers should have prices in excess of costs on basic farm products;

(b) That farmers should have full benefits of domestic markets; and

(c) That farmers should be placed on the basis of economic equality with other basic industries: Therefore be it

Resolved, That the Committee on Agriculture and Forestry be authorized and requested to hold immediate hearings on the question of parity prices on necessary and essential farm commodities, and that at the earliest convenient date the said Committee on Agriculture and Forestry be requested to report to the Senate the result of its investigation; be it further

Resolved, That pending such investigation and report no agency of the Government

should assume to exercise power in undertaking to fix maximum prices on any essential farm commodity.

ANNIVERSARIES OF PAPAL ENCYCLICALS ON THE RIGHTS OF LABOR

Mr. GILLETTE. Mr. President, next week is the occasion of the fiftieth anniversary of the issuance of one of the most remarkable papers of modern times. I have prepared a brief statement with reference to it. In order to conserve time, I ask unanimous consent that the statement be published at this point in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

Catholics throughout the Nation are celebrating this month the anniversaries of two famous papal encyclicals on the rights of labor.

One of these celebrations will be held in my home State at Saint Ambrose College, Davenport, Iowa, next Thursday, May 22. This is the fiftieth anniversary of the famous encyclical of Pope Leo XIII on the condition of the working classes. A half century ago Pope Leo gave to the civilized world the most important, the most far-reaching, and the most helpful declaration ever written on the subject. Nearly 3 years ago in a public address I tried to emphasize the need for those outside the Catholic Church to give careful study to this vital document and the particular need of study and of adherence to its wise recommendations and provisions.

Never in our national history has it been more important than it is today for us to review carefully this subject and to consider its implications. Pope Leo a half century ago brilliantly foresaw the conditions which we face in our own generation. While the document, when issued, was primarily concerned with the condition of the working classes and emphasized an appeal to leaders of industry, controlling the destinies of millions of working families, to give most generous consideration to the rights and working conditions for laboring people, yet Pope Leo also foresaw the tremendous power and influence which would probably develop in the hands of leaders of labor and strongly directed attention to the wise and proper use of this power.

Pope Leo's was by far the strongest voice that had been raised to insist on the fundamental basic rights of the workingman—the right to organize and bargain collectively through his own chosen representatives for these basic principles, for proper living conditions, and for the living wage. But he at the same time admonished labor leaders as to the tremendous responsibility which they owed to the great mass of workers whom they represented, to the industrial leaders with whom they were to deal, and to the general public whose interest must always be a factor in negotiations. He expressly cautioned that, with the acquisition of just rights, labor also must assume the added responsibilities.

It is fitting that the Congress of a great democracy should pay tribute and again should direct the attention of our people to this great instrument which now, a half century later, has become even more potently a guide and an admonition for our conduct. Today, as never before, when the welfare and security of our Nation is dependent upon unselfish cooperation between and among governmental agencies, labor, capital, agriculture, and the general public, and with the need for the elimination of industrial strife and destructive methods of conflict, we should join whole-heartedly in the fiftieth anniversary of the events to which I have referred.

Pope Leo addressed his appeal to all of the world. It was not particularly directed to those of his own religious faith or alone to the adherents of the Roman Catholic Church. It was a truly democratic appeal in every implication of the word. He envisioned a greater world by the adoption of the Golden Rule philosophy spoken by the Master and its use in our human relationships, especially in making secure the full rights of the workingman in industry and the concomitant acceptance by labor and its leaders of their full share of responsibility for the public welfare.

ADDRESS BY BROOKS L. VINCENT ON HOSPITALS AND THEIR PLACE IN OUR SOCIAL SCHEME

[Mr. BILBO asked and obtained leave to have printed in the RECORD a radio address on Hospitals and Their Place In Our Social Scheme, delivered by Brooks L. Vincent on May 12, 1941, which appears in the Appendix.]

THE TIME HAS COME—EDITORIAL FROM SHREVEPORT TIMES

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial from the Shreveport (La.) Times of Sunday, May 11, 1941, entitled "The Time Has Come," which appears in the Appendix.]

ACQUISITION AND USE OF MERCHANT VESSELS

The Senate resumed the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Michigan [Mr. VANDENBERG] on behalf of himself and the Senator from Missouri [Mr. CLARK].

Mr. TOBEY. Mr. President, I rise to make a statement to the Senate with reference to my interest in the matter of convoys, and my strong opposition thereto.

I am convinced that the overwhelming sentiment in this country is strongly opposed to our becoming involved in war, and to convoys, which the President says mean war.

In order to insure a decisive victory in this fight against convoys, I shall present the issue for a Senate roll-call vote under a procedure which will not confuse it with the issues involved in the pending ship-seizure bill.

A substantial number of Senators who are opposed to the ship-seizure bill and also opposed to convoys have urged me not to offer the anticonvoy resolution as an amendment to this particular bill, because then their votes against the bill as a whole would necessarily be votes against the convoy prohibition, it having become a part of the bill by amendment.

Another substantial group of Senators who supported the lend-lease bill, and who intend to vote in favor of the ship-seizure bill, are nevertheless opposed to convoys. They have advised me that they would prefer to have the convoy resolution acted upon separately, so as not to delay consideration of the ship-seizure bill for many days.

Of even greater importance is the decision of the President to postpone last night's talk for 2 weeks. This scheduled talk of the President had been played up for days in advance announcements by those close to the President, and it was stated that the President would take a strong and definite stand in favor of convoys. The abrupt cancelation of the talk, with the announcement that the President would speak 2 weeks hence, indicates that the letters in tremendous and increasing volume from the people to the White House and to Senators are acting as a definite check on the President.

If the postponement of his speech means that in his talk of May 27 the President will make a clear-cut statement in opposition to convoys, we shall be satisfied. If, on the other hand, the President comes out for convoys in this talk 2 weeks hence, or in the interim makes any move in favor of convoys, I shall forthwith introduce my anticonvoy resolution under a procedure which will afford full debate and a roll-call vote on the sole issue of convoys or no convoys.

The anticonvoy sentiment has already demonstrated its strength. It is ever-increasing; and by the time the President makes his postponed speech it will have reached a peak of overwhelming opposition.

Mr. President, I read an article published in this morning's Washington Times-Herald:

CONVOYS, A. E. F. SWAMPED IN POLL—92 PERCENT AGAINST GUARDING CARGOES

INDIANAPOLIS, IND., May 14.—Overwhelming opposition to convoys and to sending American troops overseas is expressed by readers of the Indianapolis News in response to a ballot published in last Saturday's editions. Returns from the poll were tabulated today.

The tabulation shows that 92 percent of those who responded are against the use of the United States Navy to convoy ships carrying war supplies to Great Britain and 8 percent are in favor.

In answering the second question, "Do you favor the United States entering the war and the sending of our troops abroad?", 95 percent of the votes were in the negative and 5 percent in the affirmative.

The replies came from a cross-section of central Indiana, including Indianapolis and surrounding cities, towns, and suburban areas.

The ballot was published at the suggestion of readers of a discussion carried on in parallel columns by the Indiana Committee for National Defense and the America First Committee. Neither committee had anything to do with the printing of the ballots.

At this point, Mr. President, I ask unanimous consent to have inserted in the RECORD, an editorial from the Concord Monitor and New Hampshire Patriot of May 12, 1941, written by the editor, James M. Langley. In my judgment, it is a remarkable editorial. It is entitled "Is There No Honesty?"

The VICE PRESIDENT. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

IS THERE NO HONESTY?

When the President, at the press conference at which he announced inauguration of the naval patrol system, said that "convoys mean shooting, and shooting means war," he only said what the majority of the American people believe. For that reason many an American views with alarm the activities of the administration since, for immediately following the President's patrol announcement members of the Cabinet and others close to the President began a deliberate speaking campaign, with the President's knowledge, designed to work up public opinion to the point of approving convoys. Actually, if

what the President himself said was true, the agitation led by Secretaries Knox, Stimson, Hull, and Wickard is for immediate entrance of the United States into war.

Once more, as so often in the past 2 years, the real issue is beclouded by administration resort to devious methods. The administration spokesmen do not use the word "convoy." They do not use the word "war." They talk instead of delivering the goods, of aid to Britain, of loss of ships carrying American cargoes to England. In not coming clean the administration leaders are aided and abetted by various civil groups and opposed by others. The great body of American citizens, however, remain unrepresented in this controversy except by their President, and their Congress, and so it is to the administration that they should and do look for guidance.

What are the people of the United States to believe about the good faith of the President and his administration leaders? Only last fall, when he wanted so badly to be reelected as President, he broadcast this statement of his position:

"I have said this before, but I shall say it again and again and again, your boys are not going to be sent to any foreign war."

This Nation can, of course, be taken into an undeclared war without action by Congress, as the Constitution provides. Do the American people wish to go to war without a formal declaration of their purposes? Congress can even participate in such an informal entrance into war, though in the past its actions on the whole, with the exception of the lease-lend bill, have been designed to avoid "incidents" which would precipitate war without declaration. To project this country into war without a congressional vote upon actual declaration of war would be a betrayal of both the President's promises to the American people both before and since his most recent election and of the rights of the people as contained in the constitutional provision that only Congress can declare war.

Suppose the American people had reached the point of supporting a declaration of war. Against whom would it be made? Would we declare war against Germany alone? Or would we declare war against Japan, too, and Italy, and Russia, her open ally, and all the 14 nations subjugated by Hitler conquests? How would we fight this war, whether it be against Germany alone, or against Germany and all her allies?

If the administration felt that Congress, supported by the American people, would support a declaration of war, its spokesmen would not now be trying so earnestly to convince the Nation that we have reached the moment when we must change our minds. The President, in that situation, would probably ask for a formal declaration of war by Congress. Lacking assurances that such a declaration is forthcoming if requested, the administration is obviously trying to create a situation in which the Congress and the people have no choice in the matter. In doing so the administration is creating distrust among the American people in their own Government, at the very moment when, if the administration has its way and war is to be actively invited, the people should be united in their convictions and solidly supporting the administration's course. Successful wars cannot be fought by a disunited people who feel their leaders have betrayed them.

It is not pleasant to say all these things, but too many Americans feel as we do to let these facts go unstated. The time may come when this Nation must become involved in the war, even when it still is unprepared as to equipment, but that time is not yet. When it arrives, if it does, we shall have no regrets and what we can do we will do to make the American cause victorious. That is the spirit of most Americans. But these same Americans dislike a leadership which avows nonaggression and then secretly prods its hired men into efforts to stir the people to a frenzy in favor of intervention.

All Americans ask is common honesty by their leaders.

Mr. TOBEY. Mr. President, I also ask unanimous consent to insert in the RECORD at this point certain data and communications bearing on the matter of convoys.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SAN MATEO, CALIF., *May 11, 1941.*

Senator TOBEY,
Senate Office Building,
Washington, D. C.:

As World War veteran with 22 months' service, congratulate you on speech. We must keep out of this war at all costs.

FRANK F. WALKER.

NASHUA, N. H., *May 7, 1941.*

Senator TOBEY.

DEAR SIR: I know you will not crucify the mothers. We are depending on you.

Respectfully,

MRS. E. PEDERZANI.

MANCHESTER NICKEL PLATING CO.,
Manchester, N. H.

Hon. CHARLES TOBEY,
Washington, D. C.

DEAR SENATOR: May God bless you and give you strength and health to carry on in this great and noble effort you so courageously are fighting.

I know and feel that the majority of the people are on your side of the convoy issue; we in this country need more men like you, that will not be swayed by the pressure group to love Europe before our own country. The peace or war of Europe is not the concern of our Congress

Sincerely yours,

TIMOTHY D. SULLIVAN.

SANBORN SEMINARY,
Kingston, N. H., May 8, 1941.

The Honorable CHARLES W. TOBEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My congratulations for your outstanding work in opposition to convoys and war. Keep it up. One hundred million true Americans are behind you. We must not let an organized minority lead us into war.

Please do not take the time to answer this letter. You have more important work to do.

Let's keep this country out of war!

Very truly yours,

JESSE B. FLANSBURG.

WINCHESTER, N. H., *May 8, 1941.*

The Honorable CHARLES W. TOBEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR TOBEY: We are grateful for your courageous efforts to keep us out of the European war. There are thousands of us, whose families have fought in every war in which our country has ever engaged, who are praying that we may not be forced into this one.

A small articulate group might try to make it appear otherwise. I belong to many women's organizations and I am convinced that most women do not approve our participation in the present war.

Yours truly,

GRACE W. PITCHER.

MANCHESTER, N. H., *May 8, 1941.*

Hon. CHAS. W. TOBEY,
Washington, D. C.

HONORABLE SIR: Please oppose the use of our ships as convoy for war supplies to Britain or other belligerent nations.

Keep the United States out of war.

Very truly yours,

MRS. CLARA G. BETTEY.

NASHUA, N. H., *May 10, 1941.*

MY DEAR SENATOR TOBEY: Statistics show that you are firmly against convoys.

I believe that your stand is the only way to avert war.

We all know that convoying will lead us to war, and no loyal American wants war.

We can thank God that we in New Hampshire have a Representative who thinks more of the welfare of America than he does of England.

So keep up the good work, Senator.

Yours truly,

JOSEPH DUMONT.

ST. PAUL'S METHODIST CHURCH,
Manchester, N. H., April 21, 1941.

DEAR SENATOR TOBEY: It does us good to see you in the Senate and to have you as our representative.

You do not wait to see the possible trend of opinion before making up your mind. Would that there were more like you in the Congress of the United States.

Stand firm. Even though you should be continually voted down, you can safely leave the judgment to be passed on your stand to a few years in the future.

We are very much afraid that men, presumably strong men, at Washington are becoming hysterical. And that is not a good kind of men to have at the head of affairs. And we have a right to be afraid. But we are less afraid when we see you standing in the midst of them like an oak in the midst of lesser trees in the forest.

Sincerely yours,

WILLIAM E. LOWTHER.

CLAREMONT, N. H., *May 12, 1941.*

SENATOR CHARLES W. TOBEY: A vote to support you on anticonvoy roll call. Hoping there are enough high-minded, courageous Americans to stand by you in this hour of subterfuge, hypocrisy, and lies in our own Halls of Congress.

C. R. HUDSON.

DERRY, N. H., *May 8, 1941.*

Hon. CHARLES W. TOBEY,
United States Senator, New Hampshire,
Washington, D. C.

DEAR SENATOR: I do not think that it is to this country's best interests to convoy ships, and I desire that you do everything in your power to keep the United States out of war by voting against this measure.

Very truly yours,

MRS. WM. MACDONALD.
MARY MCDONALD.
W. H. MCDONALD.

HANOVER, N. H., *May 7, 1941.*

Senator TOBEY,
Washington, D. C.

MY DEAR SIR: I want to congratulate you on your antiwar stand. I was very much impressed by your speech here. I hope you continue to do your best to beat that willful but powerful minority that is intent on sending America to war.

Respectfully,

GEORGE BENZ.

DERRY, N. H., *May 8, 1941.*

Hon. CHARLES W. TOBEY,
United States Senator, New Hampshire,
Washington, D. C.

DEAR SENATOR: I do not think that it is to this country's best interests to convoy ships, and I desire that you do everything in your power to keep the United States out of war by voting against this measure.

Very truly yours,

RUTH M. GOODCHILD.

More power to you, Honorable and Dear Sir, in your difficult and courageous efforts to keep our country from plunging into the

abyss of war. May your stalwart Americanism know no weakening. The vociferous small minority clamors for war and chaos, but the inarticulate millions are with you and the other patriots.

More power to you, and God bless you.

Rev. J. G. Leclerc.

Manchester, N. H., *May 9, 1941.*

Franklin, N. H., *May 9, 1941.*

Hon. Charles W. Tobey,
Washington, D. C.

Dear Senator: As a citizen of the State of New Hampshire I desire to express my admiration in your stand regarding convoys.

I feel that we should give all aid to Great Britain in their fight against Hitler, but I am not in favor of this country getting into war. It would seem that the administration in Washington is doing its best to get us into the war by their actions. What we heard before election seems to have now been forgotten at this time.

I hope your efforts will not be in vain and I wish you success in this matter.

Frank T. Ripley.

Plymouth, N. H., *May 8, 1941.*

Senator Tobey,
Washington, D. C.

Dear Sir: I, as thousands of other fathers of our country, have been watching the events of the world very closely. We thought, surely, after the President promised very strenuously that no American boy should be sent into any foreign war that our boys were safe. But what are we going to do? We criticize some other countries for being faithless with their boys and misrepresenting things to the common people. This very thing makes us lose confidence in the leaders of our country. If our leaders, with Mr. Churchill, thought it wise for Poland and Finland to fight and, above all, thought it wise to encourage Yugoslavia to resist an army they knew would ruin them, then whom do we want our boys to be led by?

It makes our hearts sink to raise up boys and get them into college and ready for life, to be a real help to the world, then have them forcibly torn from their homeland and sent into foreign waters and foreign lands to die for they hardly know what. In fact, how many Americans know what the whole war is being fought for? They say it is to save democracy. But every country they pretend to fight for goes down in ruin. Do we have to send our boys into war under men who cannot state clearly what we are fighting for? If an enemy comes to our shores we would be willing to resist; but to help a country hundreds of miles away, which has repudiated her honest debts and has blamed us for prolonging the last war to her disadvantage, this seems the height of shortsightedness.

We appreciate most heartily your stand for our boys, as we do also that of Lindbergh, Wheeler, and others. Can you suggest anything we can do to save our boys? If you can, we shall appreciate it and be glad to cooperate.

Sincerely,

Leon W. Worthen.

University of Notre Dame,
Edward N. Hurley College of
Foreign and Domestic Commerce,
Notre Dame, Ind., May 8, 1941.

Hon. Charles W. Tobey,
Senate Office Building,
Washington, D. C.

Dear Senator Tobey: I am extremely apprehensive regarding the war movement that is currently being manifested in Washington.

It seems to me that American interests, which are paramount in importance to all Americans, have become subordinate to the interests of others. In my estimation, our secure future is irrevocably associated with, and can only be guaranteed through, strict subscription to a national policy of adequate defense, promotion of our internal economy, and definite rejection of emotional and righteous pleas (and pressure) that we again save the world for democracy.

May I hope that we may continue to share the privileges of Americanism without fear of involvement in the quarrels of others.

Very respectfully,

James E. McCarthy,
Dean, College of Commerce.

Seattle, Wash., *May 11, 1941.*

Hon. Charles W. Tobey,
Senate Office Building,
Washington, D. C.

Dear Senator Tobey: Would that we could take your hand and say "God bless you" for your splendid message to the American people just heard over our local radio station KJR this day.

I am one of those old enough to remember the days and arguments leading up to the last war. These days are following the same pattern. God forbid that the United States should so quickly forget the futility and the awful days of that last great conflict. We want no more such blunders.

We pray, today and from now on, that God may grant you strength to carry on in this fight. We are with you heart and soul—our hands in yours.

Yours for our own country.

Mr. and Mrs. Charles E. Richards
and Miss Jennie Allen.

Philadelphia, Pa., *May 11, 1941.*

Hon. Chas. W. Tobey,
Republican Senator from New
Hampshire, Washington, D. C.

Dear Sir: I listened to your address this afternoon and wish to thank you for that defense of America. I could wish that a copy of that speech might reach every American home.

We must help those who are in distress, and I feel that if in our strength we prepare materials of war and place them on our shores ready for shipment, we shall have done our duty. If, with adequate defense weapons, the present population of democracy-loving countries abroad cannot stem the tide, why should more men be sent? In your next address, for which I shall be listening, please tell the American people the number of population of these countries—that is, the allied countries, both free and conquered—that the lay mind may grasp the idea that it is not people they need but materials and stamina and cooperation.

The intrigues of European countries are beyond our comprehension, so what we would fight for one day might be what we should have to fight against the next.

If convoying has to be done, let it be done by seamen from the other side who understand their neighbors and their neighbors' way of doing things.

I am an American citizen whose forefathers wrought farms from the wilderness; my father fought with Grant on April 7, 1862—he was 18 then; so it is with a feeling that we must hold fast our heritage of freedom that I take the liberty of addressing you.

Most sincerely,

Anna G. Chapman.

Port Washington, N. Y., *May 11, 1941.*

My Dear Senator Tobey: I have just listened to your masterful radio address To Keep America Out of the European War, and say more power to you in your wonderful endeavor. Gen. George Washington gave us similar advice some 150 years ago. It was good advice then and is still good advice. At the present time I have a son serving in the United States Army as a lieutenant in the Twenty-sixth Infantry, and I am proud to think that he is wearing the uniform of the United States in defense of his country, which I will do again if this country is attacked, but I am unalterably opposed to our entering any war on foreign soil. Keep up the good fight you are now waging, and I am sure that the majority of the American people will see the true light.

I am doing everything to further the fight you are now waging and will continue to do so.

Good luck and more power to you.

Sincerely yours,

Albert S. Brown.

The National Society
Magna Charta Dames,
New York, May 11, 1941.

My Dear Senator Tobey: How I wish that I might have been able to team up again with you in our beloved national anthem after your magnificent, soul-stirring address today on the Boston Common, which thrilled and inspired us as it came in so wonderfully over the radio into our home. God bless you in your work to save America.

Sincerely yours,

Roberta Keene Treeman.
(Mrs. Edward L. Hunt.)

New York City, *May 11, 1941.*

Dear Senator Tobey: As I write this letter I am listening to your speech from Boston Common.

The answer to your question is emphatically "No," and 90 percent of my classmates at Fordham University will back me up.

Keep up the fight for us.

Sincerely,

Michael Collins Jacobs.

Bellerose, N. Y., *May 11, 1941.*

Senator Charles W. Tobey,
Washington, D. C.

Dear Sir: I just heard your radio address on Convoys and War, in which you voiced the sentiments of millions of fellow Americans.

I, too, believe that we should defend our own country to the utmost, but also preserve our democracy at home. I am opposed to sending convoys to deliver war supplies to Europe, because it will bring us into war.

I sincerely hope that you and other Senators who consider the welfare of their own country will be successful in your fight to keep us out of war.

Respectfully yours,

Helen A. Williams.

Stanford University,
Stanford University, Calif., May 10, 1941.

Senator Charles Tobey,
Senate Office Building,
Washington, D. C.

My Dear Sir: My sincere admiration for your resolute fight against convoys. You are making a good impression on the people because of your consistent efforts to keep faith and to work against the duplicity of the warmongers who keep "inching" us along into active participation in this foreign war.

Keep in mind the idea that the Navy is people.

Let's not have Englishmen whipping up too much froth in emotional America. Englishmen are for themselves first, as has been obvious all along in our lifetimes.

Do all you can to combat circulation of false propaganda both by Axis and Allies.

Out here the people want to know that Congress is still functioning. We do not want an emasculated Congress, subservient to the will of one man in the United States.

Most sincerely yours,

Calvin P. Stone,
Professor of Psychology.

ALBUQUERQUE, N. MEX., *May 13, 1941.*
Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.:

I want to pay tribute to a real American. Your address Sunday inspired me with new hope and courage. Please don't give up the fight.

C. F. HARNOIS.

LOS ANGELES, CALIF., *May 12, 1941.*
Senator CHARLES W. TOBEY,
Senate Chamber, Washington, D. C.:

Fight Roosevelt. Make him keep his third-term promises not to send our boys to any foreign wars. The mothers are always with you.

GERTRUDE BROOKS.

SAN FRANCISCO, CALIF., *May 12, 1941.*
Senator CHARLES W. TOBEY,
United States Senate,
Washington, D. C.:

The Miscellaneous Employees Union Local No. 110, A. F. L. assembled in regular meeting went on record supporting Tobey no-convoy resolution urges your honors favorable action

LEO PRODROMOU, *President.*
A. T. GABRIEL, *Secretary.*

LOS ANGELES, CALIF., *May 13, 1941.*
Hon. CHARLES TOBEY,
Senate Office Building,
Washington, D. C.:

Following message, 300 signatures, just sent President Roosevelt. People of America unalterably opposed to foreign-war convoys; mean war. We urge you to solemnly rebuke those in Cabinet and Congress who would sacrifice America to foreign interests. You can silence warmongers and we urge you in this solemn hour to fulfill wholeheartedly your pledge to keep America out of war.

Mrs. J. HENRY ORME.

CHICAGO, ILL., *May 11, 1941.*
Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: Have just heard your talk over the radio and it is the very best we have ever heard since the war. Congratulations and a thousand thanks.

Just recently, Knox stated, as nearly as I can recollect, "We have promised England all aid to England until they win, and we must keep our promise."

I wish you had, or will if you can, publicly or in the Senate, ask the President which would be more honorable—to keep his promise to America or to England.

As to promises, you remember he publicly stated, "why trust Hitler? He has never kept his word." Did England keep her word with Poland, Norway, Finland, and many others? When Roosevelt was elected in 1932, did he keep his word? And has he, since his last election?

As a Senator, do you know one single act, directly or indirectly, that England has ever done for America since this Republic was established? I am afraid not.

This appears the only way you can beat that small bunch of intellectually constipated jackasses at Washington.

I am 77 years old, and served nearly 30 years in the military service. Was born here of far-back English ancestry, of which I am not proud. Have always been for America only, am now, and always will be.

Very truly yours,
W. J. SANDERSON,
Major, retired,
One Hundred and Thirty-first Infantry.

LAMBUTH COLLEGE,
Jackson, Tenn., May 10, 1941.

DEAR SENATOR TOBEY: I am heartily wishing you success against convoys. I shall be glad if you and other Senators will bring out the truth in the Senate.

With best wishes, I am
Yours sincerely,

J. R. WALKER.

BROOKLYN HEIGHTS, N. Y., *May 11, 1941.*
Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: I have just listened to your impassioned plea for the preservation of our sons and our America.

To me your words and your voice seemed inspired by God himself, and I thank Him for so courageous and militant a champion against those powers of evil that are seeking our destruction.

On the exact spot where I am now living, my forefathers fought to free us from Britain's tyranny. My great-grandfather was killed by the British in the War of 1812. And now I am asked to give my two sons in her defense, and to bring ruin upon the country for which they died.

I say, "Millions for defense, but not one boy for tribute."

As in the last war, mothers are helpless. We appear to be in the hands of the Philistines. It is only through men like you that we may be saved.

Gratefully yours,
Mrs. NAN INGRAM SMITH.

BROOKLYN HEIGHTS, N. Y., *May 6, 1941.*
To the PRESIDENT OF THE UNITED STATES,
Washington, D. C.

MR. PRESIDENT: Having completed an exhaustive canvass of my election district, I find an almost unanimous, and somewhat rabid, sentiment against our being involved in Europe's war, and therefore against the use of convoys.

Mothers of sons, many of whom cast their first Democratic ballot, voted for you because of your pledge to them that "No American boy shall fight and die on foreign soil." They prayerfully believe that you are going to keep that promise. You, Mr. President, are the arbiter of our destiny.

We are sorry for Britain's plight, but not sorry enough to give our sons to rectify her mistakes.

Invasion of our country would be a different matter. But we believe that if we build up an impregnable defense for our own shores, no enemy will dare attack us.

To paraphrase Hamlet, we prefer to bear those ills we might have (and can avoid) than fly to those we know so well.

Respectfully yours,
Mrs. NAN INGRAM SMITH.

ST. LOUIS, MO., *May 11, 1941.*
Senator CHAS. W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: I have just listened to your magnificent address from Boston.

I have been a student of foreign affairs for over 30 years. I have spent most of the past 11 years in Europe lecturing and trying to help the conservatives of Europe and Great Britain prevent this dreadful war. You can see the result. The warmongers lied, stole, cheated, and beat us at every turn, just as they are doing in the United States today. We must not enter this war.

Russia has planned for our entry into this war for years, and when our Army and Navy leave our shores a Communist government will be set up behind them to rule over the ones left at home.

I have my facts from Russia, secured when I was in Russia; they are authentic.

How may I help?

Sincerely,
(Mrs.) LELAH H. STOKER.

CAMDEN, N. J., *May 11, 1941.*
Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: Can you mail me a copy of your talk today? It was the greatest talk you or any other Senator ever made. I am an ex-service man, was an Infantry sergeant in France, served on three fronts, and saw several of my buddies killed and wounded. For 14 years I was chairman of veterans' relief in Camden, and I saw plenty of sad cases from the last war. I feel the same as you do about this war. I have a 19-year-old boy, and I can't see what he will fight for if our country goes to war.

Yours truly,
PERRY J. WARK,
Member of Veterans of Foreign Wars and American Legion.

JERSEY CITY, N. J., *May 10, 1941.*

DEAR SENATOR TOBEY: First I want to express my deep appreciation of all your splendid efforts in behalf of American democracy. You are a really great American.

As one who has observed the complete collapse of democracy in Jersey City, whose people are now terrorized by the nihilistic Frank Hague gang, I wonder if it is possible for even a United States Senator to ascertain why the United States Attorney General's office fails to prosecute the Frank Hague gang on the abundant evidence its agents collected in their several months' investigation of Hague in 1939. I spoke to the agents and they seemed optimistic that action would be taken. Why is Hague, who hates Americal civil rights, being protected?

Respectfully yours,
ROBERT A. AMBRY, Jr.

BROOKLYN, N. Y., *May 11, 1941.*

DEAR SIR: My sincere thanks and appreciation to you for your splendid and untiring efforts to keep our great and beloved country at peace.

Sincerely yours,
H. A. MARSHALL,
Ex-Twenty-seventh Division, A. E. F.

MAY 11, 1941.

DEAR SIR: I am a disabled veteran of the last war, unemployed since then. We have one son 18 years old. We want to thank you for your radio speech of today and urge you to continue the fight against convoys and for a referendum before further steps into Britain's war.

Gratefully yours,
A. J. HARTHE and wife,
LILLY PAYNE HARTHE.

FRANK H. CORBETT POST, No. 1144,
AMERICAN LEGION,
Bronx, N. Y., May 11, 1941.
Senator CHARLES TOBEY,
Senate Building, Washington, D. C.

DEAR SENATOR TOBEY: May God bless you and give you the strength to carry on. You will go down in history for your great fight to keep America free.

As an overseas veteran, I am opposed to convoys.

I remain,
Yours in Christian comradeship,
WILLIAM J. MCGRATH.

PHILADELPHIA, *May 11, 1941.*
Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: May God give you the health to continue your courageous fight against our boys being sent to fight in Europe.

I proudly gave a 17-year-old boy to save democracy in the first World War. "Ha ha."

After all said, done, and happened since, the whole British Empire is not worth one American boy.

OUR ORGANIZATION

The Crusading Mothers of Pennsylvania are working doing all we possibly can, giving these circulars out by the thousand. Know the mothers of America are united today in our prayers for peace.

Sincerely,
MRS. L. PARKS.

NEW YORK CITY.

DEAR SENATOR TOBEY: As an American citizen and as a young man of 22, soon to be drafted, I want to express to you my deep appreciation and admiration for your eloquent speech in defense of democracy which I have just listened to over the radio. I say "in defense of democracy" because I recognize with many of my fellow citizens that nonintervention in this terrible conflict and the maintenance of our cherished way of life are mutually dependent on each other. It is indeed most gratifying to hear the case for nonintervention stated so lucidly and logically as you have just done and to know that intelligent leadership in this country is still able to put up a good fight against the forces of blindness and hysteria. If through your efforts and those of others this country is able to remain at peace and at the same time build up an impregnable defense, a service of incalculable value to the human race will have been rendered.

Respectfully yours,

WILLIAM OWEN.

MAY 11, 1941.

MAY 7, 1941.

Hon. CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

DEAR SIR: This is not intended as a pressure letter, and yet, I hope that it may give you an indication of support for your stand on the convoy question and other momentous questions relative to the involvement of the United States into the present European war.

Truthfully, among my acquaintances, I know of no person who wants participation in this war, and I have yet to meet a rabid interventionist. Perhaps they are simply above my status in life; however, I must admit my acquaintances despair of keeping out unless men of your caliber exert your utmost in and out of our National Congress.

Although I am not one of your constituents, I trust this letter will be an encouragement to you from the country at large. I do this knowing the present concerted efforts of influential groups to plunge our Nation into active participation into this war.

Congratulation for your courageous stand.

Respectfully,

JAMES B. DOTSON.

COCOA, FLA., *May 6, 1941.*

Senator TOBEY,
New Hampshire.

DEAR SENATOR: My wife and I are strongly against the use of convoys. It does no good to write ———. Everyone knows ——— is out for ——— and has an eye on the Presidency.

Yours respectfully,

W. A. FULLER,
Ex-Captain, Engineers Corps, A. E. F.

SYRACUSE, N. Y., *May 8, 1941.*

Senator TOBEY.

DEAR SIR: For one, I want to agree with you—someone is playing us for suckers. As an ex-soldier that was wounded in the last war, I am for no part in Europe's wars, and rate Charles Lindbergh No. 1 American, and am sure time will prove him right.

Thanking you for the fight you have put up to keep us out of war, I remain,

Sincerely yours,

FRANK P. FRAWLEY.

DOVER, N. H., *May 7, 1941.*

New Hampshire had a great man in Plummer in the early days, but your equal isn't in New Hampshire history. Last night High got his deserts, and you shouldn't have interfered. He was flippant and pathetic. Your type can't quit; it isn't expected. Good luck.

Dr. J. L. SWEENEY.

NEW IPSWICH, N. H., *May 6, 1941.*

Senator CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR TOBEY:

* * * * *

I am convinced that only a miracle can prevent us from being plunged into another suicidal foreign war. I am praying that this miracle will happen. In the meantime, you have my heart-felt thanks and unlimited support in the course which you are taking. I take a great deal of pride in the courage with which you are maintaining your convictions in the face of ever-increasing propaganda pressure.

Sincerely yours,

LESTER E. SMITH,
Headmaster, Appleton Academy.

MAY 6, 1941.

Senator STYLES BRIDGES,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BRIDGES: This is to acknowledge with deep gratitude your telegram of March 8 announcing your vote in favor of the Ellender amendment offered by Senator TAFT to the lend-lease bill. The purpose of this amendment, as I recall, was to emphasize to President Roosevelt that the passage of the lend-lease bill was not to be interpreted as a mandate for taking the United States into an undeclared war.

It occurs to me that Senator TOBEY's anti-convoy amendment to the ship-seizure bill is designed to serve the same purpose, and that it ought to be supported enthusiastically by those who are opposed to condemning this generation of youth to another futile foreign war.

I know that my neighbors are overwhelmingly opposed to our fighting another war over issues which are not clearly and conclusively American. They believe that such a war is imminent and they will undoubtedly support it, but certainly there is none of that fervor and enthusiasm which characterized the late winter and spring of 1917 when we believed that we were about to save the world for democracy and to end war forever.

I assure you that once it should become clear that America is being threatened by military aggression in this hemisphere, I would urge and participate in armed resistance to the limit of my ability. However, like millions of others I am unwilling to accept the proposition that a nation of 120,000,000 people, with unlimited natural and technical resources, cannot make itself strong enough to remain at peace against a nation which is faced with the task of organizing and uniting a continent of hostile neighbors.

Back home we feel that the next few weeks, perhaps days, will determine the issue of war and peace, of life and death for those boys who, since last fall, have joined the Army or Navy with the assurance of their Congress and President that they would not be sent to fight in any foreign war. They have a right to expect that this pledge will be kept.

Gratefully yours,

——— ———.

EXETER, N. H., *May 7, 1941.*

The Honorable CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SIR: As the British loyalists drive the country from one insincerity to another I wonder whether this people is the only one to whom pledges are not to be kept. The amazing cynicism—a product of the past 8 years of broken promises—which greets every flouting of solemn assurances and pledges is certainly not an earnest of a high crusading spirit. There is one point on which national enthusiasm can center—a genuine national defense. Wherein is America even as decent as Germany if, without provocation, it should seize the Azores and other territory of friendly nations as outposts? A war must be entered on by a united people. A regular army goes where it is sent, a volunteer army goes where it has willed to go, but in a democracy the only justified use of a conscript army is the defense of its own soil. Lend England every justified material thing and tax us for it all the traffic can bear (but hand back relief to the communities that can handle it realistically) but let us not spill one drop of American blood for any cause but our own.

If the idea of intervention were morally justified, would a roll call of England's allies in this war justify our exposing the United States to a position which up to date shows a record of 100 percent fatalities? If Britain is fighting for all democracies she is doing a very futile job of it. The persistent question "What if England were defeated without our aid" may well be countered by "What if England were defeated with our aid?" We would be committed of a war on the enemy's ground, the absolute aggressor, with forces depleted in a losing fight.

It may well be that we will have to fight Germany, or all the totalitarian powers, for the United States and Canada. We can do it, if, as Germany does, we operate on inside lines, without long, easily broken lines of communication. The Philippines, a third of the way across the world, are our great weakness, and I hope we may soon be rid of them.

We need, however, enormous holding forces. It is probably true that a compact highly organized force is best for attack. Let's have such a Regular Army, and a two-ocean Navy.

* * * * *

Let me thank you for and congratulate you on the defense of our liberties. It is not we who are the defeatists. I hope, if the home guard takes shape, to be an early applicant. I enclose a clipping showing that half my contemporaries of pre-1910 are willing to fight to their last grandnephew, while 1931–40, faced with participation, are 3 to 1 against.

I hope you will continue your resolute fight in the face of all attacks and innuendos.

Very truly yours,

HOWARD S. STUCKEY.

[From the Princeton Alumni Weekly of May 5, 1941]

4. ON GOING TO WAR

If you were asked to vote on the question of the United States entering the war against Germany and Italy, how would you vote—to go into the war or to stay out of the war?

	Percent
To go in	42
To stay out	58

This question, which is similar to one asked by the American Institute of Public Opinion of a national cross section, shows that Princeton alumni, at the present time anyway, are considerably ahead of the country in the feeling that the United States should go to war against the Axis Powers. The last Gallup poll of the country on the same question returned: To go in, 15 percent; to stay out, 85 percent. When it was tabulated for men's opinions only, however, the result was: To go in, 20 percent; to stay out, 80 percent.

One factor that doubtless accounts in large measure for the difference in sentiment on this question among Princeton alumni and the country as a whole is that the Gallup figure was released some time ago, was based on surveys made in November and February. The Weekly's survey, on the other hand, was made during the past month—a period when dislike of the Axis reached a considerably higher peak than previously.

Both the institute survey and the Weekly survey show again the wide difference of opinion between those who are being trained to fight and those who are beyond draft age.

The institute's national poll:

Ages:	Percent go in	Percent stay out
50 and over	23	77
30 to 40	20	80
21 to 29	13	87
Princeton alumni:		
Princeton class—		
Up to 1910	54	46
1911 to 1920	50	50
1921 to 1930	41	59
1931 to 1940	25	75

TILTON & TILTON,
Laconia, N. H., May 7, 1941.

Hon. CHARLES W. TOBEY,
United States Senator,
Washington, D. C.

DEAR SENATOR TOBEY: Perhaps in these trying times, and when you are being so bitterly assailed for your stand on the convoy question, you may like to know that there are some at least who cordially endorse your position.

I am one of those and I heartily commend your attitude and your work upon this very important question.

Sincerely yours,

FRANK P. TILTON.

NEW YORK, MAY 6, 1941.

The Honorable CHARLES W. TOBEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR TOBEY: It begins to look as though the President will give up the steps-short-of-war policy for a policy of active intervention. The vast majority of the people are doubtless opposed to such a move, but I suspect that Mr. Roosevelt now feels that public opinion can be swung to its support. That this is coming to be his view seems particularly likely since the press, radio, and other means of public expression are in the main subject to the control of those favoring intervention. Add Mr. Roosevelt's dramatic ability to these forces and we shall have a campaign which will be difficult to resist. Whether or not it can be resisted will depend to a considerable extent upon your efforts and the efforts of your colleagues in Congress.

In the coming fight you will, more than ever, be the object of attacks designed to attribute to you cowardice, lack of patriotism, and motives of self-interest. So powerful are the publicity methods of those who will be against you that you may feel that you have lost the support of the public or of that portion of the public which is composed of patriotic Americans interested solely in the welfare of our country. But I do not believe that you will have lost such support.

Here in New York it is true that groups in favor of intervention are able to make a greater noise and a greater show of strength than their opponents. This, I think, is due to the fact that no business is lost by being pro war, but there is a definite fear that business may be lost by being antiwar. Those favoring intervention have worked with some success to make people believe that to be antiwar is to be pro-Hitler. In view of this employers are afraid to speak out against war for fear of losing their customers and employees are afraid to do so for fear of losing their jobs. For the same reason many persons are deterred from joining antiwar organizations, although there is no such deterrent against joining prowar groups. However, I find that in private conversation the sentiments expressed against participation in the war, and against convoys and other steps toward this result, are greatly in the majority. As time goes on and the war publicity campaign gets under way, it is likely that this antiwar sentiment will become even more timid and inarticulate; but this, to my mind, will not indicate a change of the views of the majority, but a fear of the expression of such views.

The purpose of this letter is to point out that, in the heat of the conflict, the support of your position may not be loud but will continue to be strong and sincere. I earnestly hope that the realization of this fact will encourage you to carry on, with all the vigor at your command, the fight against American participation in the war.

Sincerely yours,

J. FRANK WOOD.

TROY, PA., *May 5, 1941.*

Hon. CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR: Allow me to congratulate you on your courage in opposing all steps by the President and others which would most certainly plunge this country into war. I am 100 percent in agreement with you and hope that you will continue unceasingly your efforts to make the people see that this is not our war.

I have already written my Pennsylvania Representative and Senators but also wanted to let you know that there are millions of people all over the country who applaud your stand.

I am a Dartmouth graduate (1928) and an admirer of Dr. Ernest Martin Hopkins, but I think he and Dr. Conant, of Harvard, and others are absolutely wrong in wishing to rush us into a war which we cannot win.

Very truly yours,

OSMUN SKINNER.

NEW YORK, N. Y.

DEAR SENATOR: I have read the published letter of Dr. Stearns and have answered him in kind.

God bless you, Senator, and keep up your good work.

WM. R. WALLACE.

HOPKINSVILLE, KY., *May 9, 1941.*

Senator TOBEY,
Washington, D. C.:

Conservation of national defenses by your conservative party precludes invasion but sabotaging national defense by extremist party for aid to Britain is dangerous domestic policy.

FRANCES FAIRLEIGH.

MIAMI BEACH, FLA., *April 30, 1941.*

Senator CHARLES W. TOBEY,
Senate, Washington, D. C.

MY DEAR SENATOR TOBEY: Your courageous fight against further embroiling this country into the foreign war is being noted by many people—even down here in the darkest South.

The working people, especially, know that the war in Europe is another struggle that does not concern them. They remember what Wilson said after the last one, "Who does not know this was a commercial war?"

As proof of this they see increasing attacks against labor rights, free speech, and civil liberties.

By voicing their sentiments, you, with a small number of other elected Representatives, prove that America can still keep out of war if enough people can voice their sentiments.

We hope that you will safeguard all of our hard-won democratic rights in this crisis. The convoy measure is another step toward total war. We must defeat this and all other measures to kill our youth.

I hope that thousands of these letters reach you daily, encouraging you to keep on the path of peace, despite the selling out of rubber-stamp legislators who have betrayed their pledges.

I will gladly aid distributing any of your speeches on this vital issue.

Very truly yours,

LOUIS GREEN.

HUNTINGTON, W. VA., *May 7, 1941.*

Hon. CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: Ninety percent of the people I contact are opposed to our entrance into European-Asiatic wars. Many of them are confused by repeated statements of people in high positions that England is our first line of defense. People I talk with are largely pro-British, but they do not think we can give all people everywhere our ideas of freedom and impose it upon them by force. Propaganda is confusing the issues. Trick questions by Gallup polls are not bringing correct sentiment.

If we become involved in a 5- to 10-year war with uncertain results, we can lose our liberty at home as well as in China, Russia, or Germany.

Let us prepare a strong defense for America. Let us get everyone down to work with a united program for defending ourselves and our way of life. Let us not overaccentuate the importance or certainty of losing foreign trade. Let us protect America and pay for it as we go. I am willing to increase my already large tax bill; I am willing to add to my hours of work; but I don't believe our way of life is suitable for Russia, China, or the Indias for generations to come. I doubt if it is suitable for Germany or France or even parts of South America. The responsibility is on the Members of our Congress to protect America only and make it strong.

Yours very truly,

JAMES D. FRANCIS.

MONDAY, MAY 12, 1941.

Senator CHARLES W. TOBEY,
United States Senate, Washington, D. C.

MY DEAR MR. TOBEY: I desire to express my appreciation of your untiring efforts to keep America out of war. I am in perfect accordance with your belief regarding America convoying material to Britain. It will be the eighth wonder of the world if this American convoy system does not entangle us in foreign discord.

Your speech from Boston Common Sunday was a very fine one—the best that has been delivered against American convoy to Britain up to now. I hope and pray that your words will be heeded and that American citizens will wake up.

Good luck to you, and may God bless you for your stand. Congratulations for your courage.

Very truly yours,

(Miss) MARY E. FORD.

DORCHESTER, MASS.

COLUMBUS, OHIO, *May 12, 1941.*

Senator CHARLES W. TOBEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR TOBEY: I want to commend you very highly for the splendid, patriotic, American message you gave the public in your radio address of last evening.

We must not become involved deeper in this European war. As you said last night, the President has stated, "Convoy means shooting, and shooting means war." The American people should demand his living up to his campaign promises, "That no American boy will be sent to any European war."

More and more people all the time are objecting to convoying.

I trust you will give many more radio addresses and do everything in your power to keep us out of this terrible holocaust.

Very sincerely yours,

M. L. GREGG.

PARK RIDGE, ILL., *May 11, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: Thank you for the patriotism of your great address in Boston this afternoon. It came into our home with great clearness and power.

Although a descendant of noble English ancestry, and a sympathizer with England in her peril, I view the British invasion of the United States with consternation and alarm. British officials have been bombarding Chicago, Kansas City, and Minneapolis with word bombs in their facinorous efforts to involve our country in their foreign war. Words are more dangerous than air raids, for they disrupt and destroy our national unity.

The British invaders have taken advantage of our afflicted President to secure his connivance in their nefarious scheme to seize foreign ships to turn over to them, and the employment of convoys "which means war." Instead of meeting the exigencies of today with far-sighted provisions for a future security for the English-speaking peoples by negotiating peace terms, they seem bent on the ultimate destruction of the only sanctuary left to our civilization.

In making a traitor of our Chief Executive, they force upon Congress the onerous duty of instituting proceedings for his impeachment. Their peaceful invasion is proving more disastrous than warfare with air raids, for it forebodes the end of our constitutional government. Nothing short of impeachment proceedings can give to our citizens open knowledge of facts that have been carefully concealed from our people by a foreign-minded administration. The British have assumed a usurpation of privileges to which they have neither moral nor legal right.

We appeal to Congress to prove to these invaders and their sympathizers that this is a democracy, and the voice of the people rules our land. Prove this to the President by institution of impeachment proceedings; that will serve to bring to light facts which the public is entitled to know. The vote may not carry, but the Nation will be saved and returned to unity and sanity by a revealment of secret intrigue. The people who do the fighting and the dying, and the people who sacrifice to pay for warfare, when entered into, have the right to rule according to constitutional provisions.

We honor all who are loyally striving to keep our Nation free from war, and we pray for the passage of the anticonvoy measure.

Sincerely.

M. J. EVANS.

TULSA, OKLA., *May 11, 1941.*

Senator TOBEY,
Republican Senator from New Hampshire, Washington, D. C.

DEAR SENATOR TOBEY: Fortunately, I heard your address Sunday over the radio. God grant that you had a huge audience.

You are the voice of the Middle West, whose inhabitants fervently abhor the thought of intervention in the European war, but are emphatic in their support of an invulnerable national defense.

May your able leadership and oratory help to disperse the impending wave of American intervention.

Very truly yours,

THOMAS D. JAMES.

JERSEY CITY, N. J., *May 11, 1941.*

Senator TOBEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: The New York Times of Sunday, the 11th, carried an item saying that some other Senators, including ——, intended to try and dissuade you from putting your anti-convoy measure to a Senate vote. I hope and pray God that you won't give up at the promptings of such men. Please, by all means, press the fight to ban convoys, even though it does seem like a losing battle.

They call us who favor no aid to Britain "defeatists." It seems to me that men (?) like —— should be termed "American boy haters" if all they can do is admit that the convoy system is inevitable. We must keep out of that war.

Yours respectfully,

GEORGE MAGEE.

RIVERSIDE, ILL., *May 11, 1941.*

Hon. CHAS. W. TOBEY,
Washington.

DEAR SENATOR: Just heard your radio address. Congratulations and thanks.

The President should be impeached; maybe the British would like him over there.

We parents will give our lives to keep out of Britain's wars, but not our sons to fight there. I served in 1917–18 over there; never again for me or mine.

Sincerely,

PHILIP RANSOM.

SAN FRANCISCO, CALIF., *May 11, 1941.*

Senator CHARLES W. TOBEY,
The Senate, Washington, D. C.

DEAR SENATOR TOBEY: Listened to your radio talk this morning, and you expressed my thoughts as well. Keep fighting the warmongers, those who would sacrifice our boys for England. We need more courageous Americans to come forward and speak for the defense of our own beloved country. How can England win? Why should we send our boys to die for another country other than their own?

I am unalterably opposed to convoys, which spell war. The last war should have taught us not to trust England. She only participates in a struggle when her own neck is to be saved. Build strong defense in this country and Hitler will stay on his own back yard. He will have trouble enough keeping his house in order, to trouble to come over here.

England is paying for her own short-sightedness in the Manchuria grab, and my sympathies are for the children and women who are being bombed for it right now.

I did not like the attitude of Lloyd George; one would think we were a colonial possession of theirs. They wouldn't involve themselves in a war for us.

I thank God every night my son is only nine, but I feel for those mothers who have sons who must go if we convoy.

I am a patriotic American and have been on the State board of a political organization that is educating women in the intelligent use of their franchise. A duty, not a right.

I am a descendant of an American President, my father has served in four wars and is a possessor of a Congressional Medal of Honor. From this you can gather I am of loyal American stock. I love my country and want to see it saved from destruction. No foreign wars for us. We were talked into it in 1917, and what happened?

Everyone I talk with in this city is opposed to the convoy, which means war for us. They aren't so gullible to the propaganda as in the last war.

Keep talking before free speech is denied to those who are real Americans, first.

Best wishes from an American.

Cordially,

FLORENCE MORROW
(MRS. Weldon Morrow).

MAY 11, 1941.

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: I have just listened to your broadcast from Boston Commons concerning our position as to taking part in Europe's war, and want to commend you for stating the position of all those with whom I come in contact in this, the heart of America. We do not want to engage in this war, but all of us do want our own country prepared for a defense that will keep European countries from even considering attacking us.

Last night I listened to Col. Charles Lindbergh, who in years to come will be known as one of the men who did everything he could to help keep American boys at home and to build up our own country to the type of democracy we should have, but do not have at present. As Colonel Lindbergh said, what we are doing in America is the important thing, and what is happening in other countries is secondary in importance. Let's make America a real democracy, with truth and honor the main points of government, before going out to attend to the business of every other country on earth.

We, as those who have not the ability to take the lead, but have the same ideas as such men as yourself, Colonel Lindbergh, and President Hutchins, of Chicago University, wish to express our high regard for you in your stand, and we hope and pray that your efforts may not be in vain.

Sincerely yours,

MRS. CORA M. JOHNSON.

SAN FRANCISCO COUNTY UNIT,
NATIONAL LEGION OF THE
MOTHERS OF AMERICA,
San Francisco, May 11, 1941.

Senator C. W. TOBEY,
Senate Office Building, Washington, D. C.
Re Tobey resolution.

DEAR SENATOR TOBEY: Your outspoken comments on the manner in which the American people are being talked, deceived, and propagandized into war were appreciated today as we listened to your outstanding speech via the radio from Boston. We consider this the kind of information and the exact message the American people should hear every day now until the war danger is over. It could easily mean the end of a war crisis if only we had more sincere speakers like yourself who are not afraid to be an American nor to tell Americans just what they should know.

We thank you from the very depths of our souls for your heroic efforts to avert destruction of our beloved country. May you have the health and strength to carry on your outstanding work. This is the wish of thousands of our members and thousands of other mothers on the Pacific coast.

Our members in San Francisco particularly are working to help you to have your resolution passed in the Senate. It is a good one, and we are behind you and it 100 percent.

Gratefully,

MRS. HENRY C. MORRIS,
Northwestern Regional Director,
Mothers of America.

HARTFORD, CONN., *May 12, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: Yesterday afternoon I drove my wife into the country and while she was making a call I turned on the radio of the car at haphazard. It proved to be a Boston station, which was broadcasting your address on why this country should keep out of war. I heard something more than half the address and I liked it. I am glad there are men in public life who have the moral courage to express themselves on what seems to be the unpopular and unemotional side of a controversy.

To my mind the big argument, which you expressed fully, is that war means in the end bankruptcy, destruction, and despair, and out of these comes revolution. What the aftermath would be if we went to war is anybody's guess. It might not be communism or nazi-ism or fascism, but it would probably be some type of authoritarian regime which would be kindred to those ugly forms and would be a long way from constitutional government as we have known it in the past.

Very truly yours,

LEWIS A. STORRS.

May I mention that my oldest son served overseas in the World War for 2 years and 3

months; that he was in France when he would normally have graduated from Dartmouth, and his mother and I received his degree diploma in absentia for him. I always thought that was a fine thing for Dartmouth to do.

MELROSE HIGHLANDS, MASS.,
Monday Morning.

DEAR SENATOR: After hearing your most inspiring talk, or really I should call it a sermon, for no minister could give a better one, I must write and give you my most heartfelt thanks. It did my soul good to listen to you. We common people, who love our country, are terribly maligned by the warmongers. We surely need someone to uphold our position. The Government at Washington certainly intend to railroad us into a war if they can. It sure is a laugh to hear Roosevelt talk about bringing freedom to the rest of the world and in the meantime take it away from his own countrymen.

May God bless you in your valiant stand, and I am sure you have the good wishes and constant prayers of all Americans who love their country's welfare.

Gratefully yours,

MRS. M. E. BURKE.

NAVAL RESEARCH LABORATORY,
BELLEVUE STATION,
Washington, D. C.

DEAR SIR: We heard your fine speech Sunday. You have the range. Keep firing! Keep firing! Keep firing!

We four have a total of 44 years' naval service. Our only regret is that we can't serve that same amount of loyal service to a cause as just as yours.

Very respectfully yours,

SCOTTY,
Fleet Air Base, Honolulu, 12 years' service.
ED,
Fleet Air Base, Honolulu, 8 years' service.
EARL,
U. S. S. Medusa, 17 years.
TOMMY,
U. S. S. Boise, 7 years.

PITTSBURGH, PA., *May 11, 1941.*

The Honorable CHARLES W. TOBEY,
The United States Senate,
Washington, D. C.

SIR: I was extremely thrilled at your Mother's Day radio address and I want to assure you that I will do all in my power to assist in the great cause you are so nobly championing. Would to God that every mother in these United States could have heard your words. It is most reassuring to know that there are still a few real Americans who are willing to make any sacrifice in order to preserve to us the security for which our forefathers gave their lives.

As one who served in the A. E. F. during the last World War and who knows how fruitless our efforts were then, I pray God that there are enough right-thinking people in this country to turn the tide that seems to be so rapidly engulfing us in that terrible tragedy being enacted abroad.

Please carry on, brave sir.

Sincerely,

W. R. MCKRELL.

NEW YORK CITY, *May 11, 1941.*

MY DEAR SENATOR TOBEY: Your speech today was magnificent. I hope the whole country heard it.

With you in our Senate, I feel safer now. You had the courage to say things today that we had hoped—more or less in vain—that the other leaders on our side would have said long ago. In everyday language, "you hit the nail on the head."

Can't we drive the British from our Capital and from the White House, including the "country squire"?

My daughter and I are active members of America First. Yesterday my daughter—a senior at Manhattanville College of the Sacred Heart—distributed America First literature on Forty-second Street and attracted big crowds and secured hundreds and hundreds of petitions to the President for no convoys and no foreign war. We are doing our bit.

If you have copies made of your wonderful speech, may I have several to send to camps, etc.?

God bless you, and my humble thanks.

Sincerely,

MRS. C. H. GRAMLING.

BRONX, NEW YORK CITY, *May 11, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: You deserve great praise for your splendid efforts in keeping this country out of war. May your anti-convoy amendment pass in the Senate.

Respectfully,

RAYMOND TRACEY.

DORCHESTER, MASS., *May 12, 1941.*

DEAR SENATOR TOBEY: Please keep up your grand fight for the American people. We are all behind you 100 percent.

Your speech on Boston Common May 11 was the best I ever expect to hear anywhere.

Here's to your anticonvoy bill; may it be passed with flying colors.

Sincerely yours,

MARY G. MURPHY.

LOS ANGELES, CALIF., *May 7, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR MR. TOBEY: Congratulations and more power to you. Please keep up your fight against this war to the bitter end. Your relentless fight inspires me to send another donation to the America First Committee.

Respectfully yours,

J. R. JOHNSON.

THE MUTUAL BENEFIT LIFE INSURANCE CO. OF NEWARK, N. J.,
Manchester, N. H., May 12, 1941.

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: I heartily approve of your attitude toward convoys and our participation in the European war.

At the age of 30, with my life ahead of me, I am not willing to fight in Europe to help England. I am willing to fight in the United States to defend America. I approve of giving materials to England for her use. Let her convoy them.

Yours sincerely,

LEROY W. DAVIS.

RAYMOND, N. H., *May 12, 1941.*

Hon. CHARLES W. TOBEY,
United States Senator from New Hampshire, Washington, D. C.

MY DEAR SENATOR TOBEY: Congratulations on your address given at Boston of this date.

I believe that you, Senator WHEELER, Lindbergh, and a few other real Americans are fighting for the people; please keep it up; you do, and will in the days to come, have the gratitude and respect of the boys that do the fighting and their parents. Unfortunately this group do not have the funds for propaganda that the war party has access to.

I note in the papers that the Government has taken over many large boats to be made over into troop ships. The question is, Where are our troops going? Certainly not to some camp down south.

Do not acknowledge receipt of this letter; conserve your time and energy to carry on the fight for America.

Sincerely yours,

WM. B. HURD.

SHELBURNE, N. H.

New Hampshire's Minuteman, Hon. Senator CHARLES W. TOBEY:

Your State is proud of the fight you are making for our country, and God knows we need that fight. We do not want F. D. to put on the small mustache. The only thing to do is to try and keep that upper lip shaved. And you are doing it. When you go before your State or Nation in the future, put me in your book as one who will spend 6 months at my own expense to keep you in Washington.

Good luck and may God bless you.

FRANK MCLAUGHLIN.

NEWPORT, N. H., *May 12, 1941.*

Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR: The writer heard your Sunday speech over his radio, and I do wish to congratulate you on what you are doing and the limitless effort and energy you are putting into the fight. I do heartily agree with you, and I know that we should not be drawn into the hell of Europe.

I could write and write along these lines, but we are in accord on the subject, and I do want to say, "Carry on."

Sincerely,

JESS ROWELL.

DOVER, N. H., *May 11, 1941.*

DEAR SENATOR: After hearing your address over the radio today, I wish to let you know that I agree with everything you said and am against convoys and any other measures that will get us into war.

Sincerely yours,

MRS. HENRY LANDRY.

NASHUA, N. H., *May 12, 1941.*

Hon. CHARLES TOBEY,
Senator, New Hampshire.

DEAR SIR: I am writing you again to repeat my assurances of my support to your noble efforts to keep this country out of war. It seems that you are our only representative in the Senate. I sincerely hope that your convoy amendment is passed and I wish that I could be there to cast a hearty vote for you. There is no need for me to repeat that Mr. Roosevelt's promises to keep our country out of this world's European turmoil is not in accordance with the conduct of a gentleman and our President. I remain

Yours respectfully,

MRS. K. BOYAJIAN.

MANCHESTER, N. H., *May 12, 1941.*

Senator TOBEY.

DEAR SIR: The President has promised the people of the United States that we will never convoy the Atlantic and we demand he keep his promises.

Sincerely,

Mr. and Mrs. G. BOETTCHER and Family.

CHARLESTOWN, N. H., *May 12, 1941.*

Senator TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: Let me express my approval of your address of yesterday as reported in the papers. Bravo for a brave man who is unafraid to express his opinions against strong opposition.

America first! Not in a spirit of craven selfishness, but that she may lead the world to an era of genuine brotherhood that cannot be won by our entry into this war as an active and full participant.

Yours for democracy which we seem to be squandering for what I am afraid will turn out to be of little more relative value than the proverbial and scriptural mess of pottage.

RICHARD F. MANWELL,
Congregational Church.

GOVER, N. H., *May 12, 1941.*
Hon. CHARLES W. TOBEY,
Washington, D. C.

MY DEAR SENATOR: As one of your constituents I should like to take this opportunity to thank you for your loyal efforts in behalf of the people of New Hampshire. Your recent fighting speeches do you credit. Of your loyalty to your country there can never be any question. When all the results are in, your record as a United States Senator from our beloved State will become a standard by which we may judge those to follow; and Senator, I want you to know that there are thousands and thousands of New Hampshire people like myself that truly appreciate what you are doing.

In times like these it takes courage and fortitude to withstand the unethical and cowardly insults hurled by those in high places, by those who should know better. Thank God, Senator, you have that courage, that fighting heart, and we are proud of you.

We like fighting men, especially when the fight is a good fight. I think the time has arrived, Senator, when you should receive more substantial support from people like myself. I am ready to do more; and if the time ever comes when I can become more active, I should be very happy to do anything in my power to help preserve America and guard her from those who would betray her.

Does it not strike you as strange, Senator, that these warmongers are—so they say—perfectly willing to die for democracy, but when they encounter any real opposition, they start to whine and state that they are living in cold terror? If their cause is so just, why are they afraid? Surely you are not afraid. I am not afraid. I ask you, Senator, who is it that fears the wrath of 100,000,000 people if this administration dare take us into this war?

The President states that we must keep our pledges to certain nations under the terms of the lease-lend bill. I say to him that there were pledges made to the American people that are much more important than those made to foreign nations. If he dare break faith with us, I go on record as saying he should be impeached. His duty to the American people is clear—the people have made known their wishes. He must be made to respect those wishes if we are to continue as a free, democratic people.

Forgive me, Senator, for taking up so much of your valuable time. I admire your courage and what you are doing for us; and if the time ever comes when we can be of assistance in any way, I, for one, am ready and willing to do my part in this crusade to save America.

Yours truly,

RAYMOND C. ALLARD.

MASSACHUSETTS BONDING &
INSURANCE CO.,
Nashua, N. H., May 12, 1941.

DEAR SENATOR TOBEY: "I hate war," said the President. The Bible indicates that God hates war. Everybody I contact in New Hampshire say they do not want war.

The President is quoted as saying: "Convoys mean shooting, and shooting means war."

One hundred and twenty-nine million nine hundred and ninety-nine thousand nine hundred and ninety-nine Americans probably don't want war; therefore they don't want convoys.

Millions of us feel as you do, Mr. TOBEY. We haven't the ability or opportunity to spread our feelings from the rostrums or through the press; but please keep up your fight for us against convoys, and to enable us to build up our American defenses, both of which will keep us out of war.

Yours truly,

R. E. RUSSELL.

THE WOODLAND FARM,
Center Sandwich, N. H., May 12, 1941.
Hon. CHARLES W. TOBEY,
Senator from New Hampshire,
Washington, D. C.

DEAR SENATOR TOBEY: We heard your speech yesterday, the 11th, via radio. We are 100 percent with you.

You can figure this letter as if you received seven individual letters.

I have five boys. One is in the service and has been for some time at Panama Coast Guard.

Three more are eligible for cannon fodder when needed but God knows they or I do not want to go on record as starting a fight which at present seems none of our business and if we did have to defend ourselves later we need all our resources then.

Mrs. Davis is slowly improving. She went through considerable.

Myself—they say I am improving; perhaps in weight, but suffering all the time which is not much now as I have for the past few years.

We certainly admire your courage.

With kind regards and best wishes, I am as ever,

CHARLES J. DAVIS.

Figure as seven letters?

REEDS FERRY, N. H., *May 12, 1941.*
Hon. CHARLES W. TOBEY,
United States Senate,
Washington, D. C.

DEAR SIR: My husband and I tuned in on our radio and heard you give your talk to the mothers and you spoke our sentiments and we are 100 percent with you.

Do keep us out of the war. My husband is too old to go, but I am thinking of the younger people.

Yours sincerely,

Mr. and Mrs. FRED FLETCHER.

DOVER, N. H., *May 11, 1941.*
Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: Undoubtedly every mother today blessed you in her heart as she heard the concluding words of your talk.

May God bless the work you are doing in endeavoring to keep America at peace.

Every day I pray to the Prince of Peace that America will not convoy.

Cordially yours,

Miss MARY KING.

CRANSTON, R. I., *May 11, 1941.*

DEAR SENATOR TOBEY: Bravo to you on your wonderful speech of today. I enlisted in the war of 1917 and many of my old comrades died on the fields of France. They probably would still be alive today if, at that time, we had enough men of your caliber who were brave enough to stand up for their rights as American citizens and express themselves openly as you did this day over the radio.

God grant that we keep at peace and in so doing preserve our strength and our own democracy. I believe as you and Colonel Lindbergh do, and that we Americans can at all times protect ourselves against any agressor or aggressors.

Sincerely yours,

C. L. ALTHAUS.

THE ENTERPRISE-RECORDER,
Madison, Fla., May 10, 1941.
Senator CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: I want to thank you and wish you Godspeed in your efforts to keep this country at peace. There are millions of Americans with you in this. Keep up the good fight.

With all best wishes,

Sincerely,

T. C. MERCHANT.

WEST ORANGE, N. J.

DEAR SENATOR: This is just a line to let you know that I heard your speech from Boston Common, and I want to congratulate you on your fine message and the stand you are taking at this time.

A college man myself, and two sons, ages 21 and 23, both college men, the younger receiving his degree from Syracuse next month, your message coincides with our ideas perfectly. We all will gladly sacrifice everything to preserve democracy in the United States, but we will not go to foreign countries to fight to preserve the British Empire.

The facts you mentioned were excellent, and thinking people can appreciate them and understand them.

May you have the strength and courage to continue the good work and speak the truth so that this great democracy will be prepared to defend itself against any and all forces which are enemies of our democratic life.

Best personal regards to you and yours.

Very truly yours,

J. W. HOFSTED.

NEW YORK, N. Y., *May 11, 1941.*

DEAR SENATOR TOBEY: Ex-service men and women thank God we have a man such as you.

Unafraid of any official, you are doing the honest thing to save this Nation from becoming another Commonwealth of Great Britain. That is in the offing, as you must know.

Organizations are going on record for convoy. It is dishonest, since they are under pressure and only a minority are present. My advice to them has been: Let those who urge convoy and the "big shots" using the pressure—let these, this era type of capitalist, do the convoying. Many of them have sinecures in Washington. They have never met a pay roll; they have been and are birds of prey.

The old-fashioned capitalists are almost hounded out of business by the dollar-a-year man, Government regulations, taxes, and encouraged strikes.

God give you strength to carry on for God and our own country. In His name we ask it.

JULIA WHEELOCK,
C. P. O., United States Navy.

ST. LOUIS, MO., *May 11, 1941.*
Senator CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR TOBEY: This morning I wrote a letter to President Roosevelt requesting him to live up to his promise to keep us out of Europe's war. This afternoon I listened to your talk in Boston. I feel it my duty to write you and give you all the encouragement within my power.

If it were not for such men as you, Senator BENNETT CLARK (of this State), NYE, WHEELER, and others, we would all be slaves in the years to come. But I have faith in the majority of the people unless the warmongers get a foothold.

It is not because I am afraid that I do not want us to get in this war, because I served several years in the United States Army, and the records show that I have offered my service to the War Department during the past year. My offer was refused because I am 60 years old.

In the creation of things the Supreme Intelligence of the universe did not intend for man to hunt for war. If he had intended for us to hunt for destruction, it would not have been creation. If war should come to these shores I am sure we could hold our own unless we give everything we have away to a country that has always been looking out for their own interest against us.

Keep up the good fight and the thinking people will not let you down.

Yours very truly,

A. T. LAWSON.

IDAHO STATE GRANGE,
Nampa, Idaho, May 10, 1941.

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: I do not pretend to represent the sentiment of all the farmers of Idaho but believe I do know the sentiment of most of them and am sure we are not in favor of using our ships as convoys or other ways that will eventually get us into that terrible conflict on the other side. We are not in favor of any measure that will eventually get us into the catastrophe of other nations while we believe we can be of the greater benefit to Britain by staying out and helping all that is humanly possible in materials and supplies.

Yours very truly,

W. W. DEAL,
Former Master, Idaho State Grange.

BALTIMORE, MD., *May 9, 1941.*

Hon. CHARLES W. TOBEY,
United States Senator,
Washington, D. C.

DEAR SENATOR TOBEY: Please accept my sincere congratulations on the wonderful fight which you have and are making against the convoying of British war materials by American ships and American men.

As a matter of possible interest, I am enclosing a copy of a letter from our good Senator RADCLIFFE, together with a copy of my reply.

I am convinced that the great majority of the American people, especially those who will have to sacrifice their lives and those who will have to pay the bill of the war, are very strongly opposed to our entry into this war.

The prowar papers, the New York Times and the Baltimore Sun papers, give much space to anything favorable to our entrance into this war, but give little space and little publicity to favorable information against our entrance into this war, probably for fear of losing some large advertising contracts, knowing that the middle class and little fellows do not control such contracts.

How any sane person can favor convoys or doing anything that will force us into this war, especially after the miserable experience the United States had with the World War, is beyond me.

I pray you godspeed in the great fight which you and others are making to keep this country out of war.

Very sincerely yours,

C. W. BODIE.

BALTIMORE, MD., *May 8, 1941.*

Hon. GEORGE L. RADCLIFFE,
United States Senator,
Washington, D. C.

DEAR SENATOR RADCLIFFE: I am grateful for your letter of April 19, but I regret that I am unable to agree with you, as I do feel that we should not enter the war unless or until some foreign nation takes hostile action against the United States, and then only if such action could not be settled by arbitration. Certainly we cannot compare fairly Norway, Denmark, and Holland with the United States, as conditions are so entirely different; furthermore, if the United States is properly prepared with naval, air, and land forces there is not a nation or nations on earth that could conquer us.

As previously stated, while my sympathies are with England, I have not forgotten the last war—the horrors, loss of life, illness, insanity, blindness, tuberculosis, widows, and orphans, etc., resulting from that war, and of the utter futility of the whole thing. The Allies were victorious, and how did they use that victory and the great sacrifices that the American people made to gain that victory? By starting another war. I can vision one making a mistake, but to deliberately make that same error again is unpardonable and borders on insanity.

The President was reelected on a no-foreign-war platform, and the papers have quoted him from time to time as saying that he would keep us out of this war. October 30, 1940, at Boston, he was reported to have said: "I have said this before, but I shall say it again and again. Your boys are not going to be sent into any foreign wars; they are going into training to form a force so strong that by its very existence it will keep the threat of war away from our shores." When the so-called lease-lend bill was debated in the Congress and the matter of convoys was under discussion the President was quoted as having stated that "Convoys mean shooting, and shooting means war." Furthermore, 80 percent of the people of the United States are reported to be against war, and this is why I am so strongly opposed to convoying ships with war materials for Britain with American ships and with American men, for if we do I feel certain that it will mean war.

Apparently some people of the United States want the United States to act as policeman for all the so-called democracies. In that event, if two of the South American democracies should start a war between themselves, just which democracy would the United States defend? In view of our World War experience, I still favor the advice of Washington and Jefferson—keep away from foreign entanglements.

Yours very truly,

C. W. BODIE.

UNITED STATES SENATE,
Washington, D. C., April 19, 1941.

Mr. C. W. BODIE,
Baltimore, Md.

DEAR MR. BODIE: Like you, I am 100 percent for preparedness and defense, and, like you, I want to do everything in reason to avoid war consistent with our safety and self-respect.

Should Hitler succeed in overcoming Great Britain, do you feel that the question as to whether or not he took hostile action against us would be dependent upon some special act which he might commit? Judging from what happened in Norway, Denmark, and Holland, the answer would have to be in the negative.

I was very glad to get your very thoughtful letter of the 11th.

Sincerely yours,

GEORGE L. RADCLIFFE.

[From the Baltimore Sun of May 7, 1941]

MARITIME UNION OPPOSES CONVOYS

NEW YORK, May 7.—All branches of the National Maritime Union (C. I. O.), claiming to represent 65,000 seamen, have approved a resolution opposing American convoys of war supplies to England, Joseph Curran, N. M. U. president, announced today.

The resolution said an attack on a convoy would put the United States into the war, "against the strong desire of an overwhelming majority of the American people to stay out of it."

It further stated that convoys were used "to safeguard the interests and tremendous war profits of shipowners at the risk of seamen's lives."

BLOOMFIELD NURSES REGISTRY,
BLOOMFIELD BLOOD DONOR BUREAU,
Bloomfield, N. J., May 12, 1941.

Senator C. W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: Our group on this date—Hospital Day—writes to ask that all be done which is possible to keep this country free of another war. We, as nurses, come in contact with one of the World War's aftermaths. The poor devils in hospitals, shell-shocked and all forms of mental conditions. Why fill more facilities in a few years which convoys will certainly do?

We have sent letters to our Representatives in Washington, also the President, hoping it may reach him. Knowing you are not in favor of convoys, we send these lines expressing our feelings.

Good luck to you and all who "see the light."

Sincerely,

L. C. GIRVAN.

CINCINNATI, OHIO, *May 12, 1941.*

Senator TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: We wish to thank you for your great efforts in trying to keep our country out of this war. We do so hope that your bill will pass. Then, and only then, can we stay out of the war.

This bill will be our last fight, I am sure.

And thanks again for the fine work you are doing.

Very respectfully,

Mr. and Mrs. J. E. TOBEY.

CHERRY VALLEY, MASS., *May 11, 1941.*

HONOBABLE SENATOR TOBEY: Please keep up your good work. I am about to be inducted into the service of the United States Army. I'm willing to fight for my country, but only when I feel there is a just cause. At present I don't believe justice will be done to me and the thousands of others if we are made to fight an English war.

The majority feel the same as I do, but they need men like you, Walsh, and Lindbergh to make them realize their opinions should be given consideration.

Keep waking them up so they know that it's not useless for a little fellow to make himself heard and recognized.

Yours respectfully,

ROGER H. KANE.

MEARSFIELD,
Peterborough, N. H., May 14, 1941.

Hon. CHARLES TOBEY,
Washington, D. C.

DEAR MR TOBEY: This is to assure you of the admiration felt by your constituents for your courageous stand on the subject of convoys, for your determination not to let the President forget that he has gone on solemn record before this country as opposed to convoys and foreign wars.

I speak as a representative voter and the mother of two sons who have enlisted in the Naval Reserve to defend this country.

Very truly yours,

LAURIE HILLYER ARMSTRONG.
(MRS. E. B.)

GOFFE'S SAW & GRIST MILL,
Bedford, N. H.

MY DEAR SENATOR TOBEY: May I send you my hearty endorsement of your policy against convoys to England. I trust the moronic steps of those who are in opposition will not discourage the firm stand you have taken. I urge you to hold fast and earnestly hope that more may see the necessity of stopping this gradual slide toward war.

Very truly yours,

CONSTANCE T. WOODBURY.
(Mrs. George Woodbury.)

UNITARIAN PARSONAGE,
Walpole, N. H., May 13, 1941.

Senator CHARLES TOBEY,
Washington, D. C.

MY DEAR SENATOR: I am very thankful that our New Hampshire Senators stand against further involvement in this war. I trust

that your convictions are so firmly grounded that nothing that may happen in the future will weaken or change them.

Very truly yours,

ROBERT M. L. HOLT.

EAST JAFFREY, N. H.,
May 13, 1941.

DEAR SENATOR TOBEY: I have just read your magnificent speech given Sunday on Boston Common.

I could not say the words the way you did, but it is exactly the way I think, and am very thankful that New Hampshire has you to speak for us in this dreadful crisis. This European war is none of our business, and we must keep our boys at home. No convoys.

I am sorry not to have written you long ago to thank you for sending me the two red-hot speeches, re: the lend-lease bill. They were sent to me in Florida, where I spent the winter.

I am glad Hoover has spoken out at last; it ought to help; and I like Lindbergh and all he has to say. He is sincere and patriotic. Guess I am a "copperhead" too.

More power to you and the cause!

Sincerely,

MARIETTA ANNETT.

ST. PAUL'S SCHOOL,
May 13, 1941.

MY DEAR SENATOR TOBEY: With millions of Americans who voted for either Mr. Willkie or Mr. Roosevelt last November, I voted for "aid short of war for the democracies." When I asked you to support the lease-lend legislation I wanted aid short of war. I still want aid short of war. No words of mine could state my convictions better than Mr. Hoover did in his speech on Sunday evening.

Yours truly,

EDITH E. R. CONWELL.
(Mrs. George M. Conwell.)

CONCORD, N. H.

MANCHESTER, N. H.,
May 12, 1941.

DEAR SENATOR TOBEY: I sincerely hope you will do all in your power to keep our boys on our own shores. To convoy ships across the ocean is asking for war. Please don't let this happen.

MRS. ELLA LANGER.

UNIVERSITY OF NEW HAMPSHIRE,
Durham, N. H., May 12, 1941.

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: I wish to give you my unqualified approval of your stand upon the convoy question. Convoys mean war, and I am firmly convinced that it would be a tragic mistake for the United States to enter the European war. Please keep up the good work.

I have not been long at the University of New Hampshire; my position is a modest one. Today I was given the opportunity of signing a statement to be submitted to the president of the university condemning your position. I did not sign, because I could not honestly do so. But since this was a negative way of supporting you, I thought it behooved me to give you more positive support. Hence this letter.

Very truly yours,

ROBERT B. SEARS,
Assistant in charge,
Biological Institute Library.

BARTLETT, N. H., *May 13, 1941.*

Hon. CHARLES TOBEY,
Washington, D. C.

HONORABLE SIR: I am very much against using our forces to man ships for convoy purposes.

I think it would be better to equip and furnish the vessels and let the English furnish the manpower.

Yours truly,

EVERETT W. TEBBETTS,
Veteran.

HAMPTON, N. H., *May 12, 1941.*

Hon. CHARLES TOBEY,
Member of Congress, Washington, D. C.

DEAR SIR: I listened with great interest to your fine address on Boston Commons, Mother's Day. We are all proud of you and the great work you are doing to bring the truth before the people. We do not want our ships used as convoys and we don't want war.

I wish there were more men like you and Charles Lindbergh who had courage to speak their convictions.

Very truly,

MRS. MARY B. WARBURTON.

EXETER, N. H., *May 13, 1941.*

Hon. CHARLES TOBEY,
United States Senator
from New Hampshire,
Washington, D. C.

DEAR SENATOR: As a very humble citizen of this old town I am writing you to tell you that I am mighty pleased with your attitude in the present deplorable international situation. I admire your stand in regard to convoys.

My father, the late Capt. George N. Julian, served 4 years in the Civil War which was, without doubt, prolonged by the assistance given the Confederacy by the English.

History will detail to you and anyone else who will read, instance after instance where the British have done all in their power against the United States, especially in the Revolution and the War of 18`2.

I do not believe a leopard can change its spots and therefore I see no change in the attitude of the British people toward the United States except to get all they can from us and then stab us in the back even while accepting our gifts.

I believe the advice of Washington to have no foreign entanglements is as applicable today as when it was given.

Therefore I am against any help we may give England except what it pays for in the way of cold cash.

I voted for you at your last election and I will gladly do the same again.

Please excuse this letter and consider me always your stanch supporter,

JOHN A. L. JULIAN.

DEERFIELD, N. H., *May 13, 1941.*

CHARLES W. TOBEY,
United States Senator,
Washington, D. C.

DEAR SENATOR: I was much pleased with your talk at Boston, Mass., Sunday afternoon. I agree with it 100 percent. The people of New Hampshire should be proud of you as their Senator. I am glad we have a man who has the mind and courage to tell the public he is for the interest of the United States and its people and is using his every effort to maintain the principle that was said by George Washington, "To keep out of foreign troubles."

May God help you to continue, if you win or lose in your effort to keep us out of this war.

Very truly yours,

GEORGE W. DANFORTH.

NATIONAL OLD AGE PENSIONS, INC.,
Nashua, N. H., May 14, 1941.

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: I wish to express my admiration of the courageous stand that you have taken and the work that you are doing in your efforts to keep this country from becoming actually involved in the European war.

In these troubled times it takes the kind of courage that you possess to stand up and fight for what one believes in when those beliefs happen to be in conflict with those of the administration in Washington. I am proud that New Hampshire has a man of your type to represent it in the Senate of the United States.

Respectfully yours,

MRS. EFFIE T. RUSSELL.

GOFFSTOWN, N. H., *May 13, 1941.*

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR MR. TOBEY: I admire you for the stand you are taking on the question of convoys.

I wish to go on record as being opposed to the use of our United States Navy for convoying ships to Britain, believing that it would automatically involve the United States in this war.

I feel we can contribute more to the aid of Britain if we refrain from any act that would lay ourselves open to attack.

Very truly yours,

MRS. FLORA L. BLAISDELL.

MANCHESTER, N. H., *May 12, 1941.*

Hon. CHARLES W. TOBEY,
Washington, D. C.

HONORABLE SIR: We appreciate your speech in Boston, Mass., on Sunday, May 11.

We thank you for your opposition to convoy and foreign wars.

Very truly yours,

THEODORE GRIMARD.

PORTSMOUTH, N. H., *May 13, 1941.*

Hon. CHARLES TOBEY.

DEAR SENATOR TOBEY: I was delighted to read in the Boston Post on Monday, the reaction your Sunday speech on the Boston Common made upon the public.

You did a good job, and I only wish you could do it in other places. Anyway, the President changed his program. I sent him my protest today about using convoys; I also sent Senator GEORGE my protest. In both letters, I asked that the people be allowed to vote on the question of war.

Now that the President has postponed his speech it will give the people more time to think it over, talk it over, and write more letters, now that you have got them aroused.

Boston was just the place to start from. I hope you will either repeat your speech in the same place, or select another equally good city.

I wish that I could help. What can one do now?

You are to be congratulated for your courage.

Of course, I am asking everyone I meet to write to the President and our Senators.

Is there anything else we can do? You have my support. Thanks for your letter and copy of speech on radio.

Very sincerely,

MRS. LOUIS H. ALLEN.

BARTLETT, N. H., *May 14, 1941.*

Senator CHARLES W. TOBEY:

Drive the British out of Washington. Stop the convoys, also foreign wars. More power to you.

J. F. CHADBOURNE.

CONCORD, N. H., *May 14, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D C.

DEAR SIR: I know you are flooded with messages of congratulations from all parts of our great land for the position you have taken on the issue of convoy. May the faith we have in your righteousness make more

might in your fight for us against convoying ships in European waters. There is no doubt in my mind, as also in the minds of a great many others in this beautiful city of Concord, but we are heading for an undeclared war against the Axis Powers if this convoy which has partially started is continued.

The Neutrality Act was passed to keep our ships out of the war zone—let us see to it that we abide by this act.

Kindly accept my encouragement and gratitude for the good work you are doing and the firm stand you have taken on this question of convoy.

Sincerely yours,

AUSTIN B. PRESBY.

P. S.—Would it be possible to receive a copy of an extract from the CONGRESSIONAL RECORD of your speech of April 18, 1941. A. B. P.

DERRY, N. H., *May 12, 1941.*

DEAR SIR: I, as a citizen of New Hampshire, want to urge you to keep up your fight against our convoying and getting into war.

While I do not approve of Hitler's policy, I feel that we are all partly responsible for making these conditions possible by the treatment Germany received after the last war.

I would also like to urge you that in the future our policy be one of cooperation with all nations, a policy of service instead of only thinking of our own interest. As long as we are fighting wars we will never have peace. I would like to see a union of world nations, where trade, etc., can be justly distributed to all nations.

In peacetime we claim we cannot have foreign entanglements, but yet in war we want foreign entanglements.

I congratulate you and others who are striving for peace, and I think as a supposedly Christian nation, we should try to be Christian in our actions.

Yours truly,

HERBERT CHASE.

HAMMOND, IND., *May 11, 1941.*

DEAR SENATOR TOBEY: I was born in the hills of Kentucky, where we were taught America first during our cradle days. I have always stuck to that patriotism. When I was 17 years of age I enlisted in the United States Navy, and received my honorable discharge after 4 years' service. I stand ready to give my life for America, but refuse to give one drop of my blood because of a few personalities or over-night spring-ups of European "isms."

I am afraid for America's sake of an offensive, offending policy which makes enemies of the world except one power. If we go into this war, we go a divided people, unless we have more reason to fight than imperialism and the hate of a few personalities. All America would unite 100 percent if the cause were just and if it really meant America. But why tell you this; you understand.

I do offer a prayer that Almighty God continue to give you courage. Some day you shall be rewarded. The American people are not masses of fools. Thank Heaven, some still read and think instead of believing.

I would suggest that we have a warmonger in the crow's-nest of every convoy or troop-transport ship which sails for England, Africa, and other foreign lands. If they can so selfishly make the policies against the people's will, let them get a taste of a foolishly created hell instead of dwelling in our Capital's heaven.

WM. R. ADAMS.

This article written by me was published recently in our local paper:

THIS BEAUTIFUL FIGHT

Yes; we are about ready to begin, and what a build-up. We have been primed, misled, and betrayed. We first have cash and carry; no ships to war zones; no loans; and build up this country's defenses from money received by selling our antiquated planes, ships, etc. Never, a thousand times never, an expeditionary force to be bombed from the heavens and torpedoed from hell while they helplessly do nothing but die.

On we went; a few more kings were driven from jewel-studded thrones built from sweating brows of half-starved, badly mistreated peasants; then we promised more aid.

Later, after ample propaganda and appeals from kings with red-headed female companions and gold-lined dance halls, we softened. Our policy became "Come and get it; pay later or never, as you have always done. Our newest public opinion is in our favor." How sweet the sound. What chance did public opinion have when the least dared opposition was muffled out with cries of "Traitor, coward, appeaser" and other condemning terms.

Now it's wide open. Convoys, war, anything, no more short-of-war phrases. We must preserve the lords, the kings, and queens against whose ancestors the stalwart pioneers of this country valiantly fought to protect a land where taxes would go for the betterment of common people rather than to fat, false politicians, nobles, and lords for champagne, 25-cent cigars, and corrupt parties.

Soon, my friends, it will be expeditionary forces, total war with nothing to gain but broken homes, more taxes for the continuation of the "ritzy" lives of nobles who spread coats for the ladies to walk upon while the poor go naked and starve.

What will we fight for? How silly. Yes; we real Americans would all fight for America, what America really stands for, but not for the upper crust who always push from behind but never pull when it comes to battle, who always give those who are sincere, patriotic, honest, and productive a new false deal instead of a new honest one.

Yes; we will fight, fight for this land for which our fathers bled and for those fundamental principles of a government by, for, and of the people. We must protest against a government by, for, and of the government. Let's fortify this hemisphere and deport on the next boat with a lend, lease, and please lose, shipping bill those who would betray the majority of the common, productive, honest, and brave Americans who really love America and who do not want America to fight because of a few personalities or because there might be a little trade competition for the millionaire exchangers and businessmen.

Yes; we are about there; but wait a minute. There is a low rumbling sound which our all-assuming politicians do not hear. America is still America and the people cannot be fooled all the time. Our fathers and we fought for this land time and time again, while a few gathered a bloody harvest after giving the fighters and producers a "forget-it pill." But this time we warn, we are not appeasers; therefore, we asked to be consulted, not driven by false propaganda. Our flag-waving, band-beating arteries are clogged until we know what we fight for and where. We agree to fight here only, and only for those principles for which we thought we had always fought—common, plain, old American principles of freedom, justice, equality, with no upper crust and interest fixers as our cowardly and selfish leaders. Give us those principles in this country, and the end of time will find us fighting. Otherwise, I suppose we might have to fight for awhile half-heartedly, but beware betrayers who would clip the principles which serve as the foundation of this country and cry "patriotism" to detract our attention from the scars.

WILLIAM R. ADAMS.

SCAPPOOSE, OREG., *May 11, 1941.*

DEAR SENATOR TOBEY: I should be a very stupid American if I failed to write to you in acknowledgment of your honest and healthy efforts to keep this Republic from being sent out by men who should be tested for their sanity to police the world. My views and those of dozens of my friends coincide exactly with your own in every way, and I urge you please to keep up the fight, for somehow those deceivers in high places must be kept from always getting their way, at the expense of our people, when an honest look on the inside of any base hospital in the land would give the answer to all the questions.

Please do not hesitate to let me know if there is anything, anything at all that I can do toward our keeping this Nation from falling to pieces, just to please England. I am tired of all the insults, the supersuperiority of the British over us, and the sell-out. It is decent and commonsense, dear Senator TOBEY, and I also speak with knowledge, since for 10 years I have lived in Europe and traveled in Asia, and I am in command of the facts as regards the attitudes of other nations toward our own, for our meddling. Let Britain handle her own affairs without dragging us to the level of peasants because of her jealousies.

Sincere and honest regards,

IONE DUNN.

MIDDLEBURY, VT., *May 13, 1941.*

Senator CHARLES TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: I want to thank you for carrying on the fight against war and dictatorship in the United States, and add my voice to that great chorus of voices which is being raised against the war policy of the Roosevelt government today. I want you to know that you have my support in your courageous battle. I know many other people who hold with you, but who, unfortunately, are so frightened by Roosevelt propaganda and the veiled threats of local dictators-in-embryo that they do not dare to express themselves openly.

Your speech over WQXR, at the Congress of the People in New York, was, I am convinced, a history-making episode in the course of American political events. I could not have been more thrilled if I had been listening to the voice of Patrick Henry, or some other great American patriot. Let us hope that there can be an ever-increasing number of such forums as that held in New York by the Congress of the People. Such forums put the fear of God into the warmongers, for when they listen to the radio they cannot help hearing the ominous roar of public wrath and indignation.

It is no attempt of mine to exaggerate when I say that people in Middlebury are dissatisfied and discontented, not to mention frightened, by the course of the Government. Men of my age—military age—are without exception disgruntled at the prospect of being pushed into a conflict which we all regard as an almost certain eventuality due to the corruption of the Roosevelt regime. A brilliant young medical doctor—one of the best in the town—a young master carpenter, mechanics, students, college professors (of military age), all of us are sullen about the conduct of the Government. I do not think I exaggerate when I say that if we get into the war in a big way, sending navies, men and equipment, that there will be created a situation favorable to revolution following or during the war. Thanks to yourself and a number of other prominent and patriotic American statesmen, and also men in private life, the public is not fooled about this war. Some are deceived, to be sure, but not the majority. The lies of President Roosevelt and his henchmen have been too numerous, and have been exposed too frequently, for the people to forget. If Roosevelt takes us into a war he will complete the chasm which is growing deeper every day between the Government and the people.

We read about a plan to present you with a yellow umbrella. We know that you can carry that off in your stride. However, my wife suggested something which might help you to lighten the burden a little. She proposed that you invite Lord Halifax to be at the reception party when the delegation of New Hampshire citizens arrives at Washington, Halifax having had plenty of experience in handling appeasement umbrellas.

More power to you.

Sincerely,

PAUL T. COLLINS.

SOUTH RIVER PUBLIC SCHOOLS,
South River, N. J., May 12, 1941.

Senator CHARLES W. TOBEY,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR TOBEY: Thank God for such men as you, who will fight to make the voice of the common American heard. I heard your address from Boston today, and you are voicing the will and feelings of millions of Americans who are by force of circumstances kept quiet on the side lines. I have a son in the United States Marine Corps whom his mother and I were happy and proud to see enlist in the service of his country for its defense. He is an honor graduate of Dartmouth College and prepared to enter a worthy professional career. He has foregone this for the moment, we hope, to serve his country; but if the President and his cohorts have their way, I am sure he will be one of millions struggling on foreign soil for another mythical prize. He is now sorry he joined the United States forces and feels he has been duped.

Please do all you can to prevent the passage of the convoy bill, which will inevitably plunge us into war. The President seems to have no hesitancy about throwing his promises to the wind. He has done it often before and we helpless Americans can do nothing about it. We must depend upon you Senators and Representatives to stop him in his determination to thrust us into this awful holocaust. Keep fighting; the common folks, the mothers and fathers of America, are with you.

I have contacted my own Senators and Congressman. What else can I do?

Sincerely and respectfully,

LESTER A. RODES.

CONCORD, N. H., *May 12, 1941.*

Senator CHARLES TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: I am very glad that you are doing all you can to keep the United States from convoying the supplies sent to Britain and hope that you will continue to keep up your activity in this direction.

Sincerely,

ELIZABETH C. KELLEY.

THE LESSON OF THE YEARS

The years have taught me many things
But none so sure as this:
That shelter, solace, joy, and strength
Are always where God is.
So now when hope and courage fail,
And only fear is strong,
My heart will sing as in the past
An unforgotten song.

God is my refuge and my strength
I will not be afraid,
And though the night be wild and dark
I'll meet it undismayed.

BELMONT, MASS.

MY DEAR SENATOR TOBEY: May God bless you and your work, and it will be my continued prayer that you will be given the health to carry on and the grace of wisdom to see and speak the truth as you are now doing so nobly.

May God's blessing be yours.

Cordially in Christ,

Rev. ARTHUR B. KIMBALL.

NEW YORK, N. Y., May 9, 1941.

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SIR: I am one of that vast majority of Americans who detest and abhor Hitler and nazi-ism; who are even sympathetic to Britain in her hour of retribution; but who cannot and will not swallow the lying definition of "defense for America" which a perfidious administration and government, in concert with other self-seeking warmongers, is attempting to ram down the throats of the American people.

When our double-talking President—promising to keep us out of war, all the while consciously leading us into it—says that we in America are ready to fight and to die to defend America, to defend our way of life, to defend democracy and the four freedoms—which, by the way, we are yet to achieve—he is right. But the word "defend" to us Americans means just that—defend. It does not mean the creation of an American empire out of the fragments of the crumbling empires of Britain, Holland, Belgium, and France. It does not mean policing the world. It does not mean lording over other nations and peoples and telling them what to do or how to live.

We Americans are no cowards; we are no weaklings; and we have the calm conviction that we are invincible in our own back yard, where we belong. There need be no contemplation of any regret if history shall prove us to be wrong in this conviction, for if that happens, then America and Americans will not have been worth saving.

We want no convoys, no naval action, no subterfuges, nothing—absolutely no part of this recurrent European slaughter.

Yours truly,

JAY H. BEST.

NEWBERG, OREG, *May 12, 1941.*

DEAR SENATOR TOBEY: It is encouraging that a Senator from the sovereign State of New Hampshire is opposed to the high-handed intrigue that prevails in Washington at this time. I am a direct descendant of the illustrious patriot that was a "signer" and also the first Governor of New Hampshire. If the patriots of that period were here and could see what is being done today, they would wonder whether we were deserving of independence from the British Crown.

From the information we receive via radio and news sources, our country is rapidly forging toward war. The average citizen does not want war. We do want adequate defense, but here. We are opposed to convoying British or any other vessels. We have no right to send our boys to foreign shores. When we do that we have surrendered to British plutocracy as surely as if Washington had been defeated at Yorktown. Our community is made up of thrifty people that are just barely getting by—good, honest, hard-working, devout people. War taxation, in any case, will cause the loss of many homes and farms to mortgage foreclosures. If, in addition to that, our manpower, our workers, are slaughtered needlessly, what can be ahead? Use your influence to vote against war.

Very truly,

Mrs. S. A. BRISTOL, born Bartlett.

PHILADELPHIA, PA., *May 12, 1941.*

Hon. CHARLES W. TOBEY,
United States Senate, Washington, D. C.

DEAR SENATOR TOBEY: I heard your thrilling, patriotic address over the radio yesterday afternoon. Frankly, I consider it one of the most patriotic utterances made in our day. I pronounce it equal to Patrick Henry's "Give me liberty or give me death" appeal. Alas "them" were the real American days.

Notwithstanding your undiluted 100-percent Americanism, however, attached is a mere 2-inch clipping taken from today's Philadelphia Inquirer, which, obviously, measures the patriotism of this newspaper compared to yours and all the real red-blooded Americans in the United States who haven't a chance, pitted against such overwhelming handicap.

I am also attaching a clipping from the editorial page of the Norristown Times Herald. This is an obituary on my late father. I enclose this primarily to bring to your attention the Americanism and the Americanistic appeal of my dad, shortly before his death. If we must have unity—a united America—I believe my father's last appeal on earth is the one and only solution.

Please convey my regards to Senator JIM DAVIS, your colleague and my friend and favored Senator from Pennsylvania. Please also convey to Congressman BILL DITTER my fervent regards. I have had the honor of talking from the same platform with BILL, and I am sure he favors my ideals—and yours—on what is best for the safety and preservation of America.

Sincerely yours,

JOHN J. ALLEVA.

[From the Philadelphia Inquirer of May 10, 1941]

VOTING ON CONVOYS CALLED WAR DECISION

BOSTON, May 11.—Senator CHARLES W. TOBEY (Republican, New Hampshire) told a Mother's Day crowd of 3,000 today on Boston Common that he would introduce an anticonvoy resolution as an amendment to the ship-seizure bill in the Senate this week.

Asserting he would demand a roll call on the amendment, TOBEY said:

"I measure my words when I say that the vote on that anticonvoy amendment will be a war vote. It will be a vote to decide whether the United States shall enter the war or stay out."

[From the Norristown (Pa.) Times Herald of March 11, 1941]

TOWN TALK

Casimiro Alleva, who died last week at the age of 85, was one of the few remaining pioneer Italian emigrants from the Italy of the pre-Mussolinian era, who came over to and contributed his indelible part toward the development of the American community in which he lived and labored.

As a respected local merchant and private banker, Mr. Alleva enjoyed the confidence as well as the respect of his fellow men. His store, at 250 East Main Street, now the site of Chatlin's department store, became a sort of "oasis" for the immigrants of sunny Italy who came to America in great numbers after 1900.

Casimiro Alleva was one of the founders and president for the first 25 years of the Mutuo Soccorso Society, now the Mutual Benefit Association, the first Italo-American society in Norristown. Migrating to America in the late nineties, when Italians were pioneer—strangers in a friendly land of opportunity discovered by their immortal compatriot, Columbus—he strove to plant the germ of Americanism in the hearts of those of his fellow countrymen who followed him in migrating to this beloved land of democracy and promise.

As president of the first American society of Italian extraction aforesaid, he was the first emigrant to unfurl the tricolor of his native Italy alongside the beloved Stars and Stripes of his adopted America. The occasion was the first local commemorative Columbus Day parade—the Yankee Doodle march of the Italo-American fathers of their proud American sons of today.

Italian emigrant Casimiro Alleva's heart was truly Americanized, although his tongue was never completely Anglicized.

He was the first, if not perhaps the only, foreigner in Montgomery County ever admitted to full American citizenship by examination through an interpreter. At that time (1907) character was the chief qualification for admission to American citizenship, rather than ability to speak English; and

our county judges at that time (Judges Swartz, Wiend, and Miller) promptly welcomed Mr. Alleva as an American.

As evidence of his soulful Americanism, his son John quotes Casimiro Alleva as having expressed only recently the opinion that "the President of the United States should call a conference of tried and true outstanding Americans of every racial extraction comprising these United States for their collective opinion as to what should be our foreign policy." This, the elder Alleva believed, would produce in these troubled times the common-sense, practical, harmonious unity every American so soulfully hopes for and craves, "that 100-percent unity so vital for the safety and preservation of America."

Casimiro Alleva's pet expressions were: "Racial sentiment is not incompatible with 100-percent Americanism"; and, "Let our hearts be Americanized while time Anglicizes our foreign tongues." He breathed, loved, and preached Americanism until his last conscious day on earth.

NEW YORK, *May 8, 1941.*

The Honorable HENRY L. STIMSON,
Secretary of War, Washington, D. C.

MY DEAR HARRY: You and I have been friends for many years. And, though our ways have parted since the old days, I have always thought of you as an able, honorable, and patriotic man. Yet, as I listened to the measured sentences of your broadcast Tuesday night, I confess that I was shocked and deeply distressed. And I will tell you some of the reasons why.

1. Your broadcast began with a complaint against those who say you are trying to get America into war, who say you are a warmonger. Then you proceeded to call for convoying, which the President says will necessarily mean war. And you ended up with an exhortation to the youth of America to be ready to die in a war with Germany, which you virtually declared to be an accomplished fact—though Congress has never declared war.

2. You did not hesitate to base your plea for convoying on the incorrect allegation that American supplies cannot be delivered in sufficient quantity to Britain on account of the German U-boat blockade. On Wednesday, the day after your broadcast, Admiral Land, Chairman of the Maritime Commission, reported that, out of the hundreds of vessels that have cleared from American ports, only 8 have been sunk since the beginning of the year. He also reported that only 158 vessels, clearing from all ports of the world, have been sunk in 1941.

Harry, was that information available to you before your broadcast? If it was, you owe an explanation and, I think, an apology to every citizen of this country.

Why didn't you ask for convoying and war last summer, when Britain, as now, was calling on us for more planes and munitions, and when, according to your testimony before the House Military Affairs Committee, she was in such a desperate condition that her collapse and the seizure of her navy by Germany was possible at any moment?

On July 31, you appeared before that committee and, after stating that we could no longer rely on our Navy and the Atlantic and Pacific oceans for defense, you said:

"You, gentlemen, are the trustees of the security of the United States."

"A prudent trustee must take into consideration the possibility that in another 30 days Great Britain herself may be conquered and her shipyards pass under German control."

A few days later Secretary of the Navy Knox made a similar statement before the same committee, though he extended the period of possible collapse from 30 to 60 days.

Nevertheless, in the entire period between these prognostications and November 5, when the people went to the polls and reelected Mr. Roosevelt on his clear, categorical, and unconditional pledges of peace, neither you nor the President, nor any man in the administration said a mumbling word in favor of convoys or any act by our Government that might involve us in war. And invariably all proposals to help Britain were coupled with the promise that, whatever happened, you people in Washington would do nothing that might result in war.

On October 30, at Boston, President Roosevelt told 22,000 cheering men and women:

"And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars."

On many platforms he pledged no "intervention in foreign disputes," no "army, naval, or air forces to fight in foreign lands outside the Americas except in case of attack."

Now, since on Tuesday night, as Secretary of War, you said the things the President has not dared to say for himself, I ask you this question: What are the hidden forces, who are the people with a vested interest in war, what are the mysterious, unspoken considerations that, after the ballots were counted, so suddenly switched Mr. Roosevelt from the path of peace to the highroad of war?

Sincerely yours,

AMOS PINCHOT.

[From the Huron News, Bad Axe, Mich.]

OPINION

(By C. C. S.)

Democracy is a noble word. It means a government that derives its powers from the consent of the governed.

The American Colonies went to war more than 150 years ago to achieve that kind of a government. About a quarter of a century ago the United States of America crossed 3,000 miles of ocean to make the world safe for democracy.

Again we are confronted with the probability of going to war to preserve democracy in the world. The last war for democracy cost our country 75,000 lives and more than $25,000,000,000. The present struggle will cost much more money and many more lives—if we engage in the fighting.

Is democracy a precious thing only when we are called on to fight for it? The United States refused to join the League of Nations because it might involve us in foreign controversies, but every time a row breaks out in Europe our Government jumps in with both feet.

Is it true that our Government would much prefer to fight to preserve democracy than to work and mediate to make it safe? If this country had been as interested in keeping the world safe for democracy as it is to fight for it, the present war could have been avoided.

Let us not forget that Germany had a democracy after the World War. The Treaty of Versailles reduced Germany to a vassal state at the insistence of England and France, overruling President Wilson, who had promised Germany a peace with no annexations. Germany lost her colonies and one-seventh of her European territory.

It is the consensus of opinion among British statesmen and Woodrow Wilson that the treaty was unjust and should be revised. But what did these nations, who now prate about democracy, do to encourage and preserve the youthful democracy in Germany?

Germany was bankrupt; its middle class had been wiped out through inflation; unemployment and hunger were widespread, bringing suffering, discontent, revolution, and thousands of suicides.

Then was the time for England, France, and America to talk about saving democracy when it would not have meant war. The German Government had at last been snatched from the war lords by the people of Germany. That was the real victory of the World War. The democracy of Germany should have meant a mutual bond of friendship between the people of Germany and the people of the other democracies.

But what happened? France, in particular, was as suspicious of the German people as they had been of the Prussian war leaders. England could not quite bring herself to recognize the German Republic as an equal in Europe, and the United States tossed them a few crumbs of bread and forgot the promise of the American President; forgot that the World War had accomplished more than they had expected—that Germany had really joined the family of the democracies.

These champions of democracy waited until distress and despair had destroyed democracy in Germany, until desperation had driven the German people to accept most any scheme that might lead them out of an apparently hopeless situation.

So a new democracy was born and died while England, France, and the United States looked on. Instead of extending the hand of friendship they turned their backs in distrust—waiting until it was time to fight another war for democracy.

A little faith and human kindness shown the people's government of Germany in 1923 and the years following; a little of this great love for democracy put in action then would have preserved the new democracy and made another friend for our form of government.

The democracies bungled an excellent opportunity then to establish friendship with a people who now are again seeking to gain by force what negotiation and peace failed to bring them—"a place in the sun."

Lord Lothian, England's Ambassador to the United States who recently died in Washington, said in 1937, "On the principle that any government that fails to remedy the serious grievances of its people in time must face revolution at home. I think it is true in international affairs that, unless a situation which causes a deep sense of injustice, resentment, and grievance can be remedied by agreement, it will inevitably be remedied by unilateral action, or in the last resort by power diplomacy or war. There is no use in talking about the sanctity of treaties unless they are just treaties.

"Is there any doubt that if we put ourselves in the position of the Germans, leaving entirely out of account the existence of the Nazi regime, we should feel bitterly that we had been unjustly and badly treated ever since 1918, that we had just claims against the rest of the world, and that if we could not get our just rights by agreement we were entitled to take them back by force if we could do so?

"I think the present regime in Germany has been created by the policy of her neighbors, and mainly by the policy of keeping Germany down and 'encircled' which has been relentlessly pursued by France since 1920. But when I say French policy, I do not mean to hold France alone responsible for that policy, because I think the United States and Great Britain are equally responsible."

That, my gentle readers, is quite a mouthful for one of the leaders of England during recent years. And it gives us something to think about besides the propaganda that is being spread abroad in the land to the effect that the Allies are all right and the Axis all wrong.

[From the Washington Daily News of May 7, 1941]

IT MEANS WAR

President Roosevelt said convoys mean shooting and shooting means war.

His Secretary of War Stimson declares for convoys—now. The Constitution of the United States says, "The Congress shall have power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

Obviously, therefore, since the issue of war has been laid down by the Secretary of War, it should go to Congress which, under the Constitution, has the final responsibility and is under constitutional mandate to say yes or no.

The decision will be the most important since the one made by Congress on April 6, 1917.

Mr. BARKLEY. Mr. President, I desire to make a simple observation in view of the statement made by the Senator from New Hampshire that it had "played up" in advance by the spokesmen of the President that last night he intended to take a definite stand in behalf of convoys.

I do not think the Senator from New Hampshire has a right to draw any such inference as that. I do not believe anybody who "played up" the fact that the President was going to speak last night had any authority either to speak for him as to what he was going to say or to conjecture as to what he was going to say; neither do I believe the President canceled his speech last night because of any letters he had received.

I simply wanted to state that I do not believe anybody had the right even to guess about what the President was going to say if he had spoken last night, and it is not fair to the President to intimate that he canceled his speech simply because he had received some letters.

I merely wished to make that statement for the RECORD.

Mr. TOBEY. In reply to the distinguished majority leader, my authority for that statement—and he who runs may read always—lies in the fact that the remarks and addresses made by the Cabinet members of the same President, notably, Secretary of the Navy Knox, Secretary of Agriculture Wickard—I think Secretary of the Interior Harold Ickes is included in the lot—and, in addition to that, Secretary of War Stimson, if I am able to judge the English language, breathed the spirit of war and convoys, and culminated in the most terrible example exhibited today, in the statement of Secretary of the Navy Knox that American manhood is committed to carry on a war to save England. He never had authority for such a statement, and I challenge it now. Those statements, or a large part of them, breathed a spirit of getting into the war all over—convoys, men, and everything else—and the American people are opposed to it, beyond peradventure, by a tremendous majority.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Michigan [Mr. VANDENBERG] on behalf of himself and the Senator from Missouri [Mr. CLARK].

Mr. VANDENBERG. Mr. President, when I concluded my statement yesterday afternoon regarding the pending amendment I left one phase of the matter open in contemplation of the receipt of official information from the Department of State. I refer to the fact that it has been generally understood that the Government of Chile undertook a few months ago to seize certain alien ships interned in her harbors, and was prevented from their use under the Chilean flag by a British refusal to guarantee their safe conduct at sea under Chilean sovereignty. I stated last night that for 2 or 3 weeks I had sought authentic information on the subject without avail. I stated that I sought it from many witnesses before the Committee on Commerce without avail.

Day before yesterday the committee authorized a letter to be sent to the State Department with a request for authentic information. The reply has arrived this morning. It is addressed to the Senator from North Carolina [Mr. BAILEY]. I read it:

The receipt is acknowledged of your letter of May 12, 1941, concerning the bill to authorize the acquisition by the United States of foreign merchant vessels (H. R. 4468) and requesting information regarding the following two questions:

1. What was the basis of the British complaint against the transfer of German ships to the Chilean flag under the general formula which is contemplated by this bill?

2. In what respect does this formula collide with the pan-American agreement which was made here in the Pan American Union within the last 3 or 4 weeks on this specific subject?

With reference to the first question, insofar as the Department is advised, no German ships were taken over by the Chilean Government under the general formula which is contemplated by H. R. 4466.

Concerning the second question, the Department is of the view that the provisions of H. R. 4466 are not in conflict with the resolution adopted on April 26, 1941, by the Inter-American Financial and Economic Advisory Committee.

Sincerely yours,

CORDELL HULL.

Mr. President, let me take the first question and the first answer. The distinguished Secretary of State is unquestionably literally correct in replying that "insofar as the Department is advised, no German ships were taken over by the Chilean Government." I finally discovered this morning that they were Danish ships, not German ships. But I very much regret that, in the spirit of comity under which the inquiry was sincerely addressed to the State Department, in an earnest effort to substitute authentic facts for mere conjecture, the Department has not seen fit to go beyond the text of the question and to accept the inquiry in the spirit in which it was submitted, and to give us the information which was obviously sought, and which ought to be available.

I have had only an hour or two since the receipt of the letter from the State Department. Manifestly I cannot speak by the book, because official sources of information seem to be entirely closed. They have been closed for 3 weeks, and they are still closed this morning. But I assert, first, on the basis of a news dispatch——

Mr. LEE. Mr. President, will the Senator yield before proceeding further?

Mr. VANDENBERG. I yield.

Mr. LEE. Does the Senator imply a criticism of the State Department for not answering a question which was not asked? The Senator asked, as I understood, how many German ships were taken, and the Senator is now unhappy because the State Department did not tell him something about certain Danish ships which were taken?

Mr. VANDENBERG. Mr. President, the Senator can be as literal as he pleases in his effort to evade the point I am submitting. A representative of the State Department appeared before our committee for at least 2 hours, probably in the absence of the Senator, who is a member of the committee, and the representative of the State Department——

Mr. LEE. If the Senator will yield—the Senator from Oklahoma was present.

Mr. VANDENBERG. I am sorry. I assumed he was not, or he would have known what I am about to say, which bears upon the answer.

Mr. LEE. But the Senator seems disturbed because the State Department did not understand what he wanted.

Mr. VANDENBERG. I will answer the question. The representative of the State Department was quizzed for a considerable period about this general information that there was some sort of a seizure in Chile concerning which we wanted information for whatever bearing it might have upon the general situation. The general information we had was that the seizure was of German ships. Apparently the seizure was of Danish ships. I am merely expressing my regret that the State Department, knowing the generally sincere purpose of the inquiry, knowing that it had to be a general quest for information concerning which we had no definite facts—I am merely expressing regret that the Department did not receive the inquiry in the obvious spirit in which it was submitted, and give us the information regarding ship seizures.

Mr. President, I now return to my statement. On the basis of dispatches carried in all of the regular news associations of the country, on February 16, three Danish vessels which were interned in Chilean harbors were seized by the Chilean Government, under a decre which took them over as public utilities for the duration of the war, for the purpose of operating them in the Chilean trade.

My next statement is based upon the best available information I can secure this morning from those in Washington who should know authentically what happens in Chile. In any event, the ships are still interned in Chilean harbors, and the best information I can procure, having failed to gain it officially, is that they are still interned, because the British Government checkmated the efforts of the Chilean Government to obtain insurance on the ships, and because the British Government declined to guarantee that the ships, when once at sea, would not be seized, because the British Government would not recognize the right of a neutral to immunize a confiscated ship against capture by the British Government at sea.

I hope that statement is correct. It is as nearly correct as I can make it. I repeat my regret that the facts are not specifically authenticated by the State Department's letter.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. VANDENBERG. I yield.

Mr. CONNALLY. In this particular case, was title taken and compensation paid, or were the ships merely seized?

Mr. VANDENBERG. I am unable to say.

Mr. CONNALLY. Of course, that would be a very important factor, because if the ships were merely seized, they would still be Danish property, whereas if they were taken over under condemnation and compensation paid, they would cease to be Danish property.

Mr. VANDENBERG. The statement in the newspapers was that there was to be full compensation in some form, but it was a generality, and I am unable to give the Senator an authentic reply.

The only reason why the matter seemed to be of moment to the commerce committee, Mr. President, was that it seemed to bear upon what has been, and probably still is, the general international understanding of the rights of a neutral in respect to the seizure of ships. It seems to me that if three Danish ships, which are neutral ships, and therefore the case is far more aggravated than it was under the hypothesis that I laid down, because I was presuming to inquire about German ships, which would have made the situation far more challenging—it seems to me that if the Danish ships cannot be transferred to the sovereignty of a neutral for the duration of the war, or the use of the neutral for its own trade, if they cannot be seized without a protest from Great Britain that that is a violation of the British understanding of their right to seize ships at sea of that character and status, then it seems to me it becomes of considerable importance in connection with the pending bill that we should know what the British attitude is to be toward this fleet of 84 ships which we are about either to purchase or charter or seize—requisition, excuse me; and that it bears distinctly upon the fundamental right which we are assuming to exercise. We are assuming to exercise it now, n doubt, in behalf of British advantage, so that as a practical proposition I assume the degree of hazard substantially disappears under the Chilean precedent, but still the Chilean precedent stands as an independent assertion of the British attitude respecting this general process, and it bears very definitely, it seems to me, upon the problem which confronts us.

Mr. President, I said everything I wanted to say upon this subject yesterday, and I am going to subside, with but one single concluding statement.

Mr. BARKLEY. Mr. President, before the Senator subsides I should like to ask him about his amendment.

Mr. VANDENBERG. I yield to the Senator from Kentucky.

Mr. BARKLEY. I admit that I am unfamiliar with nautical terms, but I had always understood that a flagship was a ship flying the flag of the commander of a fleet, or something of that kind.

Mr. VANDENBERG. No; I think not.

Mr. BARKLEY. The Senator's amendment provides—

> That the flagships of nations now engaged in war requisitioned pursuant to the provisions of this act shall not be turned over—

And so forth. What does the term "flagship" mean technically in the amendment?

Mr. VANDENBERG. A flagship is a ship flying the flag of the nation under which it is registered.

Mr. BARKLEY. So they are all flagships?

Mr. VANDENBERG. Yes.

Mr. BARKLEY. All ships fly some flag.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. So there is no technical meaning attached to the word "flagship" as respects the ships of any country or any fleet; is that true? Of course, we speak usually in terms of a navy.

Mr. VANDENBERG. I suppose there are limitations of tonnage in respect to registration which may have some technical bearing on the use of the word "flagship."

Mr. BARKLEY. At any rate the 30 ships involved in the Senator's amendment are all flagships?

Mr. VANDENBERG. That is correct.

Now, Mr. President, I sum up in one sentence everything I tried to say yesterday. There are 84 ships involved in this contemplated transfer. Fifty-four of these eighty-four ships are the ships of nonbelligerents. Therefore there is nothing in the pending amendment which will in any way restrict the use of these 54 ships when taken over by American authority. The amendment does not ever circumscribe the authority of the United States Government in taking over the other 30 belligerent ships, so long as those ships are used in our own trade and on our own trade routes. That is the precise purpose which Assistant Secretary of State Breckinridge Long specifically advised the Commerce Committee was the purpose of taking over the ships, namely, to put them on our own trade routes. Therefore there is nothing in this amendment which in any way prohibits or proscribes the full, free American use of not only the 54 ships in their entirety, including the right of transfer to Britain if desired, but there is nothing which interferes in any way with the use of the 30 ships in the manner which the State Department advised the Senate Commerce Committee is the intention to use them.

The only point at which the amendment becomes effective is if and when this neutral country undertakes to transfer the property, the ships of one belligerent, to an adverse belligerent. At that point the amendment says it cannot be done, and it says it cannot be done because that transfer is universally recognized as a violation of international law, and obviously it is a definite, provocative step in the direction of war.

I submit that if the Senate wants to turn the amendment down, all in the world it is doing is gratuitously insisting upon the injection of a provision in this law which does take a provocative step toward war, and it is unnecessary to take the step in the purview of the legislation itself, because there is nothing in the amendment which will prevent the use of 54 of the ships in any way America wants to use them, and nothing to prevent the use of the other 30 in precisely the fashion that the State Department has officially notified us they intend to use them. In other words, here is a rare and unusual opportunity for Senators to record themselves in favor of keeping our foreign program short of war and yet to leave the legislation fully competent to meet every purpose assigned to its passage.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Michigan on behalf of himself and the Senator from Missouri [Mr. CLARK].

Mr. GEORGE. Mr. President, I wish to say a few words with respect to this amendment. The senior Senator from Michigan has made his amendment very clear, and it is—

> That the flagships of nations now engaged in war requisitioned pursuant to the provisions of this act shall not be turned over to any nation now at war or used for the purpose of promoting their military and naval objectives.

As the amendment is drawn it is applicable only to such ships as may be requisitioned, and not otherwise acquired by purchase, as I understand it.

Mr. President, I think it is helpful to try to ascertain the reason for any rule of conduct, either in the domestic forum or in the international forum, because, after all, the letter of the law "killeth," and that statement is true and always will be true. It is the reason or the spirit of the law that sheds light upon the rule itself, and why the rule exists.

We are a neutral. We are not engaged in war. Hence the question arises, and naturally arises, what our right and authority may be to requisition ships, or to take over the ships lying idle in our ports? Certain examples have been given here by the distinguished chairman of the Commerce Committee as having been given by the Assistant Secretary of State, in hearings before the Commerce Committee, but very little can be found from these examples, I think, that would be helpful. They do illustrate how nations act under certain circumstances.

The distinguished chairman of the committee called attention to the fact that an ancient doctrine known as the right of angary has not been invoked at any time on behalf of a neutral. That is true. Why? Because ordinarily a neutral country is not under the pressing necessity to invoke it. When a country enters a war and becomes a belligerent, of course the necessity and the emergency are manifest. They are obvious, and it must act. But I think the reason for doctrine of angary is equally applicable if the emergency be great enough in any given situation to justify its exercise by a responsible nation asserting it.

Of course, it is perfectly well known that the United States, for instance, would have the right to requisition ships of its own nationals or private citizens; and that would be true whether those ships were registered under our flag or

not. It is perfectly well known, of course, that the United States would have the right to requisition or take over ships lying idle in our ports if the emergency should justify it, even though the ships were owned by nationals of other countries.

There is no analogy to be drawn from the power of any sovereign government to take over property located within the particular country. It has been suggested that certain of the belligerent powers have actually taken over the property of American citizens located within the territorial limits of the belligerent countries. That is true as a matter of fact, but it is also true that every nation has that sovereign right and power and may exercise it if it is engaged in war or if the emergency is of sufficient gravity to justify the action.

So when it is said that the doctrine of angary, which for nearly 2 centuries—the whole of the eighteenth and nineteenth centuries, in fact—was not exercised by any responsible nation, has never been invoked by a neutral, but has always been confined to belligerent nations, it is equivalent only to saying that no neutral nation had found an emergency which was the equivalent of belligerency, and which in its reasoned judgment justified the exercise of the power.

The reason lying back of the power of any nation to requisition ships of its private citizens, whether chartered under its own flag or a foreign flag, or the reason lying back of the power of any nation at war or during an emergency to requisition the ships of foreign countries or of the nationals of foreign countries is equally applicable under the pressure of great emergency and great necessity. That reason, of course, may be disputed by other nations; and on any occasion when any responsible nation exercises it it must necessarily take the consequences.

It is well known that Italy requisitioned certain German ships in Italian harbors a little while before Italy went into the first World War. No final issue was ever made up and determined upon that seizure, for the reason that in the Treaty of Versailles the claim of the German Government against Italy on account of the seizure was waived. It is also likely that Germany, still hoping at the time of the seizure that Italy would enter the war on the side of the Central Powers, refrained from the exertion of any pressure upon the Italian Government. But be that as it may, the exercise of that power was asserted and accomplished by the Italian Government before Italy entered the World War against the Central Powers.

Mr. President, the power to seize ships idle in our ports belonging to the nationals of other countries must depend upon the existence of a serious emergency, one equivalent to a state of actual belligerency—not necessarily immediately, because with nations, as with individuals, the only test is whether, under all the existing conditions, a reasonable person or nation would conclude, and would be justified in concluding, that an actual necessity existed for the action taken. In the final analysis, that is the question; and when we consider the acts of nations that have taken over ships of their own nationals, ships belonging to their nationals but chartered under other flags, or ships flying other flags and belonging to the nationals of other governments—when we consider all those cases we find, of course, that generally they have arisen when the nation taking was at war. But the reason for the rule was the pressing necessity or emergency under which the nation acted. Without such necessity or emergency no such taking, of course, can be justified on the part of any nation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. VANDENBERG. Do any of the cases or precedents to which the Senator refers involve the fundamental point at issue, namely, the right of a neutral to take the property of one belligerent and transfer it to another belligerent?

Mr. GEORGE. I know of no such case exactly in point. I was about to make that statement when the Senator rose to ask the question.

As I have already said, and as we know, we are not at war. We are not a belligerent within the meaning of international law, or as the term is generally understood. But we have acted in this emergency, which has been officially declared by the Executive, on the assumption that the country faces grave danger. There may be questions as to how grave or how imminent the danger is. I freely grant that there must be a danger, or a conclusion, based upon reason, that danger exists, and that the danger must have the quality of imminence. It cannot be remote. It cannot be a danger that may arise at some remote time and be invoked as justification for an extraordinary action such as is contemplated under the terms of the pending bill.

Mr TOBEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TOBEY. I was delighted a moment ago to hear the distinguished chairman of the Foreign Relations Committee make the straight-forward and forthright assertion that we are not in war. With respect to that statement—which is true, in my judgment—he is at the opposite pole from a noted authority, who stated abroad, 24 hours ago, "We are already in the war." I refer to Capt. James Roosevelt of the Marines. I prefer to take the testimony of the distinguished leader from Georgia.

Mr. GEORGE. Mr. President, I do not desire to go into that controversy, except to say that we are not in war, but we are in a great emergency. I am undertaking to say simply, without further elaboration, that if the emergency in fact exists—that is to say, if we determine that a real emergency in fact exists, and we have arrived at that conclusion upon the basis of reason, which of course ought to govern the conduct of nations in important international relationships—then, in my judgment, we may act as if we were actually in war so far as taking ships in our harbors is concerned.

In the first place there are in our harbors certain ships belonging to Italian nationals or to the Italian Government. There are now under seizure two ships belonging to the German Government or to the nationals of Germany.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I yield.

Mr. BARKLEY. I desire to ask the Senator if any of the ships actually belong to these two governments, or do all of them belong to nationals of the governments? Can the Senator answer that question?

Mr. GEORGE. I am not able to answer that question; but it has been assumed that they belong to nationals of the governments. I should like to say that, under the terms of a committee amendment if the vessels are owned by the government itself they shall not be requisitioned, seized, or taken, other than by purchase. So if it should turn out that the 28 Italian ships, as we describe them, or the 2 German ships, or any of them, belong to the governments of the countries named, then, as I see it, the bill has been very properly amended so as to require the taking over of such ships only by purchase.

Mr. BARKLEY. Mr. President, if the Senator will further yield——

Mr. GEORGE. I yield.

Mr. BARKLEY. Then the provision as to any ships actually owned by the governments is more restrictive than the amendment offered by the Senator from Michigan [Mr. VANDENBERG], which does not prohibit their being requisitioned, but prohibits their being turned over to a belligerent.

Mr. GEORGE. I should so interpret it.

Mr. BARKLEY. So under the amendment of the committee, which already has been adopted, I believe, if the ships belong to either the Italian Government or the German Government they cannot be taken at all, for any purpose, except by purchase.

Mr. GEORGE. Except by purchase. That is my understanding of the amendment inserted in the bill by the Commerce Committee, to which the distinguished chairman of the committee yesterday referred in the course of his remarks.

It is well known, of course, that these 30 ships had been disabled in our ports. It is well known that they were first taken into protective custody because they had been disabled by their respective crews. It is, of course, well understood that the United States had a perfect right to take them into protective custody and into complete custody, and would have a right to go much further with respect to these particular ships than it has undertaken to go without legislative approval. Indeed, I think there would be no serious question that the United States could have taken over these ships, certainly so far as the use of the sabotaged or disabled ships is concerned, without this legislation; but, of course, the Government desired express legislative authority for its actions.

The status of the Danish ships and of other ships is perfectly well known. While Denmark is a neutral—with respect to the United States it is strictly neutral—and while we are neutral as to all coun-

tries, including Denmark, nevertheless it is known that the Danish Government is actually under some form of control or direction by one of the belligerents. I need not go into that matter.

Mr. President, the bill proposes to authorize the purchase or charter—and with respect to the proposal to purchase or charter there is no substantial dispute anywhere—and also the requisitioning or taking over of the title to these ships. The Government, if it should take over the title, would, of course, not desire to find itself embarrassed by being compelled to put into one classification the ships of one country and to put in a different classification the ships of another country. If we are justified in taking over the Danish ships, we are upon the same basis justified in taking over the ships of nationals of Germany and of Italy.

If it should turn out that these ships are owned by the German Government as such, or by the Italian Government as such, the bill provides for their purchase. There can be no quarrel upon that point, and the amendment raises no issue upon that point. But identically the same reason that justifies the United States in taking over the ships belonging to nationals of a neutral country applies to and authorizes the taking over of ships belonging to the nationals of belligerent countries. That reason is, as I have attempted to say, the existence of an emergency which justifies extraordinary action upon the part of a neutral; but when that extreme emergency arises it exists as certainly as if it arose while we were active belligerents in a contest with other nations.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I am glad to yield to the Senator from Illinois.

Mr. LUCAS. Assuming that the governmental agency determined, in the course of its investigation, that the Danish ships belong to the Danish Government, would the Senator's amendment apply under those circumstances?

Mr. GEORGE. The Senator from Illinois misunderstood me. The committee amendment would apply.

Mr. LUCAS. I mean, the committee amendment that the Senator read a moment ago.

Mr. GEORGE. Yes; I think it would apply. That is my understanding of the statement made by the chairman of the committee, who is present. If it turns out that the ships belong to a foreign government itself, rather than to the nationals of some foreign government, either neutral or belligerent, my understanding is that, under the terms of the committee amendment, the ships can be acquired only by purchase.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BAILEY. The Senator is correct. I can give an illustration.

There is in our waters today a Danish ship, owned by the Kingdom of Denmark. It is here as our guest. It is the guest of the United States Coast Guard. It has aboard it Danish boys who are undergoing training. My amendment would not permit that ship, or any ship owned by a government, to be requisitioned or held or seized or taken by our authorities. We could buy it. We would buy it at arm's length. I do not think it is necessary for me to discuss the matter.

Mr. LUCAS. No; it is not. I was merely inquiring for information.

Mr. BAILEY. While I am on my feet I think I will ask the Senator from Georgia, for whose judgment I have the utmost respect, if I was not correct in my statement yesterday that the arbitrary taking by one country of a ship of another—a ship owned by the government itself, not by its nationals—is an invasion of and a challenge to the sovereignty of the nation, regardless of the location of the ship, and could be considered an act of war.

Mr. GEORGE. I think the Senator is entirely right. Not only is the Senator's statement correct, but when a nation charters under its flag a ship of its nationals it gives to that ship a sort of extraterritoriality which is not possessed by the property that may be domiciled by permission of the Government within its territorial limits. I think there is no question about the correctness of the statement first made by the Senator from North Carolina.

Mr. BAILEY. That whole subject, I may say, was thoroughly thrashed out in this country in the War of 1812, and I am always interested in the fact that Thomas Jefferson took the view that a ship with the flag of its nation over it carried under its bottom the sovereignty of the country; that wherever it might be located on the sea, down beneath the sea was temporarily the sovereignty of the country whose flag was flown from the mast of the ship. I do not say that it has been upheld in law, but that is always put forward in our books or in the controversy concerning shipping—and they were most extensive in the War of 1812—as the view of Thomas Jefferson.

Mr. GEORGE. The Senator is again, as always, or, I should say, almost always, correct. I do not want to commit myself to a universal affirmative because it may be found on rare occasion to be necessary to controvert some conclusion of the able Senator.

Mr. BAILEY. I always feel that I am correct when I am with the Senator from Georgia.

Mr. GEORGE. I thank the Senator very much, but the Senator has correctly stated the doctrine.

Ordinarily a neutral country is able to acquire ships, whether in its own waters or beyond, by negotiation, by purchase, by trade, by charter. Ordinarily when a country is still neutral, not engaged in war, it is not necessary for it to resort to the extraordinary powers which are set up in this bill. That is very true. But occasion may arise when identically the same great national emergency may exist as if the nation itself were engaged in war. I do not say that we have recognized the existence of such an emergency as that, and yet we have gone a long way. We have thrown open our shipyards and said that we would repair the disabled merchantmen, or even the ships of war, of one of the belligerents now engaged in the war in Europe. We have said that we would furnish defense articles, and the broad definition of that term is almost all-inclusive and certainly includes arms and munitions of all kinds and descriptions. We have acted, in other words, as if we were faced by a great emergency; indeed, our whole course has been predicated upon the idea, upon the fact, as I think, that the Nation does face a tremendous emergency.

We need ships at this time; the power we have been seeking to aid and assist in this war needs ships beyond all doubt. The great primary need of Great Britain at this hour is, perhaps, ships and more ships, merchant vessels as well as other types or kinds of ships. We need ships to get our commerce out, to prevent its piling up upon our docks and in turn to prevent the stagnation of industry lying back of those docks. We need ships to enable them to maintain our commerce, our established commerce, our necessary commerce. England certainly needs ships in order to get supplies, including food and the implements of war, into her hands. Ships are a vital necessity; and if we have been justified in aiding Great Britain, if we have been justified in our own defense in aiding any free government or self-governing people who are resisting the aggressors, then we are justified, I think, in reaching the conclusion as a reasonable people that in our defense we may exercise the power to take over ships lying idle in our ports and make use of them. On that point I think there is no dispute.

Mr. VANDENBERG. Mr. President, if the Senator will permit me——

Mr. GEORGE. I yield.

Mr. VANDENBERG. The Senator is not inferring, is he, that there is anything in the pending amendment which challenges our right to take over the ships?

Mr. GEORGE. Not at all.

Mr. VANDENBERG. There is no such provision in it. That is conceded?

Mr. GEORGE. That is correct.

Mr. VANDENBERG. The amendment purely refers to the disposition of a portion of them.

Mr. GEORGE. It goes only to the disposition of so many of them as may be acquired other than by purchase—the final disposition or the ultimate disposition of the ships. That is very true.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I am glad to yield to the Senator from Missouri.

Mr. CLARK of Missouri. Does the Senator agree that this bill, with this amendment included, would bring about precisely the objective stated by Assistant Secretary Long to the Commerce Committee to be sought by the bill?

Mr. GEORGE. I did not hear the Assistant Secretary.

Mr. CLARK of Missouri. Unfortunately, no record was made of his statement, but the Assistant Secretary stated, not only once but repeatedly that the purpose of this bill was to put these ships on our own normal trade routes, particularly with South America, on which most of the ships had been before their internment in this country, a purpose which was agreed to between the United States Government through its various agencies, the

Inter-American Committee, and other countries on this hemisphere.

Mr. GEORGE. As I said, I did not hear the Assistant Secretary when he testified before the Commerce Committee, but I understood yesterday in a colloquy between the Senator from Michigan and the chairman of the committee that precisely what the Senator from Missouri now says was stated before the committee by the Assistant Secretary.

Mr. CLARK of Missouri. So that our amendment simply makes the bill conform to the avowed objectives of our Government in passing the bill at all?

Mr. GEORGE. I think the Senator is correct in making that observation, and I would not dispute it. I think it can be said of the amendment that it compels or requires the disposition of the ships of the Italian and German nationals to be the same as the Senator from Michigan and the chairman of the committee and the Senator from Missouri understood the Assistant Secretary of State to announce as the purpose of the Government in taking over the ships.

So that brings us down to this one final question, Shall we require the Government to make that disposition of these ships? I do not think we should require the Government to do it, because I think it may be embarrassing to segregate these ships and to classify them apart from other ships which are taken over at the same time or under the same law, ships which belong to neutrals; but, primarily, I think we should not do it for this reason:

If these ships belong to the Governments of Germany and of Italy, the bill has already cared for them. If they belong to the nationals of Italy and of Germany, we should not go further and negative the only justification which authorizes us to take the Danish ships. In other words, we should not say that we are acting in a great emergency; that we are under an emergency which we, upon reason, conclude to present as grave a situation as if we were at war so far as the necessity of providing ships is concerned, and then negative that basis upon which the whole legislation is founded in the case of the ships belonging to the German nationals or the Italian nationals by providing that with respect to those ships we cannot do what we propose to do or may do with the Danish ships.

I express the hope that even with respect to the Danish ships we will charter or requisition the use of the ships, and that the Government, even if it takes over title, will see fit to use those ships on our own trade routes; and I express the hope that the same thing will be done with the ships of the nationals of the German and Italian Governments, because I think thereby we would get out of those ships all the use and all the service that we could get by taking them over and turning them over to Great Britain. If it be necessary, our ships that are released by putting into service on our trade routes any of the requisitioned ships, or ships taken over, can be turned over to Great Britain. We can do as we please, under the Lease-Lend Act, under legislation already passed, with respect to our own ships, if any should be released.

I express the hope that the Assistant Secretary of State was correct in his declaration of our national purpose so far as these ships are concerned; and I would not apply it merely to the ships of the German nationals or the ships of the Italian nationals. I would not make a distinction between them, because I think when we make a distinction between them we unquestionably weaken the whole foundation upon which we propose to take this extraordinary step. It is an extraordinary step. It is not to be found in the precedents that have grown up under or in what we call international law, as I have already tried to say, very largely because so long as countries are neutral they are able to meet their emergent demands by ordinary barter or trade or purchase in the peaceful way, in the way that cannot be said to be unneutral at all. Usually, therefore, the necessity has arisen only when a nation found itself involved in war.

I do not want to go back into the Lease Lend Act, and I shall not do so, except to say that in my judgment the emergency at this moment—the necessity which justifies the use of these ships at this moment—is substantially the same as if there had been a formal declaration of war between the United States and the Axis group, because we cannot move our own commerce; we cannot move the implements of war, the defense articles which we have seen fit to provide for one of the belligerents, because the failure to move our manufactured and raw products away from our own ports means ultimately the stagnation of American industry, and means ultimately the necessity in some way of finding an outlet for our products. We are not required to wait; indeed, if we should wait until the actual necessity is upon us, we should then be powerless actually to defend ourselves by providing the ships we need.

So I can see very good reason and no real harm that can possibly come from treating alike any and all ships that may be taken over under this bill, giving them the same treatment, leaving the Government free to deal with them and handle them as it thinks wise. I again express the hope that the Government will find it possible, consistently with its necessities, to deal with all alike so far as the final disposition of the ships is concerned.

Mr. President, at last the authority upon which this bill rests is the right of a nation, in war or in case of extreme necessity for self-preservation, to assert its naked sovereign power.

The amendment is so narrowed, and I find my view and my hope to be so much in accord with what the amendment requires, that I have hesitated to make any statement about it; but my conclusion is that it is better that we stand upon much firmer ground, not to separate the ships into different categories, but to treat them all alike if they shall be taken over under this bill if it becomes law.

I therefore hope the amendment will not be approved.

Mr. CLARK of Missouri. Mr. President, the statement made yesterday and repeated in part today by the Senator from Michigan [Mr. VANDENBERG] is so succinct, cogent, and, in my opinion, so unanswerable as to the merits of the amendment proposed by him yesterday on his own behalf and on mine, that I shall detain the Senate only very briefly.

I merely desire to call attention again to the fact that it is admitted on all sides, and not denied by anybody, that the bill, if amended by the amendment offered yesterday by the Senator from Michigan on his behalf and mine, would exactly and specifically represent the ostensible objectives of this legislation; would specifically and exactly meet the requests and purposes enunciated by the Assistant Secretary of State, Mr. Long.

Mr. Long made in the Senate Commerce Committee a statement which unfortunately was not recorded. I think there is no dispute as to what the effect of his testimony was—at least, none that I have heard—on the rather large attendance of that committee. Mr. Long is one of the ablest, one of the most experienced, one of the frankest and most sincere officials of the State Department. He used to be a citizen of my State. In fact, I think he was appointed to the State Department as a resident of Missouri, although he actually lived in Maryland, and voted there for a number of years; but he is an able and distinguished former citizen of my State. I have the very highest regard for his opinion. He made a statement, officially representing the State Department, before the Commerce Committee, in which he specifically, and in some detail, stated the purpose of this legislation, which was that by reason of the conditions existing during this war, resulting in very considerable measure from the retirement from the South American-North American trade of the very ships proposed to be seized, there had been created a serious shortage in the carrying facilities necessary for the normal trade between North and South America, and that it was proposed, therefore, to take these ships, restore them to their normal trade routes the trade routes which most of them had occupied before their internment, and certain other trade routes on which these very ships had for the most part been engaged; that is, trade routes necessary to the normal trade of the United States.

Mr. President, that is precisely what this amendment would do, and that is precisely what the amendment is intended to do. The Assistant Secretary of State was interrogated at some length—I should say for nearly 2 hours—by the members of the Committee on Commerce on that very question. He stated that not only was it the purpose of the United States, if the proposed legislation were enacted, not only the objective of the legislation itself, to take the ships and put them in operation to accommodate the normal necessities of the South American countries and of ourselves in trade between North and South America, but that we were actually bound by an agreement with our South and Central American neighbors to that very end, so that these ships and certain ships which would be taken by the Cen-

tral and South American countries would be put on the normal trade routes between North and Central and South America.

Incidentally, in connection with the correspondence between the committee and the Secretary of State, read by the Senator from Michigan this morning, I am very clear, because I interrogated him at some length myself, as to the testimony of the Assistant Secretary of State, Mr. Long, about the proposed Chilean seizures. It was to the effect that some South American countries, notably Chile, had proposed some time ago to seize certain German ships interned in their ports and to put them in their own normal trade. In the case of Chile it was proposed to seize three German ships, a matter which had not been consummated and completed for the reason that the Chilean Government was notified by the Government of Great Britain that they would not recognize any such seizure, and that if those ships put to sea under the Chilean flag they would be subject to seizure on the high seas by Great Britain. In other words, according to the statement of the Assistant Secretary of State, in the case of Chile, Great Britain had served warning of seizure under practically an identical policy with that contained in the pending bill; and some of us on the Committee on Commerce were interested to know what the difference would be between Chile seizing German-flag ships and the United States seizing certain German-flag ships—whether there was any difference in international law between Chile and the United States, and whether the United States had made any commitments to Great Britain which would change that rule.

I have known the Secretary of State for a great many years; I have the highest respect for him, in fact, a very deep personal affection for him. I know him to be frank and honest and sincere, and I can only explain the divergence between the testimony of the Assistant Secretary of State, Mr. Long, and the information contained in the letter addressed to the chairman of the Committee on Commerce by the Secretary of State himself, on the ground that some quibbling technicality has been availed of as to the form of the question propounded by the chairman of the Committee on Commerce.

Be that as it may, Mr. President, the proposed legislation, with the Vandenberg-Clark amendment added to it, would supply every bit of authority necessary or desirable to carry out the purposes announced on the part of the Government of the United States at least on the part of the State Department, by the authorized representative of the State Department, the Assistant Secretary of State.

Mr. President, so far as I am concerned, I would find no hesitancy whatever in voting to exercise the right which I believe to be a legal right on the part of the United States in time of emergency, as the Senator from Georgia has stated, to take possession of these ships and use them for our own purposes. With a proper restriction, I could cheerfully and willingly vote for the bill for the purposes announced by the State Department itself. But I cannot vote for a measure which, in addition to carrying out the announced objectives of the measure, deliberately goes beyond that with a grant of authority to commit an act of war by seizing the property of one belligerent and turning it over to another belligerent.

Mr. President, that to my mind represents another of the successive steps which have been taken, designed, and intended to get this country into war, like a boy putting a chip on his shoulder and daring some other boy to knock it off. From my experience, I am convinced that if that course is continued long enough, someone will sooner or later knock the chip off, and there will be a fight.

What I object to in the bill is the deliberate inclusion of that grant, not necessary and, indeed, incompatible with the announced purposes of the legislation. I cannot see how any Senator on this floor can possibly justify a grant of power intended only to be provocative, whose only effect will be provocative, if the actions are taken which are incompatible with the announced purposes of the proposed legislation.

Therefore, if the pending amendment shall not be agreed to, as much as I should like to vote for the restoration of these ships to the essential trade routes of the United States, I shall be unable to vote for a measure which I regard not only as illegal but as immoral.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the senior Senator from Michigan [Mr. VANDENBERG].

Mr. VANDENBERG. First, Mr. President, I ask for an order for the yeas and nays.

The yeas and nays were ordered.

Mr. VANDENBERG. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Murray
Aiken	Ellender	Norris
Andrews	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Pepper
Ball	Glass	Reynolds
Bankhead	Green	Rosier
Barbour	Guffey	Russell
Barkley	Gurney	Schwartz
Bilbo	Hatch	Shipstead
Brewster	Hayden	Smathers
Bridges	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Johnson, Calif.	Taft
Bunker	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Butler	La Follette	Tobey
Byrd	Langer	Truman
Byrnes	Lee	Tunnell
Capper	Lodge	Vandenberg
Chandler	Lucas	Van Nuys
Clark, Idaho	McCarran	Walsh
Clark, Mo.	McFarland	Wheeler
Connally	McNary	White
Danaher	Maloney	Wiley
Davis	Murdock	Willis

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

The yeas and nays having been ordered on the amendment offered by the Senator from Michigan [Mr. VANDENBERG] on behalf of himself and the Senator from Missouri [Mr. CLARK], the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I transfer that pair to the junior Senator from Idaho [Mr. THOMAS] and will vote. I vote "yea." If present, the junior Senator from Idaho would vote "yea." I am advised that if present and voting, the Senator from Mississippi would vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. McKELLAR], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The Senator from Washington [Mr. BONE] is attending the commissioning of the battleship U. S. S. *Washington*, and is therefore necessarily absent. I am advised that if present and voting he would vote "yea."

The Senator from Delaware [Mr. HUGHES], the Senator from New York [Mr. MEAD], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from West Virginia [Mr. ROSIER] are detained in Government departments on important business.

Mr. AUSTIN. I announce the necessary absence of the senior Senator from North Dakota [Mr. NYE] and the junior Senator from Kansas [Mr. REED]. The Senator from North Dakota [Mr. NYE] is paired with the Senator from Maryland [Mr. RADCLIFFE]. If present, the Senator from North Dakota would vote "yea," and I am informed the Senator from Maryland would vote "nay."

The Senator from Kansas [Mr. REED] is paired with the Senator from Delaware [Mr. HUGHES]. If present, the Senator from Kansas would vote "yea," and I am informed that the Senator from Delaware would vote "nay."

The result was announced—yeas 38, nays 43, as follows:

YEAS—38

Adams	Clark, Mo.	McNary
Aiken	Danaher	Reynolds
Bailey	Davis	Shipstead
Brewster	Downey	Smith
Bridges	Gillette	Taft
Brooks	Gurney	Tobey
Brown	Holman	Vandenberg
Bulow	Johnson, Calif.	Walsh
Burton	Johnson, Colo.	Wheeler
Butler	La Follette	White
Byrd	Langer	Wiley
Capper	Lodge	Willis
Clark, Idaho	McCarran	

NAYS—43

Andrews	Byrnes	Guffey
Austin	Chandler	Hatch
Ball	Connally	Hayden
Bankhead	Ellender	Herring
Barbour	George	Hill
Barkley	Gerry	Kilgore
Bilbo	Glass	Lee
Bunker	Green	Lucas

McFarland	Pepper	Thomas, Utah
Maloney	Russell	Truman
Murdock	Schwartz	Tunnell
Murray	Smathers	Van Nuys
Norris	Spencer	Wallgren
O'Mahoney	Stewart	
Overton	Thomas, Okla.	

NOT VOTING—14

Bone	McKellar	Rosier
Caraway	Mead	Thomas, Idaho
Chavez	Nye	Tydings
Harrison	Radcliffe	Wagner
Hughes	Reed	

So Mr. VANDENBERG's amendment, offered on behalf of himself and Mr. CLARK of Missouri, was rejected.

The VICE PRESIDENT. The bill is still open to amendment.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, and that the House insisted upon its disagreement to the amendment of the Senate No. 5 to the bill.

The message also announced that the House had agreed to House Concurrent Resolution 34, in which it requested the concurrence of the Senate, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document 177,000 copies of a revised edition of the pamphlet entitled "Our American Government: What Is It? How Does It Function?" of which 45,000 copies shall be for the use of the Senate and 132,000 copies for the use of the House of Representatives.

ENROLLED JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled joint resolution (S. J. Res. 60) relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, and it was signed by the Vice President.

APPROPRIATIONS FOR CIVIL FUNCTIONS OF WAR DEPARTMENT—CONFERENCE REPORT

Mr. THOMAS of Oklahoma submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, and 8; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "purchase of grave sites;"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$73,030,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", of which not to exceed $9,134,035 shall be available immediately and exclusively for expenditure upon projects on account of which allotments heretofore have not been made, and, in addition, for the protection from flood waters at approaches to Fort Dix, New Jersey"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 5.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
J. W. BAILEY,
ROBT. R. REYNOLDS,
Managers on the part of the Senate.

J. BUELL SNYDER,
D. D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
JOHN H. KERR,
GEORGE MAHON,
D. LANE POWERS,
FRANCIS CASE,
Managers on the part of the House.

The report was agreed to.

Mr. THOMAS of Oklahoma. Mr. President, that leaves one amendment in disagreement.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on Senate amendment No. 5 to House bill 4183, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
May 15, 1941.

Resolved, That the House insist upon its disagreement to the amendment of the Senate No. 5 to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes.

Mr. THOMAS of Oklahoma. Legislative action is complete on the bill except for one amendment. That amendment is legislation on an appropriation bill. It was inserted by the Senate. The House has not agreed to the amendment, and I am constrained to believe that it will not agree to it. It relates to the authority of the Interior Department to agree with the War Department over mineral rights in a certain flood-control project located in my State.

Because of the conditions I move that the Senate recede from its amendment No. 5.

The motion was agreed to.

PRINTING OF PAMPHLET ENTITLED "OUR AMERICAN GOVERNMENT: WHAT IS IT? HOW DOES IT FUNCTION?"

The VICE PRESIDENT laid before the Senate, House Concurrent Resolution 34, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document 177,000 copies of a revised edition of the pamphlet entitled "Our American Government: What Is It? How Does It Function?" of which 45,000 copies shall be for the use of the Senate and 132,000 copies for the use of the House of Representatives.

Mr. HAYDEN. I move that the Senate concur in the House concurrent resolution.

The motion was agreed to.

PRINTING OF MANUSCRIPT RELATIVE TO STRIKES IN DEFENSE INDUSTRIES (S. DOC. NO. 52)

Mr. HAYDEN. Mr. President, from the Committee on Printing I report back favorably without amendment Senate Resolution 114 and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 114) submitted by Mr. THOMAS of Utah on May 13, 1941, was considered and agreed to, as follows:

Resolved, That the manuscript entitled "Statement Showing Basic Data for the Formulation of a Policy Toward Strikes in Defense Industries in the United States, Together With Facts as to the Extent, Duration, and Severity of Those Strikes, and the Causes Therefor; Also a Summary of the State and Federal Law and Jurisprudence Which Defines the Rights and Status of Labor Insofar as They Relate in Any Way to Strike Situations," be printed as a document.

ACQUISITION AND USE OF MERCHANT VESSELS

The Senate resumed the consideration of the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

Mr. THOMAS of Utah. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). The amendment offered by the Senator from Utah will be stated.

The CHIEF CLERK. Immediately following the enacting clause, and before the word "That" in the third line, it is proposed to insert:

That whereas Congress has power to provide for the common defense and general welfare and to regulate commerce with foreign nations, and whereas for this purpose embargo acts and nonintercourse acts have from time to time been passed, and whereas the commerce of the United States is at the present time interrupted and the general welfare of its citizens is threatened and an emergency has been declared.

Mr. THOMAS of Utah. Mr. President, I should not have offered this amendment had I not consulted with the chairman of the Commerce Committee, who has the bill in charge.

The amendment affects in no way the structure of the bill. It merely adds a declaration of policy; and it has been deemed by those who have had charge of settling litigation with foreign governments arising as the result of the last war that the bill would be stronger and better if this introductory sentence were put in. I, therefore, ask the chairman of the Commerce Committee to accept the amendment so that it may go to conference with the bill.

Mr. BAILEY. Mr. President, I see no objection to agreeing to the request. The whole matter relates to the preamble, and probably broadens the base of the rea-

sons for the legislation. With a view of taking the matter to conference, I have agreed to accept the amendment, and I hope the Senate will agree to it.

While I am on my feet I have something in my heart that I wish to say.

Yesterday I stated that in the matter of the preparation of our country for its present emergency the Maritime Commission, in the enlargement of shipyards and the construction of ships, was probably in advance of any other activity of the Government. I believe that statement will stand up. For several years we were building ships at the rate of 50 a year. Two years ago we began building merchant ships of from 7,000 to 10,000 tons at the rate of 100 a year. This has been done under the leadership of the Chairman of the Maritime Commission and the Commission itself. The Chairman is Rear Admiral Land.

I wish to say that the excellent state of our merchant marine, the unusual anticipation of our present situation, the rapid construction of modern, first-class ships, fully equal to our needs insofar as they have been built, and the plans now in operation for very greatly and rapidly increasing our merchant marine are due in very great measure to the unusual industry and great intelligence and devotion to duty of Rear Admiral Land. Of course, he has had the full cooperation of his Commission; and no one in paying tribute to him should fail to pay a similar tribute to the Commission.

I wish to add that the Committee on Commerce has learned to rely upon Admiral Land as a public servant singularly devoted to his duty, and probably better qualified for the duties imposed upon him than any other man in our country. I do not think we could find his equal. He is highly intelligent, perfectly honest, and remarkably industrious. I know of the sacrifices he has made, and I think I should not let the occasion pass without paying this tribute to him. I desire to express the thought that if all public servants were equal to him, the difficulties of our Government would be infinitely diminished.

Mr. THOMAS of Utah. Mr. President, has my amendment been accepted?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. WALSH. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to amend section 5 (f), so as to read:

(f) The Commission, without regard to the provisions of section 3709 of the Revised Statutes may repair, reconstruct, or recondition any vessels to be utilized under this Act. Any other Government Department or agency by which any vessel is acquired or chartered, or to which any vessel is transferred or made available under this Act may, with the aid of any funds available, and without regard to the provisions of section 3709, repair, reconstruct, or recondition any such vessels to meet the needs of the services intended, or provide facilities for such repair, reconstruction, or reconditioning.

Mr. WALSH. Mr. President, the amendment is presented at the request of the Navy Department and is acceptable to the chairman of the Committee on Commerce. Briefly, it would permit the Navy Department to reconstruct, alter, repair, and make usable for naval purposes such ships as may be acquired or chartered by the Navy Department.

There is some doubt regarding the working of the law if some such amendment as this shall not be added.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

EAGLE OR OSTRICH?

Mr. LEE. Mr. President, in 1927 Charles Lindbergh thrilled the world by a flight across the Atlantic Ocean. The ship in which he made the flight was named the *Spirit of St. Louis,* for Charles Lindbergh represented the pioneering spirit of America. Because of that courageous flight, we called him the Lone Eagle. His deed indicated that he had the attributes of that noble bird. But today his short-sighted policy of appeasement and defeatism shows none of the attributes of the lordly eagle, but all the characteristics of the frightened ostrich. Which of these Lindberghs should America follow—Lindbergh the eagle or Lindbergh the ostrich; the lone eagle of 1927 or the frightened ostrich of 1941?

Just as the French Army made the mistake of trying to fight this war on the basis of the World War, so is Lindbergh making the mistake of trying to judge the world of 1941 by the world of 1927. The same flight which it took him 33 hours to make is now made in 8 hours. Today long-range bombers can fly that distance, unload their cargoes of death, and return. In other words, the Atlantic Ocean has shrunk until today it only one-third as wide as it was when Charles Lindbergh made his historic flight.

From the outset of the present struggle in Europe, England has followed a policy of "close the barn door after the horse is stolen." If England had closed the Suez Canal, and had invoked sanctions against Italy, it is very likely that Mussolini never would have invaded Ethopia. If England had prevented Germany from overthrowing the Spanish Government, Germany's first major step toward control of the Mediterranean would have been stopped. If England had not given away Czechoslovakia, at Munich, the map of Europe would be different today. If England had furnished the promised aid to Poland, more soldiers now would be fighting on the side of liberty. If England had beaten Germany to the punch, and had moved enough forces into Greece to have commanded the respect of the Balkan states, England today undoubtedly would have strong allies in the Balkans.

Thus, England has followed the policy of "close the barn door after the horse is stolen," always "too late and too little."

Of course, it does not take a prophet to recount the mistakes of the past, nor is it difficult to sit on the sidelines and point out the mistakes of the other fellow. All of this would have no point if it were not applicable to our own policy. Up until now we have followed about the same policy of "too little and too late."

This charge, however, cannot be made against President Roosevelt. His warning that "the aggressor nations should be quarantined" came long enough ago that, had we acted upon it immediately, we could have been well armed by now. But, instead, many Americans at once began to criticize the President as a warmonger, and the timely warning was not heeded.

Then, again, 2 years ago this spring, President Roosevelt asked Congress to repeal the arms embargo, in order that our industries might increase their production capacity by supplying the democracies with defense materials. But the opposition raised its head, and Congress adjourned without taking this important step toward national defense.

All that summer was lost. Then, on September 1, war broke out in Europe, just as President Roosevelt had feared it would. Congress was called back into session; and, after lengthy debate, the embargo on arms was repealed, but not until we had lost several precious months of industrial preparation. I lay the responsibility for that lost time on the doorstep of the isolationists, whose opposition prevented Congress from repealing the arms embargo in the spring session of Congress, when President Roosevelt asked for its repeal.

Just think what it would mean in our defense effort if we had 5 more months behind us. Think how much our production would be increased over the present output. Think what it would have meant to England 5 months ago to have received the materials which she is receiving today. Think what it would have meant had she been supplied with enough planes and tanks to have armed the Greeks and the Yugoslavs. Suppose England had had enough ships to have transported 10 divisions to Greece, instead of the 2 or 3 she did transport. In fact, those 5 precious months which we lost in our production efforts, because of a failure to repeal the arms embargo, placed America just that much closer to war.

Then, again, many months ago President Roosevelt told us that the United States was in greater danger than it had been since the beginning of the Republic, and asked for a program of "full steam ahead" in the production of weapons. He called upon us for unity of purpose and action, but how have we responded to that call?

Immediately the radios rang with voices of denunciation, criticism, and division. The President's efforts to awaken the American people to their danger were referred to as warmongering and war hysteria. The idea that America was in danger was ridiculed. The thought that the Nazis might have designs on the Western Hemisphere was scoffed at and the American people were lulled to sleep with stories of their own potential strength. The result was that our production did not swing into full emergency tempo, but the American people continued with a "business as usual" frame of mind.

Then, again, at a later date President Roosevelt asked Congress to pass the lease-lend bill in order that America might become the arsenal of democracy. Once more the opposition appeared and

by every appeal to prejudice fought the passage of that bill to the bitter end. Then even after it had been passed by the people's duly elected Representatives in Congress, the same opposition opened up an organized campaign against the policy of aid to Britain, although the American people had already put their stamp of approval on that policy. Not only that, America had already launched the program of aid to Britain. We had charted our course. We were already irrevocably and irretrievably committed by word and deed to the program of aid to the Allies. The time for debate should have been over. The time for division should have been at an end.

Every true-hearted American should have preached unity instead of division. It was known that the success of our plan depended upon the speed and unity with which it was carried out. We had committed ourselves to the proposition that America's best chance of escaping war was to help the allies stop Hitler in Europe, but, in spite of this, the opposition launched an appeasement campaign in order to sabotage the public mind and bring to naught the efforts of this Government in giving effective aid to the Allies.

Although there were, no doubt, many sincere Americans who took part in this campaign, yet every public meeting which they held was the rallying ground for every pro-Nazi, every Communist, and every "fifth columnist" in the United States.

This is an organized campaign under the auspices of the so-called America First Committee. They are well financed. They have set up chapters in almost every community. They have been well publicized. Although they represent only a small percentage of the people of the United States, the radio networks have seen fit to give them most liberal radio time on the air.

What has been the result of this well-organized campaign? The result has been to sabotage America's defense effort. The result has been to encourage laborers to strike by making them believe that no emergency exists. The result has been to slow down the tempo of American production. The result has been to create dissension and division when we should have unity. The result has been to weaken England, strengthen Hitler, and increase America's chances for war.

Then, again, just lately President Roosevelt called upon industry for an intensive production effort. He asked for a 24-hour day and a 7-day week. He was answered by a whole new crop of strikes. But the organized opposition, which counts among its numbers every pro-Nazi and every Communist in the United States, has done its work so well in creating dissension, indecision, and opposition that we can scarcely pick up a newspaper without reading about the threat of more strikes. The heart of labor is sound. These laboring people would not jeopardize their own country if they were not led to believe that no emergency threatens.

Mr. President, I said at the outset that England had followed a policy of "Too late and too little," or a policy of closing the barn door after the horse is stolen.

So have we in this country, as I have just shown by the timid and delayed action steps which we have taken, followed the policy of "Too late and too little."

A year ago I spoke on the floor of the Senate, and urged that American industry immediately be placed on a 24-hour basis, and that every emergency step be taken immediately that would be taken if we were actually in war.

It is my purpose at this time to urge a courageous and aggressive policy, which, if taken, would greatly increase our security and give America one final chance of escaping total war.

First. The President should immediately declare a war emergency and urge that all industries be placed on a war-time basis.

The 40-hour week should be relaxed in its application to technical workers, of whom there is a shortage. All industries should be placed on a 24-hour basis and 7-day week as rapidly as possible. The production of peacetime luxuries should be reduced to the minimum. All industries now manufacturing automobiles and similar peacetime supplies should be turned immediately to the manufacture of planes, tanks, and guns.

Such a move on the part of the President is necessary in order to bring our production to its peak. It is now obvious that we cannot continue under "a business as usual" psychology and overtake the production of a country like Germany, which for 7 years has devoted its entire energies to war production.

ESTABLISH CIVILIAN MORALE ORGANIZATION

Second. The Government should set up at once a giant, correlated organization for combating foreign agents in this and other countries and for countering and offsetting propaganda at home and abroad. Here on my desk is a large volume prepared by the Committee for National Morale, a committee which has made a thorough study of this kind of organization, and made recommendations. Such an organization is what I have in mind. This should not be done in an apologetic, piecemeal, half-measure manner. Congress should appropriate $500,000,000 for this organization.

This modern war is a new war; it is a three-dimension war; that is, it is industrial and psychological as well as military. Therefore, if we are to build a national defense, we must be prepared to defend ourselves in the field of propaganda as well as in the economic field and on the field of battle.

One of the things which made it so easy for Hitler to conquer France was that the French people had a fortress complex. They had a Maginot line defense psychology. They thought in terms of military breastworks alone. But so complete was Hitler's psychological victory over France that the military battle of France was won even before it was begun.

Therefore I urge that we stop playing at national defense and set up a military defense organization to defend America against the Nazi psychological assault. This cannot be done by a few patriotic writers here, and a few wise statesmen speaking there, and a few courageous newspaper editors somewhere else.

As we have seen the so-called America First Committee sabotage the defense efforts of the great majority of the people of this country we should realize that a small, well-organized minority can defeat a much greater but unorganized majority. Therefore we must provide for defense on the propaganda front.

Furthermore, this organization should be prepared to deal adequately with the saboteurs, spies, and foreign agents which are swarming all over, through, and under this country today.

The Dies committee, the F. B. I., and the Intelligence Divisions of the Army and Navy are not able to cope with this situation. In the first place, they have not enough money to employ sufficient personnel. In the second place, they should be coordinated and synchronized. Then, again, if they were able to cope with the situation in this country, we have no source of reliable information from other countries, but the Nazis and Communists and Japanese have. I have the uncomfortable feeling that the Nazis have a more accurate card-index system of information on American production today than is available to the President of the United States.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. DANAHER. Would the Senator mind telling me from what he is reading?

Mr. LEE. A statement which I prepared.

Mr. DANAHER. It was all so new to me that I wondered if it was something we should have known about.

Mr. LEE. I thank the Senator for the compliment of originality.

But, Mr. President, I expect some of Hitler's friends in the United States to reply immediately that if we should do this we would be doing the same thing that Hitler has done. I answer that the democracies have been forced to pattern Hitler's dive bombers. We have been forced to pattern his parachute troops. We have been forced to build big tanks in order to meet his big tanks. We have been forced to revise our military tactics in order to meet his panzer units. Therefore, why should we not pattern our psychological defense after his, since modern wars are fought in the field of psychology as well as on the field of battle?

When Orson Welles staged his radio program about the invasion of the men from Mars, thousands of persons in America were thrown into utter panic. We laughed about it here in America; but Dr. Goebbels, Hitler's propaganda minister, only smiled, and realized what a powerful weapon the radio would be in the hands of the Nazis.

Consequently, 8 brown-shirt storm troopers armed with automatics overpowered the radio station at Vienna while some 62 Nazis, disguised as civilians, found their way into the capital, murdered Dollfuss, and took over the government. The radio, acting in cooperation with the storm troopers in the capital, was able to keep the people de-

ceived about the true situation until the Nazis had made their victory secure.

Today 50 secret Nazi agents could take over almost any city in the United States and the people would be helpless. In fact, the people themselves would help bring about their own capture. The Nazis, by controlling the light and power plants and the source of water supply, by establishing one of their members as an officer in the police force, and by taking control of the radio stations, could give orders, and not only the civilians but the officers could be made to contribute to the capture of a city, as was done in Norway. The only way in which we can be protected from such tactics is by a counterorganization such as I suggest being established at once.

Remember, it was not by armed might alone that Hitler captured Norway, Denmark, Holland, Belgium, Luxemburg, and France. They went down under a double assault of steel and betrayal. Their radio stations, overpowered by "fifth columnists," blared Hitler's lies. Troops were sent in the wrong direction and a state of utter confusion was created which made further resistance seem hopeless.

Furthermore, if we hope to have any success in our efforts of hemisphere solidarity, we must be prepared to offset the propaganda which is now being unleashed in the Latin Americas. Already Dr. Goebbels' propaganda machine has unleashed a bitter denunciation of—as he calls the United States—"Uncle Shylock"; and it will take more than giving tea parties and receptions for their delegations in Washington, and more than lending them money through Jesse Jones, to offset the psychological assault which Dr. Goebbels has unleashed in the Latin American countries.

USE NAVY EFFECTIVELY

Now, Mr. President, I wish to urge as a third and most important step that the United States Navy and air force be used in the most effective manner possible to guarantee defense of the Western Hemisphere. The strategy of how that should be done, of course, should be left to our naval and military authorities.

If more defense could be secured for the United States by delivering war materials to England, that should be done, and done at once. On the other hand, if we could secure greater defense by taking up strategic positions along the West Coast of Africa, that should be done. If the naval and military authorities of the United States feel that our security makes it necessary to take steps to prevent the Axis from occupying Dakar on the West Coast of Africa, we should do it at once. In other words, we should immediately take such steps as are necessary for our own protection.

Why should we tie our hands with international laws which no longer exist? Why should we give Hitler every advantage? Why should we be our own worst enemies? The law of self-preservation is the first law of life. Nothing we can do or refrain from doing will prevent Hitler from destroying our liberty if he is ever able to do it. When our very existence as a free nation is at stake, it is national suicide for us to stand on technicalities which are not recognized by the dictators. It makes an unfair and unequal contest when a democracy limits, hobbles, and handicaps itself by laws, rules, and niceties which the dictators treat with utter contempt.

I speak only as a layman. I do not know, from the standpoint of a military or naval expert, how important Dakar is to the protection of South America; but if it is as important as it looks on the map, and if it is as important as many students of geography claim that it is, we are just plain fools if we allow the Axis to seize that important position when we have the power to prevent it.

Only today comes the news from Italy that the Axis Powers are going to occupy the West Coast of Africa. From Dakar to South America is only 1,500 miles—2,000 miles nearer than from New York to the same point in South America. Fifteen hundred miles is within bombing range. The occupation of Dakar would give Hitler a jumping-off place to South America. If Hitler occupies Dakar, he will control the narrowest neck of the Atlantic Ocean, and with his land-based bomber planes he can effectually close that passage to the democracies. He will then have driven a wedge between North and South America. Then the United States will be forced to take up her defense at Panama and the Caribbean Sea, in a last-ditch fight for our survival.

Hitler already has control of the Mediterranean Basin. From air bases which he now controls, he is within easy bombing range of any place in the Mediterranean. He is in a position to harass the British Navy and render it ineffectual if not completely disable it. Whether or not the British will be able to defend Suez and Gibralter is a very doubtful question. He is in a position to harass British traffic through the Mediterranean, the Suez Canal, and the Red Sea. He is, therefore, seriously threatening the British life line.

But the British can still maintain a life line by going around Africa, provided, of course, Hitler is not allowed to seize Dakar. If he does, then he will cut the British Empire in two. In the meantime, he will have continued his effective submarine campaign on the supply line to the British Isles. He will also have continued his pulverizing bombings of the islands. The British Empire will then begin to fall apart. The British Isles will be a little more than a heap of rubble. Much of the British Navy will have been destroyed or disabled. Hitler will then be able to turn his full attention to the conquest of South America, and eventually North America.

Mr. President, that would mean that we would be forced to abandon the Monroe Doctrine and make a last-ditch stand at the Panama Canal and in the Caribbean Sea. The Nazis, who have many friends in South America, and less scruples than the United States, would have no trouble in securing naval and air bases in South America. Then the Third Imperial Reich would be in a position to blackmail the United States into a war for which we are not yet prepared.

But, Mr. President, we do have a great Navy, if we have courage and foresight enough to use that Navy in the most effective way to guarantee the defense of the western world.

But let us look the facts in the face. In spite of the gallant fight of the British, they have lost every battle with the Nazis. They have been outmaneuvered in almost every instance. Now, for one time in this war, I would like to see the democracies move to a point of vantage before Hitler beats them to it.

Hitler's scheme was, and still is, to take the world on the installment plan. If he can keep America in the role of a mere sympathetic onlooker while he cuts the jugular vein of the British Empire, and at the same time pulverizes the British Isles, he will have accomplished his fondest purpose.

Armed forces are useless if you are outmaneuvered strategically before the actual fight begins. Of what benefit are defense materials if you are outflanked before the first shot is fired? The defense into which we are pouring billions of dollars will protect us only if we do not permit the Axis Powers to outplay us strategically before the inevitable attack is launched, and inevitable it is.

Hitler will be stopped in his plans for South America only if his path to Dakar is blocked; but if he is able to take Dakar without a struggle, the United States will be placed in a position as vulnerable as that of the British Empire. If Hitler is allowed to take the Atlantic coast of Africa, he will have surrounded the Atlantic and gained control by controlling the ports with his deadly bombing planes.

If Hitler can keep our attention diverted from his plans in Africa by the operation of his fleet of submarine sharks in the North Atlantic, and the bombing of Great Britain, while he is carrying out his plan to encircle the Atlantic Ocean, he will have outmaneuvered the democracies again.

Therefore, we must keep our attention glued on the African Continent. It is there that the land battle of the Atlantic will be determined. If the Dakar base falls into German hands, the flank of the American Maginot line on the Atlantic Ocean will be turned.

Mr. President, America is the last stronghold of democracy, but our security and independence are threatened. We have waited too long already to take the bold and aggressive action which will guarantee our security.

The democracies have allowed their scrupulous regard for the niceties of international law to give the dictators every advantage. Therefore, if we are to survive as a free people, we must exercise the foresight and courage of free men who are willing to defend their right to remain free.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. CLARK of Missouri. Mr. President, I desire to suggest the absence of

a quorum, not that I intend to demand a roll call, though I wish to announce my own vote, but I think the Senators who are absent from the floor should have an opportunity to pass upon the bill if they desire to.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Green	Reynolds
Bankhead	Guffey	Rosier
Barbour	Gurney	Russell
Barkley	Hatch	Schwartz
Bilbo	Hayden	Shipstead
Brewster	Herring	Smathers
Bridges	Hill	Smith
Brooks	Holman	Spencer
Brown	Johnson, Calif.	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Butler	Langer	Tobey
Byrd	Lee	Truman
Byrnes	Lodge	Tunnell
Capper	Lucas	Vandenberg
Chandler	McCarran	Van Nuys
Clark, Idaho	McFarland	Wallgren
Clark, Mo.	McNary	Walsh
Connally	Maloney	Wheeler
Danaher	Mead	White
Davis	Murdock	Wiley
Downey	Murray	Willis

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

The question is, Shall the bill pass?

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a general pair with the Senator from Mississippi [Mr. HARRISON]. I understand, however, that he would vote as I am about to vote. I therefore vote "yea."

I also wish to announce that the Senator from Idaho [Mr. THOMAS] is necessarily absent, and that if present he would vote "yea."

The roll call was concluded.

Mr. BRIDGES. I have a general pair with the Senator from Utah [Mr. THOMAS]. If the Senator from Utah were present, he would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], the Senator from New York [Mr. WAGNER], and the Senator from Maryland [Mr. TYDINGS], are absent because of illness.

The Senator from Florida [Mr. ANDREWS] and the Senator from Utah [Mr. THOMAS] are attending a meeting of the Thomas Jefferson Memorial Commission.

The Senator from Pennsylvania [Mr. GUFFEY], the Senator from Iowa [Mr. HERRING], and the Senator from Delaware [Mr. HUGHES] are detained on business in Government departments.

I am advised that the Senators whose absences I have announced, if present and voting, would vote "yea."

The Senator from Washington [Mr. BONE] is attending the commissioning of the battleship *Washington*, and is therefore necessarily absent.

The Senator from New Mexico [Mr. CHAVEZ] is detained on important public business.

The Senator from Massachusetts [Mr. WALSH] is detained on business in one of the Government departments. I am advised that, if present and voting, he would vote "nay."

Mr. AUSTIN. I announce the following pair:

The Senator from North Dakota [Mr. NYE], who would vote "nay," with the Senator from Pennsylvania [Mr. GUFFEY], who would vote "yea."

The result was announced—yeas 59, nays 20, as follows:

YEAS—59

Adams	Gerry	Norris
Austin	Gillette	O'Mahoney
Bailey	Glass	Overton
Ball	Green	Pepper
Bankhead	Gurney	Radcliffe
Barbour	Hatch	Reynolds
Barkley	Hayden	Rosier
Bilbo	Hill	Russell
Brewster	Johnson, Colo.	Schwartz
Bridges	Kilgore	Smathers
Brown	Lee	Smith
Bunker	Lodge	Spencer
Byrd	Lucas	Stewart
Byrnes	McCarran	Thomas, Okla.
Chandler	McFarland	Truman
Connally	McNary	Tunnell
Davis	Maloney	Van Nuys
Downey	Mead	Wallgren
Ellender	Murdock	White
George	Murray	

NAYS—20

Aiken	Clark, Mo.	Taft
Brooks	Danaher	Tobey
Bulow	Holman	Vandenberg
Burton	Johnson, Calif.	Wheeler
Butler	La Follette	Wiley
Capper	Langer	Willis
Clark, Idaho	Shipstead	

NOT VOTING—16

Andrews	Herring	Thomas, Utah
Bone	Hughes	Tydings
Caraway	McKellar	Wagner
Chavez	Nye	Walsh
Guffey	Reed	
Harrison	Thomas, Idaho	

So the bill, H. R. 4466, was passed.

Mr. BAILEY. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. Mr. MCNARY, and Mr. JOHNSON of California conferees on the part of the Senate.

SHIPMENT OF ESSENTIAL DEFENSE MATERIALS TO JAPAN

Mr. GILLETTE. Mr. President, I have two or three times referred to a concurrent resolution which is pending in both Houses of Congress relative to the alleged shipment of essential war materials by American companies to the Axis Powers. Many of us are greatly concerned with this all-important question; indeed, I think every Member of the Senate and every true American is.

We receive disturbing information from time to time. For instance, it is tremendously disturbing to learn that we shipped over four and a half million barrels of petroleum to Japan in the first 3 months of this year. Most all the news is disturbing, but I have just received some news which is encouraging, and I wish to put it in the RECORD.

While the articles which I wish to have inserted in the RECORD refer to the fact that in the month of March alone we shipped one and a half million barrels of petroleum to Japan, yet last Saturday we imposed an embargo on the shipment of hyoscyamus. I do not know when I was relieved any more than I was to learn that we had shut off the shipment of hyoscyamus to Japan. I have never heard of it before, but along with the shipment of hyoscyamus, which I learn is henbane, we also last Saturday prohibited the shipment of stramonium, columbium, tantalum, cryolite, and fluorspar. Hyoscyamus is henbane. Japan is to get a million and a half barrels of petroleum a month, but she is to have no more henbane from America.

In order that the public may have the benefit of this information, I ask unanimous consent to have the articles to which I have referred placed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor]

TOKYO'S OIL PURCHASES IN UNITED STATES MOUNTING

WASHINGTON, May 5.—Japan's feverish hunt for vitally needed oil—for its Army and Navy as well as for industry—was reflected today in Commerce Department statistics showing considerably increased purchases in the United States.

During March the United States exported 1,553,000 barrels of petroleum products to Japan, compared to 1,279,000 barrels in February and 1,491,000 barrels in January.

The Japanese need for oil for further Army and Navy activity and reduction of stocks because of war in China and penetration into Indochina was believed by experts to have forced intensification of efforts to import a lot of oil in a hurry.

The large shipments to Japan in March were despite recent United States export-control measures which require licenses for all-metal containers of 5 or more gallons capacity. This covers much of the petroleum shipments to the Far East.

Officials say 20 Japanese Government-owned tankers are now in constant service and Japanese shippers are experimenting with shipments in wooden barrels instead of metal containers.

Although there has been some agitation, particularly from Chinese sympathizers, for an embargo on all oil shipments to Japan Secretary of State Cordell Hull recently said that if embargoes were instituted they would not be directed against any particular nation.

Dr. Quo Tai-chi, China's Foreign Minister, in a radio address from Washington May 3 pleaded for the United States to stop supplying Japan with war weapons and especially with fuel for Japanese planes to bomb Chinese cities and towns.

In an analysis of Japan's oil resources E. Degoyler has reported to the National Petroleum Association that Japan's position in the event it decided to fight other nations as well as China "would seem hopeless."

Mr. Degoyler estimated Japan's production at only 2,500,000 barrels annually. The Russian half of the Island of Sakhalin produces 2,000,000 barrels yearly, but its ports are ice-bound 7 months of the year and the Soviet would need its own oil if the United States

cut off the 1,000,000 barrels a year normally shipped to Vladivostok.

To get the 14,000,000 barrels imported from the East Indies in 1939, Mr. Degoyler reported, the Japanese had to send tankers from 2,300 to 3,000 miles, past the Philippines and past Singapore, Britain's fortress in the Straits Settlements.

Japan's normal peacetime consumption is estimated at 25,000,000 barrels a year, while its military and naval consumption in 1938 was estimated at an additional 21,000,000 barrels, and in 1939 at an additional 16,000,000 barrels.

[From The Nation of May 17, 1941]

NO HENBANE FOR JAPAN?

The President annnounced on May 10 that he had approved the recommendation of Brig. Gen. Russell L. Maxwell, administrator of export control, and had issued a proclamation placing 8 additional articles under the export-licensing system. The articles are hyoscyamus (henbane), stramonium, columbium, tantalum, cryolite, fluorspar, chemical wood pulps, and digitalis seeds. Perhaps these materials are not less important for being little known. But this meticulous addition of obscure items to the list of articles for which an export license is required seems a little ludicrous beside the continued export to Japan of huge quantities of so important a war material as oil. The latest report of the Department of Commerce shows that our shipments of petroleum to Japan in March were 1,500,000 barrels, as compared with 1,280,000 barrels in February and 1,491,000 in January. These huge exports were in no way hindered by the necessity of obtaining licenses for them from General Maxwell, although when oil was put on the export-license list last summer it was assumed this would be a virtual embargo. It has turned out instead to be a meaningless sop to sentiment for an oil embargo, and we continue to provide fuel for the Japanese Navy and air force, and there is good reason to believe that Japan is not the only beneficiary of our willingness to let the oil companies, like our copper and steel magnates, make a profit on the sale of the materials of war to our enemies.

Few newspapers printed anything about the resolution introduced by Senator GILLETTE, of Iowa, and Congressman COFFEE of Washington for a joint investigation into trade with the Axis Powers in basic war materials. Too much money is involved here, and more courage is required than the average politician possesses. There are three possible channels through which the Axis may obtain supplies from this country. One is through Soviet purchases which would be later transferred to Germany. The trickle to which our trade with Russia has been reduced is sufficient evidence that this is not a major source of supply. The second, of course, requires no investigation. Our huge exports to Japan have been largely in war materials and machine tools. That some of this may be transshipped to Europe is indicated by the State Department's announcement that it has revoked all licenses for the shipment of scrap rubber to Japan and occupied parts of China, a belated move, like all the State Department's actions of this kind. For a rubber shortage here is already in sight. Washington correspondents were given to understand "off the record" that this move was designed to check one German source of supply, which would indicate that in some materials at least transshipments have been made from the Far East to Europe. There was a similar hint in the statement of Hugh Dalton, Minister of Economic Warfare, in London on April 25. Dalton said a shortage of ferrous alloys was developing in Germany and that negotiations were on in Washington to curb "supplies to enemy countries." Has Germany been obtaining American ferrous alloys through Japan or Spain? For Spain is the third intermediary through which war materials may be reaching the Axis.

Senator GILLETTE, in introducing the joint resolution for an inquiry, referred to the testimony of Joseph Curran, head of the National Maritime Union, that Standard Oil was delivering oil to Spain's Canary Islands for transshipment to Germany and Italy. E. B. Lyman, publicity director of the Standard Oil Co. of New Jersey, explained afterward to a representative of the Federated Press that "first of all, you must understand we are an international company—that is, Standard Oil of New Jersey is a holding company with subsidiaries in many countries. We must keep an international viewpoint. As a private company we cannot declare our own boycott. As a general principle we sell to anyone that wants to buy and can pay for it until the State Department places an embargo on any country."

We believe that the Senate and House should not only pass the Gillette-Coffee resolution but should instruct the joint committee to inquire what oil, copper, steel, and other materials made by American companies or their subsidiaries in Latin America, the Near East, and the Dutch East Indies are reaching the Axis. British-American oil companies in the Dutch East Indies have just renewed their sales agreement boosting oil exports to Japan from 494,000 to 1,800,000 tons a year. We should like to know how much oil Japan has been getting from American oil companies in the Near East. J. H. Carmical, the oil expert of the New York Times, reported last July 28 that earlier in the year Japanese oil interests had purchased 1,000,000 barrels of oil from the Anglo-Iranian Co., a majority of whose stock is owned by the British Government. These British sales have been one of the principal arguments used by our oil companies against an embargo on sales of American oil to Japan. Both ought to be shut off.

Mr. LEE. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. LEE. Did the Senator say he had a resolution pending to stop the further shipment of oil and petroleum to Japan?

Mr. GILLETTE. The resolution to which I have referred calls for an inquiry into the extent to which American companies are contributing to this trade in essential war materials to the Axis countries, and it is before the Committee on Commerce, of which the Senator is an honored member.

Mr. LEE. Let me say to the Senator that it will have my support, as will any proposal to stop the shipment of petroleum, or anything else which has been furthering the Axis program. I think such a move would be worth vastly more in our defense effort than changing the direction the eagle is looking.

Mr. GILLETTE. The sentiments expressed by the Senator from Oklahoma do him credit.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, it had been my hope that we might follow the bill just passed with either the priorities bill, which was unanimously reported from the Military Affairs Committee, or which was at least authorized to be reported yesterday, or the so-called Reconstruction Finance Corporation bill, on which a report was authorized yesterday from the Committee on Banking and Currency.

However, I find that neither of those bills was reported in time to be on the calendar at the present time. They are being reported today and will be on the calendar tomorrow. It had been my hope that we might dispose of those bills and one or two others before the end of the week, and that Members might be more or less free next week to catch up with their office work or perform such other duties as they might find convenient. Under the circumstances we cannot take up either of those bills at this time. Therefore, in the hope that we may take up one or both of them tomorrow, and that we may dispose of bills on the calendar to which there is no objection, I shall ask that we next proceed to the consideration of bills on the calendar to which there is no objection.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. Do I correctly understand that the Senate will meet tomorrow?

Mr. BARKLEY. Yes; the Senate will meet tomorrow.

Mr. O'MAHONEY. I know that at least one committee held a meeting today, at which it authorized the reporting of certain bills, and it would be very desirable to have them considered.

Mr. BARKLEY. The Senate will be in session tomorrow.

Mr. O'MAHONEY. I thank the Senator.

CONSIDERATION OF MEASURES ON THE CALENDAR

Mr. BARKLEY. I ask unanimous consent that the Senate now proceed to the consideration of bills on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The clerk will proceed to call the calendar.

RESOLUTION PASSED OVER

The resolution (S. Res. 30) amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

SEVERAL SENATORS. Over!

The VICE PRESIDENT. The resolution will be passed over.

COMMODITY LOANS AND MARKETING QUOTAS

The bill (S. 935) to amend the Agricultural Adjustment Act of 1938 with respect to commodity loans and marketing quotas, and for other purposes, was announced as next in order.

Mr. BANKHEAD. Mr. President, we disposed of the principle and objective of that bill in the conference report yesterday, so I move to recommit the bill to the Committee on Agriculture and Forestry.

The motion was agreed to.

WITHHOLDING FROM THE MARKET COTTON OWNED BY THE GOVERNMENT

The bill (S. 1250) to provide for withholding from the normal channels of trade and commerce cotton of the 1940

and previous crops which is owned by the Government or which is pledged as security for Government loans was announced as next in order.

Mr. SMITH. Mr. President, I hope this bill will pass. It is of very great importance to the cotton growers. It was unanimously reported by the committee.

Mr. McNARY. Mr. President, I never like to hold up bills, especially those reported by the able chairman of the committee. However, this bill brings into consideration a very large subject. Standing by itself, and applicable only to cotton, it covers only one phase of the problem. It had been my intention—and it may yet be—to consider offering an amendment providing for perhaps two other basic commodities, corn and wheat. I have been giving study to the matter, and have also recently received a great many letters and telegrams from farm leaders who wish further to consider the matter. For that reason I do not feel that I should consent today to any action on the bill.

I wish to have it understood that I am not attempting purposely to hold up the bill. My action is in the best of faith, as I have always attempted to act in matters which come before the Senate. The bill deals with only part of a large problem. The Bankhead bill, providing for a commodity loan of 85 percent upon cotton, should be considered in connection with this very measure.

I think we should also consider what the attitude of the Appropriations Committee might be with regard to the payment of parity, and how much we should pay toward parity. There is such a thing as making the benefits so generous as to throw the commodities out of line with other commodities not treated. It is possible to elevate the price to such an extent that the demands of the consumer are not met. The problem is a large one. In my judgment, this bill should be considered in connection with other legislation, particularly with reference to the question whether we should freeze one commodity without attempting to treat other commodities dealt with in the Agricultural Adjustment Act.

For that reason, and only for that reason, I ask that the bill go over.

Mr. SMITH. I desire to make one further remark. It is unfortunate that cotton is not in the same category with grains. They are perishable. When it is taken from the weather, and when it is stored, cotton is practically imperishable. The Government has in its own possession 6,000,000 bales; it has an equity in approximately 4,000,000 additional bales, making in round numbers, according to the last report I have received, approximately 10,041,000 bales. Everyone knows that a crop of cotton is now on hand. Because of the action taken by the Senate yesterday and that taken by the House the day before, cotton has risen almost to the loan price, if it has not today risen to that price. The only thing that deters it from reaching the loan price—in which event there would not be any drain at all on the Treasury, because under those circumstances farmers would sell their cotton at a price in excess of the loan price—is the cotton growers' fear of the Government's tremendous holding of cotton.

Under the terms of the bill I propose the Government could use the cotton for any purpose it sees fit, so long as it is not put into channels of trade or not offered as a hedge against a sale or a purchase. This cotton already is financed and provided for. The Government owns it. I do not know how much of it the Government will use. According to the reports I have received, some 300,000 bales have been used in channels other than channels of trade.

I had hoped that the Senate would see fit to put this matter beyond the realm of speculation and trade, so that we would give the current crop a right to the market. I appreciate what the Senator from Oregon has said, and I am perfectly willing to let the bill go over, in order that wheat and other commodities may be included according to their storage value.

Mr. McNARY. Mr. President, if the Senator will permit an obtrusion, I desire to state that if we impound the ten and one-half million bales of cotton now in possession of the Commodity Credit Corporation, whether owned or whether held as collateral, that cotton will not enter into the channels of trade. I am curious to know what effect the loan price of 85 percent of parity on this year's spot cotton would have a year from now on the price of the frozen cotton.

Mr. SMITH. I think the probabilities are that it would go a cent or 2 cents above the loan price—that is, the 85-percent level.

Mr. McNARY. Is it the intention of the able Senator from South Carolina that this cotton should be taken out of the reservoir in which it is temporarily impounded and that it should receive the benefits of the parity loan price?

Mr. SMITH. It is the Government's cotton.

Mr. McNARY. Part of it is the Government's cotton. On half of it the title has passed. On half of it the Government simply holds a lien.

Mr. SMITH. According to its terms, the note the Government holds is a demand note, and the Government can take the cotton at any time and can take it at the current price.

Mr. McNARY. Yes.

Mr. SMITH. Farmers now are withdrawing it.

Mr. McNARY. Yes. So, without this bill the farmer who would have an equity in this cotton could take it out and sell it today or during this year's crop season.

Mr. SMITH. According to the terms of the note, he could take it out and hold it until the 1st of July.

Mr. McNARY. After the 1st of July, he could take his cotton out of the reservoir in which it is impounded and could sell it at 85 percent of the parity price.

Mr. SMITH. He can sell it at that price now.

Mr. McNARY. Very well. Then, if that be true, the Senator's bill would apply not only to this year's crop of cotton but also to cotton which is frozen.

Mr. SMITH. The bill would not apply to this year's crop.

Mr. McNARY. The Bankhead bill, which provides for 85 percent of parity, does apply to this year's crop.

Mr. SMITH. Yes.

Mr. McNARY. That is what I say. I think the two measures must be treated in relation to each other. By this bill the Senator is attempting to freeze cotton which is now impounded and is attempting to keep it off the market. The Senator from Alabama [Mr. BANKHEAD] wants to give the cotton crop of this year a loan price of 85 percent of parity.

Mr. SMITH. That is this year's crop.

Mr. McNARY. Certainly. We must think of the owners of the 11,000,000 impounded bales.

Mr. SMITH. The Senator desires to quote the figures correctly.

Mr. McNARY. Certainly.

Mr. SMITH. There are about three and one-half million bales in which there is no equity at all.

Mr. McNARY. That is true. Whatever the total may be, or however the Senator may segregate the supplies of cotton in the consideration of his bill, according to my judgment we must consider it in connection with the Bankhead measure and the parity bill which is in the Committee on Agriculture and Forestry, and over which there has been no controversy.

Mr. SMITH. The Government owns in fee simple 6,000,000 bales. That is in the Government's hands. The acreage has been reduced, and the loan price on cotton has been increased. It will not cost the Government anything more to keep it. It is in their own warehouses. I think, in justice to the farmers who are making a crop this year in excess of domestic consumption, that they should be given a free market on the basis of 85 percent of parity.

Mr. McNARY. But the Senator does not think that that should apply to the grower who now has a crop impounded?

Mr. SMITH. I do not know of any cotton grower whose crop has been impounded. Only a fraction of the crop has been impounded.

Mr. McNARY. The Senator must concede that there is a clear distinction between spot cotton—this year's crop—and the cotton of last year and the year before, now controlled by the Commodity Credit Corporation. I have the greatest sympathy for the cotton growers of the South, and I think I have shown it by every word I have said on this floor and every vote I have cast. But in view of the three separate bills and the fact that cotton has been segregated from wheat, corn, tobacco, and rice, I think careful consideration should be given before further action is taken.

Mr. SMITH. If the Senator desires to offer an amendment, I shall be perfectly willing to accept it. I do not know anything about wheat and the storage of wheat and corn. If the Senator desires to offer an amendment, I will accept it. I have tried to do the best I could for wheat and corn.

Mr. McNARY. The Senator has done so.

Mr. SMITH. I have tried to do the best I could for all the products of agriculture, but in view of the fact that the price of everything the farmer has to buy is going sky-high, I think the time has come when he must be considered. I know that the Senator from Oregon entertains the same views on the matter that I do.

Mr. McNARY. Oh, yes. I think the Senator from Oregon is just as tender toward the condition of the farmer as is the able Senator who succeeded me as chairman of the Committee on Agriculture and Forestry. I am considering not only the farmer who today is raising cotton, but the man who raised it last year and the year before. My sympathies are not solely with one group; I am considering all cotton raisers as a group.

However, I do not desire to take up any further time. I am violating the rule; I am speaking longer than I should. But with the greatest of courtesy toward the Senator from South Carolina, knowing his sympathy for the bill, I ask that today it go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SMITH. I do not object; I join in suggesting that it go over; but I desire to say that the men with the equity in the Government's cotton are the very men who are making this year's crop. They cannot divide this year's crop from that of other years; they have gotten their loans on last year's crop and have spent it on this year's. If there is any equity coming to them I should be glad to have them get it; but I am trying to take care of those who are making this year's crop.

PAYMENTS UNDER SOIL CONSERVATION AND DOMESTIC ALLOTMENT

The Senate proceeded to consider the bill (S. 588) to give the Secretary of Agriculture permanent authority to make payments to agricultural producers in order to effectuate the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act, which was read, as follows:

Be it enacted, etc., That section 7 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590g), is amended by striking out subsections (b), (c), (d), (e), (f), and (g).

SEC. 2. Section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended (1) by striking out subsection (a); and (2) by striking out, in subsection (b), "Subject to the limitations provided in subsection (a) of this section, the" and inserting in lieu thereof "The."

Mr. CLARK of Missouri. Mr. President, will the Senator from Alabama explain this bill? I have not had an opportunity to examine it.

Mr. BANKHEAD. I will be very glad to do so. When the Soil Conservation and Domestic Allotment Act was passed in 1936, immediately following the annulment of the original Agricultural Adjustment Act by the Supreme Court, there was grave doubt about the power of Congress, under the decision of the Court, to administer any Federal program relating to agriculture because of the very great length to which, apparently, the opinion of the Supreme Court went. So, in passing the act immediately following the Supreme Court decision, there were, because of that doubt, included in the act provisions requiring that the administration of the Soil Conservation Act should be returned or sent back to the various States so as to have what were then called 48 little Triple A's A certain length of time, 4 years, as I recall, was given—and it was extended 2 years—for the States to pass enabling acts in order to administer such money as Congress might grant to them under the Soil Conservation Act. The time will expire on the 1st of January.

Only about 12 or 15 States have passed enabling legislation; and unless a bill similar to this is passed, administration of the Soil Conservation Act will revert to some 10 or 12 States only, and there will be no authority to administer it elsewhere. In fact, it cannot well be administered locally; so this bill is to continue the present soil-conservation program, a program which was endorsed in the platforms of both political parties.

Mr. CLARK of Missouri. Mr. President, let me say to the Senator from Alabama that, of course, I have no intention of objecting to the consideration of this bill, for I am very much in sympathy with the Soil Conservation Act.

Mr. BANKHEAD. I think that act is probably the best legislation which has been enacted in relation to agriculture.

Mr. CLARK of Missouri. I, too, think it is one of the very best. I should like to remark, however, that I am, in general, very apprehensive about extending the permanent powers of the Agricultural Department, because I have seen so many instances of the very arbitrary exercise of power by the bureaucrats there. I recall that last fall and this spring the Senator from Alabama and myself, and all other members of the United States Senate interested in cotton, saw an extremely arbitrary exhibition of power by the bureaucrats of the Agricultural Department which required an act of Congress to correct, and which I was very glad to be one of the followers, under the leadership of the Senator from Alabama, in correcting. But I do, in general, regard permanent grants of power to the Agricultural Department with very great misgiving, although in this particular case I agree with the Senator that the passage of the bill is very necessary to effectuate the purposes of the Soil Conservation Act.

Mr. BANKHEAD. That is true, for unless the bill were passed the act would terminate except in a few States.

Mr. CLARK of Missouri. The Senator knows what I am talking about. I refer to the very arbitrary exercise of power in the matter of the reconcentration of loan cotton, which would have worked an intolerable outrage on the farmers of the interior.

Mr. BANKHEAD. I feel exactly as the Senator does about that matter. I thought it was an outrageous and unconscionable effort.

Mr. CLARK of Missouri. I was glad to follow the leadership of the Senator from Alabama in correcting that situation, but that experience and others have made me very apprehensive about making permanent grants of power to the Agricultural Department.

Mr. BANKHEAD. This bill was initiated on my responsibility; I was the coauthor of the Soil Conservation and Domestic Allotment Act, and it was really my bill which was passed. I feel very greatly interested in its success, and unless something is done now, that law cannot, as I have stated it, be administered except in a very few States, and, of course, that would not be satisfactory to the Congress.

Mr. BILBO. Mr. President, on April 14 I introduced Senate bill 1324, seeking to amend the Federal Crop Insurance Act of 1938, in such a manner as to provide for the insurance of producers of cotton against loss in yields of cotton due to unavoidable causes, including a provision for additional premium and indemnity in terms of lint cotton to cover loss of cottonseed, such additional premium and indemnity to be determined on the basis of the average relationship between returns from cottonseed and returns from lint cotton for the same period of years as that used for computing yields and premium rates. In other words, we want to assure to cotton growers the same type of protection now enjoyed by wheat growers under the Federal Crop Insurance Act.

However, the Senator from Alabama [Mr. BANKHEAD] introduced Senate bill 158 in January and it was very properly taken up by the committee to be reported. Therefore, in view of the fact that his bill was introduced first and also because he was author of the earlier bill which was vetoed by President Roosevelt last year, I now wish to pledge my support to the bill of the Senator from Alabama in lieu of my own, and I ask leave to submit a few remarks in support of same. It has the same objective, in the long run, as the measure proposed in my bill, and I gladly join him in urging enactment of his bill.

In his letter transmitting a report of the President's Committee on Crop Insurance in 1937, President Roosevelt stated:

> I believe that legislation should authorize application of similar programs to other commodities (than wheat) when it is established that producers desire them and application of the plan to wheat has provided a backlog of experience in applying the principles of crop insurance.

On May 4, 1940, Senate bill 2635, Seventy-sixth Congress, third session, was passed to extend to cotton the system of Federal crop insurance now applied to wheat. But President Roosevelt could not see his way clear to approve the bill. He is now convinced that the time is ripe for extending the insurance program to cotton, as evidenced by the following letter from Mr. Roosevelt to the Secretary of Agriculture under date of April 5, 1941, as follows:

The Honorable the SECRETARY OF AGRICULTURE.

MY DEAR MR. SECRETARY: On May 4, 1940, I returned to Congress without my approval S. 2635 (76th Cong., 3d sess.), a bill which would have extended to cotton the system of Federal crop insurance now applied to wheat. My action was based on (a) the substantial losses incurred by Federal insurance

of wheat; (b) the lack of a sound actuarial basis for a self-supporting crop insurance; and (c) the belief that when such basis was established the producers of all major crops should share in its benefits.

I am now informed that the losses incurred by the Federal Insurance Corporation have been considerably less than previously estimated and that your Department feels the actuarial basis of the Corporation has proved to be sound, provided administrative expenses continue to be paid by the Government.

While I have felt that any crop-insurance plan should be self-supporting with premiums sufficient to pay administrative costs as well as indemnities, I recognize that where the Government has entered insurance fields to meet needs which commercial insurance organizations have been reluctant to provide, it has heretofore seemed proper to share or provide the necessary administrative expenses. The Department has successfully reduced the ratio of administrative expenses and has recently submitted legislation to Congress which would permit premiums to be paid in notes of the commodity which, if enacted, will result in further substantial savings by largely eliminating storage costs.

In view of the proven benefits of crop insurance and the reduction in administrative expenses accomplished and in prospect, it now seems to me that as reliable actuarial bases are developed consideration might be given to the extension of Federal insurance to other crops.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

After careful observation of the program and its results in the instance of wheat, based on my researches into facts and figures, I am firmly convinced that the crop-insurance program has amply justified itself. In fact, I am elated over the results obtained thus far.

The wheat crop insurance program has been in operation 3 years, and now is preparing for its sign-up campaign for the fourth time. The official report issued by the Crop Insurance Corporation is a veritable progress sheet.

During the first year of operation, that is, in 1939, insurance was written in 1,289 counties of 31 States. Losses paid on the 1939 crop amounted to about 10,000,000 bushels of wheat. Each succeeding year has witnessed substantial increases in the sign-up. The following summary speaks eloquently for the popularity of the program:

	1939	1940	1941
Number of premiums collected	165,777	360,656	420,077
Premium payments (in bushels)	6,684,215	13,804,632	14,358,958
Estimated insured acreage (in bushels)	7,235,050	12,764,124	10,946,284
Estimated insured production (in bushels)	60,839,785	108,333,141	110,591,202

It is officially estimated that drought, floods, frost, hail, insects, plant diseases, and other unavoidable hazards take an annual toll of around 300,000,000 bushels of wheat every year. It is gratifying, indeed, to know that at least a part of this tremendous loss is now offset by crop insurance. The crop-insurance program has given the wheat farmer the protection of a guaranteed wheat income, and the result has been that the insured grower has always had some wheat to sell, regardless of whatever perils the hostile forces of Nature might visit on his crops. It has helped farmers to stabilize their business of wheat growing. It has enabled the wheat grower to pay for his crop failures on the installment plan, so to speak, instead of absorbing the shock of crop failure all in 1 year. Actuarial rates have been developed from actual and appraised records for farms so that over a period of years the amount the grower pays in premiums will about balance with what he collects in indemnities.

Moreover, crop insurance has given the wheat grower a new source of credit, since, by assigning his contract, he can borrow money to continue his farming operations. With an insurance contract as collateral, he has become a much better credit risk. Insurance, too, has helped numerous wheat growers to protect their meager investments in land where one crop failure would have forced them off the land.

With assured wheat income, local rural communities, wholly dependent upon wheat for trade and existence, have been benefited. Crop insurance has made possible continued trade on Main Street by supplying some measure of purchasing power on the farm in crop-failure years. This purchasing power has had an indirect effect on city industry and urban labor in that the farm thus was able to buy what the city produced, whereas in former years of crop failures business and labor suffered.

It may be truthfully said that crop insurance serves another important purpose in the complex business of farming. It supplies the farmer with an irrefutable record of his land. Through insurance the grower can determine for himself the feasibility of continuing to grow wheat on land that otherwise might not prove unfitted for that crop until after repeated years of meager success and failure.

Aside from all economic considerations, the protection afforded by crop insurance goes a long way to boost the morale of the farmer thus protected. It gives him the precious feeling of security that comes with knowing that the elements and the insects and plant diseases cannot snatch away his whole year's hard work and investment in his crop. In years of crop failure the farmer who does not have crop insurance or some other reserve to fall back on must resort, if he needs funds, to borrowing, or he may have to seek private or public relief. Crop insurance gives him certainty and security in the place of uncertainty and insecurity. It is less expensive than borrowing because it eliminates the payment of interest and other borrowing costs which are usually inordinately high at those times when the farmer is pressed for funds. It is certainly less expensive to the Government than public relief because the farmer contributes through payment of premiums to his own need for funds following crop failures. It is less embarrassing to farmers to provide in advance through insurance for their own needs in years of misfortune than to have to accept public relief. In other words, the Federal crop-insurance program helps the farmer to help himself.

With the attained success of the wheat-insurance program as a backlog of experience, the time seems ripe for applying the program to what is commonly called the Nation's economic problem No. 1. That is to say, the cotton-growing South.

More than 2,000,000 American farmers depend on cotton for the major source of their income. Many of these farmers at one time or another have faced financial difficulties—even financial ruin—because of crop failures from causes beyond their control. The need for some form of protection against these unavoidable and seemingly inevitable production hazards has long been apparent. Crop insurance would seem now to point the way to meet these hazards.

Approximately 13,500,000 people in the United States are directly dependent for at least a substantial part of their livelihood on the cotton crop. This is almost 11 percent of the population of continental United States.

On 2,000,000 cotton farms of the South and Southwest there are more than 10,000,000 persons dependent on cotton for the greater part of their income. Cotton textile manufacturing in all its branches provides the support of approximately 3,000,000 citizens, and in other work based on cotton marketing and processing there are about 500,000. There are more cotton farms than those of any other type.

In good years the annual farm value of the cotton crop reaches $1,000,000,000; adding to this the value of cottonseed products, approximating $180,000,000 and $1,000,000,000 as the approximate value of products of southern textile mills, we have in the cotton industry an annual business totaling $2,180,000,000. This represents the Nation's largest single industry, and yet it is the most unprotected business.

Ten million persons dependent on cotton for the greater part of their income are more or less at the mercy of the elements, the insects, and the scourge of plant disease, to say nothing of disastrous fluctuations in cotton price.

In these times of low cotton price the growing of cotton is unprofitable enough from any angle viewed. Persons not familiar with the facts are shocked to know how much it costs to produce an acre of cotton. The following chart of official figures pertaining to cost of production is very revealing:

Gross cost per acre

To prepare and plant	$3.82
To cultivate and hoe	5.20
Harvest	8.15
Fertilizers	1.93
Seed	1.16
Ginning	2.73
Miscellaneous	3.39
Total, above items	26.38
Credit allowance per acre for cottonseed	4.53
Balance (net)	21.85

If the grower rents his land an additional item of $4.98 per acre must be added, bringing the total net cost per acre to $26.73.

Translated in pounds, based on a 10-year average of yields per acre, the net cost of producing a pound of cotton, including rent, is 9.6 cents; excluding rent, 7.8 cents.

These figures are for the 1937 crop and are the latest production figures I have at hand, but the cost of production does not vary a great deal over an average period of years.

Taking into consideration the frequency of material crop losses that occur over the Cotton Belt and almost total losses that occur occasionally in lesser portions of the region, it is not surprising that the average annual income of the cotton farmer is so pathetically low.

The seriousness of hazards to cotton are graphically shown by Bureau of Agricultural Economics figures giving the percentage of reduction from full yield in recent years:

	Percent
1928	36.4
1929	43.8
1930	47.1
1931	27.8
1932	42.7
1933	28.6
1934	42.6
1935	36.8
1936	38.5
1937	23.1

Crop failures befall one part or another of the Cotton Belt practically every year. The consequence is that the farmers who suffer these crop losses have little or no income on which to live. Where borrowers are dependent upon a crop for income and that crop is subject to numerous uncontrollable hazards, the grower is often rated a questionable credit risk. Too many crop failures and his credit dries up completely. Or if he still is considered a credit risk, he generally must pay interest rate commensurate with that high degree of risk. Crop insurance would enlarge the availability of credit. It would provide the cotton farmer with a better distribution of income from year to year and thus alleviate some of the hardship brought about by crop failure. The burden of crop failure on cotton farms, as with wheat farms, has frequently been beyond the resources of the individual grower. At such times governmental relief is the only place to which the individual can turn. According to figures taken from the records of the Director of Information of the United States Department of Agriculture, the Federal Government spent for emergency agricultural relief a total of $600,000,000 during the 10-year period from 1926 to 1935. A large part of this relief was absolutely essential because of crop failures.

The crop-insurance program is materially reducing the need for Federal and State Government relief in wheat areas, and it can do the same for the cotton South.

We do not claim that crop insurance offers a solution for all the cotton farmers' problems, for many of these problems are world-wide in scope. We do believe and honestly affirm that application of the program to the Cotton Belt would make a great contribution toward solution for many farmers of the problems that are caused by the hazardous factors of crop production.

By the same token, it would undoubtedly make a significant contribution to the welfare of the whole Nation, for it does not take an economist to know that the security and prosperity of the cotton industry has a marked influence on the security and prosperity of the entire country.

I am delighted with the findings of the comprehensive research that has been conducted by agricultural experts with the Crop Insurance Corporation and other departments of the United States Department of Agriculture with relation to the possibilities of cotton-crop insurance.

I have recently reread and analyzed again the statements of Mr. R. T. Baggett, associate agricultural economist of the Bureau of Agricultural Economics, as presented before the Agriculture Committee of the House in July 1939. Since that time much additional information has been assembled, of course, and the more thought I give to the subject, the stronger becomes my conviction that we should no longer delay the inclusion of cotton and cottonseed in the crop-insurance program.

Mr. Baggett had made an objective study of conditions at first hand in the strategic areas of the cotton South. In my State, for example, he attended several meetings that were held in Mississippi, arranged by the director of extension, where discussions were held regarding the proposed plan for cotton-crop insurance. The farmers were asked to express their opinions as to how they thought insurance might be received there, and not a dissenting vote was cast in these meetings.

Furthermore, previous to the time these meetings were held, and previous to the time that crop conditions became critical in that area, the director of extension had sent copies of House Document 277, A Suggested Plan for Cotton Crop Insurance, to about 604 cotton growers in the State of Mississippi and asked them to read that and send to him their comments on the plan as proposed in that bulletin, and out of the 604 replies received, 403 were in favor of it. That is to say, 80 percent of the representative farmers of the State were in favor of the plan.

Mr. Baggett and his assistants selected strategic counties in various cotton States and completed actuarial computations to reflect tentative figures for premium rates on cotton, 75-percent coverage. Based on these tentative computations, it appears that the average rate for the State of Mississippi premiums is around 9 pounds per acre.

This chart of tentative figures for county average yield and county average premium rates for 75-percent insurance per acre for cotton-crop insurance in selected, strategic counties in all the typical cotton States is herewith presented, and I wish to make it a part of the RECORD.

Tentative figures for county acreage yield and county average premium rates for 75-percent insurance per acre for cotton crop insurance in selected counties in Cotton Belt

[From the report of R. T. Baggett, associate agricultura economist, Bureau of Agricultural Economics, U. S Department of Agriculture]

State and county	11-year county average yield (1928–38)	County average premium rate
	Pounds lint	*Pounds lint*
North Carolina:		
Anson	252	8.3
Johnston	276	7.5
Rowan	288	9.5
Sampson	287	8.9
Vance	258	5.2
Florida: Madison	119	9.8
South Carolina:		
Allendale	208	9.8
Anderson	250	6.0
Chester	226	6.6
Darlington	229	12.8
Dillon	294	14.1
Orangeburg	248	12.4
Richland	188	9.0
Saluda	241	9.9
Spartanburg	271	5.4
Georgia:		
Burke	217	9.5
Carroll	254	4.3
Cherokee	230	4.4
Early	207	8.7
Floyd	241	3.4
Jasper	207	7.7
Jenkins	221	8.4
Laurens	199	12.3
Oglethorpe	193	9.8
Tattnall	196	12.7
Terrell	240	9.5
Tift	230	8.0
Walton	248	4.2
Wayne	198	16.0
Wilcox	200	6.4
Upson	161	13.4
Alabama:		
Barbour	157	13.0
Bibb	214	10.3
Escambia	221	9.3
Etowah	242	6.5
Lamar	219	7.9
Madison	238	7.1
Randolph	216	5.4
Sumter	147	8.5
Mississippi:		
Amite	177	12.0
Attala	186	7.3
Bolivar	281	14.6
Chickasaw	177	12.6
Claiborne	198	10.5
Coahoma	289	11.3
Humphreys	276	11.0
Issaquena	265	16.4
Jasper	210	11.1
Lee	214	7.7
Marion	208	9.6
Perry	193	13.3
Tippah	203	10.4
Winston	187	12.9
Louisiana:		
Caddo	244	7.1
Concordia	294	14.1
East Carroll	344	10.3
Jackson	170	8.0
Jefferson Davis	228	9.3
Natchitoches	228	8.9
Red River	205	7.0
Richland	242	11.6
St. Martin	212	24.8
Tangipahoa	184	10.7
Texas:		
Archer	111	19.9
Bell	150	5.7
Brazoria	189	23.1
Brazos	173	10.0
Coleman	110	10.9
Dawson	138	17.2
Denton	148	8.0
Dickens	144	22.0
Donley	151	12.5
Ellis	173	6.7
El Paso	506	13.7
Guadalupe	136	10.7
Hardeman	122	18.4
Harrison	130	6.4
Hunt	162	7.5
Jones	121	16.9
Liberty	188	16.5
Lubbock	160	25.0
McCulloch	118	8.1
Nacogdoches	164	8.5
Nueces	205	8.6
Titus	138	6.6
Ward	173	13.7

Tentative figures for county acreage yield and county average premium rates for 75-percent insurance per acre for cotton crop insurance in selected counties in Cotton Belt—Continued

State and county	11-year county average yield (1928-38)	County average premium rate
	Pounds lint	*Pounds lint*
Oklahoma:		
Beckham	139	17.8
Canadian	140	17.5
Cleveland	143	10.0
Comanche	114	15.8
Dewey	122	17.6
Harmon	120	13.7
Jefferson	129	13.0
Johnston	122	11.0
McCurtain	137	11.1
Muskogee	135	17.7
Payne	133	16.5
Pittsburgh	127	10.7
Tennessee:		
Fayette	198	6.9
Giles	210	4.0
Herdin	181	6.3
Lake	323	10.7
Meigs	199	7.0
Rutherford	203	6.1
Arizona:		
Graham	538	8.1
Greenlee	320	17.6
Maricopa	356	4.3
Pinal	359	10.8
Kentucky:		
Calloway	232	13.7
Carlisle	249	18.2
Fulton	318	16.5
Virginia:		
Greensville	276	8.8
Mecklenburg	245	9.6
Princess Anne	304	16.4
Southampton	289	13.3
Arkansas:		
Arkansas	170	11.2
Chicot	238	9.5
Clay	245	12.0
Franklin	127	6.9
Garland	131	11.3
Lawrence	200	13.4
Lee	217	13.0
Little River	152	5.5
Lonoke	201	6.2
Ouachita	140	9.7
Scott	122	8.4
Stone	129	9.3

Mr. President, it will be noted that in certain parts of the Belt the risks are greater than they are in Mississippi and the premium rates are, of course, relatively higher. But the greater the risk in crop production, the greater the need for protection.

If we may assume that cotton farmers of other States are as interested in securing cotton-crop insurance as in Mississippi—where a representative 80 percent favored the plan even when it was still in its infancy, we may safely assume that cotton farmers over the entire Belt will be ready and eager, in large numbers, to take advantage of it—provided the proposed amendment passes, as I do most fervently hope it will. As a matter of fact, many cotton farmers are pleading for this protection and I do not see how we can turn a deaf ear to their pleas. They have seen that 55,929 wheat growers in 1939 were paid indemnities amounting to 10,163,487 bushels and that in 1940, 112,645 wheat growers received indemnities aggregating 22,887,713 bushels, and they are wondering why they, the cotton farmers, cannot likewise participate in a program which is working out so advantageously.

A reading of the 1940, or Second Annual, Report of the Manager of the Federal Crop Insurance Corporation, will convince the skeptical that the program is being administered in a businesslike manner for the wheat farmers. The vast amount of convincing actuarial and other factual data made available through the Department of Agriculture furnishes sufficient evidence that cotton-crop insurance can also be made tenable. So I can see no reasonable argument against inclusion of our largest group of farmers in the whole Nation—the cotton farmers—in the crop-insurance plan. We have only asked for an additional appropriation of $6,000,000 to administer cotton-crop insurance. Surely, even in the face of the necessity for retrenchment to as great extent as possible in nondefense expenditures, the 10,000,000 people who are dependent on the cotton crop for their principal source of income, are entitled to this small consideration.

As a matter of strict fact, the protection of this important sector of our population against the economic hazards that constantly threaten them, is a defense measure. As I look at it, proper defense is more than the mere assembling of physical implements of defense or the building of Army, Navy, and Air Forces. Proper defense should include protection against all the things that the people in our democracy have cause to fear. And what is more to be feared than the loss of one's source of livelihood? Few aspects of human pathos are more poignant than the loss of a crop into which the farmer has not only invested his dollars but his hard, unremitting toil and his faith for the coming harvest.

Thomas Jefferson said, about 150 years ago:

> The cultivators of the earth are the most valuable citizens. They are the most vigorous, the most virtuous, and they are tied to their country, and wedded to its liberty and interests by the most lasting bonds.
>
> Those who labor in the earth are the chosen people of God, if He ever had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue. It is the focus in which He keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of the cultivators is a phenomenon of which no age nor nation has furnished an example. It is the mark set on those, who, not looking up to heaven, to their own soil and industry, as does the husbandman, for the subsistence, depend for it on casualties and caprice of customers. Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. Generally speaking, the proportion which the aggregate of the other classes of citizens bears in any State to that of its husbandmen is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption.

It was true when Jefferson said it 150 years ago, and it is equally true today; the tillers of the soil are the most vigorous and courageous of our citizens, taken as a whole, and they are without question the backbone of our Nation.

It was true when Jefferson said it 150 years ago, and it is equally true today that dependence begets subservience and venality, suffocates the germ of virtue (and virtue includes patriotism).

It was true when Jefferson said it 150 years ago, and it is equally true today that the proportion which the aggregate of the other classes of citizens bears in any State (or country) to that of its farmers is the proportion of its unsound to its healthy parts, and is a sure enough barometer whereby to measure its degree of corruption or instability.

Yes, Mr. President, I believe with all my heart that the inauguration of cotton-crop defense—defense against the thing that the farmer fears most—deserves consideration as a potentially important link in national solidarity and security. And I do most urgently plead for the passage of Senate bill 158, which would pave the way for this measure of defense for our cotton farmers.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was orderd to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

The Senate proceeded to consider the bill (S. 158) to amend the Federal Crop Insurance Act which had been reported from the Committee on Agriculture and Forestry with an amendment on page 3, after line 11, to insert:

SEC. 10. That section 508 (d) of the Federal Crop Insurance Act, as amended, is amended by inserting the following sentences immediately after the first sentence thereof: "Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured, or the cash equivalent, upon such security as may be determined pursuant to subsecton (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity."

So as to make the bill read:

Be it enacted, etc., That section 502 of the Federal Crop Insurance Act, as amended, is hereby amended by substituting the word "crop" for the word "wheat-crop" and by substituting the words "agricultural commodities" for the word "wheat."

SEC. 2. That section 506 (h) of said act, as amended, is amended by striking out the words "for wheat and other agricultural commodities."

SEC. 3. That section 508 of said act, as amended, is amended by striking out the first comma in subsection (a) thereof and inserting in lieu thereof the following: "and with the cotton crop planted for harvest in 1942."

SEC. 4. That section 508 of said act, as amended, is further amended by striking out the words "producers of wheat against loss in yields of wheat" in the first sentence, and substituting in lieu thereof the words "producers of the agricultural commodity against loss in yields of the agricultural commodity."

SEC. 5. That section 508 of said act, as amended, is further amended by substituting the words "the agricultural commodity" for the word "wheat" in the third sentence of subsection (a).

SEC. 6. That sections 508 (b), (c), and (d) and 516 (a) of said act, as amended, are further amended by substituting the words "the agricultural commodity" for the word "wheat" wherever it appears.

SEC. 7. That section 508 of said act, as amended, is further amended by adding at the end thereof the following new subsection:

"(e) In connection with insurance upon yields of cotton, to include provision for additional premium and indemnity in terms of lint cotton to cover loss of cottonseed, such additional premium and indemnity to be de-

termined on the basis of the average relationship between returns from cottonseed and returns from lint cotton for the same period of years as that used for computing yields and premium rates."

SEC. 8. That section 516 (a) of said act, as amended, is amended by striking out the figures "$6,000,000" and substituting in lieu thereof the figures "$12,000,000."

SEC. 9. That said act, as amended, is further amended by redesignating section 518 as section 519, and by addition thereto of the following new section:

"SEC. 518. 'Agricultural commodity,' as used in this act, means wheat or cotton, or both, as the context may indicate."

SEC. 10. That section 508 (d) of the Federal Crop Insurance Act, as amended, is amended by inserting the following sentence immediately after the first sentence thereof: "Nothing in this section shall prevent the Corporation from accepting, for the payment of premiums, notes payable in the commodity insured, or the cash equivalent, upon such security as may be determined pursuant to subsection (b) of this section, and from purchasing the quantity of the commodity represented by any of such notes not paid at maturity."

Mr. McNARY. Mr. President, I favor this bill, as I have always favored crop insurance, but the last time the calendar was called some Senator objected. I understand that objection has been removed.

Mr. BANKHEAD. That objection has been removed.

Mr. McNARY. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

CONTINUATION OF TEMPORARY INCREASES IN POSTAL RATES

The joint resolution (H. J. Res. 105) to continue the temporary increases in postal rates on first-class matter and for other purposes was considered, ordered to a third reading, read the third time and passed.

LANDS ADJACENT TO TURTLE MOUNTAIN INDIAN AGENCY, N. DAK.

The bill (H. R. 3362) to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.) was considered, ordered to a third reading, read the third time, and passed.

EXTRADITION OF FUGITIVES FROM JUSTICE

The Senate proceeded to consider the bill (S. 269) to amend section 5278 of the Revised Statutes, as amended, which was read as follows:

Be it enacted, etc., That section 5278 of the Revised Statutes, as amended, is amended by inserting after the words "an indictment found" the following: ", or information filed by a prosecuting officer."

Mr. CLARK of Missouri. Mr. President, may we have an explanation of the bill?

Mr. McFARLAND. Mr. President, this bill is for the purpose of amending the statute relating to the extradition of fugitives from one State to another.

The existing law provides that when the executive of any State or Territory demands any person as a fugitive from justice of the executive of any other State or Territory, to which such person has fled, and produces a certified copy of an indictment or an affidavit made before a magistrate charging the person demanded with having committed treason, felony, or other crime, it shall be the duty of the executive of the State or Territory to which such person has fled to cause him to be arrested and to be delivered to the agent of the demanding jurisdiction.

The bill under consideration would amend the existing law by inserting the words "or information filed by a prosecuting officer" immediately following the words "an indictment found." The existing law dates back almost 150 years. Since that time many States have, in whole or in part, abandoned prosecutions by indictment and have substituted prosecutions by information.

The purpose of this bill is to give the same effect to an information as to an indictment in extradition cases between the States.

Mr. CLARK of Missouri. Is the only effect of the bill to put information filed by the prosecuting attorney on the same footing as indictments?

Mr. McFARLAND. That is correct.

Mr. CLARK of Missouri. I think that is a very meritorious change. There are a great many States, including my own, that very rarely proceed by indictment, but proceed by information to a very much larger extent than by indictment.

Mr. McFARLAND. That is the reason for the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF LAND IN SANTA YSABEL INDIAN RESERVATION, CALIF.

The bill (H. R. 3514) to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value, was considered, ordered to a third reading, read the third time, and passed.

W. R. LARKIN AND DORA LARKIN

The Senate proceeded to consider the bill (H. R. 4064) for the relief of W. R. Larkin and Dora Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho, which had been reported from the Committee on Indian Affairs with an amendment on page 2, at the end of the bill, to insert a proviso, so as to make the bill read:

Be it enacted, etc., That the acts of June 20, 1938 (52 Stat. 1363), and June 11, 1940 (Private, No. 362, 76th Cong.), for the relief of certain individuals named therein in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho, are hereby supplemented and further amended by authorizing payment, pursuant to the provisions of said acts, of the sum of $4,000 to W. R. Larkin and Dora Larkin, in lieu of the payment of the sum of $2,000 to W. R. Larkin, as therein authorized: *Provided*, That the Secretary of the Treasury shall accord recognition to any valid assignment executed by W. R. Larkin and Dora Larkin to the Fort Hall Water Users' Association of all or any part of the amount herein authorized for payment to them.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ACQUISITION OF INDIAN LANDS FOR CENTRAL VALLEY PROJECT

The bill (S. 1120) for the acquisition of Indian lands for the Central Valley project, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in aid of the construction of the Central Valley project, authorized by the acts of April 8, 1935 (49 Stat. 115), and August 26, 1937 (50 Stat. 850), there is hereby granted to the United States, subject to the provisions of this act, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the area embraced by the Central Valley project, including sites of agency and school buildings and related structures, as may be designated therefor by the Secretary of the Interior from time to time, and (b) such other interests in or to any of such lands and property as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of reservoirs, canals, ditches, pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

SEC. 2. As lands or interests in lands are designated from time to time under this act, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Central Valley project to the credit of the appropriate tribe pursuant to the provisions of the act of May 17, 1926 (44 Stat. 560). The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the appropriate Indian agency or such other officer as shall be designated by the Secretary of the Interior for credit on the books of such agency to the accounts of the individuals concerned.

SEC. 3. Funds deposited to the credit of allottees, their heirs or devisees, may be used, in the discretion of the Secretary of the Interior, for the acquisition of other lands and improvements, or the relocation of existing improvements or construction of new improvements on the lands so acquired for the allottees or heirs whose lands and improvements are acquired under the provisions of this act. Lands so acquired shall be held in the same status as those from which the funds were derived, and shall be nontaxable until otherwise provided by Congress.

SEC. 4. As to any Indian cemetery lands required for the project, the Secretary of the Interior is authorized, in his discretion, in lieu of requiring payment therefor, to establish cemeteries on other lands that he may select and acquire for the purpose, and to remove bodies, markers, and other appurtenances to the new sites. All costs incurred in connection with any such relocation shall be paid from moneys appropriated for the project. All right, title, and interest of the Indians in the lands within any cemetery so relocated shall terminate and the grant of title under this act take effect as of the date the Secretary of the Interior authorizes the

relocation. Sites of the relocated cemeteries shall be held in trust by the United States for the appropriate tribe, or family, as the case may be, and shall be nontaxable.

SEC. 5. The Secretary of the Interior is hereby authorized to perform any and all acts and to prescribe such regulations as he may deem appropriate to carry out the provisions of this act.

EASTERN AND WESTERN CHEROKEES

The bill (S. 1113) for the relief of the Eastern and Western Cherokees, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $432.28, with interest at 5 percent per annum from January 1, 1874, to the date of the passage of this act, the same being the balance arising from the sale of the Cherokee Strip, the title to which was vested by the treaty of 1846 (9 Stat. 871) in the whole Cherokee people, and said fund having been found due by the Slade-Bender Award and appearing as item 3 in the judgment of the Supreme Court of the United States in 1906 (202 U. S. 101); and when appropriated shall be placed to the credit of the Eastern and Western Cherokees and paid to their attorney of record by the Secretary of the Treasury.

RESOLUTION PASSED OVER

The resolution, Senate Resolution 96, submitted by Mr. ADAMS, making rule XVI applicable to amendments to relief and work-relief bills, was announced as next in order.

Mr. BARKLEY. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

LAND OWNERS ON UINTAH INDIAN IRRIGATION PROJECT

The bill (H. R. 3987) to provide relief for, and to promote the interests of, the landowners on the Uintah Indian irrigation project, Utah, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

WATER FOR FIRE FIGHTING BY LOCAL GOVERNMENTS ADJACENT TO THE DISTRICT

The bill (S. 234) to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Chief of Engineers of the Army is hereby authorized to formulate regulations and enter into agreements with county or other local governments in communities adjacent to the District of Columbia for the use of unfiltered water from the supply conduits along Conduit Road between the Dalecarlia Reservoir and Great Falls for emergency purposes in fire fighting only.

TRAINING OF ENLISTED MEN OF THE ARMY AS AVIATION STUDENTS

The Senate proceeded to consider the bill (S. 1371) to authorize the training of enlisted men of the Army as aviation students, which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 3, after the words "amount of", to strike out "$5,000" and insert "$10,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to cause the detail of enlisted men of the Regular Army and of other components of the Army of the United States in active Federal service for training and instruction as aviation students, in their respective grades, in such numbers and schools as he shall direct: *Provided*, That enlisted men so detailed as aviation students who are undergoing courses of instruction which require them to participate regularly and frequently in aerial flights shall be issued Government life insurance in the amount of $10,000 under the National Service Life Insurance Act of 1940 (Public, No. 801, title VI, pt. 1), except that the premiums shall be paid by the Government during the period such enlisted men are undergoing training and instruction, and upon completion of training and instruction as aviation students they shall have the option of continuing such policies at their own expense: *And provided further*, That nothing herein shall be construed as repealing or otherwise affecting existing statutory authorizations for the appointment and training of aviation students or aviation cadets.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LITTLEFIELD-WYMAN NURSERIES

The bill (H. R. 819) for the relief of Littlefield-Wyman Nurseries was considered, ordered to a third reading, read the third time, and passed.

FOOT'S TRANSFER & STORAGE CO., LTD.

The bill (H. R. 1151) for the relief of Foot's Transfer & Storage Co., Ltd., was considered, ordered to a third reading, read the third time, and passed.

RUSSELL H. GAUSLIN

The bill (H. R. 1267) for the relief of Russell H. Gauslin was considered, ordered to a third reading, read the third time, and passed.

ADAM M. GARMON

The bill (H. R. 1355) for the relief of Adam M. Garmon was considered, ordered to a third reading, read the third time, and passed.

PATENTS TO CERTAIN SETTLERS IN PYRAMID LAKE INDIAN RESERVATION, NEV.

The bill (S. 13) to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patents for certain lands entered pursuant to section 1 of the act of June 7, 1924, entitled "An act for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.," upon the payment of unpaid balances based upon reappraisals made in 1934 as follows: J. A. Ceresola, $4,595.89; W. J. Ceresola, $4,376.11; Domenico Ceresola, $4,926.63; M. P. Depaoli, $4,878.56; and the Caraventa Land & Livestock Co., $2,951.51: *Provided*, That the foregoing amounts, together with interest at 3½ percent per annum from date of reappraisals made in 1934, shall be paid within 90 days from the date of the passage and approval of this act: *And provided further*, That in the case of the death of any of the entrymen, payments may be received from and patents be issued to the heirs or legal successors of the entrymen herein named.

CONVEYANCE OF LAND IN WASHINGTON TO CECELIA CROW ARQUETTE

The bill (H. R. 3404) authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property, was considered, ordered to a third reading, read the third time, and passed.

DEVELOPMENT OF FARM UNITS ON PUBLIC LANDS

The bill (S. 1089) to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 7, 1939 (Public, No. 307, 76th Cong., 1st sess.), as amended by the act of June 17, 1940 (Public, No. 636, 76th Cong., 3d sess.), is hereby further amended by striking out "during the fiscal year 1941," and by inserting during the fiscal year 1942."

CLAIMS OF UTE INDIANS

The Senate proceeded to consider the bill (S. 215) to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938, which had been reported from the Committee on Indian Affairs with amendments, on page 2, line 5, before the word "by" to strike out "and", and on page 2, after line 7, to insert "by striking out the word 'of' following the word 'ownership' appearing in the first proviso of the said section; and by striking out the word 'constitutent', in section 1 and inserting in lieu the word 'constituent'", so as to make the bill read:

Be it enacted, etc., That section 6 of the Act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938, is hereby amended by striking out the words "anything in any other acts of Congress to the contrary notwithstanding" and inserting in lieu thereof a period and the following: "Anything in any other acts of Congress to the contrary notwithstanding"; by striking out "range 35" wherever it appears in such section and inserting in lieu thereof the following: "township 35 north"; by striking out the word "of" following the word "ownership" appearing in the first proviso of the said section; and by striking out the word "constitutent" in section 1 and inserting in lieu the word "constituent."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MURDOCK subsequently said: Mr. President, I enter a motion to reconsider the vote by which Senate bill 215 was

passed. I do so for the reason that the act which the bill amends was originally introduced in the House by me, and I have not had time to see just what the amendments are, but they are included in Senate bill 215. So I enter that motion.

The PRESIDING OFFICER. The motion will be entered.

FRANK T. HINES

The bill (S. 875) to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States was announced as next in order.

Mr. CLARK of Missouri. Mr. President, may we have an explanation of the bill?

Mr. HILL. Mr. President, this bill is identical with one which passed the Senate at the last session of Congress. It would merely permit Frank T. Hines, when and after he completes his Government service in the Veterans' Administration or in any other branch of the Government, to retire as a brigadier general, with the retired pay of a brigadier general.

As the Senator from Missouri knows, for he served with him during the World War, General Hines has had an unusually outstanding and brilliant record as an officer in the Army. He started as an enlisted man back during the days of the Spanish-American War, served through the Philippine Insurrection, continued in the Army doing outstanding work, being assigned to especially difficult and important details because of his great ability and great devotion, served through the World War, and then, at the close of the World War, resigned from the Army. Not very long after his resignation a terrible situation developed in the Veterans' Administration; and the then President of the United States, President Harding, sent for General Hines and asked him if he would not come back into the Government service and serve as Administrator of the Veterans' Administration at least until that Administration could be cleaned out and put on an efficient basis. General Hines has been Administrator ever since that time; and I think veterans and nonveterans and persons generally throughout the United States pay tribute to him for his fine work as Administrator of the Veterans' Administration.

Perhaps the most outstanding achievement of General Hines' whole career was when he was in charge of the service of embarkation. He was the man more than any other man who was responsible for the feat which really surprised the world—namely, the great feat of putting more than 2,000,000 men across the Atlantic Ocean during the World War, sending across that ocean the American Expeditionary Force.

All the bill would do would be to give General Hines the right to retire as a brigadier general, because he has been in the service practically all the time, except for a very short period of time, rendering service to the Government; and had he continued on as a brigadier general of the Army, of course, he would have enjoyed that right.

I hope the Senator from Missouri will join me in supporting the bill. If he has any particular question to ask, I shall be glad to have him do so.

Mr. CLARK of Missouri. Mr. President, I have no particular question to ask. I have great respect for General Hines, and admiration for him, and liking for him. This seems to me, however, to be a very unusual sort of bill. As a matter of fact, of course, the President of the United States has the right to appoint anybody he wants to appoint a brigadier general. The office of brigadier general is the one office in the United States Army or Navy, so far as I am advised, to which the President has the right to make an appointment. The President may make an appointment ab initio, if he desires, to the office of brigadier general.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Yes.

Mr. HILL. The Senator may be right about that, but that is not my understanding of the law today. Under the existing law, I do not think the President would have authority to appoint General Hines or anyone else a brigadier general.

Mr. CLARK of Missouri. He would if he is not above the retirement age. The President did it in the case of General Pershing. He jumped him from a captain to a brigadier general. He did it in the case of General Funston.

Mr. HILL. The Senator is eminently correct. The then President of the United States did it in the case of General Pershing, and in the case of General Funston, and perhaps in other cases; but, as the Senator from Missouri so well knows, since that time the law has been very materially amended; and I think I can assure the Senator from Missouri that the President now would have no authority to appoint General Hines or anybody else a brigadier general.

Mr. CLARK of Missouri. Mr. President, nevertheless, in spite of my respect for General Hines, in view of the fact that the President of the United States has recently evinced a disinclination to commission a general officer who has voluntarily retired even as a Reserve officer, I do not think we ought to pass this special kind of legislation. In other words, I think Gen. Hugh Johnson's services during the last war were fully as valuable as were those of General Hines. One may be in favor with the administration, and the other may not be in favor with the administration; but when we even refuse General Johnson a commission which it would cost him possibly forty to fifty thousand dollars a year to accept in case he should be called into active service, and when he has been very highly recommended by the War Department for reappointment, I do not think we ought to pick out other retired officers who voluntarily retired for their own reasons for the purpose of making an exception to the rule. Therefore, I think the bill ought to go over.

Mr. HILL. Let me say that whatever may be the merits of the case of General Johnson, I do not think that case is analogous to the case of Gen. Frank T. Hines, because Gen. Hugh Johnson, as we know, has been out of the Government service for quite some time—some years, in fact. He came back for a short time during the NRA, but, except for that short period, I think he has been out of the Government service most of the time since the World War; whereas General Hines has continued in the Government service practically all the time since the World War.

I will say to the Senator from Missouri that the bill does not make General Hines a brigadier general with the thought of calling him into the service, as Gen. Hugh Johnson might have been called into the service. It simply permits General Hines, when he finishes his Government service, to receive the retired pay of a brigadier general, the rank he occupied when he last served in the Army. It is not calling him back to service, as was the case with Gen. Hugh Johnson. That was a case of calling an officer from inactive duty, from civilian life, back into active military service. The passage of this bill would not in any way affect General Hines' present active status. He would continue on as the Director of the Veterans' Administration. The only thing it would do would be that when he did finally finish his Government service, he then would receive the retired pay of the rank which he held while he was in the Army.

Mr. CLARK of Missouri. I think the bill ought to go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

EXEMPTION OF CERTAIN PERSONS FROM SELECTIVE TRAINING AND SERVICE

The Senate proceeded to consider the bill (H. R. 4125) entitled "an act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service," which had been reported from the Committee on Military Affairs with an amendment, on page 2, line 12, after the figure "2", to insert a semicolon and the words "or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 3 consecutive years on active duty before or after or partially before and partially after the time fixed for such registration; or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 1 year on active duty and for at least 2 consecutive years in the Regular Navy or Marine Corps or with an organized unit of the Naval Reserve or Marine Corps Reserve, before or after or partially before and partially after the time fixed for such registration," so as to make the bill read:

Be it enacted, etc., That section 5 (b) of Public Law No. 783, approved September 16, 1940, be amended to read as follows:

"(b) In time of peace, the following persons shall be relieved from liability for training and service under section 3 (b) and from

the liability to serve in any Reserve component of the land or naval forces imposed by this act:

"(1) Any person who shall have satisfactorily served as an officer or enlisted man for at least 3 consecutive years in the Regular Army, Navy, Marine Corps, or Coast Guard before or after or partially before and partially after the time fixed for registration under section 2.

"(2) Any person who as a member of the active National Guard shall have satisfactorily served as an officer or enlisted man for at least 1 year in active Federal service in the Army of the United States, and subsequent thereto for at least 2 consecutive years in the Regular Army or in the active National Guard, before or after or partially before and partially after the time fixed for registration under section 2; or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 3 consecutive years on active duty before or after or partially before and partially after the time fixed for such registration; or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 1 year on active duty and for at least 2 consecutive years in the Regular Navy or Marine Corps or with an organized unit of the Naval Reserve or Marine Corps Reserve, before or after or partially before and partially after the time fixed for such registration.

"(3) Any person who is an officer or enlisted man in the active National Guard at the time fixed for registration under section 2, and who shall have satisfactorily served therein for at least 6 consecutive years, before or after or partially before and partially after the time fixed for such registration.

"(4) Any person who is an officer in the Officers' Reserve Corps on the eligible list at the time fixed for registration under section 2, and who shall have satisfactorily served therein on the eligible list for at least 6 consecutive years, before or after or partially before and partially after the time fixed for such registration.

"(5) Any person who is an officer or an enlisted man in the organized Naval Reserve or the organized Marine Corps Reserve at the time fixed for registration under section 2, and who shall have satisfactorily served therein for at least 6 consecutive years, before or after or partially before and partially after the time fixed for such registration or any person who is an officer or an enlisted man in the Naval Merchant Marine Reserve or Volunteer Naval Reserve or Volunteer Marine Corps Reserve at the time fixed for registration under section 2, and who shall have satisfactorily served therein for at least 8 consecutive years, before or after or partially before and partially after the time fixed for such registration."

The amendment was agreed to.

Mr. AUSTIN. Mr. President, before the bill is passed, if it is to be passed, I should like to offer an amendment, on page 2, in line 4, to add a proviso reading as follows:

Provided, That any person who has had such prior service and has already been inducted for service may upon application be discharged and shall not be liable for further training and service in time of peace.

The point is that when the Selective Training and Service Act of 1940 was passed there were certain branches of the service which were overlooked, and the bill now under consideration, House bill 4125, is designed to obviate the effect of that omission, which is to discriminate against certain other branches of the service, the standing Army being one of them.

We have discovered since the bill was reported that under its operation one who has already been inducted into service would not get the relief which the bill provides for all those who in the future would be inducted into the service. It is for that reason that the amendment is offered.

Mr. HILL. Mr. President, as I understand, the Senator's amendment really carries out the intent and purpose of the bill which the committee had in mind when it reported it, and what the House had in mind when it passed the bill. The language was not as it should have been, and did not make certain that the exemptions under the bill would apply to men who had been drafted before the passage of the bill.

Mr. AUSTIN. That is correct. The selective training and service organizations have been consulted by telephone, and they thought the bill did make this provision; but upon examination of the measure they found it did not, and recommended that the language suggested be added. The amendment has the recommendation of all the different branches of the military, naval, and marine services, as well as of the Treasury Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAY OF PARACHUTE TROOPS

The Senate proceeded to consider the bill (S. 1063) to provide increased pay for certain military personnel while engaged on parachute duty, which had been reported by the Committee on Military Affairs with amendments, on page 1, line 1, after the word "That", to strike out "an officer or warrant officer" and to insert "hereafter any officer, warrant officer, or enlisted man", and on page 2, line 4, after the words "per month", to insert "in the case of any such officer or warrant officer, and additional pay at the rate of $50 per month in the case of any such enlisted man", so as to make the bill read:

Be it enacted, etc., That hereafter any officer, warrant officer, or enlisted man of the Army, Navy, or Marine Corps of the United States not in flying-pay status who is assigned or attached as a member of a parachute unit, including parachute-jumping schools, and for whom parachute jumping is an essential part of his military duty and who, under such regulations as may be prescribed by the Secretary of War or the Secretary of the Navy, has received a rating as a parachutist or is undergoing training for such a rating shall receive, while engaged upon duty designated by the head of the department concerned as parachute duty, additional pay at the rate of $100 per month in the case of any such officer or warrant officer, and additional pay at the rate of $50 per month in the case of any such enlisted man.

The amendments were agreed to.

Mr. WALSH. Mr. President, I should like to inquire of some member of the committee what increase in pay is provided and what relation this has to those in the submarine service and those in the aviation service.

Mr. HILL. If the Senator from Massachusetts is addressing his remarks to me, I have to say that I did not introduce the bill and did not report it, and therefore would have to refresh my recollection by reading the report. If the Senator has some question, I might ask that the bill go over temporarily until I have an opportunity to examine the report.

Mr. THOMAS of Oklahoma. Let the bill go over.

Mr. WALSH. I should like to know whether it has any reference to an increase in pay that is important to aviators and those employed in the submarine service.

Mr. HILL. It does have relationship, but I think it would be best for us to read the report, and under the circumstances I am in favor of the bill going over.

Mr. WALSH. I am in favor of some increase, but I should like to know whether there is uniformity with other departments, so that there will not be such a situation that other departments will be asking for increases because of this increase.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

Mr. WALSH subsequently said: Mr. President, I call attention to Senate bill 1063, Calendar No. 271, appearing on page 6 of the calendar. When the bill was called a few minutes ago, I made inquiry concerning the measure, and it was stated by members of the Military Affairs Committee that they desired to examine the report. I have now examined the report, and have no objection to the bill. I therefore ask that it be considered at this time.

The PRESIDING OFFICER. The Chair wishes to remind the Senate that the amendments to this bill were previously considered and agreed to.

Is there objection to returning to the bill and considering it now?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed.

WORKING CONDITIONS OF REDCAPS

The Senate proceeded to consider the resolution (S. Res. 105), which was read as follows:

Resolved, That the Administrator of the Wage and Hour Division of the United States Department of Labor, or his designated representatives, is hereby directed to undertake immediately an inquiry into the wages, hours, and other conditions and practices of employment of redcaps by railroad or terminal companies in view of the minimum wage requirements of the Fair Labor Standards Act of 1938 (52 Stat. 1060), under his investigatory powers under said act, and to ascertain and report to the Senate—

(1) The extent to which such conditions and practices violate the letter or the spirit of the Fair Labor Standards Act of 1938 or other Federal statutes, if at all;

(2) The extent to which such conditions and practices are susceptible to regulation under the Fair Labor Standards Act in its present form; and

(3) What legislation, if any, should be enacted for the purpose of further regulating wages, hours, and other conditions and practices of employment of redcaps under the Fair Labor Standards Act of 1938.

Mr. TAFT. Mr. President, I have an amendment to offer.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to add at the end of the resolution the following:

The Administrator shall give a full opportunity to both the employees and the employers to present publicly any evidence, information, data, or argument they may care to present, and shall report such evidence and other data to the Senate with his findings and conclusions.

Mr. TAFT. Mr. President, this amendment was adopted in the Committee on Education and Labor. The resolution is one authorizing an inquiry into the situation regarding redcaps, with a view to possible legislation under the wage-hour law. I myself think that some legislation is necessary. The amendment merely proposes that the investigation, which the Administrator is instructed to make, shall be a public investigation, giving both sides opportunity to be heard. Otherwise there seems no particular reason for the investigation, because the Administrator may make an investigation on his own account. It seems obvious that if the investigation is to be of value to the Senate in determining on legislation, it is desirable to have public hearings, and let both the redcaps and the railroads appear before the committee and have their testimony recorded, so that it may be considered by the Senate. Otherwise, we would have to undertake another complete investigation before the Committee on Education and Labor when the report comes in, and hold hearings of our own, repeating those which have already been had. I do not see that there can be any reasonable objection to the proposal that a record be kept of the hearings and that everyone be given an opportunity to be heard.

Mr. BARKLEY. Inasmuch as the resolution was submitted by the Senator from Utah and reported by him from the Committee on Education and Labor, I should like, in his absence, to inquire whether any other member of the committee objects to the amendment. I believe the Senator from Louisiana is a member of the committee.

Mr. ELLENDER. Mr. President, I would suggest such an amendment myself. I think it should be adopted, because the purpose is to give both sides an opportunity to present their views.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

The resolution as amended was agreed to.

The PRESIDING OFFICER. The committee reported an amendment to strike out the preamble.

The preamble was rejected.

SNAKE OR PAIUTE INDIANS

The bill (S. 613) authorizing the Snake or Paiute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That jurisdiction be, and the same is hereby, conferred upon the Court of Claims, with the right of appeal to the Supreme Court of the United States by either party as in other cases, anything in the Judicial Code of the United States and amendments thereto to the contrary notwithstanding, and notwithstanding the lapse of time or the statute of limitation, to hear, examine, and adjudicate the claims of, and decree just compensation for, any and all claims of the Snake or Piute Indians of the former Malheur Reservation of Oregon arising or growing out of the Executive orders of September 12, 1872, May 15, 1875, and July 23, 1880, setting aside certain lands as a reservation for said Indians, which lands were taken from them and restored to the public domain by the Executive orders of January 28, 1876, September 13, 1882, May 21, 1883, and March 2, 1889; and it is hereby declared that the taking and the loss, without just compensation to the said Indians, of their lands, reserved to them by the said Executive orders of 1872, 1875, and 1880, and which were restored to the public domain by the said Executive orders of 1876, 1882, 1883, and 1889, is sufficient ground for the court to render equitable relief, and the court shall determine the acreage of the lands set aside for the said Snake or Piute Indians by the aforesaid three Executive orders, as near as may be, and shall determine the value thereof as fixed and classified under the terms of the public land and mining laws of the United States, provided the minimum value shall be fixed at $1.25 per acre, and render just compensation for the value and loss of use of the same. For the purpose of this act the Snake or Piute Indians of the former Malheur Reservation shall be defined to be all Snake or Piute Indians who occupied and used lands set aside under the said three Executive orders creating the Malheur Reservation (1) from September 12, 1872; (2) from the time of establishing their home on such lands if such home was established between September 12, 1872, and January 1, 1878; or (3) from time of their birth if they were born on such lands after September 12, 1872, and who continued to occupy and use such lands until their removal therefrom by force in 1878, and their descendants. Any payment or advances made to the said Indians by the United States shall not be pleaded as an estoppel but may be pleaded by way of set-off, where such payments or advances have inured to the benefit of said Indians.

SEC. 2. The claim of said Snake or Piute Indians of the former Malheur Reservation of Oregon shall be presented by petition or petitions to be filed within 5 years from the approval of this act and shall make the said Indians party plaintiff and the United States party defendant. Such petition shall be verified and signed by such attorney or attorneys employed by the representative or agent of said Indians under and by virtue of authority given at a council of said Indians duly called by the Indian Department and held on October 1, 1934, and by virtue of a certain contract entered into by said Indians with their representative or agent dated October 6, 1934, in accordance with existing law, which may be made upon information and belief, and no other verification shall be necessary. Official letters, papers, documents, maps, and other public records, or certified copies thereof, of any department of the Government shall be available to the Government and the claimants, and may be used in evidence, and be furnished without cost.

SEC. 3. Upon final determination of such suit instituted hereunder, the Court of Claims shall have jurisdiction and fix and determine a reasonable fee for all services rendered before the departments of the Government, committees of Congress, and the courts, not to exceed 10 percent of the amount recovered. In addition thereto, all necessary and proper expenses incurred in the preparation and prosecution of such suit hereunder, the said fees and expenses shall be paid by the Secretary of the Treasury out of any sum or sums found to be due said Indians, when appropriation therefor is made by Congress to pay any judgment rendered, and the balance of any sum or sums shall be placed in the Treasury of the United States as a trust fund to the credit of said Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 4 percent per annum from the date of said judgment, and shall be subject to appropriation by Congress for the benefit of said Indians.

SEC. 4. That for the purpose of the distribution of the proceeds of such judgment, the Secretary of the Interior is hereby authorized and directed to make a proper roll of said Indians within 2 years from the date of the approval of this act. Each community of the Snake or Piute Indians of the former Malheur Reservation of Oregon shall prepare a roll of its membership, which roll shall be submitted to a council of the majority of their Indian chiefs, who lived on the above said Indian reservation, for its approval or disapproval. The said central council of these chiefs shall prepare a combined roll of all members and descendants of members of the respective communities of said Indians of the former Malheur Reservation of Oregon and shall submit the same to the Secretary of the Interior for a final approval, which shall operate as final proof of such Indians to share in the benefits of this act.

GALLUP-DURANGO HIGHWAY

The bill (S. 1296) to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimubrsement therefor," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of June 7, 1924 (43 Stat. 606), entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor," be, and the same is hereby, amended to read as follows:

"There is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, or so much thereof as may be necessary for each fiscal year, to be expended under the direction of the Secretary of the Interior, for maintenance of that portion of the Federal-aid highway from Gallup, N. Mex., to Shiprock, N. Mex., across the Navajo Indian Reservation and that portion of the State highway in New Mexico between Gallup, N. Mex., and Window Rock, Ariz., serving the Navajo Reservation, reimbursable from the tribal funds of the Indians of said reservation: *Provided*, That Indian labor shall be employed as far as practicable: *And provided further*, That if no funds are available no expenditure shall be made."

SAGUARO NATIONAL MONUMENT

The bill (S. 394) to revise the boundaries of the Saguaro National Monument was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the exterior boundaries of the Saguaro National Monument, Ariz., established by proclamation of the President dated March 1, 1933 (47 Stat., pt. 2, 2557), are hereby revised and amended so as to include within said monument all lands in section 8, the northwest quarter, the south half of the northeast quarter, and the south

half of section 9, the southwest quarter of section 10, the west half of section 15, sections 11, 14, 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, and the north half of section 34, township 14 south, range 16 east, Gila and Salt River base and meridian.

SEC. 2. The Secretary of the Interior is hereby authorized and empowered, on behalf of the United States, to purchase at an appraised value of $25 per acre, all privately owned lands and rights thereto within section 8, the south half of the southeast quarter of section 9, the north half of section 17, and section 29, township 14 south, range 16 east, Gila and Salt River base and meridian. There is hereby authorized to be appropriated the sum of $42,000 for the purposes of this section.

SEC. 3. The Secretary of the Interior is hereby authorized and empowered, on behalf of the United States, to purchase, at the appraised value of $1,300, a certain well and pumping machinery in place, together with the following-described land surrounding and including said well:

Beginning at a point one thousand and seven feet south of the north boundary of section 31, township 14 south, range 16 east, Gila and Salt River base and meridian, and thirty feet east of the west boundary of said section 31, thence due east four hundred and sixty-eight feet, thence due south one hundred and eighty-six feet, thence due west four hundred and sixty-eight feet, thence due north one hundred and eighty-six feet to the point of beginning, a total of two acres, more or less, all located within the northwest quarter of the northwest quarter of said section 31: *Provided*, That such purchase shall include easements of way for power lines and water lines to be forever vested in the United States through the north half of said section 31 between the above-described land and the dedicated county highway land on the north boundary of said section 31: *And provided further*, That said purchase shall vest in the United States absolute title to all water rights in the west half of the northwest quarter of said section 31. There is hereby authorized to be appropriated the sum of $1,300 for the purposes of this section.

SEC. 4. The Secretary of the Interior is hereby authorized and directed, on behalf of the United States, to acquire title from the University of Arizona to the southwest quarter of section 10, and the west half of section 15, and from the State of Arizona to all of sections 11, 14, 22, 28, and the east half of section 21, all in township 14 south, range 16 east, Gila and Salt River base and meridian, and there is hereby authorized to be appropriated to said university as partial reimbursement for the value of the southwest quarter of said section 10, the west half of said section 15, and in consideration of the expenditures of said university in protecting and acquiring for the benefit of the United States the cactus forest growth on all of the lands described in this section, the sum of $55,000.

SEC. 5. With the exception of the lands described in section 4 of this act, the State of Arizona may relinquish in favor of the United States such portions as it may see fit of all other State lands described in section 1 of this act, and shall have the right on such relinquishments to select in lieu thereof other unreserved and nonmineral public lands within the State of Arizona equal in value to those relinquished, said lieu selections to be made in the same manner as is provided for in the Enabling Act of June 20, 1910 (36 Stat. 558), or, in the discretion of the State of Arizona, under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended and supplemented by the act of June 23, 1936 (49 Stat. 842). The payment of fees or commissions is hereby waived in all lieu selections made pursuant to this section.

SEC. 6. The provisions of the proclamation of the President dated March 1, 1933 (47 Stat., pt. 2, 2557), creating the Saguaro National Monument, are hereby repealed insofar as they affect the north half of the northeast quarter of section 9, the north half and the southeast quarter of section 10, and the east half of section 15, township 14 south, range 16 east, Gila and Salt River base and meridian, and section 5, township 15 south, range 16 east, Gila and Salt River base and meridian.

SEC. 7. Jurisdiction over all lands within the boundaries of the Saguaro National Monument as described in section 1 of this act is hereby vested in the Secretary of the Interior, acting through the National Park Service. Except for the areas described in sections 1 and 6 of this act, all lands within the Saguaro National Monument as established by said proclamation of the President dated March 1, 1933, are hereby restored to the Coronado National Forest, to be administered in accordance with existing law by the Secretary of Agriculture, acting through the United States Forest Service, subject to all valid existing rights which may have accrued in favor of private individuals.

OFFICE OF GOVERNMENT REPORTS

The bill (H. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President, was announced as next in order.

Mr. McNARY. Mr. President, I have no objection to this bill, in fact, I favor it, but two Members of the Senate have filed minority views, and, noting their absence, I ask that the bill go over today.

Mr. BARKLEY. I wish to state that it is very important that the bill be passed as soon as possible, because it is an authorization upon which an appropriation must be obtained in an appropriation bill shortly. While I cannot, of course, insist on taking it up in the absence of the two Senators who filed the minority views, I do hope that within the next few days we can dispose of the bill.

Mr. McNARY. I am sure the request will find compliance.

Mr. HILL. As the distinguished majority leader has stated, it is important that the bill be passed without further delay. I hope we may have the cooperation of both the minority and majority leaders.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

PAULA LIEBAU ANDERSON

The Senate proceeded to consider the bill (H. R. 327) for the relief of Paula Liebau Anderson, which had been reported from the Committee on Claims with amendments, on page 1, line 7, to strike out "$3,000" and insert "$2,500"; on page 1, lines 10 and 11, to strike out the words "unlawful construction by the Alaska Road Commission of a road across her land, and the", and on page 1, line 12, before the word "negligence" to strike out the word "the" and insert the word "her", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paula Liebau Anderson, formerly a resident of the Territory of Alaska, and now residing at Littleriver, Calif., the sum of $2,500, in full settlement of all claims against the Government of the United States for compensation for damages sustained by her on account of the destruction of buildings on the property occasioned by negligence of Government employees, which sum shall include full and complete settlement of any and all claims of Paula Liebau Anderson allegedly arising out of the extension of the boundaries of the Mount McKinley National Park by the act of March 19, 1932 (47 Stat. 68): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DELLA B. BIRNBAUM

The bill (H. R. 336) for the relief of Della B. Birnbaum was considered, ordered to a third reading, read the third time, and passed.

PAUL T. WARD

The bill (H. R. 513) for the relief of Paul T. Ward was considered, ordered to a third reading, read the third time, and passed.

JULIUS SPRINGER

The bill (H. R. 682) for the relief of Julius Springer was considered, ordered to a third reading, read the third time, and passed.

J. K. LOVE

The bill (H. R. 696) for the relief of J. K. Love was considered, ordered to a third reading, read the third time, and passed.

W. A. FACHT

The bill (H. R. 1678) for the relief of W. A. Facht was considered, ordered to a third reading, read the third time, and passed.

PER CAPITA PAYMENTS TO APACHE, KIOWA, AND COMANCHE INDIANS, OKLAHOMA

The Senate proceeded to consider the bill (S. 1341) authorizing a per capita payment of $10 each to the members of the Apache, Kiowa, and Comanche Indians in Oklahoma, which had been reported from the Committee on Indian Affairs with amendments, on page 1, line 5, after the word "any", to insert "available"; in line 7, after the name "Oklahoma", to strike out "and"; in line 8, after the words "payment of", to strike out "$10" and insert "not to exceed $20"; in line 10, after the word "act", to insert "which payment shall be credited to the individual account of each Indian to be expended in accordance with the individual Indian money regulations prescribed by the Secretary of the Interior", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to withdraw as much as may be necessary from any available funds on deposit in the Treasury of the United States to the credit of the Apache, Kiowa, and Comanche Indians in Oklahoma, to make immediately therefrom a payment of not to exceed $20 to each member of the Apache, Kiowa, and Comanche Tribes living on the date of the passage of this act, which payment shall be

credited to the individual account of each Indian to be expended in accordance with the individual Indian money regulations prescribed by the Secretary of the Interior.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing a per capita payment of $20 each to members of the Apache, Kiowa, and Comanche Indians in Oklahoma."

TRANSFER OF CERTAIN LANDS OF VETERANS' ADMINISTRATION FACILITY, DAYTON, OHIO

The bill (S. 1420) to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed title in certain lands of Veterans' Administration facility, Dayton, Ohio, to the county of Montgomery, State of Ohio, for highway-widening purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to transfer by quitclaim deed title to the county of Montgomery, State of Ohio, for highway-widening purposes to the following-described strips of land of Veterans' Administration facility, Dayton, Ohio:

PARCEL NUMBERED 1

Situated in section 1, township 3, range 5, east, Jefferson Township, and section 36, township 4, range 5 east, Madison Township, county of Montgomery, State of Ohio, being a tract of land twenty-five feet in width west of and adjacent to the existing west right-of-way line of Gettysburg Avenue, extending from the north right-of-way line of Germantown Pike to the south right-of-way line of Eaton Pike, the west line of said tract being forty-five feet west of the east line of said sections and parallel thereto, containing two and five-tenths acres, more or less.

PARCEL NUMBERED 2

Situated in section 1, township 3, range 5 east, Jefferson Township, county of Montgomery, State of Ohio, being a tract of land five feet in width north of and adjacent to the existing north line of the Dayton-Liberty Road, and extending from the north right-of-way line of the Germantown Pike to the east right-of-way line of Princeton Drive, the northern line of said tract being 35 feet north of the south line of said section and parallel thereto, containing three-tenths of an acre, more or less.

PARCEL NUMBERED 3

Situated in section 1, township 3, range 5 east, Jefferson Township, and section 36, township 4, range 5 east, Madison Township, county of Montgomery, State of Ohio, being a tract of land 10 feet in width east of and adjacent to the existing right-of-way line of Princeton Drive, and extending from the north right-of-way line of the Dayton-Liberty Road to the south right-of-way line of the Eaton Pike, the east line of said tract being 30 feet east of the west line of said sections and parallel thereto, containing 1 7/10 acres, more or less.

SEC. 2. Such grant shall be conditioned upon the approval by the proper authorities of the county of Montgomery, State of Ohio, of an agreement to (a) move the one-story frame building (wash house), the two-story brick building, the reservoir and the pump house, and fill in the gaps which removal of the buildings will leave in the fences, in accordance with specifications to be furnished by the Administrator of Veterans' Affairs; (b) restore all areas within the reservation affected by this work as nearly as possible to their original condition, including any necessary sodding; all without expense to the United States. The deed authorized by this act shall contain express reservations that should the land cease to be used for highway purposes then all right, title, and interest therein shall immediately revert to and revest in the United States and such deed shall contain a covenant that title to the buildings and other improvements presently located on this property shall remain in the Government and that when their removal becomes necessary for widening of the roadway they shall be moved therefrom and relocated at the expense of the county in accordance with specifications to be furnished by the Administrator of Veterans' Affairs.

TRANSFER OF LAND, VETERANS' ADMINISTRATION FACILITY, ROANOKE, VA.

The bill (S. 1421) to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Norfolk & Western Railway Co. a small piece of land at Veterans' Administration facility, Roanoke, Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized and directed, in consideration of $100, to transfer by quitclaim deed to the Norfolk & Western Railway Co., the following-described property located at Veterans' Administration facility, Roanoke, Va.:

All that certain strip or parcel of land situate in the county of Roanoke, State of Virginia, bounded and described as follows:

Beginning at a point corner to lands of the Veterans' Administration and right-of-way of Roanoke Terminal Division of the Norfolk & Western Railway Co., said point being north fifty-two degrees three minutes east twenty-six and twenty-eight one-hundredths feet from the center line of old west-bound main track of said railway at station 139 plus 47.4 also north fifty-two degrees three minutes east from the center line of present west-bound main track MP N-261 plus two thousand nine hundred and forty feet, more or less, as measured from Norfolk, Va.; thence with the northern line of said right-of-way northwestwardly about three hundred and fifty-six feet to a point radial to said center line of old west-bound main track at station 142 plus 91.3, said station being also in the center line of a culvert; thence through the lands of Veterans' Administration by a straight line eastwardly about three hundred and eighty-five feet to a point in an offset in said northern line of right-of-way; thence with said offset south fifty-two degrees three minutes west, crossing a rail monument at forty-three and six-tenths feet, a total distance of seventy feet to the point of beginning, containing two-tenths of an acre, more or less.

BOUNDARY LINES OF WIND RIVER INDIAN LANDS, WYOMING

The Senate proceeded to consider the bill (H. R. 2672) to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming, which had been reported from the Committee on Indian Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized in his discretion to determine and fix permanently the boundaries of allotted, tribal, and ceded Indian lands along the Big Wind River in sections 21, 22, 27, and 28, township 3 north, range 1 west, Wind River meridian, in Wyoming: *Provided*, That the Secretary of the Interior shall not act until all of the owners, white and Indian, shall have given their consent in writing to the permanent location of the boundaries so far as they affect their respective lands. The consent of the Shoshone and Arapahoe Tribes as to tribal and ceded lands may be given by the tribal business council. The consent on behalf of the minors, Indians non compos mentis, and Indians who cannot be located after advertisement and reasonable search for not less than 30 days may be executed by the Superintendent in charge of the Wind River Indian Agency.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS

The resolution (S. Res. 87) submitted by Mr. THOMAS of Oklahoma March 13, 1941, was considered and agreed to, as follows:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, is authorized during the Seventy-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding 25 cents per hundred words, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

SALE OF GOVERNMENT-OWNED LANDS IN HAWAII

The bill (S. 1345) to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell and convey to the Honolulu Plantation Co., a corporation organized and existing under the laws of the Territory of Hawaii, upon such terms and conditions as he deems advisable, but at not less than the appraised value, the remaining portion of the Makalapa Military Reservation, consisting of 5 lots, designated as lots "A," "B," "C," "D," and "E," having an aggregate area of 7.52 acres, situated near the city of Honolulu, in Halawa, Ewa District, on the island of Oahu, Territory of Hawaii, the net proceeds of such sale to be deposited in the Treasury to the credit of miscellaneous receipts.

AWARD OF NAVY CROSS TO HECTOR MERCADO

The bill (S. 372) awarding a Navy Cross to Hector Mercado was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Hector Mercado, captain, Peruvian Navy, Minister of Marine and Aviation of Peru, be awarded a Navy Cross, to be prepared under the direction of the Secretary of the Navy, for extraordinary heroism on the occasion of an explosion on board the U. S. S. *Kearsarge* on April 13, 1906, while he was a foreign officer under instruction on that vessel.

ALLOWANCES FOR RENTAL QUARTERS IN THE CANAL ZONE

The bill (S. 874) relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any amounts paid to the Panama Canal or lessees thereof by any officer of the Navy or Marine Corps incident to his occupancy of quarters under the jurisdiction of the Panama Canal during the fiscal years 1935 and 1936, which were in excess of the amounts paid such officer as rental allowance, shall to the extent of such excess be refunded to such persons upon presentation of a claim therefor to the Comptroller General.

PETER JOSEPH COSTIGAN

The bill (S. 1073) for the relief of Peter Joseph Costigan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or sailors Peter Joseph Costigan, ex-seaman, United States Navy, who enlisted November 29, 1913, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on the 30th day of December 1915: *Provided*, That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

APPOINTMENT AND DISCHARGE OF AVIATION CADETS

The bill (S. 1469) to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act approved April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), is hereby amended to read as follows: "That the grade of aviation cadet is hereby created in the Naval Reserve and Marine Corps Reserve. Aviation cadets shall be appointed by the Secretary of the Navy from male citizens of the United States under such regulations as he may prescribe: *Provided*, That each aviation cadet shall sign an agreement, with the consent of his parent or guardian if he be a minor, to serve for a continuous period of not more than 4 years on active duty, unless sooner released: *Provided further*, That the Secretary of the Navy is authorized to discharge at any time any aviation cadet or to release him from active duty.

SEC. 2. The first proviso of section 5 of the Naval Reserve Act of 1938 (52 Stat. 1176; U. S. C., Supp. V, title 34, sec. 853c), as amended, is hereby amended to read as follows: "*Provided*, That aviation cadets and officers commissioned pursuant to authority contained in the Naval Aviation Reserve Act of 1939 may be required to serve on active duty for a continuous period of 4 years or for such periods as they agree to serve under the provisions of section 1 of the act approved April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), from date of appointment as aviation cadet."

APPOINTMENT OF MIDSHIPMEN FROM MEMBERS OF NAVAL RESERVE OFFICERS' TRAINING CORPS AND "HONOR SCHOOLS"

The Senate proceeded to consider the bill (H. R. 1801) amending the act of February 27, 1936 (49 Stat. 1144), which had been reported from the Committee on Naval Affairs with an amendment, on page 2, line 4, before the words "the members", to insert "from among."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

REDUCTION IN COURSE OF INSTRUCTION AT THE NAVAL ACADEMY

The Senate proceeded to consider the bill (H. R. 4368) authorizing a reduction in the course of instruction at the Naval Academy, which had been reported from the Committee on Naval Affairs with amendments, on page 1, line 3, after the word "authorized", to insert "to reduce, in his discretion"; and, in line 4, after "1945", to strike out "to reduce, in his discretion", so as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized to reduce, in his discretion, until August 1, 1945, the course of instruction at the United States Naval Academy from 4 to 3 years and to graduate classes which have completed such reduced courses of instruction.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

SORTING, INDEXING, ETC., CERTAIN SENATE PAPERS

The Senate proceeded to consider the resolution, Senate Resolution 116, submitted by Mr. TYDINGS on May 13, 1941, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate, with an amendment, on page 1, line 3, after the word "exceed", to strike out "$2,000" and to insert "$1,500", so as to make the resolution read:

Resolved, That the Secretary of the Senate hereby is authorized to expend from the contingent fund of the Senate not to exceed $1,500 for the employment of necessary clerical and other assistance in sorting, indexing, and transferring from their present storage space in the Senate Office Building the files of bills, documents, books, and other material of the Senate document room and Senate library, as directed by the Committee on Rules.

The amendment was agreed to.

The resolution, as amended, was agreed to.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (S. 1300) to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making of grants of aid, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 6, after the words "law, in", to strike out "making grants of aid" and to insert "making available conservation materials"; in line 9, after the word "making", to strike out "grants of" and insert "available" on page 2, line 4, after the word "approved", to strike out "materials for such grants of aid" and insert "conservation materials"; and in line 9, after the word "approved", to strike out "materials for such grants of aid" and insert "conservation materials", so as to make the bill read:

Be it enacted, etc., That subsection (b) of section 8 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding at the end thereof the following new paragraph:

"Notwithstanding any other provision of law, in making available conservation materials consisting of seeds, seed inoculants, fertilizers, liming and other soil-conditioning materials, trees or plants, or in making available soil-conserving or soil-building services, to agricultural producers under this subsection, the Secretary may make payments, in advance of determination of performance by the producers, to persons who fill purchase orders covering approved conservation materials or covering soil-conserving or soil-building services, furnished to producers at not to exceed a fair price fixed in accordance with regulations to be prescribed by the Secretary, or who render services to the Secretary in delivering to producers approved conservation materials, for the carrying out, by the producers, of soil-building or soil-conserving practices approved by the Secretary."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services."

The PRESIDING OFFICER. That completes the calendar.

STRENGTHENING OF THE NATIONAL DEFENSE

Mr. AUSTIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Joint Resolution 76, which I favorably reported today from the Military Affairs Committee. I think when it is brought to the attention of Senators they will consider it appropriate to consider today, notwithstanding the rule.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The joint resolution (S. J. Res. 76) extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia, was read as follows:

Resolved, etc., That the provisions of section 6 of the act of Congress entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), shall be applicable to all territories, dependencies, and possessions of the United States including the Philippine Islands, the Canal Zone, and the District of Columbia, and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction of offenses committed in the Philippine Islands in violaton of the provisions of that section or of any proclamation, or of any rule or any regulation, issued thereunder.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the committee report on Senate Joint Resolution 76 explaining the joint resolution, in view of the circumstances under which it was passed.

There being no objection, the report (No. 308) was ordered to be printed in the RECORD, as follows:

The Committee on Military Affairs, to whom was referred the joint resolution (S. J. Res. 76) extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia having considered the same, report favorably thereon with recommendation that it do pass.

Section 6 of the act approved July 2, 1940 (54 Stat. 714), reads as follows:

"SEC. 6. Whenever the President determines that it is necessary in the interest of national defense to prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material, or supplies necessary for the manufacture, servicing, or operation thereof, he may by proclamation prohibit or curtail such exportation, except under such rules and regulations as he shall prescribe. Any such proclamation shall describe the articles or materials included in the prohibition or curtailment contained therein. In cases of the violation of any provision of any proclamation, or of any rule or regulation, issued hereunder, such violator or violators, upon conviction, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both such fine and imprisonment. The authority granted in this section shall terminate June 30, 1942, unless the Congress shall otherwise provide.

"Approved, July 2, 1940, 10:55 a. m., eastern standard time."

The controls of exports instituted by the Government following the enactment of the law cited, supra, have developed the necessity of the extension of these controls to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia, in order that this Government may be able to control materials that otherwise would be lost to the Government, particularly some commodities that are produced in the Philippine Islands which are of great importance in the defense program.

The amount of manila hemp, for example, exported from the Philippines to Japan has increased over 35 percent, from 280,000 bales in 1939 to 387,000 bales in 1940. Hemp is of great importance to our Navy and is being used in increasing quantities. Other materials, such as iron ore, coconut oil, copra, and mahogany, are being exported from the Philippines to Japan and to Russia. The mining of a high-grade ore for Japan has risen to about 1,200,000 tons a year, and the ore goes exclusively to Japan because of the freight rates. Most of the lumber exported from the Philippines goes to Japan. Copra, or dried coconut, with a 40-percent oil content, which may be used in making glycerin for explosives, is going to Japan and Russia in considerable amounts. In 1940 Japan took 200 long tons of copra, and in the first 3 months of 1941 she took 7,000 tons. Vladivostok recently took 5,600 tons of copra from the Philippines. Japan took 685 tons of coconut oil last year, and in January and February of this year she took 5,133 tons of coconut oil. These materials are of great value to our national-defense program, and an adequate system for exercising control in this situation is essential.

Section 5 of the act of Congress approved August 29, 1916 (39 Stat. 416), an act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for those islands, reads:

"That the statutory laws of the United States hereafter enacted shall not apply to the Philippine Islands, except when they specifically so provide or it is so provided in this act."

In light of that law, and since the act of July 2, 1940, does not refer to the Philippine Islands, it is obvious, as the necessity exists for such action, that Congress should make specific provision by including the Philippine Islands by name in this measure.

The Honorable JOAQUIN M. ELIZALDE, Resident Commissioner of the Philippines to the United States, appeared before your committee and expressed the unqualified support of the Commonwealth government for this legislation which would control the exports from the Philippines of materials necessary for national defense.

Extension of controls to the Canal Zone is considered necessary in the interest of defense, to preclude diversion of materials sent to the Canal for a particular purpose.

War Department letter follows:

WAR DEPARTMENT,
Washington, May 8, 1941.

Hon. ROBERT R. REYNOLDS,
Acting Chairman, Committee on Military Affairs, United States Senate.

DEAR SENATOR REYNOLDS: There is enclosed herewith draft of a joint resolution designed to extend the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

The status of the Philippine Islands is such that section 6 of the act of July 2, 1940 (54 Stat. 714), does not apply thereto and there is presently no control over the export from the Philippine Islands of materials essential to the defense of the United States.

On the other hand, the Philippine Islands are still a dependency of the United States (*Cincinnati Soap Company* v. *U. S.*, 301 U. S. 308, 322 (1937)), and the United States is obliged to defend and protect them until they attain complete independence, which, under present law, will occur in 1946. Because it now exercises no control over exports from the Philippine Islands, the United States is placed in the position of attempting to conserve all resources essential for its national defense and at the same time allowing articles and materials essential for that purpose to be removed from one of its dependencies without restriction.

In view of the immediate need of defense materials by the United States and because of its policy of conservation of resources to satisfy defense needs and to carry out our declared policy of cooperation with democratic powers, it is highly desirable that the inconsistent position of the United States which is described above be rectified. To accomplish this it will be necessary to extend our control of exports to include the Philippine Islands and all of our Territories and possessions, including the Canal Zone, from which strategic and critical defense materials might be shipped out.

Because there is no United States court in the Philippine Islands, criminal punishment for a violation of this proposed law committed in the Philippines can be accomplished only by conferring appropriate jurisdiction on the courts of the Philippine Commonwealth.

The Bureau of the Budget advises that there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

CONFIRMATION OF NOMINATIONS OF POSTMASTERS

Mr. BARKLEY. Mr. President, there are several nominations of postmasters on the calendar. As in executive session, I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, and as in executive session, the nominations of postmasters are confirmed en bloc.

WILLIAM ANDREW SMITH

Mr. SHIPSTEAD. Mr. President, I rise at this time to express regret at the passing away on yesterday of a faithful public servant, Mr. William Andrew Smith, the CONGRESSIONAL RECORD clerk. Those of us who have been here longer than some others have for years noticed his faithful service. He was a modest, retiring gentleman, but very faithful in his duties, and he never complained. I am informed that he had been in the Government service for 67 years, 8 months, and 1 day. I wish to express these few words of appreciation of his services to his Government and to the Congress, as an example of a most efficient and effective public servant. I am glad of this opportunity to pay him tribute.

Mr. BARKLEY. Mr. President, I join in the expressions of regret of the Senator from Minnesota. I have known Mr. Smith as the CONGRESSIONAL RECORD clerk, with his office in the rotunda of the Capitol, for 28 of the 67 years referred to by the Senator from Minnesota. I have never known a more faithful, efficient, or conscientious public servant. Of course, he occupied a position which did not command any publicity. He never had his name in the headlines of the newspapers; and yet I dare say he rendered to the Government of the United States a service the value of which would be equal to that of the service of many other men who become more prominent in the public eye. I deeply regret his passing. I am glad of the opportunity offered by the remarks of the Senator from Minnesota to pay a brief tribute to Andy Smith, as we always knew him.

ADJOURNMENT

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. BARKLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 42 minutes p. m.) the Senate adjourned until tomorrow, Friday, May 16, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 15 (legislative day of May 8), 1941:

POSTMASTERS

NEW JERSEY

Raymond J. Hughes, Sr., Beachwood.
John W. Guire, Long Branch.
Leo Francis Nash, New Egypt.
Helen I. Babnew, Woodbury Heights.

OKLAHOMA

Willie F. Cowan, Jennings.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 15, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Heavenly Father, help us this day that with unselfish devotion to duty and the rectitude of our behavior, we may bring to our country the wisest service; how rich is life when we do good, filling our minds with pure thoughts and setting our ambitions on objects altogether worthy. We pray that our motives may have unity of purpose and poise and our hearts blend the virtues which make us the conscious heirs of eternity. Let the beauty of the Lord our God be upon us and life become richer and eager to seize the opportunity of each passing hour. Grant that we may do homage to our country because of its ideals, for the glorious army of martyrs for liberty and humanity; inspire us to hallow it as an instrument of Thy holy purpose throughout all the world. Oh disperse the clouds which overshadow it that the dreams, the hopes of freedom, and fraternity may be realized wherever man is found. Almighty God, lead us ever to praise the power that made us free, and bless the flag which declares to the world our national honor. May our Zion hear the Voice in the wilderness, making straight the highway for the Prince of Peace. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 60) entitled "A joint resolution relating to corn- and wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended."

ADJOURNMENT OVER

Mr. COOPER. Mr. Speaker, I ask unanimous consent that when the House adjourns on Friday it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article by Constantine Brown.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1942

Mr. SNYDER. Mr. Speaker, I call up the conference report on the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, and 8; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "purchase of grave sites;"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$73,030,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", of which not to exceed $9,134,035 shall be available immediately and exclusively for expenditure upon projects on account of which allotments heretofore have not been made, and, in addition, for the protection from flood waters at approaches to Fort Dix, New Jersey"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 5.

J. BUELL SNYDER,
D. D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
JOHN H. KERR,
GEORGE MAHON,
D. LANE POWERS,
FRANCIS CASE,
Managers on the part of the House.

ELMER THOMAS,
CARL HAYDEN,
JOHN H. OVERTON,
RICHARD B. RUSSELL,
J. W. BAILEY,
ROBT. R. REYNOLDS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

No. 1: Provides for the purchase of grave sites, instead of the "purchase of land", as proposed by the Senate.

No. 2, relating to rivers and harbors: Appropriates $68,268,640, as proposed by the Senate, instead of $63,100,040, as proposed by the House, the increase of $5,168,600 to be applied to projects as follows: Boston Harbor, seaplane channel; channel from Manteo to Oregon Inlet, N. C.; Silver Lake Harbor, N. C.; Pearl River, Miss. and La.; Missouri River, Kansas City to Sioux City.

Nos. 3, and 4, relating to flood control, general: Appropriates $73,030,000, instead of $71,129,000, as proposed by the House, and $79,234,035, as proposed by the Senate, the agreed upon increase applying to the following projects: Guyandot section of Huntington, W. Va.; Lugert-Altus flood-control and reclamation reservoir (Oklahoma); protection of flood waters at approaches to Fort Dix, N. J.; and restores the House provision for commencing authorized projects not heretofore undertaken, amended to make available an additional amount of $1,101,000 for the project pertaining to the Guyandot section of Huntington, W. Va., and to provide for the protection from flood waters at approaches to Fort Dix, N. J., instead of to military reservations generally, at a cost of $350,000.

Nos. 6, 7, and 8, relating to the Panama Canal: Appropriates an additional amount of $260,000 for the erection of quarters for employees in the Canal Zone, as proposed by the Senate.

Nos. 9 and 10, relating to the employment of aliens in the Canal Zone: Strikes out the matter inserted by the Senate.

Disagreement

The committee on conference reports in disagreement amendment of the Senate, No. 5, relating to compensation of the Osage Tribe for mineral rights in an area required for flood-control purposes.

J. BUELL SNYDER,
D. D. TERRY,
JOE STARNES,
ROSS A. COLLINS,
JOHN H. KERR,
GEORGE MAHON,
D. LANE POWERS,
FRANCIS CASE,
Managers on the part of the House.

The SPEAKER. The gentleman from Pennsylvania [Mr. SNYDER] is recognized.

Mr. SNYDER. Mr. Speaker, this bill carried, when it left the House, $221,272,228, which was exactly the total of the Budget estimates.

The Senate added to the bill $13,533,635, none of which had Budget support. The conference committee has agreed to $7,329,600 of that increase, which, if their action be approved, would mean a bill total of $228,601,828.

Of the amount of the increase to which we have agreed, $3,056,000 may be said to be on account of national-defense projects.

The chief interest in this bill, Mr. Speaker, is in the river and harbor and flood-control appropriations. As to the

former, the Senate added $5,168,600 for 5 authorized projects and your conferees have agreed to the Senate's action. The names of the projects and the amounts allowed for each are as follows:

Boston Harbor, seaplane channel	$1,500,000
Channel from Manteo to Oregon Inlet, N. C.	45,000
Silver Lake Harbor, N. C.	60,000
Pearl River, Miss. and La.	1,897,000
Missouri River, Kansas City to Sioux City	1,666,600

As to the last project, I might say that the House bill included therefor $1,700,000. So, the total of new money for that stretch of the Missouri River will be $3,366,600.

For flood control, general, the difference between the provision therefor, as approved by the House, and the action agreed upon by the conference committee, is the addition of $1,901,000, instead of $8,105,035, as proposed by the Senate, the agreed-upon increase applying to the so-called Guyandot project at Huntington, W. Va., $1,101,000, to the Lugert-Altus flood control and reclamation reservoir in Oklahoma, $450,000, and to the protection from flood waters at approaches to Fort Dix, N. J., $350,000.

The provision made by the House for commencing new projects, namely, the diversion of $6,554,035 from amounts set up in the estimates for presently going projects remains as the House proposed. The Senate proposed an appropriation in lieu of such diversion. Since, under either arrangement there was no allocation to specific projects, the selection of projects still rests, under the law, with the President. It is true that the engineers indicated to the Senate certain projects to which they would recommend that the money be applied, but the final say, after all, is with the President.

Mr. ENGEL. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes; I yield.

Mr. ENGEL. Mr. Speaker, I just wanted the RECORD to show the reason why I did not sign the conference report. I am the only member of the conference committee who did not sign the report. I am in favor of every item in the bill which has anything to do with national defense. I am in favor of every increase in those items. I am opposed to the increases in the bill as it now stands as to those items which are nondefense items. I am referring particularly to the items which were increased over and above the Budget estimate. I personally feel that this is no time to increase nondefense items; that those items ought to be decreased rather than increased.

I just wanted the RECORD to show that fact.

Mr. HALLECK. Mr. Speaker, will the gentleman yield me 2 minutes?

Mr. SNYDER. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker and Members of the House, the Indianapolis News is one of the leading newspapers of the city of Indianapolis in my State. Prior to last Saturday, for some days, they have been running in parallel columns opposing articles by the Indiana Committee for National Defense and by the America First Committee, having to do with the matter of convoying and our participation in the war.

On last Saturday the News published on its front page and in all editions that day a sample ballot with two questions: One, whether or not the person taking part in the poll favored the convoying of war supplies to Great Britain; and, second, whether or not they favored the United States entering the war.

The precise questions were:

1. Do you favor convoying by the United States of ships carrying war supplies to Great Britain?

2. Do you favor the United States entering the war and sending of our troops abroad?

The ballots could be voted by carrier or by mail or be deposited in the News office, and the balloting was to close on Monday at midnight.

They have compiled the results of that ballot and I think they are extremely interesting. That poll, which I think was fair, and which was taken after these differing arguments had been run in the paper, discloses that only 8 percent favored convoys, while 92 percent opposed convoys. Five percent favored entry into the war and 95 percent favored staying out of the war and are opposed to entry into the war.

If that is a fair sample of the sentiment—and it seems to me from what I have read of these varying arguments appearing in the article and from the way the ballot was presented, giving persons generally an opportunity to take part in the poll and the right to express their will one way or the other—then I say it is something that all of us ought to be thinking about.

Personally, I have expressed myself as opposed to convoying. Convoying may not be total war, but inevitably it would mean our Navy at war. The close similarity of the vote against convoying and against participation would indicate that the people believe that convoying means war, even as suggested by the President. Incidentally, I wonder if samplings of public opinion similar to this poll did not have something to do with the recent postponement of the President's speech. [Applause.]

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the conference report.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield me 2 minutes?

Mr. SNYDER. Is it on the conference report?

Mr. HOFFMAN. No; it is not. It is something about the RECORD. I wanted to call attention to a statement that was made in the RECORD yesterday.

Mr. SNYDER. I yield 2 minutes to the gentleman from Michigan, Mr. Speaker.

Mr. HOFFMAN. Mr. Speaker, on page 4056 of yesterday's RECORD you will find this statement made by the gentleman from Michigan [Mr. HOOK], referring to a statement I made. He said that I was "charging on the floor of the House violations of law when no violations of law existed."

I call the attention of the House and of the gentleman to the fact, as can be learned from the public press, that one man, who was one of a group of 200 which was following a car pursuing a truck of the Currier Lumber Co., and which finally forced it to the curb, was, on a public highway, hit over the head with a board and that subsequently he died.

If the gentleman from Michigan [Mr. HOOK] will explain to the House how in Michigan a man can be hit over the head on a public highway with a board and killed without a violation of the law, I would be glad to have his views.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 9, line 18, after the word "project", insert "*Provided further*, That in aid of the construction, maintenance, and operation of the Hulah Dam and Reservoir project on the Caney River, Okla., and Kans., authorized by the act of June 22, 1936 (49 Stat. 1571), as amended, for the control of floods in the Verdigris River Valley, the Osage Tribal Council be, and it hereby is, authorized, upon payment of just compensation therefor, and with the approval of the Secretary of the Interior, to release and relinquish to the United States of America such right, interest, and control in and over the minerals reserved to the Osage Tribe by the act of June 28, 1906 (34 Stat. 539), as amended, as may be found by the Secretary of War to be necessary for the construction, maintenance, and operation of said Hulah Dam and Reservoir project: *Provided further*, That construction of said project may be undertaken when the amount of money to be paid to the Osage Tribe as just compensation for the release and relinquishment herein authorized has been agreed upon by the Secretary of War, the Secretary of the Interior, and the Osage Tribal Council: *Provided further*, That the amount agreed upon as just compensation for the release and relinquishment herein authorized shall be paid by the Secretary of War out of appropriations made for flood control, general, to the Secretary of the Interior for disbursement in the manner provided by section 4 of the act of June 28, 1906 (34 Stat. 539), as amended, for the disbursement of royalties received from the leasing of minerals owned by the Osage Tribe."

Mr. SNYDER. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate No. 5.

The motion was agreed to, and a motion to reconsider was laid on the table.

PRINTING OF REVISED EDITION OF PAMPHLET ENTITLED "OUR AMERICAN GOVERNMENT, WHAT IS IT? HOW DOES IT FUNCTION?"

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report back favorably without amendment (Rept. No. 540) a privileged concurrent resolution (H. Con. Res. 34) authorizing the printing as a House document of a revised edition of the pamphlet entitled "Our American Government, What Is It? How Does It Function?" and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed as a House document 177,000 copies of a revised edition of the pamphlet entitled "Our American Government: What Is It?

How Does It Function?" of which 45,000 copies shall be for the use of the Senate and 132,000 copies for the use of the House of Representatives.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. RICH. Mr. Speaker, I wish to say in reference to this publication that when it was first proposed to the Committee on Priiting I did not favor it. The gentleman from Texas [Mr. PATMAN] wanted me to read it. I took the time to read it, and I want to say that it is worth while for every Member of Congress—in fact every person in this country—to read. [Applause.] It is really something that will enlighten all of you. As it says, it is the meat in the coconut. One can read it through in a short time.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. LUDLOW. How many copies will that give each Member?

Mr. JARMAN. That will give each Member of the House 300 copies and each Member of the Senate 450.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter in reference to the Federal Communications Commission.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an address delivered by Mr. F. Peavey Heffelfinger, chairman of the National Grain Trade Council, Minneapolis, Minn., before the United States Chamber of Commerce, on April 30 last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LARRABEE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD on the conference report on the civil functions War Department bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. SABATH addressed the House. His remarks appear in the Appendix of the RECORD.]

The SPEAKER. The Chair does not desire to recognize any other Member to proceed for 1 minute, because opportunity to do so was afforded when the House met, before we entered on the business of the day.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1942

Mr. O'NEAL, from the Committee on Appropriations, reported the bill (H. R. 4756) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1942, and for other purposes (Rept. No. 539), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. POWERS reserved all points of order on the bill.

Mr. O'NEAL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4756) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1942, and for other purposes; and pending that motion, I ask unanimous consent that general debate continue for 1 hour, to be limited to the bill, and that this time be equally divided between the gentleman from New Jersey [Mr. POWERS] and myself.

Mr. POWERS. Mr. Speaker, that is satisfactory to me.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. O'NEAL]?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideraton of the bill H. R. 4756, with Mr. RICHARDS in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. O'NEAL. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this is the smallest regular appropriation bill that comes before the Congress each year. The preparation of the bill has been an interesting service because it relates directly to the expenses of the legislative branch and other activities here on Capitol Hill. Incidentally, may I say, that this is the first time the present chairman has served on this subcommittee, and only one member of the subcommittee has served thereon, prior to this session. As chairman I feel extremely fortunate in being associated on this subcommittee with the gentleman from Washington [Mr. LEAVY], the gentleman from South Carolina [Mr. HARE], the gentleman from New Jersey [Mr. POWERS], and the gentleman from Indiana [Mr. JOHNSON], who have served faithfully and highly intelligently in the performance of their responsibilities.

These gentlemen, by their attitude toward the appropriations and estimates, have exhibited a sound business viewpoint and have cooperated in all the examinations and in all the determinations that we have made. I am very grateful to them for their loyal cooperation and the service which they have rendered the Nation.

Mr. Chairman, we have made some very substantial cuts in the estimates for this bill. It is very discouraging to a member of the Appropriations Committee at this time to go through all of these tremendous estimates that have been brought here in connection with many of the appropriation bills. Sometimes we get a little track-sore and perhaps think, "What is the use?" But I may say for this committee, that it has not lost its old appreciation of thrift and the desirability of trying to save where we can, and endeavoring to make $2 rather than $3 do the same amount of work.

We have considered estimates and appropriations necessary for the Senate, the House of Representatives, the Capitol Police, the Joint Committee on Printing, the Joint Committee on Internal Revenue Taxation, the Office of Legislative Counsel, the Architect of the Capitol, the Botanic Garden, the Library of Congress, and the Government Printing Office.

The bill came to us with estimates totaling $27,092,870. It is interesting to note that although the President sends these estimates to us, the Supreme Court and the legislative branch are excepted from review by the Budget and by him, leaving to the Appropriations Committee the duty of performing all the pruning of these estimates. We have reduced the $27,092,870 to $24,846,047, or a cut of $2,246,823. We have eliminated 90 percent of the increase sought and that, we feel, is real economy.

A large part of this reduction came in items of public-works estimates. Many improvements were suggested for the Capitol Buildings and Grounds and the Library Buildings and Grounds, but we reduced the public-works program—by that I mean the work to be done in building and improvements—by $1,590,148. In making up this amount we eliminated an item for reconstructing the terraces of the Capitol, amounting to $375,000; an item for repaving of roadways and reconstruction of sewers on the Capitol Grounds, $390,970; an item for the removal of the John Marshall statue to the Supreme Court, $3,000; and $25,000 for the purchase of a statue of George Washington, to be placed at the foot of the hill where the statue of Marshall now stands; an item of $566,000 for air conditioning the book-stack areas of the old Library of Congress Building; and items for improvements and elimination of fire hazards in Library Buildings, $139,780. There also was an item for re-

moval of the greenhouses down near the Botanic Garden, involving $90,000. We took this out entirely.

We felt, Mr. Chairman, that only the essentials should be taken care of at this time and under present conditions. Repairs, improvements, and maintenance that are absolutely necessary are provided for. These larger expenditures which could be deferred—worthy and desirable—we decided to eliminate. We also made many other cuts in estimates for personnel, operating equipment, minor improvements, and so forth, totaling $656,675.

I want to call the attention of the Members of the House to a chart in the hearings on pages 362–363. Prior to my service on this subcommittee there were many things I did not particularly understand about the organization here on the Hill. I did not know who paid certain clerks, who was responsible for this activity or that, and what the administrative jurisdiction consisted of. You will find this chart enlightening as a graphic representation of the administrative organization of the House.

I will not attempt to go into all of the details of the House of Representatives appropriations. They are in the hearings and in the report, prepared by the ever faithful and highly intelligent clerk of this committee, Mr. Sheild. Along with all the other chairmen, I want to bear testimony to the fact that we could not operate without his zealous devotion and intelligent aid in the preparation of these bills.

Many requests came to this subcommittee and—this is the one very distasteful part of the bill to the subcommittee—there were many requests for promotions and for regrading of positions. They came in tens and tens and tens to us. A few changes in salaries were made in this bill, subject to your action. They are listed in the report on page 4. I will not attempt to go into all of those, but I should like to explain the method and procedure of increasing salaries in the House of Representatives.

We have a Committee on Accounts, a very careful and well-managed committee. It is the legislative committee for consideration of resolutions and bills authorizing these changes, just as the Committee on Naval Affairs is the legislative committee for matters relating to naval affairs. It has been the custom here for a long time, and it is being observed this year by this subcommittee, that nothing is carried in the legislative appropriation bill by way of promotions and new positions for the House unless it has the approval of the Committee on Accounts, the legislative committee. The recommendations in this bill in that respect have the approval of the Committee on Accounts and there are no recommendations in here of that character that do not have the approval of that committee.

I shall touch on a few items that may be of particular interest to the House.

It has been the custom at some time early in the tenure of office of each Speaker that $2,500 be provided for an oil portrait of him, the details of it to be handled by the Speaker. This bill carries $2,500 for a portrait of our highly respected and beloved Speaker, SAM RAYBURN.

There is one item in this bill that has been considered for a long time as highly important, and I believe it is well justified. This bill includes $50 for next fiscal year for air-mail stamps for each Member of Congress. We are hopeful that this may really mean an economy, or certainly that part of the amount necessary to pay for these stamps will be saved to the Government. Many Members send telegrams because of the urgency of their official business, and these telegrams cost the Government quite a bit of money.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I yield myself 10 additional minutes.

Many of these telegrams could be supplanted by air-mail letters at a charge of 6 cents instead of whatever the telegram would cost. We hope the telegraph outlay on the part of the House will be decreased below the amount provided here because of that fact.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. O'NEAL. I yield to the gentleman from Michigan.

Mr. DONDERO. What does the cost of the telegrams of the Members of the House amount to annually?

Mr. O'NEAL. I do not have the figures before me, but it is a considerable sum. I shall be pleased to furnish that information for the gentleman.

Mr. DONDERO. I believe it would be interesting for the House to know that.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. I wish to compliment the committee for really giving consideration to this item for air-mail stamps. I believe it is only fair to the Congressmen that they be given this amount, because the public expects the Congressmen to act quickly. The mail service with the old 2- or 3-cent stamp was all right when that was the best we could do, but now, with air-mail service available and the public demanding speedy service, it seems to me it is only fair and right, and in the interests of economy and efficiency, that provision be made that Congressmen be provided with air-mail stamps. I compliment the committee for including that item.

Mr. O'NEAL. I thank the gentleman from Missouri.

May I say that I have just learned that the amount spent for telegraph service is between $75,000 and $80,000 a year.

Mr. DONDERO. I wish to compliment the committee for this suggestion of the use of air-mail stamps. I am sure it will save the Government a great deal of money.

Mr. O'NEAL. The committee appreciates the gentleman's confidence.

The Committee on Revision of the Laws is given an additional $1,500 for next year, making the total amount $8,000 for work on the United States Code and the District of Columbia Code. They did not use the $6,500 they were given this year. They are doing very efficient work. The chairman of that committee, the gentleman from New York [Mr. KEOGH], is deeply interested and is doing one of the finest jobs any member of that committee has ever done.

Under the Architect of the Capitol, the committee saw fit to make the reductions mentioned above in Capitol improvements. The details of the Architect's appropriations will be found on page 6 of the report. We feel we have provided sufficient funds and sufficient personnel for the work essential to be carried on by the Architect.

One or two essential improvements of importance have been necessary under the Architect. The sum of $144,000 is recommended for modernization of 6 of the 12 elevators in the Old House Office Building. Under appropriations made several years ago 6 of the elevators were completely replaced, and the remaining 6 were partially modernized by the installation of new cabs, shaft doors, and a new annunciator system. The machinery controls, shaft equipment, and safety devices of the 6 are the same as installed in 1906. Traffic counts show that the elevators in this building carry on average load of 7,000 passengers daily. This load as compared with the elevator traffic in commercial office buildings, instead of being distributed over the peak periods of morning, noon, and night, is fairly evenly distributed throughout the day. The committee felt obliged to recommend this sum in the interest of assured safety and uninterrupted service for patrons of the building. The age of the mechanical equipment is such that it is more prudent to make the expenditure now than to risk deferment in a market of rising costs.

Two major improvements at the Capitol power plant are the item of $28,000 for replacement of boiler steaming tubes and an additional screen at the water intake pumphouse on the Potomac River to cost $45,000. Some of the Members inspected the power plant and the pumphouse, and these special improvements are highly necessary. If anything happens to the present screen at the water intake that would require repair under the water the entire power plant would be shut down, and that contingency cannot be allowed to happen, so we felt obliged to recommend the installation of this reserve screen. The condition of the boiler tubes is such that they have been rolled to such an extent that the metal has become thin and will not stand additional repairs. This plant is very essential to the heating, lighting, power, and air-conditioning of all the buildings on Capitol Hill, and it should be kept in first-class operating condition at all times.

The committee did not allow the $28,000 for the two statues, which were mentioned a little while ago. I shall be pleased to go into the reasons for that if anyone cares to ask about it, but the report is explicit on the subject.

The Botanic Gardens I shall just mention again in passing. In a desire to beautify the Mall, the Architect of the Capitol wanted to clear out all of the old greenhouses belonging to the Botanic Garden down here and move them all to another point, which would have cost $90,000. Due to the fact that there are

temporary buildings and other buildings in the vicinity which are quite unsightly, the committee felt that this amount should be eliminated or at least deferred.

I would like to go more fully than I have time for into the appropriations for the Library of Congress. It is a most interesting agency of the Government, and they are doing a very splendid job over there. The new Librarian has started important work of an executive character.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from South Carolina, a member of the committee.

Mr. HARE. I appreciate the fact that the time is limited, and for the benefit of the chairman, who is well posted on this bill and who has given his undivided attention to every detail of it, may I suggest that he may utilize any time that he may have felt should be yielded to any other member of the committee? I should be very glad to yield such time to the chairman for his disposal.

Mr. O'NEAL. That is very kind of the gentleman.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Indiana.

Mr. LUDLOW. Mr. Chairman, I want to make the observation that the gentleman from Kentucky is entitled to the thanks of the Congress and the thanks of the entire country for the splendid work that he and the members of his subcommittee have done in the preparation of this bill. He has applied to this task all of the faculties of his splendid business mind. I also wish to call attention to the fact that the Budget estimates for this bill totaled $27,092,870. The committee has made a cut of $2,246,823, or nearly 10 percent, which I think is a most remarkable record of economy, and one that challenges national attention and entitles the subcommittee headed by the gentleman from Kentucky [Mr. O'NEAL] to the thanks and encomiums not only of the Congress but of the entire country. [Applause.]

Mr. O'NEAL. I appreciate the statement of the gentleman very much.

Mr. Chairman, I had just started to mention the fact that the new Librarian has installed a thorough accounting department over there which the Library has not had heretofore, and is accomplishing other reforms of an administrative nature which should result in greater efficiency and reduce some costs. I believe, as an executive, the Librarian is doing a splendid job, and as an educator and a scholar it is my opinion, and I believe the opinion of the subcommittee, that Mr. MacLeish is bringing something to the Library which cannot be measured by any yardstick and is of the greatest value in making our Library one that will perform a service unmatched anywhere in this field.

I wish it were possible to go into the operations of the various departments of the Library, the wisdom of their purchases, the discretion the Library is using in the selection of the various items that go into the collections, the project for microfilming some of the rare books and papers in England of which there is only one copy extant, the operation for preservation of newspapers which are disintegrating, by filming them and preserving the film, and many other interesting matters which are set forth in the hearings, but that would take too long. However, I do suggest that the Members of the House of Representatives spend more time in the Library to see for themselves what a wonderful institution it is.

There is one matter I do want to mention specifically and that is an item in the bill for the purchase of the Herndon collection of Lincoln material. It is the last great collection of Lincoln papers that is available in this country. You will recall that the firm of lawyers at Springfield, Ill., was Lincoln & Herndon. Mr. Herndon wrote a life of Lincoln. This collection consists of 12 original letters of Lincoln, 750 legal papers written or signed by him, and approximately 1,400 letters about Lincoln written to Herndon by persons from whom he made inquiries about Lincoln, and a number of notebooks one of which he carried during the Lincoln-Douglas debates.

There was once a bill before the House authorizing $150,000 to acquire this material. We have placed in the bill the amount of $50,000 for this purpose. We believe this collection should be in the Library, and we trust that it can be acquired at a reasonable figure.

The Government Printing Office is allowed, under this bill, $4,157,000, which is $135,000 under the Budget estimate. The latter reduction is made possible by the change in the format of the CONGRESSIONAL RECORD from two to three columns. The increase of $337,000 over the 1941 bill includes $92,000 to finish the edition of the Definitive Writings of George Washington, and $245,000 on the basis that Congress will be in session 2 months longer in the fiscal year 1942 than the normal 6-month session usually appropriated for. I wish that every Member of the House could take the time during the year to go to the Government Printing Office. There is no better operated business anywhere, in my opinion, than the Government Printing Office. There is a highly intelligent executive job being done there, and it is being done on a large scale. The complaint has been made heretofore that the prices were too high and that the Government printing could be done more cheaply if only private commercial printing establishments could have a chance to do it. This year the Public Printer had occasion to let out work to contract in the amount of $2,000,000, and I think there were about 1,000 contracts. The bids came in, and the statement made by the Public Printer is that these bids were approximately 20 percent higher on the average than what the Government Printing Office does the same work for. I think this experience furnishes data that answers those who have heretofore criticized the Government Printing Office costs as being excessive when compared with commercial prices.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I yield myself 2 additional minutes.

There is an amount in the bill to complete printing the Definitive Writings of George Washington, and this will be the final sum. There are 26 volumes that have come off the press, and there are 11 more volumes and 2 indexes to be printed, which will complete the job. In connection with these volumes the committee has ascertained that there are now serving in Congress 75 Members of the House and 14 Members of the Senate who have not been entitled to receive the original 26 volumes and would not be entitled to receive the remaining 13. Accordingly a provision is included in the bill authorizing the Superintendent of Documents to distribute to such Members a complete set upon an application in writing therefor. Sales of the sets have not reached expectations, and there is a surplus from which this distribution can be made.

In addition to what has already been mentioned, there is inserted in this bill the usual provision with reference to employment of those who are Communists or those who advocate the overthrow of the Government by force or violence, and also the usual provision preventing the employment of aliens under appropriations contained in this bill, except in one instance in connection with the Library. There is an exception that not to exceed 10 positions in the Library may be filled by aliens if Americans cannot be found to do the same work. This is necessary because in the translation and use of orientalia and other material of that character you must have some foreigners who are ineligible to become citizens of this country.

We trust the bill will receive your favorable consideration and I will now be pleased to answer any questions. [Applause.]

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Mr. Chairman, I would like to inquire of the gentleman whether it is possible to obtain a list of the publications that have been purchased by the Library since Mr. MacLeish has been in charge of the Library.

Mr. O'NEAL. I am sure Mr. MacLeish will furnish the gentleman from Ohio with a list if he will request it. We found Mr. MacLeish very cooperative in giving all the information we sought from him.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. Yes.

Mr. ROBSION of Kentucky. I wish to compliment the gentleman for his splendid work on this bill, as a fellow Kentuckian. Did the gentleman say that these Lincoln-Herndon papers are now in the Library?

Mr. O'NEAL. They are offered by a Mr. Hartzoff, who has them for sale. He acquired them, so the story came to us, at a cost estimated at forty-thousand-odd dollars, many years ago. He has declined offers in excess of the amount that we are appropriating here. It is a recognized collection. Mr. Carl Sandburg, an authority on Lincolniana, believes the Government should own these papers. The Library Committee of the House has gone over it and recommends that this be done.

Mr. ROBSION of Kentucky. And the purchaser claims to have paid more than $50,000?

Mr. O'NEAL. We can only estimate what he paid for them.

Mr. ROBSION of Kentucky. And he has held it for a number of years?

Mr. O'NEAL. He hoped that he would be able to get $150,000 for them.

Mr. ROBSION of Kentucky. And the Library Committee thinks $50,000 would be a reasonable sum?

Mr. O'NEAL. Yes.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. Yes.

Mr. DONDERO. I think the gentleman is in error to this extent. I think those papers belong to Mr. Emanuel Hertz, the author. He is dead. I assume the committee is dealing with the estate.

Mr. O'NEAL. That is not the testimony before the committee. A dealer has the collection and has had it for some time.

Mr. DONDERO. Then it is out of the hands of the estate. He came here several years ago and asked $150,000 for it. That was at the time when the Honorable Henry Rainey was Speaker of the House.

Mr. O'NEAL. My understanding is that Mr. Hartzoff owns the collection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. Yes.

Mrs. ROGERS of Massachusetts. I think the gentleman from Kentucky has made an extremely fine contribution, as always. Will the gentleman state whether the appropriation for the Library of Congress is much larger this year than in preceding years?

Mr. O'NEAL. There is a net increase of $170,830. The Librarian, when he came before the committee a year ago, had only been there a short time. He had made a very remarkable study of the Library in the brief time that he was in office, but obviously could not make a complete administrative analysis. The committee withheld some things last year that were not asked again this year. We have disallowed many of his requests this year for additional personnel, and other items. We have, however, made our grants in personnel from his preferential list, and I think the Librarian will be satisfied with what we have done as far as we have gone. With the increase in last year's bill and the increase in this year's bill, the Library appropriations will be about $700,000 more a year than when Mr. MacLeish took office. The Library will have more employees and better equipment and larger collections and should render a greater and more efficient service.

Until the Annex Building was completed, just prior to Mr. MacLeish's appointment, the old building was badly congested and there was no space in which to put additional personnel and carry on essential activities. The cataloging, indexing, and classifying of books and material had fallen in arrears badly, and other necessary work to keep the service current had to be neglected. With the new space available there was room adequately to house the collections and additional personnel, and we have made provision altogether in last year's bill and this for 182 additional positions. This is a considerable increment and will go far to bringing up arrearages and rendering more efficient service all around. That was not all the Librarian requested, but it is all we thought should be provided.

Mrs. ROGERS of Massachusetts. I am very glad to hear of the work that Mr. MacLeish has performed. He is a Massachusetts man, as the gentleman knows.

Mr. POWERS. Mr. Chairman, I am not going to make a long speech about this bill. I think the gentleman from Kentucky [Mr. O'NEAL], our able chairman, has covered the subject quite well. I have served on the legislative Appropriations Committee for the past 9 years, and under various chairmen. With no reflection upon any former chairman, I say that no one has ever given more time, no one has ever given more thought, and no one has ever been more conscientious about this legislative appropriation bill as has our present chairman, the gentleman from Kentucky [Mr. O'NEAL.] [Applause.]

The legislative appropriation bill is not, in my opinion, a very pleasant one to handle in committee. I mean by that the items are so close to us that it is not too interesting to constantly sit in hearings and go over these matters. Usually we spend about a week conducting hearings on the bill. This year the chairman held hearings for at least 3 weeks. He took at least 4 days to mark up the bill, and, in my opinion, has done a splendid job. I think it is the best legislative appropriation bill that we have had before us for many years, and I congratulate him and the other members of the committee for the excellent work that has been done. [Applause.]

Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, the legislative appropriation bill is being brought in with a cut of $2,200,000 and odd, or practically 10 percent, of the Budget estimates. I think the committee has done a reasonably good job in making those cuts and at this time express the hope that some way may be found so that the other bills that this Congress will be called upon to consider will get just as good consideration and just as good cuts, in proportion, as have been made with this bill.

The gentleman from Kentucky [Mr. O'NEAL], as chairman of this subcommittee, has fulfilled the expectations of his friends as a chairman.

There are a great many bills which have already been considered where we have carried far too much money. There are other bills to come where the tentative estimates that are here and the actual estimates that are here, are beyond all reason. Before very long I am going to take an opportunity to analyze the Budget and point out in detail some of the places where I think large sums of money can be saved. In the meantime right now I am going to give you an instance where I believe very considerable items could be saved and where I believe, in the consideration of the measures that are to come before us we should be alert and ready to cut.

Today we have a tentative estimate—not an actual estimate—for W. P. A. of $975,000,000. The actual estimate has not yet arrived, as I understand it. I believe we could save $800,000,000 of that without the least bit of trouble. We have at the present time enormous numbers on W. P. A. at a time when it is absolutely impossible to procure farm help in the same localities. It is absolutely impossible to procure help on defense projects. We should not continue this outfit as a work outfit. We should only continue it where there is absolute necessity and those folks could not get a job if they honestly tried somewhere else. If the thing was handled by the localities, I believe the entire problem where any Government assistance might be required could be handled for $200,000,000.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HOFFMAN. Does the gentleman recall that in this strike up in the northeast which closed the shipyards one of the grievances of the union was that the Government was employing W. P. A. workers, and they struck against the employment of W. P. A. workers? That was just this last week.

Mr. TABER. Yes. Now, we could save practically all of the Civil Conservation Corps appropriation, $250,000,000, which has been estimated. They have to go out now and recruit boys to go into it. When you get into that kind of a situation it is absolutely ridiculous. We ought to get rid of that. If it ever had a purpose to serve, and I doubt it, it has no purpose to serve at this time.

The National Youth Administration is running private boarding schools all over the lot, and it is absolutely impossible for any constructive work to be done in it.

They are spending more time on this sort of thing and most of the month in getting over to the exclusion of the things they started to do, such as the aid to students, schools, and colleges. Out of the one hundred and thirty-odd million dollars which has been estimated we could easily save $100,000,000.

Of the R. F. C. money in the Farm Security Administration we could easily save $100,000,000 in loans to farmers. These loans are not needed at the present time.

The farm-tenancy plan is a menace to existing farmers, and we could easily save $50,000,000 on that.

We could save $100,000,000 on the Surplus Commodities Corporation and help the farmers. This does not help the farmers at the present time, because it results in giving away the farm products at a time when they would otherwise be bought and paid for with cash, and causes far more damage to them than the purchase of the commodities in taking them off the market helps give.

From the civilian-pilot training program we could easily save $20,000,000. These civilian pilots are getting no credit from the Army for this work, and most of the money that is spent in this way is wasted.

There are all sorts of small items such as the Library of Congress, the Federal

Communications Commission, the Securities and Exchange Commission, and the Social Security Administration whose inefficiency is so notorious that a cut of 25 percent in most of their appropriations would improve their efficiency. The following is a summary of some suggested cuts that would improve the economic situation of the country and provide more labor, help to prevent inflation, and improve the morale of the American people:

National W. P. A.	$800,000,000
Civilian Conservation Corps	250,000,000
National Youth Administration	100,000,000
Reconstruction Finance Corporation and Farm Security Administration	100,000,000
Civilian pilot training	20,000,000
Federal Communications Commission	50,000,000
Surplus Commodities Administration	100,000,000
Miscellaneous (including all sorts of small items)	100,000,000
Total	1,520,000,000

Mr. JOHNSON of Indiana. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may desire.

Mr. SHAFER of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Chairman, the gentleman from New York [Mr. TABER] has justly commended this subcommittee for effecting almost a 10-percent cut in this legislative appropriation bill over that of a year ago. I, too, congratulate the committee, and add that it is refreshing and encouraging to note that here, at last, there has been an effort on the part of a New Deal dominated committee to give the taxpayers of the country a little consideration.

Time and again we have seen appropriation bills come before the Congress this session and, in spite of the demand for reduction in nondefense spending, we have seen increases over the previous year. The Interior Department appropriation bill, which we passed yesterday, carried a heavy increase over the preceding year, and every effort that was made on the floor of the House to pare a few dollars from the total was overwhelmingly shouted down by the majority. Most of the Members on the other side of the aisle have formed such a habit of spending the other fellow's money that it has been practically useless and a waste of time for the advocates of economy to attempt to effect certain reductions in needless expenditures.

The people of the Nation face a difficult task to pay for the reckless squandering of the New Deal. The full force of the size of this job has not yet struck home, but pay day is just around the corner. Next year the people of America will start paying; and when they do, it is safe to predict that their wrath will be felt by those who have been responsible for plunging this Nation down the road to inflation and bankruptcy. Instead of the more abundant life that Mr. Roosevelt promised when he was running for President the first time, the American people, of all classes, will see the spiraling of taxes and the cost of living, and will watch the American standard of living tailspin to the lowest levels in the past half century.

Of course, the new tax bill will be introduced as a defense measure, but the people of America will not be fooled. They will not forget this tax bill was made necessary by 8 years of New Deal spending, and that upon the mountain of peacetime debts is now being piled a mountain of war debts that must be paid.

And that is not all, for when the people of America meet the internal-revenue collector next spring they will have merely the first taste of what is yet to come. It will be many years before the New Deal debts will be liquidated. In the meantime we will see purchasing power diminish, incomes fall, prices skyrocket; and, through necessity, every man, rich or poor, will be forced to give up habits, pleasures, comforts, commodities, and articles that he has been accustomed to enjoy as a matter of course through the years.

You members of the majority party can smile and grin as you shout down efforts to economize, but it would be safe to bet that those smiles and grins will be wiped away when Old Man Whiskers turns the American taxpayers' pockets inside out and hands most of the contents to Mr. Morgenthau, of the Treasury, to pay for your 8-year spending orgy and for Mr. Roosevelt's war.

I do not want to appear facetious, but I am so elated over the savings effected in this appropriation bill that I might suggest it would not be out of order for someone on the majority side to offer a resolution to make this a national holiday. [Applause.]

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, I will not use the 5 minutes. However, I do want to call the attention of the House to the fact that we have now in Michigan this question as to whether we are to have Reuther and communism or whether we are to have national defense and Americanism.

When the gentleman from New York [Mr. TABER] was on the floor, I spoke about this strike on the east coast which is holding up the shipbuilding program. Now, get these facts: We in Congress appropriate money for relief. We have the W. P. A. Then along comes this war program, and we appropriate money for national defense. The men who are engaged in national defense go on strike because the W. P. A. workers are employed on the job. Can you beat that? Can you beat that one? Is there any reason why they should do that and so keep men for whom jobs are available on the relief rolls?

Let us get back to this question:

REUTHER AND COMMUNISM OR NATIONAL DEFENSE AND AMERICANISM?

Walter Reuther is the man who, when in Russia with his brother, sent word back to his comrades in America to "carry on the fight for a Soviet America."

He is the man who, according to the gentleman from Michigan [Mr. DONDERO], made the statement that he would "give the people, the President of the United States, and officials of the General Motors Corporation until next Thursday morning to agree to union demands or a strike will be called in the 61 plants of General Motors, where that union has bargaining rights."

The time limit originally fixed by Reuther expired today. Reuther, we are now advised through radio and press, has given the President, the American people, and General Motors until tomorrow to meet his demands. Notwithstanding that agreement, four plants have been shut down by strikes, we are told by the noon press.

Information now is to the effect that the President, the people of the United States, and General Motors are all to surrender to this disciple of Stalin; this worker for communism; this man who is asking that, because of his patriotic service to America, because his services are indispensable in industry, he be granted exemption from the Conscription Act. If the administration runs true to form, it will, of course, favor this supporter of communism.

Reuther is entitled to deferment, it is said, because his presence is necessary to industrial peace. The truth is that he is, and always has been, a troublemaker, and his removal to Army service will be one of the finest contributions that can be made to industrial peace.

We know that General Motors has millions of dollars' worth of defense orders. We know that the demands of Reuther and the C. I. O., which are for an increase of 10 cents per hour in the wage rate, will be paid, except 2 or 3 cents, by an addition to the cost of the defense materials which are being made by General Motors. General Motors, if the wage increase is granted, will not pay more than 2 or 3 cents. The balance of the burden falls back directly upon the taxpayers. Hence the strike is a strike to compel the taxpayers to pay more for national defense by some 8 or 10 cents per hour than they are now paying.

The workers in General Motors receive an annual compensation of from $2,000 to $2,500 per year, which certainly is more than the average farmer, clerk, or small businessman receives for his services.

An additional demand of the C. I. O. is that a provision for the closed shop, or, as they term it, "union security," be incorporated in any agreement which may be drawn.

"Union security," analyzed, means nothing more nor less than a closed shop. It means that on defense orders amounting to millions of dollars no man can work in the General Motors plants until he has secured the consent of the C. I. O.

officials and paid the amount demanded by them for a work permit.

Whatever may be said of the demand for a wage increase, the demand for a closed shop is un-American and unjust to all other workers and American citizens.

As was said yesterday by the gentleman from Alabama [Mr. STARNES] on the floor of the House, the union activities such as are carried on by the C. I. O., which this man Reuther is carrying on, are nothing less than treasonable.

And yet, in behalf of this man who has been charged so accurately and so truthfully with a course of conduct which, in time of war, would be treason, there is a request that he be exempted from serving his country, as required by the Conscription Act.

It remains to be seen whether General Motors will betray its loyal independent workers; sell them out to Reuther and his Communist supporters; compel them, in order to hold jobs in General Motors plants, to join that union. If it does, patriotic citizens the country over should refuse to buy General Motors products and should let General Motors sell its products to members of those unions who have a monopoly of the right to work in General Motors plants.

Just why should any person, denied the opportunity to work in a General Motors plant, buy one single cent's worth of goods manufactured by General Motors?

If General Motors and the C. I. O. enter into a conspiracy to bar everyone but members of the C. I. O. from employment in its plants, is there any reason why you and I should spend one nickel with that company? Let General Motors and the C. I. O., as long as they have built a fence around the General Motors plants, live within that fence; buy and sell of each other and let the rest of us patronize those who give employment to us and to our friends. It is a poor rule that does not work both ways.

There is more behind this strike than appears on the surface. Next Wednesday, May 21, there will be an election in the Ford plants to select bargaining agents. If Reuther and Thomas, who said he would close the Ford plants, can get General Motors to agree to a closed shop and an increase of wages, then the argument will be presented to the Ford workers, "Look what we have done for you at General Motors. We have secured an increase. True, we have added to the cost of national defense. True, we held up the national-defense-production program, but look what we got out of it for General Motors workers. Look at what we can do for you."

And so, regardless of patriotism, regardless of justice and fair dealing, the argument will be made to the Ford workers and once again the slogan, "The public be damned," will be given circulation.

What cares Reuther or any of his ilk if they can accomplish their two purposes—bring every workingman in Detroit under their domination and hold up from time to time preparations for national defense?

In delaying the Ford election, the N. L. R. B. gave Reuther his opportunity to call a strike in General Motors, force a closed shop, an increase in wages at public expense, all to be used as ammunition in the Ford election.

The Governor of Michigan played into his hands and aided his cause when he failed to open the gates of the Ford plants to the workers.

We have yet to hear of any prosecution of the Ford Co. for permitting organizers of the C. I. O. to wear their buttons and solicit members on company time or company property. In fact, all of the Communists and all the governmental agencies seem determined to aid Hitler's campaign by furthering the cause of State socialism, interfering with national defense here in America.

The National Mediation Board, the National Labor Relations Board—yes, the administration itself—so far have assisted Reuther and his kind in their unpatriotic drive.

It remains to be seen whether the draft board will give him, this advocate of communism, this man who would control production, this man who has been received by the administration in Washington, exemption from serving his country as other men are required to serve and so enable him to continue his subversive work.

Hank Greenberg was drafted and went without protest. So did Martin, chairman of the New York Stock Exchange. So have hundreds of thousands of other young men.

If the administration does not secure exemption for Reuther, it may still grant him a commission, as soldiers of the Roosevelt family have been granted commissions, and assign him to the Mediation Board. He would there find himself in company with John Brophy, who sits as an alternate and who was described by John Lewis in 1930 as a—

> Fakir, repudiated leader, traitor to the unions, opportunist, and purveyor of every falsehood, slander, and deception.

Whether the administration is making progress with its national-defense program or not, it certainly is making progress in its campaign to subject the industry of this country, the workingmen of this country to communistic leaders.

Let us take a look at the situation in another industry.

CONVOYS WITHOUT SHIPS

If the Communists and labor racketeers will not let us build ships, how will we get aid to England? "For if a man knows not how to rule his own house," how shall he restore peace, bring freedom to all the world?

Forgetting for the moment the question of the advisability of convoying supplies to England, let us consider the question of our ability to supply the ships necessary for that purpose.

The President recently requested and Congress granted the authority to seize a large number of ships owned by foreign governments but lying in our harbors.

It is claimed that we cannot furnish Britain the promised aid unless we either convoy that aid or make the sea lanes safe by patrol. Ships and more ships are demanded by Britain. The capacity of our present shipyards and of any which we may be able to construct will be taxed to provide the necessary vessels. This is conceded.

Before we undertake the task of aiding Britain to regain control of the high seas, before we undertake to make safe the shipment of munitions to Britain, it might be well that we take an accounting of our ability to furnish the ships absolutely necessary for that purpose. We know what we have on hand and we know that the number is not great enough to answer the purpose.

We do not know how many tons of ships will be sunk by Hitler's raiders, submarines, bombers, or mines. One thing is certain: That is, that the total which this country and Britain now has, or may be able to produce, is not enough. Common sense, then, would lead us to adopt every possible means of increasing our ship tonnage. It is strange, indeed, that those who insist upon convoys or patrols, whichever term you prefer, will take no active steps to make their objective possible; that they will not take the steps necessary to make possible the construction of the ships we must have.

Day before yesterday we learned that the building of ships in some 11 shipbuilding yards, involving the construction of some 70 vessels, was suspended on the west coast. Among those vessels were 4 cruisers and 27 destroyers. With the Nation being led and driven toward war, with the administration declaring that our armed ships will sail the seven seas and defy whatever adversary may be met thereon, patriotism and prudence demand that we leave nothing undone which will aid us to meet, on at least even terms, the foe we seek.

Why should the administration or this Congress talk and advocate a course which will involve us in war and at the same time refuse to adopt a policy which will give us at least some chance of meeting successfully whatever may come?

Yesterday we learned that a navy-yard strike in Boston halts drydock work there. That strike, we are told, is holding up a $30,000,000 program. That company has millions of dollars' worth of construction work. And, believe it or not, one of the union demands is that W. P. A. workers be discharged or refused employment.

Unless a man is master in his own house, unless we can, here in our own country, produce those things, that is, ships, trucks, and planes, which all admit are absolutely essential for our preservation, if we become involved in war, it is not only foolish but suicidal to betray ourselves into a position where we invite attack without being prepared to meet it.

Why these stoppages of work?

According to William Green, president of the A. F. of L., the west-coast strike is "an outlaw strike." That strike continues despite the request and the protest of Secretary of the Navy Knox and of Emory Land, Chairman of the Maritime Commission, each pointing out that it is interfering with national defense.

J. P. Frey, president of the metal trades division of the A. F. of L., has said that it was a violation of the agreement which the union had with the employers. All three of these men have appealed to the strikers to return to work. So far their appeals and their protests were in vain.

Yet the moment it is proposed in Congress that we enact legislation that does not prohibit a strike but merely calls for a cooling-off period, William Green, testifying before the House Judiciary Committee of such legislation, said, and I quote:

> But the probabilities are if Congress would say, "You must do that," then there would be rebellion.

Brother Green is treading on dangerous ground when he announces that if Congress, the representatives of the people, for the preservation of our Government, enacts a law which requires men to aid in providing for the national defense, "the probabilities are" that "there would be a rebellion." No one knowing the men who work believes any such thing. Workingmen will render patriotic service just as quickly and freely as any man.

As well might the drafted boys, their relatives and friends say that they will not serve this country. Mr. Green admits the wisdom of the cooling-off period. Mr. Green also said, testifying before the House Judiciary Committee:

> The American Federation of Labor is unqualifiedly opposed to the enactment of any legislation providing for the settlement of disputes through waiting periods or other forms of compulsion.

George Meany, secretary-treasurer of the A. F. of L., told the House Rules Committee:

> I have personally signed agreements as long as I have been connected with the trade-union movement that call for a cooling-off period. We agree with the employer that when the expiration of an agreement is reached we set a 3-month period aside in which you have to give notice; that is standard practice and has been for 50 years; that provides for a cooling-off period by agreement between employer and employee so that it cannot be used as a weapon by one side or the other.

In spite of the fact that it has been the policy of the A. F. of L. for 50 years to provide for a cooling-off period, Mr. Meany testified:

> We would be opposed to this bill if this cooling-off period were only 10 minutes instead of 25 days.

Mr. Meany and Mr. Green admit the policy is good, but object to incorporating this practice into the law of the land. What they favor they say is just, right, and reasonable if obtained by agreement, but they insist it should not be compulsory, and their argument is that if men are compelled to work they become slaves.

They forget that the right of the individual must always be surrendered when the public safety is at stake. They forget that the right of the individual to remain in his home and go about his business no longer exists when a national emergency threatens and a conscription law is put upon the books. They ignore the fact which now confronts us, that on the west coast, in spite of all agreements between employer and employee, the national safety is being endangered because willful men, members of the A. F. of L., refuse to follow the practices of the A. F. of L. or to abide by their own written agreements.

Perhaps no more than 5 percent of the employees would refuse voluntarily to surrender temporarily whatever individual right they might have when patriotism called, but just as long as that 5 percent can disrupt, disorganize, hinder, and delay national defense they must be made to conform. Nor does it seem hardly fair for the employees in General Motors to, at this time when they are receiving an average of $2,000 to $2,500 per year for their services and when so many are receiving far less, demand a wage increase of 10 cents an hour when we know that 7 cents of that increase must be paid by the taxpayers, through an addition to the cost of the tanks, trucks, and all other defense material that General Motors produces.

In the west-coast strike the employees were receiving a wage of $1 an hour. They demanded $1.15 per hour; the company has offered to pay them $1.12, but for an additional 3 cents per hour they hold up the construction of cruisers and destroyers, when no one can be certain that such delay might not be the turning point in the war to come.

Here in Washington a strike of teamsters employed by a sand and gravel company is stopping construction on Government projects. What is the difference between the acts of Hitler, who would assail us from without, and the acts of these men who render his task easier of accomplishment by denying us the means of successfully meeting his attack?

Before we send convoys abroad, let us put our own house in order. Let us so organize our shipyards that we may build the vessels necessary to carry aid to England, to defend our own Nation on the high seas. Before we travel across the sea to seek war on the Continent of Europe, let us adopt a policy which will enable our industries to give us all those things which are necessary for our own defense.

Let us amend the N. L. R. A., make it possible for men to work in defense of their country without restriction. Let us make it impossible for anyone, any time here at home, to make us helpless, to destroy our ability to defend ourselves.

Mr. O'NEAL. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. HOUSTON].

THE TRUTH ABOUT THE SITUATION IN KANSAS RELATIVE TO COMPLIANCE WITH THE REQUIREMENT OF THE SOCIAL SECURITY ACT CALLING FOR SAFEGUARDS WHICH RESTRICT THE USE OR DISCLOSURE OF INFORMATION CONCERNING APPLICANTS AND RECIPIENTS FOR PURPOSES DIRECTLY CONNECTED WITH THE ADMINISTRATION OF OLD-AGE ASSISTANCE, BLIND ASSISTANCE, AND AID TO DEPENDENT CHILDREN

Mr. HOUSTON. Mr. Chairman, I wish to give a history of social-security legislation, with particular emphasis on the provision restricting the use or disclosure of information concerning applicants and recipients of old-age assistance, blind assistance, and aid to dependent children, which is causing turmoil and misunderstanding throughout Kansas.

I am sure the Governor of Kansas, the State legislature, the press of my State, and the public in general will welcome this authentic statement of facts, which follows.

In 1935 Congress passed the Social Security Act and established the Social Security Board as the Federal agency to represent the interest of the Federal Government in the cooperative Federal-State public-assistance programs. One of the Board's responsibilities under the act is to approve or disapprove public-assistance plans submitted by the States which wish to obtain Federal money to aid them in making public-assistance payments to their needy aged and blind and their dependent children. In reviewing these plans for approval the Board must make certain that each plan meets certain minimum requirements set forth in the act. One of these requirements is that the State agencies provide in their plans for the protection of confidential information and records obtained and maintained in connection with making public-assistance payments to needy people.

This requirement contained in the Social Security Act grew out of the experience which many States were having. In some States the general public had unlimited access to the records of the public agency and in others the names and addresses of people who were getting public assistance were published periodically in newspapers along with the amounts of money each person received. In many of these States candidates for local, State, and National office wrote letters to the recipients and promised that their monthly allowances would be increased if they would put the "right party" in office, or accused the persons then in office of bad administration of the assistance programs, or told recipients that their payments would be decreased if they put candidates of the opposing party in office. In addition, some commercial organizations had obtained the names of the recipients and had circularized them with all types of literature. Pressure groups, promising to help the recipients get larger payments, solicited contributions from them.

Men and women were forced to see their names published and their need for help made public. Many old and blind persons as well as mothers with dependent children were forced to choose between humiliation and hunger. In many cases the truly needy did not apply for aid while those who were less sensitive and sometimes not so needy did so. Many sensitive people who did apply were unwilling to give the welfare agency the complete information necessary to establish their eligibility because they could not be sure how many unscrupulous or curious or unsympathetic people would have access to the personal facts in their lives. The local and State welfare agencies, therefore, found it difficult to obtain information they needed to operate the programs efficiently and in accordance with the State and Federal laws.

These problems were brought to the attention of the Social Security Board by the States, and when its opinion was asked, the Board recommended to the States that in the interests of efficient administration and in line with the spirit

of the Social Security Act the information obtained from and about applicants and recipients of public assistance should be safeguarded from indiscriminate use and publication.

However, it was made clear by the Social Security Board that all information on the basis of which his eligibility for public assistance was determined should be made available to the applicant or recipient for whatever use he might wish to make of it. Similarly, it was recognized and emphasized by the Board that it was often necessary for other responsible Government departments to have access to lists of recipients to perform supplementary functions related to the administration of the public-assistance programs, such as writing checks and auditing accounts. However, the Board advised the States that when information was made available to other agencies for such necessary functions the agencies in question should be required to safeguard the confidential nature of the information they obtained.

In 1939 the Social Security Board made certain recommendations to the President and the Congress of the United States relative to desirable changes in the Social Security Act. Among them was a recommendation that Congress amend the Social Security Act in such a way as to require State plans to include reasonable regulations governing the use and custody of records containing information about applicants and recipients of public assistance. The recommendations included, as well, the statement that publication of names and addresses of recipients and the amount of assistance they received should not be permitted. Source: Proposed Changes in the Social Security Act, a Report to the President and to Congress of the United States, pages 26 and 27.

It is evident from the hearings relative to the Social Security Act amendments of 1939 before the Committee on Ways and Means, House of Representatives, that Congress intended to prevent the commercial and political exploitation and humiliation to which these needy people were subjected by the publication of their names and other information in the public press. It was pointed out that a provision such as that recommended by the Social Security Board should be put in the Social Security Act in the interests of efficient administration since efficient administration was directly related to obtaining the full cooperation of applicants and other persons who were interviewed in relation to the establishment of eligibility for public assistance. Source: Hearings relative to the Social Security Act amendments of 1939 before the Committee on Ways and Means, House of Representatives, Seventy-sixth Congress, first session, volume 3, pages 2407 to 2412.

As one of the amendments to the Social Security Act in 1939, Congress specifically provided, in sections 2 (a) (8), 402 (a) (8), and 1002 (a) (9), that before a State could receive Federal money its plan must—

provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of old-age assistance (aid to dependent children, aid to the blind). (Source: Social Security Act as amended in 1939.)

At that time the Kansas delegation in the Congress was composed of two Republican Senators, six Republican Representatives, and one Democratic Representative. With the exception of one Republican Representative, who was paired against the amendment, the entire Kansas delegation voted for the bill. It was passed by the House of Representatives by a vote of 361 to 2, and by the Senate 57 to 8.

A letter was sent to all States to remind them that this amendment was effective July 1, 1941, and that, as of that date, protection of confidential information was required as a condition of the continuance of Federal matching of State money for public-assistance purposes. This letter was sent to all State agencies responsible for administering one or more State public-assistance programs in cooperation with the Federal Government. A copy of this letter was sent to the Kansas State Board of Social Welfare on December 3, 1940. A reading of the contents of this letter leaves no reasonable doubt that each State plan would have to conform to this amendment to the Federal act before the Social Security Board had authority, after July 1, 1941, to continue authorizing grants of Federal money to the State for public-assistance purposes.

This fact was recognized by many persons in Kansas, and the subject has been discussed in Kansas newspapers for the last several months. In the Topeka Journal of January 29, H. L. Schultz, newspaper columnist, discussed letters from Washington to the State welfare department and indicated that these letters had quoted the paragraphs from the Federal law which required the States to protect confidential information about applicants and recipients of public assistance. A story in the Emporia Gazette for February 4 discussed this provision of the Federal act and stated that the Kansas Legislature had been informed of the provision of the Social Security Act and that unless necessary legislative action was taken Federal funds could not be granted to Kansas after July 1, 1941. On February 5 the Times in Kansas City, Mo., recognized that Federal funds could not be granted to Kansas if the necessary legislative action was not taken, and on February 19 the Gazette, in St. Joseph, Mo., reported that Frank Milligan, chairman of the State social-welfare board, reported to the welfare committee of the Kansas Legislature that Congress had passed this amendment to the Social Security Act in 1939, and indicated that the Social Security Board had advised the Kansas welfare agency of the requirements of the Federal act. In the Topeka State Journal of March 6 Schultz, a newspaper columnist, stated in the Weekly Political Letter that the legislature was dodging the welfare issue, part of which concerned the adjustment of the State law to the requirements of the Federal Social Security Act on the protection of the confidential nature of records.

However, it was not until April 3 that the Governor formally informed the Kansas Legislature of the situation. His letter to the president of the Kansas Senate is quoted in the Journal of the Kansas Senate for April 3. With his letter the Governor enclosed a copy of a telegram he had received that day from Mr. Ed. McDonald, regional director of the Social Security Board in Kansas City. The telegram and letter from the Governor mention a previous letter which the regional director had sent to the Governor on February 1. Copies of this letter had been made available to the chairman of the State board of social welfare on February 3 and on February 21 to the chairman of the committee on public welfare of the Kansas House of Representatives. According to Mr. McDonald's telegram, this letter of February 1 had called the Governor's attention to the requirements of the Social Security Act with regard to the publication of lists and disclosure of other information about applicants and recipients of public assistance. However, the Governor implied in his letter to the legislature that the telegram of April 3 was the first indication that the Social Security Board had made that noncompliance with this provision of the Social Security Act would result in making the Kansas plan out of conformity with the Federal act, thus making it impossible for the Social Security Board to authorize Federal grants to Kansas after July 1, 1941. The Governor stated in his letter:

I wish to call your attention to the fact that Mr. McDonald's statement to the enclosed wire is the first time he has ever informed me that Federal grants would not be made unless we ceased publication. (Source: Journal of the Kansas Senate for April 3, 1941).

Other officials in Kansas were aware of the situation—the Governor says in his letter that he had been informed of the requirements of the Social Security Act—and the newspapers had been carrying stories about the situation for as many as 3 months before the Governor implied in his letter to the president of the senate that McDonald's telegram of April 3 was the first time that he knew for sure that Kansas would not receive Federal grants for public assistance if publication did not cease.

It has been thought by some Kansans that the State constitution prohibits the State legislature from enacting legislation to conform to the requirements of the Federal Social Security Act on this subject. The article of the constitution in question is article 15, section 2, which reads as follows:

An accurate and detailed statement of the receipts and expenditures of the public moneys, and several amounts paid, to whom, and on what account, shall be published as prescribed by law.

The significant portion of that quotation is in the last four words, "as prescribed by law." It has often been found by the Supreme Court of Kansas, as well as in the courts in other States, that certain constitutional provisions are not self-executing—they require legislative action to make them effective. Source: *Woodward* v. *Bowles* (61 Kans. 569, 60 p. 331 (1900)); *State ex rel Burnett* v. *Deck* (106 Kans. 518, 188 p. 238 (1920); *State*

ex rel. Crumb v. *The Mayor of the City of Helena* (34 Mont. 67, 85 p. 744 (1906). Article 15, section 5 of the Kansas Constitution specifically states that publication shall be "as prescribed by law." It would seem, therefore, that this is a direct command to the legislature to set the limits and bounds which are to be used in the publication of expenditures of public money.

In other words, the Legislature of Kansas may provide by law for the publication of such expenditures as it seems fit and to determine by legislative action the extent and details of such publication. For instance, if the legislature wishes to publish the total amounts paid for old-age assistance, aid to the blind, aid to dependent children, and the total numbers of persons to whom such aid is paid, it would be within its province to provide for that type of publication and such a provision would not be contrary to the Federal Social Security Act.

Other States have constitutional provisions similar to article 15, section 5 of the Kansas Constitution. The Ohio Constitution contains a provision on publication of expenditures which is identical with the Kansas provisions. In contrast with the action of the Kansas Legislature, however, the Ohio Legislature has not made provision for the publication of lists of recipients of public assistance, nor has the question of the necessity to do so ever been brought up. The Constitutions of South Dakota, Minnesota, and Colorado also contain provisions requiring publication of certain information relating to the receipt and expenditure of public money, and yet no objections to enacting legislation to conform to this provision of the Social Security Act have been raised on constitutional grounds by any of these States.

It is interesting to note that, despite the existence of the constitutional provision which has now been brought up as a barrier to the enactment of this necessary legislation and which, it has been argued, requires the publication of expenditures of public moneys in detail, the State of Kansas does not always publish a detailed accounting of all expenditures of State moneys. Source: Thirty-first Biennial Report, Auditor of State and Register of Land Office, Kansas, for the Fiscal Years Ending June 30, 1937 and 1938.

Thus, it would seem that the imaginary hurdle of the constitutional provision disappears upon investigation. What, then, is the situation with regard to existing statutory provisions which would have to be amended in some way to conform to the Social Security Act? There are two provisions of the Kansas statutes which conflict with the Social Security Act on the matter of safeguarding the confidential nature of information about applicants and recipients of public assistance, and which, if not satisfactorily amended, will make it impossible for the Social Security Board to authorize the granting of Federal funds to Kansas after July 1, 1941.

First. Section 19–228 of the General Statutes of Kansas, annotated, 1934, provides:

> The board of county commissioners shall cause to be published a statement, at the close of every regular or special meeting, of all sums of money allowed, and for what purpose; said statement to be published once in some paper of general circulation in the county. They shall also publish a statement of the estimate of expenditures for the various purposes upon which they based their levy of a tax for the various purposes of revenue.

The attorney general of Kansas, in an opinion dated July 21, 1939, construed this section to mean that names of recipients of public assistance and purposes of the payments to them must be published.

Second. The other provision in conflict with the Social Security Act is section 39–713 (d) of the 1939 supplement to the General Statutes of Kansas, 1935, which provides:

> The county board and the private agencies shall maintain two files of the cases; one shall be the public file, which shall contain the approval and financial data needed.

By virtue of this provision, information relative to public assistance cases is specifically made public in one of the files.

The Kansas Legislature is faced with the necessity of amending these statutes in such a way that they will not conflict with the Social Security Act, and with the necessity of enacting affirmative legislation to protect the confidential nature of information received from and about applicants and recipients of public assistance.

In so doing they will be making it possible for the counties in the State to save approximately $50,000 a year, which is about what it costs, all counties combined, to publish these lists each month. C. O. Hitchcok, Reno County commissioner, said at a meeting of the county commissioners in Topeka, on April 24, that it cost his county about $1,400 a year for publication costs alone, and E. R. Burke, Montgomery County commissioner, told the assembled group that his county had never published the names of recipients. This is true of about 11 counties in the State and 5 others have recently abandoned the practice of publishing lists, using the money saved for more essential welfare expenditures.

It is unfortunate that the Governor did not more forcibly call this matter to the attention of the legislature early in its regular session, since it is now necessary, as the Governor has indicated, to call a special session of the legislature, the expense of which will have to be borne by the already overburdened taxpayers of Kansas.

However, strangely enough, it is now rumored that the Governor and the Attorney General of the State believe that a way can be found to comply with the Federal requirement without the necessity of amending the State constitution and without the necessity of amending the Kansas statutes. If this rumor proves to be true, it is hard to understand why the Governor should have raised the issue in the first place, since it has created a situation whereby thousands of deserving persons have been unnecessarily disturbed as regards continuance of assistance which they so sorely need.

In closing, it might be well to emphasize that the making of public assistance available to needy people under the terms of the Social Security Act is a joint program involving the administrative and financial cooperation of the Federal, State, and local governments. Since the Federal Government assumes responsibility for paying half of the assistance payment granted to each individual declared eligible for public assistance by the appropriate State agencies, it is not only the privilege but it is the responsibility of the Congress of the United States to require through legislation that the States subscribe to certain minimum requirements found by experience to be necessary to the efficient administration of the State programs in which Federal money is being spent. And it would seem, also, that it is the privilege and responsibility of the Legislature of the State of Kansas to the citizens of the State to cooperate with the Federal Government by amending State legislation in such a way as to make possible the granting of Federal funds to the State after July 1, 1941.

Mr. JOHNSON of Indiana. Mr. Chairman, I yield to the gentlewoman from Montana [Miss RANKIN] 3 minutes.

Miss RANKIN of Montana. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Miss RANKIN of Montana. Mr. Chairman, yesterday noon I was called to the caucus room in the House Office Building to meet 500 women who had come from New York to express their opposition to having our men sent to Europe. I wish every member of the delegation from New York, New Jersey, and the surrounding territory could have been present to feel their enthusiasm, their courage, and determination not to send our men to Europe. These women, whose organization is called Women United, Inc., of New York, unanimously adopted the following statement as the sense of that assembly, and which, by request, I shall read for the RECORD:

> This resolution unanimously adopted by 500 members of Women United, Inc., of New York, at a meettng held in the caucus room, House Office Building, May 14, 1941:
>
> We are shocked and grieved to read in the New York newspapers this morning that the Right Reverend William T. Manning, Protestant-Episcopal bishop of New York, has urged that we "should now do our full and open part in this conflict."
>
> Bishop Manning's speech in favor of convoys and armed intervention in the eternal wars of Europe without our being attacked is typical of the dual loyalty of many English-born American citizens. As much as we respect Bishop Manning and his right to freedom of speech, we feel that those Americans born in England should not take the lead in sending American boys to fight for the British Empire in China, India, Africa, and Europe.
>
> We are prompted to make this statement because Bishop Manning is only one of many British-born subjects urging our entrance into the war. The Reverend Frank Kingdon, chairman of the New York Chapter of the Committee to Defend America by Aiding the Allies, and one of the most pronounced advocates of intervention and war, was likewise born in England.

This raises the question of dual loyalty, and the time has come for English-born subjects to decide whether they are for America first or still owe their allegiance to Great Britain.

This resolution expresses the desire of a great many people that, after all, loyalty in America should be to America first.

My father was born a British subject, all my ancestors who were not born in America came from England; but I believe we owe a loyalty to our American traditions, to our American mode of life, and to our American ideals of democracy. We must express now our opposition to the use of the war method and to the sacrifice of our greatest treasure, the youth of our country, or there is danger of losing the civilization we have developed. I will lend my support to any measures providing a way by which we can aid England to protect her people if that way does not entail our use of the war method and the sacrificing of our young men or the jeopardizing of our own national defense. [Applause.]

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, for a few minutes I desire to speak on a subject that I am not so keen about discussing here. There is, however, need for it. Let me say first that I have no word of criticism of any of our employees, either here about the Capitol or in the House Office Buildings. I feel we have about as efficient a force of people both here in the Capitol and in the House Office Buildings as could be found anywhere in America. They are courteous, cordial, considerate, painstaking, and extremely helpful. This applies to all. I have not met an employee around here to whom this does not apply. There is, however, a condition both in the old House Office Building and here in the Capitol that ought to be remedied and it is something I felt at this time—and not being facetious—I ought to discuss.

I have always been taught that cleanliness was next to godliness. When on Monday mornings I come to my office and open my desk and find a nest of cockroaches in the top drawer you can appreciate how I feel.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield.

Mr. STEFAN. How large are they?

Mr. BENDER. I have not found any of them over 3 inches long. [Laughter.] Frankly, the condition is such that it is most distressing. The women in the office are very much distressed—in fact, all of us are. Only yesterday when I was in the telephone booth I happened to glance over to where the towels are kept alongside of the sink in the cloakroom. I noticed one of the Members moving the towels and at least 50 cockroaches scampered out from back of the towels at the sink.

I believe that a general house cleaning, during one of our recesses, is highly desirable here in the Capitol as well as in the House Office Building. I do not believe we have nearly as much to fear from Hitler invading the Capitol as we have from the cockroaches walking off with the place. I hope that sufficient money is provided here so that we can have a general house cleaning.

I trust that the chairman of the subcommittee, the gentleman from Kentucky [Mr. O'NEAL], will allow me to offer an amendment appropriating $10,000 for a regular housecleaning so that we might get rid of these pests.

Mr. O'NEAL. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Kentucky.

Mr. O'NEAL. The gentleman does not want to defer that until November, does he?

Mr. BENDER. Not this November. I think it is highly essential that this be done immediately.

Mr. CANFIELD. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from New Jersey.

Mr. CANFIELD. May I suggest it would be hard to get rid of them? They are bureaucrats.

Mr. BENDER. I appreciate that. All of you who have offices in the old House Office Building know what I am talking about. [Applause.]

Mr. O'NEAL. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Chairman, the gentlewoman from Montana, for whom I have always had the highest regard, called attention to a resolution or action of some organization criticizing those of British descent in the United States who are active in behalf of Great Britain, and who are, therefore, charged with being guilty of dual nationality or dual allegiance. I am fully appreciative of her own patriotism and also of her devotion to the cause of peace, and consequently she directs attention to those who are in favor of national defense and to the giving of aid to Great Britain. She stated she is for America first. I am satisfied that she is, but, as I stated on the floor a few days ago, we should all be for America first, last, and all the time, and do everything to safeguard our country from every possible involvement in war. Unfortunately, she and many others do not seem to realize the importance and necessity that for our own protection it is necessary for us to give all possible assistance to Great Britain, a nation fighting for its very existence and at the same time if not directly, then indirectly, for our country.

Mr. Chairman, it is to be regretted that there are so many who do not realize that if a destructive Nazi or Fascist force should defeat Great Britain we would be left alone to continue the struggle to save democracy from these ruthless aggressor nations. The gentlewoman complains of the activities of British Americans and seems to ignore the great Nazi, Fascist, and Communist propaganda that is now rampant in our country. In that connection I can assure her that I receive daily at least 10 letters, appeals, and resolutions emanating from Nazi sources against giving any aid to Great Britain to 1 that I receive from so-called British Americans. Most of the letters I receive protesting the giving of aid to Great Britain come from persons of German descent, and it appears to me that many of them fail to appreciate the rights and privileges they are accorded and enjoy in our country.

Mr. Chairman, I repeat, it is well for all of us to remember that America should come first, and not only that but last and all of the time. Of course, those people who favor aid to Great Britain feel that anything that may be done for Great Britain will help America. Personally, I am of that opinion. I believe that if Great Britain should be defeated we would be in the position of being all alone to fight against Hitlerism, nazi-ism, and communism. Therefore, I think an effort should be made by all of us to do everything in our power to aid the cause of America and everything possible to expedite national defense.

Mr. Chairman, the gentleman from Michigan [Mr. HOFFMAN] called attention to threatened strikes and to assaults on the part of union strikers, but conveniently ignores mentioning the tactics of some of the unwise industrialists who engage professional strikebreakers and sluggers. It is to be regretted that there should be so much strife in industry, such as in the steel and automobile industry, especially in view of the unusual prosperity these industries have been and are now enjoying. Mr. Chairman and gentlemen, is it to be regarded as a wonder or strange that wage earners and labor organizations, observing the great profits that these industries are making, should seek to obtain an increase in their meager wages? The gentleman stated that they demanded a 10-cent or a 10-percent increase; I do not recollect which. Is it not a fact that the profits of many industries have increased from 50 to 100 percent? Yes; it is true, and therefore labor feels that it should share in a small portion of the large profits which inure to these industries, which have been made possible due to their efforts and labor.

Mr. Chairman, I was very resentful and bitter against some of the maritime unions when I read in the press that they threatened to strike, but this morning during the course of the hearings held by the Committee on Rules on the Bland bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, it was disclosed that most of the water transportation companies and shipping owners desire to only handle cargoes which permit the highest possible freight rates and are reluctant to haul less profitable strategic-metals shipments because of the lower freight rates on such products. Much more to my surprise was the testimony that was given that freight-rate charges have been increased as much as 500 percent and that in some cases the freight-charges returns on two trips of a ship covered its entire cost

of construction. After that evidence was given I can no longer feel resentful against the maritime workers for endeavoring to obtain a small increase in their daily wage to enable them to make both ends meet, in view of the increased cost of living. Some day in the near future I shall call attention to the tremendous profits these steamship companies are reaping and to the advantage they are taking of labor.

Now, with reference to the W. P. A., I am of the opinion that most of the work done by that great organization and its relief workers has been performed on national-defense projects. I regret that a strike should be called by labor organizations because of the work performed by W. P. A. men, but these unfortunate workers who were obliged to accept the aid of the Government have done their share and their part. They helped to construct projects, build roads, airports, and are working on a great many actually needed defense projects for the Government, thereby saving a great deal of money to the Government because they do not receive the higher union wages of which the gentleman from Michigan always complains.

Mr. Chairman, in conclusion, I feel there is some justification for labor to demand a little increase in wages owing to the increased cost of living, and especially when they see shipowners and other large industrial corporations increasing their profits by millions and millions of dollars. Therefore it is no wonder that they seek to obtain a little increase of 10 cents per hour for the work they perform which has brought increased profits to the corporations employing them.

[Here the gavel fell.]

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW].

There was no objection.

Mr. LUDLOW. Mr. Chairman, it will be interesting to Members of this body, and to many others throughout the country, to learn that on Saturday, May 17, William J. Donaldson, superintendent of the House Press Gallery, will complete 30 years of service in the Press Gallery. He was appointed as a page by Representative J. Charles Linthicum, of Maryland, later chairman of the Foreign Affairs Committee, on May 17, 1911, and was immediately assigned to the Press Gallery by Doorkeeper Joseph J. Sinnott because he was too large for service on the floor of the House. He was elected superintendent of the Press Gallery on May 1, 1913, by the standing committee of correspondents and has served continuously ever since.

He went to work in the Press Gallery in the special session when Champ Clark became Speaker. In the course of the years he has become almost an institution in our national life. In the performance of his duties he has attended every national political convention of the major political parties since the historic convention in Baltimore in 1912. Beginning in 1916 he has been in charge of the press arrangements at all these national political conventions. Prior to 1920 all political party platforms were typewritten, but at the 1920 convention in San Francisco, William J. Cochran, brother of our distinguished chairman of the Committee on Accounts, then publicity director of the Democratic National Committee, had the party platform mimeographed on a hand-power machine. Since then the platforms of both parties have been mimeographed.

Mr. Donaldson had charge of the press arrangements at the Disarmament Conference here in Washington and for all events affecting the press here in Washington. For years he has cooperated in checking those admitted to the White House and State Department press conferences.

Besides knowing personally, for 30 years, all of the Washington correspondents for newspapers in all parts of the country, he has also known and been helpful to the leading newspaper publishers and executives, and has assisted at all meetings of the editors and publishers in Washington.

Mr. Donaldson has a host of friends in the Fourth Estate, and in political and official circles, who will be thinking of him day after tomorrow and wishing him much happiness in the years to come. [Applause.]

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. THOM].

Mr. THOM. Mr. Chairman, there are three Members of this House who have the rather unusual distinction of having graduated from the press gallery to membership in this body. I refer to the gentleman from Indiana [Mr. LUDLOW] who has just preceded me, to the Honorable WINDER R. HARRIS, of Norfolk, Va., and to myself. The boys in the press gallery say that when we came down onto the floor of the House we were demoted instead of promoted.

I had the good fortune to come into the press gallery during the first World War. My good friend "Bill" Donaldson was then superintendent of the press gallery. There were two other boys in that gallery who worked with us and who are still on its staff. I refer to Anthony P. Demma, who was a messenger boy for me when I represented one of the press associations, and to Chester R. Thrift. The latter has been in the gallery for 24 years. I can testify from personal experience to the efficiency of these gentlemen and to the courtesy with which they have treated the newspaper profession as well as others who have had to do with matters connected with the press gallery.

I want to pay my tribute to "Bill" Donaldson. I never knew him to do anything wrong except on one or two occasions when he let me into a national political convention without a card of admission. He has a particular capacity for remembering faces and, confidentially, I will give you this tip: If you ever go to a national convention without a ticket of admission, find and locate our friend "Bill" Donaldson and he will get you onto the floor if he has to take you up through the cellar.

I think he is deserving of the tribute our good friend the gentleman from Indiana [Mr. LUDLOW] has paid to him as a highly efficient employee of this great institution of the House of Representatives. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Chairman, last year, on September 26, I brought to the attention of this House a report prepared by Mr. Martin Sweeny, of New York City, which he sent to Mayor LaGuardia, outlining the facilities New York City had to offer to the Federal Government and suggesting that the mayor use his good offices to have some of the Government departments and defense activities transferred to New York City.

Today I received a letter from the mayor in which he states that he has had established a bureau, of one of our city departments, here in Washington, to assist the Federal Government solve its problem of office space. We have everything the Government needs in the way of services in our city. I hope every department and bureau chief in need of office space will remember that New York City is ready, willing, and able to do everything necessary to insure their comfort and efficiency.

I have read a number of articles in the RECORD containing offers from other cities to furnish space—for instance, Chicago and Pittsburgh. I think many of the departments now in Washington could very easily be settled in New York City. Moving them out of Washington would not only relieve the demand for office space but would also take away the employees and attachés.

We know the difficulty employees, as well as Members of Congress, have in obtaining proper housing facilities here in Washington at a reasonable rental. I also know that there are some committees working to bring about a solution of the housing problem, but up to the present time they have not been able to accomplish much good.

On behalf of New York City, I extend to the Federal Government our aid and assurances of cooperation. I understand that we have many buildings that are vacant and wish to rent to the Government departments at low rentals. As the mayor has indicated, this is no real-estate scheme, but a sincere effort to help the Federal Government obtain needed facilities promptly and cheaply. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Salaries: Secretary of the Senate, including compensation as disbursing officer of

salaries of Senators and of contingent fund of the Senate, $8,000; Chief Clerk, who shall perform the duties of reading clerk, $5,500 and $1,500 additional so long as the position is held by the present incumbent; financial clerk, $5,000; assistant financial clerk, $4,500; Parliamentarian, $5,000 and $1,500 additional so long as the position is held by the present incumbent; Journal clerk, $4,000; principal clerk, $3,780; legislative clerk, $4,000 and $1,000 additional so long as the position is held by the present incumbent; enrolling clerk, $4,000; printing clerk, $3,540; chief bookkeeper, $3,600; librarian, $3,600; assistant Journal clerk, $3,360; executive clerk, $3,180; first assistant librarian, $3,120; keeper of stationery, $3,320; clerks—two at $3,180 each, three at $2,880 each, three at $2,640 each, clerk in Disbursing Office, $2,400, six at $2,400 each, three at $1,860 each, three at $1,740 each; special officer, $2,460; press relations officers—one at $2,140, one at $1,900; messenger, $1,260; laborers—one at $1,740, one at $1,620, five at $1,380 each, one in Secretary's office, $1,680, one, $1,560, one, $1,260; in all $144,540.

Mr. BENDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I merely wish to say that I inquired regarding the condition that I mentioned earlier and was informed that a sufficient amount of money had been provided in this bill to correct the condition. For that reason, I shall not offer an amendment to increase the appropriation for that purpose.

The Clerk read as follows:

CLERK HIRE, MEMBERS AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the act entitled "An act to fix the compensation of officers and employees of the legislative branch of the Government," approved June 20, 1929, as amended by the act of July 25, 1939, $2,847,000.

Mr. DONDERO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DONDERO: On page 21, line 12, strike out "clerk hire" and insert "secretaries to," and on page 21 in line 13, strike out "clerk hire" and insert "allowance for secretaries."

Mr. COCHRAN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. O'NEAL. Mr. Chairman, I shall be forced to make a point of order against the amendment. I shall be very glad to reserve it, however, if the gentleman wishes me to do so.

Mr. DONDERO. I wish the gentleman would reserve the point of order.

Mr. O'NEAL. I reserve the point of order, Mr. Chairman.

Mr. DONDERO. Mr. Chairman, my purpose in offering this amendment is simply to change the designation or terminology of those who serve us in our offices from clerk to secretary. This amendment will not cost the Federal Government one penny, but its ultimate objective is to give status to those who serve the Nation, serve our districts, and serve us in our offices, in a way commensurate with the responsibility and the importance of the positions they hold.

Those whom we select to serve in our offices, to take charge of our mail, meet the public, our friends and constituents from back home, and take care of the business our offices have with the various bureaus, boards, commissions, committees, and departments of the Government, are important people. They hold key positions. They are our liaison officers between our office and every office of the Government. They are more than ordinary persons. We select them carefully for their ability and intelligence, their poise and dignity, their training and experience. Every person of any importance in the Federal Government has a secretary, particularly if he holds some key position. If a Member of this House dies, his or her district does not go unrepresented. That district is represented for 6 months, under present law, if no representative is elected to fill the vacancy sooner, by the secretaries of the deceased Member's office.

This amendment does not cost anything. I cannot see any valid objection to their being given the status of secretaries. At the present time we never hear any Members speaking of the clerks in their offices as clerks. We always speak of those who serve us as our secretaries.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Kentucky.

Mr. O'NEAL. While I shall be forced to make the point of order, I may mention that one valid objection to the amendment is that in the appropriation bill the basic law is quoted, and the gentleman's amendment does not change the basic law. These employees are referred to in the basic law as clerks and not as secretaries and therefore if you amend the appropriation bill which quotes the law and do not amend the law itself, you have a conflict between the law and the appropriation. It is even possible or conceivable that we might even affect their ability to draw their salaries if the language of the amendment were used. So it would be better to have the matter gone into a little more carefully, inasmuch as the basic law should be also changed. I make this statement simply to show why I am going to insist on the point of order. I think the matter should be corrected in the basic law as well as in the appropriation here, because otherwise we may have a very confused situation.

Mr. DONDERO. Beyond that, the gentleman would have no objection?

Mr. O'NEAL. I think that we should dignify as much as we can the position which these men occupy and to that extent I agree with what the gentleman is trying to do.

Mr. DONDERO. I have no pride of authorship, but I want to say to the House that in March of this year I introduced a bill to carry out the very purpose of the amendment which I am offering to the present bill.

May I say further that there are Members who are sitting on the floor of this House today who have served Members of Congress as clerks in their offices before coming to this body. I mention this simply to show that these people do not occupy ordinary positions. Their positions are positions of trust and responsibility and they ought to be recognized by giving them a status commensurate with the importance and dignity of the office which they hold. I trust the gentleman will not insist upon his point of order and will let the amendment be adopted.

Mr. O'NEAL. Mr. Chairman, I insist on the point of order, and I may state that the ground of the point of order is that this is legislation on an appropriation bill.

The CHAIRMAN. The Chair is ready to rule.

In view of the fact that in the basic law the employees in the offices mentioned are referred to as clerks, and in view of the fact that the amendment offered by the gentleman from Michigan [Mr. DONDERO] would change existing law and would therefore be legislation on an appropriation bill, it is the opinion of the Chair that the amendment is clearly out of order, and the Chair therefore sustains the point of order.

The Clerk read as follows:

CONTINGENT EXPENSES OF THE HOUSE

Furniture: For furniture and materials for repairs of the same, including not to exceed $29,000 for labor, tools, and machinery for furniture repair shops, $68,000, of which sum $23,000 shall be available immediately.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as chairman of the legislative committee which considers legislation relating to the Congress, I have a duty to perform, and I may say that at times it is a very unpleasant duty.

I appreciate the interest of the gentleman from Michigan [Mr. DONDERO] in desiring to change the designation of his office force. It so happens I am one of those to whom possibly he referred, as I served as a clerk to two Members of the House, also to a Senator, as well as clerk to a Senate committee. At no time was I ever designated other than as a secretary when I was employed by Members of the House or by the Senator or by a committee of the Senate, although carried in the legislative bill as a clerk. I have arranged on behalf of my committee a working agreement with the members of the Committee on Appropriations whereby I am required to protect our committees and make a point of order against any legislation on this bill which the committees have not considered and approved.

It is true that the gentleman from Michigan has introduced such a bill, and there are also requests before the committee to change the designation of the clerks of the committees as well as to remove the word "janitor" from the appropriation bill, substituting other titles. I can assure the gentleman that the matter will be taken up by the committee, but I want the House to understand that if I am forced to make a point of order against any amendment that might be offered to this bill, it is not done arbitrarily, and, as I say, it is an unpleasant duty sometimes, because it affects some people whom I had an opportunity to serve with myself many years ago. I hope the Members of the House realize that the legislative committee is, under the rules, required to

pass on certain bills and requests which ultimately might be carried in this bill if approved. No chairman of a legislative committee wants changes made in laws until his or her committee passes on the bills. As I said, ours is not a pleasant task, but someone must do it. Members are on our backs every day. We do the best we can; but what I want to impress upon you is, in objecting to any legislation that may be proposed to this bill, please realize that it is not from a personal standpoint, but is a duty or, I might say, an obligation that has been placed upon me. [Applause.]

The Clerk concluded the reading of the bill.

Mr. O'NEAL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SPARKMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4756, and had directed him to report the same back to the House with the recommendation that it do pass.

Mr. O'NEAL. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION OF MERCHANT VESSELS

Mr. SABATH, from the Committee on Rules, reported the following resolution, which was referred to the House Calendar and ordered printed:

House Resolution 208 (Rept. No. 542)

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4700, a bill to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1½ hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit

ACQUISITION OR CONSTRUCTION OF CERTAIN AUXILIARY VESSELS FOR THE NAVY

Mr. SABATH, from the Committee on Rules, also reported the following resolution, which was referred to the House Calendar and ordered printed:

House Resolution 205 (Rept. No. 541)

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 3783, a bill authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDMENT TO NATIONAL HOUSING ACT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4693) to amend the National Housing Act, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. WHITE. Mr. Speaker, I reserve the right to object. Will the gentleman please explain the provisions of the bill?

Mr. STEAGALL. Mr. Speaker, this bill provides for the continuation of the program for the insurance of loans under title I of the Federal Housing Act. Title I of the Federal Housing Act provides for the insurance of loans for the construction of residences up to $2,500 and for the modernization and renovation of homes. Under title I over 3,150,000 loans for a total amount of $1,305,000,000 have been insured. These cover loans made by private lending institutions for the repair and modernization of real-estate properties. A small part of these loans—27,600 in the amount of $68,500,000—cover the construction of new small homes authorized under the February 3, 1938, amendments to the act; the maximum of these loans under the act as now operated is now $2,500. The average amount of all title I loans made to date is $414.

That authority will expire at the end of the present fiscal year, and the bill would extend the authority to July 1, 1944. There is widespread demand throughout the country for continuation of this service by the Federal Housing Administration. The bill would permit an increase in the amount of the loans under title I up to $3,000 on residential property and up to 5,000 for modernization and renovation.

Claims for insurance paid as of March 31 numbered slightly over 127,000 for slightly over $32,000,000, or less than 2½ percent of the total amount of insurance written under title I. Against this loss there had been collected in cash and repossessed property a little over $11,300,000, making a net loss at March 31 of slightly over 1½ percent. Future collections will reduce this loss.

Prior to July 1, 1939, the F. H. A. was not authorized to make any charge for this insurance. The insurance of these loans represented a subsidy to encourage private lending institutions to make these loans—mainly character loans—to people who wanted to repair or modernize their homes, thus putting people to work and aiding in the revival of the construction industry. The Congress amended the act, authorizing the F. H. A., on loans insured subsequent to July 31, 1939, to charge premiums for this insurance. Since that date, therefore, these operations have been mainly self-supporting.

Under section 203 of title II of the act—the section authorizing the insurance of small-home mortgages—1- to 4-family with maximum mortgage, $16,000—the F. H. A. at March 31 had insured over 680,000 mortgages which had become premium paying in the amount of slightly over $2,900,000,000. In addition, at that date the F. H. A. had firm or conditional commitments to insure outstanding on more than 100,000 additional mortgages in excess of $500,000,000. Of the six-hundred-and-eighty-and-odd thousand premium-paying mortgages, lending institutions had foreclosed mortgages and turned over to the Administrator 2,616 properties, or approximately one-half of 1 percent of the number insured. Of these acquired properties, the F. H. A. at March 31 had sold 1,872 with net charges against the mutual mortgage insurance fund of $1,145,490, or an average loss per property of just under $612.

In the event a mortgagor wishes to prepay his mortgage before its maturity, the F. H. A. requires a premium of 1 percent on the principal amount of the mortgage in order to guard against undue depletion of the mutual mortgage insurance fund upon such withdrawal. These prepayment premiums amounted at March 31 to more than $1,635,000, so that the insurance income from this source exceeded at March 31 the amount paid out on account of acquired properties sold by $500,000.

The mutual mortgage insurance fund was started with a $10,000,000 contribution by the Government authorized in the original act. In addition to paying, from the income to this fund, administrative expenses in the amount of just under $32,000,000 the net assets of the fund had been increased by March 31 to approximately $30,500,000. It is anticipated that there will be added to this fund by the end of the fiscal year between eight and nine million dollars.

The F. H. A., during the first 3 months of this year, has been receiving applications for mortgages covering homes to be built at a weekly rate of between four and five thousand. During the last 3 weeks around 6,000 of these applications have been received weekly. The increase in these new-home mortgage applications over the corresponding period of 1940 is around 26 percent. During the current fiscal year, from July 1, 1940, through March 1941, approximately 150,000 houses have been started under F. H. A. inspection.

Approximately 99 percent of the mortgages insured under section 203 are on single-family homes, and 40 percent of these mortgages are for amounts under $4,000.

Three out of ten borrowers under the F. H. A. mortgage plan during 1940 had incomes of less than $2,000, and there were as many borrowers—families—with incomes of less than $2,381 as there were with incomes above that amount.

To amortize the principal of the mortgage and to pay the interest on their loans, three out of four of the borrowers are paying less than $30 a month. More than half of the families are paying less than $40 a month, including insurance premiums, hazard insurance, local taxes, and water rent.

Under section 207, which provides insurance of loans on large-scale rental or group-housing projects, the F. H. A., through March 31, had insured from the beginning of operations 274 mortgages for just under $128,000,000. As of March 31, mortgages in the amount of $9,700,000 had been paid off in full on 11 of the projects insured. Only 4 projects, with mortgages totaling $6,355,000, had been acquired by the F. H. A. at that date after foreclosure. These are now being operated by the F. H. A. in such a way that it is not expected that there will be a substantial loss on any of these projects.

Under title VI the defense-housing fund amendment recently added to the act for the insurance of houses in areas designated by the President as defense areas, the F. H. A. has received applications totaling approximately $31,000,000. The limitation under this fund is $100,000,000.

At March 31, insurance outstanding under section 203 approximated $2,600,000,000. In addition, at that date, the F. H. A. had firm and conditional commitments to insure outstanding in an amount exceeding $500,000,000. Currently applications for insurance are being received in the amount of approximately $140,000,000 monthly, and commitments are being issued at a rate of around $100,000,000 a month. If insurance written continues at this rate, the F. H. A. will be approaching its $4,000,000,000 limitation by the end of this calendar year.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the first sentence of subsection (a) of section 2 of the National Housing Act, as amended, is hereby amended by striking out "July 1, 1941" and inserting in lieu thereof "July 1, 1944."

SEC. 2. The last sentence of subsection (a) of section 2 of such act, as amended, is hereby amended by (1) inserting "and other sources" after the word "premiums," and (2) striking out "$100,000,000" and inserting in lieu thereof "$165,000,000."

SEC. 3. Subsection (b) of section 2 of such act, as amended, is hereby amended by (1) striking out "exceeds $2,500" and inserting in lieu thereof "made for the purpose of financing the alteration, repair, or improvement of existing structures exceeds $5,000, or for the purpose of financing the construction of new structures exceeds $3,000;", (2) striking out "three" and inserting in lieu thereof "five", and (3) striking out the period at the end thereof and inserting ": *Provided*, That any obligation with respect to which insurance is granted under this section on or after July 1, 1939, may be refinanced and extended in accordance with such terms and conditions as the Administrator may prescribe."

SEC. 4. Subsection (c) of section 2 of such act, as amended, is hereby amended by (1) inserting after the letter "(c)" the figure "(1)", (2) inserting before the word "property" the word "personal", and (3) adding at the end thereof the following new paragraph:

"(2) Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, the Administrator shall have power (a) to deal with, complete, rent, renovate, modernize, insure, or sell for cash or credit, in his discretion, any real property conveyed to him in connection with the payment of insurance heretofore or hereafter granted under this title and (b) to pursue to final collection, by way of compromise or otherwise, all claims against mortgagors assigned by mortgagees to the Administrator in connection with such real property by way of deficiency or otherwise: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of such property if the amount thereof does not exceed $1,000. The power to convey and to execute in the name of the Administrator deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein heretofore or hereafter acquired by the Administrator pursuant to the provisions of this title may be exercised by the Administrator or by any Assistant Administrator appointed by him without the execution of any express delegation of power or power of attorney: *Provided*, That nothing in this paragraph shall be construed to prevent the Administrator from delegating such power by order or by power of attorney, in his discretion, to any officer, agent, or employee he may appoint."

SEC. 5. The last sentence of subsection (f) of section 2 of such act, as amended, is hereby amended by inserting after the word "charges" the following: "and all moneys collected by the Administrator as fees of any kind in connection with the granting of insurance as provided in this section, and all moneys derived from the sale, collection, disposition, or compromise of any evidence of debt, contract, claim, property, or security assigned to or held by the Administrator as provided in subsection (c) of this section with respect to insurance granted on and after July 1, 1939."

SEC. 6. Effective on July 1, 1941, the first sentence of section 1 of the National Housing Act, as amended, is hereby amended by striking out "$10,000" and inserting in lieu thereof "$12,000."

SEC. 7. Title I of such act, as amended, is hereby amended by adding at the end thereof the following new section:

"SEC. 7. Nothing in this title shall be construed to exempt any real property acquired and held by the Administrator in connection with the payment of insurance heretofore or hereafter granted under this title from taxation by any State or political subdivision thereof, to the same extent, according to its value, as other real property is taxed."

SEC. 8. Subsection (a) of section 203 of such act, as amended, is hereby amended by (1) striking out "$3,000,000,000" and inserting in lieu thereof "$4,000,000,000"; (2) striking out "$4,000,000,000" and inserting in lieu thereof "$5,000,000,000"; (3) striking out of the second proviso "the effective date of this amendment and outstanding at any one time, shall not exceed 25 percent of the total amount of the principal obligations of mortgages with respect to which insurance may be granted under this title after such effective date" and inserting in lieu thereof "June 3, 1939, and outstanding at any one time shall not exceed 35 percent of the total amount of the principal obligations of mortgages with respect to which insurance may be granted under this title after such date"; and (4) striking out of the third proviso "July 1, 1941" and inserting in lieu thereof "July 1, 1944."

SEC. 9. The last sentence of subsection (a) of section 204 of such act, as amended, is hereby amended by striking out "July 1, 1941" and inserting in lieu thereof "July 1, 1944."

SEC. 10. The first sentence of subsection (d) of section 512 of such act, as amended, is hereby amended to read as follows: "No individual, association, partnership, or corporation shall hereafter, while the Federal Housing Administration exists, use the combination of letters 'FHA', the words 'Federal Housing' or 'National Housing', or any combination or variation of such letters or words alone or with other letters or words as the name under which he or it shall do business, for the purpose of trade, or by way of advertisement to induce the sale of any article or product whatsoever, which use shall have the effect of leading the public to believe that any such individual, association, partnership, or corporation, or any article or product so offered for sale, has any connection with, approval of, or authorization from, the Federal Housing Administration, the Government of the United States, or any instrumentality thereof where such connection, approval, or authorization does not, in fact, exist."

Mr. SMITH of Ohio. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Page 4, beginning in line 7, strike out all of section 6.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, my amendment strikes out the section which provides for increasing the salary of the Administrator of the F. H. A. from $10,000 to $12,000 a year. I know of no good reason why this salary should be increased. I know argument has been made that the present Administrator is especially competent, that he does very good work, and is deserving of this increase. From this standpoint I do not think the proposal has any merit whatsoever.

It has also been argued that the funds for the payment of this salary are not derived from the Federal Treasury but come in from the insurance premiums on the mortgages that are insured. I do not believe this deserves any consideration. After all, the Administrator of the F. H. A. is an employee of the Federal Government and he renders service to the Federal Government the same as any other employee of the Government. Therefore, I see no reason why from that standpoint his salary should be increased.

A far more serious objection to this proposed increase in the salary of the Director of the F. H. A. is the precedent that it may set. If the salary of this particular office is increased, I think reasons may be given for increasing the salaries of other similar Government employees. At a time like this, it seems to me that we should not be increasing salaries of Government employees, especially on a basis of this kind.

I therefore wish to register my protest against this increase in the salary

from $10,000 to $12,000 for the Administrator of the Federal Housing Administration.

Mr. THOMAS F. FORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. THOMAS F. FORD. Is it not a fact that Mr. Ferguson, as attorney for the Federal Housing Administration, received a salary of $12,000?

Mr. SMITH of Ohio. Prior to having served in this capacity.

Mr. THOMAS F. FORD. And he was advanced to the directorship and he was cut to $10,000. If he was worth $12,000 as attorney for the corporation it seems to me it is not inconsistent that he might get it as director.

Mr. SMITH of Ohio. In answer to that proposition I believe it is fair to say that if this increase is proposed on the basis of compensating the Administrator for extra work that he does over and above the ordinary administrative work—that is, for legal work—then I think this proposed section should specifically state that. I do not believe we can consider it good legislation to assume that a certain extra function is being performed by the Administrator, without specifically designating that function.

Mr. THOMAS F. FORD. The gentleman will admit that the hearings reveal the fact that the attorney who took his place receives $9,000. So there is a saving of $3,000 there. Two thousand dollars of it was taken up in giving him this increase. We all admit he is a very efficient and capable man and it is conceivable that in addition to his work as director he will also have his finger on the legal aspect of it.

Mr. SMITH of Ohio. You understand I am not contending that Mr. Ferguson is not efficient and capable. That is not my objection to this increase. I am objecting on the ground that this is not good legislation. If it is proposed to increase this salary on any such basis, we should be specific and state it in the act itself.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, this matter was thoroughly considered by the Committee on Banking and Currency. The present Administrator of the Federal Housing Administration was formerly Assistant Administrator and Chief Counsel for the Federal Housing Administration and drew a salary of $12,000 a year. The Administrator of the Federal Housing Administration no longer serves in that capacity, but has become Assistant Federal Loan Administrator under Jesse Jones. The present Administrator of the Federal Housing Administration now serves as Administrator, and it would not be unfair to say that in practice still gives the benefit of his service as lawyer. His salary as Chief Counsel was $12,000. The salary of the Administrator was $10,000. The salary of the Administrator has been dispensed with by the retirement of Mr. McDonald as Administrator, and the work is now being done by the former Assistant Administrator and Chief Counsel. There is no addition to the legal staff since the present Administrator assumed that position. So that there has been accomplished a saving of $8,500 annually.

I want to say in this connection that this section was in the nature of an amendment incorporated by the Committee on Banking and Currency. It was not in the original bill which was prepared by the Federal Housing Administration and the amendment was incorporated in the bill at the instance of the former Administrator, Mr. McDonald, at present Assistant Federal Loan Administrator, and by Mr. Jones, Federal Loan Administrator, for the reason that it was highly desirable to retain the services of the present Administrator, who had assisted in the management of this agency of the Government since its foundation and whose place it would be exceedingly difficult to fill. As a matter of fact, he is serving now at considerable sacrifice, because as an attorney he could easily command a handsome salary in private life.

There is another thing that must not be overlooked—the Federal Housing Administration is operating at a profit. The Administration has taken care of all insurance losses down to this time and have accumulated something like thirty-one or thirty-two million dollars' earnings, and at the end of the present year that fund will be increased something like $10,000,000 more. Not one dollar of this additional salary will come out of the United States Treasury, but will be paid out of the accumulation of earnings of the Federal Housing Administration.

In conclusion, let me say that of all the agencies of the Government that have rendered conspicuous and satisfactory service to the Nation and whose activities and management meet with universal approval and commendation, none has shown a finer record of management than the Federal Housing Administration, due largely to the experience and splendid service rendered by the present Administrator.

I hope the amendment will not be adopted.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. STEAGALL. I yield.

Mr. KEAN. Are not the heads of all other independent agencies paid $10,000, and would this not be a precedent to increase the salaries of all heads of independent agencies?

Mr. STEAGALL. I may say to the gentleman that if we had proceeded upon precedent that would have happened long ago because there are several agencies of the Government where the salaries for the chief officials are fixed at a higher rate than that provided in the present Federal Housing Act for the Administrator. In many instance that, of course, is true of subordinates in various agencies of the Government—attorneys, experts, and others.

Mr. KEAN. Which agencies has the gentleman in mind?

Mr. STEAGALL. I would refer the gentleman to the Interstate Commerce Commission, the Federal Reserve Board, and others which at the moment I have not at my tongue's end, but there are others.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 27, noes 39.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF FEDERAL CREDIT UNION ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 4691) to amend the Federal Credit Union Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph No. (7) of section 7 of the Federal Credit Union Act, as amended, is amended by inserting before the period at the end thereof the following: "and building and loan, savings and loan, and homestead associations, and cooperative banks organized and operated according to the laws of the State, District, or Territory in which such associations are chartered or organized, if the shares or accounts in which the credit union invests are insured by the Federal Savings and Loan Insurance Corporation."

AUTHORIZING FEDERAL CREDIT UNIONS TO INVEST IN INSURED SHARES OF INSURED STATE BUILDING AND LOAN ASSOCIATIONS

Mr. PATMAN. Mr. Speaker, the sole object of this bill is to make what I consider to be a minor correction of a law heretofore passed. Under existing law credit unions can invest their funds in only certain securities, among them shares in Federal savings and loan associations. This bill is to allow them to invest also in State associations if the State associations are insured in exactly the same way as the Federal associations.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. WOLCOTT. May I make a statement at this juncture? The only controversy about this bill was whether the credit unions could invest in shares of stock in State and Federal associations which were not insured. The bill has been written in such way as to fully guarantee that the investments of the credit unions in these shares of stocks are fully insured.

Mr. PATMAN. The correction has been made in accordance with the suggestion of the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. That has been done.

Mr. PATMAN. The report of the committee fully explains this bill. It is as follows:

The Committee on Banking and Currency, to whom was referred the bill (H. R. 4691) to amend the Federal Credit Union Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

This is a companion bill to S. 434, which was introduced in the Senate by the late Senator Sheppard, author of the Federal Credit Union Act, which had his wholehearted approval. Investments by Federal credit unions in the shares of Federal savings and loan associations have been found to be

desirable and satisfactory, and investments in insured shares of insured State associations should be equally desirable and satisfactory, and this legislation will be an accommodation to both types of local institutions. Furthermore, this bill will remove an existing discrimination.

The sole purpose of this bill is to authorize Federal credit unions to invest in insured shares of insured local building and loan, savings and loan, and homestead associations and cooperative banks which are insured by Federal Savings and Loan Insurance Corporations as they are now authorized to invest in Federal savings and loan associations. The authority to invest is limited to insured accounts and therefore the Federal credit unions are fully protected. Federal credit unions in defense industries and other industries affected by the defense program are having an unprecedented growth, and this bill will provide them with an additional means for safe investment of excess funds, which will at the same time promote the defense program by making such funds available for home building.

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (no existing law is proposed to be omitted; new matter is printed in italics; existing law in which no change is made is printed in roman):

"SECTION 7 (7) OF THE FEDERAL CREDIT UNION ACT

"(7) To invest its funds (a) in loans exclusively to members, (b) in obligations of the United States of America, or securities fully guaranteed as to principal and interest thereby, (c) in accordance with rules and regulations prescribed by the Governor, in loans to other credit unions in the total amount not exceeding 25 percent of its paid-in and unimpaired capital and surplus, (d) and in shares or accounts of Federal savings and loan associations *and building and loan, savings and loan, and homestead associations, and cooperative banks organized and operated according to the laws of the State, District, or Territory in which such associations are chartered or organized, if the shares or accounts in which the credit union invests are insured by the Federal Savings and Loan Insurance Corporation.*"

Mr. PATMAN. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING VESSELS OF CANADIAN REGISTRY TO TRANSPORT IRON ORE ON THE GREAT LAKES DURING 1941

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4632) authorizing vessels of Canadian and British registry to transport iron ore on the Great Lakes during 1941, with an amendment.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That by reason of emergency conditions in transportation on the Great Lakes, notwithstanding the provisions of section 27 of the act of Congress approved June 5, 1920 (41 Stat. 999), as amended by act of Congress approved April 11, 1935 (49 Stat. 154), and by act of Congress approved July 2, 1935 (49 Stat. 442), or the provisions of any other act of Congress or regulation, vessels of Canadian and British registry shall be permitted to transport iron ore between United States ports on the Great Lakes during the 1941 season of navigation on the Great Lakes.

With the following committee amendment:

Page 1, line 10, strike out the words "and British registry."

Mr. BLAND. Mr. Speaker, I offer an amendment as a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND as a substitute for the committee amendment: Page 1, line 10, strike out the words "and British."

The substitute amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941."

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include a copy of a letter written to the President by the Sarsfield Club of Butte, Mont.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2074) to amend section 353 (b) of the Communications Act of 1934.

The Clerk read the title of the bill.

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the bill?

Mr. BLAND. The only thing this bill does is to permit during the emergency additional operators on certain ships, and suspends the 6-month requirement.

Mr. SHEPPARD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 353 (b) of the Communications Act of 1934, as amended (U. S. C., 1934 ed., Supp. V, title 47, sec. 353 (b)), is hereby amended by inserting before the period at the end thereof a comma and the following: "or in lieu of such 6 months' experience, such training and experience as the Commission may by rules and regulations prescribe."

With the following committee amendment:

Beginning in line 6, strike out the words "or in lieu" and all of lines 7 and 8 and insert: "but during the emergency proclaimed by the President on September 8, 1939, to exist, but not after June 30, 1943, the aforesaid requirement of 6 months' previous service may be suspended or modified by regulation or order of the Commission for successive periods of not more than 6 months' duration."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the bill H. R. 4691 today, and to include therein a copy of the committee's report.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of Philippine exports, and to include a memorandum presented by Mr. Vincente Villamain on the same subject.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin [Mr. JOHNS] is recognized for 10 minutes.

I AM AN AMERICAN DAY

Mr. JOHNS. Mr. Speaker, on May 3, 1 year ago, the President of the United States signed a bill introduced in Congress by myself, creating what is known as I Am An American Day. On the same day he signed the bill, he issued a proclamation in accordance with a provision of the law that he shall do so each year, designating May 19, 1940, as I Am An American Day. The time was very short for the public to become familiar with the law, but the day was observed quite generally throughout the United States.

After the bill had been signed and the proclamation issued, my colleague and good friend, Judge SUMNERS, and myself were invited to Hollywood, Calif., where we addressed an audience of more than 20,000 people in the Hollywood Bowl and where some 1,500 young men and women who had become of age during the previous year, and naturalized citizens, passed in review and received a certificate of citizenship issued by the organization in Los Angeles and Hollywood.

The law provides for the recognition of all young men and women who have become 21 years of age during the year previous to the third Sunday of May each year, as well as those who have become naturalized citizens during the same year.

This law further provides that the civil and educational authorities of States, counties, cities, and towns throughout the United States be urged to make plans for the proper observance of this day and for the full instruction of future citizens in their responsibilities and opportunities as citizens of the United States and of the States and localities in which they reside.

The law does not change, and shall not be construed as changing, or attempting to change, the time or mode of

any of the many altogether commendable observances of similar nature now being held from time to time, or periodically throughout the United States, but, to the contrary, such practices are praised and encouraged.

The law further provides that at the time of the rendering of the decree of naturalization or at such other time as the judge may fix, the judge before whom naturalizations are held, either shall himself, or he shall designate some other person to address the newly naturalized citizens upon the form of our government and the privileges and responsibilities of citizenship that go with it. It was the thought of your speaker that this law enlist the aid of the judiciary, in cooperation with civil and educational authorities, and patriotic organizations in a continuous effort to dignify and emphasize the significance of citizenship.

It is needless for me now to review the vicissitudes of countries overseas, the break-down of government in one country after another, or the struggle of one nation to conquer the world, or the unsettled conditions that prevail everywhere. We hear it daily over the radio, we read it constantly in the headlines of our newpapers, and it all becomes very depressing and disheartening.

It is needless for me to review the difficulties that we face within our own Nation, with many millions of people still unemployed, with a national debt of now over forty-seven and one-half billion dollars. It behooves us, as American citizens, to be calm and collected during a gathering storm, which may be fierce and unrelenting as it passes over us. We need not fear so much from without, but our greatest difficulty will be within our own Nation. It therefore behooves us to put our own house in order, remain at peace, if we are to make our best contribution toward stability of the world when this holocaust which now envelops most of the world has quieted down again.

As I am speaking today to both the native-born and the foreign-born, I want to call your attention to the fact that both those who are native-born and those who are foreign-born must alike experience the process of Americanization. In the case of natives, Americanization involves getting acquainted with the best American traditions and current standards and practicing and trying to improve the quality of these traditions and standards. In the case of the foreign-born, Americanization means giving up one set of well-known and, in part, precious loyalties for another set of loyalties, more or less new and unknown. To renounce one group of loyalties for another group involves a deep-seated and delicate readjustment of mental and social attitudes.

Americanization involves the rebirth of all our fundamental virtues, namely, liberty and initiative, union and cooperation, democracy and justice, internationalism and brotherhood. Average Americans should set the pace for new immigrants coming into this country. Whether the immigrants become social or antisocial Americans depends upon the examples which are set by average Americans; and if we do our part, I am sure these new naturalized citizens will contribute their share to the upholding of American traditions.

We live in one of the greatest transition ages of all history. We think of the dawn of history, the breaking up of the Roman Empire, and the reorganization of the world's life which followed the discovery of America as marking great turning points in man's existence. In my judgment, the change that is taking place in human life today is even greater than the change which took place in the middle ages or during the fall of the Roman Empire; it can be compared only with the dawn of history itself.

With all of the great nations at war, save only America alone, I believe that the world is entering upon a new epoch; that mankind has again come face to face with destiny; that it has reached a point where it can turn backward into the darkness and confusion of bygone ages or can move forward into a new period of light, self-government, justice, and beauty. Whether it shall do the one or the other may depend—indeed, is likely to depend—upon what happens in the United States of America. Here we have the conditions of life, here we have the level of education—and we are the highest civilized people of the world. We therefore have the background and, let us hope, the purpose to preserve human freedom and to perfect democracy until every man, woman, and child under the American flag and all civilized people throughout the world may enjoy the blessings of security and opportunity.

We have many problems for new citizens to help solve, problems involving relations between capital and labor, problems having to do with our economic condition today, problems involving the housing of our people, problems of education, in the conservation of our natural resources, and our greatest problem is to adjust ourselves and our institutions to the new conditions as they occur from day to day.

I have heard much said about there being so few opportunities in the world today. To me there are more opportunities than there ever have been in the history of our Nation. The great trouble is to find time to study and help solve the great problems that confront us today. The problems that we face in our country today, and throughout the world, cannot be solved overnight. Our present generation will leave plenty of problems to be solved.

Although we are appropriating and spending millions of dollars for relief, no permanent, basic solution for our economic ills has yet been found. We are living in an age of real challenge. The opportunity and the need for making worth while civic contributions have never been greater. What the world needs today is men and women who are prepared for meeting these emergencies, and solving these problems as they come up for solution day by day.

It is for young people coming of age and new naturalized citizens to understand the difference between a dictatorship and a democracy. Under a dictatorship, the individual exists for a state. In a democracy, a state exists for the individual as a means to an end, and the welfare of the individual is of supreme importance. It is the claim of the Nazi, Fascist, and communistic dictatorships that the people will be better fed, better clothed, and have less worries if the dictator does all the thinking and planning. But in a democracy we would all rather share in the worries and responsibilities of state, and have something to say about how we are to be governed, fed, and clothed. In the past we have always felt that we have attained life above the mere level of food and shelter.

My sincere hope is that new citizens will all realize that their education in citizenship is really just beginning and that it will never be completed, no matter how far they go.

Young Americans should be taught to love America, and to support our Constitution and our laws, and at the same time learn that to violate these laws and the Constitution is to trample upon all that is good and distinctive in the high ideals fought for by the forefathers of our Nation.

Our country was founded on certain great principles fundamental in character. It seems to me in times like these through which we are passing it is imperative to consider these principles and see to it that we shape our lives in accord with them. Too frequently these activities of Government are left in the hands of a few who have made such matters more or less their life work, when as a matter of civic responsibility we, too, should give them our own consideration. America more than ever before is looking to her younger generation to carry on her great principles and ideals.

This is a peacetime service comparable in urgency to that required in time of war, and this service is the first obligation of citizenship. A good citizen, mindful of his country's traditions and welfare, should uphold a proper respect for constituted authority and assist in preserving and advancing the integrity and prestige of his Government.

We are now passing through a great emergency, and may I ask of you that you look proudly to our country, revere its traditions, fight for its prosperity and future, and, above all, live that life, whatever be its intrinsic reward, which will cause us to know that we have been honorable citizens, appreciative of the privileges our country affords, jealous of its integrity, and alert in its defense. Be not afraid of patriotism; it is the soul of citizenship. Be not afraid of service; it is the road to contentment, and it is a thing we all can give.

We need not minimize the bewildering complex of human life and the puzzling intricacy of its unfoldings to history. We need not shut our eyes to the tragedy of it all, but in the slow, painful years the splendor of achievement has far outweighed the tragedy. If we keep our ideals clearly before our minds, we shall yet survive and continue our civilization. The powers of mind and matter ready in this age to be organized toward high and worthy objects are of unprecedented scope and content. The present-day economic and intellectual revolution has

opened the door of human possibility wider than it ever was opened before.

In these days that so distress and disconcert us it is preeminently fitting that we pull ourselves together and anew submit to the crucible of thought our estimate of the human achievement, the validity of our ideals for humanity, and of our notions as to what constitutes human progress.

The noblest end of human effort is the development and elevation of men and women.

There is an urgent cry for the improvement of the human race.

In these distressful days, when each one of us at times feels that the way of life which we call civilized may be lost and forgotten, it is imperative that we take stock of the forces which we can employ to perpetuate it among men.

We all owe a positive duty to our community, the neglect of which we cannot excuse on the plea of duty to our private affairs. We should follow understandingly the course of public events. We should then endeavor to act intelligently and efficiently in support of the principles we believe to be right.

The world must not fail in the present crisis. I think our real purposes may be accomplished. But surely not unless God shall give us men and women cast in heroic molds; men and women endowed not only with the understanding heart which feels and appreciates the condition of the present, but with the philosophic mind which weighs with just discrimination the accumulated experiences of the past; men and women who can withal lift up their eyes in abiding faith to the hilltops of the future, which even now are touched and glorified by the light of the approaching day.

Always realize that the present hour is the only hour that you really possess. It is best illustrated in these few lines:

> Behind me is infinite power;
> Before me is endless possibility;
> Around me is endless opportunity;
> Why should I fear?

And these words from the beautiful poem Salutation to the Dawn should inspire everyone:

> For yesterday is but a dream,
> And tomorrow is only a vision;
> And today well lived makes
> Every yesterday a dream of happiness,
> And every tomorrow a vision of hope.

[Applause.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HALLECK] may be permitted to revise and extend the remarks he made on the floor of the House today and to include a newspaper article pertaining thereto.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by the Alabama Highway Users Conference.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. GRANT]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. BOLAND, indefinitely, on account of illness.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 60. Joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 27 minutes p. m.), the House adjourned until tomorrow, Friday, May 16, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an open hearing on Friday, May 16, 1941, at 10:30 a. m. in the committee room.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R. 439. Martha Pace, by Mr. ROBSION of Kentucky.

H. R. 477. Cora Arlena Ballard, by Mr. ROBSION of Kentucky.

H. R. 1932. Willard Fulk, by Mr. CLAYPOOL.

H. R. 1994. Capt. Victor Gondos, Jr., by Mr. MCGRANERY.

H. R. 2063. William H. Shanklin, by Mr. VINCENT of Kentucky.

H. R. 3312. Grizelda Hull Hobson, by Mr. JARMAN.

H. R. 3560. Jeannette W. Moffett, by Mr. RIVERS.

The hearings will be held Tuesday, May 20, 1941, at 10:30 a. m. in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10:30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m. in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

540. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved June 6, 1940 (54 Stat. 234), entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the naval air station, Lakehurst, N. J.," which the Navy Department presents to Congress with a view to its enactment into law; to the Committee on Naval Affairs.

541. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to acquire Floyd Bennett Airport and certain lands adjacent thereto; to the Committee on Naval Affairs.

542. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to require examination and laboratory tests for syphilis, gonorrhea, and tuberculosis of all applicants for marriage licenses before the issuance thereof in the District of Columbia; to the Committee on the District of Columbia.

543. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Executive Office of he President, Executive Mansion, and grounds (H. Doc. No. 212); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule III, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'NEAL: Committee on Appropriations. H. R. 4756. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1942, and for other purposes; without amendment (Rept. No. 539). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 34. Concurrent resolution authorizing the printing as a House document of a revised edition of the pamphlet entitled "Our American Government: What Is it? How Does It Function?"; without amendment (Rept. No. 540). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resoluton 205. Resolution for the consideration of H. R. 3783; without amendment (Rept. No. 541). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 208. Resolution for the consideration of H. R. 4700, a bill to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes; without amendment (Rept. No. 542). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PETERSON of Florida:

H. R. 4757. A bill to provide that the Navy ration shall include canned or powdered or concentrated fruit juices; to the Committee on Naval Affairs.

H. R. 4758. A bill to establish a civilian air reserve, to be organized and trained by the War and Navy Departments, and for other purposes; to the Committee on Military Affairs.

By Mr. BALDWIN:

H. R. 4759. A bill for the extension of admiralty jurisdiction; to the Committee on the Judiciary.

By Mr. BUCK:

H. R. 4760 (by request). A bill to amend section 2 of the Perishable Agricultural Commodities Act; to the Committee on Agriculture.

By Mr. ELLIS:

H. R. 4761. A bill to strengthen the national defense and promote the general welfare through the appropriation of funds to assist the States and Territories in meeting financial emergencies in education and in reducing inequalities of educational opportunities; to the Committee on Education.

By Mr. NORRELL:

H. R. 4762. A bill to extend the time within which taxpayers shall be allowed a credit against certain taxes imposed by the Social Security Act and the Federal Unemployment Tax Act for contributions paid into unemployment funds under State laws; to the Committee on Ways and Means.

By Mr. HENDRICKS:

H. J. Res. 186. Joint resolution to authorize the coinage of 50-cent pieces in commemoration of the founding and in aid of the historical restoration of St. Augustine, Fla., and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. SABATH:

H. Con. Res. 36. Concurrent resolution providing for the decentralization of nondefense departments, bureaus, and agencies; to the Committee on Public Buildings and Grounds.

H. Res. 209. Resolution providing for the decentralization of nondefense departments, bureaus, and agencies; to the Committee on Public Buildings and Grounds.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 11, with reference to the Hawaiian Organic Act; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEFAUVER:

H. R. 4763. A bill for the relief of J. S. Kirby; to the Committee on Claims.

By Mr. NORRELL:

H. R. 4764. A bill for the relief of George H. Adams; to the Committee on Ways and Means.

By Mr. BALDWIN:

H. R. 4765. A bill for the relief of Victor Schneider; to the Committee on Immigration and Naturalization.

H. R. 4766. A bill readmitting Elsie deWolfe Mendl to citizenship; to the Committee on Immigration and Naturalization.

By Mr. REECE of Tennessee:

H. R. 4767. A bill granting a pension to Samuel M. Booth; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1074. By Mr. GRAHAM: Petition of 37 members and friends of the Plain Grove United Presbyterian Church of Slippery Rock, Pa., urging the enactment of legislation to rid our camps of alcoholic liquors, houses or places of ill fame, and all drugs and narcotics be entirely banned for at least a 10-mile area, etc.; to the Committee on Military Affairs.

1075. By Mr. KEOGH: Petition of the New York Electrotypers' Union, New York City, concerning the Culkin bills (H. R. 123, 125, 126, and 132); to the Committee on Interstate and Foreign Commerce.

1076. By Mr. KRAMER: Petition of the Senate and the Assembly of the State of California, requesting the President and the Congress of the United States, the Secretary of the Interior, and the Chief of the Bureau of Reclamation to take such steps as are necessary to provide that the brush, debris, and other materials be cleared away from the site of the new Shasta Dam before the dam is flooded for the first time; to the Committee on Flood Control.

1077. By Mr. PLUMLEY: Resolution of Harmony Pomona Grange, No. 9, favoring a law that anyone striking while the draft is in force shall immediately be taken into the Army or given work under Army supervision, regardless of previous classification; to the Committee on the Judiciary.

1078. By Mr. TIBBOTT: Petition of sundry citizens of Indiana County, Pa., favoring the adoption of a uniform national system of old-age pensions embraced in the Townsend bill; to the Committee on Ways and Means.

1079. Also, petition of Harry Long and others of Punxsutawney, Pa., favoring the adoption of a uniform national system of old-age pensions embraced in the Townsend bill; to the Committee on Ways and Means.

1080. By the SPEAKER: Petition of the Veterans of Foreign Wars, El Paso, Tex., Post, petitioning consideration of their resolution with reference to convoying; to the Committee on Foreign Affairs.

1081. By Mr. SABATH: Petition of the House of Representatives of the State of Illinois, urging the amendment of the Social Security Act in such manner as to prohibit the Social Security Board from disapproving any State plan for aid to the blind on the ground that such plan permits and encourages the blind to contribute to their own support by earnings and income in addition to the State grant, etc.; to the Committee on Ways and Means.

1082. By Mr. ROLPH: Memorial of the State of California, asking consideration of Senate Joint Resolution No. 23, relative to the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area flooded by Shasta Dam; to the Committee on Flood Control.

SENATE

FRIDAY, MAY 16, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Lord of all love and power and wisdom, who in Thy Holy Word hast taught us to love Thee with all our heart, and with all our soul and with all our mind: Grant, we beseech Thee, unto us, who in our generation have served Thee fully with our mind in wresting from nature a greater knowledge of the secrets Thou hast imparted to her than the world has ever known, that we may serve Thee likewise with our hearts by using this wisdom not for the destruction of others, but for the advancement of all mankind in the arts of peace; and that our souls may be so consecrated to Thee, that the power which comes from such knowledge and wisdom may become the power of creative love for the rebuilding of our world to Thy honour and glory. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 15, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting several nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2074. An act to amend section 353 (b) of the Communications Act of 1934, as amended;

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941;

H. R. 4691. An act to amend the Federal Credit Union Act;

H. R. 4693. An act to amend the National Housing Act, and for other purposes; and

H. R. 4756. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1942, and for other purposes.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A memorial and papers in the nature of memorials from sundry citizens of the United States, remonstrating against involvement in war and the use of United States armed ships to convoy vessels through war zones; to the Committee on Foreign Relations.

A resolution of the Council of the City of Chicago, Ill., favoring the permanent location of the Department of Agriculture and the Interstate Commerce Commission at Chicago, Ill.; to the Committee on Public Buildings and Grounds.

A corrected copy of Senate Concurrent Resolution No. 11 of the Legislature of the Territory of Hawaii, memorializing Congress to amend section 73 of the Hawaiian Organic Act so that the section will apply to the setting aside of lands for the uses and purposes of the United States; to the Committee on Territories and Insular Affairs.

(The resolution above referred to was heretofore printed in the RECORD.)

A joint resolution of the Legislature of the State of California; to the Committee on Irrigation and Reclamation:

"Senate Joint Resolution 23

"Relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam

"Whereas there now exists in the area which will be flooded by the water impounded by Shasta Dam a great quantity of brush, debris, and other loose material; and

"Whereas the water to be impounded by Shasta Dam is to be used as a water supply for urban and other areas in the portion of the State in which the dam is situated and the presence of the brush, debris, and other material in said waters would impair the water-distribution systems involved and

menace the potability of the water for drinking purposes; and

"Whereas the clarity of the water impounded by the dam will enhance the scenic value of the lake thereby created and add to the recreational value of the project: Now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California, jointly, That the President and the Congress of the United States, the Secretary of the Interior of the United States, and the Chief of the Bureau of Reclamation in the Department of the Interior are hereby respectively urged to take such steps as are necessary to provide that the brush, debris, and other materials in the area to be covered by the water impounded by Shasta Dam be removed prior to the time the area is flooded; and be it further

"Resolved, That the secretary of the senate is hereby instructed to transmit copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, the Secretary of the Interior, the Chief of the Bureau of Reclamation in the Department of the Interior, and to each Member from California in the Congress of the United States."

By Mr. CAPPER:

A petition of sundry citizens, members of the Mexican Church, of Lyons, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

SALE OF ALCOHOLIC LIQUORS IN VICINITY OF MILITARY AND NAVAL ESTABLISHMENTS—PETITION

Mr. HUGHES. I present a petition from a number of citizens of the State of Delaware relating to Senate bill 860 and House bill 4000 and ask that it be referred to the Committee on Military Affairs and also that the body of the petition be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, without the signatures attached, as follows:

Whereas certain bills (notably S. 860 and H. R. 4000) have been introduced into Congress "to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments"; and

Whereas military authorities now possess all necessary power to control the sale of alcoholic beverages to members of the land and naval forces; and

Whereas certain sections of these bills are, we believe, unconstitutional; and

Whereas the control of alcoholic beverages and the control of prostitution are unrelated and therefore ought not to be combined in one piece of legislation; and

Whereas we believe the enactment of these bills into law would establish an unwise and dangerous precedent, and would be opposed to the general welfare of citizens of the several States and obstructive to the common defense of the United States.

We, the undersigned, citizens of Delaware, respectfully request that these bills be reported unfavorably.

INVOLVEMENT IN FOREIGN WAR—PETITION

Mr. DANAHER. Mr. President, I have received a petition from Rev. Edward L. Peet, minister of St. Andrews Methodist Episcopal Church, of New Haven, Conn., which I ask respectfully may be incorporated in full in the RECORD and appropriately referred.

There being no objection, the petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

The Honorable JOHN A. DANAHER,
Senate Office Building, Washington, D. C.

DEAR SENATOR: The following statement was read from the pulpit of St. Andrew's Methodist Episcopal Church, New Haven, on Sunday morning, May 4, 1941, and it was afterward signed by a large number of people and voters of the State of Connecticut:

"We look with dismay upon the steps now being taken to embroil this Nation in wars which are raging abroad. We protest those steps. We want our boys to live over here and not die over there. We want America to keep out of war.

"We will not quarrel with those who advocate aid to victims of aggressors short of war. We will not enter into debate with those who advocate a reasonable national defense. But we will not keep our peace while others cry out for the destruction of the peace. We will say, 'No' and 'No' and 'No,' to those who would make cannon fodder of American boys on the soil of Europe or Asia; we will say, 'No,' to those who would make a shambles of our treasure and our democracy in a new and futile conflict on foreign soil.

"We are therefore unalterably opposed to sending American ships into the troubled waters of the Old World. We will not have the policy of convoy, for, as President Roosevelt himself has said:

" 'Convoy means shooting, and shooting means war.'

"Because we do not want war, we do not want shooting, and therefore we do not want convoying. It is our firm belief that if America adheres to those provisions of the Neutrality Act which still remain, we will not only keep out of war, as we have done for almost 2 years, but war will keep away from us. If Hitler cannot readily conquer England across 26 miles of the English Channel, we are persuaded that he will be in no hurry to conquer America across 3,000 miles of the Atlantic Ocean.

"We therefore urge our elected Representatives in Congress to be vigilant in discerning and militant in opposing the convoy system."

EDWARD L. PEET,
Minister, St. Andrew's Methodist Episcopal Church, New Haven, Conn.

And numerous other citizens.

RESOLUTION OF SONS OF UNION VETERANS OF THE CIVIL WAR, CONNECTICUT DEPARTMENT

Mr. DANAHER. I also present a letter embodying a resolution adopted by the Connecticut Department of the Sons of Union Veterans of the Civil War. I ask that the letter be printed in the RECORD and appropriately referred.

There being no objection, the letter embodying a resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

CONNECTICUT DEPARTMENT,
SONS OF UNION VETERANS
OF THE CIVIL WAR,
Derby, Conn., May 10, 1941.

Hon. JOHN A. DANAHER,
United States Senator, Washington, D. C.

HONORABLE SIR: The following resolution was adopted at the fifty-seventh annual State department encampment of the Connecticut Department, Sons of Union Veterans of the Civil War, held last month in the city of Waterbury:

"Resolved, That this fifty-seventh annual department encampment of the Connecticut Department, Sons of Union Veterans of the Civil War, go on record as standing four-square behind the rearmament and defense program of the Government of the United States, and wholeheartedly endorse the policy of all aid to Great Britain and her allies, who are so bravely fighting in defense of human liberty; and be it further

"Resolved, That a copy of this resolution be forwarded to Senators MALONEY and DANAHER, and to each of the Congressmen from Connecticut, and to the press."

Respectfully,

BERTRAND O. DEFOREST,
Assistant Department Secretary.

AID TO BRITAIN AND OTHER NATIONS—PETITION OF MEMBERS OF CONNECTICUT COLLEGE

Mr. DANAHER. I also present a statement in the nature of a petition by the faculty and administration of Connecticut College of New London, Conn., in agreement with American Defense, Harvard Group, which I should like to have printed in the RECORD and appropriately referred.

There being no objection the statement in the nature of a petition was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

CONNECTICUT COLLEGE,
New London, Conn.

We, the faculty and administration of Connecticut College, in agreement with American Defense, Harvard Group, support the following resolution of the Connecticut College defense committee:

"That the destruction of shipping in the Atlantic has reached such a stage of crisis that the stated policy of President Roosevelt 'of unqualified, immediate, all-out aid to Britain, Greece, China, and for all governments in exile, whose homelands are temporarily occupied by the aggressors,' is in danger of being nullified. We therefore strongly urge the administration to take immediate steps to make this policy effective, whether by transferring more destroyers or by collaboration with the British in the convoy service or by whatever other measures of a similar nature may be deemed necessary to assure the delivery of supplies as intended."

KATHARINE BLUNT,
President.

And other members of the faculty and administration of Connecticut College.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCARRAN, from the Committee on Appropriations:

H. R. 4276. A bill making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal Judiciary, for the fiscal year ending June 30, 1942, and for other purposes; with amendments (Rept. No. 311).

By Mr. ADAMS, from the Committee on Appropriations:

H. R. 4669. A bill making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes; with amendments (Rept. No. 312).

By Mr. GILLETTE, from the Committee on Naval Affairs:

S. 207. A bill to authorize the course of instruction at the United States Naval Academy to be given to one person from each American Republic; with amendments (Rept. No. 313).

By Mr. TUNNELL, from the Committee on Claims:

S. 1027. A bill for the relief of Harriet B. Rickards; without amendment (Rept. No. 314); and

S. 1155. A bill for the relief of Maynard Goss; with an amendment (Rept. No. 315).

By Mr. WILEY, from the Committee on Claims:

H. R. 859. A bill for the relief of Arthur Gose; with an amendment (Rept. No. 316);

H. R. 1684. A bill for the relief of Charles E. Allison; without amendment (Rept. No. 317);

H. R. 1686. A bill for the relief of Herman E. Schorr; without amendment (Rept. No. 318);

H. R. 1732. A bill for the relief of Floyd Wilday, Vera Wilday, and James M. Wells; without amendment (Rept. No. 319); and

H. R. 3084. A bill for the relief of Hugh C. Russell; without amendment (Rept. No. 320.)

By Mr. ELLENDER, from the Committee on Claims:

S. 127. A bill for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe; with amendments (Rept. No. 321);

S. 416. A bill for the relief of E. A. Wailes, receiver of Delta Oil Co., and the Tupelo Oil and Ice Co.; with amendments (Rept. No. 322); and

S. 849. A bill for the relief of Eben Vaughn Cleaves; without amendment (Rept. No. 323).

By Mr. HUGHES from the Committee on Claims:

S. 1251. A bill to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes; without amendment (Rept. No. 324).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 860. A bill to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and to provide for the suppression of vice in the vicinity of military camps and naval establishments; without recommendation (Rept. No. 325).

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906; without amendment (Rept. No. 326).

By Mr. REYNOLDS, from the Committee on Military Affairs:

H. R. 2475. An act to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy; without recommendation (Rept. No. 327).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. GEORGE, from the Committee on Finance:

Surgeon Carl E. Rice to be senior surgeon in the United States Public Health Service, to rank as such from May 19, 1941; and

Harry M. Durning, of New York, N. Y., to be collector of customs for customs collection district No. 10, with headquarters at New York, N. Y. (reappointment).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 1525. A bill for the relief of Josie Smith Tarpley; to the Committee on Claims.

S. 1526. A bill to amend the act approved October 10, 1940 (54 Stat. 1105), to permit such responsible officers as may be designated by the heads of departments or establishments to authorize or approve the allowance and payment of expenses incident to the transportation of the household goods of civilian officers and employees when transferred from one official station to another for permanent duty; to the Committee on Expenditures in the Executive Departments.

By Mr. SMATHERS:

S. 1527. A bill to authorize the erection of a United States Veterans' Administration hospital in the southern section of New Jersey; to the Committee on Finance.

By Mr. WALSH:

S. 1528. A bill to authorize the Secretary of the Navy to acquire Floyd Bennett Airport;

S. 1529. A bill to amend the act approved May 13, 1908 (35 Stat. 128; U. S. C., title 34, sec. 383), relative to retirement of officers of the United States Navy after 30 years' service; and

S. 1530. A bill to amend the act approved June 6, 1940, entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.; to the Committee on Naval Affairs.

By Mr. GUFFEY:

S. 1531. A bill to provide for the compensation of United States commissioners; to the Committee on the Judiciary.

By Mr. VAN NUYS:

S. 1532. A bill to extend the law relating to perjury to the willful giving of contradictory statements under oath; to the Committee on the Judiciary.

By Mr. REYNOLDS:

S. 1533. A bill authorizing the designation of Army mail clerks and assistant Army mail clerks; to the Committee on Military Affairs.

By Mr. O'MAHONEY:

S. 1534. A bill authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.; to the Committee on Public Lands and Surveys.

By Mr. MEAD:

S. J. Res. 79. Joint resolution to proclaim National Youth Day on October 16 of each year; to the Committee on the Judiciary.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941; to the Committee on Commerce.

H. R. 4691. An act to amend the Federal Credit Union Act; and

H. R. 4693. An act to amend the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

H. R. 4756. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1942, and for other purposes; to the Committee on Appropriations.

AMENDMENT OF COMMUNICATIONS ACT—REFERENCE OF A HOUSE BILL

Mr. WHEELER. Mr. President, I ask unanimous consent that House bill 2074, which was messaged from the House today, be referred to the Committee on Commerce.

I may say that the measure referred to proposes to amend the Federal Communications Act. Ordinarily such proposed legislation belongs to the Interstate Commerce Committee, but in this particular instance the measure pertains to ships, and consequently I am asking that it be referred to the Committee on Commerce. I do not desire, however, to have this request considered as a precedent under which legislation affecting the Federal Communications Commission would go to the Committee on Commerce.

There being no objection, the bill (H. R. 2074) to amend section 353 (b) of the Communications Act of 1934, as amended, was read twice by its title and referred to the Committee on Commerce.

CHANGE OF REFERENCE

On motion by Mr. O'MAHONEY, the Committee on the Judiciary was discharged from the further consideration of the joint resolution (H. J. Res. 148) relating to the Temporary National Economic Committee, and it was referred to the Committee on Appropriations.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4276) making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal Judiciary, for the fiscal year ending June 30, 1942, and for other purposes, the following amendment, namely:

On page 16, after line 9, to insert the following new paragraph:

"During the period of the existing state of emergency proclaimed by the President on September 8, 1939, American citizens holding positions in the Foreign Service of the United States and who on account of emergent conditions abroad are unable properly to serve the United States at their regular posts of duty, may be assigned to the Department of State to perform temporary services in that Department or to be detailed for temporary services of comparable importance, difficulty, responsibility, and value in any other department or agency of the United States, in cases where there is found to be a need of services for the performance of which such persons have the requisite qualifications. The salaries of such persons shall, notwithstanding the provisions of any other law, continue to be paid during the periods of such assignments from the appropriations under the caption 'Foreign intercourse' in the Department of State Appropriation Acts for the fiscal years 1941 and 1942."

Mr. McCARRAN also submitted an amendment intended to be proposed by him to the bill (H. R. 4276) making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal Judiciary, for the fiscal year ending June 30, 1942, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. O'MAHONEY (for himself and Mr. SCHWARTZ) submitted an amendment intended to be proposed by them, jointly, to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page —, after line —, to insert:

"Pursuant to authority contained in section 3 (c) of the act of Congress, approved

July 27, 1939 (53 Stat. 1128), there is hereby made available the balance remaining in the Shoshone judgment fund for the purposes and under the conditions set forth in said section."

Mr. CLARK of Idaho submitted three amendments intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 34, after line 8, to insert the following paragraph:

"CONTROL OF NOXIOUS WEEDS

"For the control of noxious weeds on Indian reservations, $100,000, which shall be used by the Bureau of Indian Affairs in such amounts as may be needed for sponsors' contributions in cooperation with the noxious weed control program of the Work Projects Administration."

On page 78, line 15, immediately following "$500,000:", to insert the following: "*Provided*, That such part of the storage capacity of the Cascade Reservoir, and the costs thereof, shall be reserved for other irrigation or power developments in and adjacent to the Boise project, as shall be determined by the Secretary of the Interior."

On page 128, line 3, to strike out "$849,300" and insert in lieu thereof "$1,000,000."

THE UNITED STATES NAVY

Mr. WALSH. Mr. President, I ask unanimous consent to have printed, with illustrations, as a Senate document a factual statement prepared at my request, as chairman of the Committee on Naval Affairs, by the Bureau of Navigation of the Navy Department, and entitled "The United States Navy." An earlier edition was published as a Senate document in March 1937, but this revised compilation contains the latest information as to the organization, personnel, fleet, land establishments, and other facts about the Navy. The document when printed will contain the only complete information to be found in a condensed form relative to the activities and organization of the Navy.

The VICE PRESIDENT. Without objection, it is so ordered.

ENGINEERS' REPORT ON KENNEBEC RIVER, MAINE (S. DOC. No. 55)

Mr. BAILEY presented a letter from the Secretary of War, transmitting a report dated February 15, 1941, from the Chief of Engineers of the Army, on the reexamination of Kennebec River, Maine, which report was ordered to be printed, with illustrations.

ENGINEERS' REPORT ON MISSISSIPPI RIVER AT MINNEAPOLIS, MINN. (S. DOC. NO. 54)

Mr. BAILEY presented a letter from the Secretary of War, transmitting a report dated November 27, 1940, from the Chief of Engineers of the Army, on the reexamination of the Mississippi River at Minneapolis, Minn., which report was ordered to be printed, with illustrations.

FOOD FOR STARVING POPULATIONS OF INVADED NATIONS

Mr. McCARRAN. Mr. President, I desire to address a few remarks to the exceedingly vital question of whether or not approximately 40,000,000 human beings in the small invaded countries of Europe shall be permitted to starve. The National Committee on Food for the Small Democracies has perfected a plan by which quantities of food may be sent into five small countries—Belgium, Poland, Norway, Holland, and Finland. This plan at the present time is particularly centered on the brave and suffering people of Belgium, whose plight is no wmost tragically desperate. These stalwart Belgian peoples have arrived at the brink of starvation, with the next harvest more than 5 months away. Today, mass malnutrition is no longer an academic theory. Today, mass malnutrition is an existing brutal fact.

Mr. President, millions of innocent babies, children, women, and aged are helplessly trapped between ruthless German occupation, and the British blockade. Millions of Christian peoples, whose only transgression was to resist invasion to the death, are today dying by inches because they fought for their national integrity—what we are pleased to term the democratic way of life. These poor starving unfortunates of former democracies are no longer thinking in terms of right and justice. They are no longer thinking in terms of world causes. They are no longer concerned with who wins what. They want food, they need food, and they should have food. No one will suggest that if these many millions in the former small democracies of Europe are permitted to die, that democracy can be reestablished anywhere on earth. The totalitarian dictators would then indeed have fertile soil in which to implant their despotic doctrines. If we permit mass starvation throughout one-third of the civilized world without an effort to succor and to relieve, the intense hatred which these people now have for the invader will be replaced by an even more compelling hatred of all democracies.

Mr. President, I ask unanimous consent to have inserted in the RECORD as a part of my remarks an enlightening editorial written by Father James M. Gillis, and which appears in the April issue of the Catholic World, entitled "The Food Blockade."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE FOOD BLOCKADE

Almost every time I try to love the English and see things their way, they do some stupid or wicked thing that alienates me. The latest example is their official attitude on the food blockade. The diplomatic document in answer to Mr. Hoover's request to be allowed to go ahead with plans to ward off starvation from half a dozen European nations, is to me an inhuman piece of reasoning. It must have been such documents, or the deeds that flow from such documents that Talleyrand had in mind when he said, "Worse than a crime—a blunder."

ENGLISH DOCUMENT, NAZI LOGIC

For example, the British reply to Mr. Hoover says, "The blockade is not a food blockade nor an oil blockade, but a blockade directed against the whole economic war machine of the enemy. It is intended to deprive him of imported goods, to drive him into using in uneconomic ways goods which he possesses or produces, to aggravate his transport difficulties and to render as costly and burdensome as possible distribution of supplies within the areas which he controls and utilizes for his military operations and war potential. Every import of foodstuffs into an occupied territory conflicts directly with one or other of these objectives."

Now, there may be logic in that utterance, but it is the kind of logic that was used to justify the sinking of the *Lusitania*. The most rigid logic may be the most cruel inhumanity. As for that unfortunate phrase, "no food blockade," why do the English so slap the intelligent reader in the face?

Again, "Nothing has occurred to alter the view of His Majesty's Government that it is the responsibility of the German Government to see to the material welfare of the countries they may overrun."

Which boils down to this: "The Germans conquered them; let the Germans feed them." The Germans cannot or will not. So what? Shrug your shoulders? "No," says Mr. Hoover. "Yes," says Mr. Churchill. All Europe will hate the English for that, logic or no logic. A little less logic and a great deal more psychology would improve the English.

FEED THEM WHEN THEY ARE DEAD

Once again: "The Prime Minister has stated: 'We can and will arrange in advance for the speedy entry of food into any part of the enslaved area when this part has been wholly cleared of German forces.'"

Of course, there may be a million or two or ten or twenty million less mouths to feed when "the enslaved area has been cleared." Will that be all to the good? By the way, Gen. Hugh Johnson, who was very much in touch with the situation in 1918, says, "At the World War armistice Britain was unwilling to feed the conquered enemies. The war was over. Mr. Hoover's was the only great voice raised to favor some alleviation of 'man's inhumanity to man.' At his urging, we appropriated and spent $100,000,000 to supply dietary deficiencies to the aged, the weak, and the helpless in the conquered countries."

"HIS MAJESTY'S GOVERNMENT"

One more excerpt: "His Majesty's Government would not think it right to pass over in silence the various proposals put forward by certain organizations and by Mr. Hoover. They recognized that there is a body of opinion in the United States and elsewhere which, with motives which cannot be impugned, would like to be able to play an effective part in the prevention or relief of distress. Although convinced that the vast majority of the American people are determined to do nothing which would impair the war effort of the British people and their allies, His Majesty's Government nevertheless recognizes that this great body of opinion feels itself unable entirely to dismiss the possibility of giving relief unless it can be satisfied that such action is, in fact, incompatible with its desire for a speedy British victory and the release of Europe from enemy domination."

One feels like asking with the Lord in the Book of Job, "Who is this that wrappeth up sentences in unskillful words?" Or as Job himself said to his tedious "comforters," "Shall windy words have no end?"

O. K., WE DON'T MIND STARVING

All in all, the British explanation is a curious document, liberally sprinkled with the contradictions that are always found in an attempt to rationalize the irrational. Listen: "The British Government believes that the conquered peoples have now had sufficient experience of German domination to realize the justice of a refusal to admit foodstuffs to the areas concerned." I had to read that sentence three times and all I can make of it is that starving peoples see justice in their being permitted to starve. Surely, it cannot mean that. No one could so mistake the psychology of the starving. What then does it mean?

CAN'T BE BLAMED FOR TRYING

Mr. Hoover, in his reply, punctured the bag of windy words with barbs of fact. Thus: "In January we submitted our plan to the Belgian Government in London, and on January 30 they urged it strongly upon the British Government. At the same time we began negotiations with the Germans, who responded on February 26, and their undertaking was transmitted to the Belgian Government. On their part the Germans have already shipped 800,000 bushels of bread grains into Belgium. They are now initiating a shipment of 3,200,000 bushels. They also agree that there shall be no interference with imports, no requisition or absorption of native food; that ships will be free of attack; that a neutral commission shall supervise relief on the ground and see that agreements are complied with."

From that point he goes on, offering six guaranties that the food will reach those to whom it is sent. The only adequate answer to these guaranties is that Mr. Hoover is a fool or a knave. No one dare call him knave or Nazi. And he was no fool on the other occasion when he promised to feed starving millions. He fed them. Having succeeded once he should be permitted to try again.

LOGIC OF THE HEAD VERSUS LOGIC OF THE HEART

The most amazing, and I must say the most mortifying fact in connection with the debate was the public protestation of a group of "representative Catholics" who insisted that the blockade be maintained, and who said, in effect, that if general starvation occurs it will be just too bad, but there's nothing we can do about it. Any Christian should be suspicious of the logic by which he convinces himself that starving populations should be left to perish in order that a war might be won. If Josef Stalin took that position they would say, "He's a Mongol savage." If Adolf Hitler took that stand they would say, "He must be anti-Christ." But when "His Majesty's Government" says it, it somehow becomes reasonable and humane. For me, even if I had no logic to fall back upon, I would still say with Pascal and St. Augustine: "The heart has reasons of its own." Curious that in the interest of politics or war Christians should forget their religion. Yes, religion: does not the Lord say, "If thy enemy hunger, feed him; if he thirst, give him to drink?" Idealism? Of course; what else? What else is there but materialism? And in this case materialism spells murder.

Some of those "representative Catholics" who have taken the other side are friends of mine. I hope they will not be offended if I say I cannot understand them. As far as I can make out, their Anglophilism has betrayed them into taking an un-Christian position. "Lord, when did we see Thee hungry and gave Thee not to eat?" "As often as you did it to the least of these My brethren, you did it unto Me." I fear those Catholics will have some sleepless nights with their conscience. Even "in [their] sleep what dreams may come."

General Johnson says with his usual vigor, "When the ukase comes that we shall not even try to alleviate the sufferings of peoples who are as much part of our flesh and blood as the British—Belgians, French, Dutch, and Danes—to see whether it can be done without impairing the British military position, my Quaker blood rebels and while I have never before stood on common ground with Herbert Hoover, I do today. This opposition seems to me cruel and inhuman if not positively obscene."

His Quaker blood! Add my Catholic blood.

Those who will not be moved by idealism, or altruism, or humanitarianism, may be compelled in the end to yield to the argument of force. That argument appeared in the papers on March 11: "Admiral François Darlan, vice president of the council, in the presence of Marshal Pétain, told the representatives of the American press that if British interference with food shipments to France were to persist, he would be obliged to ask permission to convoy French food ships with the navy and to fight for their protection 'so that France can eat.'"

Then appeared immediately a cynical interpretation of Darlan's statement by the French journalist, Pertinax; "Utterances of that kind," he said, "must not be taken literally; the true reason for Vichy's subservience to Germany is the overwhelming military power at Adolf Hitler's disposal." There speaks the journalist wise in diplomacy. All is suspect. All is sinister. Nothing is what it seems to be. The angry bark of an old seadog is a piece of magic meant to "conjure up a vision."

A HARD SAYING

As between the surmises and suspicions of a Parisian journalist who writes under an assumed name, and the factual statements of Mr. Hoover and his committee, I think we can rely upon Mr. Hoover. Also, I am willing to make an act of faith—natural human faith—in the intelligence and the truthfulness of Marshal Pétain, in whose presence and with whose approbation Admiral Darlan made his statement that the British blockade is ineffective for the purposes of the war and that the British policy of blockade is "imbecile." I hesitate to go further and accept Darlan's statement that "the Germans in this instance have been more generous and humanitarian than the British." That's a hard saying. But if one denies it he will have to reject the admiral's statement that the Germans released 2,000,000 quintals of wheat (220,640 tons) in answer to the French appeal for help. I have not the information necessary to give the Admiral the lie, or to convict him of ignorance. I wonder if those "representative Catholics" are closer to the situation than Pétain or Darlan, or for that matter, Hoover. Or better informed than Admiral Leahy, our Ambassador to Vichy.

Perhaps I should add that I am not and never was a Hoover man. I thought him as President a tragic misfit. But as administrator of a great humanitarian campaign he proved himself a master, indeed something of a wizard. He seemed to work magic. He should be permitted a chance to duplicate that achievement. The only argument to the contrary is one of political expediency. When political expediency contradicts humanity and religion, I cannot see how any humane person can delay in making his choice.

REPRESENTATIVE PHYSICIANS, TOO?

This enormously important subject simply cannot be dropped. I think the reader will welcome just one more opinion, that of George E. Sokolsky, who writes a department "These Days," for the New York Sun. I rather surmise that Mr. Sokolsky is not a Christian in the technical theological sense. But as far as principles go he is a better Christian than some of those who bear that name proudly—I had almost said ostentatiously.

Mr. Sokolsky under the subcaption "Starving millions" comments upon the publicized statement of a group of physicians who oppose Mr. Hoover's plan.

They had said: "As physicians, we also know how dangerous it is to attempt to cure human suffering without analyzing its cause. We believe that the Hoover plan would prolong, rather than cure, the suffering of the conquered people of Europe."

Mr. Sokolsky replies: "We who are not starving may write learned essays on the evils of Hitler. * * * But they, who are starving cannot devote themselves to dialectics nor even to the problems of ultimate justice and the verdict of history. They know that they and their children are dying and they know that the entire world, democracies as well as dictatorships, seem to be callous to their plight."

POLITICS VERSUS CALORIES

Mr. Sokolsky says he meets "mink-coated refugees, bediamonded refugees," who say, "Let them starve for democracy." He quotes in particular one who said at a dinner party, "What if two or three million civilians die from hunger? In the end it will kill Hitler." "We had started our dinner," he says, "with caviar canapes and we were going through the usual 4,000 calories or more of finely cooked delicacies, and I wanted to know if this refugee would like to limit himself to 940 calories a day—which is the Belgian ration when they get it. This refugee insisted upon talking politics, and I insisted upon talking calories. He was dealing with the eternal verities as they are taught in schools and colleges, and I was talking of compassion, mercy, and the love of a mother for her child."

"Eternal verities" versus "compassion and mercy and love." Why, my dear fellow, you know very well that the eternal verities are compassion and mercy and love. In what "schools and colleges" students are taught to differentiate the eternal verities from the divine attributes, I cannot say; I never attended any such school or college. But in Catholic schools, colleges, and universities we are taught that the attributes of God are identical with God. God is mercy and compassion and love.

COMMENT ON THE RADIO APPEAL OF MR. LINDBERGH

Mr. SMATHERS. Mr. President, I ask unanimous consent to have published in the RECORD a letter received this morning from Miss Elizabeth H. W. Veblen, of Princeton, N. J., commenting on the Lindbergh radio appeal. I request that the letter lie on the table.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

PRINCETON, N. J., *May 13, 1941.*

DEAR SENATOR SMATHERS: In view of the radio appeal of Mr. Lindbergh that the people of the United States should make known their wishes to their Senators and Congressmen, I want to tell you that my immediate reaction to that speech was one of shame—that an American who had been given so much should have so little appreciation of what America means to most of us.

I want you to know that I believe in the right of all people to freedom of speech and freedom of action, and that liberty is the thing which I believe in fighting for.

The condition of the people in Europe under Nazi domination fills me with horror, and unless we are going to go to the assistance of Britain more effectively than we have done thus far we shall find in our turn that we are going to stand alone with all the fury of the Nazis turned upon us.

I am in favor of the immediate use of the Navy to help Britain and her allies, and the sooner aid can be effectively sent to the war zone the better.

I do not and never have agreed with the slogan "all aid short of war." We must be willing to fight if we are going to survive.

I think also that Secretary Stimson's speech was the finest that I have heard for a long time, and I hope that his voice will be heeded.

Yours sincerely,

ELIZABETH H. W. VEBLEN.

COMMITTEE SERVICE

Mr. BARKLEY. Mr. President, I send forward an order relating to committee service, and ask for its present consideration.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK read as follows:

Ordered, That the Senator from Washington [Mr. BONE] be excused from further service on the Committee on Immigration; that the Senator from Montana [Mr. MURRAY] and the Senator from Utah [Mr. MURDOCK] be excused from further service on the Committee on Post Offices and Post Roads; that the Senator from Louisiana [Mr. ELLENDER] be excused from further service on the Committee on Interoceanic Canals; that the Senator from North Carolina [Mr. REYNOLDS] be excused from further service as chairman of the Committee on the District of Columbia, and that he be assigned to service as chairman of the Committee on Military Affairs; that the Senator from Nevada [Mr. MCCARRAN] be assigned to service as chairman of the Committee on the District of Columbia; that the Senator from Utah [Mr. MURDOCK] be assigned to service on the Committee on Banking and Currency; that the Senator from Montana [Mr. MURRAY] be assigned to service on the Committee on Military Affairs; that the Senator from Louisiana [Mr. ELLENDER] be assigned to service on the Committee on Territories and Insular Affairs; that the Senator from Arkansas [Mr. SPENCER] be assigned to service on the Committees on Claims, Immigration, Post Offices and Post Roads, and Rules; and that the Senator from West Virginia [Mr. ROSIER] be assigned to service on the Committees on Education and Labor, Civil Service, Claims, and Pensions.

The VICE PRESIDENT. Without objection, the order will be entered.

LONGEVITY PAY OF POSTAL EMPLOYEES—ADDRESS BY JOHN J. BARRETT

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD a radio address delivered on May 2, 1941, by Mr. John J. Barrett, president of the United National Association of Post Office Clerks, on the subject of longevity pay for postal employees, which appears in the Appendix.]

The VICE PRESIDENT. Morning business is closed.

APPROPRIATION FOR ANTITRUST DIVISION, DEPARTMENT OF JUSTICE

Mr. O'MAHONEY. Mr. President, the Senator from Nevada [Mr. MCCARRAN] has just filed, on behalf of the Committee on Appropriations, the report of the committee on the appropriation bill for the State, Justice, and Commerce Departments. This appropriation bill, as proposed to be amended, reduces by $750,000 the appropriation of the Antitrust Division of the Department of Justice.

The House of Representatives, after having held extensive hearings, granted this additional appropriation of $750,000. It is a matter of very great importance on numerous grounds which I shall not take the time of the Senate to mention at this moment, except to say that the American Farm Bureau Federation has urged this increased appropriation in order that the Department of Justice may proceed with its plans for an investigation of the restrictive practices whereby processors have increased the spread between the price the farmer gets for his products upon the farm and the price the consumer pays for them. The Department of Justice was also planning, through the Antitrust Division, to initiate a special investigation of devices and conspiracies in restraint of trade whereby small business has been victimized.

The record of the Department of Justice during the past couple of years under Assistant Attorney General Arnold has demonstrated a perfectly amazing story of the division of world trade, whereby commerce in many items in which this country is vitally interested for defense has been turned over to Germany. Our industrial leaders have permitted Germany to take the lead away from us. They have blindly turned the whole South American market over to Germany in order to exploit our own people.

I shall go into all these matters at length when the measure comes before the Senate. In the meantime, I ask unanimous consent that there may be printed in the RECORD at this point a table showing the spread on certain agricultural commodities, which, in my opinion, demands investigation.

This table, which was prepared by the research assistants of the American Farm Bureau Federation, shows that the farmer is receiving from 12 to 60 percent less than the retail value of the agricultural products which he grows. For example, peas and tomatoes net the farmers only 12 and 14 percent, respectively, of what the consumer has to pay, while the producer of sheep receives only 60 percent of the retail value. Pork products yield the farmer only 57 percent of the retail price.

The whole story shows that the farmer's share of the consumer's dollar is steadily decreasing. I feel that the work which the Antitrust Division plans to undertake should not be interrupted, and that, if carried on, it will be productive of most valuable results to the agricultural section of our population.

The VICE PRESIDENT. Without objection, the table will be printed in the RECORD.

The table is as follows:

TABLE A.—*Farm-to-retail price spreads for food products in 1939*

Retail commodity	Unit		Farm value	Retail value	Actual margin	Farm value as a percentage of retail value
	Farm equivalent	Retail				
			Cents	*Cents*	*Cents*	*Percent*
Pork products	1.90 pounds live hogs	1 pound composite	12.1	21.4	9.3	57
Lamb products	2.16 pounds live lambs	do	16.2	26.8	10.6	60
Dairy products	100 pounds milk	Composite products from 100 pounds milk.	131.0	312.0	181.0	42
Hens	1.11 pounds live hens	1 pound dressed	14.9	30.1	15.2	50
Eggs	1 dozen	1 dozen	18.4	32.6	14.2	56
Bread:						
White	0.97 pound wheat	1 pound	1.0	7.8	6.8	13
Rye	0.39 pound rye and 0.64 pound wheat.	do	.9	8.6	7.7	10
Whole wheat	0.92 pound wheat	do	1.0	9.1	8.1	11
Soda crackers	1.085 pounds wheat	do	1.1	15.3	14.2	7
Flour, white	1.41 pounds wheat	do	1.5	3.8	2.3	39
Corn meal	1.5 pounds corn	do	2.0	5.1	3.1	39
Rolled oats	1.78 pounds oats	do	1.6	7.1	5.5	23
Corn flakes	1.275 pounds corn	8-ounce package	1.1	7.1	6.0	15
Wheat cereal	2.065 pounds wheat	28-ounce package	2.2	24.1	21.9	9
Rice	1.51 pounds rough rice	1 pound	2.3	7.7	5.4	30
Macaroni	1.72 pounds durum wheat.	do	1.6	14.3	12.7	11
Hominy grits [1]	2.95 pounds corn	24-ounce package	2.4	8.4	6.0	29
Apples	1/48 bushel	1 pound	1.7	5.0	3.3	34
Oranges	1/17 box	1 dozen	6.2	27.9	21.7	22
Lemons [1]	1/27 box	do	7.2	24.5	17.3	30
Beans, green	1/55 bushel	1 pound	3.0	10.6	7.6	28
Cabbage	1 pound	do	.8	3.6	2.8	22
Carrots	1/55 bushel	1 bunch	1.1	5.4	4.3	20
Celery [1]	1/28 of 2/5 crate	1 pound	2.0	8.3	6.3	24
Lettuce	1/48 crate	1 head	2.9	8.3	5.4	35
Onions	1 pound	1 pound	.8	3.8	3.0	21
Potatoes:						
White	do	do	1.2	2.5	1.3	48
Sweet	1/55 bushel	do	1.4	4.2	2.8	33
Spinach	1/18 bushel	do	1.9	6.7	4.8	28
Peaches, canned	1.87 pounds clingstone	No. 2½ can	1.3	16.8	14.9	8
Pears, canned [1]	2.06 pounds Bartletts	do	2.2	20.4	18.2	11
Asparagus, canned [1]	2.19 pounds	No. 2 can	7.9	27.8	19.9	28
Pork and beans, canned [1]	0.35 pound dry beans	16-ounce can	.7	7.2	6.5	10
Green beans, canned	0.88 pound	No. 2 can	1.9	10.1	8.2	19
Corn, canned	3.2 pounds sweet corn	do	1.5	10.6	9.3	12
Peas, canned	0.877 pound	do	2.2	13.8	11.8	14
Tomatoes, canned	2.3 pounds	do	1.4	8.6	7.2	16
Prunes	1 pound	1 pound	2.8	9.1	5.7	37
Raisins [1]	1.08 pounds	do	2.5	9.4	6.9	27
Navy beans	1 pound dry beans	do	2.9	6.2	3.3	47
Beet sugar	6.9 pounds sugar beets	do	1.8	5.8	4.0	31
Cane sugar	12.7 pounds sugarcane	do	1.7	5.4	3.7	31
Peanut butter	1.73 pounds peanuts	do	5.9	18.0	12.1	33

[1] 8-month average (January–August). The Bureau of Labor Statistics has discontinued collection of the retail prices of this item.

Source: Division of Marketing Research, Bureau of Agricultural Economics.

EXTENSION OF POWER TO ESTABLISH PRIORITIES AND ALLOCATE MATERIAL

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of House bill 4534, the so-called priorities bill.

Mr. MCNARY. Mr. President, I understand the motion is to make the so-called priorities bill the unfinished business.

Mr. HILL. That is correct.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, which had been reported from the

Committee on Military Affairs with amendments.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Elender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Guffey	Reynolds
Bankhead	Gurney	Rosier
Barbour	Hatch	Russell
Barkley	Hayden	Schwartz
Bilbo	Herring	Shipstead
Bone	Hill	Smathers
Brewster	Holman	Smith
Bridges	Hughes	Spencer
Brown	Johnson, Calif.	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	La Follette	Thomas, Okla.
Burton	Langer	Thomas, Utah
Butler	Lee	Truman
Byrd	Lodge	Tunnell
Byrnes	Lucas	Vandenberg
Capper	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maloney	Wheeler
Connally	Mead	Wiley
Danaher	Murdock	Willis
Downey	Murray	

Mr. HILL. I announce that the Senator from Arkansas [Mrs. CARAWAY] is absent from the Senate because of a death in her family.

The Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Maryland [Mr. TYDINGS], and the Senator from New York [Mr. WAGNER] are absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. KILGORE] are detained on important public business.

Mr. AUSTIN. The Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], the Senator from Idaho [Mr. THOMAS], the Senator from Illinois [Mr. BROOKS], and the Senator from Pennsylvania [Mr. DAVIS] are necessarily absent.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Eighty Senators have answered to their names. A quorum is present. The clerk will state the first amendment reported by the committee.

The CHIEF CLERK. On page 3, line 6, after the word "section", it is proposed to insert "The President may exercise any power, authority, or discretion conferred on him by this section, through such department, agency, or officer of the Government as he may direct and in conformity with any rules and regulations which he may prescribe."

Mr. HILL. Mr. President, this bill contains amendments to an act of Congress passed and approved under date of June 28, last.

The act of June 28 last gave to the President the power to establish priorities and allocate material under Army and Navy contracts and Army and Navy orders. The President, acting under that power, under the act of June 28 last, delegated this power of establishing priorities and allocating material to the Office of Production Management, that Office being composed of the Secretary of War, the Secretary of the Navy, the Director of Production Management, Mr. Knudsen, and the Associate Director of Production Management, Mr. Hillman.

With the consent of the President, and under an order issued by the President, the O. P. M. then proceeded to set up a Division of Priorities, and, with the consent of the President, to name Mr. Edward R. Stettinius the Director of that Division.

Under the O. P. M. and the Division and Director of Priorities, the Government since January of this year has been establishing priorities and allocating material under Army and Navy contracts and Army and Navy orders. However, it is found that the establishment of priorities and the allocation of material only under Army and Navy orders and Army and Navy contracts is not sufficient. The O. P. M. and the President must have power to go beyond strictly Army and Navy contracts and Army and Navy orders.

The bill now before us, amending the original act of June 28, would do six things:

The first provision of the bill would permit the assignment of mandatory priorities to contracts or orders of any foreign government which the President brings within the terms of the lease-lend law.

Under the law as it now stands, neither the President nor anyone else has the power to establish mandatory priorities for material ordered by foreign governments pursuant to the lease-lend law. That means that, so far as any mandatory power is concerned, any orders for material for any foreign government coming under the lease-lend law are subordinated to orders for our Army and our Navy, which means that, so far as any mandatory priorities are concerned, any orders for Britain or any of these other governments coming under the lease-lend law, any government whose defense we have declared to be vital to our defense, may be postponed, and may have to wait until the full completion in all cases of all Navy and Army contracts and Navy and Army orders. For instance, let us take the case of guns. As the law now stands, so far as the mandatory priorities are concerned, all orders for guns for our Army and our Navy would have to be fulfilled before any orders could be carried out for Britain or for any of the other governments coming under the Lease Lend Act.

The O. P. M. has very wisely met this situation by granting preferential ratings to orders for Britain and these other countries, but those preferential ratings have no authority, no mandate, behind them; they are based solely and entirely upon the consent and upon the cooperation of the manufacturers, and at any time some manufacturer might take the position that he does not care to cooperate, that he does not wish to go forward voluntarily. If that happened, disregard of cooperation might spread and the whole program might break down, so far as any orders or material for Britain or any of the other countries coming under the lease-lend law are concerned.

The first provision in the pending bill would enable the President, acting through the O. P. M., or such agency as he might see fit to designate, to put orders for Britain or other countries coming under the lease-lend law on an equal basis, so far as priorities are concerned, with Army and Navy orders and Army and Navy contracts. It would make priorities for orders and contracts of Great Britain and the other countries coming under the lease-lend law mandatory, just as priorities are mandatory for the Army and Navy orders and contracts.

The second provision of the bill would permit the assignment of mandatory priorities to deliveries of material under any contract or order of a Government agency, other than the Army or Navy, or a private industry which is of vital importance to defense. For instance, some of the material which the Maritime Commission needs, some material which the Coast Guard needs, some which the Geodetic Survey needs, some which the Panama Canal needs may be just as important as material which the Army and Navy have ordered. As matters now stand, the orders for material for these other Government agencies, no matter how urgent or how important they may be, are subject to all the priorities for Army and Navy material.

We may have a case in one of our larger cities, a center of great industrial development of first importance to the national defense, where there would be a water supply which was old and antiquated. The mechanical facilities of the water supply may break down and have to be replaced or rehabilitated at any time, and it may be necessary to have priorities to get the equipment to repair these facilities. The quick replacement of these facilities might be more important than some order for similar equipment for the Army or Navy.

The third provision is to make it clear that mandatory priorities may be extended to subcontracts and suborders for parts, supplies, and materials which enter directly or indirectly into the fulfillment of contracts which are subject to mandatory priorities.

The O. P. M., in its construction of the act of June 28 last, has, I think very wisely interpreted the language to cover subcontractors; but the language is not clear, and specific as it should be. The third provision of the bill would make clear beyond all question the intent and purpose to grant the power to establish priorities for subcontracts, as well as for the prime contracts.

Senators can well see the importance of granting priorities to subcontracts as well as to prime contracts. In many instances some of the most important supplies, some of the most important parts, some of the most important materials, are furnished by the subcontractor to the prime contractor, who must have them at the times and in the quantities required to complete the prime contract.

The next provision is to permit control of the distribution of those products and materials in which shortages appear by reason of the needs of the defense program, and to permit the allocation of

such products and materials to defense and to the most important civilian needs in preference to less important uses. There are a number of materials which we know as critical or scarce materials, materials like aluminum, zinc, and tungsten, which are very important and of which there is a scarcity. If we are really going to properly control the supply of such scarce materials so as to meet the needs of defense, and also meet the more important civilian needs, we have to go to the source, to the supply of the raw material itself, rather than to the finished product, and this would give us the power to direct the distribution of these materials at the source of supply.

Let us take a mineral like aluminum. We know that today we have only about 25 percent of our supply available for civilian uses after we fill our defense needs. This situation presents the question as to how the 25 percent of the needed supply for civilian uses shall be allocated. It is most important that the allocation be based upon the importance of the needs to our national and domestic economy; that the more important needs be taken care of; that we see to it that these more important needs are not neglected by having the supply used up for less important or perhaps even nonessential needs.

The next provision is to permit adequate information to be obtained to operate the priorities system. It gives to the President the power, through the priority agency, to secure information about the different plants and manufacturing establishments, what the plants may be used for, what their productive capacity is, what inventories they have on hand, what their supply of stock is—all the information necessary to carry on a Nation-wide priorities system with intelligence and with efficiency.

The next provision, the last one, is to protect persons complying with priority orders from liability against damages. As matters stand today there is no protection provided for the manufacturer who complies with priorities orders, with the exception of Army and Navy orders. The manufacturer is in this position: If he goes forward and provides the material under the priority order, and breaches a contract with some other customer whose order he has accepted he has made prior to the establishment of the priority order, of course, as we know, he is subject to a suit for damages by the customer. Some of the statutes of limitations vary, and he may not be sued for as long as 6 years afterward. As the matter now stands, if the manufacturer has existing orders which he is under contract to fill, and the Government needs something from that manufacturer, in a hurry, we have all the delay resulting from the manufacturer being obliged to go to his other customer and negotiate and try to get those other customers to permit him to postpone delivery of their orders until the Government needs can be met. This may be true in some jurisdictions even if the priority order is mandatory. This provision would hold harmless beyond any doubt any manufacturer who was forced to delay meeting the requirements of some other customer in order that he could meet the demands of the Government under a priority order.

Mr. President, that briefly tells us the purpose of the bill. Let me say that your Committee on Military Affairs held an extended hearing on the bill. We heard from the Secretary of War, from the Secretary of the Navy, from other officials of both the Army and the Navy, from Mr. Knudsen, from Mr. Stettinius, from Mr. John Lord O'Brian, the General Counsel of the O. P. M., and other representatives of the O. P. M. and from Mr. Henderson, Administrator of Prices and Civilian Supply. We went into this matter very thoroughly. After the hearing the committee not only voted the bill favorably, but it voted it unanimously, and I think that with one or two exceptions we had the entire membership of the committee present and voting. I have never known a committee to be more unanimously behind a bill than this committee was when it reported this bill.

The committee reported the bill in the form in which it was originally introduced in the House of Representatives, and in the form in which it was originally introduced in the Senate, and in the form in which the O. P. M., the Secretary of War, the Secretary of the Navy, and all the gentlemen who have been responsible for the procurement of material for our defense, and who are responsible today for the supplying of our armed forces, desire the bill to be.

It happened, however, that when the bill came up for consideration in the House of Representatives, late in the afternoon of the day on which the bill passed the House of Representatives, an amendment was offered on the floor of the House which, instead of permitting the administration of priorities, under the bill and under the original act of June 28 last, to be carried on by the O. P. M., by the Secretary of War, and the Secretary of the Navy, and by those who have been carrying on the priorities administration for the Army and the Navy, and who are responsible for the production and the procurement of supplies and material for our armed forces—instead of leaving that power where it is and where the original bill proposed that it should be, the amendment adopted late in the afternoon on the floor of the House of Representatives, took it out of the hands of those I have mentioned and put it into the hands of a Director of Priorities, set off separate and apart by himself, away from the Army, away from the Navy, away from the O. P. M., to administer priorities by himself. It gives him a salary of some $12,000 a year; and he is to be appointed by the President, with the advice and consent of the Senate. It gives him the power to establish and set up any kind of elaborate organization he might see fit, because the amendment gives him the power to appoint and fix the compensation of such officers and employees as may be necessary to carry out his powers. Then it goes further and gives him the power to set up all kinds of industry committees, to have a great organization of his own set off as a fifth wheel, separate and apart from the duly constituted organization which we have today carrying on this job.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. Can the Senator give us any assurance that there will not be just that kind of a director under the bill? Can he give any assurance that the power will be given to the Office of Production Management?

Mr. HILL. As the Senator knows, the power under this bill is vested directly in the hands of the President of the United States; of course, the Senator from Alabama cannot speak for the President of the United States, but the Senator from Alabama does not hesitate to say that as the result of the testimony at the hearing before the Senate Committee on Military Affairs, and as the result of conversations which the Senator from Alabama has had with Mr. Stettinius and others in the O. P. M., and with Mr. Leon Henderson, as well as conversations with officials in both the War Department and the Navy Department, the Senator from Alabama certainly feels assured that the administration of these priorities will remain in the very hands in which that administration is placed today under the act of June 28 last.

The Senator from Ohio knows, but it might also be interesting to Senators generally to know at this time, just what that administration is. The power, as I have stated, under the law is in the hands of the President, but he has delegated that power to the Council of the O. P. M., which, as I said, is composed of the Secretary of War, the Secretary of the Navy, Mr. Knudsen as Director of the O. P. M., and Mr. Hillman as Associate Director. Then under this Council of the O. P. M. we have the Division of Priorities, headed by Mr. E. R. Stettinius, Jr., as Director of Priorities, and along with Mr. Stettinius as Director we have an Advisory Committee on Priorities. That Advisory Committee on Priorities is composed of Mr. Stettinius, as the Chairman; the Director of Purchases, Mr. Nelson; the Director of Production, Mr. Biggers; the Under Secretary of War, Mr. Patterson; the Under Secretary of the Navy; and representatives from the supply branches of both the Army and the Navy. That this set-up in the administration of priorities will remain I am quite confident.

The amendment which was put in the measure on the floor of the House was not considered in any way by the House committee. There were no hearings held upon the amendment or upon the purposes of the amendment. Late in the afternoon the amendment was offered on the floor, and the chairman of the committee rose and said he accepted the amendment; so, really, the amendment was agreed to without any debate or any discussion, and no opinions were secured from any of those now responsible for priorities as to what the effect of the amendment would be.

Mr. President, we have to realize that the O. P. M. is a superservicing organization for the Army and the Navy, for the armed forces, and in their superservices

they have three problems to deal with in securing the material and the supplies needed for the Army and the Navy.

One is procurement; another is production; and the third is priorities. These three factors are like the legs of a tripod. It is on them as a base that the whole matter of securing the necessary material and supplies for the Army and Navy depends. Priorities are an integral part of the whole administration, just as production is an integral part, and just as procurement is an integral part. For procurement we need production; and for production we need to use our priorities as a tool. Priorities are merely an instrumentality through which we obtain the production and procurement which we must have. They are all merely a means to the end of securing what is needed when it is needed; and to set them off separate and apart is not justified in any way. O. P. M. is the agency held responsible for securing the material and supplies; and it is ridiculous to hold that agency responsible and then take out of its hands one of the most important tools which it needs to perform its function. I refer to the tool or instrumentality of priorities.

Your committee was unanimous in submitting a committee amendment to strike from the bill the amendment which was put in on the floor of the House providing for a separate director of priorities. I do not think it is possible to overemphasize the necessity for the coordination of all the work. For instance, we have now, as we know, the Office of Price Administration and Civilian Supply. It is absolutely necessary that the Priorities Division work in the closest cooperation and coordination with the Office of Price Administration and Civilian Supply. I use aluminum as an illustration. After we meet our national-defense needs, we have available today only about 25 percent of the amount required for our civilian needs. So the question then arises as to how the 25 percent available for civilian needs should be allocated. There must be the closest cooperation between the Office of Price Administration and Civilian Supply on the one hand, and the Division of Priorities on the other.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. How is that coordination obtained by putting priorities in the O. P. M.?

Mr. HILL. As the Senator knows, the President is the head of it all. Under him we have the O. E. M., or Office of Emergency Management. Within the Office of Emergency Management we have the O. P. M. and the Office of Price Administration and Civilian Supply.

Mr. TAFT. Yes; but under the present set-up the Office of Price Administration and Civilian Supply is entirely distinct and has entirely independent authority from the O. P. M.

Mr. HILL. It does.

Mr. TAFT. So it might as well be argued that the Priority Division should be in the O. E. M.

Mr. HILL. They both come under the O. E. M., and they both have to do with priorities, as well as the matter of procurement and the matter of production.

Mr. TAFT. Can the Senator tell me who the head of O. E. M. is, and what kind of an office it is?

Mr. HILL. The head of O. E. M. is the President of the United States.

Mr. TAFT. So the only real cooperation between O. P. M. and the Office of Price Administration and Civilian Supply is through the President, the same kind of coordination as exists among other departments of the Government.

Mr. HILL. I will say to the Senator that the Office of Price Administration and Civilian Supply does not come under the O. P. M.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AUSTIN. It may be interesting to read what Mr. Henderson testified regarding that point. I read from page 107 of the transcript:

> The Office of Price Administration and Civilian Supply has a responsibility running to priorities in this way. As Mr. Smith pointed out, it is necessary to make a determination as to the order of preference in case of a shortage of the residues that are available for civilian consumption.

Mr. Smith was assistant counsel of Office of Production Management, who testified upon the legal necessity for the legislation:

> Now, in our executive order creating Office of Price Administration and Civilian Supply we inherited the consumer-protection function carried on in the old Defense Commission by Miss Elliott. We continued the price-administration function. We were assigned the civilian-allocation function for the making of plans and programs, and we were given the general responsibility for civilian supply.
>
> Now, all of those—price, consumer protection, civilian supply—relate to this question of the distribution of scarcities, once all of the defense needs have been satisfied.
>
> Now, we have worked out with Mr. Stettinius a very adequate basis for the submission of plans and programs, and it is quite essential that once those determinations have been made, that he has access to these powers and that we have access in certain limited ways to these powers, in order to give enforcement to them, and also to protect the manufacturers and processors from any legal liability in carrying out these orders.

That is one of the important purposes of the bill.

Mr. HILL. I thank the Senator. As the Senator well knows, Mr. Stettinius, the Secretary of War, the Secretary of the Navy, Mr. Knudsen, Mr. Henderson, and every one of the witnesses who appeared before our committee was very much opposed to the amendment inserted by the House. The Secretary of War being the senior official of the Government who appeared, I wish to read a short letter which he wrote in opposition to the amendment inserted by the House:

> The War Department believes that the amendment * * * passed by the House is undesirable for the following reasons:
>
> (a) It would materially change the working arrangement between the Office of Production Management and the Army and Navy Munitions Board which has been developed over a period of many months and which is now operating satisfactorily. Such a rearrangement under present critical conditions would be certain to cause confusion and to slow up the defense program.

That was corroborated and confirmed by every witness who appeared. If we want to throw a monkey wrench into the machinery, if we want to slow up the program, if we want to bring about confusion, certainly there is no better way to do it than by the adoption of the House amendment.

The Secretary continues:

> (b) It would single out from the Office of Production Management for a mandatory type of organization a single important function of that office, which for efficient operation should remain an integral part of the Office of Production Management.

I endeavored to emphasize that thought when I said that priorities, procurement, and production were legs of the tripod upon which the whole defense program rests. Priorities are an integral part of the whole.

Reading further from the letter of the Secretary:

> (c) It would freeze the organization of the priority function in the form specified in the amendment and destroy the flexibility which all agencies set up to handle the emergency situation should have in order to permit them to adapt themselves to emergency conditions which cannot be foreseen. The history of the defense organization over the past few months has emphasized the necessity for such flexibility.

The Secretary further says—and I want to emphasize the fourth point—

> (d) It would assign to the Army and Navy Munitions Board—

Remember, that Board is composed almost entirely of military and naval men. They are the representatives of the armed forces—

> It would assign to the Army and Navy Munitions Board functions which are beyond its proper scope of activity as visualized in the industrial mobilization plan.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BREWSTER. The Senator has just cited the industrial mobilization plan as the authority, to some extent, for his proposal. Does that indicate that the Senator is in accord with the recommendations of the industrial mobilization plan?

Mr. HILL. I will say to the Senator from Maine that the Secretary of War was speaking of the industrial mobilization plan. I do not know what particular plan the Senator refers to, but I know that when Congress passed the National Defense Act of 1920 Congress imposed upon the Assistant Secretary of War the specific duty of industrial mobilization, and provided that he should have a staff of officers to help him work out the matter of industrial mobilization; and I know that since the passage of the act of 1920, under the direct leadership of the Assistant Secretary of War, the War Department has been making all kinds of plans looking toward industrial mobilization. Although some of these plans might not meet the approval of all of us, and I myself might not agree with all the plans, I am sure that under that provision of the act of 1920 much has been done that has helped to expedite the program we now are carrying out.

Mr. BREWSTER. What I had reference to is a little more specific than what the Senator has indicated. Under the instructions of that act, the War Department has gone forward with very careful studies by very competent men, based upon the experience gained in our last war and that gained during all the years which have since elapsed; and about 1930, I think, the Department issued the first printed report on the industrial mobilization plan. That has been revised three times since then. The last revision was in 1939 I believe. In it the Department provided a very comprehensive and detailed study of what should be done.

I assumed that it was that study to which the Senator referred in his support of the proposal now under consideration. I may say that it is a matter which I consider of the most extreme importance, and it has given me a great deal of concern that those in authority have not been more closely guided by the recommendations of that study; and we have asked all the members of the administration who have been before our committee on defense the reason for the departures from that plan. So I welcome the Senator's suggestion that in this particular instance he is being guided by that report, which I hope will have even more respectful treatment than thus far it has received.

Mr. HILL. I can give the Senator from Maine even more encouragement than that. Not only am I being guided in this particular instance by that report, but, since I am quoting from the Assistant Secretary of War, I may say that in this particular instance he is being guided by that report.

Mr. BREWSTER. That is most gratifying. I hope he will be guided by it in toto before very much more time has elapsed.

Mr. HILL. The Secretary of War goes on to say:

> The advice of Mr. Baruch—

Of course, he was referring to Mr. Bernard Baruch, who, during the World War was the head of the War Industries Board, and who perhaps had more to do with industrial mobilization for the World War than any other man in the United States.

The Secretary says:

> The advice of Mr. Baruch and others who had experience in the World War in this regard was to leave industrial questions to civilians and military matters to the armed services.

The House amendment would violate this sound principle, because, let me say to the Members of the Senate, the House amendment requires that everything done by the Director of Priorities, as set up in the House amendment, must have the approval of the Army and Navy Munitions Board.

Mr. BREWSTER. Would the Senator be satisfied to strike from the House amendment the last sentence which imposes the restriction to which the Senator refers, so as to leave to the statutory Administrator this very important responsibility?

Mr. HILL. No; the Senator from Alabama could not accept such a change, and would not be satisfied with it. I think one of the worst features of the amendment is the provision which would put industrial mobilization and the exercise of priorities in the hands of military men rather than in the hands of civilians. However, even if that provision were stricken out I think the amendment would be most harmful, and would do much to disturb and to disrupt the whole program. I think it would be very deplorable to write this amendment into the bill.

Frankly, as a former Member of the House—as the Senator from Maine is a former Member of the House—it is my belief that if hearings had been held on this amendment, and if there had been an opportunity to thrash it out and to debate it and to understand what the amendment would do, the House would not have adopted the amendment. The Senator, as a former Member of the House, knows that the House sometimes does business as we in the Senate occasionally do; some Member offers an amendment, and the chairman says, "I accept it," and the amendment goes in the bill without careful consideration, and certainly without thorough analysis or debate.

Mr. BREWSTER. The Senator from Alabama recognizes the necessity of some continuity of policy in connection with administering so tremendous a power as is here contemplated; does he not?

Mr. HILL. The Senator from Alabama certainly does; and that is the very reason why he is against this amendment. There cannot be continuity of policy if we have a dozen different agencies, all of them setting a dozen different policies, and perhaps all those dozen different policies in conflict one with each other.

Mr. BREWSTER. That is the difficulty which I find with the Senator's argument in opposing the creation of an Administrator of Priorities, providing he is not restricted by the Army and Navy Munitions Board with respect to which I think I should be in full accord with the Senator's position.

Mr. HILL. I will say to the Senator that if we are to have a separate director, with a separate organization, with separate personnel, and with separate industrial committees for priorities, we would be as well justified in having a similar separate organization for procurement, and another separate organization for production. Our whole program will fail unless all three of those functions are coordinated, and work as integral parts of one whole.

Mr. BREWSTER. Would the Senator be ready to support the creation of the authority contemplated by the Industrial Mobilization Act, as recommended by the War Department, which would definitely determine the administration of this entire responsibility?

Mr. HILL. The Senator from Alabama is not familiar with the details of the recommendations to which the Senator from Maine refers. The Senator from Alabama will say that after hearing the evidence on this bill from many witnesses, he was absolutely convinced that this bill should be enacted just as the committee reported it; and not only was that the conviction of the Senator from Alabama but he feels that that was the conviction of every member of the Senate Committee on Military Affairs who attended the hearings and heard the testimony. I think the Senator from Vermont [Mr. AUSTIN] will confirm the Senator from Alabama in that statement.

Mr. BREWSTER. The only difficulty I find with the Senator's position is that he does not go far enough. I would go much further, and would complete the entire journey to the recommendations of the Industrial Mobilization Board.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Vermont.

Mr. AUSTIN. I think it may be interesting to note the testimony on this particular question as obtained from the Assistant Secretary of War, Judge Patterson. It appears at page 12 and following in the transcript:

> Senator AUSTIN. Mr. Secretary, I would like to get at the underlying reason for this position taken by you. Now, is it true that our experience in the World War developed the definite fact that behind all other efforts this ability to allot and to quota and to give priority was the most powerful sanction to obtain cooperation in the Government's total effort?
>
> Mr. PATTERSON. It was a very potent weapon, there is no question about it. It wasn't the only one, but it was a very powerful one.
>
> Senator AUSTIN. Now, then, did we not learn from the experience in the World War—that is, from the first 12 months of futility and confusion, and the next 6 months of most remarkable efficiency—did we not learn one great lesson, namely, that in order to make the wheels coordinate for our national workshop it was best to have a civilian agency with power supreme over the acquisition of military supplies and civilian supplies?
>
> Mr. PATTERSON. I think so.
>
> Senator AUSTIN. And is it true that the War Industries Board gained its success, of course, principally from the voluntary and willing cooperation of industry, but also from the fact it always could resort to priorities in any case of a recalcitrant industry?
>
> Mr. PATTERSON. Yes, sir. Of course, they had more than priorities, and I think Mr. Baruch's body did much more than exercise priorities. They had control of Army and Navy purchases just as the Office of Production Management has now. They did not in any way direct the Army and Navy as to their requirements, nor did they take the initiative, as I understand it, with finding the sources of supply, but they did exercise, as is done now, a veto power in order to prevent the unnecessary bunching up of orders in some place, and they were the channel whereby Army and Navy orders were coordinated.
>
> As I understand it, they made sure that if Bethlehem Steel had a great many naval orders, for instance, that Army orders were not unnecessarily bunched up there also.
>
> Senator AUSTIN. Now, if you were to take this section 3 in the proposed bill, and intrude it into the Office of Production Management, or, rather, split away from the Office of Production Management the control of this remarkable sanction that priorities give, you would get an element of disorganization at once which would require one procurement agency going over and getting the consent of another procurement agency in order to apply the sanction, would you not?

Mr. PATTERSON. Undoubtedly.

Senator AUSTIN. And that would be right in the face of the experience, the very valuable experience, in the World War, would it not?

Mr. PATTERSON. Yes, sir. Mr. Baruch's organization had the priority power; it likewise had the power, as I have said, of allocating the Army and Navy business to the best industrial sources, from a picture of the whole thing.

The Office of Production Management is doing the same job now, and this would split off from them and put into an independent agency one of those powers. I think it would be unfortunate.

Does the Senator recognize that as at least a response to his question, if not an answer?

Mr. BREWSTER. Mr. President, will the Senator from Alabama yield for a moment?

Mr. HILL. I yield.

Mr. BREWSTER. I have in mind the very eloquent appeal of the Senator from Vermont for the passage of the Lease-Lend Act in order to accomplish that concentration of authority which I think is going to be recognized very shortly as imperative, and I would be interested to know whether or not the Senator from Vermont would be now equally concerned in adopting the recommendations for our industrial mobilization contained in the studies of the War Department over the last 20 years and in its final revised plan?

Mr. AUSTIN. I cannot answer the question in the form in which it is asked, for I do not remember those recommendations.

Mr. BREWSTER. I feel very strongly that, in this crisis, when we have available the benefit of 20 years of study by responsible authorities of the War Department, commissioned by the Congress for that purpose, following the experience of the last war, any deviation from that program in this time of crisis merits very careful consideration. The plan, I may say, under which we are now operating is utterly different from that contemplated by the War Department in its studies.

Mr. AUSTIN. Mr. President, let me say that the principle for which the Senator from Maine speaks I believe to be a correct principle of procedure. I cannot recall those recommendations. I may have read them at some time, but I am not entirely certain that I have read them. At any rate, I do not identify the precise thing to which the Senator is now referring. I think the Senator from Maine will recall that very early in the attempt to organize industrial procurement I offered a bill to create a civilian agency which would have supreme authority over the procurement of supplies for both the Army and the Navy. I believed in that principle. It was defeated, and I have no complaint to make, because I now see that in the organization of the Office of Production Management the same thing is being done; and it is apparent to me from the hearings and my observation outside the hearings that the civilian expert on production—in this case Mr. Stettinius—will have supreme control over priorities not merely in the military and naval departments but also outside and in the civilian field.

Mr. BREWSTER. Does not the Senator recognize that we are superimposing an authority over the one responsible for procurement, whereas the whole essence of these studies, I may say, with which the Senator says he is not now familiar, was that there must be one man responsible for procurement, who would have absolute power both over procurement and priorities, as Mr. Baruch did in the administration of the War Industries Board?

Mr. AUSTIN. Yes; I would prefer that.

Mr. BREWSTER. Until we achieve that we are going to have some of the chaos and confusion which now unfortunately seem to prevail. We have seven men in the Advisory Council of Defense. We have four in the Office of Production Management, when all the studies of our Defense Committee have indicated that centering responsibility is the only way to accomplish the things which we desire.

Now we are proposing to create a statutory power of priorities, not of procurement; it is distinct from that; and, unless we can concentrate that power in one man, we are going to continue the present unfortunate course, which certainly is not accomplishing all that we desire.

Mr. AUSTIN. I recognize the validity of the views of the Senator from Maine. I think if we were starting now "at scratch," and had it in our power to set up the plan ourselves, I would much prefer the one-man type of organization to the dual-headed organization. I would very much prefer it because of several considerations, one of which is the probability of avoiding delays from the conflict of view. I believe that efficiency and expedition and other elements would be promoted by centralizing in one person the supreme control. So, if we were "starting from scratch," I would be with the Senator from Maine on that, but we are not "starting from scratch"; we are dealing with a condition of affairs which we have already created by Public Law 671 of the Seventy-sixth Congress, in which the following language occurred:

And deliveries of material under all orders placed pursuant to the authority of this section and all other naval contracts or orders and all Army contracts and orders shall, in the discretion of the President, take priority over all deliveries for private account or for export.

That is what we are dealing with; it is that authority which we passed over to the President in Public Law No. 671 of the Seventy-sixth Congress. We find now that it was not adequate to take care of the entire energy of the country which we now realize it is necessary to enlist in this great effort, and that we must have some way of taking care of civilian enterprise.

We say that a certain proportion of natural products are consumed in the development and production of Army and military equipment, and there is left a residue which is not adequate to take care of all the civilian demands. How are we going to maintain order, how are we going to continue to do justice and equity, if we do not have some power somewhere to quota that residue among all the civilians who are rushing and struggling to get there first, and to get all they can of the material? So, to try to restore order in any industry, to try to conserve resources, to try to do justice and to keep peace among the people, all those objectives are contained in the establishment of the same power in the same body over the balance which is available to civilians as has already been created with respect to contracts and demands of the Military and Naval Establishments.

Mr. HILL. Mr. President, with respect to the War Department plans, let me say that of course it was impossible for the men making these plans some years ago to foresee many things that have come to pass. For instance, 2 or 3 or 4 or 5 or 10 years ago who in the wide world could have foreseen the enactment of the lend-lease bill? We are confronted today with many things, but the paramount and the compelling need is for speed and more speed in our production; and it would be most unfortunate to adopt the House amendment or adopt any amendment to this bill which would in any way cause delay, which would in any way interfere with the present harmony, coordination, and efficiency with which the production program is being carried out.

I very much hope the recommendation of the Senate committee, made unanimously by the membership of that committee, will be agreed to, and the House amendment will be voted down, and the bill passed.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. HILL. Yes; I yield.

Mr. DANAHER. I should like to invite the attention of the Senator from Alabama to page 2 of the bill, beginning in line 24 and going to the end of the sentence at the top of page 3, specifically calling his attention to the following language:

The President shall be entitled to * * * make such inspection of the premises of any person, firm, or corporation as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this section.

Does the Senator know any reason why we cannot properly add a proviso to that sentence to the effect that the dwelling of no person shall be inspected or searched other than in accordance with the provisions of title XI of the Espionage Act of June 15, 1917?

Mr. HILL. Mr. President, so far as a dwelling or home is concerned, I know no reason why there should be any need for an inspection there. I do not think any manufacturer could haul away very much stuff and put it in his house, and I do not think it is contemplated under this language in the bill to inspect people's private homes. Of course, it has in mind only their plants shall be inspected, to determine what stock they may have on hand, what their productive capacity may be, and all these things that we must know about if we are to have the right kind of priorities system. So far as a dwelling house is concerned, I know no reason why that amendment should not go in. I have no objection to the amendment. I do not think it is necessary at all, but if it will make the Senator happier in voting for the bill I know no rea-

son why the amendment should not be adopted.

Mr. DANAHER. I thank the Senator.

Mr. TAFT. Mr. President, I have listened with interest to the Senator from Alabama [Mr. HILL], and I agree with him in general on the question of this particular amendment. I do not believe the provision put in the House bill is a wise way of dealing with the situation. On the other hand, I also agree that we need additional powers to order priorities, so I do not intend to oppose the bill; but I think the time has come to criticize the method which is now pursued, is carried out in this bill, and has been carried out before, in setting up the emergency organizations of the United States Government.

This bill does not prescribe that the Division of Priorities shall be in the O. P. M. It simply gives the President power to put it anywhere he chooses to put it; and up to this time he has steadily created new bureaus for practically every purpose, until today we have a whole series of coordinate bureaus. The O. P. M., which was touted when we changed the Council of National Defense in November, has been steadily cut down in its powers. Other coordinate bureaus have been created. We are getting further and further from the theory of a War Resources Administration with a single head, which was prescribed by the industrial mobilization plan; and it seems to me it is up to Congress today to develop a plan of organization for the emergency division with reasonable elasticity, but with some kind of definite system prescribed.

The situation which is created today is exceedingly complicated and almost impossible to understand. The President is creating a whole series of bureaus in his own Executive Office, a kind of superbureaucracy, over and above and separate from all the departments of the Government which Congress has established.

In the Executive Office today there are six different divisions, of which one is the Office for Emergency Management. They are, according to the Executive order—

First. The White House Office.

Second. The Bureau of the Budget.

Those are set up by Congress.

Third. The National Resources Planning Board. The authority of that Board is exceedingly limited. Its statutory authority is not definite. We have appropriated money for it on the theory that it was a continuation of somebody to study unemployment.

Fourth. The liaison office for personnel management. I do not know what that is.

Fifth. The Office of Government Reports. That is not authorized, although we are now asked to authorize it by a bill before this body.

Sixth. In the event of a national emergency, the Office for Emergency Management.

The Office for Emergency Management seems to be a purely paper organization, with a gentleman named Wayne Coy, one of the President's secretaries as the head of the Office. Under him there are six or seven different offices and bureaus that have been created in the past month or two. One of them is the Office of Production Management. That is the main body. In my opinion, that ought to be a predominant body, a body with a single head under whom can be arranged all the various emergency departments of the Government; but that is not so. It is merely one of a coordinate series of bureaus which have been created since the O. P. M. For instance, the whole subject of housing was taken away from the O. P. M. and a Coordinator of Defense Housing was set up, in addition to four or five different housing bureaus that already exist; and the O. P. M. today has nothing whatever to say about the production of materials for housing or how the priorities for housing may be determined.

Then we have the National Defense Mediation Board, which is entirely independent, and independent of other labor organizations.

Then we have something called the Division of Defense Aid Reports, which has been created separately, apparently to deal with some features of the lease-lend organization, under Major General Burns, who also is entirely independent of the O. P. M.

Then we have something called the other bureau created or to be created under Harry Hopkins to administer the Lease-Lend Act. When the lease-lend bill was before us we were told that that was to be coordinated, presumably under the O. P. M.; but we have a separate bureau, and the O. P. M has nothing to do with the production of the lease-lend materials for Britain, so far as I can discover.

There is now talk of an additional bureau of home defense, under which many other organizations are to be provided. Last year when the bills were before us, the able Senator from Vermont offered an amendment, and I offered an amendment, urging at that time that we try to coordinate the defense activities under one head. As the Senator from Maine has pointed out, that has been prescribed for years by the defense mobilization plan. The Army and the Navy themselves have a program. Every government in the World War found that before they could become efficient in the war they had to have some kind of a division of munitions.

This defense plan provides:

> All economic functions which must be exercised in time of war are interrelated and interdependent. It is therefore highly important that one major emergency agency be created to coordinate the performance of these functions and that other agencies be set up only as the necessity arises to supplement the work of the key agency.

Those are the words of the Secretary of War and the Secretary of the Navy in the report brought up to 1939. The report proceeds:

> It is considered highly desirable that the key superagency for wartime industrial coordination should be the War Resources Administration. In order that, wherever possible, planned measures may anticipate the problems which will inevitably arise to disrupt our national war economy, the War Resources Administration in skeleton form should be set up as early as practicable. * * * The War Resources Administration should serve not only to facilitate the transition from a peace to a war economy but, pending the establishment of other suggested superagencies, it would, insofar as possible, perform those functions discussed later in detail * * *

This report has been entirely ignored, so far as the setting up of these bureaus is concerned. The result inevitably is confusion. I do not know whether under the pending bill this power to order priorities will be given to the O. P. M. After all, there is just as much logic for putting it somewhere else. They also have to order priorities for the Housing Administration, they also have to order priorities for the Army, and they also have to order priorities for the Navy. They have to order priorities for the lease-lend organization, under Mr. Hopkins. Perhaps Mr. Hopkins is the one who should handle the matter, or perhaps Mr. Coy, under the Federal Security Agency, if he is to coordinate the priorities of all these other bureaus which are created.

There is one other feature to which I wish to call attention, and that is the power with regard to the administration of labor problems today. We have the O. P. M. Mr. Sidney Hillman is active throughout the country. He has representatives in different parts of the country representing the O. P. M. in the settlement of labor disputes. We have the Conciliation Division of the Labor Department, under Mr. Steelman, I think it is. We have the National Labor Relations Board. I know of a strike threatened in Cincinnati today, in connection with which there are sitting in with the unions, which are disputing the control of a certain company, representatives of three agencies of the Government, a representative of the National Labor Relations Board, a representative of Sidney Hillman, of the O. P. M., who incidentally is and has been for a long time one of the leading C. I. O. leaders of Cincinnati, and a representative of the Department of Labor. They are sitting there to determine whether some form of election can be worked out.

It seems to me obvious that if we are to deal effectively with the labor problem, there must be someone in the Government who can speak with authority, who, when he lays down a proposition, is known to speak for the United States Government and for the President of the United States. This method of merely allotting to the President, whenever we create a new power, the power to give it to any agency he chooses, has worked out in complete confusion, and it seems to me it should be changed today by the enactment of a comprehensive law of some kind dealing with this problem.

The whole problem of price control under Mr. Henderson is certainly vitally important in the defense program. Certainly the O. P. M. must be vitally concerned with knowing what the prices of various raw materials are to be. Certainly it is something in which they should have a voice.

It seems to me that the President of the United States is utterly unable, physically unable, if you please, to coordinate

the work of a dozen different bureaus; that in this particular field there should be a bureau with a single head, or, if necessary, a board. The mobilization plan calls for a single head, and I think probably that is better; but certainly today, so long as we go on saying to the President, "You are the coordinator; you are the one who has to coordinate all these different defense agencies," it is inevitable that we are to have confusion in the administration of the defense program.

I introduced a bill to create a War Resources Administration. I do not know the inside requirements. It probably needs substantial amendment. It may be that in some way the economic control should be vested in one body, or the labor control in one body, but in any event it seems to me it is up to Congress to work out a skeleton plan, at least, with reasonable elasticity, to provide a single, coordinated, efficient control of the defense program. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The Chair must admonish the occupants of the galleries that they are required, under the rules of the Senate, to maintain order.

Mr. BREWSTER. Mr. President, my criticism of the pending measure would be rather for what it fails to do, than for what it does. In line with the discussion which has preceded these remarks, it is my feeling that the country is in quite a state of confusion as to what is going on. We have had representatives of the Office of Production Management before the committee investigating defense, and, after the somewhat rosy picture which was presented, we asked them more specifically for information as to what was the total production. This is a totalitarian age. We read about 1,500 planes a month as the maximum production, which is a record. But the country little realizes that in order to get adequate defense we require 2,000,000 items in a modern mechanized defense. One of them is 2,000,000 pairs of pants, because an army cannot fight without pants. So I asked the Office of Production Management to furnish us with the figures as to what was our total production, in contemplation, and in actual achievement. To me, the report was extremely disquieting, indicating that the failure to adopt a program of industrial mobilization was resulting most disastrously.

I am informed by the statistical division of the Office of Production Management that it was hoped that we would produce $17,000,000,000 worth of defense materials this year, out of a total national income of $85,000,000,000, 20 percent of our national resources dedicated to defense, compared with 50 percent in Germany and Britain at the present time.

But they further pointed out that durthe first 3 months of this year our total production for defense was two billion and a half dollars, or at an annual rate of $10,000,000,000, instead of $17,000,000,000, which was the very modest estimate we originally designated.

They further pointed out that if we should, by stepping up our monthly production from the first month on of the calendar year 1941, achieve a $17,000,000,000 production this year, it would mean that in December this year we would be obliged to produce two billion and a half dollars' worth of defense materials, which was our total production for 3 months in the first period. In other words, as they indicate, it was an utterly impossible goal, and that rather than $17,000,000,000 worth of things for defense this year, about the best we could hope for—and this was a month ago—was twelve to thirteen billion dollars' worth of defense materials.

Since the first quarter we have had our report for the month of April showing that production has declined rather than increased, as a result of various unfortunate developments with which we are familiar.

How is this related to the question we are here considering? Until someone is made responsible for accomplishing the result to which America has very definitely set its hand, with the almost unanimous approval of all the Members of Congress, in providing for our adequate defense, we are going to continue this policy of drift, until chaos and confusion multiplied will result in this country awakening to the fact that our chief protection against war today is the very weakness of our industrial production.

The reason we are not likely to have war in the next few months is because Mr. Hitler has no desire to stir us up. So long as we continue the present confusion, so long as we continue the present ineffective program of production, there is no reason to anticipate that Mr. Hitler will bother with us, until he has disposed of some more immediate problems he has upon his hands. I do not think any American is going to take very much pride in a recognition of the fact that our only protection at the present time is the very weakness of our defense.

Mr. President, we had Mr. Knudsen and all the other members of the Office of Production Management before our committee. Mr. Knudsen summed it all up. We asked each member as he came before us how this matter was working out, and one or another hesitated very definitely to criticise the organization of which he was a part. As the Secretary of War, Mr. Stimson, very modestly suggested, he was a member of the team, and he had to play ball. He did not repudiate the report of the War Industries Mobilization of his own department. He simply said he was a member of the team, doing the best he could, which was a very commendable attitude.

Originally there were seven members of the Advisory Commission on National Defense, whose only powers were to advise a body, whose only powers were to recommend. That was statutory. Every one agreed that it was a colossal failure throughout the 5 or 6 months it was trying to function last year.

Then we had the Office of Production Management, with four members, the Secretary of War, the Secretary of the Navy, Mr. Knudsen, and Mr. Hillman, a four-headed body which is unique in executive annals to accomplish results. We have been going along under that now for some months, and I take it we are all concerned with our progress.

I have given the figures as to our total production to indicate that the situation is not calculated to be encouraging. So we asked Mr. Knudsen out of the 40 years of his industrial experience, how this program was working out. Mr. Knudsen was in a somewhat embarrassing position, like Mr. Stimson, but it seemed to me that his answer was a tribute to his power to compress a profound philosophic truth into very few words, because when I asked him to compare the functioning of the Advisory Commission of seven and the present Office of Production Management, this was what he said: "Well, there were seven, and now there are five." That was his complete answer to the question of whether or not we had accomplished that effective concentration of power which is imperative if America is to be protected, as I know, everyone in the Congress most desires.

Mr. President, that is why I feel that the bill we are now considering presents the most appropriate occasion to consider whether America is awake, whether America realizes the failure of our industrial mechanism to function in a way that is imperative if we are to be adequately prepared.

I know the Senator from Alabama is concerned about this, because in the greatest bottleneck of our defense, production of aluminum, he has made a contribution which will ultimately be recognized as calculated to solve in some measure that most critical point in our defense. Yet what did we find in the evidence of the last 2 days? In administering priorities, with which we are here concerned, as the Senator from Alabama has stated, there was constituted a voting committee of four members to consider priorities, one from the Army and one from the Navy, very properly to look after our defense, and that was right; but who were the other two members? One of them was one of those most vitally concerned with procuring aluminum for the product uses of the concerns with which he was associated, and when we examined the priorities we found that the organizations with which he was associated had 60 to 80 percent of their needs provided, while other organizations concerned with food, concerned with textiles, concerned with clothing, had 10 percent of their needs provided. I believe that no member of this body will desire that the determination of these matters shall be entrusted to persons with a very great private interest. Whether or not that will result under the provisions of this measure only time can tell.

I am one of those who do not believe that the President should be expected to assume all the responsibilities which are involved in the various powers we are bestowing. I believe the more quickly statutory administrators are created, with defined powers within the broad needs which are obviously necessary, the more quickly our Government and our economic system will begin to function in the way so imperatively required.

That is why I hope to see the Senator from Alabama and the others associated with him in our military defense soon present to us the fruits of their studies of the industrial mobilization plan carried on for 20 years, which are all available, and only waiting to be applied. I hope Mr. Baruch and all the others who are familiar with this plan will bring to us a concerted program that shall eliminate the confusion in council which is the inevitable result of the conditions which now prevail. In the consideration of this measure, with which I have no intention to disagree, I would be equally well satisfied if we created a statutory authority for priorities, striking out the last sentence, which provides mandatory powers in the Joint Army and Navy Munitions Board, because I am in full agreement with the committee as to the wisdom of the elimination of that control, but I would go much further than the committee now contemplates. I would follow the lessons of two decades, the fruits of our last tragic experience in war, as the Senator from Vermont [Mr. AUSTIN] pointed out, when for 12 months after the crisis came we drifted along until we discovered that the concentration of industrial procurement was the only way that we could ever accomplish the results this country now desires. In that hope—and I almost say expectation—I trust the Senate will give attention to this problem without very much more delay.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 3, lines 6 to 11, inclusive.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment of the Committee on Military Affairs, was, on page 3, line 12, to strike out:

"(3) The President may exercise any power, authority, or discretion conferred on him by this section through a Director of Priorities (in this paragraph called the 'Director'), whom he is authorized to appoint by and with the advice and consent of the Senate. The Director shall receive compensation at the rate of $12,000 per annum, and is authorized to appoint and fix the compensation of such officers and employees as may be necessary to carry out his powers under this section. The Director shall exercise his powers under paragraphs (1) and (2) of this section with the assistance of industry committees, which he is hereby directed to establish and utilize, and upon the basis of information furnished to him by such industry committees and upon the basis of such other information as he deems pertinent. Such powers shall be exercised by the Director only after prior approval of such exercise by the Joint Army and Navy Munitions Board."

The amendment was agreed to.

Mr. DANAHER. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 3, line 2, after the word "section", it is proposed to insert:

Provided, No such inspection shall be made of any private dwelling, occupied as such, without a warrant directing the search issued in accordance with the requirements of title XI, chapter 30, of the act of June 15, 1917 (Espionage Act).

Mr. HILL. Mr. President, I know of no objection to the amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The bill is still before the Senate and open to further amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

The bill, H. R. 4534, was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. REYNOLDS, Mr. JOHNSON of Colorado, Mr. HILL, Mr. AUSTIN, and Mr. BRIDGES conferees on the part of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Norris
Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Glass	Radcliffe
Ball	Guffey	Reynolds
Bankhead	Gurney	Rosier
Barbour	Hatch	Russell
Barkley	Hayden	Schwartz
Bilbo	Herring	Shipstead
Bone	Hill	Smathers
Brewster	Holman	Smith
Bridges	Hughes	Spencer
Brown	Johnson, Calif.	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	La Follette	Thomas, Okla.
Burton	Langer	Thomas, Utah
Butler	Lee	Truman
Byrd	Lodge	Tunnell
Byrnes	Lucas	Vandenberg
Capper	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maloney	Wheeler
Connally	Mead	Wiley
Danaher	Murdock	Willis
Downey	Murray	

The PRESIDING OFFICER. Eighty Senators have answered to their names. A quorum is present.

EXTENSION OF OPERATIONS OF DISASTER LOAN CORPORATION, ELECTRIC HOME AND FARM AUTHORITY, AND RECONSTRUCTION FINANCE CORPORATION

Mr. BROWN. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 306, Senate bill 1438.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1438) to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with amendments.

The PRESIDING OFFICER. The clerk will state the first committee amendment.

The first amendment of the Committee on Banking and Currency was, on page 2, after line 4, to insert:

SEC. 3. (a) The first sentence of section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting before the period at the end thereof the following: "except as provided in section 4 (a) of the Public Debt Act of 1941."

The amendment was agreed to.

The next amendment was, on page 2, line 11, after the word "is", to strike out "hereby" and insert "further"; at the end of line 12, to strike out "foregoing"; in line 13, after the word "exemptions", to insert "provided for in the preceding sentence"; in line 15, after the word "include", to strike out "sales taxes and use taxes), whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period, are hereby extended to apply with respect to Defense Homes Corporation, and" and insert "sales, use, storage, and purchase taxes"; in line 25, after the words "Reconstruction Finance Corporation", to insert "under section 5 (d) of this act, as amended"; on page 3, line 6, after the words "Reconstruction Finance Corporation", to insert "and"; in line 9, after the words "Reconstruction Finance Corporation" to strike out "The" and insert "Such exemptions shall also be construed to be applicable to the"; in line 12, after the word "any", to strike out "such corporation shall be construed as included within such exemptions" and insert "corporation referred to in clause (1), (2), or (3) of the preceding sentence" so as to read:

(b) Section 10 of the Reconstruction Finance Corporation Act, as amended, is further amended by adding at the end thereof the following new sentences: "The exemptions provided for in the preceding sentence with respect to taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Co., the Rubber Reserve Co., and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation under section 5d of this act, as amended, to aid the Government of the United States in its national-defense program, (2) the R. F. C. Mortgage Co., the Federal National Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation, and (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. Such

exemptions shall also be construed to be applicable to the loans made, and personal property owned, by the Reconstruction Finance Corporation or by any corporation referred to in clause (1), (2) or (3) of the preceding sentence."

The amendment was agreed to.

The next amendment was, in section 4, on page 3, line 17, after the word "by", to strike out "renumbering subsections '(2)' and '(3)' thereof as '(3)' and '(4)' respectively.

"(b) Such paragraph is further amended by"; in line 20, after the words "after subsection", to strike out "(1)" and insert "(3)"; at the beginning of line 22, to strike out "(2)" and insert "(4)"; on page 4, line 4, after the word "government", to insert "for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank"; and at the end of line 13, after the word "State", to strike out the semicolon and insert a period, so as to read:

SEC. 4. (a) The fourth paragraph of section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after subsection (3) thereof the following new subsection:

"(4) When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government, for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank. Such loans may be made only upon the security of bonds, debentures, stocks or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State."

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to strike out "(c) Subsection (4) of such paragraph (as herein renumbered) is hereby amended" and insert in lieu thereof "(b) Subsection (3) of such paragraph is hereby amended (1) by inserting after the word 'organize' the words 'at any time prior to July 1, 1943,' and (2)", so as to make the subsection read:

(b) Subsection (3) of such paragraph is hereby amended (1) by inserting after the word "organize" the words "at any time prior to July 1, 1943", and (2) by inserting before the word "power" where it first appears therein the following: "such powers as they may deem necessary in order to expedite the defense program, including, but not limited to."

Mr. DANAHER. Mr. President, with reference to the proposed amendment just stated by the clerk, I assume that the amendment runs through "1943" and the quotation mark in line 18. Is that correct?

The PRESIDING OFFICER. The amendment ends with the numeral "2" in parenthesis on line 18.

Mr. BROWN. Mr. President, may I say to the Senator from Connecticut that we have substantially agreed upon an amendment which will be a substitute for lines 14 to 21 on page 4. If the Senator will let the committee amendments be adopted, then I will suggest the amendment. If the Senator from Connecticut or any other Senator desires an explanation of the bill, I shall be glad to give it.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. DANAHER. I am not sure we should proceed in that fashion. As a matter of parliamentary inquiry, therefore, I ask whether the effect of proceeding as suggested by the Senator from Michigan will be that if the committee amendment to be proposed shall not be adopted the language in lines 14 to 21 will become law.

Mr. BROWN. I think it would be subject to further amendment; and certainly lines 14 to 21 are better, from the viewpoint of the Senator from Connecticut, than they would be if the committee amendment were not adopted.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. BARKLEY. As I understand, the Senator from Michigan and the Senator from Ohio have agreed on and will offer jointly an amendment as a substitute for lines 14 to 21.

Mr. BROWN. That is correct.

Mr. BARKLEY. Why not offer that amendment as a substitute now, so that if it should not be adopted the language of the paragraph would remain as it is? If it were adopted, of course, that would settle the matter involved in the amendment.

Mr. BROWN. That course is satisfactory to me if it is to the Senator from Connecticut.

Mr. DANAHER. That course is quite a bit different from the one which we were about to follow, and that particular course is acceptable to me.

Mr. BROWN. On behalf of the Senator from Ohio [Mr. TAFT] and myself, I offer as a substitute for the committee amendment, in lines 14 to 21, the amendment which lies on the clerk's desk, and which I ask to have read.

The PRESIDING OFFICER. The clerk will state the amendment jointly offered by the Senator from Ohio [Mr. TAFT] and the Senator from Michigan [Mr. BROWN].

The CHIEF CLERK. It is proposed, on page 4, to strike out lines 14 to 21, inclusive, and insert in lieu thereof the following:

(b) Subsection (3) of such fourth paragraph is hereby amended to read as follows:

"(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land; purchase, lease, build, and expand plants; purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (e) to produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the amount outstanding at any one time for carrying out this clause (g) shall not exceed $300,000,000: *Provided*, That except to the extent expressly authorized by clause (e) of this subsection, nothing in this subsection shall be construed to authorize the Corporation to take any action, directly or indirectly, with respect to any project, authority for which (by treaty or otherwise) or expenditures for which, have heretofore been considered and rejected by the Congress since January 1, 1926."

The PRESIDING OFFICER. The question is on agreeing to the proposed substitute for the committee amendment.

Mr. DANAHER. Mr. President, I understand the parliamentary situation now to be that the amendment just stated by the clerk has been offered as a substitute for the committee amendment as reported in the bill.

The PRESIDING OFFICER. And, also, all the way down to line 21.

Mr. DANAHER. Since that becomes a motion to amend by striking out and inserting, I further understand that that would have priority over an amendment which would simply strike out the language from line 15 to line 21, inclusive.

The PRESIDING OFFICER. That is correct.

Mr. DANAHER. Mr. President, it had been my purpose to offer as a proposed amendment a motion to strike out lines 15 to 21, inclusive, on page 4. It seems to me that I might, however, give some point to my comment, such as it will be, by calling attention to the fact that the proposed and pending substitute not only strikes out lines 14 to 21, inclusive, but amends the bill, and thus rewrites the existing law.

The subject of my complaint as to the language may best be stated, I think, if I tell the Senate that in the committee I was very greatly opposed to the language originally submitted, which would authorize the Reconstruction Finance Corporation to create or to organize corporations which would have such powers as the President and the Federal Loan Administrator might deem necessary in order to expedite the defense program. There was no limitation whatever on the purposes for which the corporations could be created. At the sole discretion of the

President and the Federal Loan Administrator, powers would be granted to these corporations which would transcend anything the Reconstruction Finance Corporation itself could do.

Mr. President, it would authorize the formation of corporations in foreign countries. It would authorize the creation of corporations to engage in the railroad business. Under it the Reconstruction Finance Corporation could create corporations which could operate aircraft lines, transoceanic mail services, any form of business whatever that could be said to expedite the defense program.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. DANAHER. I yield.

Mr. AUSTIN. Is it the Senator's opinion that under the power proposed to be granted the R. F. C. could create a subordinate corporation, which would nevertheless, have the capacity to construct a deep waterway up the St. Lawrence River?

Mr. DANAHER. Yes. Let me say to the Senator from Vermont that the answer is, "Yes"—or to create the Florida Ship Canal Authority if you choose to call it so, or the Passamaquoddy Authority, or anything of that sort. Such things could be done under the corporate powers that would have been authorized under the bill as it came before us in committee.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TAFT. The proviso in the amendment I think takes care of those particular projects.

Mr. DANAHER. I agree with the Senator from Ohio, but I am talking about the way the bill came into the committee; I am talking about the way the matter was submitted to the Banking and Currency Committee, and I want to have the Senate realize what overreaching and seeking for power was submitted to us.

Mr. President, there was considerable discussion, as can be imagined, and it finally reached the point where the Senator from Ohio and the Senator from Michigan have now suggested language which would delineate certain powers which corporations may have, corporations to be created, nonetheless, by the R. F. C.; but the powers now to be granted, allegedly, of course, in furtherance of the national-defense program, have appended to them an all-inclusive catch-all which appears in the proposed substitute at page 2 and which I will read. It is subclause (g):

> And to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the amount outstanding at any one time for carrying out this clause (g) shall not exceed $300,000,000.

As the Senator from Ohio has intimated, we have now reached the point where, disregarding the question of principle involved, we nonetheless say that the R. F. C. may create all the corporations it chooses to engage in any type of business it chooses only so long as it shall be said to be in expedition of the national-defense program, subject, however, to a $300,000,000 all-over total limit, with the additional proviso——

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. DANAHER. I yield.

Mr. BROWN. I do not know whether the Senator is going on to state the limitations provided in the amendment, but I think at this point they should be stated. First, there is a limitation that this power shall expire on July 1, 1943. Second, there is a limitation——

Mr. DANAHER. Will the Senator yield there?

Mr. BROWN. Certainly.

Mr. DANAHER. Granted that the powers in the R. F. C. to create corporations will expire on July 1, 1943, the powers or the life of the corporations to be created are not limited in any way in point of time, are they?

Mr. BROWN. They are limited further by the fact that they must be based on the national-defense program. This action may only be taken to expedite the national-defense program.

The grant of authority is further limited by the provision that no project which Congress has heretofore considered and has rejected—such projects as the Senator mentioned, the Passamaquoddy Canal, the St. Lawrence waterway—no project which has been before the Congress for decision since January 1, 1926, may be undertaken by the Reconstruction Finance Corporation. It seemed to me in the Senator's statement that he did not mention, as I think he should, in connection with what he denominates as a grab for power, that upon the Federal Loan Administrator being questioned as to whether or not there was in mind any such proposition as the St. Lawrence waterway or the Passamaquoddy Canal or any other public work of that kind, the Federal Loan Administrator immediately stated that nothing of that kind was in contemplation; and the Senator from Michigan was ready to accept any amendment that would cover that situation.

A suggestion was made that a letter be written along that line, but the Senator from Michigan said that he did not think that a letter would be sufficient; that we should find some means of writing the limitation in the statute. I think the Senator from Connecticut, if he would be perfectly fair to the Senator from Michigan, would say that it was the Senator from Michigan who suggested to the chairman and to the committee that he join with the Senator from Ohio in drafting an amendment for the purpose of covering these matters, and that the Senator from Ohio and the Senator from Michigan did suggest an amendment, and had come to the conclusion that there ought to be a limited sum of money set aside for such purposes in connection with the operations of the R. F. C., either directly, or through such corporations as might be created, as would cover situations which we could not now foresee. Such situations are arising continually, and I think there should be some leeway granted to the present Federal Loan Administrator in that regard. So the Senator from Ohio and the Senator from Michigan, representing, I think, the majority and minority views of the Senate, attempted to do so, and we think we have drafted a reasonably good amendment for that purpose.

Mr. DANAHER. Mr. President, the Senator from Michigan will recall that I got as far as the word "proviso" in the proposed amendment, as was about to explain the proviso and was about to give the history and background of it when, in my time, but with my complacent permission, he has gone ahead and given this explanation. I will also say to the Senator from Michigan that I do not resent that in any way, for I not only want always to be fair to the Senator from Michigan but to all other Senators who voiced opinions in the committee, and there were several which coincided, as it happened. But there was a minority view, let me say, and the minority was helplessly outvoted when certain Senators were possessed of the votes of certain other absent Senators, and the result was that the bill was assigned to a subcommittee consisting of the Senator from Michigan and the Senator from Ohio in an attempt to reconcile the different points of view.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. DANAHER. I yield.

Mr. TAFT. Of course, what happened was that the bill was recommended by the committee, and then the Senator from Michigan and the Senator from Ohio were told that they could get together and agree to an amendment that would be presented on the floor, if they could agree; but the committee did not wait for any such amendment. It went ahead and recommended the bill in its original form. That is the actual history of the proceedings.

Mr. BROWN. Mr. President, will the Senator from Connecticut yield to me for a moment further?

Mr. DANAHER. I yield.

Mr. BROWN. I think when the majority there had the votes and could have reported the bill without any arrangement for the conference between the Senator from Ohio and myself, that the minority ought to concede us some generosity and ought to say that we went much further than some committees of the Senate have gone under similar circumstances; that we strove mightily to agree, and we have agreed with one of the senior members of the minority on the committee. I think the Senator from Connecticut ought to attribute to us a little more generosity than usually occurs under similar circumstances.

Mr. DANAHER. I will accord to the Senator from Michigan generosity in the fullest terms; I will even grant that he may use his own superlative. My point, and the point I want the Senate to grasp, is that last year, less than 10 months ago, Mr. Jones came before our committee and sought powers to do a great many things through the R. F. C. and the creature corporations to be organized by it; that we at that time canvassed fully the needs for our national defense as they were explained to us in the committee

at that particular time, and we wrote legislation which is the present law and which I shall state forthwith in full:

When requested by the Federal Loan Administrator, with the approval of the President, to create or organize a corporation or corporations, with * * * power (a) to produce, acquire, and carry strategic and critical materials as defined by the President, (b) to purchase and lease land—

The word "land" being followed by a comma; not a semicolon, the way it is now in the pending amendment, but a comma—

to purchase, lease, build, and expand plants, and to purchase and produce equipment, supplies, and machinery, for the manufacture of arms, ammunition, and implements of war, (c) to lease such plants to private corporations to engage in such manufacture, and (d) if the President finds that it is necessary for a Government agency to engage in such manufacture, to engage in such manufacture itself. The Corporation may make loans to, or purchase the capital stock of, any such corporation for any purpose within the powers of the Corporation as above set forth related to the national-defense program on such terms and conditions as the Corporation may determine.

Mr. President, we wrote that language in the Banking and Currency Committee; and not only did Mr. Jones himself then feel that the powers were ample, but, indeed, he said they were greater than he wanted.

Mr. President, under the authority thus created there has been created the Rubber Reserve Co., with commitments of over $200,000,000; the Metals Reserve Co., with commitments of over $600,000,000; the Defense Plant Corporation, with commitments of over $500,000,000; the Defense Supplies Corporation, with commitments of over $119,000,000; and the R. F. C. defense loans of over $194,000,000; total commitments of over $1,630,000,000. It would seem that ample power and ample authority have been granted to the R. F. C. and its subsidiary corporations when we stop and realize that of the defense loans made by R. F. C., 288 such loans have been made to 217 private manufacturers in an amount aggregating $194,000,000.

The R. F. C. has cooperated with banks in making loans for production, plant expansion, or other national-defense purposes, by taking participations in any such loans; and where the bank wishes to carry the entire loan, the Corporation gives a definite take-out agreement under the rates now in effect, or such as may be agreed upon.

I am reading from the R. F. C.'s report in that particular.

Now let us see how extensive the operations may be if we undertake to adopt the particular language submitted by the subcommittee.

Mr. Jones says—and I read from the hearings, page 19:

We have outstanding now $2,100,000,000 in loans and investments. That includes bank stocks and everything else. We have authorized a total of something over $13,000,000,000. About $2,700,000,000 of that has been canceled for one cause or another. We have actually disbursed for loans and investments a little over eight and one-half billion dollars. We have collected about $6,400,000,000, or a little over 75 percent. We have outstanding $2,100,000,000. We have commitments for about $2,225,000,000. We could make commitments today in addition to that of about a billion dollars. So that we do need, if we are to continue in the defense program, some additional lending authority.

Mr. President, the proposed additional lending authority appears in section 5, on page 4, of the bill, and it reads:

The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000.

In addition to all funds available from the R. F. C.'s investments, and, Mr. President, in addition to the $1,000,000,000 on hand and uncommitted, their authorization will be increased again by $1,500,000,000 more. We are creating a supergovernment. We are authorizing two people—the President and the Federal Loan Administrator—to create and organize any corporations, within the purview of the submitted language, to do any of the things therein mentioned without ever coming back again to the Congress, without any review by the committees of the Congress as to the need or the alleged need for the program. There is no control whatever over their discretion, unless we are to find it in the good judgment of the men themselves.

Mr. President, the question of principle involved there is serious. It seems to me we ought to correlate the language of the powers that we granted to the R. F. C. last year with what is now proposed in the pending amendment. Notice this, Mr. President: Not only will these corporations, when created, have power to produce, acquire, carry and sell these strategic and critical materials—a power which we gave them last year—but they are given power this time "or otherwise to deal in such materials."

Mr. President, we give them this time power "to purchase and lease land," followed by a semicolon—that is the way it is written—not for any purpose related in any way whatever to the defense program, as was the case in the language last year. In addition, they are authorized to go on and "purchase and produce equipment, facilities"—that is a new word. What does that mean—"facilities"? "Machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war."

We are giving them power to create facilities of an undefined nature, as to which there was not even one word of testimony submitted before our committee.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I yield.

Mr. BROWN. I do not want the Senator's statement at that point to go unchallenged. My construction of the bill and of the language to which the Senator has just referred in the amendment is that none of these corporations may be organized, nor may money be loaned to them, nor may the stock in them be purchased by the R. F. C., unless it is considered by the President and the Federal Loan Administrator to be necessary to the national defense.

In other words, regardless of what the Senator may say about the punctuation, I construe the entire clause (b) of section 3 to which the Senator has just referred to be modified by the phrase "necessary to the national defense." It is also modified by existing law immediately preceding section (b)—I think I have it here—by the phrase which the amendment does not in any way affect, but which affects the amendment:

In order to aid the Government of the United States in its national-defense program.

It is my construction of the language that everything said in this section, every clause in it, is based upon the necessities of the national defense, and that none of these things may be done unless it advances the interests of national defense.

Mr. DANAHER. Mr. President, will the Senator respond to an inquiry or two? Did we have any discussion the other day, or at any other time that the Senator knows, or any testimony concerning the authority of these corporations to deal in strategic and critical materials?

Mr. BROWN. That is in the present law.

Mr. DANAHER. No, Mr. President.

Mr. BROWN. Yes, it is.

Mr. DANAHER. I will read it to the Senator. I have already read it once; but subclause (a) reads:

to produce, acquire, and carry strategic and critical materials as defined by the President.

And the reason why it was limited was——

Mr. BROWN. I do not know how they could acquire them or carry them unless they deal in them.

Mr. DANAHER. Mr. President, the Senator from Michigan as a lawyer knows better than to insist that any such construction is either admissible or necessary. The interpolation of the words "deal in" is very deliberate, and I am wondering who did it. Is it the idea of the Senator from Michigan?

Mr. BROWN. It is the idea of the Senator from Michigan and the idea of the Senator from Ohio [Mr. TAFT].

Mr. DANAHER. Did the Senators base the idea on any testimony before us that these corporations should deal in these materials?

Mr. BROWN. Certainly not, because the Senator from Ohio and the Senator from Michigan were instructed by the committee to get together and endeavor to agree upon an amendment which we could submit to the Senate. The Senator from Ohio and the Senator from Michigan got advice from the general counsel of the R. F. C., who was by the chairman of the committee requested to sit with us, and we also got advice from the legislative counsel of the Senate, and we accepted that language.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. Just a minute.

Mr. TAFT. Mr. President——

Mr. DANAHER. I have the floor, if the Senator please. I shall be glad to yield, let me say to the Senator from Ohio, but I want it to become perfectly apparent that neither the general coun-

sel of the R. F. C. nor anyone else gave the committee any testimony as to the necessity for dealing in strategic or critical materials. No one explained to our committee the need for any such power as that. I merely want that to be perfectly clear.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. TAFT. The situation is that the Senate committee approved a bill which gave the R. F. C. absolute, complete, unlimited power to do anything. I said that I objected to that provision; that as to anything the R. F. C. should name which had any relation to national defense I would be willing to give them such power, but that they should specify what they desired and should not have the door wide open to do anything in the world. So they came in and said, "Here is something we want to do." It seemed to me that cut down the general powers which the committee had already granted—much broader than I thought they should be—and I followed the principle I have stated, in agreeing to any specific request for power which the R. F. C. sought. I do not think it required testimony, because the committee had gone much beyond that. It had said, "You can do anything you please."

Mr. DANAHER. So that it comes down to this, that the Senator from Ohio really was accepting a compromise which was less than the complete and blanket authority previously given?

Mr. TAFT. Exactly. And in general, I may say, my objection was not to the specific powers asked; my objection was to the grant of all-covering, general power to do anything in the world.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. DANAHER. I yield.

Mr. AUSTIN. The first time this idea was brought to my attention it shocked me. The idea that we could turn over to an agency of the Government the function of sovereignty to such an extent that it could create something with greater powers than those with which it was invested, is shocking, and I make the claim that on principle we cannot do that. It is like attempting to lift ourselves by our own boot straps. The idea of investing a corporation such as the Reconstruction Finance Corporation with the authority, in blank, to create a subordinate or subsidiary corporation with greater powers than it enjoys itself, is preposterous.

Mr. DANAHER. Mr. President, I am delighted to see that the Senator from Vermont shares exactly the attitude of the Senator from Ohio and the Senator from Connecticut, for when we sat in the committee the other day, appalled—that was our word—appalled at the grant of power that was being solicited from us, I cannot doubt that the Senator from Ohio was glad to take anything less than the complete and blanket extension of power that was being sought and claimed.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. DANAHER. I will yield in a second. Let me say also to the Senator from Vermont that there is not any requirement in law that these creature corporations shall even so much as file their charters anywhere. We cannot find them recorded with the Congress, or with the Secretary of the Senate, or with any other public authority. They are downtown in some office somewhere. I now yield to the Senator from Ohio.

Mr. TAFT. I wish to say to the Senator, first, that I shall offer an amendment, which I think will be acceptable to the Senator in charge of the bill, providing that the charters must be filed, so that we will definitely know what we are providing.

In the second place, it may be impossible to create a corporation with more power than the R. F. C. itself has; but it has been done. There are four such corporations operating today. I could only say that, regardless of the legal argument, it is not impossible, because it actually is happening today in this country, and these corporations have spent millions of dollars. They are the Defense Plant Corporation, the Defense Supplies Corporation, and two others, I think. So that while I do not think it is very sound, I cannot legitimately object at the present time.

Mr. DANAHER. Mr. President, turning to page 2 of the pending amendment, these creature corporations provided for in subclause (e) are to be given the power—

to produce, lease, purchase, or otherwise acquire railroad equipment—including railroad stock—and commercial aircraft and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BROWN. I wish to state first to the Senator the reason back of this proposition. I think it is better, with the Senator's permission, that I do so now rather than attempt to answer questions categorically later on.

Mr. DANAHER. I yield to the Senator.

Mr. BROWN. The Senator knows that 85 percent of our iron ore goes through the "Soo" canal in northeastern Michigan. That canal consists of four locks, three of which are active and one inactive, and one on the Canadian side, on St. Marys River.

It being but about 600 miles from there to Hudson Bay, there is no question that it is entirely possible if an aircraft carrier under the control of an enemy government should get into the south end of Hudson Bay, those locks might be destroyed by one or two fortunate shots. If so, the situation with respect to getting ore from the Mesabi Range, in Minnesota, and from the Marquette and Gogebic ranges in Michigan, would be very difficult. Already, I can say to the Senator—and I am not revealing any secrets—there has been in contemplation the construction of a railroad, which would to a very great extent relieve such a situation if it should arise. If the Senator has the geography of the Great Lakes region in mind, there is a railroad from Duluth to the northwest corner of Lake Michigan, but it is a single-track railroad, in a bad state of repair. A double-track line could be constructed there, and the ore carried from the Mesabi Range, which is the big producer in the Lake Superior area, to the ports of Escanaba and Manistique, and possibly Menominee, on Lake Michigan.

The railroads have advised that there are not sufficient ore-carrying cars in existence to do anything more than take care of the necessities of hauling ore from the mines to the water at Duluth, on Lake Superior, and to the Lake Michigan ports. If they had to haul the ore from Duluth and Superior all the way through the Chicago gateway, down to the Cleveland-Pittsburgh area, it would be impossible to do the job with the present railroad equipment.

Therefore, there is granted in the bill power to improve and construct railroads, because that short haul would still enable the use of the ore carriers on the Great Lakes; and it may be surprising to the Senator and other Members of the Senate to learn that the equivalent of from 200 to 250 cars of ore is carried in one 600-foot ore carrier on the Great Lakes, a quantity which is equal to 3 or 4 full trainloads. We must have this combination of rail-and-water haul. Therefore, we provide, through this Government agency, a means of meeting that situation.

Second, Admiral Land, in his testimony before the Committee on Commerce on the shipping bill a few days ago, stated that one of the sources from which ships could be obtained for use in the trans-Atlantic trade was by the elimination of the coastwise trade, we will say, from Oregon and Washington to Los Angeles and around through the Canal to New York, and likewise along the Atlantic seaboard, in which there are many ships which could be used in the trans-Atlantic trade. If that were done, it would mean that the railroads would have to acquire much additional equipment in the way of cars. The Senator does not think that a private corporation, such as a railroad, would willingly enter into the purchase of a tremendous amount of additional equipment if it were known that immediately upon the cessation of the war all these ships would be brought back and put in the coastwise trade. Therefore, because of those two examples, and many others that could be given to the Senator from Connecticut, it was felt that there ought to be a Government agency somewhere which could speedily, without delay, acquire that equipment. That is why clause (e) is in the amendment.

Mr. DANAHER. Mr. President, I hold in my hand the Reconstruction Finance Corporation Act. In section 5 we find that the R. F. C. is authorized now to aid in financing agriculture, commerce, and industry. We find that—

Within the foregoing limitations of this section, the Corporation, notwithstanding any limitation of law as to maturity, with the approval of the Interstate Commerce Commission, including approval of the price to be paid, namely, to aid in the financing, reorganization, consolidation, maintenance, or construction thereof, purchase for itself, or for account of a railroad obligated thereon,

the obligations of railroads engaged in interstate commerce, including equipment trust certificates, or guarantee the payment of the principal of and/or interest on such obligations including equipment trust certificates, or when in the opinion of the Corporation, funds are not available on reasonable terms through private channels, make loans, upon full and adequate security, to such railroads.

And so forth.

Mr. BROWN. Will the Senator yield there?

Mr. DANAHER. Yes; I yield.

Mr. BROWN. I call attention to the fact that in the section the Senator just read there is no authority to buy railroad equipment. Under that section all the R. F. C. could do would be to loan money to railroads to buy the cars. As I stated before—and I think upon sound reason—the railroads would not willingly, unless forced, buy the additional equipment, because they know that the use for that equipment might cease at any moment. This bill merely expands that authority, so that in cases where it cannot get the railroads to do this job the Government in this emergency may step in and buy railroad equipment.

Mr. DANAHER. Mr. President, there is no doubt that the R. F. C. cannot operate all this other business at the present time without constantly invading every field, extending this interposition of the use of Government funds through Government operation of R. F. C.'s creature corporations which it authorizes and would now further authorize beyond the powers of the R. F. C. itself. Mr. President, when you take into account the principle—and it is an important principle—which is involved in this type of legislation, just recall by way of contrast what the situation was when R. F. C. was created. Having in mind what the situation then was, let us read subsection (g) again of the pending proposed substitute. The R. F. C. would be authorized to create corporations—

To take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program.

And the two officials can decide—not a committee of the Congress, not the people, not upon some program we have appropriated for, but upon some item they have in mind—just so long as they say it is in furtherance of the national-defense program. As to most of it there is no limit; as to subclause (g) there is a ceiling on it of $300,000,000.

Now, Mr. President, I submit—and this is the burden of my whole discussion, both in the committee and out—that we are extending a principle here contrary to anything this Government has ever known, far away and beyond anything the Congress has hitherto authorized. The Senator from Ohio brought out the other day, when questioning Mr. Jones, that there was no depositary for the charters of these creature corporations. He asked the Administrator: How can we tell all the powers the existing corporations have? Who is going to get a look at the charters of the Rubber Reserve Co., if you choose, or the Metals Reserve Co., or any other one of these units?

Mr. President, I submit that when the money of the American people to the tune, in the aggregate of about $13,000,000, can be used to create a supergovernment, it is time that we take some steps to inquire into the ultimate purposes and the motivating forces back of this demand. That is why I was asking, under what circumstances, and without the testimony of anybody before us as to the alleged need for these powers, this particular result should be achieved.

Of course, I understand the situation of the Senator from Ohio. He was glad to save anything out of what the committee through the majority had already reported out. Under the circumstances, Mr. President, I suppose that having voiced a protest I will still vote for the bill; having expressed my views with reference to the thing we, on the one hand, can do no more than vote against the bill if we chose, but in that way would hamper much of what is obviously legitimate. But I am reluctant to vote against the whole bill because there is so much that is good in the bill; there are so many things in it we want that I suppose we have to take it, that we just about have got to vote for the bill in order to get the desirable features of it. Mr. President, I am being generous to the Senator from Michigan, as he said I should be, and certainly in all fairness to him I must say that he and the Senator from Ohio [Mr. TAFT] have worked out a measure which does define and delimit, to some extent at least, some of the powers which hitherto were sought. To that extent, Mr. President, the proposed substitute is more desirable, I dare say, than striking everything out, and I leave the matter with the Senate with those views.

Mr. BROWN. I may say that, generally speaking, the bill, in section 4, makes some additions to the authority granted the R. F. C. in the act which was originally passed 1 year ago. There is no question that additional authority is granted to the R. F. C.. What that additional authority is has been stated in the debate between the Senator from Connecticut and myself. We all well know that the situation has vastly changed from May 1940 to May 1941. I shall not take the time to go into each item of this authority, but the principal proposition to which the Senator from Connecticut objects is what he calls the "catch all" or "carry all" clause, the last one in the measure.

Mr President, $300,000,000 is less than 1 percent of the sum of money which we have, in effect, turned over to the President of the United States under the various war appropriation bills, and for which we have estimated. I just inquired of the senior Senator from Colorado [Mr. ADAMS], and his recollection agrees with mine, that we will spend approximately $39,000,000,000 in the defense program as now outlined. Twenty-six billion dollars of it will be spent in the next fiscal year. Having in mind the sum of $300,000,000, which, as I say, is much less than 1 percent of the total sum, while it is large in itself, a tremendous sum of money, yet comparatively speaking it is a very little sum to turn over to this corporation, the R. F. C., which can act promptly, which has considerable power and considerable latitude, as it should have in order to meet conditions which we cannot now foresee.

That is all clause (g) of the bill does. As I have previously said, it is limited to purposes of national defense. The right to make the loans expires on July 1, 1943. The loans may not cover any public work or any proposal which has been before the Congress and which has been rejected since January 1, 1926. That means that under the limitation in the bill all such projects as Passamaquoddy, the St. Lawrence waterway, and other public works such as the Tombigbee River project, and so forth, cannot possibly be undertaken by the Reconstruction Finance Corporation.

It seems to me that everyone must realize—and we have heard this argument time and time again—that under present circumstances we must do things which we would not do in ordinary times. The bill provides full control over the ultimate appropriation, a limitation of time, and an express limitation as to money, which is less than 1 percent of our proposed national-defense expenditures. I think many members of the committee on both sides have as I have, the utmost confidence in the Federal Loan Administrator and his efficient staff. In the Banking and Currency Committee Republicans and Democrats alike vied in praising the administration of the loan acts by Mr. Jones and the Board of Directors of the Reconstruction Finance Corporation, and the officials of that organization, and we have full confidence in the President of the United States, who must approve all such expenditures.

In order to make the record clear I think I should mention other things which the bill does. It extends the life of the Electric Home and Farm Authority, which is the governmental lending agency which discounts the paper of dealers who sell electrical equipment, such as flatirons, washing machines, and things of that kind to the general public, particularly in the small towns and faraway places. The Authority has brought discount rates down from somewhere around 11 percent to 5 percent, I believe, and its operation has been quite universally applauded. The bill extends the life of that corporation and its authority to make such discount loans until 1947, which is the time when the life of the Reconstruction Finance Corporation expires.

Second. It extends until January 22, 1947, which is likewise the date when the authority of the Reconstruction Finance Corporation to operate as a lending agency expires, the authority of the Disaster Loan Corporation to do business, so far as the Government can, to assist those who suffer from catastrophes of various kinds, such as floods, storms, tornadoes, and so forth.

This is the agency which was created under the bill of the majority leader to take care of sufferers in the Ohio Valley and in the Connecticut Valley and elsewhere, and which has done such splendid work in taking care of the victims of the disaster known as the New England tornado, which occurred in New England in September 1939. The work there has been quite universally commended. I re-

call that in the hearings the junior Senator from New Hampshire [Mr. TOBEY] highly praised the efficient way in which the Disaster Loan Corporation had taken care of sufferers from the catastrophe to New England.

Third. The bill applies the principle of tax exemption on the part of the Government itself to the creatures of the Reconstruction Finance Corporation, all of which must be public corporations. Let me say that, as Senators know, I have been addressing myself to the problem of tax exemption; and I think Senators have confidence that I would not approve any bill which would extend or expand tax immunity. We have particularly provided in the pending bill that the obligations of the Reconstruction Finance Corporation, like the obligations of the Government itself, shall be subject to income taxation, both as to interest and as to gain. We apply the principle of exemption to sales, use, purchase, and storage taxes, which is in line with the principle which the Finance Committee presented to the Senate, and which was adopted in what was commonly known as the Buck bill, which I had the honor of handling on the floor of the Senate.

Briefly, the Reconstruction Finance Corporation and its creatures are granted the same immunity which the Government itself has. I may say that the general problem of tax immunity and tax exemption is the subject of study on the part of a subcommittee of the Finance Committee at the present time. I myself am not in complete agreement with all that is provided in this section relative to tax exemption. I feel that it is a problem which ought to be studied at some future time by the Finance Committee, which is the tax committee of the Senate. That burden is heavy upon several of us on the committee. I am satisfied that the pending bill does not extend the principle which has been followed in the past.

Fourth. And this point has not been mentioned—the bill provides that the Reconstruction Finance Corporation may loan upon securities owned by foreign governments in the United States, such securities to consist of municipal bonds, governmental bonds, and securities of corporations within the United States. The purpose behind that provision is to enable a more orderly liquidation of the securities of foreign governments and of the citizens of foreign governments which have been turned over to foreign governments in the United States. I think the Senator from Connecticut added a very valuable amendment, which has already been agreed to, and which very well states the purpose of the section. I refer to the amendment which provides that the loans shall be made "for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank." The general idea is to prevent a hasty sale, which is often unfortunate to the owners of a corporation, and at the same time to prevent throwing upon the American market a large amount of securities owned by citizens of foreign nations. The security must be sound.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. DANAHER. Earlier I asked the Senator from Michigan, when he referred to the fact that the power to create the corporations would expire on July 1, 1943, if there was any limitation upon the life or existence of the corporations to be created. He did not answer that question. There is no such limitation, is there?

Mr. BROWN. The right of the Reconstruction Finance Corporation to lend money, to buy stock, or to create corporations expires on January 1 or July 1, 1947.

Mr. DANAHER. That is the power of the Reconstruction Finance Corporation; but that has nothing to do with the life of the corporations which it creates. Inasmuch as the Reconstruction Finance Corporation counsel is sitting beside the Senator, let me ask him if he will not agree to an amendment which would limit the life of the corporations thus created coincident with that of the Reconstruction Finance Corporation?

Mr. BROWN. I will say to the Senator from Connecticut that it would be impossible to do that, because so many activities of the corporations would have to be wound up, and some time would be required to wind them up. I have addressed my mind to that problem. I am unwilling to accept such an amendment; but as a result of our discussions on this general question in the Banking and Currency Committee I have come to the conclusion that some arrangement ought to be set up, possibly in the Treasury Department, by which the affairs of such corporations, when the emergency is over—if it ever is over—may be wound up by one central agency.

I am in agreement with the principles the Senator from Connecticut announces; but, without full hearings and a full understanding of the entire situation, hearing the testimony of Mr. Jones, Mr. Schram, Mr. Hamilton, and of the officers and directors of the Disaster Loan Corporation, the Defense Homes Corporation, and the other corporations, I would be unwilling at the present time to accept the amendments. We must find some means of having a central agency to wind up these corporations after their right to do business expires. I think their right to do business could not expire on January 1 or January 22 of 1947, because the doing of business naturally includes buying and selling and acquiring various kinds of property. There should be some sort of a general receivership for the purpose of winding up these corporations; but I hope the Senator from Connecticut will not insist upon the present consideration of that matter, because my judgment on it would be based merely upon guess, and I would be without accurate information which I feel I should have in order to act upon a proposal of this kind.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BROWN. I yield.

Mr. DANAHER. We did not have any difficulty in extending the life of the Disaster Loan Corporation, in the very first section of the pending bill. The Disaster Loan Corporation by the terms of the law originally creating it would expire on June 30, 1941; so the Congress, which I hope will be here until 1947, also will be able to extend on January 22, 1947, the life of these creature corporations, if any such extension shall be needed. There is no reason why we could not now provide that the life of the corporations to be created shall terminate with the powers of the R. F. C.; is there?

Mr. BROWN. The Senator from Connecticut might be willing to do that; but I certainly would not advise those to whom I am talking in the Senate to agree with the Senator from Connecticut on that point. I think it is a big problem. I do not know what dissolution consists of, I do not know what business the Disaster Loan Corporation would have to go through with after January 1, 1947, or after the year 1947.

Mr. DANAHER. Mr. President, will the Senator yield at that point?

Mr. BROWN. I think that the Senator from Connecticut ought to see—as I am satisfied he will, upon calm contemplation—that that is a problem which we shall have plenty of time to solve, and a problem which we ought to meet only after full and adequate knowledge on our part of the entire situation.

Mr. O'MAHONEY. Mr. President, will the Senator yield for a question?

Mr. BROWN. The Senator from Connecticut first asked me to yield; therefore I yield to him.

Mr. DANAHER. May I point out to the Senator from Michigan what is involved in connection with that matter? The other day it took us about 8 minutes to extend the life of the Disaster Loan Corporation from 1941 to 1947. We can extend the life of a creature corporation on more notice, if it comes to that; but if Senators will consider the proposed amendment they will find that whereas the existing law has authorized these creature corporations to manufacture arms, and munitions, and implements of war, the proposed amendment will let the corporations engage in the manufacture of any other articles, equipment, facilities, and supplies necessary to the national defense, and that is not all—

and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith.

Mr. President, there is no limitation whatever on the extent to which public funds may be used from the two-and-one-half-billion-dollar authorized and uncommitted capital the R. F. C. now has available.

Mr. BROWN. After 1947, where will these corporations get their money?

Mr. DANAHER. Mr. President, will the Senator yield at that point?

Mr. BROWN. I yield.

Mr. DANAHER. I will answer that question. Mr. President, let me point out that, one after another, these corporations are being created under the aegis of the Reconstruction Finance Corporation; and they in turn can create a corporation in the State represented by the Senator from Missouri, for instance, to operate a Remington Arms

plant there, or can create a corporation at Omaha to build a plant for the manufacture of Martin bombers. That would be all right. That would be a defense measure. We do not need this blanket authority to extend the power of the R. F. C. to meet such needs.

Let us see what the R. F. C. already has done by way of loans to corporations. It has provided for construction and equipment for manufacture of precision aircraft parts; construction and equipment for manufacture of ammunition brass and ammunition cups; construction and equipment for manufacture of machine tools; construction and equipment for manufacture of aircraft parts, accessories, instruments, ignition devices; equipment for manufacture of universal joints for military trucks; construction and equipment for manufacture of aircraft parts, carburetors, landing gear; construction and equipment for manufacture of aircraft radio devices and instruments; construction and equipment for manufacture of aircraft; construction and equipment for manufacture of cartridge cases; equipment for manufacture of complete outer wings for aircraft; purchase of machine-gun plant; equipment for manufacture of machine guns; construction and equipment for manufacture of ammunition brass and cartridge casings; equipment for manufacture of aircraft fuselage sections; equipment for manufacture of aluminum alloy forgings for aircraft; equipment for manufacture of aircraft struts and other aircraft products; purchase of machine-gun plant; equipment for manufacture of nitric acid manufacturing equipment. The R. F. C. has gone through almost the entire gamut, and yet continuous power is being sought, without even an agreement on the limitation of the authority of the creature corporations.

Mr. President, I submit that if that situation does not point out the need of future limitations upon the grant of power and authority to this super-government, I do not know what does.

I thank the Senator for yielding to me.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. O'MAHONEY. I may say that I have been somewhat impressed by the remarks of the Senator from Connecticut, although I appreciate that the importance of having action upon the pending legislation might make one hesitate to demand too vociferously amendments to the bill to which obviously the Committee on Banking and Currency has given a good deal of consideration—consideration which, as I understand, has resulted in an agreement between the Senator from Michigan [Mr. BROWN] and the Senator from Ohio [Mr. TAFT] and other Senators, by which limitations have been placed on the authority.

However, I desired to ask the Senator if under the original measure which authorized the Reconstruction Finance Corporation—which is itself a corporation—to create other corporations there is not a provision specifying the life of the new organizations. May the Reconstruction Finance Corporation create a corporation for an unlimited time?

Mr. BROWN. I may say to the Senator from Wyoming that that power is provided by existing law. The pending bill does not add anything to that.

Mr. O'MAHONEY. Yes; I was asking about the existing law.

Mr. BROWN. Under the existing law, I will say to the Senator, there is no limitation.

Mr. O'MAHONEY. Then, under the present law, as I understand, the Reconstruction Finance Corporation, which has been created by Congress with a limited life and which must, when that period of life expires, come to Congress to obtain a new charter of existence, may itself bring into existence artificial beings of unlimited life?

Mr. BROWN. Unlimited life, but absolutely no financial nourishment after 1947.

I think the Senator is correct, and I think the Senator from Connecticut is correct on the general proposition.

Mr. DANAHER. Mr. President, I did not hear what the Senator from Michigan said. Did he say that I am correct?

Mr. BROWN. The Senator from Connecticut is correct almost all the time, but not all the time.

Mr. DANAHER. I inquire whether the Senator from Michigan said that now I am correct.

Mr. BROWN. I say that the Senator from Wyoming and the Senator from Connecticut probably are correct in their general proposition that there should be a limitation upon the time these corporations may exist. I say that after 1947 these corporations cannot be nourished by any financial aid from the Reconstruction Finance Corporation; and, as a matter of practical common sense, I believe that after that time they simply will go out of existence.

I have not the slightest objection to studying this subject and putting a limitation upon the corporations; but I do not think we should do so in the pending bill. The bill does not deal in any manner whatsoever with the subject of incorporation, except slightly to extend to some other activities the present existing power with respect to the chartering of corporations.

I will say to the Senator from Wyoming that a great many lawyers, the Senator from Colorado and some others, including the Senator from Michigan, doubted the advisability a year ago of authorizing the R. F. C. to create these corporations; but the argument was made to us that they went to Delaware, to Maryland, and to other States to create these corporations; that that was an unnecessary thing to do and there ought to be some means of handling the matter more expeditiously. That is why it was done.

Mr. O'MAHONEY. May I call the attention of the Senator to a state of facts which, to my mind, makes this a very important question. As I understand the amendment which has been offered, even under the limitation, the R. F. C. will now create corporations to engage in the production and manufacture of defense materials, materials which they think are now needed for defense and are also of great use in ordinary civilian life.

The experience of the Sugar Corporation, which was created during the World War, is evidence of the fact that such a corporation so created by the Government and undertaking business operations may do so at a great profit. The Sugar Corporation in the World War made a very large sum of money, as I recall, in its transactions with respect to sugar. Sugar was bought and sold by the Corporation under the Food Administration for the benefit of the Allies and for distribution among the people of the United States, and there was a large profit.

Mr. BROWN. Let me say to the Senator that was largely due to the fact that we had 21-cent sugar because foreign elements, rather than domestic elements, controlled the sugar price at that time. Is not that the fact?

Mr. O'MAHONEY. I am sure the Senator from Michigan called that fact to the attention of the Finance Committee when they committed what we believe to be an error, but my point now is that if there is no limitation upon the life of a corporation, and such a corporation as may be created under this bill engages in a profitable business and there is an abolition of the tax, as I understand——

Mr. BROWN. Not for those corporations.

Mr. O'MAHONEY. I am glad to know that.

Mr. BROWN. Unless they are engaged in defense production. If a public corporation purchases a plant and leases it to a private corporation to operate, the private corporation would not enjoy the tax-exempt features of this bill. Only in the event the Government itself, through an agency engages in manufacture, is there tax exemption.

Mr. O'MAHONEY. Very well. Here is a corporation which is engaged in a profitable enterprise and makes money; it may become independent of the appropriations by Congress.

Mr. BROWN. I disagree with the Senator there, and I think I can point out to him why.

Mr. O'MAHONEY. Understand, I did not make that as a statement; I am merely asking questions; I do not happen to serve on the Committee on Banking and Currency.

Mr. BROWN. I think if the Senator served on that committee it would be a better committee.

Mr. O'MAHONEY. I will subside in a moment, now that I have had that compliment.

Mr. BROWN. The corporations in question could not continue in business after the defense emergency had ended. I am cognizant of the fact that some of the governmental agencies—the Senator from Missouri would call them bureaucrats, but I do not like that term very well, as there are many excellent officials in the departments—have greatly expanded the idea of what is necessary to national defense. I do not agree, and I do not think the court would agree, with the extremities to which some of them have gone, but I do say that, under this

bill, as soon as the defense emergency shall be over, the corporations of which we have been talking cannot continue in the business of producing these materials.

Mr. O'MAHONEY. What is the limitation in the bill which reaches that result?

Mr. BROWN. None of these corporations may be chartered after July 1, 1943; and that is a limitation upon their right to do business.

Mr. O'MAHONEY. But that does not achieve the objective.

Mr. BROWN. The R. F. C. could not loan to these corporations after 1943 for this purpose unless the Congress extended the authority.

Mr. O'MAHONEY. I recognize the accuracy of the Senator's statement in that respect, but I have been pointing out to him the possibility that such corporations might engage in a profitable enterprise and that they might then be independent of congressional appropriations. So I ask the Senator what there is in the bill or in the law which would prevent a corporation so created and so making a profit from using that money? The Senator has not pointed out any provision which would do so.

Mr. BROWN. Let us take a railroad corporation as an illustration. I think the Senator perhaps was not present when I gave as an illustration the case of Sault Ste. Marie Canal, being damaged, and the building of a railroad from Duluth to Lake Michigan on a route, if the Senator has the geography of that section in mind, where roughly speaking, 800 miles by water can be traversed by the large ore carriers.

Any railroad which the R. F. C. might finance and build there, through a subsidiary corporation under this bill, could not be financed by R. F. C. after the defense emergency was over. The R. F. C. could not lend it any money, and it could not operate under the authority given it unless it was in furtherance of national defense. That is a limitation outside the other limitations I have mentioned—time and so on. But I think that is a very real limitation. Such a railroad could not be operated by the Government from Duluth, Minn., to Escanaba, Mich., or from the head of Lake Superior to Lake Michigan, after the defense emergency was over, because this entire section, the Brown-Taft amendment, is based upon the preceding section, which provides that when the President finds it is necessary for the national defense these things may be done. That is the only limitation I can state.

Mr. O'MAHONEY. Does the Senator believe in such a case as he describes of a railroad so operating, with a public demand for the transportation of passengers and freight and the railroad operating successfully, that when the emergency period expired there would be no pressure to continue that corporation in operation?

Mr. BROWN. The R. F. C. would have to sell it, in my judgment, and that is also the judgment of the general counsel of the R. F. C.

Mr. O'MAHONEY. In other words, from what the Senator says, in his opinion, the powers granted here are to be terminated by the expiration of the period of national defense?

Mr. BROWN. The Senator expresses it very clearly.

Mr. President, the only other section of the bill to which I have not alluded is section 2, which increases the amount of money the R. F. C. may borrow by a billion and a half dollars. That sum will give the R. F. C., for all purposes, not only national-defense purposes but all purposes, according to the estimate of the Federal Loan Administrator, Mr. Jones, $2,600,000,000.

Mr. President, I think I have covered every section of the bill. I should be very glad to yield to any Senator who desires any further facts and figures which I have or which may be relayed through me to the Senate. I believe, however, I have covered the essentials of the bill. I think it is necessary; I think it is vital to the national defense; and I think the controversial section which has been the subject of some dispute between the Senator from Connecticut and myself is decidedly necessary so that the Government of the United States may meet emergent conditions which we cannot at the moment foresee. That is the main purpose of the Taft-Brown amendment.

Mr. ADAMS. Mr. President, I merely desire to make one or two comments, not in opposition, but as indicating the views of some of us on the Banking and Currency Committee who did not agree with the full policy of the bill.

It has been stated by the Senator from Michigan that some of us differed with one of the theories. Legally, we have felt that the creation of a corporation was a function of sovereignty, and that it could not be delegated to another corporation. I do not think it is particularly material, but I do not wish the occasion to pass without putting in the RECORD my feeling that to confer upon a corporation the power to create other corporations is unsound in principle; and I question its legality, though I understand there are some court decisions to the contrary.

Going a step further, as the Senator from Wyoming mentioned, we have the Reconstruction Finance Corporation with a life which ends in 1947. It is creating—not organizing, but creating—corporations with a life beyond its own. That is not all; but I think some of the corporations which it has created have eternal life. That is, their life not only extends beyond that of the R. F. C., but is without limitation. Their charters are perpetual. The theory of the charters is that these corporations are to be officered by the officers of the R. F. C. I think, in part, the uneasiness of the Senator from Wyoming is met by that fact. In the charter is the requirement that they must be officered by officials of the R. F. C. When the R. F. C. ceases to exist, they will run out because of the lack of officials. Each of them has, I think, a capital of $5,000,000. Is not that the situation? It is the rather uniform situation. So they will have a capital which they obtain from the R. F. C., together with their borrowing capacity.

One further question as to these corporations is this: The question was asked of Mr. Jones: "Can you or your organization create a corporation with a life beyond that of the R. F. C., and with powers in excess of those of the R. F. C.?" He said, "Yes." In other words, we grant to the R. F. C. certain powers, and yet the R. F. C. can create a corporation with powers which it itself does not have.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. ADAMS. Certainly.

Mr. BROWN. The Senator is correct in the statement that the R. F. C. may create corporations with powers that it does not have; but, of course, it may not go beyond the statutory authority given to the R. F. C. to create those corporations. In other words, the R. F. C. is bound by the statute; and if the bill is passed with the Brown-Taft amendment in it, it will be limited to the powers granted in that amendment.

Mr. ADAMS. I say to the Senator from Michigan that I think the Brown-Taft amendment is a vast betterment of the bill. I think in the original bill they were asking for—well, I do not want to characterize the authority except as it characterizes itself when they call it "such powers as they may deem necessary in order to expedite the defense program." The Brown-Taft amendment does put some limitation upon them, and I think it is highly desirable that it should be adopted.

Some comment was made as to tax exemption. I felt that the exemption from sales tax and use tax and other personal property taxes ought not to be specifically conferred upon these corporations; that if by law, if by constitutional right they are exempt from such taxes, nothing we could say would add to the exemption. If they are not exempt, we ought not to trespass upon the taxing power of the States. I do not know how far it would go, but suppose we have the operator of an automobile of one of these corporations buying gasoline. The vendor of gasoline is required to account for the tax upon the gasoline sold, but the operator of the automobile of the agency buys gasoline and says, "We do not have to pay the tax." That is a tax that goes to the State.

The Secretary of the Treasury stated that he thought the exemption from sales tax was unnecessary and unwise. In a letter which is not in the report of the committee but is in the report of the hearings, that statement appears. It should be said that the letter which appears in the hearings was sent to Mr. Jones with the statement that he could use it or not, as he thought advisable.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. ADAMS. Yes.

Mr. BROWN. The Senator knows that I have fought on the floor of the Senate on two or three occasions against any form of tax exemption on the part of Government securities or State securities. The Senator from Colorado has been in disagreement with me on some features of that program; but I desire to say here and now—and I have worked a great deal in conjunction with the Treasury upon this question of tax exemption—that I fail to see why the R. F. C. or the Disaster

Loan Corporation or the Metals Corporation should pay a gas tax if the Treasury Department itself does not pay a gas tax; and it does not pay a gas tax upon the use of its trucks. All the Procurement trucks that we see running around the city of Washington are using gas that is tax-free so far as Federal tax is concerned, and if there were a State tax here such as there is in my State and the Senator's State the Federal Government would be exempt from that tax. I fail to see the distinction between the Treasury Department, or the Department of the Interior, or any other department of the Government, and the Metals Corporation, the Disaster Loan Corporation, or any of these purely governmental agencies set up in the form of corporations.

Mr. ADAMS. I entirely agree with the Senator; but there is no statute which says that the Treasury Department is exempt. It is exempt as a matter of fundamental constitutional principle; and I have questioned the wisdom of putting into this bill a provision that it shall be exempt, as if it were implied that otherwise it would not be.

Mr. BROWN. The Senator will recall that in the bill relating to State taxation within Government reservations—there are a good many of them in the State of Colorado—we wrote into the law an exemption of Federal agencies from taxes levied within those areas by the States; but at the same time we subjected the private citizen, the operator of a souvenir stand or a hotel in the Government reservations, to all State taxes.

So the Senator was not quite right when he said we never had enacted that tax exemption into law. We did so provide in what is commonly known as the Buck bill, which the Senator from Michigan handled in the Senate. That tax-exemption was written into the law; and, as I stated before the Banking and Currency Committee at the time the question was up, that was the reason why I felt it was right and proper to have this specific tax exemption set forth regarding the R. F. C.

Mr. ADAMS. Mr. President, the Senator is quite correct. I have had some correspondence in reference to these Federal reservations. Individuals within them who are not exempt are trying to claim that they have the same exemption from tax which the various Government agencies have within the District.

Mr. BROWN. They do not now.

Mr. ADAMS. No; they do not.

Mr. BROWN. We have definitely eliminated that.

Mr. ADAMS. And I think it would result in many complications if we should attempt to attach this exemption to individuals, regardless of where they go or from whom they buy.

Mr. President, just a word or two more. I simply wanted to make clear some of the differences I had with the majority of the committee, in whose decision I perforce acquiesce.

I questioned the amount of the authorization. It seemed to me somewhat excessive. No one can make an absolute statement that they should have this amount or that amount. As a matter of fact, as stated by the Senator from Michigan, with the added amount under the pending bill the R. F. C. will have free and uncommitted funds of two and a half billion dollars. They have very large resources invested and loans back of that amount. I do not know the amount, but it runs into many million dollars, and money is continually coming in.

I have stated before, and I wish to state again very briefly, that the Reconstruction Finance Corporation was created for a very definite purpose. It was created as an agency through which the credit of the United States should be extended to industry, agriculture, and commerce in their civic undertakings. It was to help the banks; it was to help manufacturers. It contemplated always peacetime activities, and the extension of Government credit going a little beyond the point where a bank would go. In fact, some of the statutes provide that if a manufacturer is unable to secure credit otherwise, if reasonable assurance of repayment exists, or the security is adequate, the Reconstruction Finance Corporation may take a risk which a bank or a private financier would not take.

I have very seriously questioned the grant of power to the R. F. C. by existing statutes, though that question is not in issue now, to engage in manufacture, to buy and operate plants, to go into the war-industry business. I have felt that that should not be confused with its civil lending functions. That has been established, and I merely make that statement because I feel that to a certain extent there has been an abuse of the very sound fiscal theory which underlies the R. F. C.

Again, I have questioned what is provided, namely the right of Congress to establish a corporation as an agency to engage in diplomatic processes, to engage in financial transactions with foreign governments. Under the law as it stands the R. F. C. has been making loans to foreign governments. It has been going beyond that, it has been lending money, for instance, in Cuba, for the establishment of sugar industries, to produce more sugar, when some of us have been attempting very earnestly to make provision for the production of sugar in the United States. It is financing steel works in Brazil, notwithstanding the fact that some of us come from cities where there are steel works which have had trouble in keeping in operation, and other Senators come from neighborhoods where people are endeavoring to establish steel works. But we are lending money through the R. F. C. to establish competition in countries where there is cheap labor, and an abundance of raw materials.

One of my objections has been that the R. F. C. is bypassing Congress. We are turning over to the R. F. C. billions of dollars, and they decide the purpose for which loans shall be made, the purpose for which investments shall be made, and Congress knows nothing about it. All they have to say is that it is in furtherance of the maintenance of industrial conditions in South America or is for some defense purpose.

Congress was established by the Constitution to handle the purse. The Constitution puts the power to borrow money in the Congress. That is the only place where the power to borrow money rests. The Constitution provides that no money shall be drawn from the Treasury except in pursuance of appropriations made by law. But in substance the R. F. C. is borrowing without detailed consent of Congress. We can say generally that we authorize them to borrow a billion and a half dollars or two billion and a half dollars. In one sense we authorize them, but it is not Congress borrowing, it is an administrative creature.

The Constitution provides that the expenditure of money shall be only in accordance with appropriations made by law, but in practical effect the R. F. C. is spending money from the Treasury of the United States without any appropriations and bypassing the constitutional process.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. ADAMS. I am glad to yield.

Mr. DANAHER. I do not suppose the Senator from Colorado has had an opportunity to examine the typewritten copy of the proposed substitute amendment, which is now at the desk.

Mr. ADAMS. I read one short paragraph, which made me more comfortable than some of the others.

Mr. DANAHER. If the Senator had had an opportunity to read it——

Mr. ADAMS. I do not care to discuss the details of the amendment.

Mr. DANAHER. Will the Senator permit me to ask him a question?

Mr. ADAMS. Very well.

Mr. DANAHER. In addition to the provision of facilities, equipment, articles, and supplies necessary to the national defense, we read, "and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith." I ask the Senator from Colorado whether he can think of any article, of the millions of articles which are known to an army or a navy, which cannot be made by the creature corporations, under the authority of this particular bill, if it shall be enacted.

Mr. ADAMS. I am satisfied that under the bill the Reconstruction Finance Corporation could enlist and drill an army, if they saw fit to do so. There is no limitation to prevent them from creating an army of their own, if they assert it is in the interest of national defense. But I am just attempting to put into the RECORD my own individual objections to the bill, as a matter of principle, without expecting or asking that there be any votes upon my suggestions. I did not desire that the bill should pass with the understanding that it was universally approved by the Committee on Banking and Currency.

Mr. DANAHER. I thank the Senator from Colorado.

Mr. TAFT obtained the floor.

Mr. DANAHER. Will the Senator yield?

Mr. TAFT. I yield.

Mr. DANAHER. I send an amendment to the desk, and I ask the Senator from Michigan to consider it. It proposes, after the word "corporations," in line 3 of the typewritten copy, to insert "whose life shall not extend beyond January 1, 1947, or such longer term as Congress shall authorize." I offer this as an amendment to the proposed substitute amendment.

Mr. TAFT. Mr. President, I have some sympathy with the arguments made by the Senator from Connecticut and the Senator from Colorado, but I hesitate to explain the reason why I think the pending amendment is a sound amendment and is probably justifiable under the present circumstances.

I agree entirely that the Reconstruction Finance Corporation, from the time we authorized the South American loans through the Export-Import Bank, has become an agency of the defense administration rather than a lending corporation, such as it was originally. It has changed its nature.

Last year the Corporation came to Congress and requested authority to create corporations. The request was also unlimited at that time, and at my request, largely, the powers were cut down to those provided in existing law.

I am not particularly concerned about the power to create subsidiary corporations by any method which may be prescribed. The subsidiary corporations already formed have done a very good job. Today we have committed $1,634,000,000 in that process, and I think those corporations are doing one of the most useful works in national defense.

I believe that Mr. Jones had all the powers he desired under the act as we amended it, and only today has he found that there are some other things he wishes to do which cannot be done under the original authorization. I think it is a very good thing that when such additional powers are wanted, Mr. Jones should come back to Congress. The bill as originally presented I thought went too far, because it gave the power to create a corporation, with any powers which Mr. Jones and the President might see fit to confer on the corporation. The committee approved the measure in that form over our protest. I think we had a considerable minority on the committee and a very close vote. It was agreed that the Senator from Michigan [Mr. BROWN] and I would see whether we could agree on some modification. I would have preferred a modification which would provide that these corporations could only do things which were expressly authorized by Congress. The Senator from Michigan would not agree to go that far, but he did agree that the corporations could not do things which were not authorized by Congress, and that proviso is inserted in the amendment.

Furthermore, there is broad power to engage in the manufacture of war materials of all kinds, but that relates to manufacture alone. As originally presented, the bill would permit the R. F. C. to create corporations to go into the transportation business, to operate air lines, to go into the insurance business, or any other business they might consider necessary in the interest of the national defense.

Possibly there are some things they ought to do in those lines. Possibly, particularly outside the United States, it is difficult for the Government to operate as a government, and it may be desirable to operate in a corporate form. The R. F. C. under this measure may go ahead and do that, but is limited to $300,000,000 in engaging in such projects.

The only justification I can see for that is the justification we have for giving the President a discretionary fund of one hundred million or two hundred million dollars to do things in an emergency which we may not want to advertise, or for which it may not be desired to come back to Congress and spend the time in getting additional authority. That is the only justification I can see for that kind of a corporation, limited as it is to $300,000,000.

The whole powers conferred here are strictly emergency powers. I would be strenuously opposed to any such powers being granted except for the national emergency created today by the necessity of building up very rapidly a defense program.

I believe the life of the corporations ought to be limited, and I believe that just so soon as the defense program is accomplished, these powers ought to be repealed, and I feel fairly confident that even Mr. Jones is willing that they should be repealed.

I think there are many objections in principle to the pending bill as amended, but, in view of the present emergency condition, in view of the fact that this measure does afford perhaps a slightly better method of doing the things than permitting them to be done directly by the Government departments, I am prepared to support the bill.

Mr. BROWN. Mr. President, did the Senator from Ohio have an additional amendment to offer?

Mr. TAFT. I think I can offer it at the end.

Mr. BROWN. Mr. President, was the Danaher amendment, which was the pending amendment, agreed to?

The PRESIDING OFFICER. No; it has not been agreed to.

Mr. BROWN. Could that be agreed to now? I may say that the Senator from Connecticut has agreed to a modification of his proposal, and I am willing to accept it as modified.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut [Mr. DANAHER], as modified, will be stated.

The LEGISLATIVE CLERK. After the word "corporations", in line 3 of the pending Brown-Taft amendment, it is proposed to insert "whose life shall not extend beyond January 22, 1947, except for purposes of liquidation, or such longer term as Congress shall authorize."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the Brown-Taft amendment, as amended.

The amendment as amended was agreed to.

Mr. TAFT. Mr. President, I offer an amendment which I will read, to be placed at the end of the amendment which has just been agreed to. The amendment is as follows:

The powers of every corporation hereafter created under this subsection shall be set out in a charter which shall be valid only when filed with the Secretary of the Senate and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published: *Provided*, That charters of corporations heretofore created shall be so filed and published before July 1, 1941, and amendments thereto shall be valid only when hereafter so filed and published.

Mr. BROWN. Mr. President, I may say that I think that amendment is a very substantial improvement. Both the general counsel of the R. F. C. and I myself have looked it over. It merely provides for the filing of the charters with the Congress and their publication in the Federal Register. I think it is a valuable addition to the bill and I am glad to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still open to amendment.

Mr. O'MAHONEY. Mr. President, I rise to suggest the possibility of a further amendment to this measure. I have been very much concerned by the statement made by the Senator from Colorado [Mr. ADAMS], which I understand is that funds loaned by the R. F. C. are being used to promote the production and manufacture in foreign countries of commodities in competition with commodities produced in the United States. Am I correct in my statement?

Mr. ADAMS. The Senator is correct. My statement was in reference primarily to sugar in Cuba and a steel plant in Brazil.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TAFT. Are those loans made by the R. F. C. or by the Export-Import Bank direct under the R. F. C.?

Mr. ADAMS. I am not able to answer that question, but I know the source of the fund is the same.

Mr. O'MAHONEY. Is the Export-Import Bank a corporation created by the R. F. C.?

Mr. ADAMS. Yes; and controlled by it 100 percent.

Mr. O'MAHONEY. Mr. President, I have written a tentative amendment. I shall read it, and ask the Senator from Colorado to give me his judgment upon it, and, of course, I am directing it also to the attention of the Senator from Michigan [Mr. BROWN]. It is to add a new section to the bill, as follows:

SEC. 6. Neither the Reconstruction Finance Corporation nor any corporation created by it—

Which I think would include the Export-Import Bank——

Mr. ADAMS. I would say, "controlled by it."

Mr. O'MAHONEY. Very well.

SEC. 6. Neither the Reconstruction Finance Corporation nor any corporation created or controlled by it shall, without the consent of Congress, engage in or finance, either directly or indirectly, the manufacture or production of any commodity in competition with commodities manufactured, grown, or produced in the United States.

Mr. ADAMS. Mr. President, I should be very glad to vote for such an amendment.

Mr. O'MAHONEY. Mr. President, I offer that amendment. I do not believe it needs any comment.

Mr. BROWN. Mr. President, I hope the amendment will not be agreed to. It is very far reaching. As the Senator knows, I do not approve of the policy of assisting in the refining or production of sugar in Cuba. I do not know about the iron-ore situation. I know at the present time we have to do some things which we would not do in ordinary times. I will say to the Senator that yesterday the House passed a bill suspending the coastwise shipping laws to permit the carrying of iron ore upon the Great Lakes by Canadian ships.

I introduced a similar bill in the Senate, and I think it will be considered next week. There has been great pressure on me to permit the carrying of grain and coal by ships of foreign registry in the coastwise shipping and upon the Great Lakes. As to iron, I know that at the present time our capacity to produce is not sufficient for our extraordinary needs. The Senator may know that in the city of Baltimore, at Sparrows Point, is a great iron and steel industry, the raw material for which is obtained from Chile. The Senator perhaps knows that the Metals Corporation, or possibly the Export-Import Bank, purchased a large amount of copper from Chile some time ago. I objected to it at the time, because we have a substantial copper industry in my State of Michigan. The purpose of it was to prevent certain foreign countries from getting possession of that copper. It was purchased under an arrangement by which it would not come into direct competition with American copper. As I look over the report of the Reconstruction Finance Corporation I find that they have assisted in the purchase, through loans or otherwise, of a great quantity of commodities. Some of them are undoubtedly produced in the United States—antimony, asbestos, chrome ore, copper, graphite, manganese ore, mica, tungsten trioxide, tin, and zinc. I think there are any number of articles necessary to the national defense which we produce in the United States in part, but not sufficiently to supply our entire needs.

The Senator and I do not agree with the policy, but it is well known that we produce, I think, about 26 percent of our sugar in the United States, and we are dependent to a certain extent—and I can hardly conceive of a situation in which we would not be dependent to some extent—upon the production of Cuba, and possibly of some other nations, for a part of the sugar we consume.

Mr. O'MAHONEY. Mr. President, the Senator will note that the amendment which I propose explicitly says, "without the consent of Congress." I doubt whether Members of the Congress or of the public at large are aware of what is going on. We are absolutely destroying the system of free private enterprise. Such destruction does not come primarily from what is proposed here. I do not want to be understood as saying that the Committee on Banking and Currency is bringing in a measure which will do that; but I do say that, because we have utterly closed our eyes to the fact that modern business is carried on upon an international basis instead of upon a local basis, we are sacrificing every power of government, and we are undermining the capitalistic system, the institution of private property.

Mr. BROWN. Mr. President——

Mr. O'MAHONEY. If the Senator will bear with me for a moment, this process began when we permitted corporations created by the States without any let or hindrance to become so great and to engage in national and international business. I had occasion to call the attention of the Appropriations Committee yesterday to the fact that the General Electric Co. entered into an agreement with Krupp, the munitions manufacturer of Germany, whereby the General Electric Co. agreed not to send any of its products to South America or to any other country on the globe in consideration of the agreement by Krupp to keep out of the United States.

Mr. DANAHER. Mr. President——

Mr. O'MAHONEY. In other words, a German manufacturer gave up to an American manufacturer—an alleged private corporation—the right to exploit the people of the United States in return for the surrender by an American corporation to Germany and the Krupp munitions manufacturer of the opportunity to exploit the people of South America and of Europe. The creation of enterprises of that kind, which in the first place have destroyed local self-government in the States politically, and have closed the opportunity to small business wherever it exists, leads directly to the sort of thing we now see.

In this emergency, in order to produce the materials which so-called private business has suppressed in the past, we have to turn to Government to do it. The Senator might have spoken of aluminum. The Aluminum Co. of America entered into a combination by which the output of aluminum all through the world was restricted in order that the price might be maintained; and because of that agreement—which amounted to a treaty without the advice and consent of the Senate—it then became necessary, when the Government in the interest of national defense had to have additional production of aluminum, for the R. F. C. to make a loan to the Reynolds Metal Corporation, I think the name was, to which the Senator has just referred. Public funds were loaned to the second corporation to increase the production of aluminum because we had permitted the production to be restrained by the first corporation. Now we take another step forward, and we are giving to the R. F. C. broad power to create new corporations to produce all the commodities and materials needed in defense anywhere in the world without the consent of Congress.

Mr. President, I think all these powers may well be granted; but if these corporations are to undertake to raise commodities and manufacture goods outside of America which may undermine our opportunities for development in the United States, then I say the Congress of the United States ought to have something to say about it.

Mr. BROWN. Mr. President, the Senator from Wyoming is too wise a legislator, and he has had too long experience here, I think, to persist in an amendment of that kind at this time. He strikes at the whole policy of the Secretary of State, the whole policy of reciprocity in trade with the other nations of the world, which at the present time is pretty largely confined to South America. He would absolutely nullify the authority and power which Congress has granted to the Export-Import Bank to encourage trade with other countries.

This is not the time for me to enter into a long discussion upon that subject. It was thoroughly discussed. I merely state that those of us who are vitally interested in the sugar business, as are the Senator from Wyoming, the Senator from Colorado, and the Senator from Michigan, must concede that it is desirable to a certain extent to permit some sugar to come in from other nations in return for their agreeing to accept certain commodities that are produced within the United States. That is not the kind of an argument that comes from a man who represents a State which produces a large amount of sugar, and a good many of whose citizens are engaged in that occupation; but we must concede that there is some substance to the great policy, which, under Secretary Hull and President Roosevelt, we have set up—that is, the policy of reciprocal trade agreements.

The Senator's amendment would mean that every time the Export-Import Bank might be called upon to exercise its judgment in the matter of assisting an industry in a foreign country, not primarily for the purpose of aiding that country but for the purpose of encouraging the agricultural industry in the United States and trade within the United States and trade with these foreign countries, we should have to apply to the Congress for its approval or disapproval of that kind of a loan.

Mr. O'MAHONEY. Of course, the answer to that is, Whose judgment is to guide the policy of this country? Is its policy to be guided by the judgment of appointive officials of a corporation created by another corporation, officials about whose selection we have nothing whatever to say, or is it to be determined by the judgment of the elected representatives of the people?

Now let me refer to the question of sugar, which the Senator has brought up.

Mr. BROWN. The Senator from Wyoming brought up the question of sugar.

Mr. O'MAHONEY. The Senator from Wyoming has referred to the applicability of this amendment to sugar. It is applicable to sugar; but the Senator from Michigan gave his support to the bill introduced by the Senator from Colorado and myself to provide that if there should be any deficit in the quota of sugar from the Philippine Islands, it should be distributed to American producing areas, because we knew that American producing areas had been restricted in their production. The beet areas of the Senator's State, like the beet areas of my State and of the State of Colorado and of another State, have been cut down. The State Department opposed that bill, and the Department of Agriculture opposed it. Why? Was it because they wanted to aid Cuba particularly? No; because of a desire to build up a new competitive sugar industry in Santo Domingo and in Peru, creating new competition for our own citizens, who pay the taxes which loan the money which the Export-Import Bank uses to stimulate these industries.

Mr. BROWN. As the Senator knows, that proposition will come before the Senate next week, I think it is fair to state, somewhat due to a little effort on the part of the Senator from Michigan. I hope that then the Senator from Wyoming will make the same kind of an eloquent address in favor of the bill that he is making, I believe illogically and erroneously, relating to this amendment.

The Senator does not want to put me in the position, does he, of opposing the right of the American farmer and the American refiner to produce all the sugar they can produce in the United States? He knows I am desirous of their doing that. But I do not want to overturn, by brief consideration here in an hour, in the late afternoon, upon a bill which does not relate in any way to the Export-Import Bank, a general policy of this Administration which has been adopted after great deliberation and after a great deal of debate in the Senate.

I believe we debated for several weeks the Senator's own amendment to the reciprocal trade agreements bill. Even if I agreed with the Senator, as I do, regarding the general policy which he enunciates, I do not want foreign people to be encouraged in their sugar industry—yet, although I am opposed to that particular thing and although I believe the Secretary of State is wrong in the conclusions he expressed to the Finance Committee this morning upon that subject, I do not think we ought to adopt a far-reaching measure such as the Senator's amendment proposes under the conditions under which we are operating this afternoon, a matter which cannot have had any consideration by the appropriate committee.

Mr. BONE rose.

Mr O'MAHONEY. Mr. President, before yielding to the Senator from Washington, who wishes to ask a question, I desire to have the RECORD show that I recognize and applaud the efforts which the Senator from Michigan has made on behalf of the beet-sugar industry. The Senator from Michigan was a tower of strength to us in the Finance Committee, and the fact that the committee saw fit to render an adverse report was not because the Senator lacked diligence in representing the interests of the producers of sugar beets and sugarcane. As a matter of fact, I am frank to say I believe that, if it had not been for the efforts of the Senator from Michigan, the bill would have been buried in the committee, so that we would not have had an opportunity to discuss it here upon the floor; and for that cooperation I thank the Senator.

Mr. President, I rose primarily for the purpose of calling the attention of the Senate and of the country to the fact that big government is the direct result of unregulated, uncontrolled big business. We have permitted State corporations to dominate the economic life of this country and of the world; and I say to the Senate that the trade agreements of the Secretary of State are just like so much chaff in the wind before the treaties which are being made and which have been made through the world cartels into which our leading business enterprises have so frequently entered, agreements to divide the world with respect to optical glass and optical instruments, agreements with respect to aluminum, agreements with respect to magnesium, agreements with respect to tungsten carbide, and all the things which now are necessarily in the national defense. We have no power as a government to defend the public interest in that respect, because we have not seen fit to do what we should have done years ago, to assert the power of the Federal Government to determine the character and responsibilities and powers of corporations engaged in interstate and foreign commerce.

Mr. BROWN. That is just what we are trying to do by the provisions of the bill creating the Export-Import Bank. We are trying to get hold of these critical and necessary raw materials for the national defense.

The Senator now has very well stated his point of view. His amendment gave him a vehicle to do that, and he knows that on the fundamentals of the proposition which he asserts here I am with him and shall be with him. But I trust now he will withdraw his amendment, and will let us pass this bill, so we may conclude that part of the day's business.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I was about to yield to the Senator from Washington [Mr. BONE], who had risen.

Mr. BROWN. I think the Senator from Michigan has the floor.

Mr. O'MAHONEY. I beg the Senator's pardon. I thought the Senator had interrupted me.

Mr. BROWN. I yield to the Senator from Washington.

Mr. BONE. Mr. President, I merely desire to ask a question and to suggest one way out of the dilemma which the Senator from Wyoming says is bedeviling the whole country. How much of our total trade, in the turn-over of dollars, is now reflected in foreign trade? Is it about 3 percent?

Mr. BROWN. I am unable to answer that question. I have understood that in normal times it represented pretty close to 10 percent of our total trade; but I assume that at the present time that percentage is greatly diminished. If the Senator says the present total is 3 percent, that is as good a figure as any that I can give.

Mr. BONE. I am, frankly, unable to answer; but of late I have read statements to the effect that it now reflects about 3 percent of the total amount of business done by the country.

Mr. BROWN. That would be in accordance with my judgment.

Mr. BONE. Of that foreign trade of 3 percent, if that be the correct figure—I myself attempt no appraisement—how much would be represented by trade with South America? Would it be 10 percent of the total foreign trade?

Mr. BROWN. I assume that at the present time there is considerable trade with England. There must be.

Mr. WHEELER. Mr. President, if I may interrupt the Senator, the total trade last year with South America, according to the figures I have been shown, was something like $750,000,000. Prior to that time it was around $500,000,000, according to the figures I have.

Mr. BROWN. Of course, there is some trade with England. There must be a great deal of such trade at the present time. I do not suppose any statistics upon that subject are in existence; but I should say that the bulk of the trade must be the trade with South America and Central America and the islands of the seas immediately adjacent to the United States. I know the Philippine trade has greatly declined; but, of course, there is the unfortunate trade which the Senator from Washington has so often talked about which is presently going on with Japan.

Mr. BONE. I was tempted to ask the question because if we should suddenly lose all the trade with South America, I was wondering what percentage of the total trade of the United States, both foreign and domestic, that loss would represent.

I wish to refer to one other matter. I have heard the Senator from Wyoming speak so frequently of our utter inability to control cartels represented by the Optical Trust and the Aluminum Trust that I wondered why 96 Members of the Senate, if they sincerely believe that we are to an appreciable degree helpless, permit themselves to remain in a helpless condition. The very able lawyers here could readily solve that question. If there is an Aluminum Trust that betrays the public interest, it would be a very simple thing for the Government to erect a gigantic aluminum plant in the Pacific Northwest, where there are magnificent and almost unlimited deposits of aluminum material, and produce aluminum; and I know of no regulatory method quite so effective as that. A cartel would not amount to a snap of the fingers in the face of that actual or potential competition. Are we afraid to do that? What ties our hands?

I should like to have some Senator explain to me why no one challenges the Senator from Wyoming when he says the great Federal Government is helpless, when all in God's world the Government

has to do is to build its own aluminum plant. It would then cease to be helpless, and we would have ample supplies of aluminum for national defense, which I assume is the highest and the holiest duty of America right now, that is, to provide for the national defense. Why admit our helplessness?

Mr. O'MAHONEY. I do not admit the helplessness of the United States.

Mr. DANAHER. Mr. President, will the Senator from Michigan yield to me?

Mr. BROWN. I yield.

Mr. DANAHER. Mr. President, I wish to remark simply that with the growing dependence of our economy upon defense production because of the increased demand that the needs for all articles contemplated by the pending bill be met by Government-created corporations, when this war is over, unless the situation is most carefully safeguarded, the Senator from Washington will find that this bill has offered the answer to the question he has asked of the Senator from Wyoming. He will find that we have put the Government so far into business and there will be such a demand for its continuance that such production will not revert again to private industry. He will find that the aluminum cartel, and as many other kinds of cartels as he may choose to mention, will have found their competitors under the aegis of the R. F. C. corporate creatures authorized right here this afternoon.

So I say to the Senator from Washington that he need not be apprehensive as to where the competition will come from or question the possibility of the location of a plant in the great Northwest, where he says the facilities are admirable, and I say, the people are fine, if the Senator from Washington is representative of them, as I think he is. I will say to him that he is going to find his answer in this very bill. Whether or not the people of the United States, when they realize it, are going to approve and applaud the principle the Congress is adopting is another matter, but we are providing an answer to his question.

Mr. ADAMS and Mr. O'MAHONEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. BROWN. I think I should yield first to the Senator from Wyoming.

Mr. ADAMS. I merely wish to make one suggestion.

Mr. BROWN. Very well.

Mr. ADAMS. I was going to say to the Senator from Washington that he has overlooked the fact that, so far as the Northwest section is concerned, as a matter of fact, the Government is now constructing the Bonneville project, which will furnish vast amounts of power, and the R. F. C. is lending money to the Reynolds Metals Co. to build an aluminum plant in the Northwest. What more can the Senator ask from the Government?

Mr. O'MAHONEY. Mr. President, the Senator from Colorado made one of the remarks that I intended to make. The Senator from Washington interrupted the Senator from Michigan in order to direct a few remarks to me, intended, as I understood him, to emphasize the perfectly amazing situation in which we find ourselves.

My contention is that to protect itself from the restrictive operations of monopoly, the Government does have to do this thing. The Government, through the R. F. C., found itself under the obligation to loan nonexisting funds out of the deep well of the deficit to finance the Reynolds Co., to expand the Bonneville project, and to build a new T. V. A. dam in order to supply power for the Aluminum Co. of America, because, in the years that have gone by, the Aluminum Co. of America had restricted the production of aluminum in the United States in order to maintain the price. In other words, what they have done has been to bandy around among the monopolies of the world the right to exploit the people of the world, and our American monopolists have been content to sell the right to trade in all the world to Germany in some instances, and German monopolies, in order to retain for themselves the right to exploit the people of America.

My contention is that unless we wake up, unless business leaders and Government leaders wake up to this condition and undertake to fix the responsibility of the so-called private corporation, this is the road we are bound to travel.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment. If there be no further amendment——

Mr. DANAHER. Mr. President, the counsel for the R. F. C. and the legislative draftsman tell me that there was a technical omission when the Taft-Brown perfecting amendment was prepared this morning. I interrupted the process of the passage of the bill to the end that the Senator from Michigan might see what the legislative draftsman has perfected.

Mr. BROWN. I have no objection to the amendment.

The PRESIDING OFFICER. Without objection, the vote by which the so-called Brown-Taft amendment was adopted is reconsidered, and the Senator from Connecticut offers a perfecting amendment, which will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out the first two lines in the so-called Taft-Brown amendment, and in lieu thereof to insert the following:

(b) The first sentence of subsection (3) of such fourth paragraph is hereby amended to comprise three sentences, to read as follows.

The amendment to the amendment was agreed to.

Mr. DANAHER. Mr. President, the legislative counsel recommends the substitution of the language which I now present for that previously adopted in the amendment which I submitted.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the so-called Brown-Taft amendment it is proposed to add the following:

No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947, except for purposes of liquidation, unless the life of such corporation is extended beyond such date pursuant to an act of Congress.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 1438) was passed, as follows:

Be it enacted, etc., That the act approved February 11, 1937 (U. S. C., 1934 ed., Sup. V, title 15, sec. 605k–1), as amended, is hereby amended by striking out "in the years 1936, 1937, 1938, 1939, or 1940" and inserting in lieu thereof "occurring during the period between January 1, 1936, and January 22, 1947."

SEC. 2. Section 1 of the act approved March 31, 1936 (49 Stat. 1186), as amended, is hereby amended by striking out "June 30, 1941" and inserting in lieu thereof "January 22, 1947."

SEC. 3. (a) The first sentence of section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting before the period at the end thereof the following: ", except as provided in section 4 (a) of the Public Debt Act of 1941."

(b) Section 10 of the Reconstruction Finance Corporation Act, as amended, is further amended by adding at the end thereof the following new sentences: "The exemptions provided for in the preceding sentence with respect to taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Co., the Rubber Reserve Co., and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation under section 5d of this act, as amended, to aid the Government of the United States in its national-defense program, (2) the RFC Mortgage Co., the Federal National Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation, and (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. Such exemptions shall also be construed to be applicable to the loans made, and personal property owned, by the Reconstruction Finance Corporation or by any corporation referred to in clause (1), (2), or (3) of the preceding sentence."

SEC. 4. (a) The fourth paragraph of section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after subsection (3) thereof the following new subsection:

"(4) When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions

of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government, for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank. Such loans may be made only upon the security of bonds, debentures, stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State."

(b) The first sentence of subsection (3) of such fourth paragraph is hereby amended to comprise three sentences to read as follows:

"(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land; purchase, lease, build, and expand plants; purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (e) to produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the amount outstanding at any one time for carrying out this clause (g) shall not exceed $300,000,000: *Provided*, That except to the extent expressly authorized by clause (e) of this subsection, nothing in this subsection shall be construed to authorize the Corporation to take any action, directly or indirectly, with respect to any project, authority for which (by treaty or otherwise) or expenditures for which, have heretofore been considered and rejected by the Congress since January 1, 1926. The powers of every corporation hereafter created under this subsection shall be set out in a charter which shall be valid only when filed with the Secretary of the Senate and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published: *Provided further*, That charters of corporations heretofore created shall be so filed and published before July 1, 1941, and amendments thereto shall be valid only when hereafter so filed and published. No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947, except for purposes of liquidation, unless the life of such corporation is extended beyond such date pursuant to an Act of Congress."

SEC. 5. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000.

EDEN WATER CONSERVATION AND UTILITY PROJECT, WYOMING

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 324, Senate bill 879. I have consulted with the majority leader and the minority leader.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 879) relating to certain Carey Act lands in Wyoming

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to have the Senator from Wyoming tell us the purpose of the bill.

Mr. O'MAHONEY. The bill authorizes the State of Wyoming to convey to the Secretary of Agriculture title to certain lands within the State. The lands were conveyed to the State of Wyoming under the Carey Act, for distribution by the State to settlers. The project is an old project, and the private company which was putting the water on the land abandoned the extension of the project. The Farm Security Administration is now undertaking it; but in order that it may properly handle the project it is necessary that it have the power to distribute the land to settlers.

The Carey Act does not authorize the State to convey the land to anyone but settlers, so in order to carry out the project it is necessary for the State to convey the land to the Secretary of Agriculture. The State has already executed a deed, and desires to make the conveyance. The bill has been unanimously approved by the Committee on Public Lands and Surveys.

Mr. AUSTIN. Mr. President, will the Senator yield for a further question?

Mr. O'MAHONEY. I yield.

Mr. AUSTIN. What is the area of the land in question?

Mr. O'MAHONEY. About 13,000 acres.

Mr. AUSTIN. What is the value?

Mr. O'MAHONEY. Without the water which the Farm Security Administration would put on the land, it probably could not be assessed for more than $5 an acre, if that much.

Mr. AUSTIN. One further question. Would such transfer affect the homes of any of the population?

Mr. O'MAHONEY. No.

Mr. AUSTIN. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 879) relating to certain Carey Act lands in Wyoming, which had been reported from the Committee on Public Lands and Surveys, with an amendment, in line 10, after the figure "422", to insert "as amended", so as to make the bill read:

Be it enacted, etc., That for use in connection with the Eden water conservation and utility project in the State of Wyoming and subject to such terms and conditions as he may prescribe, the Secretary of Agriculture may accept on behalf of the United States the reconveyance of any lands within the Eden project which have been patented to the State of Wyoming pursuant to the provisions of section 4 of the act of August 18, 1894 (28 Stat. 372, 422, as amended).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMERICAN POTASH AND CHEMICAL CORPORATION

Mr. NYE. Mr. President, on one day last week, after what I was sure was careful consideration of the photostatic copies of documents and evidence, I spoke regarding the American Potash and Chemical Corporation, of Trona, Calif. In the address which I made at that time I charged that the employees of that corporation were undergoing a rather un-American experience; that shipments of vital national-defense materials were being made by the corporation to Japan; and that the ownership of the corporation was foreign.

I have received a letter, under date of May 13, 1941, from an official of the American Potash & Chemical Corporation, which was involved in that discussion. In the light of what I said last week, I feel that in all fairness the letter should be made part of the RECORD, because it is in direct answer to the charges which I then made. I ask unanimous consent that the letter be printed in the body of the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN POTASH &
CHEMICAL CORPORATION,
Los Angeles, May 13, 1941.

MY DEAR SENATOR: Our attention has been called to your remarks published in the CONGRESSIONAL RECORD of May 9, 1941, with reference to the American Potash & Chemical Corporation of Trona, Calif. The facts with reference to the company's history and operations must have been obtained from sources which are not reliable, inasmuch as your remarks are replete with wholly inaccurate statements of fact. In the interest of fair dealing we hope that you will insert in the CONGRESSIONAL RECORD a corrected statement of facts. The purpose of this letter is to supply that information to you and if any corroborative proof seems desirable, we will gladly amplify this statement.

1. Ownership and control of the property: Throughout your remarks it is stated that there is a mystery as to the ownership of this company and that the names and nationalities of the owning interests have not been disclosed. We have at all times been willing to disclose the ownership of the company's shares to the proper authorities upon inquiry. At the request of the Department of Commerce, and as a basis for the statement which you quoted from a report by that Department, we supplied a tabulation showing the names and addresses of the shareholders who own a controlling interest in the corporation with the number of shares held by each of them. Similar information would have been furnished at any time upon a request from any Member of Congress or from any interested Government department. Our shares are listed on the curb exchange and a substantial number are outstanding in the hands of the public. The majority of our shares are foreign held, as in the case of

many other American corporations. Originally the control of the company was held by Consolidated Goldfields of South Africa, Ltd., but some years ago a majority of that company's holdings was sold to a group of investment trusts in the Netherlands, where they are still held. Investors of Netherlands nationality own securities in many American enterprises, and control large American oil interests, and, at least until recently, have held a substantial amount of securities in our American railroads. We would also point out that American corporations own control of important properties in the Netherlands territories, as for instance in the prolific oil fields of the Netherland Indies.

The statement is also made that this is a foreign-directed plant. The truth is that the plant has been managed for many years, and is still managed, by citizens of the United States in whom have been lodged full and complete authority and responsibility for its operation. The statement is further made that the plant is "a foreign colonial outpost." It is assumed that it is meant that the plant is a British colony located on American soil. This statement is not accurate. The plant furnishes employment to about 1,200 men, substantially all of whom we believe are citizens of the United States. Of the 47 men employed by the corporation in positions of responsibility as executives or on the staff at the plant at Trona only 2 are British citizens. It is essentially an American enterprise, operated by Americans.

We do not understand the significance of your query about the transfer to American ownership of this company's shares. As managers of the company we are interested in its production and operation rather than the transfer of the ownership of the shares. There are, however, two comments which may be made. First, the majority of the shares being no longer owned by the British but by the Dutch are obviously not subject to transfer of ownership by the British; and, second, those shares which were retained by British interests have been delivered to British authorities for sale, and if they have not already been sold to American interests, we have no doubt that they shortly will be.

2. Alleged shipments to Japan: Statements are frequently made in your remarks that our company has been sending vital aid to the Japanese program of aggression by selling and sending to that country bromine. This company has never at any time made any shipment of bromine to Japan, either before or after the beginning of this war; in fact, the corporation has never exported even a pound of bromine. The only products ever shipped to that country are potash and borax. We sold potash to Japan for several years, but at the beginning of the present war we discontinued selling this product to that country, notwithstanding the fact that our most profitable contracts were for Japanese consumption. We have also during recent years sold borax to Japan, but sales of this commodity were discontinued several months ago.

The Department of Commerce maintains accurate records of exports of this company and can verify the above statements.

Profits of the company: Intimations are repeatedly made throughout your remarks that excessive profits were made by the company and that these profits accrued wholly to the benefit of foreign investors, at the expense of American labor. The facts should be developed. The British interests began pioneering in this development in 1913. Many years were required to develop process and plant to a capacity where it was a profitable enterprise.

During the long period of experimentation and development of the plant, from 1913 until 1926, the necessary capital could not be obtained in this country. Consolidated Goldfields and its affiliated companies risked the large advances required from time to time over this long period before the venture became an established success. Except for dividend distributions in 1918 and 1919, which were immediately loaned back to the company, there were no dividends paid to stockholders from 1913 until 1928, and only $1,849,365 from 1928 to 1935, inclusive. During the entire period 1913 to 1938 (26 years) the company reinvested or ploughed back earnings of $9,238,703 in the property.

Misleading statements are made as to the profits of the company. As stated, no substantial distributions were made for the 26-year period 1913 to 1938. As of December 1938, the investment of the company amounted to $19,367,100. The dividends paid during 1936 were $1,188,878; 1937, $1,849,365; 1938, $1,056,780; 1939, $2,509,825; and 1940, $2,245,657. The earnings over and above these amounts were not distributed but were ploughed back into the property to enable the plant to meet competitive conditions and to improve living conditions of the employees.

3. Employee facilities and related matters: Statements appear in your printed remarks to the effect that inadequate facilities are furnished employees, that living conditions at the plant are deplorable, and that excessive prices are paid by employees for merchandise purchased through company stores. The plant is located in a desert. The company was compelled to provide housing and other facilities for its employees. Transportation facilities and housing facilities had to be constructed under remote desert conditions before even a plant could be constructed. Miles of pipe line were built to bring much-needed fresh water for domestic purposes. Since its inception the company has followed the policy of providing its employees with housing and other facilities on a non-profit basis. Charges for quarters and utility services do not more than cover the cost of operating and maintaining these facilities. There is a modern hospital, including the services of doctors and nurses, a grammar school and kindergarten, library, Catholic and Protestant churches, restaurants, a motion-picture theater, a clubhouse, tennis courts (lighted for night playing) and golf course, swimming pool, and baseball diamond. Group life insurance, with health benefits, are available to employees at reasonable premiums, one-half of which is paid by the company. A recent check indicated that 98 percent of the employees eligible are insured under this arrangement.

Under Senate Resolution 274, enacted June 18, 1936, a committee of the Senate, of which Senator Key Pittman, now deceased, was chairman, investigated the potash industry, including the plant, facilities, and ownership of this company at Trona, Calif. A subcommittee composed of Senators Pittman and ADAMS (Colorado) visited the plant, inspected the facilities, particularly the housing and other accommodations furnished employees, and we were informed that they were highly satisfied with living conditions at Trona.

Your remarks seem to emphasize the alleged excessive charges for merchandise purchased from the company's store. This store is run on a nonprofit basis. The prices paid at the time of purchase are fixed at prevailing market prices at nearby towns insofar as they could be determined, but the profits made through the operation of the store are divided among the employees at the end of each 6-month period in proportion to the amount of their purchases. Periodic investigations systematically carried out have shown that average requirements of a householder can be purchased more cheaply at Trona than in Los Angeles.

You state that scrip is required in making purchases as a device to require employees to purchase merchandise through this nonprofit store. The company does not use this purchasing device as a means of dictating purchases from the nonprofit store, nor is the company interested in whether the employee purchases at this or some other store. Scrip is used only as a method to insure that only employees of the company participate in the profit-sharing plan. There are customers from outlying districts who also purchase from the store, paying market prices for merchandise. The employees only are permitted to use scrip and this device enables them to obtain the full profit made on their own purchases, as well as any additional profit derived from outside sales.

4. Wages and related questions: The suggestion is made, unjustifiably, that the wages paid employees at Trona have been lower than like industries. The company maintains that its wage scale over a period of years has been maintained as high, even higher, than most industries similarly situated in that section of the country. We realize, however, that this is a controversial subject and is not susceptible of adequate discussion without burdening this letter with statistics. This question is now the subject of negotiation and it is not believed that it is the controlling factor in the labor dispute that is presently in issue. You intimate that the N. L. R. B and subsequent litigation arose from the fact that the corporation was unwilling to recognize the right of its employees to organize for bargaining. This is far from the fact, as evidenced by the decision of the United States Circuit Court of Appeals for the Ninth Circuit.

5. The reporter's allegations: Your remarks quoted from an alleged letter by a reporter of the magazine Friday to his manager. This is the first intimation that the management has had that anyone, reporter or otherwise, has suffered any indignities while a visitor at Trona. The statement is utterly false and obviously written to impress his managing editor.

CONCLUSION

We have not attempted to point out all of the many inaccuracies in your statement. The company has no secret process; it is not the largest potash and mineral producer in the world, or even in the United States. The company's bromine is not used to convert ordinary gasoline into aviation gasoline, or used in the manufacture of poison gas. These and other inaccuracies occur throughout the statement. We have attempted only to call attention to some of the broader and more important erroneous statements.

You have quoted from a report made on the potash industry by the Department of Commerce. This company was at the time of the investigation one of the three American companies comprising the industry. The concluding sentence of the Department of Commerce's report, after an extensive investigation, is as follows:

"It appears that the potash industry has demonstrated clearly those factors of pioneering development, technological advance, and responsible management which represent the highest expression of American industry."

Respectfully submitted.

AMERICAN POTASH & CHEMICAL CORPORATION,
By F. C. BAKER, *Vice President*.

ARMY AIR CORPS TECHNICAL SCHOOL, BILOXI, MISS.

Mr. BILBO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 3538, which was reported earlier in the day from the Committee on Public Lands and Surveys.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3538) to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for

park and cemetery purposes," approved April 28, 1906.

Mr. BILBO. Mr. President, I should like to make a brief explanation of the bill.

Certain land was deeded to the city of Biloxi by the Federal Government for cemetery purposes. The original deed to the city of Biloxi provided that in the event the city should attempt to use the land for any other purposes than cemetery purposes, title would revert to the Federal Government. The Department of the Interior has agreed that the city of Biloxi may lease this land to the War Department for an Army Air Corps technical school. The War Department and the Department of the Interior have approved the bill. The bill has passed the House and was reported unanimously by the Committee on Public Lands and Surveys of the Senate without any amendment.

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to ask a question. To what committee was the bill referred?

Mr. BILBO. The Committee on Public Lands and Surveys, which has made a unanimous report.

Mr. AUSTIN. Are the lands referred to public lands at the present time?

Mr. BILBO. The bill involves a small tract of land which the Federal Government deeded to the city of Biloxi for a cemetery; but in the deed there was a reversion clause which provided that in the event the city of Biloxi should attempt to use the land for any other purpose the tract would revert to the Federal Government.

The War Department finds use for a part of the land for the completion of an airport; and the purpose of the bill is merely to eliminate the reversion clause and permit the city of Biloxi to lease the land to the War Department.

Mr. AUSTIN. Mr. President, will the Senator yield for a further question?

Mr. BILBO. I yield.

Mr. AUSTIN. Does the transaction involve the removal of graves?

Mr. BILBO. No. The land is needed by the Army Air Corps technical school for the extension of runways.

Mr. AUSTIN. What area is involved?

Mr. BILBO. It is a small tract of land, about 5 acres.

Mr. AUSTIN. As I understand what the Senator has said, the purpose of the bill is to authorize the acceptance of a deed?

Mr. BILBO. The bill authorizes the city of Biloxi, which now holds the land as a cemetery tract under a grant from the Federal Government, to lease a part of the tract to the War Department, to be used in rounding out an Army Air Corps technical school project.

Mr. AUSTIN. And it is proposed to authorize the War Department to accept the lease?

Mr. BILBO. The bill would give authority to the city of Biloxi to lease the land to the War Department.

Mr. AUSTIN. Is the bill long?

Mr. BILBO. No.

Mr. AUSTIN. May I see it?

Mr. BILBO. Yes. The reason why I am asking for immediate consideration is that the War Department is holding up the contract for the technical school until the bill passes. The project has been delayed.

Mr. AUSTIN. Mr. President, on reading the bill I observe that it is an authorization for changing the terms of a grant of public land by the United States to the city of Biloxi. Is that correct?

Mr. BILBO. Yes.

Mr. AUSTIN. The only thing the bill does is to remove a certain limitation as to part of the land.

Mr. BILBO. The bill removes the reversion clause as to a certain portion of the land which is not used for cemetery purposes.

Mr. AUSTIN. I have no objection.

Mr. ADAMS. Mr. President, I should like to address a question to the Senator from Mississippi.

Mr. BILBO. I yield.

Mr. ADAMS. It is my understanding—and I wish to ascertain whether or not I am correct—that the city of Biloxi proposes to charge the War Department only a nominal rental for the use of the property.

Mr. BILBO. The consideration is $1.

Mr. ADAMS. That was the understanding which I obtained from the War Department. We have not received any official information to that effect. I wanted that statement to appear in the RECORD.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3538) to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906, was considered, ordered to a third reading, read the third time, and passed.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, it is my purpose to move that the Senate adjourn until Monday. I hope that on Monday we may dispose of two appropriation bills. If the Senator from Pennsylvania [Mr. DAVIS] should return on Monday, I hope we can take up and dispose of a bill on the calendar with reference to Government reports. Otherwise we cannot take that matter up until Tuesday.

So far as I can see, that is about all the business we shall have for next week. If we dispose of that business I shall probably move that the Senate adjourn from Monday until Thursday, and then, unless something happens to make such a course inadvisable, to adjourn from Thursday until the following Monday.

I make that statement in order that Senators may understand what is ahead of us next week, so far as I can see.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting several nominations of registers of land offices, which were referred to the Committee on Public Lands and Surveys.

(For nominations this day received, see the end of Senate proceedings.)

ADJOURNMENT TO MONDAY

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, May 19, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 16, 1941:

REGISTERS OF THE LAND OFFICE

Thomas F. Britt, of Arizona, to be register of the land office at Phoenix, Ariz., vice Patrick J. Keohane.

Frank E. DeKay to be register of the land office at Blackfoot, Idaho. Reappointment.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 16, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite God, our Heavenly Father, we would magnify Thy holy name; Thou hast made known Thy salvation, and Thy righteousness hast Thou openly shown in the sight of the nations. Lift up Thy voice and show Thy people their transgressions and hide not Thyself in these times of trouble. Imperfect though we are, yet we own Thy fatherhood; stay not Thy power, but grant that doubt and uncertainty, which too often veil Thee from us, may be dispensed into the sunlight of a strong, valiant faith and all hearts lifted into a cheerful song of praise and gratitude. With potent influences ever going out from Thee, with devout minds and willing hands, enable us to measure up to the wisest demands of our calling, lest we discredit our vocation and go down in the conflict between right and wrong. The Lord inspire us to labor diligently for the public weal and thus leave footprints for the inspiration of those who are to follow on. In the sacredness of our tasks, direct us with the wisdom of the divine mind; give us strength to bear each burden. If Thou art with us, who can be against us; if Thou art in us, who can thwart Thy purpose; if Thou art about us, Thou wilt keep us from evil. Convince us that the lowliest service becomes lofty when moved by the spirit of seeking the truth and doing the right. We pray that one mind, one spirit, and one resolution may dominate the deliberations of the Congress. Bless all churches and schools that they may understand that the strength of a nation is the moral and spiritual fiber woven into the warp and woof of its grateful heart. Through Christ, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced

that the Senate had passed without amendment bills, a joint resolution, and a concurrent resolution of the House of the following titles:

H. R. 336. An act for the relief of Della B. Birnbaum;

H. R. 513. An act for the relief of Paul T. Ward;

H. R. 682. An act for the relief of Julius Springer;

H. R. 696. An act for the relief of J. K. Love;

H. R. 819. An act for the relief of Littlefield-Wyman Nurseries;

H. R. 1151. An act for the relief of Foot's Transfer & Storage Co., Ltd.;

H. R. 1267. An act for the relief of Russell H. Gauslin;

H. R. 1355. An act for the relief of Adam M. Garmon;

H. R. 1678. An act for the relief of W. A. Facht;

H. R. 3362. An act to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.);

H. R. 3404. An act authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property;

H. R. 3514. An act to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value;

H. R. 3987. An act to provide relief for and to promote the interests of the landowners on the Uintah Indian irrigation project, Utah, and for other purposes;

H. J. Res. 105. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes; and

H. Con. Res 34. Concurrent resolution authorizing the printing as a House document of a revised edition of the pamphlet entitled "Our American Government: What Is It? How Does It Function?"

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 327. An act for the relief of Paula Liebau Anderson;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming;

H. R. 4064. An act for the relief of W. R. Larkin and Dora Larkin, in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho;

H. R. 4125. An act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service; and

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 13. An act to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.;

S. 158. An act to amend the Federal Crop Insurance Act;

S. 234. An act to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only;

S. 269. An act to amend section 5278 of the Revised Statutes, as amended;

S. 372. An act awarding a Navy Cross to Hector Mercado;

S. 394. An act to revise the boundaries of the Saguaro National Monument;

S. 588. An act to give to the Secretary of Agriculture permanent authority to make payments to agricultural producers in order to effectuate the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act;

S. 613. An act authorizing the Snake or Piute Indians of the former Malheur Indian Reservation of Oregon to sue in the Court of Claims, and for other purposes;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty;

S. 1073. An act for the relief of Peter Joseph Costigan;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1113. An act for the relief of the Eastern and Western Cherokees;

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor";

S. 1300. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services;

S. 1341. An act authorizing a per capita payment of $20 each to members of the Apache, Kiowa, and Comanche Indians in Oklahoma;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students;

S. 1420. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed title in certain lands of Veterans' Administration Facility, Dayton, Ohio, to the County of Montgomery, State of Ohio, for highway-widening purposes;

S. 1421. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Norfolk & Western Railway Co. a small piece of land at Veterans' Administration Facility, Roanoke, Va.;

S. 1469. An act to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C. Supp. V, title 34, sec. 842), and for other purposes; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4466. An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. MCNARY, and Mr. JOHNSON of California to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4183) entitled "An act making appropriations for the fiscal year ended June 30, 1942, for civil functions administered by the War Department, and for other purposes," and that the Senate recede from its amendment numbered 5 to said bill.

PERMISSION TO ADDRESS THE HOUSE

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. DISNEY addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an address delivered by Dr. Connor, the Archivist, on the Americanism of Lee. This is estimated to be just a page.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DONDERO. Mr. Speaker, I have two requests. First, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a short statement on gasoline taxes in Michigan.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, my second request is to extend my own remarks in the RECORD and include therein a short statement in regard to the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I draw attention to the new cave-in of 10 cents an hour in our defense program. I also direct attention to the statement of John Lewis that he is going to take 600,000 men out of employment if they do not agree to what he wants to do.

This country has been very tolerant and considerate of the rights of people, but it does seem to me that Mr. Lewis is not very considerate of the right of 130,000,000 people to have a defense program and to have proper armament for this country. It further seems to me that if Mr. Lewis continues in this attitude we should have some man in charge of our program who would take care of him and his traitorous and revolutionary attitude, because I believe the right of the 130,000,000 people to have a defense program is certainly paramount to the wishes of any one individual. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered before the Committee on Ways and Means yesterday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I call particular attention to a witness who appeared before the Committee on Ways and Means yesterday and made the most remarkable statement I have ever listened to in my membership on that committee. He is the president of a small college in the State of Arkansas. He gave the most vivid account anybody could listen to of the manner in which $2,000,000,000 in expenditures can be saved by the Government.

I want particularly to call the attention of the Members of the House to this statement, and, therefore, I am placing it in the Appendix of the RECORD, permission for which has already been granted. I suggest that the Members of the House give this statement most careful attention. The witness was complimented highly by the members of our committee for the remarkable statement he made, and I congratulated him, as did the members of the committee.

Mr. DISNEY. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Oklahoma.

Mr. DISNEY. May I call the attention of the House, in addition to what the gentleman has said, to the fact that the witness specified where these cuts could be made.

Mr. TREADWAY. That will appear in the statement I am placing in the RECORD. I believe the gentleman from Oklahoma will agree with me that in his experience on the Committee on Ways and Means he has never heard a better statement made before that committee.

Mr. SABATH. Will the gentleman give us his name?

Mr. TREADWAY. George S. Benson, president of Harding College, Searcy, Ark. His statement was made before the House Committee on Ways and Means on May 15.

EXTENSION OF REMARKS

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article written by Ray McGuire and Theron Liddle, both of Salt Lake City, Utah, for publication in the American Bee Journal.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein statements I made before the Flood Control Committee of the House on Wednesday, May 14, 1941, in behalf of the Little Missouri River, Ark., flood-control project, and Calion, Ark., flood-control project.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial from the Boston Herald.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

The was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter addressed by Lt. Col. J. S. Underwood, of the Quartermaster Corps, to William L. Hutchinson, general president of the Carpenters' Union.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DIRECT RADIO TELEGRAPH CIRCUIT BETWEEN THE UNITED STATES AND AUSTRALIA

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, recently I noticed a newspaper report that our Minister to Australia was trying to get Australian approval for the establishment of a direct radiotelegraph circuit between the United States and Australia. The presence of the Australian Prime Minister in this country brings it to my mind. This morning I asked the F. C. C. about the situation. From them I learned that an American company has for several years had a contract with an Australian company for the establishment of a direct radiotelegraph circuit between the two countries, but that the Australian Government would not let their company establish the circuit. At present telegrams to Australia have to pass through Canada and are, I presume, subject to delay and to Canadian censorship, and, of course, the foreign country gets a bigger share of the tolls.

The F. C. C. recognizes the importance of this proposed circuit. It has long since granted licenses to the American company, and the State Department has tried to help get the circuit established, as they have advised me this morning.

There is no direct cable to Australia, and the only chance for direct telegraph communication is the establishment of the proposed circuit. Direct telegraph communication between the United States and Australia is now of importance and may soon be of greater importance. If Australia wants cooperation from this country it ought to be willing to give a little cooperation in return. [Applause.]

EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Chicago Daily News.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mr. GIBSON. Mr. Speaker, I am so heartily in accord with a resolution passed by the Leon Martin Post, No. 25, of the American Legion at Barnesville, Ga., that I ask unanimous consent to extend my remarks in the RECORD by incorporating it in the Appendix thereof.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

GONE WITH THE WIND

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, "I am a 100-percent American" was the most common, most heard boast immediately preceding and during the last World War. "I am a 100-percent American" was heard at all places, at all times, and under all circumstances.

At that time all Americans, from President Wilson down, believed in, supported, and defended with word and deed the Constitution of the United States.

How things have changed.

From whom, when, and where have we in our present national situation heard in boast, peep, or whisper that proud statement, "I am a 100-percent American"? Even those who are suspected of talking and acting like 100-percent Americans are branded by leaders in high places as copperheads and Vallandighams.

Outside of Jim Farley—when he was discriminated against because of his religion as a potential candidate for the Presidency—who in the executive branch of the Government has said a word in defense of the Constitution of the United States within the past 8 years?

Have the two great fundamentals of free government, the Constitution of the United States and the pride of our people in their constitutional prerogatives, gone with the wind? Could we resurrect the slogan, "I am a 100-percent American"? [Applause.]

FAIR LABOR STANDARDS

Mr. HILL of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL of Colorado. Mr. Speaker, on May 13 I addressed the Congress on a proposed regulation soon to be issued by the Administrator of the Fair Labor Standards Act. Since that time so many Congressmen have called my office and many friends have inquired of me where I obtained the information, that I felt a further statement was necessary just to keep the RECORD correct.

I hold in my hand the Interpretative Bulletin No. 6, issued by the Wage and Hour Division, and I wish to quote from page 4 on the proposed revision which was to go into effect not later than May 12, 1941. Now it seems, since so many have objected to this interpretation, that it will not be issued. I hope this is true.

5. Ordinarily the following types of goods have only an industrial or business market and are not sold to the general consuming public. Accordingly, sales of such goods, in the ordinary case, are not retail.

Automatic vending machinery, butchers' equipment, filling-station equipment, hotel and restaurant equipment, soda-fountain equipment, and store equipment.

Construction equipment (such as derricks, scaffolding, and elevators), construction machinery (such as concrete mixers, sanding and polishing machines, excavating shovels, and graders), road machinery and equipment, and heavy farm machinery and equipment (such as harvesters, binders, hay hoists, stationary engines, gang plows, etc.).

Which proves beyond a doubt that all the asses are not down on the farm pulling plows [Laughter and applause.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, and in one of them to include the text of a brief bill proposed by former Congressman Binderup, of Nebraska.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include some excerpts in connection with the I Am An American Day, which has just been set aside by proclamation of the President of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address by myself.

The SPEAKER. Is there objection?

There was no objection.

EXTRAVAGANCE OF THE ADMINISTRATION

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, we all heard the statement made by the gentleman from Massachusetts [Mr. TREADWAY] about how we could save $2,000,000,000. I think we ought to read that very carefully. The Secretary of the Treasury, Mr. Morgenthau, not long ago advised that we save $1,000,000,000 from the regular departmental appropriations, but if you will read a further statement made by that same gentleman, you will find that the United States is $1,300,000,000 more in the red today than it was a year ago, which amounted for the year, to date, to $4,548,543,403.92; a terrible deficit for a year, and no end yet. In this particular I cannot help calling attention to the statement of Gen. Hugh Johnson on April 14, 1939:

But Mr. Roosevelt is a great gambler. He has shot craps with destiny ever since 1933—$20,000,000,000 worth of debt and experimentation for the stake of recovery and prosperity—and lost every time.

This is the greatest gamble of all—twenty, forty, sixty, God knows how many more billions—the very heart of all that has been won here in wealth and welfare by 150 years of toil and sacrifice—a possible mountain range of human wreckage so great that no one can measure it.

Mr. Speaker, this administration has been the greatest gambler and the most extravagant administration that has ever been known in the history of the world. Every year there is a great deficit from $1,500,000,000 to $6,000,000,000. Next year and the following year it will be still greater. Why do you not stop it? Do it before the Nation is bankrupt. Where will you get the money? It seems to me there should be enough business among enough Members on the Democratic side of the aisle to make a real fight for economy in government. Will some one or two Members on that side help us to start the move for real economy? Who will be the first? Let us have some real volunteers.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted by the Polk County Farm Bureau Association, of Polk County, Minn., in relation to the serious farm-labor shortage.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that on May 22, after the reading of the Journal and the disposition of business on the Speaker's table and any other special orders heretofore made, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that on Thursday next after the disposition of the legislative business of the day and any other special orders I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement from the Cincinnati Inquirer of May 14.

The SPEAKER. Is there objection?

There was no objection.

LICENSING OF SHIPMENTS OF ESSENTIAL WAR MATERIALS

Mr. MAY. Mr. Speaker, the Committee on Military Affairs of the House, after ample hearings, reported favorably House Joint Resolution 182. The Senate has passed an identical resolution, Senate Joint Resolution 76. I ask unanimous consent for the present consideration of Senate Joint Resolution 76, which I send to the desk, and ask to have read.

Resolved, etc., That the provisions of section 6 of the act of Congress entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), shall be applicable to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia, and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction of offenses committed in the Philippine Islands in violation of the provisions of that section or of any proclamation, or of any rule or any regulation, issued thereunder.

The SPEAKER. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Will the gentleman explain the matter and its urgency?

Mr. MAY. Mr. Speaker, I shall be very happy to explain the situation. As I understand it, and as disclosed by hearings before the House Military Affairs Committee, on July 2, 1940, the President approved a bill, which had been passed by the Congress, which provided a licensing system through the Secretary of State's office, for the licensing of shipments to foreign countries of essential war materials.

That bill was passed after the Committee on Military Affairs of the House had conducted hearings on it for several days in connection with another bill which sought to prohibit the exportation of scrap iron and scrap steel to certain foreign countries; in fact, to all foreign countries. The legislation is predicated upon the need of those materials for our own national defense. Under section 6 of the act of July 2, 1940, there is no provision by which the President can issue an Executive order which would apply to the District of Columbia, the Panama Canal Zone, or to the Philippine Islands. The effect of the pending resolution, consideration of which I have re-

quested, is merely to make applicable section 6 of the act of July 2, 1940, to these territories.

I may say that for several months certain foreign countries have had a commission, or perhaps commissions, traveling over the South American countries, in the Philippine Islands, and in the Panama Canal Zone, seeking the acquisition of strategic raw materials of various kinds. At this particular time there are vast quantities of those materials in the Philippine Islands that are rapidly being transferred from those islands to certain foreign countries; that, we think, is detrimental to the interests of our own preparedness program.

Mr. FISH. Mr. Speaker, reserving the right to object, I understood that nothing of any importance would come up today. Many Members who might be interested in this legislation and who might like to discuss it are not here. It is fairly important legislation, as expressed by the gentleman himself, and for that reason I am constrained to object. I object, Mr. Speaker.

EXTENSION OF REMARKS

By unanimous consent, Mr. LAMBERTSON was granted permission to revise and extend his own remarks in the RECORD.

ORDER OF BUSINESS

Mr. MAY. Mr. Speaker, in order that there may be no misunderstanding, and before the gentleman from New York [Mr. FISH] leaves the Chamber, I would like to state that I will endeavor, if I am here next Tuesday, to call up this resolution again.

Mr. FISH. Does the gentleman propose to ask for a rule for its consideration?

Mr. MAY. No. I do not think it is necessary to ask for a rule for this piece of legislation, in view of the situation as it has been explained to the committee.

Mr. FISH. Will the gentleman give plenty of time to debate it at that time?

Mr. MAY. I will give whatever time the rules require, if it is required. I understand that will be 1 hour, but I do not think much debate will be necessary. However, I am not definitely committing myself to any particular time for debate.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MAY. Yes; I yield.

Mr. RICH. Does it not seem as if any action that should be taken relative to shipping strategic materials to any country, which may eventually be used against the United States, should be taken at once and that we should not delay this for any extended time? At the present time we are shipping 50,000 barrels of oil a day to Japan; 15,000,000 gallons of gasoline a day to Japan; 4,500 barrels of lubricating oils to Japan. It seems to me the President ought to get busy, and get busy pretty quick.

Mr. MAY. May I say to the gentleman that we are spending millions upon millions of dollars trying to get these very materials, and here they are, being drawn out of one of our possessions and we are not able to control it until this legislation is passed. It is the fault of the Congress, and not the President, that this authority has not been granted.

Mr. RICH. You are not telling me anything about spending. I know what you are doing. [Laughter.]

[Here the gavel fell.]

Mr. MICHENER. As I understand the bill to which the gentleman has referred, it has already passed the Senate unanimously and is now here?

The SPEAKER. The gentleman so stated.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is entitled to recognition for 10 minutes.

The gentleman does not seem to be present.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SASSCER, indefinitely, on account of illness.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, May 19, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R 439. Martha Pace, by Mr. ROBSION of Kentucky.

H. R. 477. Cora Arlena Ballard, by Mr. ROBSION of Kentucky.

H. R 1932. Willard Fulk, by Mr. CLAYPOOL.

H. R. 1994. Capt. Victor Gondos, Jr., by Mr. MCGRANERY.

H. R. 2063. William H. Shanklin, by Mr. VINCENT of Kentucky.

H. R. 3312. Grizelda Hull Hobson, by Mr. JARMAN.

H. R. 3560. Jeannette W. Moffett, by Mr. RIVERS.

The hearings will be held Tuesday, May 20, 1941, at 10:30 a. m. in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10:30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m. in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

544. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Treasury Department for the fiscal years 1937 and 1938 amounting to $963.03, and supplemental estimates of appropriations for the fiscal years 1941 and 1942 amounting to $60,394,320, in all, $60,395,283.03 (H. Doc. No. 213); to the Committee on Appropriations and ordered to be printed.

545. A letter from the Attorney General, transmitting a draft of a proposed bill to extend the law relating to perjury to the willful giving of contradictory statements under oath; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 181. A bill granting an increase of pension to Mary W. Osterhaus; without amendment (Rept. No. 543). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 341. A bill granting an increase of pension to Inez Clair Bandholtz; without amendment (Rept. No. 544). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 376. A bill granting a pension to Bertha R. Ettner; without amendment (Rept. No. 545). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 474. A bill granting a pension to John H. Botner; without amendment (Rept. No. 546). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 492. A bill granting an increase of pension to Rosalie C. Hood; without amendment (Rept. No. 547). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 902. A bill granting an increase of pension to Elizabeth Painter Menoher; without amendment (Rept. No. 548). Referred to the Committee of the Whole House.

Mr. HARRIS of Virginia: Committee on Invalid Pensions. H. R. 1493. A bill granting an increase of pension to Florence Sharp Grant; without amendment (Rept. No. 549). Referred to the Committee of the Whole House.

Mr. MARCANTONIO: Committee on Invalid Pensions. H. R. 2190. A bill granting an increase of pension to Nellie J. Merriman; without amendment (Rept. No. 550). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2563. A bill granting a pension to Artricey K. Burden; without amendment (Rept. No. 551). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2787. A bill granting an increase of pension to Ethel Wise; without amendment (Rept. No. 552). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 3358. A bill granting an increase of pension to Adelaide Westover; without amendment (Rept. No. 553). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOUGHTON:

H. R. 4768. A bill to authorize regular tours of duty for customs officers and employees at night and on Sundays and holidays without extra compensation, and generally to clarify the provisions of the customs laws relating to the rendering of services by customs officers and employees at night and on Sundays and holidays, the assignment of customs

officers and employees to perform overtime services, and the payment of extra compensation and expenses for such services; to the Committee on Ways and Means.

By Mr. MAY:

H. R. 4769 (by request). A bill authorizing the designation of Army mail clerks and assistant Army mail clerks; to the Committee on Military Affairs.

H. R. 4770 (by request). A bill to authorize the deferment of men by age group or groups; to the Committee on Military Affairs.

H. R. 4771 (by request). A bill to amend section 12 (a) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution No. 23, with reference to removal of brush and debris in the area to be flooded by Shasta Dam; to the Committee on Irrigation and Reclamation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H. R. 4772. A bill granting an increase of pension to Margaret Butler; to the Committee on Invalid Pensions.

By Mr. JENNINGS:

H. R. 4773. A bill for the relief of Brooks Equipment & Manufacturing Co.; to the Committee on Claims.

By Mr. JOHNSON of Indiana:

H. R. 4774. A bill for the relief of Mrs. Esther Penwell; to the Committee on Claims.

H. R. 4775. A bill for the relief of Michael Marley; to the Committee on Military Affairs.

By Mr. ROBINSON of Utah:

H. R. 4776. A bill for the relief of D. Stanley Adams; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 4777. A bill for the relief of Alexander Kehaya; to the Committee on Claims.

By Mr. WOODRUFF of Michigan:

H. R. 4778. A bill for the relief of Delbert E. Libbey; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1083. By Mr. COCHRAN: Petition of certain citizens of the city of St. Louis, opposing House bill 4000 and Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1084. By Mr. FULMER: Petition submitted by numerous citizens of Columbia, S. C., urging the passage of House bill 4000, to stop the sale of all alcoholic beverages, including beer, ale, or wine, inside the Army and naval camps, and to authorize the Secretaries of the Army and Navy to set zones sufficiently wide around all Army and Navy training camps to prevent taverns and vice districts in close proximity thereto; to the Committee on Military Affairs.

1085. Also, concurrent resolution submitted by J. E. Hunter, Jr., clerk of the house of representatives, of Columbia, S. C., memorializing Congress to put cottonseed on a basis of parity and benefit payments similar to cotton, tobacco, peanuts, and other farm products; to the Committee on Agriculture.

1086. By the SPEAKER: Petition of the city of Chicago, Ill., petitioning consideration of their resolution with reference to the Department of Agriculture and the Interstate Commerce Commission be permanently located in Chicago; to the Committee on Public Buildings and Grounds.

1087. Also, petition of the North Side Commercial Club, of Minneapolis, Minn., petitioning consideration of their resolution with reference to bridges, locks, and Upper River Harbor around St. Anthony Falls; to the Committee on Rivers and Harbors.

SENATE

MONDAY, MAY 19, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O brooding Spirit of wisdom and love, whose mighty wings even now o'ershadow us, as again Thou hast led us from darkness and from sorrow of the night to the morning that comes singing o'er the sea: Raise us far above our finite selves into Thine own immensity, that we may bear Thy holy influence afar.

Purge vanity away; let no desire of ease, no lack of courage, faith or love impede our steps along that high thought-paven way that leads to high achievement for the Nation's weal.

O Saviour of the world, forgive us that we ever gave ourselves to passion's frown, and teach us Lord how to be brave, to brook contempt with dignity and grace, to turn all hate and strife to everlasting gain, and so to win our crown.

We ask it all in Thy holy name and for Thine own dear sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 16, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On May 13, 1941:

S. 164. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended by the act of June 8, 1926, so as to decrease the restriction on the number of enlisted men of the Regular Army who may be detailed as students at educational institutions and other places;

S. 993. An act to authorize the Secretary of the Navy to transfer, without cost, to the estate of Rolland H. Denny a triangular parcel of land containing one-half an acre situated at Seattle, Wash.; and

S. 1123. An act to amend the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," approved February 23, 1931, as amended.

On May 14, 1941:

S. 436. An act for the relief of Maximo Abrego.

On May 15, 1941:

S. 216. An act for the relief of A. B. Codrington;

S. 376. An act providing for the advancement on the retired list of certain officers of the line of the United States Navy; and

S. 1104. An act for the relief of William A. Wheeler.

On May 17, 1941:

S. 248. An act for the relief of John G. Hunter;

S. 309. An act for the relief of Dr. Morris B. Toubman;

S. 392. An act for the relief of Anna Dolak, mother and sole surviving parent of Gene Dolak, deceased;

S. 897. An act for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and Bernard Paulson, special disbursing officer of the State Department: and

S. 941. An act for the relief of Ralph C. Hardy, William W. Addis, C. H. Seaman, J. T. Polk, and E. F. Goudelock.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Norris
Aiken	Ellender	Nye
Andrews	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Pepper
Bankhead	Glass	Radcliffe
Barbour	Green	Reynolds
Barkley	Guffey	Russell
Bone	Gurney	Schwartz
Brewster	Hayden	Shipstead
Bridges	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	La Follette	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maloney	Wheeler
Connally	Murdock	Wiley
Danaher	Murray	

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from New York [Mr. MEAD], the Senator from California [Mr. DOWNEY], and the Senator from West Virginia [Mr. KILGORE] are detained on important public business.

The Senator from New Mexico [Mr. HATCH], the Senator from West Virginia [Mr. ROSIER], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

Mr. AIKEN. I announce that the Senator from North Dakota [Mr. LANGER] has been called home because of the illness of his mother.

Mr. AUSTIN. I announce that the Senator from Minnesota [Mr. BALL], the Senator from Kansas [Mr. REED], the Senator from Idaho [Mr. THOMAS], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The VICE PRESIDENT. Seventy-seven Senators having answered to their names, a quorum is present.

TESTIMONY BEFORE COMMERCE COMMITTEE—LETTER FROM HON. BRECKINRIDGE LONG, ASSISTANT SECRETARY OF STATE

Mr. BAILEY. Mr. President, I ask unanimous consent to have published in the main text of the RECORD a letter dated May 16 from Hon. Breckinridge Long, Assistant Secretary of State, on the subject of statements made in the debate in the Senate last week concerning his testimony before the Committee on Commerce. Assistant Secretary Long says:

Since allusions were made to statements which I gave at an executive session of the United States Senate Committee on Commerce April 29, 1941, and since the allusions do not accurately reflect what I did say, I would like to restate the substance of my testimony.

I think in fairness to the Assistant Secretary of State the letter should be printed in the main body of the RECORD.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CLARK of Missouri. Does not the Senator think that Senators who listened to Mr. Long's testimony should have the opportunity of making any statements they may desire?

Mr. BAILEY. I thought that was assured anyway, but, of course, I would agree to anything of that sort. The Senators are here, and I recall that the Senator from Michigan, the Senator from Missouri, and I did make statements purporting accurately to represent the testimony of Mr. Assistant Secretary of State Long.

Mr. CLARK of Missouri. Mr. President, reserving the right to object, does not the Senator think that the Assistant Secretary's statement should be read so that the Senator from Michigan and the Senator from North Carolina and I may have the opportunity of knowing exactly wherein he claims that he was misquoted?

Mr. BAILEY. I could not possibly object to that. I was trying to save time; but if any Senator objects, that ends it. If any Senator wishes to make a statement, he has the right to do so, to be sure; and if any Senator wishes the 16- or 17-page statement to be read at this time, I cannot object. I am merely offering the letter in fairness to Mr. Assistant Secretary of State Breckinridge Long. I wish to treat him with absolute fairness in the matter.

Mr. CLARK of Missouri. Mr. President, still reserving the right to object, I have no objection whatever to printing the statement of Assistant Secretary of State Long in the RECORD; but if it is going to be printed as being a refutation of the statements as to his testimony made by the Senator from Michigan, the Senator from North Carolina, and myself, I should like to have an opportunity, at least, to read it before it is printed in the RECORD.

Mr. BAILEY. Let me withdraw the letter and give it to the Senator.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. VANDENBERG. I may say that I have read the Assistant Secretary's letter, and, so far as I can see, it does not refute anything. It is a confirmation of the general statements made by the Senator from North Carolina, the Senator from Missouri, and myself, supplemented only by the reservation that he did say in his testimony that the situation might subsequently so change as to require a different use of the ships. I can quite agree with him; but his letter substantially states the testimony as we previously asserted he gave it.

Mr. BAILEY subsequently said: Mr. President, the Senator from Missouri has withdrawn the objection which he just now made. I now renew my request for the publication in the RECORD of the letter of Assistant Secretary Breckinridge Long.

Mr. CLARK of Missouri. Mr. President, since the incident just a moment ago I have had the opportunity of examining the document, and I certainly have no objection.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

DEPARTMENT OF STATE,
Washington, May 16, 1941.

The Honorable JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate.

MY DEAR SENATOR BAILEY: The CONGRESSIONAL RECORD of May 14, 1941, reporting the Senate discussion on H. R. 4466, entitled "A bill to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes," quoted Senator VANDENBERG and you, in part, as follows:

"Mr. VANDENBERG. Before the Senator leaves his discussion of the general purpose of the legislation, I should like to ask him to make one particular statement. He will recall that, unfortunately, in the testimony before the Commerce Committee, the evidence given by Assistant Secretary of State Breckenridge Long was not taken down. I should like to have the Senator state, if he will, for the record, what Mr. Long, speaking for the State Department, said was the practical objective of this bill; in other words, what the contemplated use of these ships was to be.

"Mr. BAILEY. Assistant Secretary Long stated before the committee in the executive session that it was the intention, and he left the impression upon my mind that it was the exclusive intention, to employ these ships in the trade between this country and South America, and possibly in the coastwise trade of our own country, should there be necessity. He also stated, as I recall, that limitation of the use of these ships to the waters on this side of the world was intended by our country, and that that was the understanding of the Inter-American Financial and Economic Advisory Committee, whose resolutions were filed with us on the day following, and will be found on pages 5 and 6 of the record. But he desired no limitation to be written in the bill.

"Mr. VANDENBERG. Mr. President, will the Senator further yield?

"Mr. BAILEY. I yield.

"Mr. VANDENBERG. In other words, the Senator is confirming my understanding that Mr. Secretary Long, speaking for the State Department, gave us distinctly to understand that the use of these ships when taken over, was to be a use essentially on our own trade routes, and that the Government did not have in contemplation their transfer to other belligerents?

"Mr. BAILEY. That is just what I have said."

Since allusions were made to statements which I gave at an executive session of the United States Senate Committee on Commerce, April 29, 1941, and since the allusions do not accurately reflect what I did say, I would like to restate the substance of my testimony:

"Concerning the future use of the vessels in question, I stated that the question divided into two parts—one concerned the operation of the vessels and the other concerned the policy of the Government in connection therewith.

"As regards the operation, it was a matter for the Maritime Commission. As regards the general policy, policy was always predicated upon existing and known facts. The facts at that time were that these vessels had largely been used in carrying United States commerce on trade routes between the east and west coasts of South America and United States ports, between far eastern ports and United States ports, and between South African ports and American ports. Because of the absence of these vessels and other vessels from those trade routes there was an accumulation of materials in South America and the Far East awaiting transportation to the United States. Those being the facts, it was reasonable to assume that these vessels would be placed in those trade routes.

"However, it was not possible to predict what the situation would be or what facts would exist at any time in the future. It is quite possible in 60 or 90 days or at some other time in the future the facts might change, and as facts underlie the formation of policy, the policy might then change. I thought, therefore, that under the circumstances the Chief Executive should have complete authority over the use and disposition of these vessels just as he has over any other vessels now flying the United States flag."

I further called to the attention of the members of the committee that I had testified to the same effect before the House Committee on Merchant Marine and Fisheries on April 22, 1941. My testimony before that committee was recorded and published. Having made reference to that testimony, I herewith quote parts of my testimony which were given on the same question:

"Assistant Secretary LONG. Mr. Chairman, concerning the two bills before the committee, the State Department feels that the power granted to the President, if it is to be granted, and exercised by the Government of the United States today, ought to be complete, and that the authority ought to be without any unnecessary limitation.

"As far as policy is concerned, the policy is always determined on the basis of known facts or inferred facts. The policy as of today can be fairly well stated. The policy as of the future depends upon, or will depend upon, circumstances as they may exist in the future, and even though such circumstances may not be within the control or direction of the American Government.

"As far as the policy concerns the taking of the vessels and the authority which would permit their use, it might be wise to review the facts as they exist in regard to shipping. In reviewing the facts, I have no desire to repeat anything that Admiral Land said or to impinge upon the bailiwick or jurisdiction of the Maritime Commission, but the facts are that tonnage in the world, available tonnage for use, has been rapidly diminishing, due, first, to the indiscriminate sinking of vessels by belligerents. Millions of tons have been sunk.

"Then, ships which were on certain designated routes have been transferred to other routes, either because of the war needs of

the owners of those vessels or in some instances because of neutral flags and the larger profits existing in certain other runs.

"The amount of tonnage has been further diminished by the fact that ships have been immobilized or interned. That has been the case in this country and the countries to the south of us, due to the fact that vessels which took advantage of our hospitality in order to preserve themselves and to escape the risks of war subsequently imposed upon our hospitality by committing acts which were in violation of American law.

"The sequence of these three categories has diminished the available tonnage and has caused the shortage of tonnage, and a larger shortage is in development.

"The CHAIRMAN (Mr. BLAND). Just on that point, before you leave it, would not the establishment of American bases at other places in the world, along the Atlantic, enter into that picture at all, and the demands of the Army and the Navy for service to those bases, and particularly to the Navy?

"Assistant Secretary LONG. I think both the Army and the Navy have availed themselves of their powers which are granted by the Congress to take over or to charter or to take unto their own use certain American-flag vessels that have been in part used in other routes, but the routes which they have served have been very largely the American trade routes. I am not speaking particularly of our vessels; I am speaking of the vessels which were immobilized in the United States ports.

"The trade with the countries to the south of us has been very largely carried on in foreign-flag ships, many of which were immobilized here. While these vessels have been in condition to be used, they have not been available because their owners or operators have preferred to keep them immobilized here, not serving the customary routes between North and South America, to the detriment of American business interests and American commerce. That also applies to the routes between the United States and the Far East and between the United States and Africa. Many of these ships that were immobilized here and later taken into protective custody were very largely used in the South American and the far-eastern trade. There is at the present time on those routes a shortage of bottoms to carry essential defense materials.

"Now, it has been proposed that power be given to the President to take over these vessels. The assumption is that they would be used in a character not dissimilar to vessels already under the American flag. These vessels, if taken possession of by the United States, would become like all of the other vessels presently flying the American flag. It is inferred that they would be used to supplement the needs of the United States for national defense purposes, and that is the purpose for which the taking is requested. The needs of the United States for defense purposes must be apparent from the circumstances that exist.

"The policy today indicates that those vessels, if acquired by the United States, would be used in the lines of trade which would best supplement the needs of the United States.

"What the needs of the United States will be in the future nobody knows. Not knowing the future the State Department feels very definitely that we are now in an emergency, and may be facing an even more serious emergency at any time, and that we would be derelict as a government, not speaking of any branch or division of the Government, derelict in our duty to our citizens if at the expiration of 60, 90, or 120 days, we found ourselves faced with a greater emergency and should have these ships still damaged in our ports and be unable to use them.

"The CHAIRMAN. Well, the Danish ships are not damaged, are they?

"Assistant Secretary LONG. The Danish ships are not damaged, and some of the other ships are not damaged, but even these ships have been diverted from service to the United States, and those which are damaged have lost their character as ships; they are not capable of propulsion; they cannot move, unless they be pulled, towed, or pushed.

"The State Department feels that we ought to place ourselves in a position to avail ourselves of the situation which confronts us.

* * * * *

"Assistant Secretary LONG. Mr. Oliver, I tried, in the first part of my remarks, to give you an indication of the probable policy of the United States as far as one can gather it from the present circumstances, concerning the use which will be made of these ships.

"Mr. OLIVER. Yes.

"Assistant Secretary LONG. The commerce of the Americans republics has normally been carried, in large measure, in merchant vessels of non-American powers. Many of these vessels are not available for such trade at the present time, because of the increasing rate of destruction, the amounts of maritime transportation required by belligerent nations, and the constantly increasing diversion of such vessels to other trades, interrupting their normal commercial activities. As a result, a shipping shortage has been produced which has reduced the commerce of the American republics, curtailing the right to preserve advantages essential to their normal existence, and on that basis it was thought that those vessels might be used in such trades away from the war zone.

"Mr. OLIVER. I would take no exception to the opinion which you have just detailed, Mr. Secretary, but I am wondering whether the State Department, in turn, in speaking about the bill which was introduced in my name, and objecting to the restrictions contained therein, whether or not the State Department would accept some sort of a restriction providing that these ships cannot be used in any other way except to replace services, either foreign or domestic, which has been disrupted because of the exigencies of our national defense? In other words, what I am trying to arrive at, Mr. Secretary, is this: Are we going through the procedure necessary to take over these ships and operate them, and then have those ships, so acquired, be subject to transfer to foreign nations for their particular use? That is what I am trying to arrive at.

"Would not the State Department be willing to restrict the use of these ships to the purposes for which they have been used in the past, or would they say, 'No, we do not want any restrictions, that something may come along in the future that might necessitate the transfer of these ships to a foreign nation, and, therefore, we cannot subscribe to any restrictions whatsoever'?

"Assistant Secretary LONG. We feel that we would prefer not to have any restrictions placed upon the use of the vessels.

"Mr. OLIVER. Then, the only inference I can draw from that, Mr. Secretary, is that these ships should be available for such use or such transfer as might be deemed necessary, well, to be perfectly frank, by the Chief Executive

"Assistant Secretary LONG. Mr. OLIVER, that ought to be clear, because they would be of the same character as the vessels now under the American flag.

"Mr. OLIVER. But is it not a fact that the reason we are trying to get these additional ships is to replace services which have been interrupted?

"Assistant Secretary LONG. For the time being.

"Mr. OLIVER. But in the future, if the need arises, in the minds of the individuals responsible for this Government, those ships should be available for transfer to other nations for any other purpose?

"Assistant Secretary LONG. Those vessels should be available, like the vessels now under the United States flag.

* * * * *

"Mr. OLIVER. I was trying to say, Mr. Secretary, that we are being asked to subscribe to a policy that, in my mind, can be accounted as a policy to get tonnage for essential defense necessities and at the same time to expose those acquisitions to any policy that may be adopted with respect to them, or transfer them to foreign nations under the lend-lease authority, to be specific, it seems to me is going quite a long ways. At least, in my opinion, it seems to go quite a long ways, and I have been having some difficulty in describing such a policy.

"I do not want to act as a dog in the manger in this situation, but at the same time I do not want to be a party to the commission of any breach of international law on the part of the United States for the purpose of supplying shipping to foreign nations, and that is why I believe there should be some restriction on the use of those ships. I think they are in a different category than other ships which are flying the American flag at the present moment. I think they are in a distinctly different classification. I should like to have your reaction on that.

"Assistant Secretary LONG. I think I see in theory your point, but, as a matter of fact, if we have full title to a vessel, we have control over it, just like we have title to a watch, or whatever it may be, and we may use that irrespective of its past history.

"Mr. OLIVER. It does make some difference, does it not, Mr. Secretary, as to the manner in which we acquire title, or take over whatever sovereign rights we deem others to possess, and then use those ships in a service inimical to the nation from whom we took them by compulsion?

"Assistant Secretary LONG. We certainly have the right, under the jurisdiction of the United States and under the situation that exists at the present time, to take over these vessels. The Government of the United States has the right to exercise that power.

"Mr. OLIVER. Then, may I ask you, why is this resolution that the President recommended before us?

"Assistant Secretary LONG. I am speaking of the Government of the United States in its composite character. The authority has to be translated into law, and directives have to be given to the President or that authority extended to him, but the Government inchoately has the right to do these things.

"Now, the Government may not do it at the present time, and in order to do it it must have law and regular procedure, and that is what is before you—the question of regularizing this procedure.

"Mr. OLIVER. If this were being done by another nation with ships of ours, would you consider that we would have no right as a nation to object to such action?

"Assistant Secretary LONG. That is the converse of that problem?

"Mr. OLIVER. Yes.

"Assistant Secretary LONG. Yes, sir.

"Mr. OLIVER. In other words, then, Germany could appropriate property of the United States within its national confines without any legitimate objection from us?

"Assistant Secretary LONG. She cannot expropriate; we are not condemning property.

"Mr. OLIVER. We are taking it and paying them, then?

"Assistant Secretary LONG. Yes, sir.

* * * * *

"Assistant Secretary LONG. If you acquire title to property under due process of law, you can use that property within your discretion.

"Mr. OLIVER. Whether it is against the interests of the party from whom we take it?

"Assistant Secretary LONG. That is right.

"Mr. OLIVER. And regardless of the fact that that party is a belligerent actually en-

gaged in war, we are maintaining a neutral position?

"Assistant Secretary LONG. We are maintaining a position of neutrality, and at the same time doing everything we can in order to prepare for the defense of the Nation, and not waiting, like Belgium waited and like Holland waited, or even France.

"Mr. OLIVER. I admire, Mr. Secretary, the emphasis which you evidence in stating the foreign policy of this Nation. I am wondering whether or not that justifies action on our part on the basis of self-defense, similar action which we are complaining about from a foreign nation?

"Assistant Secretary LONG. I think it does, Mr. Oliver; and I think it is quite different from the comparisons which you have made.

"Mr. OLIVER. I will not follow it any further on that basis.

"I was wondering whether or not, in view of your repeated declaration that the necessity for this legislation lies in the fact that there is insufficient tonnage to service these foreign-trade routes to the United States and from the United States, and whether or not there should be a restriction set up whereby those ships cannot be used for any other purpose than the replacement of that service?

"Assistant Secretary LONG. We feel that there should not be any restrictions placed on them and they should be treated as any other vessel under the American flag.

* * * * *

"Mr. RAMSPECK. I happen to know that the German Government took over, at the beginning of this war, all motortrucks belonging to the Coca Cola Co. in Germany. What difference in principle is there between that and what we are proposing here?

"Assistant Secretary LONG. If Germany exercised her rights under an authority granted by law to the German Government and paid for the trucks, I do not think there is any difference.

"Mr. RAMSPECK. Certainly this could be no worse in the eyes of international law than that, could it?

"Assistant Secretary LONG. Not a bit.

"Mr. RAMSPECK. They use them for military purposes.

"Assistant Secretary LONG. It is just the same.

"Mr. OLIVER. Suppose, Mr. Secretary, we were at war with Japan and Germany turned those trucks over to Japan, then how would you feel about it?

"Assistant Secretary LONG. They were Germany's trucks, and we had been paid for them."

I have noted with satisfaction the passage of H. R. 4466 by the Senate on May 15, 1941.

Sincerely yours,

For the Secretary of State.

BRECKINRIDGE LONG,
Assistant Secretary.

R. STERN—VETO MESSAGE (S. DOC. NO. 57)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 514, entitled "An act for the relief of R. Stern."

This bill authorizes and directs the Commissioner of Internal Revenue to consider and act upon the claim heretofore filed by R. Stern, of Tomahawk, Wis., for a refund of processing taxes under the provisions of section 15 (c) of the Agricultural Adjustment Act, as amended and reenacted, on account of having delivered a quantity of flour to relief clients of Lincoln County, Wis., during the years 1934 and 1935, in the same manner and to the same extent as if such claim had been filed prior to January 1, 1937, as required by section 601 of the Revenue Act of 1936. This bill directs the Commissioner of Internal Revenue to treat the claim in question as though there were no statute of limitations provided in such matter. Under the provisions of title IV of the Revenue Act of 1936 certain refunds of taxes collected by virtue of the Agricultural Adjustment Act on exports, deliveries for charitable distribution or use, etc., were authorized. In section 601 of the Revenue Act of 1936, in which such refunds were authorized, a provision was inserted to the effect that no refund was to be allowed unless the claimant filed his claim therefor prior to January 1, 1937. The record shows that the claim of R. Stern was filed subsequent to that date.

From time to time there have been submitted to me other bills which propose to except certain taxpayers from the operation of the statute of limitations by extending the time for the refunding of certain taxes to such taxpayers. On those occasions I expressed my accord with the settled policy of Congress that it is sound to include in all revenue acts time limitations by the operation of which, after a fixed period of time, it becomes impossible for the Government to collect additional taxes or for the taxpayer to obtain a refund of an overpayment of tax. I pointed out in many such instances that legislation, such as the proposed bill, selects one taxpayer for special treatment by excepting him from that policy. Such legislation thus discriminates against the whole body of Federal taxpayers and establishes a precedent which would tend to open the door to relief in all cases in which the statute operates to the prejudice of a particular taxpayer while leaving the door closed to the Government in those cases in which the statute operates to the disadvantage of the Government.

In this regard the present measure, S. 514, does not differ in principle from those other bills which were under consideration by me on those prior occasions. I am not aware of any circumstance which would justify an exception in this case to the long-established policy of Congress. I must reiterate my belief that the field of special legislation of this character should not now be opened to relieve special classes of taxpayers from the consequences of their failure to file refund claims within the period fixed by law.

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *May 19, 1941.*

NOLAND BLASS—VETO MESSAGE (S. DOC. NO. 56)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 788, entitled "An act for the relief of Noland Blass."

This bill authorizes and directs the payment by the Secretary of the Treasury to Noland Blass, of Little Rock, Ark., the sum of $4,271.57, in full settlement of all claims against the United States for a refund of income tax paid for the year 1935.

On May 11, 1937, the taxpayer paid a deficiency in income tax for the year 1935 in the amount of $4,271.57. Under section 322 (b) (1) of the Revenue Act of 1934, the controlling law, he was entitled to file a claim for refund within 2 years from such date—May 11, 1937—or within 3 years from the date his return for 1935 was filed—March 16, 1936. However, he did not file such a claim until September 8, 1939, and consequently his claim was disallowed in accordance with the law.

Congress has determined that it is sound policy to include in all the revenue acts, statutes of limitations, by the operation of which, after a certain period of time, it becomes impossible for the Government to collect additional taxes or for the taxpayer to obtain a refund of an overpayment of taxes. This bill selects a single taxpayer for special treatment by excepting him from this policy. The whole body of Federal taxpayers is thus discriminated against, and a precedent is established, opening the door to relief in all cases in which the statute operates to the prejudice of a particular taxpayer, while leaving the door closed to the Government in those cases in which the statute operates to the disadvantage of the Government.

I know of no circumstances which would justify the exception made by S. 788 to the long-continued policy of Congress, and do not believe that the field of special legislation should be opened to relieve special classes of taxpayers from the consequences of their failure to file claims within the period fixed by law.

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *May 19, 1941.*

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

Letters and papers in the nature of memorials from several citizens of the United States remonstrating against involvement in war and the use of United States armed ships to convoy vessels through war zones; to the Committee on Foreign Relations.

By Mr. CAPPER:

A petition of sundry citizens of St. John, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. WALSH:

A petition of sundry citizens of the State of Massachusetts, praying that all possible aid be rendered to Great Britain; to the Committee on Foreign Relations.

A letter from Endicott Peabody, of Groton, Mass., embodying a resolution adopted by the Committee of the Fight for Freedom, favoring use of the armed forces of the United States to convoy merchant vessels delivering food, war materials, etc., to Great Britain and other nations where resistance to the totalitarian

powers is being maintained; to the Committee on Foreign Relations.

By Mr. TYDINGS:

A memorial of sundry citizens of the State of Maryland, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A resolution of the executive committees of the Maryland Pharmaceutical Association and the Baltimore, Md., Retail Druggists' Association, protesting against the imposition of any additional excise tax upon nonbeverage alcohol, and favoring the enactment of the bill (H. R. 3383) to amend section 2800, chapter 26, of the Internal Revenue Code of 1939, to reduce the tax on nonbeverage ethyl alcohol used exclusively in the manufacture of medicinal preparations, flavoring extracts, flavors, and for other nonbeverage purposes; to the Committee on Finance.

LOCATION OF DEFENSE INDUSTRIES IN NEBRASKA

Mr. BUTLER. Mr. President, on behalf of the senior Senator from Nebraska [Mr. NORRIS] and myself, I present legislative Resolution No. 28, just passed by the unicameral Legislature of Nebraska relative to the location of more national-defense projects in the State of Nebraska. Due to Nebraska's location at the geographical center of the United States, far from danger of attack from sea; due to the transcontinental railroads crossing the State; and due to the recently developed electric supply by the hydro system, I can sincerely say that Nebraska is the strategic point at which to locate defense industries. I request that this resolution be referred to the appropriate committee and incorporated in full in the RECORD.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, under the rule, as follows:

Legislative Resolution 28

Memorializing the Congress of the United States to locate national-defense-program projects in Nebraska

Whereas the United States of America is now engaged in a program of preparation for national defense, which program requires the construction of cantonments for the training of men, the construction of factories for the manufacture of munitions, equipment, and supplies, and for the storage and distribution thereof; and

Whereas by far the greater number of the cantonments, factories, and other defense projects have been located along the seaboard and in the southern portion of the United States; and

Whereas many thousands of men have left Nebraska to work in such factories, and many thousands more have been taken from the State for military service; and

Whereas this drain of men from the State is bringing about adverse economic conditions, particularly in the smaller towns and cities and in the rural areas; and

Whereas Nebraska is traversed by transcontinental trunk-line railroads, and by transcontinental Federal highways, and by pipe lines for oil and gas, and has a large supply of electric power; and

Whereas Nebraska has a fine, healthful climate, and an inexhaustible supply of pure water; and

Whereas Nebraska is located in the center of the United States, and military projects located in Nebraska would be less vulnerable to military attack than those located on or near the seaboard; and

Whereas, by reason of the foregoing facts, Nebraska is ideally situated for the location of cantonments, factories, and other military projects; and

Whereas the location of such projects in the agricultural section of the State will enable Nebraska men and boys to stay in the State and will relieve the adverse economic condition being brought about in such areas by the migration from the State to areas where such projects are now being established, and will further relieve the deplorable condition brought about by the 7 years' drought through which this portion of the State has just passed: Now, therefore be it

Resolved by the Legislature of the State of Nebraska in Fifty-fifth Regular Session Assembled:

1. That the President of the United States be, and hereby is, requested to located in Nebraska such projects forming a part of the defense program as shall be determined most suitable for this region, and will stop the migration from the State that is now taking place.

2. That a copy of this resolution be spread at large upon the journal of the legislature; and that the clerk of the legislature be directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed, to the President of the United States, to the Vice President of the United States, to each Congressman and Senator from the State of Nebraska, to the Secretary of War, to the Secretary of the Navy, and to the Council of National Defense, to the end that the State of Nebraska may be fairly and justly treated in the location of national-defense-program projects.

Adopted May 13, 1941.

USE OF AMERICAN TROOPS IN FOREIGN LANDS

Mr. BUTLER. Mr. President, I also wish to read for the RECORD copy of a petition originating in Scottsbluff, Nebr., one of our ranking cities, located in a county which is third in population in Nebraska. It is addressed to me and reads as follows:

We, the undersigned citizens of the United States of America and residents of Scotts Bluff County, Nebr., being deeply concerned over the welfare and defense of our own country but wholeheartedly opposed to American soldiers fighting overseas, hereby respectfully petition you to use all of your power and influence to the end that American boys may not be compelled to fight in foreign lands.

This petition is signed by Mrs. A. W. Raymond and about 3,000 others. Many of these persons I know personally, and I know they are most sincere in their attitude. I join wholeheartedly in their statement, and am glad to place it in the RECORD.

DECENTRALIZATION OF NATIONAL-DEFENSE INDUSTRIES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions unanimously adopted on May 12, 1941, at a meeting of the executive committee of the Midwest Defense Conference in Kansas City, Mo., and also resolutions adopted at a meeting of the Midcentral War Resources Board at the Muehlbach Hotel in Kansas City, Mo., on the same date.

I am informed by Mr. Lou E. Holland, president of the War Resources Board, whom I know well, that more than 400 persons were present at the meeting, including Governor Ratner, of Kansas; Governor Donnell, of Missouri; and the mayors of 175 cities and towns of Kansas and Missouri.

Mr. President, I hope the Senate and those in the administration responsible for letting defense contracts and locating defense industries will give some attention to the contents of these resolutions. The resolutions not only set forth the views of the central region of the United States in regard to the national-defense program, but they also set out the desirability of formulating and carrying forward that program with consideration for the future welfare of the Nation, after as well as during the emergency.

It is a fact, Mr. President, that the present system of awarding national-defense contracts is drawing skilled workmen from the small cities and towns of Kansas and Missouri, and other midcontinent States west of the Mississippi River, to the already congested industrial areas on the coasts.

I think it also is a fact that the process of drawing from the smaller communities their skilled workmen and families and dumping them into already congested areas is adding to the economic maladjustment which undue concentration of industries in certain sections of the country had brought about before the rearmament program was instituted.

President Roosevelt many times has declared that the defense program will include a decentralization of congested industries for both economic and strategic reasons. The same policy has been proclaimed by the various agencies created to carry out the national-defense program; and yet, so far as the program has gone, it appears to have worked out in exactly the opposite direction.

I appreciate that the primary purpose of the program is to produce national-defense articles at the earliest possible moment. I am aware that first production of necessity must come from industries already established. But it seems to me the time has come to spread this work more evenly over the country; and I respectfully suggest that the recommendations of the Mid-Central War Resources Board and the Midwest Defense Conference as set forth in the resolutions I send to the desk for insertion in the RECORD, are entitled to careful and sympathetic consideration by the agencies in charge of the national-defense program.

The VICE PRESIDENT. Without objection, the resolutions will be printed in the RECORD.

The resolutions are as follows:

RESOLUTIONS OF MIDWEST DEFENSE CONFERENCE

At a meeting of the executive committee of the Midwest Defense Conference at Kansas City, Mo., May 12, 1941, supplemented spontaneously by the attendance of several hundred interested but disturbed representatives from small cities and towns in the nine-State area, the following resolutions were adopted:

"Resolution I

"Whereas the United States is not at war but very properly is engaged in a national-defense program, which is costing billions of dollars, it is not only the right but the duty of every American to express opinion constructively concerning the development of this rearmament program; and

"Whereas the Midwest Defense Conference, made up of members from the nine States of North Dakota, South Dakota, Minnesota, Iowa, Nebraska, Kansas, Missouri, Arkansas, and Oklahoma, is cognizant of the fact that

some defense plants and contracts have been placed in the Middle West since the formation of this conference in 1940, but still remains of the definite opinion that the best interests of national defense and of national economy are not yet being served fully and will not be until the great manpower and the vast resources of this area are fully utilized: Therefore be it

"*Resolved*, That in meeting assembled in Kansas City, Mo., May 12, 1941, the executive committee of the Midwest Defense Conference and its many members:

"Call upon our Representatives in both Houses of Congress, from the nine-State area, to revitalize the organization they formed last year, to present the just claims of this region to the proper bureaus and commissions in Washington much more vigorously than has been done in the past;

"Call upon the officers of the Midwest Defense Conference to determine the advisability of conducting a mass pilgrimage of Middle Western citizens to Washington in June for the purpose of presenting these opinions more forcefully;

"Call upon the armed services of the United States to take a more comprehensive view of the national-defense plus the national-economy problem, and bring about a much better distribution of the contract work in order that a stable economy may exist in the United States after the emergency, as well as that the emergency may be met successfully;

"Call upon the Office of Production Management to take much more into account in the future the great industrial, agricultural, and natural resources of this Middle West region and utilize them in the second phase of the industrial rearmament program now beginning, on no less favorable terms than those extended to the large-scale industries in the first phase of the program;

"Call upon the larger cities of the Middle West here and now to institute a program of selflessness in order to assist the smaller cities in making their contribution to the program of national defense, so that village and farm, city and State, State and Nation may stand together for national defense, all for one and one for all.

"Resolution II

"Whereas Washington is overcrowded, office space for essential Government activities cannot be had, necessary employees in all branches of Government are hard put to be accommodated in their living conditions; and

"Whereas the Midwest is equipped to and is logically located for the handling of important offices and personnel now in Washington, particularly with reference to the Department of Agriculture, the Department of the Interior, the Interstate Commerce Commission, the Veterans' Bureau, with particular reference again to the War Risk Insurance Department, and numerous other governmental agencies: Therefore be it

"*Resolved*, That we call upon the proper officials to give serious consideration to this situation, and to take prompt action to correct this bottleneck that is hampering the effective administration of Government, and, at the same time, costing the Government many millions of dollars for office buildings and housing construction in Washington, all of which money could be better spent directly on national defense."

RESOLUTIONS COMMITTEE, MIDWEST DEFENSE CONFERENCE,
VICTOR F. BARNETT, *Chairman*, *Tulsa, Okla.*
FRANK M. EVANS, *Joplin, Mo.*
W. C. FRASER, *Omaha, Nebr.*
GEORGE R. CALL, *Sioux City, Iowa.*
R. A. CLYMER, *Topeka, Kans.*

RESOLUTION SUBMITTED TO BUSINESS SESSION MIDCENTRAL WAR RESOURCES BOARD MAY 12, 1941, KANSAS CITY, MO.

Whereas the present system of awarding defense production contracts is drawing skilled workmen away from the small cities and towns of Missouri and Kansas; and

Whereas the transfer of those skilled workmen and their families to the congested population centers where the major defense contracts have been awarded is creating an economic maladjustment; and

Whereas the ultimate conclusion of world peace will create an even more difficult economic situation by a sudden curtailment of work for those men now moving into the congested industrial centers; and

Whereas a method of employing these skilled workers in their home communities, thereby utilizing productive capacity now idle or only partly in use, would supply the Nation great quantities of needed defense materials and at the same time avert the growing economic dislocation: Now, therefore, be it

Resolved, That this conference of mayors and business leaders representing 175 Missouri and Kansas communities, meeting at a business session of the Midcentral War Resources Board held May 12, 1941, at Kansas City, Mo., does hereby petition the authorities in charge of letting national-defense contracts to determine upon a policy which will employ our skilled workmen in their home communities, using productive capacity and equipment now idle or only partly used; and be it further

Resolved, That the delegates attending this conference urge that their United States Senators and Representatives in the Congress make a concerted request upon the national administration and the authorities in charge of letting defense contracts, asking that a system immediately be put into operation which will place defense production orders in those small cities and towns where skilled workmen and equipment are available for such service; be it further

Resolved, That copies of these resolutions be mailed to all United States Senators and Representatives from the States of Missouri and Kansas and that these Members of Congress be requested to introduce and sponsor any new legislation which may be necessary to carry out the purposes of these resolutions.

ROGER T. SERMON, *Chairman*, *Independence, Mo.*
B. W. LITTLE, *Lexington, Mo.*
J. D. BYERS, *Coffeyville, Kans.*
WILLIS N. KELLY, *Hutchinson, Kans.*
TOM W. STARK, *Louisiana, Mo.*

RESOLUTIONS OF MIDWEST DEFENSE CONFERENCE—DECENTRALIZATION OF NATIONAL-DEFENSE INDUSTRIES

Mr. NORRIS. Mr. President, I have in my hand resolution of the Midwest Defense Conference, held at Kansas City, Mo., on May 12, 1941, favoring decentralization of national-defense industries, which I was about to present for inclusion in the RECORD, but I find that they have already been ordered printed in the RECORD, and I content myself with calling attention to the action of the conference.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McFARLAND, from the Committee on the Judiciary:

H. R. 2844. A bill to provide for the transportation home of persons who have been arrested and subsequently released without conviction or convicted and placed on probation with an amendment (Rept. No. 328).

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

S. 260. A bill to permit mining within the Organ Pipe Cactus National Monument in Arizona; without amendment (Rept. No. 329);

H. R. 1771. A bill to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes (Rept. No. 330); and

S. 1331. A bill to authorize the Secretary of the Interior to lease for the exploitation of silica sand and other nonmetallic minerals lands withdrawn by Executive Order No. 5105, dated May 3, 1929, with an amendment (Rept. No. 331).

By Mr. NORRIS, from the Committee on Agriculture and Forestry:

H. R. 2097. A bill to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k); with an amendment (Rept. No. 332).

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 15, 1941, that committee presented to the President of the United States the following enrolled bill and joint resolution:

S. 916. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation; and

S. J. Res. 60. Joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

S. 1535. A bill for the relief of Marie V. Talbert and her sons James Osborn Talbert and Dewey Talbert; to the Committee on Claims.

By Mr. BAILEY:

S. 1536. A bill to provide for priorities in transportation by merchant vessels in the interest of national defense, and for other purposes; to the Committee on Commerce.

By Mr. BULOW:

S. 1537. A bill to prevent shortages of transportation facilities occasioned by the defense program and to supplement and serve oceangoing vessels needed in the national defense by extending certain provisions of the Merchant Marine Act of 1936, as amended, to tugs, barges, and barge shipyards, and other vessels to be operated on the inland waterways of the United States; to the Committee on Commerce.

By Mr. LA FOLLETTE:

S. 1538. A bill to amend the Railroad Retirement Act of 1937, to make eligible to an annuity individuals who on March 1, 1937, were 70 years of age and were excluded because of not being employed on said date; to the Committee on Interstate Commerce.

By Mr. NORRIS:

S. 1539. A bill to amend the Tennessee Valley Authority Act of 1933; to the Committee on Agriculture and Forestry.

By Mr. GLASS:

S. 1540. A bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised (with an accompanying paper); to the Committee on Banking and Currency.

By Mr. REYNOLDS:

S. 1541. A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations; to the Committee on Military Affairs.

EXPENDITURES FOR OFFICE OF GOVERNMENT REPORTS—AMENDMENTS

Mr. TAFT submitted three amendments intended to be proposed by him to the bill (H. R. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President, which were severally ordered to lie on the table and to be printed.

WITHHOLDING FROM TRADE OF CERTAIN GOVERNMENT-OWNED COTTON—AMENDMENT

Mr. SMITH submitted an amendment intended to be proposed by him to the bill (S. 1250) to provide for withholding from the normal channels of trade and commerce cotton of the 1940 and previous crops which is owned by the Government or which is pledged as security for Government loans, which was ordered to lie on the table and to be printed.

AMENDMENTS TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. LA FOLLETTE submitted amendments intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which were referred to the Committee on Appropriations and ordered to be printed as follows:

On page 59, line 4, to strike out the sum "$77,900" and insert in lieu thereof the sum "$83,100."

On page 50, line 17, to insert the following: "*Provided further*, That not to exceed $5,200 shall be available from the funds of the Menominee Indians for the payment of fees and expenses of an attorney or firm of attorneys employed under contract approved by the Secretary of the Interior in accordance with existing law."

Mr. WALLGREN submitted an amendment proposing to increase the appropriation for the inquiry respecting food fishes from $476,475 to $510,475, intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which was referred to the Committee on Appropriations and ordered to be printed.

FOREIGN TRADE WEEK—STATEMENT BY THE PRESIDENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement of the President in connection with the celebration of Foreign Trade Week, which appears in the Appendix.]

FOREIGN TRADE WEEK—ADDRESS BY THE SECRETARY OF STATE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by Hon. Cordell Hull, Secretary of State, on May 18, 1941, in connection with the celebration of Foreign Trade Week, which appears in the Appendix.]

ADDRESS BY THE VICE PRESIDENT ON CITIZENSHIP

[Mr. HUGHES asked and obtained leave to have printed in the RECORD a radio address delivered by the Vice President in Washington, on May 18, 1941, under the auspices of the National Education Association, which appears in the Appendix.]

ADDRESS BY SENATOR LA FOLLETTE BEFORE WORKERS' DEFENSE LEAGUE

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address delivered by Senator LA FOLLETTE before the Workers' Defense League at New York City on May 9, 1941, together with introductory remarks by David L. Clendenin, which appear in the Appendix.]

ADDRESS BY SENATOR TAFT ON THE QUESTION OF WAR

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator TAFT on May 17, 1941, on the subject Shall the United States Enter the European War? which appears in the Appendix.]

ADDRESS BY BISHOP BERNARD J. SHIEL

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address delivered by Most Rev. Bernard J. Shiel, D. D., founder and national director of the Catholic Youth Organization, at the Stevens Hotel, Chicago, Ill., Thursday, May 15, 1941, which appears in the Appendix.]

ADDITIONAL URGENT DEFICIENCY APPROPRIATIONS

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of House bill 4669, making appropriations to supply additional urgent deficiencies for the remainder of the fiscal year 1941.

Mr. McNARY. Mr. President, under the rule, the calendar would normally be the order of business at this time. I think we should make some disposition of that before making the deficiency bill the unfinished business.

Mr. BARKLEY. I was interrupted. I had intended to ask that the call of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. ADAMS. Mr. President, I renew my motion, that the Senate proceed to the consideration of the urgent deficiency bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 4669) making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ADAMS. Mr. President, possibly a brief explanation is in order as to the major portion of the bill. The amount carried by the bill as it came from the House was $173,000,000. The Senate committee has increased the appropriation by $660,000. The major portion of the bill consists of an item of $150,000,000 for defense housing, in accordance with the provisions of the Lanham Act approved April 29, 1941. That is the main provision of the bill, though there are a number of other items.

Mr. TAFT. Mr. President, will not the Senator explain the difference between the $150,000,000 appropriation which appears on page 7 and the $15,000,000 on page 4? Both seem to be for defense activities.

Mr. ADAMS. The $15,000,000 is an additional item for mobile housing. As the Senator may recall, in a previous bill appeared an item of approximately $5,000,000, which was appropriated for temporary and movable housing, largely to consist of trailers, that is, in cases of defense plants being located where there was no housing, during the process of constructing the housing, living-quarter trailers have been utilized. I think the officials have done rather well in that respect. When the job was finished at one place the trailers would be moved to another location. They become available in different sections of the country.

Mr. President, in the bill is found the customary allowance of $10,000 for payment to the widow of a deceased Senator, in this case the widow of the late Senator Morris Sheppard.

I think that any other amendment may be explained as we reach it.

The VICE PRESIDENT. The clerk will state the first amendment of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Legislative", on page 2, after line 1 to insert:

SENATE

For payment to Lucile S. Sheppard, widow of Morris Sheppard, late a Senator from the State of Texas, $10,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 4 to insert:

The unobligated balance of the appropriation for folding speeches and pamphlets at a rate not exceeding $1 per thousand, contingent fund of the Senate, for the fiscal year 1940, is reappropriated and made available for the fiscal year 1941.

The amendment was agreed to.

The next amendment was, under the heading "Department of State, Office of the Secretary of State", on page 13, line 13, after the numerals "1941", to strike "out $236 000" and insert "$336,000", and in line 14, before the word "shall", to strike out "$200,000" and insert "$300,000"

The amendment was agreed to.

The next amendment was, on page 13, line 19, after the numerals "1941", to strike out "$55,000" and insert "$65,000", and in line 20, after the word "exceed", to strike out "$12,000" and insert "$14,000."

The amendment was agreed to.

The next amendment was, on page 15, after line 15, to insert:

WAR DEPARTMENT—CIVIL FUNCTIONS

CORPS OF ENGINEERS

Rivers and harbors: For an additional amount for the preservation and maintenance of existing river and harbor works, and for the prosecution of projects heretofore authorized, including the objects and under the conditions specified under this head in the War Department Civil Appropriation Act, 1941, to be available until expended, $540,000

The amendment was agreed to.

The VICE PRESIDENT. That is the last amendment of the committee.

Mr. O'MAHONEY. Mr. President, I send an amendment to the desk, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed on page 7, after line 18, to insert the following:

TEMPORARY NATIONAL ECONOMIC COMMITTEE

Not to exceed $2,500 of the funds appropriated for the Temporary National Economic Committee which remained unexpended and unobligated on April 3, 1941, shall be available until December 31, 1941, for expenditure by the committee, upon vouchers approved by the chairman, for the purpose of winding up the affairs of the committee, including the employment of necessary clerical and other assistants in connection therewith.

Mr. O'MAHONEY. Mr. President, this amendment is the text of a House joint resolution which passed the House on April 23, 1941, with a slight amendment. It makes available $2,500 of the unexpended balance of the T. N. E. C. appropriation. It is therefore not an additional appropriation, but so many demands are coming in for the publications of the committee that a great deal of clerical work is required.

I should like to have printed in the RECORD at this point the joint resolution as it passed the House, and the estimate from the Budget approving the appropriation.

There being no objection, the joint resolution and estimate were ordered to be printed in the RECORD, as follows:

House Joint Resolution 148

Resolved, etc., That not to exceed $2,500 of the funds appropriated for the Temporary National Economic Committee which remain unexpended and unobligated on April 3, 1941, shall be available after such date for expenditure by the Committee, upon vouchers approved by the chairman, for the purpose of winding up the affairs of the Committee, including the employment of necessary clerical and other assistants in connection therewith.

EXECUTIVE OFFICE
OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 7, 1941.

The PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration draft of a proposed provision pertaining to an existing appropriation for the Temporary National Economic Committee, as follows:

"TEMPORARY NATIONAL ECONOMIC COMMITTEE

"DRAFT OF A PROPOSED PROVISION PERTAINING TO THE APPROPRIATION 'TEMPORARY NATIONAL ECONOMIC COMMITTEE, 1940—JANUARY 3, 1941'

"Not to exceed $2,500 of the funds appropriated for the Temporary National Economic Committee which remain unexpended and unobligated on April 3, 1941, shall be available until December 31, 1941, for expenditure by the Committee, upon vouchers approved by the chairman, for the purpose of winding up the affairs of the Committee, including the employment of necessary clerical and other assistants in connection therewith."

The Temporary National Economic Committee was created by Public Resolution No. 113, approved June 16, 1938, which resolution was amended by Public Resolution No. 12, approved April 26, 1939, and further amended by Public Resolution No. 109, approved December 16, 1940. Under the provisions of the resolution of December 16, 1940, the time for submitting the final report of the Committee expired April 3, 1941.

I am advised that there remains certain unfinished work in connection with winding up the affairs of the Committee, and that a portion of the appropriated funds remains unobligated. Therefore it is recommended that not to exceed $2,500 of the unobligated balance of the existing appropriation be continued available to December 31, 1941, for this purpose.

The foregoing draft of a proposed provision pertaining to an existing appropriation is required to meet a contingency which has arisen since the transmission of the Budget for the fiscal year 1941, and its approval is recommended.

Very respectfully,
HAROLD D. SMITH,
Director of the Bureau of the Budget.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 4669) was read the third time, and passed.

Mr. ADAMS. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. ADAMS, Mr. GLASS, Mr. HAYDEN, Mr. BYRNES, Mr. TYDINGS, Mr. NYE, and Mr. LODGE conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS were appointed managers on the part of the House at the conference.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, COMMERCE, AND JUSTICE, AND THE FEDERAL JUDICIARY

Mr. McCARRAN. Mr. President, I move that the Senate proceed to consider House bill 4276, making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal judiciary.

The motion was agreed to, and the Senate proceeded to consider the bill (H. R. 4276) making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal judiciary, for the fiscal year ending June 30, 1942, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of State—Office of the Secretary of State", on page 2, line 8, before the words "*Provided*, That", to strike out "$2,716,300" and insert "$2,728,300."

The amendment was agreed to.

The next amendment was, on page 3, line 17, before the words "For all", to strike out "Emergency Fund for the President, War (allotment to Department of State)" and insert "National defense activities"; and on page 4, line 4, after the numerals "1941", to strike out "53,000" and insert "$156,000."

The amendment was agreed to.

The next amendment was, under the subhead "Transportation, Foreign Service", on page 11, line 13, after the word "efficiently", to strike out "$318,500" and insert "$338,500."

The amendment was agreed to.

The next amendment was, under the subhead "International Boundary Commission, United States and Mexico", on page 25, after line 10, to insert:

Rio Grande rectification project: For completion of the rectification of the Rio Grande in the El Paso-Juarez Valley under the convention concluded February 1, 1933, between the United States and Mexico, including obligations chargeable against the appropriation for this purpose for the fiscal year 1941, the funds made available under this head in the Department of State Appropriation Act, 1941, are continued available until June 30, 1942.

The amendment was agreed to.

The next amendment was, in the item for the Rio Grande canalization project, on page 26, line 7, after the word "For", to strike out "completion of."

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to insert:

Fence construction on the Cordova Island Boundary, Tex.: For the construction of a fence along the Cordova Island Boundary, Tex., as authorized by the act of August 19, 1935 (49 Stat. 660), $6,500.

The amendment was agreed to.

The next amendment was, on page 26, after line 20, to insert:

Fence construction on the international boundary: For construction of fence along the international boundary as authorized by the act of August 19, 1935 (49 Stat. 660), $50,000: *Provided*, That no part of this appropriation shall be expended for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles.

The amendment was agreed to.

The next amendment was, under the subhead "Cooperation with the American Republics", on page 32, line 17, after the word "periodicals", to strike out "$545,000" and insert "$653,840"; in line 23, after the name "Department of Agriculture", to strike out "$35,000" and insert "$50,000"; in line 25, after the

name "Administrator of Civil Aeronautics", to strike out "$10,000" and insert "$20,000"; on page 33, line 5, after the name "Office of Education", to strike out "$12,500" and insert "$17,500"; in line 5, after the name "Department of the Interior", to insert a comma and "for the Fish and Wildlife Service, $20,000"; in line 7, after the name "Travel Bureau", to strike out "$20,000" and insert "$25,000"; in line 8, after the name "Children's Bureau", to strike out "$15,000" and insert "$30,000, and for the Women's Bureau, $10,000"; in line 10, after the name "Library of Congress", to strike out "$35,000" and insert "$43,840"; in line 11, after the name "Smithsonian Institution", to strike out "$41,500" and insert "$56,500", and at the end of line 11, before the period, to insert a semicolon and "the Tariff Commission, $5,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Administrator of Civil Aeronautics", on page 39, line 12, after the word "automobiles", to strike out "$975,000" and insert "$999,674."

The amendment was agreed to.

The next amendment was, on page 39, line 17, after the word "exceed", to strike out "$90,000" and insert "$120,000"; in line 18, after the words "overhaul of", to strike out "aircraft," and insert "aircraft; purchase, operation, maintenance, repair, and overhaul of", and on page 40, line 7, after the word "facilities", to strike out "$14,000,000" and insert "$14,486,000."

The amendment was agreed to.

The next amendment was, on page 40, line 20, after the word "specifications", to strike out "$500,000" and insert "$525,752."

The amendment was agreed to.

The next amendment was agreed to.

The next amendment was, on page 41, line 12, after the word "skis" and the parenthesis, to strike out "$2,712,000" and insert "$2,750,360."

The amendment was agreed to.

The next amendment was, on page 41, line 20, after the word "grant", to strike out "$6,700,000" and insert "$6,450,000."

The amendment was agreed to.

The next amendment was, on page 43, line 9, after the word "guards", to strike out "$290,000" and insert "$300,000."

The amendment was agreed to.

The next amendment was, in the item "Development of landing areas", on page 43, line 10, after the word "For", to strike out "completion" and insert "continuation"; in line 12, after the word "exceed", to strike out "two hundred and fifty" and insert "three hundred and ninety-nine"; in line 19, after the word "land" to strike out "$28,500,000" and insert "$94,977,750"; in line 20, after the word "exceed", to strike out "$1,500,000" and insert "$4,500,000"; and on page 44, line 7, after the words "appropriation of", to strike out "$28,500,000" and insert "$94,977,750."

Mr. VANDENBERG. Mr. President, may I ask the Senator from Nevada if the projects covered by the particular paragraph now under consideration are already identified? Is there a list available of the projects which are contemplated under this language?

Mr. McCARRAN. Mr. President, I will say that they are identified by the War Department, acting in cooperation with the Civil Aeronautics Authority, and their identification was set out to the committee.

Mr. VANDENBERG. Are they essentially military fields?

Mr. McCARRAN. They are all essential to military activities.

Mr. VANDENBERG. This item does not include a general civil airport-construction program, does it?

Mr. McCARRAN. It goes beyond that, but is using the Civil Aeronautics Authority as an engineering facility by which the War Department, first recommending the placing and construction of the landing field, goes forward with the action of the Civil Aeronautics Authority, but it must first have the approval of the War Department or the Navy Department, as the case may be.

Mr. VANDENBERG. In other words, it is essentially a military rather than a civil undertaking?

Mr. McCARRAN. That is correct.

The VICE PRESIDENT. The question is on agreeing to the committee amendments in the paragraph beginning on page 43, line 10.

The amendments were agreed to.

The next amendment was, under the subhead "Patent Office", on page 56, line 11, after the name "District of Columbia", to strike out "$3,725,000" and insert "$3,733,400."

The amendment was agreed to.

The next amendment was, on page 57, line 4, after the word "office", to strike out "devices" and insert "devices;."

The amendment was agreed to.

The next amendment was, under the subhead "National Bureau of Standards", on page 61, line 7, after the word "facilities", to strike out "$220,000" and insert "$240,000."

The amendment was agreed to.

The next amendment was, on page 62, line 13, after the name "National Bureau of Standards", to strike out "$2,958,000" and insert "$2,978,000."

The amendment was agreed to.

The next amendment was, under the subhead "Weather Bureau—Salaries and Expenses", on page 64, line 17, after the word "elsewhere", to strike out "$7,203,000" and insert "$7,302,650."

The amendment was agreed to.

The next amendment was, on page 65, line 3, after the words "Weather Bureau", to strike out "$7,348,000" and insert "$7,447,650."

The amendment was agreed to.

The next amendment was, under the heading "Title III—Department of Justice—Office of the Attorney General", on page 67, line 6, after the figures "$500", to strike out "press clippings."

The amendment was agreed to.

The next amendment was, under the subhead "Federal Bureau of Investigation", on page 72, line 1, after the figures "$8,750,000", to strike out the comma and "of which $100,000 shall be available exclusively to investigate the employees of every department, agency, and independent establishment of the Federal Government who are members of subversive organizations or advocate the overthrow of the Federal Government, and report its findings to Congress."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous appropriations", in the item for "Enforcement of antitrust and kindred laws", on page 74, line 25, after the name "District of Columbia", to strike out "$2,325,000" and insert "$1,575,000."

ANTITRUST DIVISION, DEPARTMENT OF JUSTICE

Mr. O'MAHONEY. Mr. President, this item deals with the appropriation for the Antitrust Division of the Department of Justice. When the bill was before the House, members of the House Committee on Appropriations heard testimony from representatives of several farm organizations which were urging upon the House Appropriations Committee that an increased appropriation be authorized to enable the Antitrust Division to investigate a little more thoroughly some of the problems affecting the distribution of farm products. The allegation was made that by reason of monopolistic practices the farmer does not get a proper share of the consumer's dollar in the distribution of farm products. There were presented to the House committee facts gathered by the Bureau of Economics of the Department of Agriculture, all indicating that the farmer's share seldom rises above 50 percent of the consumer's dollar, but frequently falls below 20 percent and even below 10 percent; that, as a matter of fact, since 1913 to date there has been a steady falling off of the proportion received by the farmer.

It was urged by those who appeared before the committee that the Department of Justice should undertake a country-wide effort to determine to what extent combinations and conspiracies by large processors and by distributing agencies tend to prevent the farmer from receiving his proper share. Mr. Edward O'Neal, of the American Farm Bureau Federation, made a special appeal for such a program, and others also appeared to urge the appropriation which the committee has cut. Among the witnesses was Mr. George Wilson, of California, who told a rather impressive story about the low prices being received by the growers of peaches in California because of a combination among those to whom the sales must be made. Another witness appeared from somewhere in the South—I think from Arkansas—who told about the difficulties that cotton farmers encounter in obtaining a proper price for cottonseed.

In addition to the work of protecting the interest of the farmers there was also a demand that the Department of Justice undertake to do what it could to protect small businessmen from similar practices on the part of the large aggregations which dominate the economic life of the Nation.

The House committee was so impressed with this story that it authorized a special appropriation of $750,000 above the amount recommended by the Budget Bureau. The Senate Committee on Appropriations held no hearings on the question, and the reduction was made by the subcommittee. The full committee stood by the action of the subcommittee.

I rise to make this appeal to the Senate because I feel that this is one of the most important appropriations we can make,

and that failure to approve the action of the House would be a blow to agriculture and small business. The Department of Justice, under Assistant Attorney General Thurman Arnold, has made a remarkable record in showing what can be done by an intelligent administration of the antitrust laws. To date most of this work has been in the field of large enterprises. As I pointed out at the last session of the Senate in discussing another matter, the Antitrust Division has demonstrated in the most amazing manner how highly organized business has divided world trade to the disadvantage of the people of the United States and to the detriment of our industrial development. The success which has been attained by the Department in this phase of its work is an indication of what can be expected to be accomplished if it is permitted to undertake the work which is preeminently required on behalf of the farmer and the small businessman. For example, statistics which were obtained by the T. N. E. C. during its investigation showed that 94 percent of the entire output of farms is the output of individuals and that only about 6 percent is the output of large organizations. The small businessman likewise operates to a great extent as an individual. Both the individual farmer and the individual businessman are at a great disadvantage in dealing with the modern problems of production and distribution, because they do not have available to them the means of securing the information which the large organization has readily at hand. This appropriation, if it is approved, will provide that means.

I think it might be well to illustrate to the Senate some of the things which have been accomplished by the Department of Justice. The study with regard to the effect of world-wide cartel combinations upon defense industries is particularly amazing.

WORLD CARTELS AND NATIONAL DEFENSE

During the hearings of the T. N. E. C. we had occasion to look into the story of beryllium and beryllium copper. Beryllium is a metal which, when mixed with copper, produces a very hard copper which, as it is said in the trade, has a high resistance to fatigue. In airplanes and in modern machines which require rapid motion it does not wear out as rapidly as other metals, but lasts for much longer periods. But the patents under which beryllium is manufactured were controlled by a German corporation. Under the provisions of the licenses issued by the patent owners, the Beryllium Corporation of America was forbidden to sell beryllium copper in England. What we showed in that study led to further investigations. One of them had to do with optical glass and the revelations with respect to the manner in which military optical instruments are handled and sold were particularly startling.

In that study we discovered that the Bausch & Lomb Corporation, of Rochester, N. Y., which was operating in the production of such materials in the United States, was in a world-wide agreement with the Carl Zeiss corporation, of Germany, under which, in exchange for the agreement of Zeiss not to sell products in the United States, Bausch & Lomb agreed not to sell its products anywhere else in the world. When little Finland was resisting the Russian invasion it sought to purchase range finders for antiaircraft guns. It could not purchase them from Germany because the German Government was not anxious that Finland should have any equipment to resist the invasion. So Finland, unable to obtain range finders in Germany, turned to Bausch & Lomb in the United States. Bausch & Lomb refused to sell any of such instruments to Finland, because of its cartel contract. A few years before that—I think it was in 1935 or 1936—both England and France sought to purchase optical instruments from Bausch & Lomb for military purposes. They offered a contract of something like one and a half million dollars, and this also was refused by Bausch & Lomb because its agreement with the German corporation would not permit.

The fantastic phase of the international cartel agreement was that Bausch & Lomb paid the German corporation a royalty which was based upon a certain percentage of the gross sales. The payment of the royalties enabled the German corporation to have a complete picture of every military sale made in the United States. For example, if periscopes were purchased, a report had to be made to the German corporation on the number of periscopes; and that was immediately an indication of what the Government of the United States was doing in the way of increasing its submarine equipment. The number of range finders was likewise a clue to our military preparations. Royalty payments to the German corporation under the world-wide agreement afforded an excellent picture of our plans for national defense.

Another phase of the agreement was that the two companies, in Germany and in the United States, agreed to mark up the cost of instruments sold to any government. Instruments sold to the Government of the United States were marked up 20 percent, although all the instruments were covered by patents issued by the United States.

HOW CARTELS SUPERSEDE GOVERNMENT

Mr. President, I am endeavoring to call the attention of the Senate to what I conceive to be the preeminent importance of this appropriation. It sets up in the Department of Justice a thoroughgoing and sane study of the elementary problems which lie at the basis of all our economic ills. Every person who studies this problem knows that the principal cause of our economic difficulty arises from the fact that most of the products upon which our economic system depends are produced and distributed by large organizations. Some of these organizations have become so great that they have outgrown the power of government to regulate them.

For example, when two corporations like Bausch & Lomb in the United States and Carl Zeiss in Germany come together in a private contract by which they divide world trade in optical instruments, they are dealing with fundamental problems of international relationship which ordinarily are the subject of study by the Foreign Relations Committee of the Senate or the work of the State Department in negotiating treaties.

Mr. BONE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BONE. Is not that control in large measure decided by certain patent controls which the companies have?

Mr. O'MAHONEY. Oh, yes; certainly.

Mr. BONE. Those patent rights are granted by this Government. It seems to me a very odd thing that the Government which has power to give them patent protection should be one of its chief victims. Would the Senator suggest some legislation to make it possible for the United States Government merely to use its own patents in its own plants for national defense? I think it would be an entirely sane idea for the Government to use those patents in its own factories for national defense without the consideration asked by the companies. Certainly they ought to be patriotic enough to allow the Government to use them when it is defending the very business that makes money for them.

Mr. O'MAHONEY. The Senator from Washington is the chairman of the Senate Committee on Patents, and I should be very happy to sit down with him some day and go over the recommendations of the Temporary National Economic Committee for the improvement of the patent law so as to protect the Government of the United States and the people of the United States from exploitation at the hands of the large organizations which use the patent grant against the public interest.

Mr. BONE. I cannot imagine a greater atrocity than for an outfit to take advantage of its benefactor.

Mr. O'MAHONEY. It is perfectly amazing. For example, there is now pending an indictment of the General Electric Co. The indictment is based upon written contracts and charges that the General Electric Co. entered into a cartel agreement with Krupp, the munitions manufacturer of Essen, Germany, with respect to the sale in the United States of certain hard-metal compositions—tungsten carbide, for example—those compositions out of which are made the hard points that are so necessary in the machine-tool industry. Prior to the effective date of this agreement Krupp was sending these commodities into the United States, and they were available here to the machine-tool industry. Krupp had two or three corporations in the United States with which it was dealing. These corporations were the agents of the German exporters; but by this agreement Krupp agreed no longer to send any of these commodities into the United States, and the General Electric Co. agreed that it and its subsidiaries would no longer send them to any other country on the face of the globe without the consent of Krupp. So if the investors of America who hold stock in the General Electric Co. and the workers of America who are employed by the General Electric Co. had a potential market, for example, in South America, they could not send the products of their capital and of their labor to South America without

the consent of the Krupp organization at Essen, Germany.

Of course, the purpose of this combination was to eliminate competition, to increase the price, and to cut down the production. It is a normal impulse, perhaps, to get as much as the traffic will bear. That is a perfectly natural motive. But when a large organization, with world-wide connections, enters into written agreements of that kind, the effect is disadvantageous; indeed, I may say disastrous, to the whole community. It is combinations of that kind that lie at the basis of our whole economic trouble.

Here is another example of this General Electric-Krupp deal, as set forth in the indictment: A payment of, as I recall, about $5 a pound was agreed to be made by the General Electric Co. on every pound of this material it sold in the United States, for a special fund, one-third of which, I will say to the Senator from Washington, was to finance patent litigation so as to prevent anyone from developing the business with other patents—because patent litigation is frequently used for the purpose of preventing a competing patent from coming into production—and the other two-thirds went for royalties to the Krupp Co. Then it is charged in the indictment that there was set up by General Electric a bureau of investigation for the purpose of supervising the entire hard-metal industry in the United States, so as to make sure that licensees under General Electric did not exceed the quotas which were established, or did not undersell the prices which were fixed. A minimum price was fixed, and the result was an increase of about 200 or 300 percent in the cost of hard points to American industry. A significant development was that within a week or so after the indictment was filed, the prices came down.

When I point out these facts, I wish it understood that I am not doing so in any way to criticize the patriotism of the gentlemen who run these organizations. I think they were motivated solely by the desire to get better prices for their goods by using restrictive practices. Sometimes we follow their example in this Chamber. We have put the quota system in effect in this country with respect to certain agricultural products; for example, we have cut down agricultural production to raise prices.

The example was not a good one, and, as was to be expected, the result was not very satisfactory.

Mr. BONE. Mr. President, will the Senator yield again?

Mr. O'MAHONEY. I am very glad to yield to the Senator from Washington.

Mr. BONE. I do not desire to intrude too much upon the Senator's time. Is there any evidence that the control of patent processes under the existing law has been used now to the great disadvantage of the Government in adding to prices?

I have been desirous of interrogating the Senator from Missouri [Mr. TRUMAN] to ascertain whether his committee is going to examine into that aspect of our defense program. I think it is well for us to know—and this statement is not indicative of any feeling in my own mind one way or the other about the matter, but I should like to know, for certainly I should not hesitate a moment in presenting to the Senate legislation to correct that abuse—I should like to know whether the control of patents now is being used and abused by the holders of those patents in the creation of this national-defense organization and the output of products that are so vital to it.

The odd thing is that a great many fine people who believe we should go into war probably would be loath to lay hands on some of those abuses which, unless corrected, would make it perhaps not impossible but difficult to win a war. The war would be, I assume, for the preservation of what we call the American way of life; and if that fails, then the patent holders go down and out, along with all the rest of us. Certainly they, of all persons, ought to be filled to the very muzzle, brimming over, with patriotism. I should think they would be willing in this hour of peril, this great threat against our whole economic pattern of life, to be very generous with the Government that perhaps will be sending out our boys to win this war. If the Government is going to call on the Senator's son, if he has one, and my son, and all the other boys, to yield up their lives, these men certainly should be willing to yield up some of their patent rights. I think it is a cold-blooded matter, not of dollars and cents, but of how much love a man has in his heart for his own country at a time when we are assured that our country faces the gravest perils in its existence.

So I should like to know, and I hope some Senate committee vested with power to examine into this subject will tell the Senate, to what extent the holders of patents that have to do with this vital matter of national defense are now abusing their patent rights; and it seems to me that the Senate then would be recreant, cowardly, if it did not immediately set about correcting the situation. In a time of peril why should a man raise the dollar sign above the American flag? That is precisely the picture that would be presented if the Senate should refuse to act. The Government is going to take out the boys of the country; and if these gentlemen hold back, and do not allow mere dollars to go out, they will not present to the country a very happy picture.

Nothing I have said implies any disposition on my part to do anything until we have the facts. If there can be an assembly of facts which is convincing and carries the necessary degree of proof—and they can be ascertained by proper committees—then I think it is time for the Senate to act, if the facts justify action.

EVIDENCE BEFORE T. N. E. C.

Mr. O'MAHONEY. The Senator will find a great deal of very interesting material in the investigation which is being carried on by the committee of which the Senator from Missouri [Mr. TRUMAN] is chairman. He will also find a great deal of interesting information on this point in the hearings of the T. N. E. C., which devoted considerable time to a study of patents.

My point, however, is that the appropriation of $750,000, which the House allowed, and which the Senate committee has rejected, will enable the Department of Justice to obtain the very facts which the Senator from Washington desires.

Mr. HILL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HILL. The Senator has referred to the statements made before the T. N. E. C., of which he was the very able chairman. If the Senator will yield to me for a moment, I should like to refer briefly to the statement of Mr. Thurmond Arnold before the T. N. E. C. He summarizes just what the situation is, certainly from the national-defense angle. I think it is very important that the amendment of the committee be rejected.

Mr. ARNOLD made this statement before the T. N. E. C.:

The results of the investigation indicate that:

1. The United States Government has been charged excessive and unreasonable prices for essential war materials as the result of agreements between domestic and foreign companies and collusive bidding on Army and Navy contracts.

2. Foreign companies have taken out patents and entered into cartel arrangements in the United States on essential war materials for the purpose and with the effect of blocking American development and creating serious shortages.

3. There have been divisions of world markets by patent agreements between domestic and foreign companies which give foreign interests the right to determine whether and how American companies may sell certain military supplies.

Mr. O'MAHONEY. Mr. President, let me interrupt the Senator at that point, because I have here a paragraph which proves the point that Mr. Arnold was making when he appeared before the committee. This is a paragraph taken from the contract between Bausch & Lomb, the American Co., of Rochester, N. Y., and Carl Zeiss:

Bausch & Lomb obligate themselves not to sell directly or indirectly, military instruments to countries outside of the United States of America, and vice versa Carl Zeiss obligate themselves not to sell such instruments, directly or indirectly, to the United States, unless the parties have come to an agreement regarding the conditions of sale and the respective territories of distribution.

In other words, before the United States could obtain the necessary military equipment from any other source but Bausch & Lomb it had to obtain the consent of a foreign concern, and that foreign concern with Bausch & Lomb had fixed the prices, which in many instances had been marked up about 20 percent, so far as the Government of the United States was concerned.

It is appropriate to say here that the filing of the indictment was enough to terminate the arrangement; immediately the defendant came in and entered his plea and a decree was entered.

Mr. HILL. Mr. President, another illustration which Mr. Arnold brought out in his testimony before the House Appropriations Committee was the agreement between the Aluminum Co. of America and the Dow Chemical Co. of America with the German dye trust, which re-

stricted the production of magnesium in this country. We all know the importance of magnesium; we know it is important in the manufacture of airplanes; indeed, in the manufacture of airplanes it is a more valuable and more important metal in many ways even than aluminum. Yet we find as a result of this agreement between these American companies and the German company that the United States last year, in the emergency which is now confronting us, was able to produce only some 6,000 tons of magnesium, whereas Germany produced not 6,000 tons but some 75,000 tons of magnesium. Mr. Arnold states, as his fourth proposition:

It seems probable that vital military information has been disclosed to foreign countries through the requirement of itemized descriptive royalty payments in patent license agreements.

Then Mr. Arnold cites a number of cases in which he says there have been started criminal or civil actions to which the Senator from Wyoming has referred, and I shall not reiterate them. Then he makes this statement:

At least 31 industries producing vital war materials are awaiting investigation—

"Awaiting investigation—"

because we have not the facilities to deal with them. There are evidences of price increases, artificial shortages, and foreign control in this field.

I feel, Mr. President, that we would be derelict if we should not vote the amount of $750,000, so that Mr. Arnold may carry on the investigations and put an end to this situation which so vitally affects and does so much to defeat the defense program of this Nation.

In that connection, I should like to call attention to one other thing. I do not wish to take too much of the time of the Senator from Wyoming, but Mr. Arnold makes it clear that this is not a question of outgo and nothing coming in. Last year we gave to the Antitrust Division of the Department of Justice $1,300,000, and the Department took in through fines $2,600,000. For every $1 we gave the Department they took in $2 in fines. In the old days when no real effort was being made to put an end to combinations and monopolies in restraint of trade, we find that we gave the Department about $300,000 a year, and the Department took in about $16,000 a year in fines. Now that we give them at least enough to make a real effort, they are taking in at least $2 for every $1 spent. Certainly we ought to give every dollar of this $750,000 to Mr. Arnold and the Antitrust Division so that this most important work may go forward.

THE SUPPLY OF ALUMINUM

Mr. O'MAHONEY. I thank the Senator for his very helpful addition to the debate. In the committee, of which the Senator from Missouri [Mr. TRUMAN] is Chairman, just last week there was considerable testimony with respect to aluminum and the supply of aluminum in the United States for defense purposes. Two or three months ago, or perhaps earlier than that, I took occasion to issue a statement, as the result of the work we had been doing in the T. N. E. C., to the effect that there was not sufficient aluminum in the United States to supply the defense needs, and that aluminum production had been cut down. At that time announcements were being made from the defense headquarters that there was plenty of aluminum. We had, following the recommendations of the Appropriations Committee, appropriated several million dollars to build a new dam under T. V. A. in order to supply power for the Aluminum Co. of America, but that dam was not to come into operation until late in 1941 or perhaps early in 1942; and we have provided other appropriations to extend the Bonneville project in the State of Washington to enable public power to be supplied Reynolds Metals Co. for the manufacture of competitive aluminum.

Mr. BONE rose.

Mr. O'MAHONEY. Does the Senator desire to interrupt me?

Mr. BONE. I merely want to suggest to the able Senator from Wyoming and my brethren here that the big outfits, such as the Aluminum Co. of America, want the Federal Government and public bodies to build great power plants to produce power at the cheapest possible price and deliver it to them at a price far below anything that could be achieved generally in the ordinary practice of the electrical world, to afford them possibility of making all the money they can out of the operation of the cheapest power rate in the world; but in turn they do not want to make any concessions in the matter of patent control to the Government that is doing so much for them. That is the astounding thing about this business. These fellows with monumental gall, this indescribable gall which amounts almost to sheer impudence, expect the Government to make concessions to them, such as in the Northwest, where they demand cheap power for national defense—it is in the sacred and holy name of national defense—but if the shoe is on the other foot, and the Government wanted concessions in the way of a modification of their patent demands and patent tariffs, probably we would be met by the argument that it was not a very nice and proper thing to do in a business way.

It is that point that I have in mind that induced me to rise here when the Senator mentioned these power developments because out of public funds we are making the cheapest power in the world available to the aluminum companies, including the Reynolds Co. and the Aluminum Co. of America; but I have seen no great evidence—at least, it has not been brought to my attention—that they, in turn, are willing to make some kind of concessions; in other words, to make some sort of a sacrifice in getting, not cheap power but the cheapest aluminum in the world to the Federal Government in its hour of peril.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. O'MAHONEY. I yield to the Senator from Louisiana.

Mr. ELLENDER. When the Senator began the presentation of his argument for retention of the House recommendation, he mentioned something with respect to certain farm organizations having appeared before the House committee. Has the Senator any information to show the extent to which Mr. Arnold has delved into the question of the cost to consumers and the price paid to producers; that is, facts showing the vast difference that exists between the cost to the consumer and the price received by the producer, all due to a system which permits the inbetweens—those who handle the product of the farm; those who take little or no chance—to make most of the profits?

As an example, this morning, when I came to my office, I found on my desk a flock of telegrams from my constituents asking me to intercede in behalf of the potato growers of my State who are receiving little or nothing for their crop. Last Saturday I happened to visit a half dozen chain stores in the city of Washington, and I found that Spring Triumph potatoes were being sold to consumers at the rate of 4 pounds for 17 cents, or 4½ cents per pound. Down in Louisiana, where we produce them, the farmer is receiving, free on board cars, 75 cents a hundred pounds for the best grades, and out of that price there must be deducted 15 cents for the bags—the containers in which the potatoes are packed. Selling and inspection charges, as well as drayage, must likewise be deducted, leaving to the farmers about 35 cents per hundred on the farm.

Imagine, Senators, a condition in which the farmer—who takes all the risk, who must work the year around to produce a crop of potatoes, who must pay for seed, for fertilizer, for cultivation, for harvesting, and so forth—receives 35 cents per hundred pounds, and the consumers of this city are paying $4.25 per hundred pounds for the same product.

Mr. O'MAHONEY. The answer to the Senator was made by Mr. Arnold before the House Committee on Appropriations, when, in response to a question by Representative STEFAN, he said:

We wanted to take up the various farm products, including poultry, dairy products, and so forth. We have a case in North Carolina with reference to potatoes. We have been proceeding as fast as we could to take them up in order to knock out the artificial costs of food.

The consumer pays much more than the producer gets.

Mr. ELLENDER. A more glaring case came to my attention in the fall of 1937, when we were considering the farm problem. A special Senate committee of which I was a member visited different States and held hearings, and while we were holding those hearings I drove to various markets located in the cities where we held hearings, and I came across this situation: Sweetpotatoes were being sold in my State for 2 cents a pound, while out at Great Falls, Mont., the same potatoes were being retailed to the consumer at 2 pounds for 25 cents. Now, just imagine, Senators. The cost of distributing a pound of potatoes was

a little over 10 cents. The inbetweens—the leeches as I call them—were receiving 10½ cents for delivering the product to consumers.

In the particular case with respect to the new 1941 spring potato crop now being produced in the South, the farmer, as I have just pointed out, is getting 75 cents per hundred pounds free on board cars, and the same potatoes are retailing in chain stores in Washington today at 4 pounds for 17 cents. It is costing in excess of 3 cents a pound merely to distribute them. Something should be done to draw the consumers and the producer nearer together so that the producer will obtain a fair price for his product and the consumer will pay a price commensurate with the price paid to the producer.

Mr. O'MAHONEY. I am very glad the Senator from Louisiana has emphasized this point.

Mr. HILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Alabama?

MONOPOLY AND THE FARMER

Mr. O'MAHONEY. In just a moment. I merely want to add this comment on what the Senator from Louisiana has said: Unless the Government, through the Anti-Trust Division, undertakes this work of protecting the farmer from the adverse effects of combinations which deprive him of a proper share of the consumer's dollar, all our efforts by way of soil-conservation payments and parity payments will prove futile, because the farmer's share is constantly being cut down by the monopolistic practices which lie at the very root of our whole trouble.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Louisiana.

Mr. ELLENDER. Did the Department ask for a greater amount than was provided for by the House of Representatives? In other words, is the amount of $750,000 sufficient to do a good job?

Mr. O'MAHONEY. The request which was made of the House committee by the American Farm Bureau Federation was $1,020,000, as I recall; but the House committee allowed $750,000. It is my own judgment that that is sufficient; that it will enable the Department to set up its organization and carry on these investigations in livestock and in the field of dairy products and all the agricultural fields.

Mr. ELLENDER. I presume the Senator has consulted with Mr. Arnold and his department?

Mr. O'MAHONEY. I have.

Mr. ELLENDER. And the amount of $750,000 is sufficient according to the view of Mr. Arnold?

Mr. O'MAHONEY. It will be satisfactory.

Mr. HILL. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Alabama.

Mr. HILL. With reference to the amount of $750,000, as I recall Mr. Arnold's testimony before the House committee he stated that $750,000 was the amount which he thought he could wisely and well use; that he could not expand his organization too rapidly, but that he could use $750,000, and use that amount mighty effectively at this time.

If the Senator will further yield, the Senator from Louisiana [Mr. ELLENDER] has spoken of the buying of chain stores. The Senator from Wyoming no doubt recalls Mr. Arnold's statement to the T. N. E. C. Mr. Arnold emphasized just exactly what the Senator from Wyoming has said when he stated that—

> A grand-jury investigation should be immediately started to break up any combinations which are destroying the balance of prices between the things which the farmers sell and the things which the farmers buy.

Then Mr. Arnold goes on and analyzes that statement, very much along the lines along which the Senator from Wyoming has analyzed it, and makes this conclusion:

> For these reasons it is recommended that grand-jury investigations be conducted in agricultural machinery, in the packing industry, in cottonseed oil, in the canning industry, in fresh fruits and vegetables, and in the buying methods of chain stores.

Mr. O'MAHONEY. Mr. President, I think the Senator from Wisconsin [Mr. LA FOLLETTE] is planning to have something to say about the agricultural aspects of this amendment, so I shall not add anything to what I have already said as to that fundamental reason why this appropriation should be allowed. I desire, however, to complete briefly my discussion of the cartel arrangements which have been exploiting the people of the United States.

Last January, as I was remarking, as a result of the studies of the Temporary National Economic Committee, I gave out a statement that our supply of aluminum was not sufficient. That statement was immediately interpreted as an attempt upon the part of the chairman of the Temporary National Economic Committee to raise public sentiment against the Aluminum Co. of America.

That, of course, was not the purpose. My purpose was to call attention to the fact that monopolistic practice does cut down production, and that the reduction of production is the most fundamental error we can make because it also reduces opportunity for work. If we reduce production and raise prices, we are bound to bring about the unemployment of men and the unemployment of capital, which cause economic crises.

After my statement was released to the newspapers, many of those who were defending the Aluminum Co. said that there was plenty of aluminum. Last week, before the Defense Committee, presided over by the Senator from Missouri [Mr. TRUMAN], Mr. William L. Batt, of the Office of Production Management, a very able and efficient gentleman who is doing a splendid, patriotic job in the Defense Council, was testifying with respect to this very question of the supply of aluminum, and this is what he said to the committee:

> We assumed that if they had aluminum 2 months ahead of the date of manufacture of a finished plane, that would probably be all right, because that was a reasonable expectation of ordinary manufacture in the industry. But that was a poor estimate, because this was a new industry, the organizations were expanding overnight, as all of you gentlemen very well understand; it was difficult for them to get good planning, and the result was that they were very soon asking for aluminum 10 months ahead of the date of the unfinished plane instead of 2 months. And that is the principal reason for the fact that our estimates of aluminum for aircraft proved too low.
>
> In connection with other military needs, whereas I said we had estimated 8,000,000 for May of this year and it is actually nearer 25,000,000, well, that is just a case of bad guessing on our part.

Mr. President, it was not so much a case of bad guessing; it was wholly a case of the effect upon our economy of the cartel arrangement.

It was back in 1931 that the Aluminum Co. of America, which had complete control of the industry in the United States, endeavored through a Canadian corporation, as I recall, another aluminum company which it controlled, to effect a world arrangement by entering an agreement with the Alliance Aluminium Co., of Basle, Switzerland. This was the international cartel. Its purpose was to cut down production and raise prices all over the globe.

They entered into an agreement which fixed a floor under the price of aluminum. The cartel would buy aluminum at that minimum price wherever it appeared, in order to maintain the price, but by cutting down the production it established the means whereby the price could be kept well above the minimum.

At the time this agreement was made Hitler was only an agitator in Germany. He came into power in 1934, and one of the things which came to his attention immediately was this international agreement, whereby the Aluminum Co. of America had secured for itself the entire American market and 28 percent of the world market, whereas the German producers had obtained for themselves about 20 percent of the world market.

Mr. Hitler said, in effect: "This restriction of production is all right with me as to other countries, but not as to Germany." So he secured a modification of the agreement whereby the restriction in Germany was eliminated. The restriction in the United States was maintained. The result was a tremendous increase in the production of aluminum in Germany and very little increase in the United States.

I have the figures here. In 1933, according to my information, the United States was producing about 85,000,000 pounds. In 1938 this had gone up to 286,800,000 pounds. In 1933 Germany was producing 41,600,000, or just about half what the United States was producing. In 1938 Germany was producing 385,800,000 pounds, or almost 100,000,000 pounds more than the United States was producing, though 5 years before the United States had started with twice the production.

The Senator from Alabama has referred to the situation with respect to magnesium. I could go into numerous others of these commodities. But just to show that the cartel agreement does not apply only to defense needs, I have brought to

the floor this morning three labels which are used upon a certain drug, a serum. This serum is manufactured in Berlin by an outfit called Schering. That company has a subsidiary company in the United States known as the Schering Corporation, of Bloomfield, N. J. The Berlin company was selling this serum in South America. When the war began, and the British blockade cut off German avenues of trade to South America, the German company from Berlin instructed its subsidiary in the United States, in New Jersey, to ship its orders to South America. But, instead of shipping those orders under the American label, which was in English, it shipped the orders under a new label, an imitation of the German label. It had the German trademark, and the same design, so that the purchaser in South America would naturally believe he was still obtaining the product from Germany. As one attorney in the Department of Justice expressed it to me, the American subsidiary in New Jersey was running the blockade for the parent German company in Europe. The similarity of the new American label and the German label is so striking that I hand copies to Members of the Senate.

Mr. NORRIS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. NORRIS. Coming back to a practical application of the foreign situation, as I understand, in order to bring about permission for Mr. Arnold to do the work the Senator has so well outlined, all that is necessary is for us to defeat the committee amendment. Is that correct?

Mr. O'MAHONEY. That is correct. That is the parliamentary status.

I will add only this word. The entire purpose of the original appropriation recommended by the Budget, and the additional appropriation which was added by the House, is to enable the Department of Justice to maintain an organization which will protect the individual victims of monopolistic practice. As the Senator from Alabama has pointed out, this is not costing the Treasury of the United States a penny, because the cases which have been brought to date have been so clear that the fines assessed have exceeded substantially the entire cost of the administration of the Antitrust Division. It is solely and wholly an effort to maintain an agency which will support the competitive principle—free enterprise.

I have no hesitation in saying that if we do not do this, the only other alternative is building up monopoly until it becomes so great that Government steps in. That has been the inevitable effect. This is the way to protect the farmers; this is the way to protect the small businessmen; it is the way to protect the fundamental free economy of the United States, and I hope that the committee amendment will be rejected.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WILEY. The Senator is a great lawyer——

Mr. O'MAHONEY. The Senator compliments me unduly.

Mr. WILEY. I think I heard most of what the Senator had to say, and while he went into two or three different fields, there is one field on which I should like to get his opinion.

The Senator has brought out the fact that Germany has discovered certain patents, let us say, and I assume those patents were licensed to American concerns to manufacture the articles. I assume also that the agreements were made before the advent of Hitler. As the Senator knows, we had international treaties with Germany in relation to the almost sanctity of patent rights existing.

Now here is the question. Assuming a contract, valid on its face, which at the time it was made operated to the benefit of the contracting parties and to the benefit of the two nations——

Mr. O'MAHONEY. Well, the second part is an assumption which I would not make.

Mr. WILEY. Very well. Let the other assumption stand. Now, then, because of the great revolution in the world, such as occurred since Hitler came into control, we find that that contract operates so that it virtually creates a condition of constructive treason against this country. Is it not true that the contract in that particular then is against public policy, and that the contractee, or one of the contracting parties in this case, has an obligation to see that it does not perform that contract to the detriment of this country?

I do not know if I have made myself clear. Perhaps I can put it more concretely. Let us assume that a contract is made. Information at that time going from this country to Germany has no detrimental effect, let us say. But because of world conditions now, information going there virtually is constructive treason. It seems to me that the business people in this country who made that contract have a perfectly valid ground to stand on if they contend that it is against public policy for them to give that information, and say, "We will not give that information."

Mr. O'MAHONEY. I think the Senator is correct about that, and I would not for a moment wish to be understood to be impugning the patriotism of the business executives who handle these large enterprises. All I say is directed to a more fundamental matter. These gentlemen have been acting in a normal manner and have made these agreements for the purpose of securing better business for themselves and their companies, no doubt. I think that although they have been perfectly well aware that what they were doing was forbidden by the Sherman antitrust law, nevertheless, of course, we know that there has been so much confusion of mind with respect to the Sherman antitrust law and how it should be enforced that they might have justified their actions to themselves in evading the law.

My contention, however, is that when big business evades the law which was intended to prevent conspiracies to restrain trade and to divide territory the inevitable effect is first to bring about economic disaster for the masses of the people, and then for the companies themselves; and then, unless we correct the situation by restoring competition, the next step is the setting up of totalitarian government. What is happening in Europe is the logical result of the conspiracies and monopolistic practices which have created these huge international giants which dominate the entire economic scene.

Mr. WILEY. Mr. President, will the Senator yield for another question?

Mr. O'MAHONEY. Certainly.

Mr. WILEY. I have not come to that phase of it. I believe I can fully agree with the Senator in that conclusion. But I am interested now more in effectuating a remedy that goes to the very heart of our defense program of preparedness. We now know that if some vital information gets into the hands of an enemy, or a potential enemy, it strengthens the enemy. I am wondering whether in that connection the Senator has any remedy to propose to meet that condition? Would he say, for instance, that because of the public interest in all the contracts which our nationals are interested in with other nationals that those contracts must first have the approval of some arm of our Government?

Mr. O'MAHONEY. Mr. President, I feel that all such contracts ought to be filed and registered under the Federal Trade Commission Act. We passed the Webb-Pomerene law sometime after the Federal Trade Commission was set up, the purpose of which, briefly, was to suspend the Sherman antitrust law so far as foreign trade is concerned. In other words, the large corporate units of the United States which were prohibited by law from entering into combinations in the United States, were, under the Webb-Pomerene Act, permitted to enter into those combinations for trade abroad, but they were required to file their agreements with the Federal Trade Commission. Now what has happened, of course, is that the agreements which have been made with foreign countries have had the effect of restricting business in the United States and of increasing prices in the United States. That is a situation which could be corrected by some action along the line which the Senator has suggested.

Mr. WILEY. Mr. President, will the Senator yield for another question?

Mr. O'MAHONEY. Certainly.

Mr. WILEY. I was interested in the comment made by the Senator from Louisiana [Mr. ELLENDER] when he spoke about potatoes. Of course, that situation has applied to practically every product the farmer produces. For years in Wisconsin we have had about 5 quarts of milk going into a pound of cheese, and for years the farmer has received the equivalent of 11 cents for the 5 quarts of milk. Here in Washington the purchaser has to pay about 30 or 35 cents for that same pound of cheese. But I understand, Mr. President, that investigations have been made time and time again, and that we have not gotten anywhere in particular, except that in connection with the various handlings—transportation, wholesaling to the retailer, the retailer paying his clerk hire, and so forth—we have not found that there has been any abuse in

any specific direction. We found that concerns handling milk, which were, let us say, selling it for 10 and 11 cents a quart, were not making any great profit, because of the tremendous cost of distribution, including labor costs, delivery trucks, and taxes. The result is that the farmer has not gotten any relief in that direction.

I wonder if the money proposed to be added by the Senator's amendment would result in duplicating investigation, or is there some other "nigger in the woodpile" that we do not know anything about, which this investigation might disclose. That is what I am trying to find out. We remember how the great Standard Oil Co. was dissolved, and how that dissolution resulted in the creation of a multitude of octopi afterward, when before there had been only one. And all the time the public was aroused to the belief that we were going to go engage in a great crusade and that some constructive results would be effected. The result was that we spent money.

Now we are engaged in a preparedness program. How will this investigation benefit the preparedness program? Or will it cause consternation; will it cause fear; or will it cause a stoppage of production? That, I suppose, is something we should consider also. Is it timely? Is it opportune? I was wondering what the Senator's answer to that question would be.

Mr. O'MAHONEY. Mr. President, my answer to that question is that it is most opportune, and it is only by the discovery of facts such as I have outlined here that we are able to step up the production of essential war materials which we must have.

Mr. WILEY. That argument would not apply to the farmer or to dairying, would it? The argument has been made all the time that we should curtail such production; that we have too much of it, as the Senator said sometime ago.

Mr. O'MAHONEY. But that is an argument with which I have never agreed, because I know that other investigations have been made which show that there is a surprisingly large percentage of the population of the United States unable, because of lack of employment and lack of income, to purchase essential food.

If we could put an end to the restrictions of production and employment of capital and labor, which are the objectives of monopoly, we could tremendously increase the market for dairy products and all other agricultural projects.

MONOPOLY DOES WHAT THE STATE CANNOT

I now return the compliment paid me by the Senator a few moments ago, and greet him as a distinguished lawyer. The Senator may remember the famous case of Liebman against the Oklahoma Ice Co., decided in 1931 or 1932. The State of Oklahoma had enacted a statute one of the purposes of which was to determine whether or not persons might enter the ice business. Liebman attacked the statute upon the ground that it was an unconstitutional invasion of the right of the individual to enter any business he pleased. The sovereign State of Oklahoma was overruled in the Supreme Court. The statute was held to be unconstitutional, and Liebman was free to go into the ice business, notwithstanding the statute. By the decision of the Supreme Court, under the Constitution, the sovereign State of Oklahoma was restrained from preventing an individual from engaging in the ice business.

But we have an arrangement under which so-called private concerns, principally through the operation of the patent law, but also by other agreements, undertake to impose licenses and quotas and to say to manufacturers, "You may not enter this business, or, if you do, you must run your business on our terms. You may not produce more than so many items. You may not charge less than our prices."

In the Temporary National Economic Committee we had the story of the milk bottles. I have told that story on the floor of the Senate. There was a limitation on the number of milk bottles that a manufacturer might make, even though not a licensee using the machine patented by the corporation in control, and a limitation upon the price which he might charge. In other words, operating under a patent grant from the Federal Government, a privilege authorized by the Constitution and provided for in the law, private companies were doing that which under the Constitution the State itself might not do.

As I have previously said, that situation is the whole basis of the unemployment of men and of money. Unless we are willing to give the free enterprise system a chance by closing the door to the arbitrary power exercised by private organizations we shall have a terrible time preventing the exercise of arbitrary power by the Government.

Mr. HUGHES. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from Wyoming yield to the Senator from Delaware?

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. HUGHES. I inquire of the Senator whether or not his committee has made any inquiry as to what are called the fair-trade statutes which have been passed by various States?

Mr. O'MAHONEY. Oh, yes. The committee made an investigation of that subject, and has published its hearings. A recommendation was made in the report.

Mr. President, I think I have said all I have to say at this time, and I yield the floor.

Mr. LA FOLLETTE. Mr. President, I realize that for many months it has been popular in the Senate to dress up in the garb of national defense all items of appropriation upon which favorable action is desired. However, after the investigation which I have been able to make into the issues involved in the item of appropriation under consideration, I am firmly convinced that the $750,000 item involved here is one of the most vital and important national-defense items that this Congress has considered during the present session.

Mr. President, I shall try not to cover the territory which has been so ably covered by the senior Senator from Wyoming. Let me say that in connection with the Antitrust Division action against the Aluminum Co. of America, I think facts have been revealed in that trial which should have the attention of the Congress, not only in support of the activity of the antitrust division but also in order that this Nation may not find itself in a situation similar to that in which France found herself when subjected to the impact of monopolistic practices through a world-wide cartel which curtailed the aluminum available to her for her national defense.

It has become commonplace to attribute the collapse of France to social legislation. However, Mr. President, under the agreement entered into in the international aluminum cartel, France could not have obtained enough aluminum to build airplanes had she been ready and willing to do so. We, too, have been placed in a critical situation insofar as aluminum is concerned—not only aluminum for ordinary domestic purposes but aluminum for airplanes and for other vital instruments of national defense—because our Government has permitted a monopoly to exist in this country from the time a cheap method of manufacturing aluminum was discovered.

Mr. President, it was the Aluminum Co. of America, a monopoly which has existed in this country ever since aluminum manufacture was discovered in the United States, which had been saying month after month, month after month, that there was sufficient aluminum available in this country to provide not only our needs for national defense, not only our needs for domestic purposes, but it has been claiming, Mr. President, that here in the United States we could produce a sufficient amount, over and above those items, to furnish what Great Britain might need.

Mr. President, as a result of permitting this monopoly and its practices to exist, this country now faces a dangerous if not a critical situation insofar as aluminum is concerned. Mr. President, the evidence disclosed in the aluminum monopoly trial in the United States District Court in New York is an example of the vital work done by the antitrust division of the Department of Justice. The evidence disclosed that in 1931 the Aluminum Co. of America, the sole domestic producer of aluminum, combined with other world producers, including the German Aluminum Co., to curtail production, fix minimum world prices, and divide world markets.

The evidence further disclosed that in 1934, after Hitler came into power in Germany, the German company used the cartel to tie the hands of every other world producer, while Germany doubled and finally tripled its own plant capacity. In 1934, the German company threatened to break the cartel unless it was permitted to produce unlimited quantities for domestic use in Germany. The other members agreed to this, on the condition that the German company would purchase one pound of aluminum from the cartel for every pound that it

exported to other markets. This protected world markets from German competition and it satisfied the monopolistic objectives of the aluminum cartel. At the same time it enabled the Germans to expand their capacity until they became the world's largest producers of aluminum and airplanes. The cartel, which was called the Alliance Aluminium Co., was organized in 1931 by Aluminium, a Canadian corporation created by the Aluminum Co. of America, and headed by the younger brother of Arthur Davis, the chairman of the board of the Aluminum Co. of America. Through the subterfuge of this Canadian corporation, the Aluminum Co. of America sought to circumvent the Sherman Act. Although the Aluminum Co. of America was not a direct member of the cartel, the United States market was in effect reserved to the Aluminum Co. of America which supplied about 93 percent of the domestic consumption, only 7 percent being supplied by imports. The rest of the world production was divided by production quotas according to the following percentages: Aluminium Limited, 28.5 percent; the French aluminum company, 21.36 percent; the Swiss aluminum company, 15.42 percent; the British aluminum company, 15 percent; the German aluminum company, 19.64 percent.

Mr. President, prior to the creation of the Aluminium Limited, and its participation in the present Alliance agreement, the Aluminum Co. had participated either directly or indirectly in a succession of less subtle cartel arrangements. In 1896, after the Aluminum Co. was formed, it entered into an agreement with the Swiss aluminum company, then the largest foreign competitor.

This was followed by an agreement in 1901 with virtually all the European aluminum producers. The Aluminum Co., however, participated in this combination only indirectly through Northern Aluminum Co., a newly created Canadian subsidiary. This agreement, which was renewed in 1906, was followed by a similar agreement with the Northern Aluminum Co. and the Swiss aluminum company in 1908, dividing the European and American markets according to fixed percentages. The latter agreement was enjoined by a consent decree obtained by the Department of Justice in Pittsburgh on June 7, 1912. However, 3 days after this consent decree, on June 10, 1912, the Northern Aluminum Co. entered into a new agreement with the French, Swiss, Norwegian, and British aluminum companies which purported to exclude the United States. The Government contends that the effect of the agreement was to protect the Aluminum Co. from substantial competition in the United States. This agreement remained in effect until the outbreak of the first World War.

Government witnesses testified in that suit that in 1922 and 1923, foreign producers told them about new, unwritten agreements dividing the world markets. Limited amounts of foreign aluminum were imported into the United States but the Government contends that these amounts were restricted and that for the most part the aluminum was sold at prices fixed by the Aluminum Co. Imports by others than the Aluminum Co. ranged from about 6 percent to 15 percent of the total United States consumption each year until 1937, and on September 1, 1939, upon the outbreak of the war, imports ceased entirely.

Following the creation of Aluminum, Ltd., Edward K. Davis invited the heads of the European companies to America to discuss the formation of the Alliance, which was created in 1931. The Government introduced evidence that before the Europeans came to the United States the head of the European delegation had discussed the formation of a cartel with Arthur V. Davis, who referred him to his brother, Edward K. Davis. The two Davises discussed preliminary provisions of the Alliance agreement, and the Aluminum Co.'s attorneys were consulted by Aluminum, Ltd., of Canada, in connection with the preparation of the agreement. Edward K. Davis arranged to have the Europeans come to the United States at a time when his brother, Arthur V. Davis, could be here. When the foreigners arrived at the New York pier they were welcomed by Edward K. Davis, but all of them proceeded to Montreal, Canada, to negotiate the terms of the Alliance. Although they met Arthur V. Davis in New York, they scrupulously avoided any discussions of the proposed agreement within the boundaries of the United States.

Following the Montreal meeting in April 1931, the foreign representatives and Edward K. Davis took a private railway car down to Massena, N. Y., where they were joined by Arthur V. Davis and Roy A. Hunt, the two leading executives of the Aluminum Co. of America. At Massena they were shown the plant of the Aluminum Co.

As Senators well know, Massena is the location of one of the great plants of the Aluminum Co. of America. From there the entire party went in two private railroad cars up into Canada where they inspected Aluminium Limited's plants, and then returned to New York for a final farewell party to the foreign executives of these foreign aluminum companies.

Although Arthur V. Davis did not directly discuss the agreement with the foreigners, it is the Government's contention that every means was adopted to impress upon their minds that the Aluminum Co. would silently cooperate with the cartel. The Government emphasizes the fact that the cartel's restriction of world production and fixing of a world price could not possibly have succeeded if the Aluminum Co. had sold its huge surplus outside the United States. It points to the fact that the Europeans restricted their shipments to the United States to limited quotas which they sold at prices fixed by the Aluminum Co., and that in turn the Aluminum Co. for years refrained from selling aluminum ingot outside the United States.

Mr. President, upon the creation of the Alliance it allotted production among its members, Aluminium Limited, the British, Swiss, French, and German aluminum companies, according to fixed ratios. The Alliance issued 1,400 shares which were allotted to the member companies according to their agreed production rights. If the Alliance determined that world production outside the United States should be 140,000 tons per year each member was given the right to produce 100 tons for every share of stock held in the Alliance. Aluminium Limited received 400 of the 1,400 shares, or 28½ percent, and under this arrangement it could produce 40,000 of the 140,000 tons per year. However, when production was cut to 50 tons per share, or 50 percent of normal world production, Aluminium Limited was permitted to produce only 20,000 tons.

The Alliance acquired all surplus stocks of aluminum on the world market, and through this device and the restrictions upon production, it created a scarcity, which enabled it to control the price.

At the beginning of each quarter the Alliance fixed an "alliance-buying price" at which the Alliance would purchase from its member companies any aluminum which they had not sold by the end of the quarter. This "alliance-buying price" was fixed on a cost, insurance, and freight Antwerp basis. The effect of this was that the world selling price, except in the United States, became identical with the Alliance buying price at Antwerp with freight adjustments from Antwerp to delivery point. No member of the Alliance would sell aluminum for less than the Alliance buying price because it had the assurance that it could turn over any unsold stocks to the Alliance at that price at the end of the quarter. It was a case of "Heads I win; tails you lose."

Immediately upon the creation of the Alliance, Aluminum Limited fixed its price at the Alliance buying price of 15 cents per pound, cost, insurance, and freight Antwerp, in all markets except the United States, where the price was fixed at 17.2 cents per pound. This effectively eliminated the possibility of sales in the United States, which was protected by a 4-cent tariff on aluminum.

The Alliance rigidly policed the production quota of each member by periodic audits conducted through Price, Waterhouse & Co. At no time was it necessary to invoke the provision for forfeiture of excess production. This penalty was so severe that no member could risk a violation of its production quota and the resulting forfeiture of the excess production which might run into millions of dollars' worth of aluminum.

If a member of the Alliance sold more aluminum than its production quota, it of course had to buy from the Alliance's surplus to make delivery to customers. Since the Alliance had accumulated all surpluses formerly on the world markets, aluminum could not be obtained from any other source.

The result of this ingenious scheme was that prices were effectively raised without the necessity of any direct agreement that the producers would sell at any particular fixed price. The provision for forfeiture of all aluminum produced in excess of the quotas fixed, plus the Alliance buying price, took away any incentive to cut prices. The usual temptation of conspirators to cheat and secretly cut below the prices agreed upon was effectively eliminated.

After the Germans were released from the production restrictions in 1934, their production expanded rapidly, and German production quickly outstripped American production. While the Aluminum Co. of America and its Canadian affiliate were curtailing production of this vital metal, the Germans were expanding their capacity and building thousands of airplanes. The modern military airplane, including engine, contains about 80 percent aluminum by weight.

The President of the United States at one time announced that he contemplated the production of 50,000 airplanes a year in this Nation. If that be true, and we allow 16,000 pounds of aluminum per plane on the average, we find that the production required for 50,000 planes alone would come to the sum of 800,000,000 pounds of aluminum, whereas the entire productive capacity of the American producer is only 327,000,000 pounds of aluminum at this time.

I say, Mr. President, that we find ourselves in this situation because we have permitted this monopoly which has adopted the policy of raising the price, curtailing production, and operating contrary to the principles of free enterprise.

At one time the automobile manufacturers of the country were using large amounts of aluminum in the building of their cars. I am, I believe, reliably informed that at one time, perhaps, for 2 years, the entire body of the Ford car was made of aluminum; but, Mr. President, manufacturer after manufacturer found that he was in the vise-like grip of the monopoly of the Aluminum Co. of America, so that automobile company after automobile company, rather than be gouged by this monopolistic combine, directed their engineers to redesign their cars so as to eliminate aluminum insofar as possible. Had we not permitted this monopoly to flourish by Government failure to prosecute under the Sherman antitrust law, had aluminum been permitted to be utilized as it should have been utilized as a vital and important metal of light weight and great tensile strength, we would have had a production in the United States sufficient for national defense and civilian and domestic uses of aluminum. I can prove that by some rough calculations. We have had production as high as 5,000,000 cars per year in the United States. Assuming a use of only 500 pounds of aluminum per car, we would have had a capacity of 2,500,000,000 pounds of aluminum in this country just for the automobile industry alone, whereas, as I said a moment ago, under the nefarious and monopolistic practices of the Aluminum Co. of America we now have 327,000,000 pounds' capacity in this country. This production would have provided such an enlarged outlet for an aluminum production that, under competitive conditions, its price would have decreased with increased consumption and improved technological developments in production.

Today, our aluminum capacity is not sufficient to produce even 30,000 military airplanes, primarily because the Aluminum Co., the sole domestic producer, has pursued for 50 years a consistent policy of maintaining high prices and low production and capacity.

Mr. President, that brings me to say another thing. Because of the monopolistic practice of this corporation; because of its determination that there should be no competition; because of its policy of high prices, and low production, and no competition, additional unnecessary dislocations of our economy are present today in our defense program; men who produced aluminum products for domestic peacetime consumer purposes are being thrown out of work for lack of nondefense aluminum.

As sole producer, the Aluminum Co. has exacted unreasonable prices. In 1937 it sold aluminum ingot at an average net price of 19.56 cents per pound, although the total cost of production—including administrative and selling expenses—was only 9.6 cents per pound. Its profit was, therefore, 104 percent. With the price 17 cents per pound today, and production costs apparently less than in 1937, the Aluminum Co. is still making profits of about 100 percent. Its profits on aluminum sheet, essential for aircraft, range from 78 percent to as much as 181 percent.

The Government has offered proof to show that the Aluminum Co. has used its monopoly power to maintain a price of 17 to 20 cents per pound on aluminum, which is contrasted with a 1½ cents per pound price for steel. The Aluminum Co.'s own records show gross profits before allowances for general overhead of from 80 to over 200 percent on many aluminum products, including those used for national defense. The Government contends that if due allowances were made for overhead and other costs, except income and profit taxes, the profits on these commodities would still range from 60 to over 180 percent. In 1939 the Aluminum Co. realized gross profits on the principal kinds of aluminum sheet used in military aircraft of from 99 to 229 percent. As estimated by the Government, the net profits on such aircraft sheet would be between 61 and 181 percent. These high rates of profit are of special significance in view of the fact that aluminum and aluminum alloys constitute over 80 percent of the weight of a military plane, including its engine.

In 1939 the Aluminum Co. made a net profit of $49,099,000. The Government points out that this is 27.12 percent profit on its capital plus all reinvested monopoly earnings over a period of 50 years.

The Aluminum Co. is in the unique position of competing with its customers, who are dependent upon it as their sole source of domestic supply of virgin aluminum. The Government introduced a great volume of evidence in the New York trial to show that from 1926 to 1933 the Aluminum Co. took advantage of this monopoly position to squeeze out independent fabricators who attempted to compete with the Aluminum Co.'s fabricating departments.

As a monopoly primarily interested in maintaining its control, the Aluminum Co. has been shortsighted and has attempted to prevent competition. I am sorry I have not the time to go into a summary of the evidence showing instance after instance in which the Aluminum Co. of America has bought out any substantial threats of competition that have offered in this vital industry during this long period of time. I will mention, however, a few examples.

The Government has presented evidence to show that in 1924, when the Aluminum Co. discovered that James B. Duke was preparing to build a large plant to compete, it arranged a merger with one of Duke's undeveloped water-power sites at a cost to the Aluminum Co. of more than $29,000,000, and thereby headed off his threat of competition. As part of the merger, Duke became a director of the Aluminum Co. instead of its competitor.

For the obvious purpose of discouraging competitors like the Reynolds Metals Co., which is now building two new plants, the Aluminum Co. insisted last fall that there was no shortage of aluminum for national defense and civilian needs. The total production of the United States in 1939 was 327,000,000 pounds, and this represented the full capacity of the industry. It is now recognized that 1,400,000,000 pounds is needed for national defense alone, not including civilian needs. Because of this monopoly's policy of maintaining high prices and restricting production, the plant capacity which is now needed for our national defense is lacking, and must be built with Government funds.

Mr. President, I hope every Senator who is interested in this subject will read the testimony recently taken before the so-called Truman committee, in which it is disclosed beyond peradventure of doubt that those in the Office of Production Management who are charged with the responsibility of securing aluminum production are relying largely, if not exclusively, upon the Aluminum Co. of America for the increased production. Unless that policy is altered, instead of breaking down this monopoly, instead of lowering the cost of this vital and essential metal not only for national defense but for domestic consumption as well, we shall wind up this defense effort with a situation whereby the Aluminum Co. of America, through the aid of the Government, will have become an even more gigantic and effective monopoly than it is today.

I say, Mr. President, that I hope the Office of Production Management or the President of the United States is not going to permit a situation to develop in this Nation in which we shall be placed at the mercy of a monopoly, and find ourselves in the condition in which France found herself—unable to secure production because we have cultivated, fostered, and helped to wax fat and powerful a monopoly which is exercised by one company over one of the most vital metals in our whole national-defense situation.

Mr. President, I wish that, without trespassing upon the time of the Senate, I could go into the magnesium situation, touched upon by the Senator from Wyoming [Mr. O'MAHONEY]; for magnesium is a metal which has many competitive factors that might become dangerous to aluminum. As a result of

that, we have not a sufficient production of magnesium in this country.

Antitrust cases such as these cannot be tried unless ample funds are appropriated for the Antitrust Division. Most antitrust trials are lengthy, and require careful preparation. The corporations which are under attack for antitrust violations generally have the capacity to employ the most skillful counsel. In the single antitrust case to which I have referred, which took 2 years and 2 months to try—being the longest court trial in history—the Government required a staff of 21 persons, including lawyers, experts, and clerical staff. The 63 defendants were represented by six large law firms, including the largest law firm in the United States. It has been estimated that the defendants spent more than $2,000,000 in the defense of this suit. The Government's total expense was but a fraction of this amount.

The prosecution of such cases is not only essential to the enforcement of the antitrust laws but it also results in direct savings to the consuming public of millions of dollars. For example, the price of aluminum was on an upward climb immediately preceding the filing of this suit in 1937. For the obvious purpose of impressing the court, the Aluminum Co. reversed its price policy for the duration of the trial, and in the last few months of the trial actually cut the price from 20 cents to 18 cents per pound, and ultimately to 17 cents. It is significant to compare this price decline during a period of increasing demand and actual shortage of aluminum with the Aluminum Co.'s conduct during the first World War. The Department of Justice has shown that the Aluminum Co. virtually doubled its price in 1915, and that the price went even higher in 1916 and 1917.

On the basis of the Aluminum Co.'s sales of 372,816,011 pounds in 1939, the Department of Justice has made a computation which shows that the public would have had to pay an additional $82,019,522 annually if the Aluminum Co. had doubled its price from 20 cents to 40 cents from 1937 to 1940, as it presumably would have done except for the fact that this antitrust suit was pending.

I also wish to refer briefly, in connection with the national-defense angle of this situation, to what has resulted because of certain insurance practices. The fire- and marine-insurance business is dependent for its existence upon a system of reinsurance. The reinsurance market which is utilized is international in scope. For example, when fire insurance is placed covering the Douglas Aircraft Co. for $20,000,000, the originating company keeps approximately $1,000 of the risk and reinsures the remainder with a variety of insurance and reinsurance companies whose main offices may be in the United States, England, Switzerland, Norway, Germany, Japan, Denmark, and so forth. Before any of these companies will assume the risk, they are furnished with complete plans, drawings, and detailed engineering reports concerning the insured company. Thus it is pointed out, whether or not the plant is constructed with brick, steel, or wood, where the sprinkler systems are controlled, the exact position of the vulnerable parts of the plant and all information necessary to measure the hazard, it is apparent that the information desired by an insurance company is exactly the same as that desired by a saboteur. In some cases the ownership of the insurance company is somewhat concealed as, for instance, the Pilot Insurance Co. of New York, which is German-owned, or it is very obvious like the Tokio Fire & Marine Insurance Co., or the Helvetia of Switzerland.

It is interesting to note that Carl Shriner, at present president of the Pilot Insurance Co., and now an American citizen, was taken into custody during the first World War for supplying Germany with this type of information. At that time he was general manager of the Aachen & Munich Insurance Co.'s office in New York. All the information described above is now available to Mr. Shriner and his company. Shriner is now in Mannheim, Germany, from where he directs the operation of the Pilot Insurance Co. in New York. This is done via cables through Zurich, Switzerland.

In marine insurance, where reinsurance is equally important, on risks of over $50,000 it is necessary to cable to all the foreign reinsurance companies involved, the date of sailing, the destination, the character and value of the cargo, and a variety of other information, 12 hours prior to sailing. This includes Japanese, Swiss, French, Norwegian, Danish, and Czechoslovakian companies, some of which, in turn, have very close affiliations with the Germans.

The fire- and marine-insurance companies in the United States have a series of associations which provide that members maintain uniform rates, commissions, and coverage. It is also provided that members will not deal with nonmembers as to reinsurance or with the agents of nonmembers. The effect of this has been to eliminate any company which reduced rates, granted larger commissions, or gave wider coverage.

In this connection I ask unanimous consent to have inserted in the RECORD at the end of my remarks a memorandum showing some of the important cases which are now being handled by the Antitrust Division, and also a list of some of the industries which should receive the further scrutiny of the division.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

(See exhibit A.)

Mr. LA FOLLETTE. Mr. President, I come to another and I think equally important phase of this situation. I wish to refer to the situation insofar as the food industry in this country is concerned.

It is a simple and appalling fact that the production and distribution of food in this country is such that while the farmer has trouble making a living, one-third of the American people have trouble getting enough to eat.

The farmer's plight is one of our greatest national problems. Although the farm population is about 25 percent of our whole people, farm income is only 6 percent of our national income. The typical farmer has a substantial investment upon which he must pay taxes, is the skilled manager of a productive establishment, works as hard as anyone in this land, and longer hours than most, and makes annually to cover his labor, his risk, and his investment less than the income of a skilled factory worker. At a recent meeting of the American Farm Bureau Federation one of the delegates, a farmer's wife who had been trained in accounting before her marriage, reported that she had kept accounts the previous year and that she and her husband had averaged 10 cents net return for each hour of work. What the farmer gets from his produce is not enough to explain the dietary deficiencies of the American people. Indeed, today he receives only 41 cents of the consumer's food dollar—from 11 to 19 cents less than he got a quarter of a century ago. The surplus of food products at the farm has been a national problem concerning which the Congress has legislated again and again.

Nevertheless, there is no surplus of food products at the American dinner table. Forty-five million people—about one-third of our whole population—are reported to be below the safety line in diet. A good many of them are actually hungry. All of them are failing to obtain the food elements which are necessary to prevent chronic fatigue, digestive disorders, and lowered resistance to disease. Some of them are ridden with deficiency diseases such as pellagra and scurvy.

I digress here to say that it is now becoming increasingly recognized in the medical profession that there are many millions of people in this country suffering from dietary deficiencies and vitamin deficiencies, which ultimately produce pellagra and scurvy, but which have not proceeded to the point where the symptims of those specific diseases are easily recognizable.

I also wish to remind Senators that after our tragic experience in the last World War, with the number of men who were found deficient physically for military service, after 25 years of advance in science and in the dietary and in the medical field, we find now that about 40 percent of the flower of the young manhood of this country are being rejected because of physical deficiency, much of it attributable to improper diet and environment.

Though the families to which I referred are not fed by skilled dieticians and some of them might get enough food if they only knew how to buy and prepare it with professional skill, many of them cannot afford a good diet no matter how carefully they select it. Twelve million families must live on not more than 8 or 9 cents per person per meal. About 14 percent of all American families must live on an average of 5 cents per person per meal. In the city of Milwaukee more than 23 percent of the families were found to be spending less upon food than the minimum amount which would give them an adequate diet. The families that spent only a nickel per person per meal ate a little more than one-third as much fruit, less than one-half as much dairy products, and less than 60 percent as much meat, eggs, and vegetables as families receiving $100 a month. The simple

fact is that enough good food is too expensive for the poorest one-third of our population.

The distress which lies at both ends of the food industries is conspicuously absent in the middle. From 1929–35 the large processors and distributors of food made substantial profits in spite of the depression. Milk processors averaged more than 9½ percent upon the capital employed in their business; butter brokers and wholesalers averaged more than 4½ percent; wheat middlemen averaged more than 10½ percent; wheat processors more than 7¾ percent; flour distributors more than 9½ percent; biscuit and cracker companies more than 14½ percent, and wholesale bakers 8¾ percent. In the meat industry packers averaged 4¼ percent and hide and skin brokers and dealers 5 percent. Among distributors of groceries the large wholesale grocers averaged 5½ percent and the large corporate chains more than 17 percent. The picture which emerges from these figures is one of food processors and distributors who stand between the farmer and the consumer and who thrive by comparison with those from whom they buy and those to whom they sell.

Mr. President a nutrition conference is soon to be held in Washington for the purpose of working out a program for the nourishment of the American people. At each session the Congress considers scores of bills for the rescue of the American farmer. I do not propose here to discuss the many lines of policy which must be worked out together to serve these two great ends. Obviously such programs must include provision of satisfactory farm credit, measures for the orderly marketing of farm products and the encouagement of farm cooperatives, measures to make sure that farm surpluses which do not enter the ordinary commercial channels shall become available to undernourished groups, such as under the stamp plan I have so ardently supported, measures to identify and improve the quality of food products and to restore vital nutritive elements which are lost in processing, measures to teach better buying and preparation of food in the home, and a host of other expedient measures. Today I shall take these for granted; for their beneficial effect can be soaked up if we permit the spread between farm price and consumer price to increase, and their benefits can be immeasurably multiplied if ways can be found to reduce that spread. One indispensable way to bring farm prices and consumer prices closer together is to get rid of the price-fixing schemes, the collusive cost-raising devices, and the buying and selling monopolies which abound in the food industries.

The Department of Justice is now doing this job. Last November it announced a Nation-wide investigation of the processors and distributors of the major items in the Nation's diet. Since that time it has obtained nine indictments at points ranging from Philadelphia to Seattle upon such products as bread, milk, fish, candy, beer, and general groceries. I am informed that grand juries have been authorized in 20 other cases and that the Department itself has announced that more than 100 additional cases are awaiting investigation.

Mr. President, shall we hesitate under these circumstances, affecting not only national defense, the small businessman, the independent producer, and the situation in our food industry—shall we hesitate one moment to give the $750,000 which the House of Representatives Appropriations Committee and the House itself granted after thorough hearings, without one dissenting vote?

Mr. SHIPSTEAD. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Wisconsin yield to the Senator from Minnesota?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. We have heard a great deal about distributing national income more equitably, but wealth seems to be concentrated more and more into fewer hands. Has the Senator ever thought of the fact that largely through these monopolistic practices or monopolies our industries become more and more powerful in milking the public from whatever income it produces, and that concentration of wealth is centered in these monopolistic institutions?

Mr. LA FOLLETTE. Mr. President, I have given a great deal of consideration to that all during my adult life, and I have said here on the floor of the Senate that an automatic distribution of wealth in this country, even if it could be obtained, would not avail anything, unless we do something to make certain that the producers received their fair share of the dollars which the consumers have to pay for their products, whether they be industrial or agricultural, or whether they be services rendered by other elements in our economy.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to me to make a short statement on that point?

Mr. LA FOLLETTE. Yes; certainly.

Mr. SHIPSTEAD. When monopolistic industries, through their practices, take too much of the national wealth away from the producer, defenders of this system excuse it and defend it by saying, "Well, we take it away in taxes." As a matter of fact, monopolies are collectors of taxes, and they keep their profits, and turn whatever is required over to the Government. It seems to me the taxes they pay can be compared to a license tax, which is paid for the licensing of slot machines and things like that, or to letters of marque in olden days, when pirates were protected by the king with letters of marque, so long as they divided the loot they stole from the people on the high seas with the king who protected them. So long as the Government of the United States permits these practices to continue, the excess-profit taxes which are paid out of what is taken from the people amount to the same as a license for permission or for immunity to go on robbing the people by the imposition of high prices under the system which has become so common here, even in agriculture, whereby the less one produces the higher the price he will receive, and the more he will make.

Mr. LA FOLLETTE. I thank the Senator for his contribution.

Mr. President, the groups already investigated and found to need grand-jury action include milk distributors and processors in several places; bread bakers; fish canners and wholesalers; sugar refiners; fruit and vegetable handlers, canners, and driers; confectionery wholesalers; brewers; and wholesale and retail grocers.

Some of the influences which keep farm prices low and retail prices high appear clearly in the indictments which the Department of Justice has already secured.

I just want to cite a few examples. In Dubuque, Iowa, a milk distributor made up his mind that it cost him very little more to deliver several quarts of milk at a call than to deliver one. He announced a price schedule under which the first quart would cost 11 cents, but additional quarts on the same delivery would be 8 cents each. Other distributors and milk-wagon drivers were afraid that such prices would give this dairy more business and perhaps force them to adopt the same plan. Therefore they decided that no customer should be allowed to change the source of his milk supply and imposed a fine of $100 upon any driver who accepted such a transfer. This case has just been tried. All the defendants were convicted, given jail sentences, and offered suspension of these sentences if they would pay fines and court costs. The obvious tendency of their conspiracy was to prevent an increase in the consumption of milk by keeping it unnecessarily high priced and thereby to reduce the farmer's market for fluid milk. The American Farm Bureau Federation has publicly denounced this conspiracy.

Another indictment was recently issued in New York City. It charges that the Borden Co. and its subsidiaries and certain subsidiaries of National Dairy Products have conspired to fix wholesale prices for the distribution of milk in the metropolitan area and to establish an artificial price difference between grade A milk and grade B milk which was substantially identical in quality, purity, and wholesomeness. It charges, too, that independent distributors have been coerced to maintain the established prices.

Two indictments in Philadelphia charge that bakers operating in Pennsylvania, New Jersey, Delaware, and Maryland set out to fix prices and destroy independent competition in that area. Where they had acquired control they raised prices by a cent per loaf. Where their control was not yet established they started local price wars designed to drive out the independents. The profits from their exploitation of consumers in the monopolized areas made it easy for them to bear the costs of their predatory price cutting in the areas where they were seeking a monopoly.

In Denver, Colo., an indictment of the Food Distributors Association charges that this group, including a corporate chain, two voluntary chains, and various independent grocers, conspired to fix the mark-up on groceries under the pretext of conforming to a State law which for-

bids sales below cost. Some of the members of this organization referred to it as the get-rich-quick club, and some of them indicated that its purpose was to raise mark-ups gradually to from 20 to 25 percent. The amount of the mark-up, fixed at meetings, was increased in 3 years from an original 6 percent to a level of 12 percent, established last November. After the indictment all but two of the defendants pleaded nolo contendere and paid substantial fines.

Another grocery indictment charges that wholesale grocers in Seattle, Wash., conspired to fix prices and to exclude from the markets wholesalers who did not belong to their association. For this purpose it is charged they sought to prevent national manufacturers from selling to the independents under threat of boycott if such sales were made, and circulated false statements concerning the credit standing and business integrity of the independent concerns.

Another indictment in Seattle charges conspiracies to fix the price of halibut, cod, and other fish sold through the fish exchange. One-half of the American catch of halibut passes through the fish exchange. The rules of this exchange provide that only members may buy fish, and the ring of companies who hold membership refuses to admit any new members. It is charged that these concerns have agreed to lower the buying price which they pay to the fisherman, and at the same time to set arbitrarily high prices upon the fish which they sell to the independent dealers who are not allowed to buy direct. Such a conspiracy obviously tends to lower the producer's price and raise the consumer's price by establishing an exorbitant margin between the two.

The other two indictments, though interesting, are less important. The Washington Wholesale Tobacco & Candy Distributors Association is charged in Seattle with having fixed prices under pretext of conforming to a State law which forbids sale below cost and with having allocated territories and agreed to prevent sale to certain jobbers. Brewers in four Pacific Coast States are charged with having agreed upon their selling prices within each State and with having entered into arrangements by which each State group observes the prices of the other groups when selling in their territory.

So much for the indictments which have already been returned. Each of them furnishes an instance of the kind of business activity which produces the evils of our American food industry. They deal with devices to lower the farmer's income by reducing the price he gets and the amount of his product which is consumed and to lower the consumer's standard of living by fixing the sale price exacted by processors and distributors. Until the Department of Justice has convinced the food industries that such practices are hazardous, farm surpluses, consumer shortages, and distributor profits will stand together.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. O'MAHONEY. I interrupt the Senator only because I have in my hand a table which would seem to be particularly appropriate at this point.

Mr. LA FOLLETTE. I shall be delighted to have it.

Mr. O'MAHONEY. It illustrates exactly what the Senator is contending by showing that in 1910 the farmers' share of the national income was 16.5 percent. In 1940 it was 5.9 percent. In other words, for the past 31 years there has been a steady fall in the farmers' share of the total national income; and the primary cause is the fact that not until now has the Government, under the Antitrust Division of the Department of Justice, of which Mr. Thurman Arnold is the head, undertaken to prevent the restrictive and monopolistic practices which have resulted in the diminution of the farmers' share.

Mr. LA FOLLETTE. I thank the Senator for the graphic illustration of the fact that the farmer has been losing ground in our economy ever since 1910. He has been losing ground, Mr. President, despite the marvelous advance which has taken place in science and in agriculture and in the application of power to the production of products upon the farm.

There being no objection, the table referred to was ordered to be printed in the RECORD, as follows:

Farmers' share of national income as shown by Bureau of Agricultural Economics

NATIONAL INCOME, UNITED STATES, 1909–41

Year	Total national income	Non-farm income	Farm income	Farm as percentage of total
	Million dollars	*Million dollars*	*Million dollars*	*Percent*
1909	26,415	22,070	4,345	16.4
1910	28,114	23,474	4,640	16.5
1911	28,480	24,251	4,229	14.8
1912	30,394	25,798	4,596	15.1
1913	32,133	27,560	4,573	14.2
1914	31,919	27,367	4,552	14.3
1915	33,210	28,404	4,806	14.5
1916	39,036	33,198	5,838	15.0
1917	47,385	38,482	8,903	18.8
1918	55,357	44,856	10,501	19.0
1919	60,354	48,756	11,598	19.2
1920	64,552	56,478	8,074	12.5
1921	54,210	49,883	4,327	8.0
1922	57,546	52,109	5,437	9.4
1923	66,171	59,620	6,551	9.8
1924	68,824	61,898	6,926	10.1
1925	73,278	65,852	7,426	10.1
1926	75,564	68,695	6,869	9.1
1927	76,457	69,618	6,839	8.9
1928	78,117	71,209	6,908	8.8
1929	80,372	73,542	6,830	8.5
1930	73,571	68,456	5,115	7.0
1931	62,384	59,303	3,081	4.9
1932	48,355	46,551	1,804	3.7
1933	45,771	43,174	2,597	5.7
1934	52,540	49,164	3,376	6.4
1935	57,007	52,770	4,237	7.4
1936	66,722	61,599	5,123	7.7
1937	70,753	65,282	5,471	7.7
1938	64,687	60,236	4,451	6.9
1939 [1]	68,127	63,821	4,306	6.3
1940 [2]	71,829	67,611	4,218	5.9
1941 [3]	80,350	75,700	4,650	5.8
INCLUDING GOVERNMENT PAYMENTS				
1933	45,933	43,174	2,759	6.0
1934	53,096	49,164	3,932	7.4
1935	57,590	52,770	4,820	8.4
1936	67,009	61,599	5,410	8.1
1937	71,120	65,282	5,838	8.2
1938	65,169	60,236	4,933	7.6
1939 [1]	68,934	63,821	5,113	7.4
1940 [2]	72,595	67,611	4,984	6.9
1941 [3]	81,050	75,700	5,350	6.6

[1] Revision of preliminary estimate given in table on p. 650 of 1941 agricultural appropriation hearings.
[2] Preliminary.
[3] Forecast.
Source: Bureau of Agricultural Economics.

Mr. LA FOLLETTE. The Department of Justice has made only a small beginning in dealing with this problem. None of the indictments which I have mentioned deals with meat; yet it is notorious that meat packers buy fixed proportions of the livestock which moves into the Chicago market and thereby eliminate competition among themselves and drive down the price received by the farmer. At the other end of the industry the rising price of meat during the past 6 months has provoked a widespread public protest which, in my judgment, calls for vigorous investigation.

We should not haggle over the $750,000, which, I repeat, was granted by the House Appropriations Committee without a dissenting vote. It is an extraordinary event when the House almost unanimously exceeds the Budget estimate by $750,000. It must mean that facts of a compelling character were piled upon facts until the House could not resist the belief that the public interest could be served best by increasing the appropriation for this activity.

None of the indictments thus far returned have dealt with cheese, evaporated milk, or ice cream. The producers in my own and other important dairy States who turn their milk into the production of cheese are firmly convinced that unless and until the Department of Justice conducts a sweeping investigation of the entire economics of the functioning of cheese manufacturing and distribution in the United States, the farmers of Wisconsin and other dairy States who produce cheese for the market will find themselves in a helpless and hopeless economic situation. One of the reasons why I am pleading for this additional sum of money is because I believe that if it is granted such a comprehensive and sweeping study will be made, and that indictments can be obtained when justified in this important phase of the dairy industry.

It is notorious that control in these industries is highly concentrated in the hands of highly profitable companies. Wisconsin has a long record of attempts to establish bargaining equality between her little cheese factories and the farmers who supply milk to them, on the one side, and the great cheese distributors on the other. But no one thus far has been able to break the power which arises from the fact that one or two cheese companies control the channels by which cheese reaches the consumer. At the other end of the industry this control of market channels has gone far to deprive the consumer of the chance to buy natural cheese and has made his purchases of processed cheese dependent upon the price policies of one or two companies.

With respect to evaporated milk, the farmer's price is set by an agricultural marketing agreement which places a limit upon the buying power of the great companies; but the size of the market is reduced because these great companies have apparently reached an understanding, whether tacit or explicit, to raise the price of the cheapest brands and thereby preserve a high price upon the nationally advertised brands.

The milk indictments thus far returned have only scratched the surface. In city after city the established dairy interests

have taken steps to prevent the low-cost distribution of milk, whether by preventing store delivery or by resisting new types of containers or by excluding independent concerns. In Chicago, where the Department recently secured an injunction against a conspiracy designed to eliminate store delivery, the great dairy companies and the milk drivers' union are now negotiating a wage contract which will have the effect of raising the labor charge for store delivery so much higher than the labor charge for household delivery as to make the store sale of milk unprofitable. A larger and more sustained attack is necessary if the potential market for fluid milk is to be opened up by low-cost distribution.

None of the indictments thus far returned have dealt with fresh fruits and vegetables, yet the handling of these products is shot through with cost-raising restraints. Throughout the country there are charges that large processors and distributors have bought the grower's product under contracts by which the price is to be that prevailing upon a designated market at the time of delivery, and that thereafter the large buyers have manipulated the market price by dumping supplies and agreeing to refrain from buying in order that when their contracts are delivered they will be able to pay the farmer a very low price. In some cases the farmer is deprived of his opportunity to seek a profitable market by arrangements under which he is supplied credit provided he will agree to let his creditor control the marketing of the product. It is charged that such arrangements are used to ship the product to unprofitable markets and to dispose of it to favored customers at less than the usual market price.

None of the indictments thus far returned deals with poultry and eggs; yet it is widely charged that the prices of these products are customarily fixed in our large cities by a few wash sales which amount to no more than a price-fixing device and which fix the price level for the day's transactions even though a negligible amount has been sold in the so-called exchanges where these wash sales take place.

None of the indictments returned thus far deals with the great canners or the great can manufacturers; yet the arrangements of California canners to fix the price of peaches became so notorious 3 or 4 years ago that they were discussed in trade journals throughout the land. The canners overreached themselves by agreeing upon a high price for the canned product in a year when there was a large crop. During the next year, while they moved their inventories, the farm price was allowed to fall even lower than it had been at the bottom of the depression. How many other canned products are price-fixed either by this same group or by similar groups elsewhere, only investigation can determine.

Mr. President, I have trespassed upon the Senate's time longer than I had intended. I would sum up by saying, even though it may be somewhat of a repetition, that I plead for the rejection of the committee amendment, first, on the ground that it is essential that the Antitrust Division be given sufficient appropriations so that it may proceed against these monopolies in control of the vital products of defense metals, drugs, and other articles, who have engaged in world-wide cartels, and who now are, without qestion, in such a position that, unless they are investigated, the American taxpayer will be unnecessarily burdened because of their exercise of price controls and because of their monopoly position.

I appeal for rejection of the committee amendment, secondly, because it is the only hope of the independent businessmen in this country. Even now they are asking that a special section be set up in the Antitrust Division of the Department of Justice where their complaints can be heard, sifted, and given proper action.

I appeal for the rejection of the amendment also, Mr. President, because of the situation that exists in the Nation's food industry. I think I have developed enough evidence here to justify the Senate in rejecting the committee's suggestion that this amount should be cut by $750,000.

EXHIBIT A

MEMORANDUM

The Antitrust Division now has pending in the courts a total of 311 cases. These divide as follows: 112 antitrust cases and 199 kindred law cases.

Only about 20 percent of the appropriation is required for the kindred law cases. Therefore the real burden centers around the 112 antitrust cases.

The average major antitrust case, from beginning to end, costs the Government approximately $100,000. There are now at least 15 such cases pending in the courts which must be disposed of in one of three ways: (1) Proceed with the trial, (2) seek continuance on the ground of inadequate appropriation, or (3) reach the best settlement possible in order to relieve the congestion. Some of these major antitrust cases and the charges made by the Government in them are:

(1) *U. S.* v. *Aluminum Co. of America et al.* Conspiracy to monopolize, to restrict production, and to raise prices of aluminum, a strategic war material. Now pending in United States District Court for New York.

(2) *U. S.* v. *Aluminum Co. of America et al.* Combination to stifle the development of magnesium, a strategic war material that would compete with aluminum.

(3) *U. S.* v. *American Petroleum Institute.* Combination to control the production and price of crude oil, gasoline, and other oil products.

(4) *U. S.* v. *American Tobacco Co. et al.* Combination to exploit the farmer by depressing the prices paid for tobacco and to raise the prices charged the consumer for cigarettes, cigars, and other tobacco products.

(5) *U. S.* v. *Chilean Nitrate Sales Corporation et al.* Conspiracy to control production and sale of fertilizer-nitrogen.

(6) *U. S.* v. *American Surgical Trade Association et al.* Combination to fix artificially high prices for surgical supplies.

(7) *U. S.* v. *Central Supply Association.* Combination to control the supply and fix artificially high prices for all plumbing supplies sold in this country.

(8) *U. S.* v. *General Electric Co. et al.* Combination to control the production and prices of electric lamps and light bulbs.

(9) *U. S.* v. *General Electric, Krupp, et al.* Conspiracy to control the production and increase the price of tungsten carbide, a material used as a cutting edge on machine tools.

(10) *U S.* v. *Hartford-Empire Co. et al.* Conspiracy to control through patent licensing agreements the glass container manufacturing industry.

(11) *U. S.* v. *Masonite Corporation et al.* Combination to control the production and price of hardboard, an important building material.

(12) *U. S.* v. *National Fertilizer Ass'n, Inc., et al.* Combination to control the distribution and to fix the prices charged for fertilizer on a Nation-wide scale.

(13) *U. S.* v. *The Pullman Company et al.* Combination to stifle the development of streamline lightweight trains.

(14) *U. S.* v. *The Borden Company et al.* Combination to control the prices of milk.

(15) *U. S.* v. *Bausch & Lomb Optical Co. et al.* Conspiracy to control the sale, distribution, and price of eyeglasses.

There are also many other cases of lesser magnitude which the Department now has pending but which in the aggregate will require as much work as the foregoing 15 cases. Some of these are:

Airplane instruments.
Military optical goods.
Strategic chemicals.
Drugs and pharmaceuticals necessary to national defense.
Surgical supplies.
Tin cans and paper food containers.
Flour and other essential foodstuffs, including meats, milk, cheese, coffee, butter, cream, and other products.
Dyestuffs.
Celluloid.
Bronze and brass.
Parachutes.
Gunpowder.
Stainless steel.
Petroleum (aviation gasoline).
Plastics.
Fluorescent lighting.
Transformers.
Armored cable.
Photographic supplies.

It is perfectly obvious that every penny of the million and a half dollars recommended by the Bureau of the Budget last December will be required to complete the trial of the antitrust cases now pending in the courts. It is equally obvious that it will require at least three-quarters of a million dollars to prosecute the major antitrust investigations now on the way. Both of these jobs cannot be done on a million and a half dollars. If the trials are continued the investigations will have to be stopped. If the investigations are continued at least seven of the major trials will have to be stopped.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Norris
Aiken	Ellender	Nye
Andrews	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Pepper
Bankhead	Glass	Radcliffe
Barbour	Green	Reynolds
Barkley	Guffey	Russell
Bone	Gurney	Schwartz
Brewster	Hayden	Shipstead
Bridges	Herring	Smith
Brooks	Hill	Spencer
Brown	Holman	Stewart
Bulow	Hughes	Taft
Bunker	Johnson, Calif.	Thomas, Okla.
Burton	Johnson, Colo.	Thomas, Utah
Butler	La Follette	Truman
Byrd	Lee	Tunnell
Byrnes	Lodge	Tydings
Capper	Lucas	Vandenberg
Caraway	McCarran	Van Nuys
Chandler	McFarland	Wallgren
Clark, Idaho	McNary	Walsh
Clark, Mo.	Maloney	Wheeler
Connally	Murray	Wiley
Danaher	Murdock	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. McCARRAN. Mr. President, the Senate Committee on Appropriations takes no issue with the eloquent remarks which have been made by the able Senator from Wyoming, by the able Senator from Wisconsin, and by others who have addressed themselves to the subject. The Senate Committee on Appropriations voted on this matter. There was no record vote, but it voted quite unanimously that the item should be eliminated.

Mr. President, the Department of Justice is headed by a Cabinet officer, the Attorney General of the United States. When a Cabinet officer, the head of a department, wants an appropriation or wants an appropriation augmented, he usually comes before one or the other Houses of Congress. This entire matter was presented to the Budget Bureau, and the Budget Bureau fixed an amount in excess of that which was allowed Mr. Arnold's division, the Antitrust Division of the Department of Justice, for the current year. That excess amount was a quarter of a million dollars. In that respect let me draw the attention of the Senate to the fact that in 1939 the Antitrust Division of the Department of Justice had an appropriation of $580,000 and a supplementary appropriation of $200,000; in 1940, the Antitrust Division of the Department of Justice was given by Congress $1,309,000; in 1941, the current year, Congress gave the Antitrust Division of the Department of Justice $1,323,000.

Mr. BARKLEY. Mr. President, will the Senator complete the statement by stating the amount recommended by the Budget Bureau for the approaching fiscal year?

Mr. McCARRAN. The amount recommended by the Budget Bureau for the approaching fiscal year is the amount in the bill at this time less what the committee struck out.

Mr. BARKLEY. There is $250,000 in addition to the $1,300,000——

Mr. McCARRAN. That is correct.

Mr. BARKLEY. Making a total of about $1,550,000, or a little more.

Mr. McCARRAN. Yes.

Mr. President, the Attorney General did not ask the Appropriations Committee of the Senate to sustain this item; neither did the Attorney General of the United States ask the House to put this item of $750,000 into the bill.

Mr. Arnold has done an excellent work; he has ably carried forward the prosecution of antitrust cases; he has rendered effective service. His work has been watched by the Congress of the United States; that watching has rendered results, in that each year there has been an augmentation of the appropriation so that he might go forward, and the Bureau of the Budget has acted in the same spirit.

Now let us go into the other phase, that the Antitrust Division sustains itself by fines collected. Let us view that for a moment. The Antitrust Division for the current fiscal year has 171 lawyers employed, 18 experts, and 105 clerical employees. The appropriation for this Division for the current fiscal year is $1,300,000.

The fines collected for the past fiscal year ending July 1, 1940—that is, the one preceding the present fiscal year—amounted to $1,479,310.88.

I wish to draw a comparison between this agency, efficient as it is, very much worth while as it is, and other agencies in the Department of Justice. In the Criminal Division, charged with the enforcement of all the criminal laws, there are 66 lawyers employed and 39 clerical employees.

Let us compare that, at the hazard of repetition, with the Antitrust Division. In that Division there are 171 lawyers employed, 18 experts, and 105 clerical employees. In the Criminal Division, having to do with the prosecution of all crimes under the Federal statutes, 66 lawyers are employed and 39 clerical employees.

Now let us compare the amount appropriated for these two divisions. The Antitrust Division of the Department of Justice has an appropriation for the current year of $1,300,000. If this appropriation goes through as approved by the Budget, it will have $1,300,000, plus $250,000 additional for the year 1942.

How about the other Division? The amount appropriated for the Criminal Division, having to do with the prosecution of all crimes under Federal law, is $400,000.

Now let us compare on the basis of the argument——

Mr. ADAMS. Mr. President——

Mr. McCARRAN. Pardon me if I finish my thought—on the basis of the argument that the Antitrust Division pays its way by fines imposed. Let us see how the other division does. For the last fiscal year, ending June 1, 1940, the fines collected for violation of laws enforced by the Criminal Division amounted to $6,563,940. Let us compare the two. The amount turned in by the Antitrust Division was $1,479,310; the amount turned in by the Criminal Division was $6,565,940.

Now I yield to the Senator from Colorado.

Mr. ADAMS. I merely wanted to inquire whether each of the divisions has not the benefit of the services of the regular United States district attorneys and their staffs in the several States.

Mr. McCARRAN. I was going to touch on that in a moment. In addition to what I have said, each of these divisions has the benefit of 90 United States attorneys in the field.

Mr. President, I shall not hold the Senate long on this matter. Speaking for the Committee on Appropriations of the United States Senate, I am going to extol, I am going to speak in the most commendable terms of the able and efficient service rendered by Mr. Arnold and his division. But, Mr. President, his superior, the man who is responsible for all this, the man who heads the Department, Mr. Robert Jackson, the Attorney General of the United States, does not come before the Congress asking for this $750,000. He certainly is as much interested in the prosecution of the antitrust laws as is anyone in the country, for, after all is said and done, it is the Department of Justice that carries out this effective and efficient work under Mr. Robert Jackson, who is at the head of that Department.

Mr. O'MAHONEY and Mr. SHIPSTEAD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield, and, if so, to whom?

Mr. McCARRAN. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. Is the Senator aware of the fact that the Department of Justice asked the Budget Bureau for $2,300,000?

Mr. McCARRAN. I am aware of the fact that the Department of Justice asked the Budget Bureau for $2,300,000; and when the Budget Bureau fixed the amount, giving the Department of Justice $250,000 in excess of what it had for the current year, the Department of Justice said, "The Budget Bureau has spoken, and that is all we have to say."

Mr. O'MAHONEY. Mr. President, will the Senator again yield?

Mr. McCARRAN. Yes; I yield.

Mr. O'MAHONEY. Of course, when the Department of Justice asked for $2,300,000, that was the request of the Attorney General and of the entire Department of Justice.

Mr. McCARRAN. That is correct.

Mr. O'MAHONEY. And when the Budget Bureau cut it down, under the law the Department of Justice was bound by that action. The increased appropriation for which we are arguing here was put in by the House.

Mr. McCARRAN. Will the Senator let me answer one question at a time, please?

Mr. O'MAHONEY. Certainly.

Mr. McCARRAN. When the Department of Justice received the decision of the Bureau of the Budget giving it a quarter of a million dollars in excess of what it had for the current year, the Department of Justice went no further. It asked for nothing more. When I say "the Department of Justice" I am speaking of the Attorney General, as the head of the Department of Justice. But something else happened. I again pay tribute to Mr. Arnold. I think he is an efficient public servant. I think he has rendered admirable service. I think he is overly zealous, perhaps, but that is perhaps a commendable attribute. But Mr. Arnold went around his principle. Whether he was called before the House committee, or whether he came there voluntarily, or whether he had himself called, I do not know; but he testified before the House committee. The Attorney General did not testify.

Mr. SHIPSTEAD and Mr. O'MAHONEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield, and, if so, to whom?

Mr. McCARRAN. I will yield in a moment, if the Senators please.

I want to say something about Mr. Arnold. This is complimentary, and I mean it to be complimentary in every respect. Mr. Arnold is a capable attorney. He is the best salesman I ever listened to in all my life. He can come to the

United States Senate to sell a red-hot stove and make you think it is a refrigerator. [Laughter.] He is one of the best attorneys in this country, and he is one of the best salesmen. So we went before the House committee, and, without consulting his principal—I say that on my own account—at least, without the sanction of the presence of his principal, he sold the House for $750,000 more than the Budget Bureau gave him.

Mr. O'MAHONEY. Mr. President——

Mr. McCARRAN. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. The charge which the Senator makes against Mr. Arnold is one concerning which I have no information. I only know that the American Farm Bureau Federation has been agitating for the additional work which is contemplated; and I shall content myself with saying in the Senator's time, taking advantage of the compliment which he has paid to Mr. Arnold, that it is our desire that those excellent abilities shall be put at the service of the farmers and the small businessmen of the United States. That cannot be done if the committee amendment prevails.

Mr. McCARRAN. Very well. Now let me discuss that statement.

Mr. Arnold has had all these farm problems before him in the years that are past. I do not know what he has done, but I take it for granted that he has done a good job so far as he has gone. Under the bill as reported to the Senate he will have $250 000 more than he had for the current year He can devote that $250,000 to taking care of the things that impinge upon the welfare of the farmers of America. He can employ 50 lawyers at $5,000 per annum and go forward. We have given him the money to do it, and it is in this bill. He can enforce all the laws that affect all the antitrust matters that touch upon the farmers; and the American Farm Bureau Federation will find itself entirely taken care of by the $250,000 written into this bill. Fifty more lawyers added to 171 will not make a bad army to go forward with the enforcement of the antitrust laws.

I beg the pardon of the Senator from Minnesota. Does the Senator wish me to yield to him?

Mr. SHIPSTEAD. Mr. President, I am interested in this item because for years there has been complaint throughout the country of lack of enforcement of the antitrust laws. Last winter I took my life in my hands and made a protest against that condition; and from many parts of the Chamber came the story that the reason was that the Antitrust Division of the Department of Justice had never had enough funds with which to prosecute such cases. If that be so, I am willing to vote them more funds.

I do not care what the Budget Bureau says; I do not believe a work as necessary as this should be stopped by one man sitting in the Budget Bureau; and whether or not the Attorney General himself appeared before the committee is immaterial. I do not see any impropriety about Mr. Arnold appearing before the committee. After all, he was in charge of the work, and I assume he was asked to come by the committee because he was expected to have more familiarity than anyone else with the work, and what could be done, and what additional funds could be used for.

I do not care about the Budget Bureau in a matter of this kind. Possibly the Budget Bureau has been to blame for the lack of prosecution of these cases—prosecution which, in my humble opinion, is as necessary as anything else could be to restore a balanced economy in this country. I think the most subversive forces we have in this country are the monopolies, because they are increasing poverty; they are increasing the concentration of wealth; and that is the most subversive process that can take place in any country.

I was interested in the comparison made by the Senator of the fines recovered from the Criminal and the Antitrust Sections of the Department of Justice. I believe the Senator said the Criminal Section brought in something like $6,000,000.

Mr. McCARRAN. That is correct.

Mr. SHIPSTEAD. And how much did the Antitrust Section bring in?

Mr. McCARRAN. One million and four hundred thousand dollars. I give those figures from memory.

Mr. SHIPSTEAD Well, the big crooks got off about five times easier than the little ones did. [Laughter.]

Mr. McCARRAN. That may be true; but when we use the argument that this division of the Department of Justice sustains itself by its fines, we must compare the amount of money that it costs to sustain the one division with that which it costs to sustain the other. It costs $1,300,000 to sustain the Antitrust Division of the Department of Justice. It costs $400,000 to sustain the Anticrime Division of the Department of Justice. The Antitrust Division says, "You should give us $750,000 more because we bring in dollar for dollar for what you appropriate." Then, with the same degree of cogency, we should say that we would give six times as much to the Criminal Division of the Department of Justice. I am using that illustration simply because it is a fact that confronts us.

Mr. SHIPSTEAD. Mr. President, will the Senator yield at that point for a moment? Then I will not bother him any more.

Mr. McCARRAN. Yes; I yield.

Mr. SHIPSTEAD. If the Senator, then, wants to have the Antitrust Division make more money as compared with the Criminal Division, I advise him that they can make plenty of money if we will make violation of the antitrust laws a crime.

Mr. McCARRAN. Let me say to the Senator—I am speaking for myself now, and I think I speak for the majority of the Appropriations Committee of the Senate—that I am opposed to basing fines upon whether or not they will pay the cost of administration.

Mr. SHIPSTEAD. I agree with the Senator.

Mr. McCARRAN. I think that is an erroneous policy upon which to proceed.

Mr. SHIPSTEAD. My reason for bringing it up was that I misunderstood the Senator. I thought he said the Criminal Division had done a good work by collecting fines.

Mr. McCARRAN. That is correct; but the committee is confronted with the argument that we should vote this $750,000 additional over the refusal of the Committee on Appropriations of the Senate, because this particular division in the Department of Justice sustains itself. I am arguing by analogy, that is all. I do not approve the argument. I do not think it is fair to say that a court must impose a fine so as to keep up with an appropriation which is going forward.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I am torn between two loyalties. I like to go along with the committee when I can, and at the same time I do not want to vote in such a way as to indicate that I desire to discourage the work of the Antitrust Division. Between those two horns of the dilemma it may be difficult to know just where to light.

Is it the view of the committee, and is it the view of the Senator, that the elimination of this $750,000 would not cripple or handicap the Antitrust Division of the Department of Justice in the prosecution of its work?

Mr. McCARRAN. I am heart and soul for the work which has been done by the Antitrust Division, and I think I speak for a majority of the committee when I say that we do not believe the proposed action would handicap this division in the prosecution of its work.

Mr. BARKLEY. In this connection I desire to say that I agree with all those who have stated that Mr. Arnold has done what in some respects is an amazingly fine job, a much better job than many people thought it was possible for him to do at the time he took hold of the Antitrust Division; and that is in no sense a reflection on any of his predecessors in the same position. I would be the last one who would want to cast a vote which might be regarded as an effort in any way to handicap the work he is doing. I should rather be a little too liberal than not liberal enough. But I was impressed with what the Senator said as to what happened in reference to this matter, that the whole problem had been laid before the Budget, and that they had recommended an increase of $250,000 above the current appropriation.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. Which I believe carries the total to $1,575,000.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. Over the Budget estimate, and without a recommendation of the head of the department, the House committee added $750,000. I presume that of course, the head of the division convinced the House committee, and the House, that that much was needed.

Mr. McCARRAN. I have no doubt about his convincing the committee.

Mr. BARKLEY. I am wondering how to account for such a discrepancy, involving that much money, for a single division of the Department.

Mr. McCARRAN. I could not answer.

Mr BARKLEY. Let me ask the Senator another question. What is the usual

procedure in the Committee on Appropriations when a department is asking for a certain sum regardless of the fact that it is broken down among the various divisions and bureaus of the department? Is it the custom for the head of the department to make a request and justify the appropriation, or is it customary for heads of different bureaus, on their own initiative, and independent of the head of the department, to go before committees and ask for increases or to justify proposed increases?

Mr. McCARRAN. My experience is that letters of recommendation for increases, over and above what the House allows, comes from the heads of the departments. For instance, today the Committee on Appropriations had before it the matter of the Interior Department appropriations, and we had a letter from the Secretary of the Interior. When the Post Office Department bill was before the committee, we had a letter from the Postmaster General asking for increases, and so on and so forth.

Mr. BARKLEY. Do such letters come to the committee after the item involved has been submitted to the Bureau of the Budget and has been either approved or disapproved by the Budget Bureau? When an item comes before the Senate committee, we will say, without the increase which, it may be, a department asks from the Budget, does it then go again to the Budget Bureau in an effort to get an additional estimate, or can the interested agency come to the Committee on Appropriations independent of the Budget Bureau?

Mr. McCARRAN. The Senator will remember that the appropriation originates in the House.

Mr. BARKLEY. Yes.

Mr. McCARRAN. The Senate receives an appropriation bill after it passes the House.

Mr. BARKLEY. Sometimes there is an additional Budget estimate for an item in a bill after it reaches the Senate.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. And the Senate committee acts on it.

Mr. McCARRAN. That is true; and when it does, the Budget estimate comes directly to the Senate committee. After the House passes on an appropriation bill, if it does not suit a department, then the department comes before the Senate committee with a letter from the head of the department, and makes its argument against the allowance that was given to it by the House, asking for an additional sum in keeping with, but not in excess of, what the Budget allowed.

Mr. ADAMS. Will the Senator yield for one statement?

Mr. McCARRAN. I yield.

Mr. ADAMS. After the head of a department has written a letter, the head of the subordinate division or bureau is sent before the committee to furnish the detailed information.

Mr. BARKLEY. As to the fines which are collected through the Antitrust Division, they go into the Treasury Department, do they not, as a part of the general fund?

Mr. McCARRAN. Yes.

Mr. BARKLEY. The Department of Justice has no control over them at all, and it has no power to expend those fines?

Mr. McCARRAN. That is correct.

Mr. BARKLEY. They go into the Treasury, as do other funds, and the total they can expend for their work is carried in the appropriation?

Mr. McCARRAN. It is allowed in the appropriation bill; that is correct.

Mr. O'MAHONEY and Mr. SHIPSTEAD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield, and, if so, to whom?

Mr. McCARRAN. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. The Senator from Nevada is extremely generous with his time, and I am seeking to interrupt him again, but my purpose was to answer the question of the Senator from Kentucky, to which the Senator from Nevada said he was unable to give an answer, namely, as to the reason why this additional fund was required.

If the appropriation which the Budget Bureau allowed is all that is granted, then it will not be possible for the Antitrust Division to undertake the work of protecting the farmer and the small businessman, which it was the desire of the House should be undertaken. It cannot do that for the simple reason that the number of cases now in the Antitrust Division is so large that the Antitrust Division must devote all its effort to those cases.

When the first appropriation was allowed by Congress, in 1939, there were 512 defendants. When it was increased, in 1940, there were about 2,485 defendants. Today, in 1941, there have been added some 1,300 defendants already.

It is perfectly obvious, it seems to me, that the staff which the Antitrust Division now has is required to handle all those cases. Their efforts have been meeting with great success; and now, when this division has established such a record that no one dares to say it is not a good record, when the division has succeeded in effectuating such splendid results in the enforcement of the antitrust laws, the House of Representatives asks, and those of us who are resisting the committee recommendation join in asking, that this additional fund be provided so that this excellent work in one field may be duplicated in two others.

Mr. BARKLEY. I have another question which perhaps the Senator from Wyoming or the Senator from Nevada can answer. Was this extra $750,000 asked of the Budget by the Attorney General in presenting his figures to them before they sent their estimate to Congress?

Mr. McCARRAN. A request for more than that, more than $750,000—in excess of a million indeed—was asked of the Budget, and the Budget refused the request.

Mr. BARKLEY. So that it did go to the Budget through the Attorney General?

Mr. McCARRAN. That is correct.

Mr. BARKLEY. And the Budget Bureau cut it from a million, or approximately a million, to $250,000?

Mr. McCARRAN. That is correct; it was in excess of a million.

Mr. BARKLEY. When the Budget went to Congress it contained this $250,000 increase, which was three-quarters of a million less than the Attorney General had asked?

Mr. McCARRAN. In excess of that.

Mr. BARKLEY. At least that much. If I understand correctly, the Attorney General then took no further steps to get the increase; he decided to abide by the Budget estimate?

Mr. McCARRAN. That is correct.

Mr. O'MAHONEY. The Senator is not attempting to make it appear that the Attorney General is against this appropriation, is he?

Mr. BARKLEY. I do not know whether he is against it or not; I am trying to ascertain why he did not follow it up and ask for it, whether he designated his assistant to do it, or what happened about it. It has been intimated that the Attorney General was not asking for this sum, and I am trying to develop the facts. I do not know; I have never talked to either of these officials about the matter.

Mr. McCARRAN. Mr. President, I wish to clear up this situation.

Mr. LA FOLLETTE. Will the Senator yield?

Mr. McCARRAN. May I make a statement before I yield to the Senator from Wisconsin?

The report of the subcommittee of the Committee on Appropriations of the Senate had been made, and was published and known some 24 hours before the full committee met. A department is always interested in what the subcommittee does with its particular appropriation. If the Department wanted this $750,000 retained in the bill, the Attorney General could have come up or sent word of some kind to the full committee so that the full committee would have known what was the wish of the Attorney General, and what was the wish of the Department of Justice. But not a single word on this subject has come from Mr. Jackson to the Appropriations Committee of the Senate of the United States. Not a word on the subject came from the head of the Department of Justice to the Appropriations Committee of the House of Representatives. That is the story. The $750,000 was in excess of the Budget estimate. Although not bound entirely by it, Congress is supposed to have some respect for the Budget estimate, because the Bureau of the Budget was established for the purpose of submitting estimates to Congress.

Mr. LA FOLLETTE. Mr. President, will the Senator now yield?

Mr. McCARRAN. The Senator from Minnesota has been on his feet for some little time. I feel I should yield to him first.

Mr. SHIPSTEAD. Mr. President, the Senate realizes that the Bureau of the Budget is responsible to the Chief Executive. The Bureau of the Budget is in the hands of the Chief Executive. When the Attorney General, or any other Cabinet officer, goes before the Bureau of the Budget with a request for an estimate, and the estimate is reduced, of course, the Cabinet member knows that that is

action taken by the Chief Executive, whether it is referred to him personally or not, and I never knew of a Cabinet member going to Congress over the head of the Bureau of the Budget.

Mr. McCARRAN. Let me ask the Senator a question. Would he want a subordinate of a Cabinet officer to go to Congress over the Cabinet officer's head to circumvent the action of the Bureau of the Budget?

Mr. SHIPSTEAD. No; I should not want him to do that. It has not been clearly stated whether Mr. Arnold did that.

Mr. McCARRAN. His testimony is here printed.

Mr. SHIPSTEAD. Yes; I know it is. But why is his testimony there? Was he asked by the committee to come before it?

Mr. McCARRAN. I do not know.

Mr. SHIPSTEAD. That would put an entirely different color on the matter. Of course, a committee of the House has a right to call any subordinate to appear before it.

Mr. McCARRAN. That is correct.

Mr. SHIPSTEAD. And the committee did perfectly right in calling the man they thought was the best informed on these matters to appear before it. It has not been denied that this prosecution ought to be continued; but if the committee amendment shall be adopted, we will, in effect, turn the power over to the Bureau of the Budget to say that this prosecution shall not continue——

Mr. McCARRAN. No. May I say——

Mr. SHIPSTEAD. Because the appeal is made that this amendment is not in harmony with the will of the Bureau of the Budget.

Mr. McCARRAN. The Senator, I take it, propounds a question to me by that statement. May I take issue with him on it? The answer to his statement is "No," because there will be no curtailment of the action of the Antitrust Division of the Department of Justice. The Antitrust Division of the Department of Justice will have all the money it had for the current year plus a quarter of a million dollars more to go forward with the program it has laid out, or may lay out. The Congress of the United States—God sparing us—will be here right along, and frequently we pass measures providing for deficiency appropriations, as we did a couple of years ago, when we included money for the Antitrust Division of the Department of Justice.

Mr. SHIPSTEAD. If the Senator is correct, I stand corrected. But my proposition was based on the statement made by the Senator from Wyoming that there would be an abandonment of a part of the prosecution if the committee amendment should be adopted. If I misunderstood the Senator from Wyoming, then I am in error.

Mr. O'MAHONEY. The Senator did not misunderstand me. That was my statement. The work in connection with the farmer and the small business cannot be undertaken if the money is denied.

Mr. SHIPSTEAD. That is what I understood the Senator to say.

Mr. McCARRAN. But the money has not been denied. A quarter of a million dollars has been placed in the hands of the Antitrust Division which it can apply to all the problems of the farmer if it wishes to do so.

Mr. LA FOLLETTE. Mr. President, will the Senator yield now?

Mr. McCARRAN. I shall yield to the Senator only for a question. If what the Senator wishes to do is to propound a question, I shall yield; otherwise I shall decline to yield.

Mr. LA FOLLETTE. If I am to be limited to putting what I wish to say into the form of a question, I cannot state the facts of which I think I am in possession with regard to the situation which has been outlined by the Senator from Nevada [Mr. McCARRAN] and the impression which I think he has given to Senators that neither the Attorney General nor Mr. Arnold were concerned about this appropriation. Of course, if the Senator does not want to yield for that purpose, I will await an opportunity to obtain the floor in my own right.

Mr. McCARRAN. I yield for any question the Senator wishes to ask me.

Mr. LA FOLLETTE. I do not wish to ask a question. I wish to make a statement in an effort to correct the false impression which I think has been created.

Mr. McCARRAN. The Senator will have ample time.

Mr. LA FOLLETTE. Very well. I will await the conclusion of the Senator's remarks, and hope to obtain the floor as soon as he concludes.

Mr. McCARRAN. I wish to have the Senator from Wisconsin understand that I shall gladly yield for any question which he cares to ask.

Mr. President, your committee had this matter under consideration. We acted as we thought the law and justice and the best policy for the country demanded. There is not a Senator on the Appropriations Committee of the Senate today who does not speak favorably of the work of the Antitrust Division of the Department of Justice. I venture the opinion that there is not a Senator on the Appropriations Committee who does not want its work to go forward, and we believe, as a matter of fact we know, that this work can go forward with the money which is allowed in the bill. But, Mr. President, if somewhere we do not prevent subordinates from coming before us and, over the heads of the departments, asking for appropriations; if we do not put a check somewhere, then we shall have them running riot, and we will not have an opportunity to put a check on the practice after a while. Your committee, after considering the matter, curtailed the amount to the extent of $750,000, thereby holding it down to what the Bureau of the Budget thought was the correct amount. That is all we have to say in answer to our responsibility.

Mr. LA FOLLETTE. Mr. President, I will state my understanding of the situation. When the House committee undertakes the consideration of an appropriation bill it is its practice to call in the heads of all responsible divisions and agencies of a department and hear their testimony in conjunction with the Budget recommendations for the agencies affected. It is my further understanding that, in accordance with this usual practice, Mr. Arnold was invited to appear before the House Appropriations Subcommittee handling this measure. It was in conjunction with his appearance before that committee and in response to questions asked him by members of the committee, that the facts were developed which convinced the subcommittee, and ultimately the full committee of the House, that $750,000 over and above the Bureau of the Budget's recommendation should be allowed in order that the activities of the Antitrust Division could be expanded in connection with monopolies engaged in the national-defense program, in connection with the protection of independent businessmen, and in enlarging its prosecutions and investigations into the food industry.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Let me make one more short statement, and then I will yield.

When the bill came to the Senate I was vitally interested in this item; I had intended to ask that I be heard before the subcommittee in support of it, and had so notified the clerk of the committee. However, I ascertained, as I thought upon reliable information, that there was to be no question of this item, and not wishing unnecessarily to burden the time of the subcommittee, I withdrew my request to be heard. After I was advised that this action had been taken it was too late for me to appear in behalf of the appropriation. It was too late to request the committee to call Mr. Arnold or the Attorney General. In view of the action of the Bureau of the Budget, under Executive orders, the only way by which the Attorney General or Mr. Arnold could have appeared before the subcommittee or the full Committee on Appropriations of the Senate without violating an Executive order was by invitation to appear, and to have the information elicited as the result of questions submitted by members of the committee.

Therefore, Mr. President, upon the facts as I know them, I think it is absolutely unfair to Mr. Arnold to imply that by any means, direct or indirect, he violated either the Executive orders or the proprieties. His appearance before the House committee was upon invitation. Had I known that the subcommittee intended to slash this item I should have asked for an opportunity to appear; and I should have respectfully suggested to the subcommittee that, if it desired additional information, Mr. Arnold should be invited or requested to appear and submit such information.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. O'MAHONEY. I wish to quote the RECORD in substantiation of what the Senator from Wisconsin has said. It is perfectly true, as we all know, that the House Committee on Appropriations makes a very close scrutiny of every item in an appropriation bill. It examines the estimates submitted by the Budget Bureau, and then calls before it the representatives of every administrative agency which has control over the expenditures.

In accordance with that well-known procedure, Mr. Arnold was called before the committee to give information about the Antitrust Division, just as the heads of other bureaus of the Department of Justice were called in to discuss the expenditure of items within their jurisdiction.

In the course of the House hearing I find, at page 356, that Representative RABAUT, one of the members of the committeee, a distinguished Representative from Michigan, said:

I notice here the base for the fiscal year 1940 is $1,575,000. How much did you ask the Budget for?

Mr. ARNOLD. We asked the Budget for $2,300,000.

When the Department of Justice asked the Budget Bureau for $2,300,000, that was the request of the head of the Department of Justice; and any attempt to make it appear that the head of the Department of Justice did not favor the request is not supported by the record.

Mr. RABAUT continued:

Two million, three hundred thousand dollars. What was their response to your request?

Mr. ARNOLD. They were quite receptive; we had a very pleasant time before them, but when it came out of the hopper that is the figure you see.

So the story was developed as a result of the desire of Members of the House to find out why the Department had asked for the additional amount, and what it was going to use it for. There was testimony from the head of the American Farm Bureau Federation and of members of that federation from various parts of the country, and other evidence which was sufficient to convince the subcommittee and the full committee in the House that the full amount should be allowed. Then, as the Senator from Wisconsin well says, it was his opinion and my opinion that probably there would be no question about the appropriation. Of course, the Attorney General did not have anything more to say; and, under the Executive orders, he could not have had anything more to say. His mouth was closed.

Mr. LA FOLLETTE. And so was Mr. Arnold's mouth closed, unless he had been invited by a committee of Congress to come before it and give factual information in response to questions.

Mr. O'MAHONEY. That brings me to this additional remark. I am not a member of the subcommittee which handled the appropriation. I am a member of the full committee. On the evening before the full committee was called together to pass upon the bill the subcommittee struck this item from the bill; and it was not until the full committee had been called together that I knew anything about the action of the subcommittee. Then, before the full committee, I called attention to the fact that not a single word of testimony had been taken. The Attorney General was not called; Mr. Arnold was not called. Not a single witness was called; and in the full committee meeting I called attention to that fact and suggested to the full committee that it might be desirable, before acting, to call these gentlemen before the committee so that there would be no doubt in the minds of the committee. The committee did not feel so disposed. The full committee sustained the action of the subcommittee.

The action of the subcommittee having been confirmed, we had no alternative but to raise the question here. For my part, Mr. President, I do not believe there is a scintilla of evidence upon which, by innuendo or suspicion, to base any intimation that the Attorney General did not sustain in full the recommendation which went from his department to the Bureau of the Budget.

Mr. LA FOLLETTE. Mr. President, I thank the Senator from Wyoming for buttressing the statement which I was attempting to make. In conclusion I should like to point out that it is estimated that we are appropriating $40,000,000,000 for national defense. After having swallowed that camel we are straining at this gnat of $750,000, which would enable one arm of the Government to function to protect the taxpayers and the citizens of the United States against monopolistic practices which are resulting, as I have tried to show by a recitation of the history of the Aluminum Co. of America, in two things happening: First, the Government and the taxpayers are being gouged by monopolies; and second, their monopolistic practices have resulted in a shortage in productive capacity which may create a crisis in our national-defense effort.

Secondly, I have tried to show that the only manner in which the independent businessman of this country can have any hope for relief against monopolistic practices is through the Antitrust Division of the Department of Justice.

Thirdly, with monopolistic practices in the food industry, in which the farmers and consumers are vitally interested, especially in this era of rising prices, the Antitrust Division of the Department of Justice is the only agency which can hope to bring about some relief in that field. As I tried to point out in my opening statement, it has only begun to scratch the surface. If we are to have a thorough investigation, and such indictments as the evidence may warrant, the committee amendment must be rejected and this appropriation must be allowed.

To sum up, Mr. President, if the committee amendment should prevail, the only ones in the country outside the United States Senate who would draw any satisfaction from such action would be the monopolistic industries producing for national defense, monopolists who are making it difficult in our economy for the independent producer to survive. Those monopolists are standing between the farmers on the one hand and the urban consumers on the other, exacting exorbitant prices for the services of distribution from the farmer to the consumer.

I ask that there be record vote on this item.

Mr. LODGE. Mr. President, as one of the members of the subcommittee it may be incumbent upon me to say a few words about this matter.

At the outset I should like to state how much I sympathize with the speeches which have been made by the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Wyoming [Mr. O'MAHONEY], and what a high regard I have for the brilliance and energy of Mr. Arnold.

I should like also to say a word with regard to the conscientious and industrious way in which the Senator from Nevada [Mr. MCCARRAN] has been presiding over the subcommittee since the senior Senator from Tennessee [Mr. MCKELLAR] has been absent because of illness. He has given very careful attention to all the multifarious items in this bill.

In my judgment, we face the dilemma which frequently confronts us when appropriation bills are before the Senate. On one side we have an item which has a tremendously strong appeal, against which no successful argument can be made on its merits; and on the other side we have the consideration of a proper fiscal policy and a proper budgetary conduct of the Government's finances. If the only rule we had to observe were that of the desirability of a project, of course, we would include in the bill not only this item but a great many other items which intrinsically are very desirable.

In this particular case there will be no curtailment of the activities of the Antitrust Division of the Department of Justice; in fact, there will be some expansion. In connection with a deficiency appropriation bill, it will be possible to have a hearing and to reconsider this question. It is noteworthy to me—although I do not think it is the main point under consideration—that although in the first instance the Attorney General asked for this item, he did not press for it at all.

So in my opinion in the interest of orderly procedure as well as in the interest of the proper budgetary policy the recommendation of the subcommittee and of the committee should be adopted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 74, line 25.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MCCARRAN. Mr. President, I should like to make one brief expression by way of conclusion. I do not want the Senate to receive the impression that the result of sustaining the committee's recommendation will be that prosecutions by the Antitrust Division will cease. Prosecutions by the Antitrust Division will go forward not only with the amount of money it had for the current year, but with a quarter of a million dollars in excess of that amount. Mr. Arnold can go forward in his efficient manner with all due diligence and prosecute as many cases as his department possibly can handle under all the circumstances and conditions. There is not a thing in the bill or in the amendment which will curtail his activities. He can employ 50 additional able lawyers at $5,000 apiece, and can go forward with a vigorous prosecution, and Congress will have given him its blessing by a quarter of a million dollars in excess of the amount he has this year.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. My understanding is that the question now is on agreeing to the committee amendment.

The PRESIDING OFFICER. That is correct.

Mr. O'MAHONEY. All those who are in favor of cutting the appropriation, so that the Antitrust Division may not continue its efforts and investigations in favor of the farmer and the small businessmen, will vote "yea"; but those who desire to appropriate $750,000 for the defense of agriculture and small business will vote "nay."

The PRESIDING OFFICER. Those in favor of the decrease will vote "yea" and those who oppose the decrease will vote "nay."

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Murray
Aiken	Davis	Norris
Austin	Ellender	O'Mahoney
Bailey	George	Reynolds
Bankhead	Gerry	Russell
Barbour	Glass	Schwartz
Barkley	Green	Shipstead
Bone	Guffey	Smith
Brooks	Hayden	Spencer
Brown	Hill	Taft
Bulow	Holman	Thomas, Okla.
Bunker	Hughes	Thomas, Utah
Burton	Johnson, Colo.	Tunnell
Byrd	La Follette	Vandenberg
Capper	Lodge	Van Nuys
Caraway	McCarran	Walsh
Chandler	McFarland	Wheeler
Clark, Mo.	McNary	Wiley
Connally	Maloney	

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present.

The question is on agreeing to the committee amendment on page 74, line 25. On this question the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I transfer that pair to the junior Senator from Idaho [Mr. THOMAS], and will vote. I vote "nay."

The roll call was concluded.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Oklahoma [Mr. LEE], and will vote. I vote "nay."

I am not advised how the Senator from New Hampshire and the Senator from Oklahoma, if present, would vote.

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from West Virginia [Mr. KILGORE], the Senator from New York [Mr. MEAD], and the Senator from Maryland [Mr. TYDINGS] are detained on important public business.

The Senator from Idaho [Mr. CLARK], the Senator from New Mexico [Mr. HATCH], the Senator from Iowa [Mr. HERRING], the Senator from Florida [Mr. PEPPER], the Senator from West Virginia [Mr. ROSIER], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

The Senator from South Carolina [Mr. BYRNES] is unavoidably detained. I am advised that if present and voting, he would vote "yea."

The Senator from Maryland [Mr. RADCLIFFE] is detained in a conference in one of the Government departments. I am advised that if present and voting, he would vote "yea."

The Senator from Florida [Mr. ANDREWS], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Utah [Mr. MURDOCK], the Senator from Louisiana [Mr. OVERTON], the Senator from Tennessee [Mr. STEWART], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are detained on official business.

Mr. AUSTIN. I announce the following general pairs:

The Senator from Minnesota [Mr. BALL] with the Senator from Mississippi [Mr. BILBO]; the Senator from North Dakota [Mr. LANGER] with the the Senator from New Jersey [Mr. SMATHERS]; the Senator from Kansas [Mr. REED] with the Senator from Missouri [Mr. TRUMAN]; the Senator from New Hampshire [Mr. TOBEY] with the Senator from Washington [Mr. WALLGREN]; the Senator from Maine [Mr. WHITE] with the Senator from Iowa [Mr. HERRING]; the Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH]; the Senator from Nebraska [Mr. BUTLER] with the Senator from Tennessee [Mr. STEWART]; the Senator from North Dakota [Mr. NYE] with the Senator from Illinois [Mr. LUCAS]; and the Senator from Maine [Mr. BREWSTER] with the Senator from Utah [Mr. MURDOCK].

I am not advised how any of these Senators would vote if present.

The Senator from North Dakota [Mr. LANGER] is absent because of the illness of his mother.

The Senator from Minnesota [Mr. BALL], the Senator from Kansas [Mr. REED], the Senator from New Hampshire [Mr. TOBEY], the Senator from Maine [Mr. WHITE], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Nebraska [Mr. BUTLER] and the Senator from Maine [Mr. BREWSTER] are detained in committee meeting.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. NYE] are detained on official business.

The Senator from South Dakota [Mr. GURNEY] is detained on official business. He has a general pair with the Senator from Florida [Mr. PEPPER].

The result was announced—yeas 21, nays 35, as follows:

YEAS—21

Adams	Chandler	Hughes
Austin	Clark, Mo.	Lodge
Bailey	Connally	McCarran
Barbour	Danaher	Maloney
Brooks	George	Russell
Bunker	Gerry	Smith
Byrd	Glass	Vandenberg

NAYS—35

Aiken	Guffey	Schwartz
Bankhead	Hayden	Shipstead
Barkley	Hill	Spencer
Bone	Holman	Taft
Brown	Johnson, Colo.	Thomas, Okla.
Bulow	La Follette	Thomas, Utah
Burton	McFarland	Tunnell
Capper	McNary	Van Nuys
Caraway	Murray	Walsh
Davis	Norris	Wheeler
Ellender	O'Mahoney	Wiley
Green	Reynolds	

NOT VOTING—39

Andrews	Hatch	Radcliffe
Ball	Herring	Reed
Bilbo	Johnson, Calif.	Rosier
Brewster	Kilgore	Smathers
Bridges	Langer	Stewart
Butler	Lee	Thomas, Idaho
Byrnes	Lucas	Tobey
Chavez	McKellar	Truman
Clark, Idaho	Mead	Tydings
Downey	Murdock	Wagner
Gillette	Nye	Wallgren
Gurney	Overton	White
Harrison	Pepper	Willis

So the amendment of the committee was rejected.

The VICE PRESIDENT. The clerk will state the next amendment reported by the committee.

The next amendment was, on page 75, line 3, after the words "Antitrust Division", to insert a colon and the following additional proviso: *"Provided further,* That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of $7,500 or more for the enforcement of antitrust and kindred laws unless such person is appointed by the President, by and with the advice and consent of the Senate."

The amendment was agreed to.

The next amendment was, on page 77, line 6, after the figures "$2,000,000", to insert a comma and "of which amount not to exceed $200,000 shall be immediately available."

The amendment was agreed to.

The next amendment was, on page 78, line 24, after the word "duties", to insert a colon and the following additional proviso: *"Provided further,* That no part of this appropriation shall be used for the payment of any person hereafter appointed at a salary of $7,500 or more and paid from this appropriation unless such person is appointed by the President, by and with the advice and consent of the Senate."

The amendment was agreed to.

The next amendment was, under the subhead "Penal and correctional institutions," on page 82, line 8, after the word "exceed", to strike out "$4,270,000" and insert "$4,325,800"; and in line 9, after the word "employees", to strike out "$7,435,000" and insert "$7,490,800."

The amendment was agreed to.

The next amendment was, under the heading "Title IV—The Judiciary—United States Supreme Court", on page 89, line 15, after "(41 U. S. C. 5, 16)", to strike out "$67,300" and insert "$69,627."

The amendment was agreed to.

The next amendment was, under the subhead "United States Courts for the District of Columbia", on page 90, line 3, after the word "thereto", to strike out "$8,300" and insert "$20,424."

The amendment was agreed to.

The next amendment was, under the subhead "Court of Claims", on page 91, line 9, after the word "court", to strike out "$131,400" and insert "$131,410."

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous items of expense," on page 96, line 6, after the word "for", to strike out "$862,000" and insert "$866,200."

The amendment was agreed to.

The next amendment was, on page 96, at the end of line 6, to strike out "*Provided*, That the compensation of secretaries and law clerks of circuit and district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923 (as amended), except that the salaries of judges' secretaries shall be that of the senior clerical grade and salaries of law clerks shall be that of the senior subprofessional grade" and insert "*Provided*, That the compensation of secretaries and law clerks of district judges shall be fixed by the Director of the Administrative Office of the United States Courts without regard to the Classification Act of 1923, as amended, except that the salaries of secretaries shall not exceed that of the senior clerical grade and the salaries of law clerks shall not exceed that of the principal subprofessional grade."

The amendment was agreed to.

The next amendment was, under the heading "Title V—Miscellaneous provisions", on page 101, after line 24, to insert a new section, as follows:

SEC. 505. No part of the funds appropriated by titles III and IV for salaries of judges, the Attorney General, Assistant Attorneys General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the department or the administrative office of the United States courts and paid to such officials severally, as and when such salaries fall due and without delay.

The amendment was agreed to.

Mr. McCARRAN. Mr. President, that concludes the committee amendments as printed.

Mr. RUSSELL. Mr. President, I offer as an amendment a legislative proposition which has been approved by the Committee on Appropriations, and which I was instructed to offer from the floor.

The VICE PRESIDENT. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 73, line 21, after the words "administration and enforcement of said laws", it is proposed to insert "*Provided further*, That not to exceed $200,000 of this appropriation may be expended for the employment of personnel, exclusive of attorneys, without regard to the Civil Service Act and regulations."

Mr. McCARRAN. Mr. President, I accept the amendment, because we were instructed by the committee to present it on the floor.

Mr. CLARK of Missouri. Mr. President, may we have an explanation of the amendment?

Mr. RUSSELL. I shall be delighted to explain the amendment.

This amendment does not affect the total amount of the appropriation. It merely permits $200,000 of the appropriation for the Bureau of Immigration and Naturalization to be expended without regard to the civil-service laws. The legislation was suggested by the Department, and was inserted in the bill by the House committee, but failed in the House on a point of order.

Last year the Congress enacted a law which required the registration of aliens within the United States. The appropriation last year which provided the funds with which to compensate those engaged in that work carried this identical provision. Under the terms of that legislation some inspectors were employed who were highly qualified individuals, who had special technical training which enabled them to deal with aliens. Unless this provision goes into the bill it will be necessary for the Department to discharge these persons, who are already at work, and who are highly trained for dealing with the alien population that registered under the terms of the alien registration act.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. McCARRAN. Mr. President, I send forward an amendment which is also an amendment authorized by the committee, and which, if contested would involve a suspension of the rules.

The VICE PRESIDENT. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 16, after line 9, it is proposed to insert:

During the period of the existing state of emergency proclaimed by the President on September 8, 1939, American citizens holding positions in the Foreign Service of the United States and who on account of emergent conditions abroad are unable properly to serve the United States at their regular posts of duty may be assigned to the Department of State to perform temporary services in that Department or to be detailed for temporary services of comparable importance, difficulty, responsibility, and value in any other department or agency of the United States, in cases where there is found to be a need of services for the performance of which such persons have the requisite qualifications. The salaries of such persons shall, notwithstanding the provisions of any other law, continue to be paid during the periods of such assignments from the appropriations under the caption "Foreign intercourse" in the Department of State Appropriation Acts for the fiscal years 1941 and 1942.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I send to the desk an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 49, line 2, it is proposed to strike out "$73,900" and insert "$87,860."

Mr. DANAHER. Mr. President, this amount makes a difference of $13,960, which Admiral Colbert, the head of the Coast and Geodetic Survey, breaks down as follows: $10,100 for a seismograph, vault, and supplies, and $3,860 for personnel. The latter item includes $360 for student help at Trinity College, Hartford, Conn., and approximately $2,600 to $3,500 for trained help at Washington.

Mr. President, the program which is envisaged by this proposed increase includes the installation of a seismograph at Trinity College at Hartford, Conn. I have had the matter up with the Department on many occasions during the past 2 years. It is some months since I introduced, for incorporation in the Appendix of the RECORD, a paper by Prof. Edward L. Troxell, professor of geology at Trinity College, in which, at page 3828 of Appendix to permanent RECORD, Seventy-sixth Congress, third session, we find references to the attitude of various of the seismographic and meteorological and geodetic experts of the Department. Quoted there particularly is language from Acting Secretary of Commerce J. M. Johnson, who said:

It is considered that such a station would be an important link in the group of stations which are actively cooperating in the location and study of New England earthquakes.

Mr. President, there were four earthquakes in that immediate region within a period of a few short weeks. If the seismograph can be established at Trinity College, it will afford an adequate connecting link between that at Fordham College and that operated by Harvard University in Massachusetts, and will afford valuable scientific data which will be of inestimable assistance both to the Coast and Geodetic Survey and to the scientists who are largely interested in the problem. In addition there is a practical aspect of the subject, in that the subsoil stratum in that particular portion of New England is known to be possessed of a serious fault, the exact tremor or period of which has never been determined, and the effect of which may have an important bearing on the construction of factories and industrial developments and office buildings in cities between Boston and New York. The significance of this proposal is such that Admiral Colbert, in charge of the Coast and Geodetic Survey, had recommended the item to the Bureau of the Budget. He has also strongly endorsed the idea in communications to me.

I have discussed the matter with the Senator in charge of the bill, who has most courteously afforded me a sympathetic interest. Under the circumstances, I urge the adoption of the amendment.

Mr. MALONEY. Mr. President, I hope the Senator in charge of the bill will

accept this amendment. The amount is small. Under ordinary circumstances I would oppose a proposal which did not have the approval of the Budget Bureau, but this is an important item, and I hope the Senator will at least take it to conference.

Mr. McCARRAN. Mr. President, this item is not budgeted and was not presented to the committee, but I will accept the amendment and let it go to conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

The amendment was agreed to.

The VICE PRESIDENT. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 4276) was read the third time and passed.

Mr. McCARRAN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McCARRAN, Mr. RUSSELL, Mr. BANKHEAD, Mr. TRUMAN, Mr. GEORGE, Mr. LODGE, and Mr. BRIDGES conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House insisted upon its amendment to the bill (S. 991) for the relief of the widow of the late Artis J. Chitty, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. COFFEE of Washington, Mr. CAPOZZOLI, and Mr. WINTER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4465) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. BLAND, Mr. RAMSPECK, Mr. MANSFIELD, Mr. WELCH, and Mr. CULKIN were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher; asked a conference with the Senate on the disagreeing votes of the two Houses thereon; and that Mr. BOGGS, Mr. WEISS, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming; and

H. R. 3828. An act for the relief of Sophrania Holmes.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 327 An act for the relief of Paula Liebau Anderson; and

H. R. 4125. An act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service.

OFFICE OF GOVERNMENT REPORTS

Mr. BARKLEY. Mr. President, it is proposed that we take up tomorrow House bill 3368, having to do with the Office of Government Reports. Does the Senator from Alabama desire that it be made the unfinished business today, with the understanding that it will not be proceeded with until tomorrow?

Mr. HILL. I move that the Senate proceed to the consideration of House bill 3368.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

Mr. DANAHER. Mr. President, is it the plan of the leader that we proceed with the consideration of the bill today?

Mr. BARKLEY. No; I announced that we would make it the unfinished business, and that it would go over until tomorrow.

I wish to say for the information of the Senate that at the conclusion of the consideration of this bill tomorrow I shall ask that the calendar be called for the consideration of bills to which there is no objection. I presume we will clean up the calendar pretty well tomorrow, and so far as I can see, there will be nothing further this week which will require the constant attention of Senators. If that should be so, we will adjourn until Thursday and from then to Monday. What will happen next week I do not know, but I cannot see that there will be very much in the way of heavy legislation to come before us next week, unless committees report measures between now and then.

MRS. CLYDE THATCHER AND TWO MINOR CHILDREN

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BROWN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations and a protocol were submitted:

By Mr. CHANDLER, from the Committee on the Judiciary:

Thomas F. McAllister, of Michigan, to be judge of the United States Circuit Court of Appeals for the Sixth Circuit, vice Herschel V. Arant, deceased.

By Mr CHANDLER (for Mr. HATCH), from the Committee on the Judiciary:

Sherman Minton, of Indiana, to be judge of the United States Circuit Court of Appeals for the Seventh Circuit, vice Walter E. Treanor, deceased.

By Mr. MURDOCK, from the Committee on the Judiciary:

William Fleet Palmer, of California, to be United States attorney for the southern district of California, vice Benjamin Harrison, resigned.

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

Harry N. Child, of Washington, to be register of the land office at Spokane, Wash. (reappointment).

By Mr. VAN NUYS, from the Committee on Foreign Relations:

Executive E (77th Cong., 1st sess.), a protocol concerning recognition of the juridical personality of foreign companies in the countries of America, which was opened for signature at the Pan American Union on June 25, 1936, and was signed for the United States on June 23, 1939, subject to two understandings (Ex. Rept. No. 6).

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Harry M. Durning to be collector of customs for district No. 10.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of Surgeon Carl E. Rice to be senior surgeon.

The VICE PRESIDENT Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

THE JUDICIARY

Mr. CHANDLER. Mr. President, I ask unanimous consent that two nominations reported today from the Committee on the Judiciary, that of Judge McAllister to be judge of the United States Circuit Court of Appeals for the Sixth Circuit, and of Hon. Sherman Minton to be judge of the United States Circuit Court of Appeals for the Seventh Circuit, be confirmed.

The VICE PRESIDENT. The clerk will state the first nomination.

The legislative clerk read the nomination of Thomas F. McAllister to be judge of the United States Circuit Court of Appeals for the Sixth Circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Hon. Sherman Minton to be judge of the United States Circuit Court of Appeals for the Seventh Circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CHANDLER. I ask that the President be immediately notified of the two confirmations.

The VICE PRESIDENT. Without objection, the President will be forthwith notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 20, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 19, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Edward M. Groth, of New York, now a Foreign Service officer of class 3 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE MAJOR

Capt. Paul Ernest Ruestow, Air Corps.

NOTE.—The date of rank is omitted as the death or other unforeseen change in status of a senior officer might require a change in the date of rank and necessitate the renomination of this officer.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO AIR CORPS

First Lt. Charles Albert Piddock, Field Artillery (captain, Army of the United States), with rank from August 1, 1935.

Second Lt. Karl Tweeten Rauk, Quartermaster Corps, with rank from June 11, 1940.

PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL WITH RANK FROM MAY 12, 1941

Lt. Col. Lloyd Baxter Bennett, Infantry (colonel, Army of the United States). This officer is subject to the examination required by law.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 19, 1941:

UNITED STATES CIRCUIT COURT OF APPEALS

Thomas F. McAllister to be judge of the United States Circuit Court of Appeals for the Sixth Circuit.

Sherman Minton to be judge of the United States Circuit Court of Appeals for the Seventh Circuit.

COLLECTOR OF CUSTOMS

Harry M Durning to be collector of customs for customs collection district No. 10, with headquarters at New York, N. Y.

UNITED STATES PUBLIC HEALTH SERVICE

Surgeon Carl E. Rice to be a senior surgeon in the United States Public Health Service.

POSTMASTERS

KENTUCKY

Nola B. Nicholson, Harlan.
Consuelo S. Bush, Shepherdsville.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 19, 1941

The House met at 12 o'clock noon.

The Very Reverend Harry C. Graham, O. P., national director of the Holy Name Society, delivered the following prayer:

Almighty and Merciful God, grant the leaders of this great Nation the wisdom and grace to know Thy will at all times and especially at this moment of crisis. Let us seek again the teachings and example of thy Divine Son, whom Thou sent to us to be our guide and our salvation. Let us find in the inspired words of Thy Scriptures the "way, the truth, and the light" which Thou hast pointed out—the way in our dangerous and unchartered course, the truth in our blindness and ignorance, the light in our darkness. Give us the strength to set aside unworthy and mixed motives, when so much is at stake, so that in spite of our trangressions, we may return to Thy law and upon it make secure this democratic government which Thou hast given us. Let us save the good and seemly things in our way of life, and build it ever fuller and richer according to Thy laws—and if we are worthy, let us do what is pleasing to Thee in saving our brothers throughout the world. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Friday, May 16, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 879. An act relating to certain Carey Act lands in Wyoming; and

S. 1438. An act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. JOHNSON of Colorado, Mr. HILL, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a speech I made in Birmingham, Ala.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Appendix of the RECORD and to include a resolution passed by the Port Commission of Detroit relative to the St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an editorial from the Philadelphia Sunday Dispatch in reference to the St. Lawrence seaway.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include a radio address delivered by our colleague the gentleman from Missouri [Mr. BENNETT].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an address by Hon. Sam H. Jones on the occasion of his first anniversary as Governor of Louisiana.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an editorial from the Rhode Island Free Press.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a radio address broadcast by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Appendix of the RECORD and to include two articles relating to Gutzon Borglum.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FRENCH POSSESSIONS IN WESTERN HEMISPHERE

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, today I propose to introduce the following resolution:

Be it enacted, etc., That the Secretary of State is hereby authorized and directed to institute negotiations with the Government of France looking toward the acquisition by the United States of the French possessions in the Western Hemisphere, particularly the Islands of Martinique, Guadaloupe, St. Pierre, Miquelon in the Atlantic Ocean, Clipperton in the Pacific Ocean, and the Province of French Guiana in South America, together with such ships, airplanes, and cargoes as the French Government may care to sell, and to pay therefor with gold, food, commodities, and credits as herein provided.

SEC. 2. The Secretary of State shall report the results of such negotiations to the President at the earliest possible date, and upon approval by him, shall prepare a treaty, subject to ratification by the Senate, for such acquisition. To meet the costs of acquisition, the Secretary of State is authorized to draw from the stabilization fund administered by the Secretary of the Treasury such gold as may be required and to transfer from the commodities held by the Commodity Credit Corporation such commodities as may be required: *Provided*, That the total value of gold and commodities transferred shall not exceed in dollar value an amount equal to the area price paid for the Virgin Islands plus a reasonable replacement value for physical improvements, ships, airplanes, and cargoes transferred, and that the amount of compensation agreed upon in excess of such a total shall be paid by crediting on any loans now in default to the United States by the Government of France.

UNITED STATES GOOD-NEIGHBOR POLICY

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. YOUNG. Mr. Speaker, this Nation is fortunate that Cordell Hull has been our Secretary of State. History will record the good-neighbor policy as his greatest achievement. For many years the United States was the surly bully of the Western Hemisphere. Since this administration came into office, Cordell Hull, as Secretary of State, has done away with dollar diplomacy. The United State is now the good neighbor to Mexico and the republics of Central and South America. The United States can be a better neighbor. We must first have a real understanding of how the people of the South American republics feel toward us. We want their loyalty and their friendship. We must continue our reciprocal trade agreements with the republics of South America and liberalize these agreements. As a step toward proving our friendship our leaders in Congress and in the administration might well prevail upon Great Britain to return to the Argentine Republic the Falkland Islands which the British seized about a century ago. These islands are directly off the most southerly coast of the Argentine and that Republic has always disputed the British right to the Falklands. Great Britain has a habit of asking all-out aid and giving nothing in return. The British should be glad to cede Great Britain's claim to the Falkland Islands to the Argentine Republic as a token of real friendship to the Americas. Were this Nation to accomplish this our South American republics would hail us as the benefactor of the North.

This Nation should set up machinery for the development of cultural and economic relations of every kind between the United States and the nations to the south of us.

We must realize that in many of these countries the concept of hemisphere solidarity is little more than a myth. South Americans somehow must be made to see the advantages of cooperating with us. The air transportation facilities presently existing between our several countries should be greatly extended and increased.

The propaganda machine of Hitler must be beaten. Propaganda has become one of the most powerful weapons of war. Our propaganda should therefore be much greater in volume and superior in quality to our present output. If this makes it necessary for the Government itself to engage in radio broadcasts, then this should be done.

Our military missions to these countries should be increased. The possibilities along this line have scarcely been touched. A far more intensified system of military and naval exchange between our countries should be worked out.

To further promote good feeling between the various countries of South America and this Nation the Office of Government Reports should print and we should distribute publications in Spanish and Portuguese. Possibly some of our national magazines could be induced to print Latin-American editions, even though this Nation had to provide some subsidy for the purpose.

It would seem advisable for us to make it possible for South American countries to get from us at low cost textbooks written in their own languages for use in their public schools.

Mexico and Argentina have nothing in common except the language. Brazil is as different from Costa Rica as Italy is from Bulgaria. We must consider these facts. Congress and officials in the State Department should intelligently and tactfully promote Western Hemisphere solidarity and unity. We covet no part of South America.

DEFENSE PRIORITIES

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

A BRIGHT OUTLOOK

Mr. NELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

Mr. NELSON. Mr. Speaker, we frequently hear the expression "blue Monday." At this time of distress, doubt, and darkness many talk too much about what is wrong with the world. This morning in the New York Times I came across these headlines, which indicate that there are a lot of good things going on at this time. I read:

Wheat above $1 on loan outlook.
Corn futures rise to 4-year peak.
Inmates of Atlanta prison double output of defense work after appeal to patriotism
Vast throng jams the Mall to cheer American Day fete.
Order men to pass coast picket line.
Strike of miners in hard-coal field seen ending today.

So, Mr. Speaker, I offer these cheering captions as a cure for blue Monday.

[Here the gavel fell.]

DR. RUTH GRUBER

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from Dr. Cressey, of Syracuse University, at Syracuse, N. Y., and also to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, last week the Interior Department appropriation bill was before the House for consideration, and while in the Committee of the Whole the gentleman from New York offered this amendment:

No part of the funds appropriated in this act shall be paid to Dr. Ruth Gruber.

And he stated in his remarks after offering the amendment:

I feel there is a responsibility upon the part of the House to see to it that the propaganda tion of communism is stopped by the Interior Department.

I felt at the time and I am now more strongly convinced of the injustice of the amendment to Dr. Gruber. Unfortunately, there were not many Members present on the floor, and the amendment carried. It was an unjust treatment of a person by the House.

This morning I received a letter from Dr. George B. Cressey, department of geology and geography, Syracuse University, Syracuse, N. Y., in reference to this amendment. The letter clearly shows that the House was wrong in the action that it took, and the wrong should be corrected when it goes to the Senate and when the conferees from the House are appointed.

Mr. Speaker, the letter which I received is as follows:

SYRACUSE UNIVERSITY,
Syracuse, N. Y., May 16, 1941.

Representative ALFRED L. BULWINKLE,
The House of Representatives,
Washington, D. C.

MY DEAR REPRESENTATIVE BULWINKLE: Yesterday's Syracuse papers carried an Associated Press story concerning the House action on Dr. Ruth Gruber which is so fantastic that I cannot allow it to pass without comment. From the fact that it did not appear in the New York Times, I hope that the account may prove inaccurate.

Dr. Gruber is a scholar of recognized standing. She has not been in the Soviet Union for a number of years, but while there was a correspondent for the New York Herald Tribune. Her time was spent almost entirely in an analysis of economic and social conditions in Arctic Asia, and, to the best of my knowledge, she has nothing to do with communistic propaganda. Her volume entitled "I Went to the Soviet Arctic" is purely a travel record.

I first learned of her research in connection with my own travels as a delegate representing the United States State Department at the International Geological Congress in Moscow. No other American citizen has visited the areas where she has been, so that her data has unique value to our Government.

Dr. Gruber's work has dealt with the entire Arctic, both American and Asiatic, and I happen to know that she has recently been associated with the preparation of confidential material for the use of the United States Army. I know no details of her proposed studies in Alaska, but her contribution to our plans for this area should prove directly in line with current defense activities.

Dr. Gruber has already made marked contribution to our factual knowledge of the Soviet Union, and it is most unfortunate that the Government should now be deprived of her services. Instead of being a protective measure, the action of the House is directly contrary to the national interest. Should we ever fight Japan, Alaskan economy is a major bulwark, and we need to know the applicability of Soviet developments.

If the action of the House were to be applied in similar instances, it would cover all American newspaper correspondents and radio commentators now in Axis countries. This action is not only an affront to a patriotic American citizen, but also deprives the Government of essential contributions in an area of potential military concern. I trust that the vote may be rescinded.

Sincerely yours,

GEORGE B. CRESSEY.

DIAGNOSIS OF PUBLIC MIND

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

Mr. COX. Mr. Speaker, if I were asked to diagnose the public mind, I would say that the people still see something synthetic in this whole war effort. They believe that preparation for defense continues secondary to social reform. They do not think that the program is in strong hands. Like the young soldier at Camp Meade, they do not believe you can win the war with social uplifters and a picket line. In other words, there is a lack of confidence in the strength, the understanding, the purpose, and the sincerity of those who have been put in control. That the country is being gypped both those who favor and those who oppose war suspect.

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by David Lawrence in the current issue of the United States News.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. COX]?

There was no objection.

EXTENSION OF REMARKS

Mr. CHIPERFIELD asked and was given permission to extend his own remarks in the RECORD.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] may have permission to extend his own remarks in the RECORD and to include a news article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

NEWSPAPER POLL OF PUBLIC OPINION BY CLARKSVILLE (TENN.) LEAF-CHRONICLE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

Mr. PRIEST. Mr. Speaker, we use very broad and elastic language when we refer to what the American people want, think, or believe.

Mr. Speaker, on last Thursday the gentleman from Indiana [Mr. HALLECK] gave to the House the result of a newspaper poll taken on the question of convoys by a daily newspaper in his district.

I certainly have neither reason, desire, nor inclination to doubt the fairness or the accuracy of that poll.

But I desire to call attention to the result of a poll taken by the Clarksville Leaf-Chronicle on the same question and much in the same manner as the one referred to by the gentleman from Indiana. The results of that poll show that 96 percent of those who participated by clipping a ballot and signing their names were in favor of convoys.

Concurrently with the conducting of that newspaper poll, I mailed out letters to a representative list of citizens in my district, asking their views on the question of convoys. Up to this time I have received 434 replies, and of that number 401 favor convoys and 33 are opposed. That is a percentage of 92 for convoys.

Mr. Speaker, we use very broad and elastic language when we refer to what the American people want. I do not presume to answer for all the American people, but a great majority of those who live in Andrew Jackson's district still believe in the freedom of the seas and are ready to back any necessary move in the exercise of that freedom now and to guarantee it for the future.

While I do not believe that legislation is necessary in order to guarantee safe passage of supplies to the democracies, I am ready to support such as may now or may hereafter become necessary. [Applause.]

THE LATE JOHN C. BOX

Mr. PATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATTON. Mr. Speaker, it is with sadness that I rise this morning to announce the death of a former distinguished Member of Congress from Texas who was my constituent. I received a telegram late Saturday afternoon from the Honorable Tom Acker, mayor of the city of Jacksonville, Tex., announcing the passing of Judge John C. Box, of that city, on that date.

Judge Box was born and raised on a farm in Houston County, Tex., the same county in which I was born and raised; and I have loved, admired, and respected him through all the years of my life. He served ably and well in this body from 1918 to 1930, and since my entry into Congress in 1934 I have heard many favorable expressions about him by his former colleagues and friends, all giving praise to the high order of service that he rendered.

He was born of pioneer Texas stock, educated in the common schools and the University of Texas, where he completed his law course. He was an outstanding attorney, and at the time of his death he and his son, John C. Box, Jr., were enjoying a lucrative practice in the city of Jacksonville, Tex.

Judge Box has always been considered a good man without anybody's doubting that knew him, that he was a Godly man. He was intensively a religious man and an active layman in the Methodist Church. During his services in Congress, I am told, he never neglected his church duties and affiliations, and he conducted a large men's Bible class here in Washington which is still carrying on.

He is survived by his widow, his son, and one married daughter, and many other relatives.

I am sure that his friends and his former colleagues in this House will join with me in extending consolation and deepest sympathy to his friends and loved ones.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered over the Columbia Broadcasting System Saturday.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McLEAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. McLEAN. Mr. Speaker, yesterday there appeared in the Washington Post an announcement of a preview of a moving picture which, to my mind, reflects upon the Congress of the United States in a very disagreeable manner.

Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program today and following any other special orders I may be permitted to address the House for 15 minutes in order to direct attention to this matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

THE BONNEVILLE PROJECT

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein a release by the Bonneville Power Commission.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

BONNEVILLE BENEFITS TO LEWIS COUNTY, WASH.

Mr. SMITH of Washington. Mr. Speaker, the Bonneville project which is in my district on the Washington side of the Columbia River, has brought many benefits to the communities and people of Southwest Washington. In addition to new industries and pay rolls and the employment from the construction of substations and transmission lines, power is being furnished to our local utility and rural electrification projects at the cheapest rates in history. Reduced consumer rates are resulting in vast savings to our people.

Lewis County and its citizens have been among the greatest beneficiaries of the Bonneville project. The sum of $2,245,000 has already been expended in Lewis County for labor and materials for the construction of substations and transmission lines and the sum of $363,000 had been expended for labor in clearing rights-of-way. One of the principal benefits has been the reduction and savings to the people of Lewis County in electric rates. I am happy to include at this point the recent release by the Bonneville Power Administration reading as follows:

The Lewis County, Wash., public utility district Thursday became the sixth public utility district to receive Columbia River power.

Energization of the 27-mile transmission line between Chehalis and Mossy Rock brought low-cost power to approximately 1,350 customers in the district served by the Mossy Rock substation. Under the new rates which went into effect May 1, about 750 of these consumers will receive the benefit of rate reductions ranging from 24 to 30 percent. The rest are new customers who are receiving electric energy for the first time over newly constructed lines.

Under the 20-year contract executed with the Bonneville Power Administration the Lewis County public utility district will take 400 kilowatts of electricity at the administration's optional prime power rate of 75 cents per kilowatt of monthly demand plus one-quarter cent per kilowatt-hour of monthly use. The public utility district will sell this power to its consumer members at the following R. E. A. approved resale rates:

Residential

	Cents per kilowatt-hour
First 50 kilowatt-hours per month	4½
Next 50 kilowatt-hours per month	3
Next 100 kilowatt-hours per month	2
Next 100 kilowatt-hours per month	1
Over 300 kilowatt-hours	¾

Minimum bill, $2.25.

Commercial

	Cents per kilowatt-hour
First 50 kilowatt-hours per month	4½
Next 100 kilowatt-hours per month	3
Next 350 kilowatt-hours per month	2½
Next 1,000 kilowatt-hours per month	1½
Next 13,500 kilowatt-hours per month	0.8
Excess above 15,000 kilowatt-hours per month	0.6

For users having over 10 kilowatts demand an additional charge of 95 cents for each kilowatt of demand in excess of 10 kilowatts also applies.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any other special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CONVOYS

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I direct attention to the statement of the gentleman from Tennessee [Mr. PRIEST] that 96 percent of the people in his district are in favor of convoying. I wonder if his people know that the President said that to convoy means to shoot, and to shoot means war.

If the people of his district want this country to get into war with foreign countries, I tell you right here that the people of my district, I know, do not want to get into war, and I am sure that the people voting in the poll taken in the district of the gentleman from Indiana [Mr. HALLECK] do not want to get into war. If the people of this country want to go to war, let them convoy. I say the thing to do is stay away from Europe, to stay away from Asia, and to keep this country out of war. It is our duty to stay at home and attend to our own business. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subject of union now.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REPORT ON H. R. 4646

Mr. COCHRAN. Mr. Speaker, in order that the minority views may be published with the majority views, I ask unanimous consent that I may have until midnight tonight to file a report on the bill H. R. 4646.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and I further ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the magazine Friday.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

GOVERNMENT EXPENDITURES

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, the public press in Ohio carried a statement the President made at his press conference last Friday, placing the responsibility for excessive expenditures right in the lap of Congress. I do not know how many of you read that statement, but I know the people of Ohio read it. All of you know who has been sitting in the driver's seat in Washington for the past 8 years. Every recommendation of expenditure comes from the Bureau of the Budget, and the Bureau of the Budget is the President of the United States. He is not compelled to spend all the money you appropriate, but he has chosen to spend all that money and a lot more. We have a fine illustration here of the pot calling the kettle black. Who runs this Congress, anyhow? I have a faint recollection that the majority membership of the Congress take orders from the White

House. Mr. President, quit your kidding. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, Secretary Hull, in his radio address last night on foreign trade, not only went through the ritual which is apparently required of every administration spokesman, of indirect threats against the Axis and defeatist descriptions of their post-war aims, but also launched a positive statement of American post-war aims which may become historic. We may not all agree with every part of his "broad program of world economic reconstruction." We should all applaud his constructive statesmanship in launching at last a discussion of America's peace aims amid the clamor of aimless war cries.

He had in his speech a five-point program for peace after the war. These five fingers of friendship were extended to the people of the Axis states with the mailed fist of America as an alternative. In this morning's papers we find that the Paris press is clamoring for our country to lead in mediation and in peace. I predict that these words of Secretary Hull, buried in his radio address last night, constitute the opening skirmish not of a war offensive but of an American peace offensive. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an article from the Evening Sun, of Baltimore, of May 17, 1941, entitled "Poll of Republicans Hits Hoover Food Plan—Slight Majority Against A. E. F. to England. Questions on Foreign Policy Sent to Rank and File Throughout Nation."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial recently appearing in the Johnson City Press on The Proposed Tax Legislation.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein a statement of the Wisconsin Petroleum Institute Committee on the effect on the farm industry of Wisconsin of raising the gasoline tax.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, in my mail this morning I received a letter that is somewhat remarkable, and it contained an enclosure which is also remarkable. I will read the letter:

LOS ANGELES, CALIF., *May 7, 1941.*
CONGRESSMAN OF THE STATE OF TEXAS.

GENTLEMAN: I came here a short time ago from Texas and thought I would write to you, as I have often written to the other Congressman. While working at Manesco Airplane Engine Co., I felt I was greatly overpaid. I wish to return this check legally to them, so I am sending it to you to return to them for me.

Thanking you kindly,
HENRY JOHN KRONHEIMER.

I am not acquainted with the gentleman who wrote the letter, and my name does not appear upon the envelope; but it seems that the postal clerk, in the exercise of his good judgment and fine discretion, knew to whom the letter should be delivered. It is addressed to the Congressman from the State of Texas. [Laughter.] I have the pay check here of the company mentioned. It is nearly a year old and is for $27.44. I do not know what to do with it. [Laughter and applause.]

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a letter by Prof. William Lyon Phelps, sent to the American Bible Society, that there shall not be a black-out of the Bible, and also to include an article of yesterday with respect to a Biblical statement.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the Portland Oregonian, by Richard L. Neuberger, writing on the subject A Mighty River Goes To Work.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and to insert them in the Appendix of the RECORD, and also to include the five points mentioned by Secretary Cordell Hull in his speech of last night.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

I AM AN AMERICAN DAY

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, yesterday, for the second consecutive year, men and women throughout America, in communities small and large, celebrated I Am An American Day. This day was proclaimed by our President pursuant to legislation passed by the Congress of the United States in 1940. Certainly all of us must have taken renewed heart when we learned that approximately 675,000 individuals joined in appropriate exercises in New York City, and more than 100,000 attended the Chicago gathering. May I recall to the minds of the membership of this House what George Washington said long ago about the responsibility of citizenship:

Citizens by birth or choice of a common country, that country has the right to consecrate your affections. The name of America must always exalt the just pride of a nation.

Mr. Speaker, it is well that we heed the challenge of the Father of our Country. Let us work together for the greater strength and solidarity of our people, native-born and naturalized. [Applause.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Washington Times-Herald by Frank G. Waldrop.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an inquiry of the gentleman from Massachusetts [Mr. MCCORMACK].

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, will the majority leader tell the House what the program is for today and the rest of the week, insofar as he knows?

Mr. McCORMACK. Mr. Speaker, of course, today is Consent Calendar Day. After that there is a bill to come out of the Committee on Naval Affairs in relation to authorizing the construction of auxiliary vessels. Tomorrow there is a bill to come out of the Committee on the Merchant Marine and Fisheries, H. R. 4700, to provide for priorities in transportation by merchant vessels in the interest of national defense. Unless something develops to change it, Wednesday will be devoted to Calendar Wednesday business. The call is with the Committee on Banking and Currency. That is as far as I can go now. I am assuming that the bill that comes up today after the Consent Calendar is called will not be controversial; but if it is, assuming that there appears to be a roll call, I am hopeful that that may be held over until tomorrow. While I assume it is not controversial, if it does come to a point where there is likely to be a roll call, I

repeat that I am hopeful that the roll call will be held over until tomorrow.

Mr. FISH. Mr. Speaker, will the majority leader say why he cannot bring the priorities bill up this afternoon? I am under the impression there will be no objection to the Vinson bill, which provides for the acquisition of certain auxiliary vessels. That might go through in short order.

Mr. McCORMACK. Of course, the calendar provides for the priority bill to follow that.

Mr. FISH. Would the gentleman say that it might be brought up this afternoon if we get through with the Vinson bill, say, by 3 o'clock?

Mr. McCORMACK. I prefer to have that held over until tomorrow because of certain agreements that I have made.

Mr. FISH. We would like to know.

Mr. McCORMACK. I would prefer that it be held over until tomorrow because certain agreements have been made, and it would be embarrassing to me if it were brought up today.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. CULKIN. Does the gentleman mean that H. R. 4700 is going over until tomorrow?

Mr. McCORMACK. That is on the assumption that it is not passed on the Consent Calendar today; in the event that unanimous consent is not obtained.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. BLAND. I think, from developments since I have been here this morning, that it will not pass on the Consent Calendar, because some question will be raised about it.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. VINSON of Georgia. The gentleman has notified the House as to the program as far as Wednesday. I call his attention to the fact that pending before the Committee on Rules is a resolution on two very important bills. If the Rules Committee reports those out, will it be possible to consider them Thursday or Friday of this week?

Mr. McCORMACK. I assume that both of those matters come from the distinguished gentleman's committee?

Mr. VINSON of Georgia. The gentleman is correct.

Mr. McCORMACK. I know of no chairman of a committee who is more zealous in obtaining early consideration for legislation reported from his committee than the gentleman from Georgia. I am sure the gentleman will agree that I have collaborated today perfectly.

Mr. VINSON of Georgia. The gentleman is correct.

Mr. McCORMACK. I would not make any commitment until I know what the bills are, but I assure the gentleman that if the Committee on Rules reports them out, knowing the technique employed by the gentleman from Georgia in connection with his committee, the strong probabilities are those bills will be brought up for consideration on Thursday.

Mr. VINSON of Georgia. I may state to the gentleman that they are administration measures relating to national defense and are highly important bills.

Mr. McCORMACK. That is a very convincing argument, outside of the gentleman's own personality, which is always convincing.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I would like to ask the majority leader with reference to the status of two bills. The first is the Reconstruction Finance Corporation bill, which will perhaps be brought up Wednesday if the Committee on Banking and Currency has the call. Can we have a definite understanding that that bill will be brought up Wednesday or that it will not be brought up until next week or at some future time?

Mr. McCORMACK. Of course, I am sure the gentleman from Michigan will appreciate the fact that I am not in a position to make an agreement with reference to a bill coming out of a committee. It is my intention now to have Calendar Wednesday called. It is my intention that the Committee on Banking and Currency will have the call. It is also my understanding, and it is based on what would have happened last Wednesday, that that bill will be called up. Clearly that is as far as I can go.

Mr. WOLCOTT. Will the gentleman yield to the acting chairman of the committee?

Mr. McCORMACK. Certainly.

Mr. WILLIAMS. As ranking member, I will say that the chairman is absent, and it is not his wish that the bill be taken up on Calendar Wednesday. It is his desire to apply to the Committee on Rules for a rule on the Reconstruction Finance Corporation bill. I say that because the gentleman is not here and cannot be here on Wednesday.

Mr. WOLCOTT. That is why I brought that up. My understanding was that it might be brought to the floor on Thursday. Can we have some definite assurance that if it is not brought up on Wednesday, the rule will not be called up until the forepart of the week, because many Members are very much concerned about the bill and want to be here when it is debated.

Mr. FISH. They have not asked for a rule yet.

Mr. McCORMACK. The colloquy is between the two gentlemen who are members of the same committee. I do not want to be bound by that colloquy, except that, insofar as the Reconstruction Finance Corporation bill is concerned, I assume there is a gentleman's agreement made. If a rule is reported out of Rules Committee, certainly I do not want to commit myself in advance of a rule being reported out as to what course of action will be taken.

Mr. WOLCOTT. Can the gentleman give us any information as to whether the gold deflation bill will be taken up this week?

Mr. McCORMACK. I cannot at this time. Again, that is dependent upon the action of the Rules Committee. My understanding is that the Rules Committee has not as yet acted upon it.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SABATH. There are two rules outstanding, one on the Vinson bill and the other one on the Bland bill. Do I understand there is an agreement that only one of them will be called up today?

Mr. McCORMACK. It is my intention, after disposition of the Consent Calendar, to have the Vinson bill called up, and the Bland bill will be called up tomorrow.

Mr. SABATH. I wish to say for your information and for the information of the House there are six different requests for hearings on those bills that have been mentioned. In view of that fact, the committee will meet again tomorrow morning at 10:30 and take up all these requests that have been made upon bills in which there is so much interest.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

EXTENSION OF REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an article entitled "Americanism Redefined," prepared by Mrs. Whittington for the meeting Wednesday, May 14, 1941, of the Chakchiuma Chapter Greenwood, Miss., Daughters of the American Revolution.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my remarks and include the text of Secretary Hull's speech made last night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOLMES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and insert therein an editorial published in the Worcester Telegram - Gazette yesterday entitled "Our American Citizenship and Government Faults."

The SPEAKER. Is there objection?

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter received by the majority leader from the United Polish organizations of Salem, Mass., transmitting a resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a statement by Mr. L. C. Cargile, president of the National Automobile Dealers' Association, before the Ways and Means Committee on May 15.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a short speech entitled "Which Way America", delivered to the

Young Democratic Club, of Chattanooga, on May 13 by Frank W. Prescott, head of the Adolph S. Ochs Department of Government, of the University of Chattanooga.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter which I have received and my answer thereto.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter written by the gentleman from Illinois [Mr. MCKEOUGH] in answer to a letter he received. I believe every Member should read his reply.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Kentucky.

AMENDMENT OF SELECTIVE SERVICE ACT

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4125) to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 4, after "2", insert "*Provided*, That any person who has had such prior service and who has already been inducted for service may upon application be discharged and shall not be liable for further training and service in time of peace."

Page 2, line 12, after "2", insert "or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 3 consecutive years on active duty before or after or partially before and partially after the time fixed for such registration; or any person who as a member of the Naval Reserve or Marine Corps Reserve shall have satisfactorily served for at least 1 year on active duty and for at least 2 consecutive years in the Regular Navy or Marine Corps or with an organized unit of the Naval Reserve or Marine Corps Reserve before or after or partially before and partially after the time fixed for such registration."

Mr. MICHENER. Mr. Speaker, reserving the right to object, as I understand, this amendment meets with the unanimous approval of the members of the Military Affairs Committee.

Mr. MAY. That is my understanding. These amendments merely make it possible for the men who have rendered 2 years of service to be discharged where they have been called into training under the Selective Service Act.

Mr. MICHENER. It treats the personnel of the Army, Navy, and Marine Corps alike.

Mr. MAY. It treats them exactly the same.

Mr. MICHENER. If these amendments were not adopted, there would be a difference in the treatment accorded the personnel of the three services under the Selective Service Act?

Mr. MAY. In other words, if these amendments are not agreed to, a man who has already served his 3 years in the Navy could be required to serve another year in training in the land forces of the country. The same principal is applied likewise to the personnel of the Coast Guard and Marine Corps.

Mr. FISH. Mr. Speaker, reserving the right to object, and I do not intend to, I should like to ask the gentleman from Kentucky a few questions. As I understand it, these are amendments to the conscription law. Am I correct?

Mr. MAY. The bill is an amendment to the Selective Service and Training Act, and the amendments under consideration are two amendments put on the House bill by the Senate.

Mr. FISH. If the gentleman's committee can make amendments to the Selective Service Act, why cannot his committee meet and consider some of the recommendations made by General Hershey, by the President, and by most of the Members to Congress to reduce the maximum age limit to 27 or 28?

Mr. MAY. The Military Affairs Committee have a number of amendments pending. At such time as they determine they are all in they will probably take them up and give them consideration, instead of considering them in piecemeal fashion from time to time.

Mr. FISH. But this reduction of the maximum age limit is a major amendment. Most of the people want it except some members of the committee. Why can we not get action now? It has already created injustice and hardship. Why cannot the committee meet and consider this major amendment of reducing the age limit?

Mr. MAY. That is immaterial to the amendments here under consideration.

Mr. FISH. But this is an amendment to the same law. Why not take prompt action on so important a matter?

Mr. MAY. We want to give the matter further study. We want to know that we are doing the right thing. There are so many amendments that we want to be sure we are doing what is right.

Mr. MAAS. Mr. Speaker, reserving the right to object, will the gentleman tell me what is to become of the man who has served in the Army, Navy, Marine Corps 3 years but who has been inducted under the Selective Service Act?

Mr. MAY. Provision is made that upon application for discharge he shall be discharged.

Mr. MAAS. And it is mandatory that the man be discharged if he requests it?

Mr. MAY. That is right, if he requests it.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. DONDERO. Has any provision been made for those who have served in the National Guard we will say 3 years or 6 years? This question has arisen, many people have written me in regard to it.

Mr. MAY. It applies to anybody who is subject at all under these provisions.

Mr. DONDERO. Would it apply to a man who has served 3 years in the National Guard?

Mr. ANDREWS. Mr. Speaker, will the gentleman yield for me to make a suggestion?

Mr. MAY. I yield.

Mr. ANDREWS. The original act provided exemption for the National Guard.

Mr. DONDERO. I am asking about exemptions under this law.

Mr. ANDREWS. The original act provided an exemption for the National Guard.

Mr. DONDERO. After serving how long?

Mr. ANDREWS. After 6 years.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Will the gentleman tell me what kind of a discharge a sailor, marine, or Coast Guard man will receive upon making application for discharge after having been inducted?

Mr. MAY. I am sure he will receive an honorable discharge. The statute directs the proper Army authorities to do that, and there is no reason why it should not be done, and no reason that I can see why it should not be honorable.

Mr. VAN ZANDT. There is nothing in this bill that will direct them to give him anything but an ordinary discharge; therefore, it will have to be an honorable discharge?

Mr. MAY. A person would not get a dishonorable discharge unless he has done something that he should not have done.

Mr. VAN ZANDT. May I say he could receive a discharge without honor or an ordinary discharge.

Mr. MAY. I have no idea that anybody in the Army wants to do that kind of a thing.

Mr. PLUMLEY. Mr. Speaker, reserving the right to object, I would like to interrogate the chairman of the Committee on Military Affairs with respect to what consideration has been given the matter of these men in the United States who today are in the position of having held Reserve officers' commissions issued out of Reserve Officers' Training Corps institutions but are not now on the roll because for one reason and another they did not continue correspondence courses subsequent to their being commissioned. As I understand it, there is no deferment for them by reason of the fact they may happen to have held a Reserve officer's commission. They may be relegated to be high privates in the rear ranks in anybody's army as against the fact that they have already put from 2 to 3 years' service in making themselves efficient and given themselves to the training required by the Government of the United States to qualify them for a Reserve commission. What consideration, if any, has the Committee on Military Affairs given with respect to the matter relating to those people and that class of men at this time when you are selecting men who have rendered faithful service as

members of the Coast Guard, the Marine Corps, and Navy and state that they shall not be required to serve by reason of the fact that it is an unnecessary expenditure of money for training purposes? Where do your former Reserve officers fit into that picture?

Mr. MAY. The gentleman propounded a question that raises the very matter I raised awhile ago. There are many suggestions as to amendments to this law and the committee is planning to give consideration to all of them at the proper time.

Mr. PLUMLEY. I think I know what I am talking about.

Mr. MAY. Mr. Speaker, I am sure the gentleman knows what he is talking about.

Mr. PLUMLEY. Mr. Speaker, I reserve the right to object.

Mr. MAY. Well, what is the gentleman's question? If the gentleman will come over to the microphone, I might understand him. I have not yet caught clearly what he desires me to answer.

Mr. PLUMLEY. I am not going to leave my side of the aisle just to talk to the gentleman.

Mr. MAY. I just meant to say to the gentleman from Vermont that I do not quite get what he is saying due to the confusion.

Mr. ANDREWS. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from New York.

Mr. ANDREWS. All Reserve officers graduating this year will be immediately put into the service, and the original act provided that a Reserve officer is not subject to the draft. Does that answer the gentleman's question?

Mr. PLUMLEY. No. The ones I am speaking about are men who formerly held Reserve officers' commissions and are in the selective service draft today.

Mr. ANDREWS. Any men who hold a Reserve officer's commission are already exempt. They are called when they are wanted.

Mr. PLUMLEY. You are right, but the men to whom I refer are called as privates.

Mr. MAY. Mr. Speaker, I hope the gentleman from New York has told the gentleman from Vermont that under the provisions of the original act a Reserve officer is not subject to draft under the Selective Training Act. But he is subject to call to the service and he may resign his commission if he wants to.

Mr. PLUMLEY. But, Mr. Speaker, you misunderstand me. I am not talking about the young men who now hold Reserve officers' commissions. I am talking about the young men to whom the Government granted Reserve officers' commissions and who for one reason or another have had their commissions taken away from them; that is to say, they have failed to continue their correspondence courses subsequent to their receipt of their commissions or for some other reason they have been dropped from the rolls.

The question I wish to press, is, What are you going to do with these men that the Government has certified to be qualified officers and who, by reason of the Government's arbitrary action, are no longer on the roll of Reserve officers?

The Government has once certified they were qualified officer personnel. The Government spent a lot of money to qualify these men by training them from 2 to 5 years. It recognized their qualifications.

As a former president for 14 years of the first and oldest essentially military collegiate institution in the United States at which has been maintained and is still maintained a senior division Cavalry unit, Reserve Officers' Training Corps—the only cavalry unit of that kind in the United States—I insist that it is not fair to these young men. It is not just; it is not right. What applies to Norwich graduates who have held commissions as Reserve officers applies to the graduates of the Virginia Military Institute, the Virginia Polytechnic Institute, and the Citadel and other institutions similar in character from which men have been graduated after taking the courses prescribed by the Government and commissioned as Reserve officers.

For the Government now to say that these men are qualified only to be relegated to the rear rank as high privates, and that the Government should again expend the equivalent of a year's money or more in order to train men who need no such training, I say is nonsense.

The same regulations with respect to men who have received Reserve officers' commissions should obtain as will be in force with respect to privates and noncommissioned officers in the Navy, or the Marine Corps, or the Coast Guard. I would be even more insistent with respect to the rights of the former members of the Reserve Officers' Corps.

You have thousands of these boys or young men in this country perfectly qualified to serve as officers, and you are going to send them into the ranks at the expense of the Government for a year's training; or are you? It does not make sense. What you need is officers; these men can be qualified as such very shortly and with no great expense to the Government. You can make a private an officer. The reverse does not work.

To follow the present policy is to insult these boys. They have already volunteered for service and served for from 2 to whatever the number of years may have been in order to train themselves to serve their country as officers. To undertake in this emergency to enroll them as high private selectees is nothing short of an insult to American youth.

Mr. MAY. Now that the gentleman from Vermont has finished his rather lengthy comments, I must insist that I am not doing anything to anybody. Whatever is being done by the War Department is being done by authority of the original act, for which most of us voted, including my good friend from Vermont.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

MRS. CLYDE THATCHER ET AL.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, with Senate amendments thereto, disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. BOGGS, WEISS, and JENNINGS.

WIDOW OF THE LATE ARTIS J. CHITTY

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 991) for the relief of the widow of Artis J. Chitty, with House amendments thereto, insist on the House amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. McGEHEE]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. COFFEE of Washington, CAPOZZOLI, and WINTER.

PAULA LIEBAU ANDERSON

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 327) for the relief of Paula Liebau Anderson, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "$3,000" and insert "$2,500."

Page 1, lines 10 and 11, strike out "unlawful construction by the Alaska Road Commission of a road across her land, and the."

Page 2, line 1, strike "the" where it occurs the first time and insert "her."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FAIRCHILD AERIAL SURVEYS, INCORPORATED

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 694) for the relief of the Fairchild Aerial Surveys, Incorporated, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$3,239.22" and insert "$2,000."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SOPHRANIA HOLMES

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3828) for the relief of Sophrania Holmes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$179" and insert "$500."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

WIND RIVER INDIAN LANDS, WYOMING

Mr. ROGERS of Oklahoma. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2672) to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized in his discretion to determine and fix permanently the boundaries of allotted, tribal, and ceded Indian lands along the Big Wind River in secs. 21, 22, 27, and 28, T. 3 N., R. 1 W., Wind River meridian, in Wyoming: *Provided*, That the Secretary of the Interior shall not act until all of the owners, white and Indian, shall have given their consent in writing to the permanent location of the boundaries so far as they affect their respective lands. The consent of the Shoshone and Arapahoe Tribes as to tribal and ceded lands may be given by the tribal business council. The consent on behalf of the minors, Indians non compos mentis, and Indians who cannot be located after advertisement and reasonable search for not less than 30 days, may be executed by the superintendent in charge of the Wind River Indian Agency."

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. MICHENER. Reserving the right to object, will the gentleman state why this change is made?

Mr. ROGERS of Oklahoma. As I see it, it does not make a bit of difference. It is just that Senator O'MAHONEY insists that this language clarifies the bill. The same effect is accomplished. The Commissioner of Indian Affairs says that there is no difference whatever. This is just a rewording of the bill.

Mr. MICHENER. The bill passed the House by unanimous consent?

Mr. ROGERS of Oklahoma. Yes.

Mr. MICHENER. The Senator is a better lawyer than the gentleman who drew the bill?

Mr. ROGERS of Oklahoma. I suppose he believes he is. There were two bills as this matter left the House, and the Senator combined them and made this one section. It is the same thing exactly.

Mr. MICHENER. Are the changes suggested agreeable to the House committee reporting the bill?

Mr. ROGERS of Oklahoma. Absolutely, and to the Member who introduced the bill. He and I have conferred on it. We cannot see that it changes it a bit, and the Commissioner of Indian Affairs says it does not change it a bit.

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, will the gentleman state whether or not the terms of the bill as revised apply to any other State or any other reservation?

Mr. ROGERS of Oklahoma. It does not. The Senator says that if there is anything at all in it, it makes it absolutely certain that it does not apply to anything else. That is the reason he wants the language as it is.

Mr. RICH. Reserving the right to object, Mr. Speaker, do the Secretary of the Interior and the Bureau of Indian Affairs approve it?

Mr. ROGERS of Oklahoma. Yes; they concur in it.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the paper Labor entitled "Utility Fined for Colossal Bribery."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

PULPWOOD INVESTIGATION

The Clerk called the joint resolution (H. J. Res. 15) to investigate the apparent monopolistic purchasing of pulpwood by pulp and paper mills under a contract purchase system from farmers and other owners, price fixing of paper and other pulp products under trade-practice rules and regulations, including cost of distribution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. VAN ZANDT, Mr. RICH, Mr. WOLCOTT, and Mr. COLE of New York objected.

PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DISCHARGE OR RETIREMENT OF ENLISTED MEN OF THE REGULAR ARMY AND OF THE PHILIPPINE SCOUTS IN CERTAIN CASES

The Clerk called the next bill, H. R. 2277, to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OF JOINT SERVICE PAY ACT

The Clerk called the next bill, H. R. 2279, to amend section 17 of the Joint Service Pay Act approved JULE 10, 1922, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of the last sentence of the third proviso of section 17 of the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922 (42 Stat. 632), as amended (37 U. S. C. 26), reading: "Retired officers of the Army, Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey below the grade of brigadier general or commodore and retired warrant officers and enlisted men of those services, shall, when on active duty, receive full pay and allowances," is hereby amended by deleting the words "below the grade of brigadier general or commodore" and by inserting after the words "warrant officers" a comma and the word "nurses" so that as amended this sentence will read as follows: "Retired officers of the Army, Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey and retired warrant officers, nurses, and enlisted men of those services, shall, when on active duty, receive full pay and allowances."

With the following committee amendment:

On page 2, at the end of the bill, insert a new section as follows:

"SEC. 2. At the end of section 17 insert the following: 'That in the computation of the retired pay of officers of the Army heretofore or hereafter retired with pay at the rate of 2½ percent of the active-duty pay received by them at the time of retirement multiplied by the number of years of service for which entitled to credit in the computation of their pay on the active list, not to exceed a total of 75 percent of said active-duty pay, active duty performed by such retired officers subsequent to the date of their retirement shall be counted for the purpose of computing percentage increases in their retired pay. These increases shall be at the rate of 2½ percent for each year of active duty and a fractional year of 6 months or more shall be considered a full year in computing the number of years: *Provided further*, That the increased retired pay of such retired officers shall in no case exceed 75 percent of the active-duty pay as authorized by existing

law: *Provided further,* That no back pay or allowances shall accrue by reason of the passage of this act.'"

Mr. MAAS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. MAAS to the committee amendment: On page 2, in lines 13 and 14, after the word "officers" strike out the words "of the Army."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF PRESIDENTIAL ELECTORS AND THE ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, I would like to have an explanation of this measure.

Mr. WOLCOTT. Mr. Speaker, we did not hear the request of the gentleman.

The SPEAKER. The gentleman from California has reserved the right to object and has asked that the bill be explained.

Mr. SHEPPARD. Mr. Speaker I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER AT OR NEAR DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER AT OR NEAR KEOKUK, IOWA

The Clerk called the next bill, H. R. 4055, authorizing the city of Keokuk, Iowa, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Keokuk, Iowa, or to purchase the existing bridge at that locality.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar and recommitted to the Committee on Interstate and Foreign Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REDEMPTION OF ADJUSTED-SERVICE BONDS

The Clerk called the next bill, H. R. 3847, to adjust certain losses occurring in the redemption of adjusted-service bonds.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, whereas, in effecting the distribution and redemption of adjusted-service bonds in the years 1936 and 1937, as authorized by the act of January 27, 1936 (ch. 32), as amended by the act of June 3, 1936 (ch. 482, 49 Stat. 1099, 1396; 38 U. S. C., 1934 ed., Supp. V, secs. 686–688b, certain misdeliveries and erroneous payments were made, due for the most part to circumstances beyond their control, by certain postmasters and postal employees designated at the request of the Secretary of the Treasury to perform such fiscal agency service pursuant to the provisions of said act of June 3, 1936, the Comptroller General of the United States, the Secretary of the Treasury, the Treasurer of the United States, and the Postmaster General are authorized, in those cases where it shall be jointly determined by the Postmaster General and the Secretary of the Treasury that such misdeliveries and erroneous payments occurred without negligence upon the part of the postmaster or postal employee charged with the error, to relieve them of such charges. There are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effect the relief hereby granted, not to exceed, however, the aggregate sum of $6,000: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF FEDERAL EXPLOSIVES ACT

The Clerk called the next bill, H. R. 3019, to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917 (40 Stat. 385).

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMPENSATION OF DEPENDENTS OF WORLD WAR VETERANS

The Clerk called the bill (H. R. 4) to provide for more adequate compensation for certain dependents of World War veterans, and for other purposes.

Mr. KEAN, Mr. COSTELLO, and Mr. McLEAN objected, and the bill was stricken from the calendar.

COMPENSATION OF EMPLOYEES OF FIELD SERVICE, NAVY DEPARTMENT

The Clerk called the bill (H. R. 1608) establishing overtime rates for compensation for employees of the field services of the Navy Department and the Coast Guard, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. MAGNUSON. Mr. Speaker, I object to that.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. RICH. Mr. Speaker, this is a bill in reference to national defense. I do not think that we should permit any bill to come in here on consent day unless the Army and the Navy approve of it, and they should make their recommendations at this time. I think that is the proper way this legislation should be handled.

Mr. MAGNUSON. The Navy Department has approved of this bill wholeheartedly and the Senate has passed an identical bill. The bill has the unanimous approval of the Naval Affairs Committee of the House.

Mr. COLE of New York. Oh, Mr. Speaker, it does not have the unanimous vote of the committee.

Mr. MAGNUSON. What was the vote on that? I thought it had unanimous consent.

Mr. COLE of New York. Two or three votes were registered against it.

Mr. MAGNUSON. It passed out of the committee, and the Navy Department has approved it favorably.

Mr. RICH. I think the House Committee on Military Affairs and Committee on Naval Affairs should report the bill out unanimously.

Mr. MAGNUSON. But they do.

Mr. RICH. I understand that the Military Affairs Committee did not.

Mr. McCORMACK. This is approved by the Naval Establishment.

Mr. RICH. I understand that one of the committees has not reported it out unanimously.

Mr. MAGNUSON. I understand from my colleague the gentleman from New York [Mr. COLE] that one or two votes were against it. I may be mistaken about that, but it was overwhelmingly in favor of the bill.

Mr. RICH. That is the reason I object to it. I object to it until you get unanimous consent from the committees that have jurisdiction of a bill of this character.

Mr. MAGNUSON. The Naval Committee has passed on this bill, and every department of the Government has passed on the bill. The committee that has jurisdiction—namely, the Naval Affairs Committee of the House—passed the bill out overwhelmingly, although the gentleman from New York says that there were one or two votes against it.

Mr. RICH. Then it cannot have been unanimously reported. It should not come here and be passed by unanimous consent if it was not unanimously reported. That is the reason I am making my objection.

Mr. MAGNUSON. I do not know whether the gentleman can say that it was not reported out unanimously.

Mr. COLE of New York. Mr. Speaker, the report was not unanimous. There were at least three votes against it, including mine. If the gentleman feels that he is inclined to press for immediate consideration of the bill today, I feel that I shall have to object to present consideration. I would much prefer that the gentleman obtain a rule, because I do feel that the bill is of such importance that it should be considered by the House as a whole, because we certainly would be setting a precedent which may be undesirable in the future.

Mr. MAGNUSON. Mr. Speaker, I object to the bill being passed over.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object until we get unanimous consent from the committees.

Mr. COLE of New York. Mr. Speaker, I object.

MANNING OF CERTAIN VESSELS

The Clerk called the bill (H. R. 4224) relating to the manning of certain vessels of 500 gross tons and less.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOODRUFF of Michigan. Mr. Speaker, I reserve the right to object. I do so only for the purpose of asking unanimous consent that my colleague the gentleman from Michigan [Mr. HOFFMAN] be permitted to extend his remarks, and also to extend his remarks by the inclusion of a radio address that he made.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article by Mr. George N. Peek.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any provision of section 13 of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. V, title 46, sec. 672), every person may be rated as an able seaman for the purpose of serving on vessels of not more than 500 gross tons, on bays and sounds, when such vessels are not carrying passengers, who is 19 years of age and upward and who has had at least 12 months of service on deck at sea or on the Great Lakes or on the bays and sounds connected directly with the seas.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MANNING OF CERTAIN SAIL VESSELS

The Clerk called the next bill, H. R. 4225, relating to the manning of certain sail vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 13 of the act of March 4, 1915, as amended (U. S. C., 1934 ed., Supp. V, title 46, sec. 672), relating to the manning of certain vessels, shall not apply to any sail vessel of less than 500 tons registered tonnage, while not carrying passengers for hire, and while not operating outside the line dividing inland waters from the high seas, as defined in section 2 of the act of February 19, 1895, as amended (U. S. C., 1934 ed., title 33, sec. 151).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 1061, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLEVENGER, Mr. TABER, Mr. RICH, Mr. SPRINGER, and Mr. BROOKS objected.

RELIEF OF INDIANS IN CALIFORNIA

The Clerk called the next business, House Joint Resolution 147, for the relief of the Indians in California.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, 2 weeks ago I called attention to the fact that the report did not contain a letter from the Attorney General in reference to this resolution. I now have a letter from the Attorney General which I ask unanimous consent to insert in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

The letter referred to is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 15, 1941.

Hon. JOHN J. COCHRAN,
Chairman, Committee on Accounts,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This will acknowledge your letter of May 5, requesting my views relative to the joint resolution (H. J. Res. 147) for the relief of the Indians of California.

The proposed joint resolution would authorize and direct the Court of Claims to hear and determine the suit now pending in that court entitled *The Indians of California* v. *The United States*, Docket No. K-344, as set forth in the original petition filed on behalf of the Indians on April 14, 1929, and the amended petition filed on March 14, 1932, notwithstanding any limitations in the jurisdictional act of May 18, 1928 (45 Stat. 602) as to the time within which petitions setting forth the claims of the Indians must or should have been filed.

The act of May 18, 1928 (45 Stat. 602) authorized the Attorney General of the State of California to institute suit in the Court of Claims on behalf of the Indians of California and provided that suit should be instituted within 3 years from the date of its passage. Pursuant to the provisions of this act, an original petition was filed with the court on April 14, 1929. On March 14, 1932, an amended petition was filed on behalf of the Indians. On December 30, 1940, the plaintiffs filed a request for findings of fact and a brief. The Government filed its brief and request for findings on March 15, 1941. The case was submitted to the court on oral argument on May 7, 1941. One of the defenses relied upon by the Government in this suit is that the original petition filed by the plaintiffs did not comply with a jurisdictional requirement of the 1928 act and that the attempted removal of the defect on March 14, 1932, by the filing of an amended petition, came too late. The defense thus involves a matter of substance. The proposed joint resolution would deprive the Government of this defense and would direct the court to take jurisdiction, although if the defense is sound, the act authorizing the suit does not give the court jurisdiction.

In the suit now pending in the Court of Claims, it is in substance contended on behalf of the plaintiffs that the jurisdictional act of 1928 does not merely authorize the Court of Claims to adjudicate an existing dispute consisting of questions of law and fact, but compels a judgment in their favor—in other words, is an authority for a donation or gift, in the form of a judgment, of from $9,000,000 to $18,000,000. This contention is controverted by the Government. However, even if it should be assumed that the Congress did intend to make such a gift to these Indians, it would seem that there was attached to the offer of the Congress a requirement that it should be accepted within 3 years by the filing of an adequate petition. Viewed in this light, the joint resolution proposes to revive an offer made more than 12 years ago and by retroaction to give effect to proceedings taken after the expiration of that offer.

Whether an offer made under circumstances existing in 1928, which was not accepted within the time deemed advisable when the act was passed, should be renewed in the year 1941 is a question of policy as to which I prefer not to make any suggestions. However, since the question involved in the defense which the joint resolution proposes to waive has already been briefed and argued and submitted to the court for determination, it is believed that no action should be taken with respect to the proposed legislation at this time.

The Director of the Bureau of the Budget has advised me that there is no objection to the presentation of this unfavorable report.

Respectfully,

ROBERT H. JACKSON,
Attorney General.

Mr. COCHRAN. Mr. Speaker, I just want to read one sentence from this letter:

In the suit now pending in the Court of Claims, it is in substance contended on behalf of the plaintiffs that the Jurisdictional Act of 1928 does not merely authorize the Court of Claims to adjudicate an existing dispute consisting of questions of law and fact, but compels a judgment in their favor—in other words, is an authority for a donation or gift, in the form of a judgment, of from $9,000,000 to $18,000,000.

A treaty was never signed between the Indians and the Government, but despite that the jurisdictional act is so worded as to compel a judgment in favor of the Indians, according to the plaintiffs' attorney

This resolution broadens the jurisdictional act and the Attorney General feels that as this case has been argued before the Court of Claims the Congress should not pass this resolution at this time.

Therefore, Mr. Speaker, I object to the consideration of the joint resolution.

ADDING CERTAIN LANDS TO CLEVELAND NATIONAL FOREST, CALIF.

The Clerk called the next bill, H. R. 4205, to add to the Cleveland National Forest, Calif., certain contiguous lands

of the United States which can be most effectively and economically protected and administered as parts of said national forest.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to any valid subsisting rights which hitherto have been established and hereafter are maintained under any of the land laws of the United States, the lands hereinafter described hereby are added to and made parts of the Cleveland National Forest and hereafter shall be subject to all laws, rules, and regulations applicable to the national forests:

Township 15 south, range 6 east, San Bernardino meridian: Lots 3 and 4, section 7; lots 1 and 2 section 18.

Township 8 south, range 6 west, San Bernardino meridian: Sections 2, 11, and 14, exclusive of the parts thereof within the boundaries of the Santa Margarita grant.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COOPERATION BETWEEN BUREAU OF RECLAMATION AND FARM SECURITY ADMINISTRATION

The Clerk called the next bill, H. R. 3929, to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman where this bill is confined in its application? To what State or to what Territory?

Mr. O'CONNOR. I will say to the gentleman that it applies to all Great Plains States, particularly Colorado, Wyoming, and Montana.

Mr. SHEPPARD. It applies to those three States alone?

Mr. O'CONNOR. Oh, no; it applies generally, but it applies particularly to those States because they happen to fall within the Dust Bowl area of the Great Plains States.

Mr. KEAN. Mr. Speaker, reserving the right to object, I note that this bill does not conform to the Ramseyer rule.

Mr. O'CONNOR. I would say to the gentleman with respect to that that the original act was passed in August 1939.

It was as follows:

That, during the fiscal year of 1940, in order to further cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, the Secretary of the Interior is authorized, in pursuance of cooperative agreements between the Secretary of Agriculture and the Secretary of the Interior, (1) to consider the money or any part of the money made available to settlers or prospective settlers by the Farm Security Administration, as all or a portion of the capital required of such settlers under subsection C of section 4 of the act of December 5, 1924 (43 Stat. 702); and (2) where such farm units have been or may be improved by means of funds made available by the Farm Security Administration, to require an entryman of any such unit to enter into a mortgage contract with the Farm Security Administration to repay the value of such improvements thereon before an entry is allowed.

You will note that it simply gave the Farm Security Administration the right to cooperate with the Federal Reclamation with respect to relocating people who had been droughted out in the Dust Bowl area of the Great Plains States. The law, as originally passed, gave this authority for a period of 1 year, which expired in August 1940. A year ago the Congress renewed that authority for an additional period of 1 year, and it now expires in 1941. The only amendment provided for in this bill is to extend the operation of the law from 1941 until 1942.

Mr. KEAN. Does not the gentleman feel that if this report does not comply with the Ramseyer rule, we should carry it over for a couple of weeks to enable that to be done?

Mr. O'CONNOR. I will say to the gentleman that I hope he will not insist on that point of order, for this reason: An identical bill to this one has passed the Senate and it is necessary, if this authority is renewed, that the Farm Security Administration have the right to proceed with it, as applications are being made for loans under the operation of this bill.

Mr. WOLCOTT. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. WOLCOTT. I do not think there is any justification at any time for not complying with the Ramseyer rule. The Ramseyer rule was set up to acquaint Members of Congress with changes in existing law.

This bill is very clearly subject to a point of order because it does not comply with the Ramseyer rule. The gentleman must take into consideration the fact that those of us who have been asked to do the job of supervising this calendar frequently have to burn the midnight oil. Unless we have existing law before us we are compelled to get into the statutes. It would be humanly impossible for us to get into the statutes and dig out the law on all these bills which amend existing law. For this reason committee clerks—it is not the fault of members or the chairman of the committee—committee clerks should be warned that it is the policy of the objectors always to ask that these bills go over without prejudice the reports on which do not comply with the Ramseyer rule.

I might agree with the gentleman. Perhaps this is a more or less minor change—just an extension of time.

Mr. O'CONNOR. That is all it is, just an extension of time. The clerk perhaps thought compliance not necessary because the bill did not change the substance of the law.

Mr. WOLCOTT. But we have not anything before us to show what existing law is.

Mr. O'CONNOR. I may say to the gentleman from Michigan that I furnished the gentleman from New Jersey [Mr. KEAN] a copy of the legislation just a few moments ago. I hope the gentleman will not object, because it does not really go to the substance of a law. This particular law provides for the Farm Security to make loans to develop farm units on public lands under Federal Reclamation projects. Payments on both principal and interest are deferred for 4 years. Repayment of principal and simple interest at the expiration of 4 years is made in 36 annual installments of equal sums or amounts. The simple interest is added to the principal sum after the 4 years. These payments are amortized during the 36 years. This provision applies to permanent improvements placed on the farms. It is worked out through a contract between the Farm Security and the Reclamation Bureau. Money is also loaned by the Farm Security Administration to the farmers who locate on these public lands and take security for the repayment of the same upon personal property purchased. These loans run for a maximum period of 10 years and bear interest at 5 percent. No payments are yet due, under the operation of this law. I trust that the extension of this act will not be blocked by applying this technical rule.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. O'CONNOR. Mr. Speaker, will the gentleman withhold his objection?

Mr. TABER. No; I cannot.

BOCA DAM, BOCA, CALIF.

The Clerk called the next bill, H. R. 4490, to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District.

Mr. KEAN. Mr. Speaker, reserving the right to object, will the gentleman from Nevada explain where this money is coming from? The bill authorizes expenditures from funds now available. Where are they available?

Mr. SCRUGHAM. In the reclamation fund.

Mr. KEAN. I understand an amendment was offered in the committee to limit the amount of money, but that it was voted down. How much money will the Government be obligated to pay?

Mr. SCRUGHAM. The amount of money stated in the report completes the cost of the project. One million one hundred thousand dollars is approximately the amount involved. This amount is $100,000 more than the $1,000,000 which the old water rights in the Washoe irrigation district have contracted to pay.

Mr. KEAN. The actual cost is overrun?

Mr. SCRUGHAM. Yes.

Mr. KEAN. Where is the money coming from?

Mr. SCRUGHAM. From the reclamation fund.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I do so to call attention to a parliamentary situation. Calendar No. 109 is the Senate bill 15, which seems to be similar to this House bill. Is the gentleman going to ask permission to substitute the Senate bill for the House bill?

Mr. SCRUGHAM. That is my intention and I will now do so.

Mr. Speaker, I ask unanimous consent that Senate bill 15, an act to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District, may be substituted for the bill H. R. 4490, a similar bill.

Mr. TABER. Mr. Speaker, is it necessary to pass either one of these bills, either Calendar 108 or 109, either the House or the Senate bill, if there already is a valid existing contract as stated in the title of the bill between the United States and this water-conservation district? It is rather puzzling to me.

Mr. SCRUGHAM. I may say to the gentleman from New York by way of explanation that section 46 of the act of May 25, 1926 (44 Stat. 649), provides that no water can be delivered from the project until a contract is made for the payment of the cost of the work. The Government has other interests involved, the Newlands project and the Pyramid Lake Indian Reservation. This reservoir matter has been a live issue since 1913 when the Government brought a suit to adjudicate water rights of the Truckee River irrigation system. Until this bill is passed the adjudication is at a standstill. The adjudication will be made in a consent decree if this bill is passed.

Mr. TABER. That still, as I see it, does not answer the question as to why any legislation is necessary if there is a valid contract between the United States and this water-conservation district.

Mr. SCRUGHAM. The original contract was for $1,000,000, to be paid by holders of old water rights in the Truckee Meadows area. The total cost involved is about $1,100,000.

Mr. TABER. Why, if there is a contract, should it be necessary to have additional legislation?

Mr. SCRUGHAM. The Government has an interest in the Truckee River, but the exact amount of the Government's interest in the water cannot be determined until the adjudication proceedings are made final.

Mr. TABER. I cannot understand the need for this legislation.

Mr. SCRUGHAM. It took me quite a while to understand it, too, I may say to the gentleman from New York. This matter has been under acute controversy for 28 years, but at last all parties concerned seem ready to enter into a consent decree, provided this bill is passed. The relative interests in western water rights is a complicated subject.

Mr. TABER. Does this mean the construction of a new project?

Mr. SCRUGHAM. No; it does not. It is already done. The ranches involved in the project have some of the oldest water rights in Nevada, and most of them have been irrigated for 50 years or more.

The SPEAKER. Is there objection to the request of the gentleman from Nevada [Mr. SCRUGHAM]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to complete construction of the dam in the Little Truckee River, near Boca, Calif., which has been begun and substantially completed under a contract with the Washoe County Water Conservation District. The Secretary is authorized to make such expenditures, from funds now available for the completion of the Boca Dam, as may be required therefor.

SEC. 2. The Secretary of the Interior is authorized and directed to deliver custody of such dam to such district for operation and maintenance purposes in accordance with the contract between the United States and such district, dated December 12, 1936, at the earliest practicable time.

SEC. 3. The amount which such district is required to pay the United States under articles 11 and 12 of such contract of December 12, 1936, shall not exceed $1,000,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4490) was laid on the table.

STATUE OF COMMODORE JOHN BARRY

The Clerk called the next business, Senate Joint Resolution 31, authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, under other circumstances I do not think anyone would object to the donation of this statue, which would cost about $20,000; but we have been asked by the President, and the Ways and Means Committee and every Member of Congress is committed to the proposition of knocking about a billion dollars off the expenses of our Government. Of course, this is not a very large percentage of the billion, I admit, but we are trying to save and this does not seem to me the proper time to be building monuments to anybody, no matter how great they may be.

For this reason I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

AUTHORIZING ALASKA TO CREATE PUBLIC CORPORATE AUTHORITY

The Clerk called the next bill, H. R. 93, to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CLEVENGER]?

There was no objection.

AMENDMENT TO ACT CONCERNING THE TOWN OF SEWARD, ALASKA

The Clerk called the next bill, H. R. 95, to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of an act of Congress approved May 29, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska," is amended to read as follows:

"SEC. 6. This act shall become effective 30 days after its passage: *Provided*, That if at any time hereafter the public utilities property consisting of an electric system and a telephone system now being operated in and adjacent to said town of Seward under the name of Seward Light & Power, or Seward Light & Power Co., shall be offered by the owner or owners thereof to the town of Seward at a reasonable price, and the purchase shall be approved by the holder or holders of not less than 75 percent in principal amount of electric revenue bonds of said town outstanding on the date of approval by said bondholders, and by a majority of the qualified electors of the town of Seward voting upon the question at a regular election or at a special election called and held for that purpose within 90 days after the formal submission of said offer, the town of Seward is hereby authorized and empowered (a) to acquire said property, and to pay the agreed purchase price thereof; (b) to operate and maintain all or any part thereof for its own use and benefit and for the use and benefit of public and private consumers or users within and without the territorial boundaries of said town, as an integral part of the municipal electric system of said town; (c) to issue its bonds to finance in whole or in part the cost of acquiring said property; (d) to prescribe and collect rates, fees, tolls, or charges for the services, facilities and commodities furnished in connection with the operation of said property; (e) to pledge to the punctual payment of said bonds and interest thereon all or any part of the gross or net revenues from the operation of said property, separately, or in conjunction with property heretofore acquired by said town (including improvements, betterments, or extensions thereto hereafter constructed or acquired): *Provided further*, That the principal amount of bonds authorized under the foregoing provisions of this section shall in no event be in excess of the purchase price stated in the offer and all proceedings for the issuance and sale of said bonds shall be submitted to and approved by the holder or holders of not less than 75 percent in principal amount of aforesaid electric revenue bonds of said town outstanding on the date of such approval: *Provided further*, That said town may, upon consent of the holder or holders of not less than 75 percent in principal amount of bonds of said town issued under this act and outstanding on the date of such consent, issue its refunding and acquisition bonds in the aggregate principal amount of bonds to be refunded and such additional principal amount as the probable revenues from the operation of the combined systems will reasonably justify. Refunding and acquisition bonds, if issued, shall bear interest not exceeding 4 percent per annum; otherwise they shall be issued in compliance with other bond provisions contained in this act."

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed to the extent of such conflict.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider was laid on the table.

PURCHASE OF WINNING DESIGN OF PROPOSED SMITHSONIAN GALLERY OF ART

The Clerk called the next bill, H. R. 3388, to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Smithsonian Gallery of Art Commission is authorized to purchase, at a price not to exceed $2,500, from Eliel Saarinen, Eero Saarinen, and Robert P. Swanson, a model of their winning design furnished in competition for a design for the proposed Smithsonian Gallery of Art.

(b) Said Commission is further authorized to pay the sum of $800 to Joseph Hudnut and the sum of $700 to Thomas D. Mabry, Jr., as final payments to said persons for services rendered as consultants in connection with the competition for a design for the Smithsonian Gallery of Art.

SEC 2. There is hereby reappropriated, out of the unexpended balance of the amount appropriated in the Second Deficiency Appropriation Act, approved June 25, 1938, under the heading "Independent establishments," subheading "Smithsonian Institution," the sum of $2,500 to carry out the provisions of subsection (a) of section 1; and the sum of $1,500 is hereby made immediately available out of such unexpended balance to carry out the provisions of subsection (b) of section 1.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING MINING WITHIN THE ORGAN PIPE CACTUS NATIONAL MONUMENT IN THE STATE OF ARIZONA

The Clerk called the next bill, H. R. 2675, to permit mining within the Organ Pipe Cactus National Monument in Arizona.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

AMENDMENT TO FEDERAL CROP INSURANCE ACT

The Clerk called the next bill, H. R. 4595, to amend the Federal Crop Insurance Act.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. I may say in this connection that it is going to be our intention to continue to object to this bill. I make this statement so that if the sponsor of the bill, the gentleman from South Carolina [Mr. FULMER], chairman of the Committee on Agriculture, cares to do so he may make application for a rule.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

DISPOSITION OF TRUST OF INDIANS DYING INTESTATE WITHOUT HEIRS

The Clerk called the next bill, H. R. 4533, to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask what happens to these estates at the present time?

Mr. ROGERS of Oklahoma. What is the question?

Mr. WOLCOTT. This bill changes existing law in respect to the estates of Indians dying intestate. What disposition is made of their estates under existing law?

Mr. ROGERS of Oklahoma. There is no disposition made. That is the reason for the legislation. They just accumulate. They are small estates that do not amount to a great deal. Up to this time there has been no disposition.

Mr. WOLCOTT. Under this bill, the estate would revert to the remaining members of the tribe?

Mr. ROGERS of Oklahoma. Yes; where the heirs could not be found. It just applies to a few small estates.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, does the gentleman know what would happen if some Indian or some other party had a claim against an Indian who died? What would happen to his claim? The bill, as I read section 1, provides that not merely the land but all the accumulated rent, issues and profits therefrom held in trust for the decedent shall escheat to the tribe owning the land at the time of the allotment. It occurs to me that many times where Indians die under this circumstance claims against the estate of the Indian could not be taken care of. I find no provision in the bill that would permit the settlement of the claims before the property, the rents, and so forth, go to the tribe.

Mr. ROGERS of Oklahoma. That is under the supervision of the Secretary. The estate would have to be settled before any of it would revert.

Mr. CASE of South Dakota. I am not clear that is exactly a correct statement of the bill.

Mr. ROGERS of Oklahoma. That is the intention.

Mr. CASE of South Dakota. Mr. Speaker, in order that I may satisfy myself on that point, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered over the radio last evening by Mrs. Ernest L. Lundeen, the widow of a former colleague.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

CONSENT CALENDAR

OFFICE OF BUDGET AND REPORTS IN THE NAVY DEPARTMENT

The Clerk called the next bill, H. R. 3782, establishing an Office of Budget and Reports in the Navy Department, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, I understand that the Committee on Naval Affairs has further considered this bill and is about to offer an amendment which was unanimously adopted by the committee.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby created and established in the office of the Secretary of the Navy an Office of Budget and Reports, which shall be charged with such duties pertaining to naval budgetary matters and statistical and work reporting as may be prescribed by the Secretary of the Navy. All of the duties of this Office shall be performed under the authority of the Secretary of the Navy, and its orders shall be considered as emanating from him, and shall have full force and effect as such.

SEC. 2. At the head of the Office of Budget and Reports there shall be a Director of Budget and Reports, appointed by the President, by and with the advice and consent of the Senate, for a term of 4 years, from among line officers not below the grade of lieutenant commander on the active list of the Navy. The Director of Budget and Reports shall have the same rank and shall be entitled to the same pay, allowances, and privileges of retirement as are now or may hereafter be perscribed by or in pursuance of law for chiefs of bureaus in the Navy Department.

SEC. 3. There shall be an Associate Director of Budget and Reports, who shall be a civilian appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended. The Associate Director shall perform such duties as the Secretary of the Navy may designate, and during the absence or incapacity of the Director or during a vacancy in the office of Director he shall act as Director.

With the following committee amendment:

Page 2, at the end of the bill, insert a new section, as follows:

"SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act."

The committee amendment was agreed to.

Mr. IZAC. Mr. Speaker, I offer an amendment which is authorized by the Committee on Naval Affairs.

The Clerk read as follows:

Amendment offered by Mr. IZAC: On page 2, in line 6, change "four" to "three."

On page 2, in line 13, insert a new section 3, as follows:

"SEC. 3. An officer of the line of the Navy may be detailed as assistant to the Director of Budget and Reports, and, in case of death, resignation, absence, or sickness of such Director, shall perform the duties of such Director until his successor is appointed or such absence or sickness shall cease. The Assistant to the Director of Budget and Reports shall, while so serving, receive the highest pay of his rank."

Strike out lines 13 to 20, page 2, and insert section 4, as follows:

"SEC. 4. There shall be a civilian assistant to the Director of Budget and Reports, who shall be appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended. The civilian assistant shall perform such

duties as the Director of Budget and Reports may designate."

On page 2, in line 21, change "Sec. 4" to "Sec. 5."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIRED OFFICERS OF THE NAVY AND MARINE CORPS ON ACTIVE DUTY

The Clerk called the next bill, H. R. 3149, providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all commissioned officers of the Navy and Marine Corps on the retired list shall, when on active duty, receive full pay and allowances of the rank or grade in which they serve on such active duty.

With the following committee amendment:

Page 1, at the end of the bill, insert "*Provided*, That this act shall not operate to reduce the pay and allowances of such retired officers while on active duty."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVAJO INDIAN RESERVATION

The Clerk called the next bill, H. R. 4277, to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, do I correctly understand that the funds to be allocated for the construction and maintenance of this highway are to be reimbursable out of tribal funds?

Mr. ANDERSON of New Mexico. The gentleman is correct.

Mr. WOLCOTT. This has no connection, therefore, with the money which was authorized to be appropriated to build Indian trails?

Mr. ANDERSON of New Mexico. That is right.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1296, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of June 7, 1924 (43 Stat. 606), entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor," be, and the same is hereby, amended to read as follows:

"There is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sum of $20,000, or so much thereof as may be necessary for each fiscal year, to be expended under the direction of the Secretary of the Interior, for maintenance of that portion of the Federal-aid highway from Gallup, N. Mex., to Shiprock, N. Mex., across the Navajo Indian Reservation and that portion of the State highway in New Mexico between Gallup, N. Mex., and Window Rock, Ariz., serving the Navajo Reservation, reimbursable from the tribal funds of the Indians of said reservation: *Provided*, That Indian labor shall be employed as far as practicable: *And provided further*, That if no funds are available no expenditure shall be made."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4277) was laid on the table.

NATIONAL-DEFENSE TRANSPORTATION BY MERCHANT VESSELS

The Clerk called the next bill, H. R. 4700, to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. A rule has been granted and the bill will be considered tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE COAST GUARD

The Clerk called the next bill, H. R. 4658, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENDING THE APPLICATION OF SECTION 6 OF THE ACT OF JULY 2, 1940, TO ALL TERRITORIES, DEPENDENCIES, AND POSSESSIONS OF THE UNITED STATES

The Clerk called the next business, House Joint Resolution 183, extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask if this is the bill that the gentleman tried to bring up by unanimous consent the last time?

Mr. MAY. Yes; this is the same resolution objected to by the gentleman from New York [Mr. FISH] on last Thursday.

Mr. WOLCOTT. We had some debate on it at that time, as I recall it.

Mr. MAY. There was no debate, but there was some general discussion about it.

Mr. WOLCOTT. There was some discussion of it?

Mr. MAY. Yes; there was.

Mr. WOLCOTT. This bill is designed to prevent leaks by way of the Philippines to those who might become our enemies; is that right?

Mr. MAY. Yes; and it is very urgent, I will say to the gentleman. The Senate has passed an identical joint resolution, and I would like to substitute the Senate joint resolution for the House measure, as it is a very urgent matter.

Mr. WOLCOTT. Is this the bill which President Quezon, of the Philippines, has asked for? As I understand, last week he called attention to the fact he wanted this to apply to the Philippine Islands in order to prevent these leaks going by way of Japan into Russia and into Germany, possibly.

Mr. MAY. That is the bill, as I understand it. I did not know anything about his request, however. This was requested by the office of the Secretary of State, and the Military Affairs Committee had hearings on it. It simply provides that the provisions of the act of July 2, 1940, shall be made applicable to the District of Columbia, the Philippine Islands, and the Panama Canal Zone.

Mr. WOLCOTT. Did not the Commissioner of the Philippines appear before the committee on the bill?

Mr. MAY. The Commissioner of the Philippine Islands appeared before the committee and made a strong statement in support of the joint resolution.

Mr. WOLCOTT. And the purpose of it is to put the Philippine Islands in the same status as the United States and our other possessions in respect of limitations on these exports?

Mr. MAY. That is exactly it, with respect to strategic materials.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (S. J. Res. 76) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the provisions of section 6 of the act of Congress entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), shall be applicable to all territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia, and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction of offenses committed in the Philippine Islands in violation of the provisions of that section or of any proclamation, or of any rule or any regulation, issued thereunder.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H. J. Res. 183) was laid on the table.

AMENDMENT OF SECTION 6 OF THE ACT OF JUNE 7, 1939

The Clerk called the next bill, S. 994, to amend section 6 of the act of June 7,

1939 (ch. 190, 53 Stat. 812; U. S. C., Supp. V, title 50, sec. 98 (e)), and for other purposes.

Mr. KEAN. Mr. Speaker, reserving the right to object, will the gentleman from Kentucky explain one or two things in this bill? I believe I am very much in favor of the purpose of this measure, but the original bill that this amends expires June 30, 1943. In accordance with the terms of this bill you are making a perpetual stock pile, and the question is whether that clause with respect to expiring June 30, 1943, would not become ineffective.

Mr. MAY. The only purpose of this bill is to provide for a rotating fund of appropriations that have been made or may be made under the provisions of the act of 1940, for this purpose. With respect to tin and tungsten and rubber and manganese and similar strategic materials, the act of 1940 provided for rotation only as to those which were of a perishable nature or would deteriorate and become less valuable.

The resolution that we are now discussing simply provides that that fund shall be applicable to all the materials and shall become a rotating fund. I imagine that the amendment here would expire at the same time that the original act expires. I do not see how it could do otherwise.

Mr. KEAN. It seems to me that this would make it perpetual.

Mr. MAY. Oh, no; it is simply an amendment to an act which under its own provisions will expire in 1942 or 1943, whatever the time is. The purpose of the bill is to cover the emergency.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. TABER. Mr. Speaker, I reserve the right to object. What sort of things would be sold, and why would they be sold?

Mr. MAY. For instance, if we had a large quantity of rubber on hand, and it was deteriorating and thereby becoming perishable, they would sell it while it is good rubber for the price that they could get for good rubber, and replace it later, but they want this money to come back into this same fund.

Mr. TABER. We have been running into a lot of things where they have been selling things; for instance, the sale of saddles.

Mr. MAY. That is not a strategic material, and not in contemplation of this act. We have no scarcity of cow hides.

Mr. TABER. This would relate only to strategic materials?

Mr. MAY. Yes; such as tin, tungsten, rubber, manganese, and such things as that that we have not got much of and cannot get much of.

Mr. WOLCOTT. How does this machinery regarding strategic materials differ from the machinery we set up through the R. F. C., whereby Corporations were set up to purchase and hold strategic materials? We have four Corporations set up for this purpose; they exercise the right to effectuate a priorities program. Is there anything in this bill which gives these Corporations the right to exercise priorities in the distribution of this material?

Mr. MAY. This bill does not affect any of those concerns.

Mr. WOLCOTT. What jurisdiction have the War and Navy Departments over these corporations which have been set up as independent agencies? I am rather surprised that the War and Navy Departments have exercised any control over these Corporations set up as subsidiaries to the Reconstruction Finance Corporation.

Mr. MAY. But this is not a request from the War or the Navy Departments at all. This is a request from the Treasury Department, and the funds are under the Procurement Section of the Treasury.

Mr. WOLCOTT. I differ most respectfully with the gentleman. The funds by which we are purchasing strategic material are furnished by the Reconstruction Finance Corporation, and the Treasury has nothing to do with it.

Mr. MAY. It simply authorizes these concerns to rotate their product and utilize these funds for that purpose.

Mr. TABER. This would not affect the funds of the corporations set up by the R. F. C. It would only affect things purchased with appropriated funds that belong to the War Department.

Mr. WOLCOTT. That is correct.

Mr. MAY. No; it does not. They can rotate the funds they have available under this. The War Department and the Navy Department can rotate the funds available to them under this act. The Appropriations Committee was authorized by special act to appropriate $100,000,000, and they have appropriated or made available to the War and the Navy Departments approximately $70,000,000 of that fund. What they want to do is this: When they sell under this rotating provision of the original act one or two or more of these materials, they want the money they get for those materials to go back into the fund, and that is all there is to that.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. WOLCOTT. I wish the gentleman would clear up in the RECORD the connection between this bill and the act passed a year ago, in June, authorizing the Reconstruction Finance Corporation to set up these corporations.

By the act of June 1940, as I recall, we authorized the Reconstruction Finance Corporation to set up these corporations, and the gentleman will find it in the law in which we extended the capital of the Export-Import Bank to $500,000,000 and authorized them to make loans to South America. This act is the act of June 7, 1939. The $100,000,000 was made available by appropriation out of the Treasury for this purpose. That is what I wanted to clear up in this connection, and I wanted to do it today if possible, because within the next few days we are going to have to consider some amendments to that act which give extremely broad powers, dictatorial powers, to the President in respect to the acquiring and distribution not only of materials but in the manufacture of all articles incident to the defense program. Does this tie into that program at all?

Mr. MAY. The gentleman asked me a question that I probably did not understand. This appropriation has no reference whatever to the R. F. C. funds. That was simply an act brought in by the Banking and Currency Committee that authorized them to set up four different agencies, one of which was the metal reserves. They are operating on a different fund from this. This was a fund appropriated in pursuance of the act of July 2, 1939, which authorized the appropriation of money for the discovery and location of strategic materials. I think there are 39 or 40 of them.

Mr. WOLCOTT. I think the gentleman has probably answered it. What I wanted to develop was the fact that this act has no relation to the act which authorizes the setting up of these corporations for the purpose of acquiring excess stocks of strategic and critical materials. This revolving fund applies only to the $100,000,000 which was appropriated out of the Treasury and does not apply to the capital of these corporations?

Mr. MAY. It could not. It does not affect them at all.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE of South Dakota. It seems to me that for the purpose of the record it ought to be made clear just what this bill applies to. I understood the chairman of the Military Affairs Committee to say that this was to make possible the use of money received from the sale of materials sold to prevent deterioration. The present act already creates that authority.

Mr. MAY. No.

Mr. CASE of South Dakota. If the gentleman will permit me to read this paragraph.

Mr. MAY. I can explain, I think. I know what the gentleman is driving at.

Mr. CASE of South Dakota. A letter from the Treasury Department to the Speaker says:

> The present act provides that when, in order to prevent deterioration materials purchased with funds from this appropriation are issued to other departments and agencies of the Government, or sold, reimbursement therefor or the proceeds of such sale shall be credited to this appropriation.

Then it points out the difference:

> There is, however, no corresponding provision for the reimbursement of appropriations in the event that materials in the Procurement Division's stock piles are, without regard to rotation to prevent deterioration, ordered to be used under section 4 of the act of June 7, 1939, providing as follows:
>
> "SEC. 4. Materials acquired under this act except for rotation to prevent deterioration shall be used only upon the order of the President in time of war, or when he shall find that a national emergency exists with respect to national defense as a consequence of the threat of war."

In other words, if we may have a clear understanding of this bill, it is to use funds that are received from the sale of materials that are ordered by the President—permitting those to be used as a revolving fund. Material that brings in money, because it is sold to prevent deterioration, is already available.

Mr. MAY. I thought the gentleman understood what I said originally about this bill. There are two provisions in it. One was that the original bill actually did provide for rotation or sale and repurchase of some of the different materials that they want to acquire. It did not provide for the rotation or reuse of any of the fund itself.

Mr. CASE of South Dakota. I understood the gentleman to give rubber as an illustration. Money received from rubber stocks can all be used. This bill is not necessary to permit the use of money received from the sale of rubber or anything else that deteriorates.

Mr. MAY. The testimony before our committee showed that tungsten was the principal thing they wanted to cover.

Mr. CASE of South Dakota. Does tungsten deteriorate?

Mr. MAY. Not to any great extent. Similar to manganese.

Mr. TABER. Mr. Speaker, what bothers me about it is this: The Treasury Department and Mr. Knudsen have come up here and asked us to create a permanent appropriation during the life of this act. They have not shown, and there is nothing in the report of the committee to show, that there is anything in the nature approaching exhaustion of either the original appropriation or the authorization. I am rather loath to come here with this sort of a thing without a development of those facts.

I am also wondering if the committee has any information as to whether or not the things that we are releasing from amongst strategic materials were being sold for as much as the Government had paid for them to put them into the stock piles.

Mr. MAY. If the gentleman will yield to me, I would like to answer that.

Mr. TABER. I would like to have what information the gentleman has on both of those questions.

Mr. MAY. The proof shows that they are not selling any of the materials whatsoever to anybody except in exchange between the War Department and the Navy Department, where one needs chrome in one instance and the other needs magnesium, if they have it, the one that has it allocated to him can sell it back to the other. There are no public sales of it to individuals or to the outside up to this time, because private industry seems to be reasonably well supplied with these materials, but my impression is the Government has not been so fortunate in acquiring stock piles.

Mr. TABER. It is all within the Government.

Mr. MAY. That is right. What they want is authority to rotate the fund so they will not have to come back to the Appropriations Committee to ask for more money.

Mr. TABER. I am rather anxious that the Congress may keep its finger upon this matter so that when we are through with this situation there will not, after the so-called emergency has ceased, be further purchases. We have tried in making appropriations along that line to follow that rule. It seems to me that when we pass this bill, any control on the part of the Congress is out the window.

Mr. MAY. No; not at all. Will the gentleman yield to me?

Mr. TABER. I yield.

Mr. MAY. The committee discussed that matter very carefully, and we concluded the matter could be entirely controlled by the House Appropriations Committee, of which the gentleman is a member, and we felt that if we made this a rotating fund which could be reused, the Committee on Appropriations would not be called upon to appropriate additional funds. In any event, there is nothing, as we understand, in the fact that, as the gentleman would indicate, they are trying to involve the Government in any additional expense. They are trying to handle the materials to the best advantage of both national-defense agencies—the Navy and the Army.

Mr. TABER. I hesitate to object to this kind of bill, but it does seem to me we are getting into a rather peculiar situation where we are setting up so many corporations through the R. F. C., and then we are setting up this fund. Every one of these entities is in the entire control of the Department which handles the subject matter involved without any control on the part of Congress. The minute we pass this bill, whatever control we may have is out, and these folks can go right along, after the war situation might be over, until the date of the expiration of this bill revolving that fund, and there is no control over that amount; what they shall get for the stuff they sell. It does seem to me that we are getting in pretty deep.

Mr. MAY. Does not the gentleman understand that what they can get for anything they sell depends always upon the market?

Mr. TABER. It should.

Mr. MAY. If they were selling on an open market, that would be the case; but in this instance they are not selling to the outside, and they have construed the act to be such that the Government departments cannot even transfer between themselves, the Army to the Navy or the Navy to the Army, without this authority to make the fund reallocable or to recur to the appropriation from which it is made. I may say to the gentleman that the Military Affairs Committee felt, as they have in the consideration of many other authorizing acts, that the House Appropriations Committee would take care of the matter and do it very easily.

Mr. TABER. But with the passage of this bill there will be no control whatever on the part of the House Appropriations Committee.

Mr. MAY. The House has already appropriated the money. The money has been appropriated. This bill does not affect that.

Mr. TABER. But it does affect all the material that is on hand, and puts that material into the category where they can continue to revolve it regardless of when the end of this so-called emergency may come.

Mr. MAY. I will guarantee that if the gentleman from New York should have a committee hearing and these people were to come before his committee and ask for the remaining $25,000,000 authorized under the act, he would vote for it.

There is no effort here to squander or waste this fund. The only purpose is to get the material out and handle it. It is imperative, it is needed, and I hope the gentleman will not object.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. Did I understand correctly that the chairman of the Committee on Military Affairs said none of these goods were to be sold to private concerns?

Mr. MAY. I did not say that. I said none were being sold.

Mr. CRAWFORD. Let us suppose they were sold to a private concern, corporation, or otherwise; could not the Government operating through the Priorities Division under the law we passed the other day reach into the warehouses of private concerns and immediately take over the things anyway, if they were sold?

Mr. MAY. That is right. But the chief purpose of the original act was to have the Government acquire stocks of strategic raw materials and have them on hand in case private industry was caught short at a critical time like the present perilous times, so as to make this country free of dependence upon foreign sources, and in order to make our own country secure as against obstruction or closing of trade lines to foreign sources, we tried to provide for development of domestic sources here in our homeland. That was the vital feature of the legislation as I saw it.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act of June 7, 1939 (ch. 190, 53 Stat. 812; U. S. C., Supp. V, title 50, sec. 98e), is amended by adding at the end thereof a sentence as follows: "Any funds heretofore or hereafter received on account of sales or other dispositions of materials under the provisions of this act shall be deposited to the credit, and be available for expenditure for the purposes, of any appropriation available at the time of such deposit, for carrying out the provisions of sections 1 to 6, inclusive, of this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING THE USE OF NARCOTICS ON AMERICAN VESSELS ON THE HIGH SEAS

The Clerk called the next bill, H. R. 4258, to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States.

Mr. COLE of New York. Mr. Speaker, reserving the right to object, this bill imposes a fine of $5,000 and imprisonment for a term of 5 years on any person who takes aboard an American vessel narcotics of any type or of any kind. As the bill has been amended by the committee any person going aboard an American ship taking even a narcotic necessary for medicinal purposes would be subject to the penalty and fine. I ask, therefore, unanimous consent that the bill may be

passed over without prejudice until the matter can be adjusted.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. BLAND. I merely want to remind the gentleman that the calendar of committees may be called this coming Wednesday, and, this being so, I should like to have the amendment worked out by that time.

Mr. COLE of New York. Will the gentleman prepare the necessary amendment?

Mr. BLAND. I have an amendment, but I do not know whether it covers the case proposed by the gentleman from New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BARDEN. Mr. Speaker, that completes the call of the Consent Calendar.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

ADJUSTMENT OF CERTAIN LOSSES OCCURRING IN THE REDEMPTION OF ADJUSTED-SERVICE BONDS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to revert to No. 82 on the calendar, H. R. 3847, to adjust certain losses occurring in the redemption of adjusted-service bonds. There was an amendment approved by the committee which was inadvertently not read.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill was engrossed, read a third time, and passed, be vacated, so that I may offer this amendment.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. HOBBS]?

There was no objection.

The SPEAKER. Is there objection to the present reconsideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, whereas, in effecting the distribution and redemption of adjusted-service bonds in the years 1936 and 1937, as authorized by the act of January 27, 1936 (ch. 32), as amended by the act of June 3, 1936 (ch. 482, 49 Stat. 1099, 1396; 38 U. S. C. 1934 ed., Supp. V, secs. 686–688b), certain misdeliveries and erroneous payments were made, due for the most part to circumstances beyond their control, by certain postmasters and postal employees designated at the request of the Secretary of the Treasury to perform such fiscal agency service pursuant to the provisions of said act of June 3, 1936, the Comptroller General of the United States, the Secretary of the Treasury, the Treasurer of the United States, and the Postmaster General are authorized, in those cases where it shall be jointly determined by the Postmaster General and the Secretary of the Treasury that such misdeliveries and erroneous payments occurred without negligence upon the part of the postmaster or postal employee charged with the error, to relieve them of such charges. There are hereby appropriated out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effect the relief hereby granted, not to exceed, however, the aggregate sum of $6,000: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HOBBS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: Page 2, line 13, after the word *"Provided"*, insert "That in those instances where the misdeliveries or erroneous payments referred to herein have resulted in failure of the true beneficiaries or payees to receive securities or payments, proper deliveries and payments shall be promptly made to them as contemplated by the act of January 27, 1936, as amended: *Provided further.*"

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME LIMIT FOR COOPERATION BETWEEN BUREAU OF RECLAMATION AND FARM SECURITY ADMINISTRATION

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to revert to No. 107 on the Consent Calendar, the bill, H. R. 3929, to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in development of farm units on public lands under Federal reclamation projects.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to substitute the bill, S. 1089, for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of August 7, 1939 (Public, No. 307, 76th Cong., 1st sess.), as amended by the act of June 17, 1940 (Public, No. 636, 76th Cong., 3d sess.) is hereby further amended by striking out "during the fiscal year 1941", and by inserting "during the fiscal year 1942."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WICKERSHAM asked and was given permission to extend his own remarks in the RECORD.

ACQUISITION BY UNITED STATES OF TITLE TO OR THE USE OF DOMESTIC OR FOREIGN MERCHANT VESSELS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection; and the Speaker appointed the following conferees on the part of the House: Messrs. BLAND, RAMSPECK, MANSFIELD, WELCH, and CULKIN.

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a statement relative to the T. V. A.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. SPARKMAN]?

There was no objection.

AUTHORIZING ACQUISITION OR CONSTRUCTION OF CERTAIN AUXILIARY VESSELS FOR THE UNITED STATES NAVY

Mr. SABATH. Mr. Speaker, I call up House Resolution 205 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 3783, a bill authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, later on I shall yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, this rule makes in order the bill H. R. 3783, which will give the President the authority to acquire certain additional auxiliary vessels of any size that he may deem necessary. I understand that some of these vessels can be acquired by purchase, while some may have to be constructed. I am further informed that the bill has been unanimously reported by the committee, and that it is absolutely necessary to acquire these ships.

The President has asked for this authority, and I may say the total cost will not exceed approximately $300,000,000. This will provide 58 needed ships of various types. As there is no opposition to the rule itself nor to the bill, there is nothing more I have to say in explanation of why the rule should be adopted. I know the gentleman from Virginia will more fully explain the urgent need of these vessels.

Mr. Speaker, I reserve the balance of my time and I yield now 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, in view of the very fine, thorough, complete, and constructive analysis of this bill by the gentleman from Illinois, who is chairman of the Committee on Rules, I do not think it is incumbent upon me to take much of the half-hour to further elucidate upon it.

It comes here with a unanimous report of the committee. May I say further, I do not think we ought to take much time for its consideration because it does not require a very large amount of money. This bill only calls for $350,000,000 and after all when we consider a bill of this nature involving only $350,000,000, I do not believe we ought to spend very much time on it. This is not a billion-dollar bill. This is only a third-of-a-billion-dollar bill.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. In view of the smallness of the sum involved, does not the gentleman think this bill should have been taken up on the Consent Calendar?

Mr. FISH. I was wondering how it ever got here under a rule and escaped the unanimous-consent procedure.

This bill comes here with a unanimous report from the Committees on Naval Affairs and Rules. All it does is to provide for the acquisition and the building of some 50 or 60 auxiliary vessels, tenders for submarines, mine sweepers, and so forth, and many of them have already been acquired in advance of action by the Congress and are now in possession of the United States. The thing that worries me about this bill, however, is whether the distinguished chairman of the Committee on Naval Affairs, who will probably address this House in a short time, will give any guaranty to the House that these vessels already acquired or about to be acquired, built, or about to be built, will be retained for the use of our Navy in defense of the United States of America, or will be leased-lent to some other nation. I should like to get a definite statement from the gentleman on that.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. FISH. I certainly will yield to the gentleman from Georgia.

Mr. VINSON of Georgia. The same thought was in the minds of the committee, and I propounded the question to Admiral Robinson. Admiral Robinson stated that, irrespective of the lease-lend bill, the Navy Department, in view of its shipbuilding program, would be asking for this authorization for these auxiliaries. Not one vessel referred to in this bill is contemplated to have the slightest connection with the lease-lend bill. I ask the gentleman from Oregon [Mr. MOTT] to read into the RECORD in his time Admiral Robinson's answer to my question on that.

Mr. FISH. I thank the gentleman. I am sure the gentleman knows, as he always does, what he is talking about. I believe that guaranty is what the Members of Congress expect, and I hope the minority Members will likewise in due course make a definite statement to the House and a commitment or guaranty that they will not be leased-lent to foreign nations.

Mr. VINSON of Georgia. If the gentleman will yield further, we can only state what has been stated to us; we cannot guarantee. We can only inform the House that this information was given. Of course, the gentleman could not expect the committee or he could not expect the minority members of the committee to guarantee anything. We can only bring the information to the House and state what information is given to us.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Nebraska.

Mr. STEFAN. I am glad the gentleman asked that question, because in the minds of the public today there is the question as to whether or not, since we are building a tremendous fleet here, merchant marine or otherwise—we are talking about naval ships now—after this thing is all over and the post-war period arrives, we will be left with a lot of tubs that will not move, and lose our merchant marine business over the world as we lost it before.

Mr. FISH. I believe that question should be asked tomorrow during the consideration of the priorities bill that will come up then affecting our merchant marine That is a very important question to bring up, and I hope the gentleman is here to do it, because while we are giving, and probably properly so, a large part of our merchant marine to the British to transfer lend-lease articles, the British are using their own merchant marine all over the world to continue to promote their own trade, while we are surrendering our trade throughout the world by disposing of our ships to the British.

Last Saturday when I was in New York some people from Brazil waited upon me and wanted to know how and where to buy four ships from us to promote trade between Brazil and the United States. We have lent millions of dollars to Brazil and other South American countries, and certainly, having loaned that money to them, we ought to help provide ships to carry the export-import business between us. There is some difficulty, I assure the gentleman, in acquiring these ships even from this pool of 85 sh ps we have seized. I would suggest the Maritime Commission take some of the Italian ships, which it probably will not turn over to the British, and put them in our import-export trade with Latin America.

Tomorrow, if the gentleman is here, I should like to discuss that question a little further in regard to our merchant marine, because it is highly important. Are we or are we not going to send our merchant marine into the Red Sea and continue to let the British use their ships to promote trade all over the world while we are shipping lend-lease articles for the purpose of defense? It raises a very important issue.

Mr. STEFAN. If the gentleman will yield further, the reason I asked that question is that the gentleman and I have seen the time when the American flag, as far as the merchant marine is concerned, disappeared from the oceans of the world, and there is great danger of that at this particular time. We are building a tremendous number of ships which are going elsewhere, and we are liable to be left in the lurch.

I am sorry I injected the question of our merchant marine, I may say to the chairman of the Committee on Naval Affairs, but this problem has been disturbing a lot of people.

Mr FISH. As the gentleman well knows, we generally hold the bag at the end and lose, anyhow. I anticipate that that is just about what will happen if we continue the course we are now pursuing. We shall probably lose our merchant marine and our trade.

If I were to criticize the administration, and far be it from me to want to do that, and coming from me it may be a little surprising, I would say that where it has been more negligent than in any other phase of the war emergency is that it did not at the very beginning of this war begin to build merchant ships as was done in the last war. In the last war the call was for American ships, more American ships, and still more American ships. They were built of everything ships can be built out of. They were built out of concrete, out of wood, and I think they would have been built out of cardboard, or they would have if they had thought about it. It was just a question of production of merchant ships to get the goods across and to take our troops across. I am surprised that in this particular emergency the administration has failed to do that. Now they are crying out loud for merchant ships, which will not be built for over a year, to supply the lend-lease articles to Great Britain and China, and the public has not the faintest idea about it. That is a just and fair criticism.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. I do not agree with the distinguished gentleman from New York that that is a just criticism, for this reason. Suppose the Government had embarked upon a policy of doing as the gentleman has just stated, building a merchant marine. Where would the ships for the Navy have been in that event, because the industry is so limited that it cannot carry on a large maritime building program and at the same time build the ships of war. We have to give way to one or the other, so the Government has adopted the wise policy of building ships for the Navy and, as fast as possible, building up the merchant marine.

Mr. FISH. My answer to the gentleman is this: Of course, it takes time to get skilled Navy labor, but in America we have a large amount of partially skilled labor that soon could be turned into the kind of labor that could build these merchant ships. What I have in mind about merchant ships is simply this—and I know something about it, because a very unfortunate situation exists in my own district at Newburgh, N. Y. In Newburgh, in my district, during the last war, there was a shipyard where fabricated ships were built. This did not take much skilled labor. They got the steel plates and slapped them together and launched 8,000- and 9,000-tonners. They could have been doing the same thing for the last 2 years, but yet that yard has not been put into operation, in spite of the fact that President Roosevelt made a definite promise before election that it would be. And that is only one of many yards throughout the country that could have been put to work in making fabricated ships, and no one claims that it takes a great deal of skilled labor to do this. Therefore, I submit that, although I respect the gentleman who is the chairman of the committee a great deal, nevertheless I think my criticism is valid and sound because these former yards could have been used in building merchant ships not only at Newburgh, but probably in 20 or more other shipyards throughout the United States.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Texas.

Mr. MANSFIELD. The gentleman called attention to the fact that in the last World War we commenced building merchant ships immediately and that that had not been done at this time. I call the gentleman's attention to the fact that at that time we contemplated putting several million men over in Europe, and that is not in contemplation at this time, so far as I know.

Mr. FISH. I hope the gentleman is correct.

Mr. FITZGERALD. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. FITZGERALD. I wish to state to the House that I have exactly the same condition in my district with one of the finest shipyards along the north Atlantic coast, which was inspected by the Maritime Commission in 1938 and approved by the Commission, but 10,000 men are still unemployed there.

Mr. FISH. I am glad to hear the gentleman say that, because there are 2,000 idle men ready to go to work at the shipyard at Newburgh if afforded an opportunity by the Federal Government, and this is not a partisan issue.

Mr. VINSON of Georgia. Not a bit.

Mr. FISH. And I want to go on record as saying that I have great admiration for Admiral Land. I think he is a very able man. I have known him for a great many years, long before he became Chairman of the Maritime Commission, and I am not here to criticize him or any members of the Commission. I am here criticizing the policy of not using every single, possible yard. I venture to say there are at least 2,000 people in Newburgh and vicinity right now who are idle and who could be put to work on these fabricated ships if the Government got behind the proposition. The gentleman from Connecticut says there are more in his district.

Mr. FITZGERALD. Ten thousand.

Mr. FISH. And these are only two districts. Therefore I claim we have been negligent and are still negligent in not producing more and still more merchant ships to transport these lend-lease goods to Great Britain and China, and to build up our merchant marine and foreign trade without interfering with our national defense.

If I were to answer this question in detail, I would say to the Congress that, of course, we must build up our two-ocean Navy. We are all in favor of building up a two-ocean navy, but at the same time we ought to take advantage of all these shipyards that are not being used now to build up our merchant marine. Furthermore, if we are going to wait to build up our two-ocean Navy and build even the naval auxiliaries provided in this bill, I doubt if we are getting anywhere because our yards and repair docks are filled with British warships. I am not opposing this, but they are filled with British warships, and I do not know how we are going to build our two-ocean Navy in view of this situation. Perhaps I should not discuss this issue; perhaps it is too delicate, but facts are facts, and if that is what we are trying to do—to build a two-ocean navy—I do not know how we are going to do it if we adopt the policy of repairing the British Fleet first.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. PITTENGER. I would like to comment upon the fact that we have on the Great Lakes shipbuilding facilities, and I would also like to point out that we have a shipyard at Riverside or at Duluth, Minn., which built 44 boats during World War No. 1. That yard is available and I want the House to know that those facilities up to this date have not been utilized and no effort has been made in that direction.

Mr. FISH. The gentleman is just one more Member of the House who agrees with me. We have made a serious mistake and that mistake was made in the beginning. The gentleman is an able and popular Representative from the city of Duluth. He knows what he is talking about. He knows about the Great Lakes, although he is wrong about the proposed St. Lawrence ship canal. However, he is 100 percent right about using our idle shipyards, and I think we ought to have an indignation meeting in Congress and try to persuade the administration to make use of every available shipyard in America and of all possible facilities to produce merchant ships. [Applause.]

Mr. VINSON of Georgia. We will have that meeting tomorrow on the merchant-marine bill.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3783, authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3783, with Mr. SOUTH in the chair.

The bill is as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to acquire or convert or to undertake the construction of 200,000 tons of auxiliary vessels of such size, type, and design as he may consider best suited for the purposes of national defense, such vessels to be in addition to those heretofore authorized.

SEC. 2. Existing authority for the replacement of naval vessels shall hereafter be deemed to permit the construction of combatant vessels of such type and design as the President may deem to be in the best interests of the national defense, so long as the total tonnage thereof does not exceed the total tonnage of the vessels being replaced.

With the following committee amendment:

Page 1, strike out all of section 2 and insert:

"There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act."

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes. This bill is presented to the House by the distinguished member of the Committee on Naval Affairs, the gentleman from Oregon [Mr. MOTT]. While this is an administrative measure, requested by the administration, yet in presenting this bill it is of such national importance that I requested that our distinguished Member from Oregon present it. In the Naval Affairs Committee we try to do things from an American, a national standpoint, and not from a partisan standpoint. Some three bills have been considered by the House this morning, and two of them were presented from the Naval Affairs Committee by a minority member. So it was a pleasure as chairman of the committee to give this administration bill to the gentleman from Oregon, who will explain in detail more than I shall the various phases of the bill.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. COX. I ask the gentleman to yield to me in order that I may compliment his committee for the liberality it has shown in permitting minority members to report administration bills. I wish other committees would follow the example set by the gentleman's committee.

Mr. VINSON of Georgia. I thank the gentleman. That is the policy of the Naval Affairs Committee. It has been its policy since I have been its chairman, for 11 years. We are not concerned with party lines but are concerned with bringing in proper measures for your consid-

eration and furnishing the committee with full information about the bill.

This bill was requested by the Secretary of the Navy and has the approval of the administration and the sanction of the President and the Budget and it involves an expenditure of from $300,000,000 to $350,000,000. It provides for the construction or acquistion or conversion of approximately 59 ships, classified as auxiliary ships. The admirals testifying before the committee stated that these ships were needed for our Navy, irrespective of the lease-lend bill. If there had been no lease-lend bill introduced and passed, they would have been before the committee asking for 59 auxiliary ships. The Navy is divided, as gentlemen know, into 2 classes of ships, ships that are called combatant ships—fighting ships, and auxiliary ships. These are auxiliary ships, and it is absolutely essential that the Navy have this type of ships, to support the fighting arm of the Navy. That is what they are for. When the bill was first introduced and sent to the Speaker and referred to the Committee on Naval Affairs, it contemplated only some 26 ships, of some 200,000 tons, but while the hearing was in progress Admiral Stark notified the committee that it was necessary to purchase between now and the first day of August some 33 ships. Therefore we made the tonnage run up to 550,000 tons. It is to be hoped that the Navy Department can find and convert these ships and not be required to build them all. If it is required to build them of course it will take a long time to do so. That is the whole picture.

Mr. Chairman, this bill, which authorizes the acquisition or construction of 550,000 tons of auxiliary vessels for the Navy is considered of the utmost importance by the Navy Department.

As the Congress knows, the authorization for the two-ocean navy, which became law on July 19, 1940, dealt mainly with combatant vessels, and was the last of a series of authorizations, beginning with the act of March 27, 1934, which specified the composition of the Navy, so far as combatant vessels were concerned, by types and by total tonnages.

Because of the ever-changing needs of the Navy with respect to combatant ships, which, as I have said, were met from time to time by new authorizations, no attempt has ever been made to fix a total tonnage for auxiliary vessels. Instead, each time the composition with respect to combatant vessels has been changed, an authorization for auxiliaries has either accompanied it, in the same act, or followed in sufficient time to form a balanced Navy.

Thus there is not total specified tonnage for auxiliary vessels today, and by the same token, although the authorization for the two-ocean Navy did include 100,000 tons of auxiliaries, history has repeated itself, as it was expected it would, and the total tonnage of auxiliary vessels is lagging far behind that it should be in proportion to combatant ships.

In other words, our fleet is unbalanced, and unless immediate provision is made for more auxiliaries, it will become more and more out of balance as combatant vessels are completed.

Another feature of existing authorization for combatant vessels which does not apply to auxiliaries is the authority to replace. When the combatant ships authorized by the 1934 act reach a certain age, as defined in the Eleven Percent Expansion Act of 1940, they may be replaced by vessels of the same type. No times have ever been specified as age limits for auxiliaries.

A brief summary of authorizations for auxiliaries is as follows:

Under the act of August 29, 1916: 1 transport, appropriated for in 1941.

Under the act of July 30, 1937, 36,050 tons: 1 submarine tender, 1 destroyer tender, 1 seaplane tender, 1 oiler, 1 fleet tug, and 1 mine sweeper.

Under the act of May 17, 1938, 133,650 tons: 3 destroyer tenders, 2 submarine tenders, 3 large seaplane tenders, 7 small seaplane tenders, 1 repair ship, 4 oil tankers, 1 mine layer, 3 mine sweepers, and 2 fleet tugs.

Under the acts of June 14, 1940, and July 19, 1940, 175,000 tons. Unused tonnage from the 1937 authorization, however, was 4,200 tons, and from the 1938 authorization, 21,930 tons. Added to the 175,000 the total figure therefore became 201,180 tons, there being 50 tons already left over. With this authority there was laid down a program of 198,420 tons, made up as follows: 2 destroyer tenders, 3 seaplane tenders, 9 small seaplane tenders, 4 submarine tenders, 7 oilers, 7 mine sweepers, 2 mine layers, 3 repair ships, 5 gasoline tankers, 4 net layers, 5 submarine rescue vessels, and 1 transport.

In addition to the foregoing, the Emergency Supplemental Appropriation Act, 1940, authorized the acquisition and conversion of 1 transport, and authority to acquire 43 other auxiliaries was contained in the first and second Supplemental National Defense Appropriation Acts for 1941. These 43 vessels, which have been or are to be acquired, consist of 2 destroyer tenders, 4 ammunition ships, 2 hospital ships, 4 supply ships, 6 cargo ships, 2 stores issue ships, 3 submarine tenders, 3 seaplane tenders, 14 special auxiliaries, 1 tug, and 2 vessels for flag duty.

The foregoing authorizations have now been exhausted.

Under the act of April 5, 1941, which was title VII of the Naval Appropriation Act for fiscal year 1941, 12 additional auxiliaries were authorized and appropriated for. Of this number, 2 will be ammunition ships and 2 will be cargo ships. The others have been tentatively designated as follows: 2 destroyer tenders, 2 store ships, 1 hospital ship, 1 cargo ship, 2 airplane transports.

At the time the act of April 5 became effective the Navy Department had made tentative plans for 45 large auxiliaries; 7 of these could be acquired under previous authorization, leaving 38 to be acquired. The act of April 5 took care of 12 of these, leaving 26 to be covered by subsequent legislation.

Since the 45-ship program was planned it has been found impossible to project the needs for auxiliaries, but the Navy Department feels, and the committee agrees, that a minimum of 33 more ships will be required if the fleet is to be properly supported and properly balanced.

The additional ships contemplated will be of practically every type. Generally speaking, these requirements are known, but, under present world conditions, needs which cannot be fully anticipated are constantly arising. Moreover, these needs are constantly changing, sometimes from day to day.

Under the circumstances, and in order to be able to plan for any duty it may be called upon to perform, the Navy Department must have the necessary authority to acquire whatever ships of the required characteristics best fit into the immediate situation with which it may be confronted.

Following this line of reasoning, which I consider eminently sound and prudent, it is the present intention of the Navy Department, upon the granting of the authority and being provided with the money, to acquire and convert at once as many auxiliaries as are known to be needed now, and which will continue to be needed for the support and balance of the fleet. The others will be acquired and converted as the necessity therefor is created by world development.

The bill is expected to provide a total of 59 ships, being the 26 left over from the 45-ship program and the additional 33, some of which are intended to provide an operating margin, so far as authorization is concerned. To acquire and convert these ships will average a little better than $5,000,000 per unit, making a total ultimate cost of between $300,000,000 and $350,000,000, depending on the type to which converted and many other factors not definitely known at this time.

The Congress was quick to realize the necessity of the vast building program of combatant vessels upon which we have now made considerable progress. I feel sure that with the United States Navy in the most important position it has occupied for generations—and perhaps in the history of the country—that the Congress will be equally alert to the necessity of backing up the combatant units with the necessary support.

If there is any question any Member desires to ask me, I shall be glad to yield. If not, I shall give way now to the distinguished member of the committee the gentleman from Oregon [Mr. MOTT], and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, I reserve the remainder of my time.

Mr. MAAS. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, it is not my intention to take up very much of the time of the House in a discussion of this bill, for the reason that so far as I have been able to learn there is no serious opposition to it. Even the distinguished gentleman from New York [Mr. FISH] is in favor of the bill, although in his remarks a moment ago he made some

rather critical comment on some phases of naval policy, but I think his remarks were directed more to the shipbuilding program of the Maritime Commission than the Navy Department.

This bill, H. R. 3738, authorizes the President of the United States to acquire or convert or to undertake the construction of 550,000 tons of auxiliary naval vessels of such size, type, and design as he may consider best suited for the purpose of national defense, such vessels to be in addition to those heretofore authorized.

At the present time, under existing law, we have 338 auxiliary vessels with a total tonnage of 1,102,181 tons. This bill authorizes an additional 550,000 tons, which will give us an additional 59 vessels of this class, making a total tonnage for auxiliary vessels authorized, when this bill becomes law, of 1,625,181 tons.

The reason for this bill and its necessity as well as its urgency will be apparent to anyone who will read the hearings which were held before the Committee on Naval Affairs when this bill was under consideration, and I recommend to everyone a careful study of the printed hearings.

As you all know, the United States at the present time is building not only the greatest navy of any single nation in the world, but a navy which we believe will be large enough and strong enough to successfully meet and defeat any navy or combination of navies which in the future might undertake an attack on the United States. [Applause.] That is the definite policy which is now being carried out with the overwhelming approval of both the Congress and the country, and I am very glad to say that this program of naval supremacy is proceeding much faster than anyone at first thought it would. Our two-ocean navy, full-armed and full-manned, will be engaged in safeguarding the security of the United States in both oceans at the same time a full year ahead of the date first set for its completion.

Those of you who had an opportunity last week to witness the ceremony of the commissioning of the new battleship *Washington* at Philadelphia I know must have felt a great thrill of pride—pride in the genius of a nation which could conceive and build such a ship and pride in the progress which the completion of the *Washington* shows the Navy Department is making in the creation of this supernavy. There at Philadelphia we saw go into active service as a part of the fleet one of the two greatest battleships of the world, and our feeling of pride was doubly great in the knowledge that the other one of these two greatest war vessels was another American battleship of the same class. This ship, the *Washington*, and its sister ship, the *North Carolina*, which was commissioned only about a month ago, are the largest, the fastest, the strongest, and the most effective of all the battleships in the world, and others like them are rapidly to follow. When this program is completed—and let me observe here that the battleships *Washington* and *North Carolina* were each commissioned some 14 months ahead of schedule—when this program is completed we believe that the United States will be absolutely secure against any attack from any quarter of the globe.

Mr. CULKIN. Mr. Chairman, will the gentleman yield?

Mr. MOTT. Yes; I yield to the gentleman from New York.

Mr. CULKIN. Are these ships entirely for national defense?

Mr. MOTT. They are entirely for national defense, and they are all naval ships. They are auxiliary naval vessels and constitute an integral part of the fleet.

Mr. CULKIN. They will not have any subsequent commercial value?

Mr. MOTT. Oh, no; as I have said, these are naval vessels. For the information of those who may not be quite clear as to just what constitutes auxiliary vessels, I will give you a list of some of the classes of vessels that are included in this bill. For example, under the classification of auxiliary vessels, such as this bill provides for, we have destroyer tenders, submarine tenders, large seaplane tenders, small seaplane tenders, oil tankers, mine layers, mine sweepers, fleet tugs, store ships, cargo ships, ammunition ships, hospital ships, airplane transports, and repair ships.

Mr. CULKIN. I thank the gentleman. Can he tell me what the approximate speed of these tankers is?

Mr. MOTT. No; I could not tell you what the speed of the tankers to be provided under this bill is. Some of the tanker are to be newly built, some are to be purchased, and some are to be converted from other ships. The speeds of all will not be the same. In the newly built ones the Navy always tries to get as much speed as is practicable for that class of ship. However, information on that point is available, and, if the gentleman would like me to do so, I would be glad to compile it and put it into the RECORD.

Mr. CULKIN. I would appreciate it very much.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Some statements were made by the chairman that quite a number, perhaps 30 or more, of these auxiliary naval ships could be acquired.

Mr. MOTT. That is correct; and the reason for that is speed. In many cases we can purchase or convert in much less time than we can build.

Mr. ROBSION of Kentucky. From whom can we buy them?

Mr. MOTT. We may, under the authority of this bill, buy suitable ships which are already made from anyone who owns them and then convert those ships into naval auxiliary ships. We, of course, can do that in much shorter time. A good commercial tanker, for example, would require little conversion to put it in shape as a naval auxiliary. The principal work would be to arm it and to give it what protection we could against bombing and gunfire.

Mr. BOBSION of Kentucky. Not any of them are now naval craft?

Mr. MOTT. No; none of them now are naval craft, but under this bill they will become naval craft, and we may not only construct these ships from the keel up but we may buy private ships and convert them into naval auxiliaries. I may say we are already doing that in a great many yards in this country at this time, but our authority to build any more of them under previous acts is now exhausted. That is why a new authorization bill is necessary at this time.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. MOTT. I yield to the chairman of our committee, the distinguished gentleman from Georgia.

Mr. VINSON of Georgia. In answer to the gentleman from Kentucky with reference to the conversion of ships, in all probability the Navy will be able to buy from private individuals or from corporations who have certain types of ships, and they will buy those ships instead of building them if they suit naval needs. For that reason the bill uses the words "to acquire and convert." They have purchased a great many from people over the country today.

Mr. ROBSION of Kentucky. Who determines the price to be paid?

Mr. VINSON of Georgia. That is left entirely to the Navy Department. The Navy Department works that out. They are competent to tell that. It is based probably upon tonnage and other factors and for the purpose for which they intend to use them.

Mr. MOTT. On that point I may say further, the gentleman will find some testimony in the hearings before the Naval Affairs Committee. It was estimated that the average cost of these vessels would be about $5,000,000, but the cost of each will depend upon its class and size and whether it is to be constructed new from the beginning or whether it is to be purchased and converted. The estimated average cost, however, is about $5,000,000 apiece. That would give us approximately 59 of these naval auxiliary vessels.

Mr. CULKIN. What is the probable authorization in this bill, in dollars? No sum is named in the bill.

Mr. VINSON of Georgia. It will be between $300,000,000 and $350,000,000. That is as close as we could come to it.

Mr. MOTT. Matters of this kind, which are technical in nature, must be left largely to the consideration of experts and it has been the policy of the committee to do that. The experts of the Navy Department are men who make a life study of these things and who are paid by the taxpayers of the United States to do just exactly that. For technical advice we must rely on them, and I think all will agree that the kind of things they have produced fully justifies that reliance.

Now, unless there are some questions I feel I should not consume further time of the House. I want to take this occasion, however, to thank the chairman of our committee for the compliment he was gracious enough to pay me in his

opening remarks upon this bill and to assure him that I consider it an honor to be asked by him to report the bill to the House. Let me say in this connection, Mr. Chairman, that it is a high privilege for any Member to have an opportunity to serve under the leadership of this great chairman of a great committee. So efficient, so wise, so expert, and so patriotic has been the work of the chairman of the Naval Affairs Committee of the House, the gentleman from Georgia [Mr. VINSON], that the House of Representatives has long been in the habit of accepting at full value every recommendation that comes out of his committee. Whenever the committee unanimously decides upon naval policy the House always concurs with the committee. And that is the greatest tribute the House can pay to the chairman of any committee. As a result, very largely of his zeal and wisdom, we now have not only the finest Navy in the world, ship for ship and man for man, but in a very short time we are going to have a Navy that will be superior to any two of the combined navies of the world. I believe this will insure for all time our national security. With such a Navy as the present program contemplates, certainly no foreign dictator, mad as he may be, would be mad enough to undertake an invasion or an attack upon the United States. He would know that with this Navy, and with the air force that goes with it, and with the naval establishments and shore stations which are now extended not only along continental United States upon both sides, but far-flung into both the Pacific and Atlantic Oceans as well; I say he would know, as we know, that the United States will be safe in the future not only against any attack but against any effective threat of attack upon us. [Applause.]

Mr. MAAS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill was unanimously reported after complete hearings, and there is no question but that these auxiliary ships are absolutely essential to the Navy. Combatant ships are only one part of the Navy. They are unable to operate unless they have the necessary complement of auxiliary ships—supply ships, tankers, and so forth. I want, however, to address myself for a minute or two to the question of idle shipping facilities in this country.

While it is contemplated that under this bill most of these ships, if not all, will be acquired and converted, I hope if any are to be built that the Navy and the Maritime Commission will give further consideration to the utilization of idle shipyards. We are presented with an anomalous situation in this country, for at the present time while we have a shortage of shipping, resulting in a serious and crying need for additional ships, at the same time there are idle shipyards and there is idle shipyard-labor available.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. PITTENGER. I know my colleague is familiar with the fact that at Duluth, Minn., we have shipyard facilities and shipyard labor. Many ships were built there in World War No. 1. I should like to call his attention to the fact that in that section of the State there have been no war-defense contracts. I am not talking now about St. Paul or Minneapolis where just the other day, I understand, one national-defense order was placed, but in the section I represent at the head of the Great Lakes, northern Minnesota, has received no benefits whatever from this national-defense program. The unemployed are still there except as eastern interests come and get them and take them away. There are still plenty of unemployed, there is still plenty of skilled labor. If the national-defense program is to be made effective the Midwest should certainly be considered.

I do not want to be critical of the Maritime Commission, and I do not want to be critical of the naval authorities, but I hope the Naval Affairs Committee will do what they can to see that there is a shipbuilding program started on the Great Lakes at Duluth, Minn., and other places where facilities exist.

Mr. MAAS. The gentleman from Minnesota is always alert in looking out for the interests of his district, and he has been very successful. The chairman of the Committee on Naval Affairs, the gentleman from Georgia [Mr. VINSON], has been very much concerned at our hearings about failure to utilize to the fullest extent our available shipyards. All the members of the Naval Affairs Committee have constantly brought this matter up in committee. I know that what you are talking about has the complete sympathy of the chairman of the Naval Affairs Committee. I hope that the Navy Department and the Maritime Commission will take cognizance of this situation and the attitude of Congress.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. I may say to the gentleman from the great city of Duluth that we are all disappointed that more contracts were not let to the shipbuilders on the Great Lakes in the program of 400 ships. It was the committee's understanding that the bulk of them would be built in the Great Lakes. But after they made an investigation and had competitive bids on what it would cost, they were only able to give some forty-odd ships to the Great Lakes. We are all interested in the matter, and we hope that every shipyard in the United States will be utilized.

Mr. MAAS. I know we will have the support of the gentleman from Georgia [Mr. VINSON] in alleviating this situation.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. While the chairman of the Committee on Naval Affairs is here, I want to call something to his attention. I know that he and the ranking minority member tried to treat the builders on the Great Lakes fairly. But this was called to my attention when we passed that appropriation for the 200 ships some time back. One of the shipbuilders showed me his contract. Here was a contract printed in black ink. When the contract was submitted to the builders of ships on the Great Lakes there was added to the printed contract a paragraph with a rubber stamp in red ink which said that the completed ship must be delivered at a port on the Atlantic, the Pacific, or the Gulf of Mexico. This added $7,000 for each ship and shut out many of these men who wanted a chance to build some of the ships.

Mr. MAAS. I am glad to have that information. Of course, I am concerned with the necessity of all parts of the country participating in the defense program, but my primary concern is not that the local communities get some defense contracts; it is the fact there are idle facilities which could be utilized to get additional ships for this Nation when we need them so badly. We embarked upon a policy of aiding the British Navy by repairing its ships. That is all right, it is a part of our national policy, but this further restricts the availability of shipbuilding and ship-repair facilities, doubling the load and necessitating more than ever the utilizing of every possible shipbuilding facility and ship-repair facility in this country.

Mr. GEHRMANN. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Wisconsin.

Mr. GEHRMANN. I simply want to emphasize the statement made by my neighbor from Duluth, Minn. Duluth and Superior are really one port. Not only did they not use those facilities when they have known about them for more than 2 years, but they went so far as to make a survey and came back and stated there was not any skilled labor available there. Of course, I knew better than that. So I got together with the Association of Commerce and within a week I had the names of over 3,000 people, their homes, their addresses, and their skill. This they could not deny, although they said there were not over 50 skilled men available. We took those names down there, and since they have awarded one little contract. I hope we will get more. There are not over 500 men working and we have the names of over 3,000 skilled shipbuilders.

Mr. MAAS. The Naval Affairs Committee has a subcommittee to investigate the shipbuilding facilities and shipbuilding program of the Navy. I am sure that that subcommittee will look into the survey that was made on the Great Lakes. I agree with the gentleman it was a very faulty and a very inaccurate survey. I am sure that the subcommittee will go into the matter thoroughly and will bring the full facts to the attention both of the Navy and of the country.

Mr. MOTT. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Oregon.

Mr. MOTT. I want to make a short observation which I think may clear up some of the questions which have been asked. When the survey was made by the Navy Department in an effort to find facilities which could build the ships

under our present construction program, my understanding is that it confined its selection as much as possible to those shipbuilding facilities which were already engaged in the building of ships at that time, which had their organizations and their crews in being. In addition to shipyards of that class there were also many other shipyards which had performed good work in the past, but which had no present organization. The Navy Department thought it better, at least to start with, that as many contracts as possible be given to these going concerns. It is my understanding after careful inquiry, because I have situations in my own State of Oregon very much like the situation mentioned by the gentleman from Minnesota, that in the case of future contracts the Navy Department is going to try to take care of these other shipbuilding facilities. I, for one, and as a member of this shipbuilding investigation subcommittee, am going to try to insist that this be done.

Mr. MAAS. That is very fine and I am glad to hear they are considering that program. I know the gentleman will look into it and follow it up.

Mr. VINSON of Georgia. May I say that the statement of the gentleman from Oregon [Mr. MOTT] is correct. When they made the survey they found a great many shipbuilding yards were already going concerns in which they would not have to spend one penny. They were given preference and priority, which was only right. It should have been done in that manner. It would have been false economy, it would have been a reckless expenditure of public funds, if they had to go out and build up a yard to give them a contract when there was a yard already going that could handle the job.

Mr. MAAS. Yes, I think that is quite true; however, there have been reports in the last few days that they are going to contract to build a substantial number of small vessels in Canada. I am sure the chairman will agree with me that before we go outside of our own country we had better put the available facilities in our own country into proper operation.

Mr. VINSON of Georgia. I thoroughly agree with that and I do not think we need to be disturbed about any rumors with reference to building ships in Canada. We have facilities in this country and by the expenditure of sums of money we can meet all our ship-building programs.

Mr. MAAS. That is all I want to insure will be done. In other words, I want every available facility in this country put into operation first.

Mr. STEFAN. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Nebraska.

Mr. STEFAN. Did I understand the distinguished ranking minority member of the Naval Affairs Committee to say that that committee has an investigating committee going around to make investigations of these shipyards?

Mr. MAAS. A subcommittee has been appointed and will look into all of these matters, and go wherever it is necessary to go.

Mr. STEFAN. May I say to the ranking minority member that I invite the chairman of the Committee on Naval Affairs, the ranking member of that committee, and all those who are members of your investigating committee, to come out to Nebraska and investigate the Nebraska navy, of which the gentleman is an admiral.

Mr. MAAS. Yes; I am very proud of being an admiral in the Nebraska navy.

Mr. VINSON of Georgia. I may say to the gentleman from Nebraska that we certainly will investigate the building of a large air field and a large branch of the Martin airplane factory at Omaha, where it probably could have been built more economically than at other places.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Connecticut.

Mr. FITZGERALD. I find the same condition, but I am not in conflict with the plans of the Army and the Navy for the building and the expansion of these yards. However, we are being confronted every day with the claim that we do not have ships enough to carry the goods. I have been to every department down here in regard to this idea. In my district we have shipyards that can build vessels as large as 35,000 tons. I am told that using such shipyards might interfere with the building of submarines. However, there are 650 boys in C. C. C. camps in my district, 555 in two cities in my district who are under the National Youth Administration, and 10,000 unemployed American workingmen with American brains.

We need ships, and I say the time has arrived when we must train these men if we want to get materials over to Britain. It is a national disgrace to have facilities such as we have in this country, not only in my district but in other districts, and not use them. They should be investigated, and men not now employed or on W. P. A. should be given employment in them.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to acquire or convert or to undertake the construction of 200,000 tons of auxiliary vessels of such size, type, and design as he may consider best suited for the purposes of national defense, such vessels to be in addition to those heretofore authorized.

With the following committee amendment:

Page 1, line 5, strike out "Two hundred" and insert "five hundred and fifty."

Mr. JOHNS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was very much interested in hearing what my colleague from Wisconsin had to say with reference to these contracts on the Great Lakes. I remember very well that when we voted a short time ago for the building of 400 vessels, they were to be built on the Great Lakes. I find that a great many of them are being built elsewhere.

I was very much interested in hearing what the chairman of the committee had to say with reference to facilities, and that they were going to spend some money in places where they had already a partial shipyard. I have such a situation as that in my own district, and with the investment of a few thousand dollars you could have a very fine shipyard, because it was started during the last World War and at the present time requires only a small amount to complete it. There you can build some very large vessels. The place where the vessels can be built is very handy to the Great Lakes. You can build those large vessels there, if you can get them through the canal out to the coast.

I was very much interested in the gentleman's statement about the unemployed, not only in the C. C. C. camps but otherwise in his own district. We have a situation in Wisconsin where there are about 40,000 people on W. P. A. There is no reason, of course, why we should not put some of those men to building ships on the Great Lakes. This is especially true in the city I have in mind, Kewaunee, Wis., where it became necessary as a result of the national-defense program to close one of the large factories which employed 150 men. These men can be put into shipbuilding and be kept off W. P. A. or relief, whichever might have the result.

May I ask the chairman of the Committee on Naval Affairs if he knows who is the chairman of the subcommittee that is making this investigation?

Mr. VINSON of Georgia. I may say to the distinguished gentleman from Wisconsin that the House passed a resolution authorizing the Committee on Naval Affairs as well as the Committee on Military Affairs to conduct an investigation of their respective jurisdictions. We have created an organization and have now sent out a questionnaire to every shipbuilder in America that has a contract, to find out all about his contract. We are going to inquire into every phase of the naval expenditure and make report back to the Congress, to let you know what is being done.

Mr. JOHNS. I thank the gentleman very much.

Mr. VINSON of Georgia. The chairman of the subcommittee is, I believe, the gentleman from New Jersey [Mr. SUTPHIN].

In connection with shipbuilding on the Great Lakes, may I say in respect to the other bill that I was very much disappointed that the Navy Department did not award more contracts to the shipbuilding firms out there. Their reply was that they found so many other places where they would not have to spend one penny. They gave 48 contracts, I believe, to the Great Lakes shipbuilders, but that was the limit where they would not have to spend money. When they do have to spend money to build up shipbuilding plants, it naturally follows that the Great Lakes, not being congested, should be a proper place to build up and expand this shipbuilding program. I am very much interested in it.

Mr. JOHNS. I thank the chairman for his observation and the very fine information he has given us here. I will cooperate with the committee in furnishing any information they want with reference to these places on the Great Lakes, especially my own district, which covers

a large portion of the western shore of Lake Michigan. [Applause.]

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I believe what I have to say is pertinent to the bill under consideration.

Ever since I came to Congress, and before that, I have stood for labor. I propose to continue to do so. I propose to do what I can to see that we have fair consideration of all the difficulties that may arise, and that the group of men most essential to our defense program, who do the work, shall be dealt with in a fair and just manner by our Congress.

I also believe that it is most important that we take no action which the constructive 98 percent of the men among labor will feel is unfair, because we have to depend on them as our front line in this whole matter and anything which would weaken the constructive labor forces or put them in a difficult position would be a bad thing.

Now I wish to say a couple of things about the situation in San Francisco shipyards.

I made a speech in the House about a week ago in which I pointed with satisfaction and with joy to the west-coast shipbuilding agreement that had been made, and among other things pointed out that an over-all agreement, lasting for the period of the emergency, had been made between the employers and the unions which would prevent strikes and lock-outs and in which wage and other matters were to be adjusted by negotiation during that time. A short time after that a strike of the machinists was called, a strike for an increase in wages of 3 cents an hour. I find that the machinists had not signed the master agreement so they did not break an agreement, but nevertheless it seemed to me then, and it does now, that their action in that case was evidence of lack of responsibility, and during this time it is upon a sense of responsibility on the part of all groups in this country, including labor, that the freedom of all groups has got to rest.

I am going to oppose every move that might be taken to deprive labor of its essential liberties, because I am convinced that one of the first steps that has been taken by any dictatorship has been the destruction of such organizations of the people, but I want to say that it is my earnest hope that the efforts of the Governor of California by his appeal to these men to go back to work will be successful. And if the Governor's efforts are not successful, then, although I know their decision was tough when they took it, yet I think the decision of the other shipyard unions to pass that picket line, under all the circumstances, is right. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. Existing authority for the replacement of naval vessels shall hereafter be deemed to permit the construction of combatant vessels of such type and design as the President may deem to be in the best interests of the national defense, so long as the total tonnage thereof does not exceed the total tonnage of the vessels being replaced.

With the following committee amendment:

On page 1, line 9, after the figure "2", strike out the balance of the section and insert: "There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act."

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SOUTH, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration the bill H. R. 3783, pursuant to House Resolution 205, he reported the same back to the House with sundry amendments adopted in Committee.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from New Jersey [Mr. MCLEAN] is recognized for 15 minutes.

Mr. MCLEAN. Mr. Speaker, my purpose is to direct attention to a forthcoming moving picture which reflects discredit upon Members of the Congress of the United States, both Senators and Representatives. In a preview of this picture yesterday morning in the pictorial section of the Washington Post it is said that in the picture entitled "An Adventure in Washington," Hollywood focuses attention on the lives, traditions, and Americanism of the boys who serve as pages in the Senate. The preview states that script writers spent several weeks at the pages' school and with the pages on their jobs, to collect the material for the sequences that go to make up the picture. Such a statement lends authenticity to the story, hence some people will be led to believe that the rascality it depicts really exists in the high councils of the Nation. The fact is that the whole thing is a silly stretch of the imagination and should be resented by every Member of the Senate, the House of Representatives, the corps of pages in both Houses, and those who supervise them.

I have known the United States Senate since boyhood, when I served there, and so great is my respect for it and so dear to me are the memories and traditions of that great body that I respond to an obligation to resist the false impression toward it that such an exposition will engender. The Senate does not need me to defend it, and perhaps I have no place in doing so, but there is a relationship between that body and this which the average person does not understand. And many people viewing this picture will put Members of the House of Representatives in the same category with Members of the Senate, and also will put the boys who serve us daily in the same category with the boys of the Senate. Therefore, I think it an appropriate time and place to bring this matter to the attention of the Nation.

It is said that but for the continuous session of the Congress last summer, the Senate pages themselves would have been in the cast. If the preview properly describes the picture, it is fortunate for the pages and for the traditions of the Senate and the personal character of the Senators and Members of the House of Representatives that their duties prevented the pages from going to Hollywood to participate in the production.

Briefly, the story of the picture is that two United States Senators have recommended for appointment as a page a boy whom they have never seen. Could anything be more ridiculous to start with? The boy's name is Marty. He sits in a chair before the Senators wearing his cap, while the Senators stand amazed at his arrogant, hoodlum manner. To provide the human-interest element, the Senators give him a chance. The background for the exciting story that is to follow—and of which Marty is to be the central figure—and the war atmosphere of the day require that Marty be made out incorrigible and unpatriotic. Hence, in the school conducted for the pages he is shown to be disrespectful, refusing to obey rules, and as thinking the pledge to his country is silly. His fellow pages play pranks on him. This results in a fist fight in which all the pages participate on the floor of the Senate. Then Marty is dismissed because he has found out by eavesdropping all the secrets of some sort of a defense bill, and he is shown later in the picture with a handful of money in a spirit of resentment selling the information he possesses to one described as "a big lobbyist." He then gets a job as a dishwasher and, while so employed, hears it told over the radio that the leak in the defense information has caused a senatorial investigation involving the Senator who sponsored him as a page. He hastens to overcome the harm he has done. At the end he is shown in the Senate Chamber again. Having cleared the Senator before the investigating committee, he is now on trial by the pages. To give the occasion the appearance of the trial of a culprit, Marty appears in a civilian suit while his audience is dressed in the usual uniform dress of a Senate page. As the curtain falls, Marty is found not guilty and worthy to continue as a Senate page.

Nothing could be more ridiculous. Perhaps a plan of reformation for Marty might have been arranged, but restoration to his former position as a page, under the circumstances, would not be one of its elements.

Meanwhile, in the course of events, a United States Senator is shown in company with the "big lobbyist" consorting

with a glamorous woman at a high-toned social function.

There may be a moral in all this, but I do not see it. It may be a good box-office attraction, but certainly that ought not to be at the expense of the character of public officials. There are several reasons why I resent the set-up. I shall not take the time to give you my idea of the effect such performances have on the boy mind. You who have had experience with the average boy need not be told. It is important, but there are other and important reasons which to my mind affect generally the public welfare. We are spending much of our time and effort to preserve what remains of democracy and free government. Such an exposition as this will not contribute to that end. Governments have been destroyed when the people became convinced that corruption was prevalent in high places and with public officials and those associated with them. This picture is, in effect, propaganda to that end.

It has gotten to be the habit to devise plots which create in the public mind false impressions of those who are sent to Washington to represent the people. They have a tendency to destroy the confidence of the American people in their Government. It is unfair to this great country and its people to make its legislative bodies the object of such fantastic imaginings and to use the Senate Chamber and familiar scenes about the Capitol for its stage settings.

Anyone who knows anything at all about the United States Senate must know that the pages are not a group of boys who are allowed to run wild, to engage in fist fights and practical jokes, or to foment corruption. They are, on the contrary, a group of earnest, well-bred boys, impressed with the dignity and importance of their employment. They have little time for other than their ordinary duties. While the Senate is in session they are constantly employed. After adjournment and during the morning they have duties to perform in preparation for the session of the next day. Their supervisors realize the necessity of preventing their employment interfering with their educational development and have provided facilities and competent instructors and so arranged their duties as to make it possible for them to keep up the school work of boys of their age. They are respectful, polite, painstaking, and industrious.

If Hollywood wanted a picture focusing attention on the lives, tradition, and Americanism of the pages and the Senators, a far better script could have been prepared. It would tell of two pages who became United States Senators, of one who became a great actor, of a number who became physicians and lawyers, of one who became a bishop of the Episcopal church, of one an officer of a large New York bank, and of a number of useful men who are today guiding the activities of Congress in various capacities about the Senate and the House of Representatives; and for human interest it could be told how many of them assisted in the support of widowed mothers by the remuneration they received.

You all know that many patriotic and high-minded women are petitioning us to support legislation that would regulate and control the moving-picture industry. This picture, as shown by yesterday's preview, is an argument in their behalf. At the same time, we are receiving petitions from the moving-picture industry in opposition to such legislation. The latter advance the argument that the moving-picture industry is a valuable means of education. What sort of education would this picture give to the American people? What contribution would this picture make to the respect they should have for our system of government—respect which is so necessary to its continuance and preservation? The public mind should know that expositions of this kind are a libel upon the Congress of the United States and those connected with it, and destructive of that which we call free government.

I propose to introduce a resolution for the purpose of looking further into this situation. Meanwhile, I have taken steps of my own to bring to the attention of those who propose to exhibit this picture the utter ridiculousness of the plot and the false impression they themselves will be responsible for creating in the public mind and the harm resulting from this and like productions. It is my hope that in the public interest they may be induced to withhold this exhibition. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. FLANNERY, indefinitely, on account of sickness.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 13. An act to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.; to the Committee on Indian Affairs.

S. 158. An act to amend the Federal Crop Insurance Act; to the Committee on Agriculture.

S. 234. An act to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only; to the Committee on Military Affairs.

S. 372. An act awarding a Navy Cross to Hector Mercado; to the Committee on Naval Affairs.

S. 394. An act to revise the boundaries of the Saguaro National Monument; to the Committee on the Public Lands.

S. 588. An act to give to the Secretary of Agriculture permanent authority to make payments to agricultural producers in order to effectuate the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act; to the Committee on Agriculture.

S. 613. An act authorizing the Snake or Piute Indians of the former Malheur Indian Reservation, of Oregon, to sue in the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone; to the Committee on Naval Affairs.

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty; to the Committee on Military Affairs.

S. 1073. An act for the relief of Peter Joseph Costigan; to the Committee on Naval Affairs.

S. 1113. An act for the relief of the Eastern and Western Cherokees; to the Committee on Indian Affairs.

S. 1120. An act for the acquisition of Indian lands for the Central Valley project, and for other purposes; to the Committee on Indian Affairs.

S. 1300. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to making available of conservation materials and soil-conserving or soil-building services; to the Committee on Agriculture.

S. 1341. An act authorizing a per capita payment of $20 each to members of the Apache, Kiowa, and Comanche Indians in Oklahoma; to the Committee on Indian Affairs.

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.; to the Committee on Military Affairs.

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students; to the Committee on Military Affairs.

S. 1420. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed title in certain lands of Veterans' Administration Facility, Dayton, Ohio, to the county of Montgomery, State of Ohio, for highway-widening purposes; to the Committee on World War Veterans' Legislation.

S. 1421. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Norfolk & Western Railway Co. a small piece of land at Veterans' Administration Facility, Roanoke, Va.; to the Committee on World War Veterans' Legislation.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 20, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INVALID PENSIONS

(Tuesday, May 20, 1941)

The Committee on Invalid Pensions will hold public hearings on the following private bills:

H. R. 439. Martha Pace, by Mr. ROBSION of Kentucky.

H. R. 477. Cora Arlena Ballard, by Mr. ROBSION of Kentucky.

H. R. 1932. Willard Fulk, by Mr. CLAYPOOL.

H. R. 1994. Capt. Victor Gondos, Jr., by Mr. MCGRANERY.

H. R. 2063. William H. Shanklin, by Mr. VINCENT of Kentucky.

H. R. 3312. Grizelda Hull Hobson, by Mr. JARMAN.

H. R. 3560. Jeannette W. Moffett, by Mr. RIVERS.

The hearings will be held Tuesday, May 20, 1941, at 10: 30 a. m. in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10: 30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of Subcommittee No. 1 of the Committee on the Post Office and Post Roads on Wednesday, May 21, 1941, at 10 a. m., to consider H. R. 2856 and H. R. 3988.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m., on Thursday, May 22, 1941, in the caucus room, for consideration of H. R. 1108.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

546. Under clause 2 of rule XXIV a letter from the acting president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to safeguard the confidential nature of the Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes, was taken from the Speaker's table and referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARNESS: Committee on Military Affairs. H. R. 950. A bill to provide for a national cemetery in the vicinity of Portland, Oreg.; with amendment (Rept. No. 588). Referred to the Committee of the Whole House on the state of the Union.

Mr. KRAMER: Committee on Patents. H. R. 2688. A bill granting an extension of patent to the United Daughters of the Confederacy; without amendment (Rept. No. 589). Referred to the House Calendar.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2855. A bill to provide for restoration of pension to certain dependent parents upon termination of remarriage, and for other purposes; with amendment (Rept. No. 590). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 3182. A bill to provide for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority; with amendment (Rept. No. 591). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Coinage, Weights, and Measures. H. R. 4646. A bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; without amendment (Rept. No. 592). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 4739. A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations; without amendment (Rept. No. 593). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEISS: Committee on Claims. H. R. 241. A bill for the relief of Jesse W. Pitts; with amendment (Rept. No. 554). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 647. A bill for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor; with amendment (Rept. No. 555). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 1551. A bill for the relief of W. E. Floding Co.; with amendment (Rept. No. 556). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 1576. A bill for the relief of Emily Barlow; with amendment (Rept. No. 557). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. H. R. 1702. A bill for the relief of Mary McCutcheon; with amendment (Rept. No. 558). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. H. R. 1746. A bill for the relief of Charles J. Schay; with amendment (Rept. No. 559). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H R. 1852. A bill for the relief of Fred Weybret, Jr.; with amendment (Rept. No. 560). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2010. A bill for the relief of Wade H. Erwin and Vonnie Erwin; with amendment (Rept. No. 561). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2182. A bill for the relief of John S. Small; with amendment (Rept. No. 562). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2382. A bill for the relief of William Cromer; with amendment (Rept. No. 563). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2427. A bill for the relief of George P. Crawford; with amendment (Rept. No. 564). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2894. A bill for the relief of Mrs. William Butak, Dorothy Clyde, Mrs. Albert Westcott, Mrs. Albert Meyer, Florence Johnson, Marie Grill, Mrs. Leo Maloney, Marian McDonald, Mrs. Edward Beier, Mrs. E. L. Bly, Mrs. Lucien Miller, Lois Kehnl, Reka Berg, Mrs. Ollis Klicker, Wilma Vogler, and Mary Chisholm; without amendment (Rept. No. 565). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2917. A bill for the relief of Maynard Gross; with amendment (Rept. No. 566). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3180. A bill for the relief of Carl Swanson, Geraldine Cecelia Swanson, a minor and Almer Swanson; with amendment (Rept. No. 567). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 3233. A bill for the relief of Charles H. Wright; with amendment (Rept. No. 568). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 3523. A bill for the relief of the Equitable Insurance Alliance, the Fidelity & Guaranty Fire Corporation, and the Hartford Fire Insurance Co.; with amendment (Rept. No. 569). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. H. R. 3551. A bill for the relief of Lillian Korkemas and Rose Grazioli; with amendment (Rept. No. 570). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 3774. A bill for the relief of Fred Spencer; with amendment (Rept. No. 571). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4430. A bill for the relief of Mrs. Clinton Ward and Ester Ward; with amendment (Rept. No. 572). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 4433. A bill for the relief of Everett A. Alden, Robert Bruce, Edgar C. Faris, Jr., Kathryn W. Ross, Charles L. Rust, and Frederick C. Wright; without amendment (Rept. No. 573). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 305. An act for the relief of Mrs. Felix Belanger; without amendment (Rept. No. 574). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 317. An act for the relief of Monroe Short; without amendment (Rept. No. 575). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 498. An act for the relief of George H. Crow; without amendment (Rept. No. 576). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 529. An act for the relief of Harry J. Williams; without amendment (Rept. No. 577). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 596. An act for the relief of Lt. J. B. Edgar, Jr; without amendment (Rept. No. 578). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. S. 657. An act for the relief of certain United States commissioners; without amendment (Rept. No. 579). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. S. 681. An act for the relief of Arthur Edgar Scroggin; without amendment (Rept. No. 580). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. S. 829. An act for the relief of Mr. and Mrs. T. Earl Rodgers; with amendment (Rept. No. 581). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. S. 911. An act for the relief of William J. Furey; with amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. S. 931. An act for the relief of Robert B. Ayers; without amendment (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. S. 1022. An act for the relief of Richard Gammon; without amendment (Rept. No. 584). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 1064. An act for the relief of Caroline Jones; without amendment (Rept. No. 585). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. S. 1076. An act for the relief of Arthur A. Schipke; without amendment (Rept. No. 586). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 1077. An act for the relief of Dr. Paul Roger Zahlmann; without amendment (Rept No. 587). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS:

H. R. 4779. A bill to amend the Pay Readjustment Act of June 10, 1922, so as to equalize the rates of pay of commissioned officers of corresponding grade and length of service; to the Committee on Military Affairs.

By Mr. CANNON of Florida:
H. R. 4780. A bill relating to the imposition of certain penalties and the payment of detention expenses incident to the bringing of certain aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. CASE of South Dakota:
H. R. 4781. A bill to authorize the acquisition of possessions of France in the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. CELLER:
H. R. 4782. A bill to revise the administrative procedure of Federal agencies; to establish the Office of Federal Administrative Procedure; to provide for hearing commissioners; to authorize declaratory rulings by administrative agencies; and for other purposes; to the Committee on the Judiciary.

By Mr. FADDIS:
H. R. 4783. A bill to establish additional national cemeteries; to the Committee on Military Affairs.

By Mr. LANHAM:
H. R. 4784. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; to the Committee on Patents.

By Mr. MAGNUSON:
H. R. 4785. A bill to amend part II of the Interstate Commerce Act by striking out present section 226 and substituting a new section 226; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:
H. R. 4786. A bill to require examination and laboratory tests for syphilis, gonorrhea, and tuberculosis of all applicants for marriage licenses before the issuance thereof in the District of Columbia; to the Committee on the District of Columbia.

By Mrs. ROGERS of Massachusetts:
H. R. 4787. A bill to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. VINSON of Georgia:
H. R. 4788. A bill to amend section 3 of title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, to the Committee on the Judiciary.

By Mr. WENE:
H. R. 4789. A bill to authorize the erection of a United States Veterans' Administration hospital in the Second Congressional District of New Jersey; to the Committee on World War Veterans' Legislation.

By Mr. BEITER:
H. R. 4790. A bill to establish a Department of Air Power; to the Committee on Expenditures in the Executive Departments.

By Mr. MOTT:
H. R. 4791. A bill to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States; to the Committee on Claims.

By Mr. NORRELL:
H. R. 4792. A bill providing that the levees along the south bank of the Arkansas River between Little Rock and Pine Bluff, Ark., be raised, strengthened, and extended generally; to the Committee on Flood Control.

By Mr. O'BRIEN of Michigan:
H. R. 4793. A bill to provide for the rehabilitation of handicapped employables; to the Committee on Labor.

By Mr. SABATH:
H. R. 4794. A bill authorizing employees in the Veterans' Administration and other Government agencies to accept or reject quarters and subsistence furnished by the Government; to the Committee on Expenditures in the Executive Departments.

By Mr. KING:
H. R. 4795. A bill to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission; to the Committee on the Territories.

By Mr. LUDLOW:
H. J. Res. 187 (by request). Joint resolution providing for a special committee to investigate economic, political, and social conditions of all European nations involved in war; to the Committee on Rules.

By Mr. VOORHIS of California:
H. J. Res. 188. Joint resolution for a conference of representatives of parliamentary bodies to work out a basis for lasting peace; to the Committee on Rules.

By Mr. PAGÁN:
H. Res. 210. Resolution requesting the Board of Engineers for Rivers and Harbors to review reports submitted on November 9, 1936, on Aguadilla Harbor, P. R.; to the Committee on Rivers and Harbors.

By Mr. COCHRAN:
H. Res. 211. Resolution providing for the consideration of H. R. 4646, a bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 20, with reference to pension and compensation payments to veterans suffering total permanent disability; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 3, with reference to an amendment to the Hawaiian Homes Commission Act of 1920; to the Committee on the Territories.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 2, with reference to an appropriation for the endowment and maintenance of the Agricultural Experiment Station of the Territory of Hawaii; to the Committee on Appropriations.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Joint Resolution No. 1, with reference to immigration and naturalization; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their assembly joint resolutions with reference to the Federal Social Security Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to consider their House Joint Resolution No. 9, with reference to the use of live duck decoys by wild-fowl hunters; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:
H. R. 4796. A bill for the relief of O. C. Barco; to the Committee on Claims.

By Mr. HEIDINGER:
H. R. 4797. A bill granting a pension to Ruby Ellen Hogg; to the Committee on Invalid Pensions.

By Mr. HOBBS:
H. R. 4798. A bill to confer jurisdiction upon the United States District Court for the Middle District of Alabama, Northern Division, to hear, determine, and render judgment, as if the United States were suable in tort, upon claims arising out of a collision involving a United States Army truck, to create rights and causes of action arising therefrom, to prescribe the method and procedure for enforcement of such rights and the remedies therefor, to validate assignments and create rights of subrogation in connection therewith, and to establish limitations on such claims and for other purposes; to the Committee on Claims.

By Mr. McKEOUGH:
H. R. 4799. A bill for the relief of Pasquale Pieraccini; to the Committee on Immigration and Naturalization.

By Mr. MAGNUSON:
H. R. 4800. A bill for the relief of Mrs. William Leo; to the Committee on Immigration and Naturalization.

By Mr. JOSEPH L. PFEIFER:
H. R. 4801. A bill for the relief of Hyman L. Schiffer; to the Committee on Claims.

By Mr. REECE of Tennessee:
H. R. 4802. A bill for the relief of Lottie Tapp White; to the Committee on Claims.

By Mr. THOMAS of New Jersey:
H. R. 4803. A bill for the relief of Capt. Franklin R. Seibert; to the Committee on Claims.

By Mr. VINSON of Georgia:
H. R. 4804. A bill for the relief of Claud R. Johnston; to the Committee on Claims.

By Mr. VOORHIS of California:
H. R. 4805. A bill authorizing the naturalization of Richard J Krebs (Jan Valtain); to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1088. By Mr. ANDREWS: Resolution adopted by the Reserve officers of the State of New York, imploring the Congress to equalize the responsibilities of citizenship as between those drafted into service for our national defense and those employed in defense industries; to the Committee on Military Affairs.

1089. By Mr. ANGELL: Petition of certain citizens of Wallowa County, Oreg., asking the enactment of House bill 4000; to the Committee on Military Affairs.

1090. By Mr. BOEHNE: Petition of the Southwestern Indiana Civic Association, endorsing the memorial plan as recommended by the Benjamin Harrison Memorial Commission; to the Committee on the Library.

1091. By Mr. BOLLES: Petition of the Women's Society of Christian Service of Union Grove, Wis., protesting against the United States entering the European war; to the Committee on Foreign Affairs.

1092. By Mr. CHIPERFIELD: Petition of the House of Representatives of the Sixty-second General Assembly of the State of Illinois, urging modification of present restrictions relating to the use of live-duck decoys by wild-fowl hunters; to the Committee on Agriculture.

1093. By Mr. CUNNINGHAM: Petition of 24 voters of 3200 Grand Avenue, Des Moines, Iowa, pleading that the United States be kept out of war; to the Committee on Foreign Affairs.

1094. By Mr. ELSTON: Petition of various citizens of the State of Ohio, urging an un-

favorable report on Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1095. By Mr. JARRETT: Petition of H. H. Frank and other residents of Oil City, Pa., relative to rank and pay of Army officers; to the Committee on Military Affairs.

1096. By Mr. LUTHER A. JOHNSON: Petition of Hon. E. D. H. Farrow, mayor of Itasca, Tex., opposing a reduction of National Youth Administration appropriation; to the Committee on Appropriations.

1097. Also, petition of the Legislature of the State of Texas, urging that Congress pass all legislation necessary to properly prepare the United States for defense from within and without; to the Committee on Military Affairs.

1098. By Mr. KEOGH: Petition of the New York State Council on Health Teaching, Syracuse, N. Y., favoring the passage of House bill 1074; to the Committee on Education.

1099. By Mr. KRAMER: Resolution of the California Manufacturers of Carbonated Beverages, relative to the proposed tax on soft drinks, etc.; to the Committee on Ways and Means.

1100. By Mr. LEAVY: Resolution of the Gardenspot Grange, No. 278, of Deer Park, Wash., protesting against the disregard of the farmers' equity in the price levels fixed by the authorities in Washington; pointing out they feel this body is wholly consumer-minded and not fair to farm interests; stating the national defense requires a healthy farm economy, as well as a labor supply sufficient for production of farm commodities, and that at present the prices of dairy, poultry, and farm prices generally are well below parity, and accordingly do not represent a fair share of the national income; to the Committee on Agriculture.

1101. By Mrs. NORTON: Petition of 46 residents of the State of New Jersey, opposing the enactment of House bill 3852 or Senate bill 983; to the Committee on the District of Columbia.

1102. Also, petition of 26 citizens of the State of New Jersey, opposing Senate bill 860 and House bill 4000; to the Committee on Military Affairs.

1103. By Mrs. ROGERS of Massachusetts: Petition of sundry residents of the Fifth Massachusetts Congressional District, opposing the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1104. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution No. 20, relative to pension and compensation payments to veterans suffering total permanent disability; to the Committee on World War Veterans' Legislation.

1105. By the SPEAKER: Petition of the Ninth Street Church, Ninth and D Streets NE., Washington, D. C., petitioning consideration of their resolution with reference to Senate bill 860, relating to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice; to the Committee on Military Affairs.

1106. Also, petition of the Railroad Yardmasters of North America, Inc., Buffalo, N. Y., petitioning consideration of their resolution with reference to labor legislation; to the Committee on Labor.

1107. Also, petition of the Industrially Unemployed Workers Union, Congress of Industrial Organizations, San Francisco, Calif., petitioning consideration of their resolution with reference to House bill 4139, known as the Vinson bill; to the Committee on Naval Affairs.

1108. Also, petition of the Florida Power Corporation, St. Petersburg, Fla., petitioning consideration of their resolution with reference to the national-defense program; to the Committee on Military Affairs.

SENATE

TUESDAY, MAY 20, 1941

(Legislative day of Monday, May 19, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O merciful God and heavenly Father, who didst stoop to share our sorrow's keenest pang, its bitterest tear: Help us, as we tread the long and weary road that lies ahead, to cast on Thee each earth-born care, each burdening woe, content if Thou be near.

Give to us, Lord, eyes to behold the truth, with a seeing sense that knows the eternal right, and grace to bring our knowledge to fruition. Give us the power, wisely to labor for mankind, and in every plan we make keep us always true to Thy service. Grant that we may set forth the ideals of the Prophet—strength attained through weakness, honor through shame, healing through pain, and righteousness through wrong, that we may reach through those to whom we minister the many who have not known Thee as Thou art, Thou Love Divine, Thou Saviour of the World! Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 19, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	Murray
Aiken	Davis	Norris
Austin	Ellender	Nye
Bailey	George	O'Mahoney
Ball	Gillette	Overton
Bankhead	Glass	Pepper
Barbour	Green	Radcliffe
Barkley	Guffey	Reynolds
Bone	Gurney	Rosier
Bridges	Hayden	Russell
Brooks	Herring	Schwartz
Brown	Hill	Shipstead
Bulow	Holman	Smith
Bunker	Hughes	Spencer
Burton	Johnson, Calif.	Stewart
Butler	Johnson, Colo.	Taft
Byrd	La Follette	Thomas, Okla.
Byrnes	Lodge	Thomas, Utah
Capper	Lucas	Tunnell
Caraway	McCarran	Vandenberg
Chandler	McFarland	Van Nuys
Chavez	McNary	Wallgren
Clark, Idaho	Maloney	Walsh
Clark, Mo.	Mead	Wheeler
Connally	Murdock	Wiley

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. BILBO], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Maryland [Mr. TYDINGS] are detained on important public business.

The Senator from New Mexico [Mr. HATCH] and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

Mr. AUSTIN. The Senator from North Dakota [Mr. LANGER] is absent because of the serious illness of his mother.

The Senator from Kansas [Mr. REED], the Senator from Idaho [Mr. THOMAS], the Senator from Indiana [Mr. WILLIS], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Maine [Mr. BREWSTER] is absent on business of the Senate.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 15. An act to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District;

S. 994. An act to appropriate the proceeds of sale or other dispositions of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 95. An act to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska";

H. R. 2279. An act to amend section 17 of the Joint Service Pay Act approved June 10, 1922, as amended;

H. R. 3149. An act providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. R. 3782. An act establishing an Office of Budget and Reports in the Navy Department, and for other purposes;

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes;

H. R. 3847. An act to adjust certain losses occurring in the redemption of adjusted-service bonds;

H. R. 4205. An act to add to the Cleveland National Forest, Calif., certain contiguous lands of the United States which can be most effectively and economically protected and administered as parts of said national forest;

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less; and

H. R. 4225. An act relating to the manning of certain sail vessels.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 327. An act for the relief of Paula Liebau Anderson;

H. R. 336. An act for the relief of Della B. Birnbaum;

H. R. 513. An act for the relief of Paul T. Ward;

H. R. 682. An act for the relief of Julius Springer;

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 696. An act for the relief of J. K. Love;

H. R. 819. An act for the relief of Littlefield-Wyman Nurseries;

H. R. 1151. An act for the relief of Foot's Transfer & Storage Co., Ltd.;

H. R. 1267. An act for the relief of Russell H. Causlin;

H. R. 1355. An act for the relief of Adam M. Carmon;

H. R. 1678. An act for the relief of W. A. Facht;

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming;

H. R. 3362. An act to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.);

H. R. 3404. An act authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property;

H. R. 3514. An act to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value;

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906;

H. R. 3828. An act for the relief of Sophrania Holmes;

H. R. 3987. An act to provide relief for, and to promote the interests of, the landowners of the Uintah Indian irrigation project, Utah, and for other purposes;

H. R. 4125. An act to amend Public Law Numbered 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service;

H. R. 4183. An act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes; and

H. J. Res. 105. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of Nebraska, memorializing the Congress to locate national-defense projects in the State of Nebraska; to the Committee on Military Affairs. (See resolution printed in full when presented by Mr. BUTLER on the 19th instant, p. 4182, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of Illinois; to the Committee on Agriculture and Forestry:

"House Joint Resolution 9

"Whereas the Federal Government several years ago placed a prohibition against the use of live-duck decoys by hunters of wild fowl in order to preserve a rapidly dwindling supply of wild ducks, and as a result of this action the supply of wild ducks has been doubled and restored to an extent which has removed completely any danger of their extermination; and

"Whereas during this period the use of inanimate decoys or "wooden block" decoys has proved wholly unsatisfactory from the hunter's viewpoint, has made the securing of ducks almost prohibitory, has caused the expenditure of sums of money for licenses and duck stamps far out of proportion to the returns of such investment; and

"Whereas, in addition, the present regulations have created a condition whereby the largest percentage of duck shooting takes place over rivers, lakes, or ponds from distances from 80 to 120 feet, a range causing considerable inaccuracy in marksmanship and resulting in the inhumane wounding of large numbers of wild ducks which cannot be retrieved; and

"Whereas said regulations, though highly commendable at the date of their adoption and for several years thereafter, have since outlived their purpose and operate today as an unreasonable restriction upon hunting privileges: Therefore be it

"Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Illinois (the Senate concurring herein), That we hereby respectfully but urgently importune the Congress of the United States, the Federal Migratory Game Bird Commission, and the United States Department of Agriculture to take such action as may be necessary to modify the present restrictions relating to the use of live-duck decoys by wild-fowl hunters and to permit by law or regulation, whichever may be utilized, the use of a limited number of live decoy ducks for each duck blind; and be it further

"Resolved, That copies of this preamble and resolution be forwarded immediately by the secretary of state to the President of the United States, to the Speaker of the House of Representatives of the Congress and to the President of the Senate thereof, to the Federal Department of Agriculture, the Federal Migratory Game Bird Commission, and to each Member of said Congress from the State of Illinois."

A joint resolution of the Legislature of California; to the Committee on Appropriations:

"Assembly Joint Resolution 25

"Relative to the sewing projects of the Work Projects Administration

"Whereas the Work Projects Administration is required by law to remove from employment all relief workers who have been continuously employed on W. P. A. projects for 18 months; and

"Whereas the requirement is especially severe in its application to older women employed on sewing projects, as their opportunities for private employment are more limited than the opportunities of others; and

"Whereas it appears that a more equitable and personal method might be employed on the sewing projects, which would secure a greater degree of security for our older women, at no great additional cost to the Nation: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the President and the Congress are hereby respectfully urged and requested to enact legislation which will modify the severities of the aforesaid requirement as applied to older persons employed on sewing projects and will enable those who are unable to obtain other employment to be safe from destitution; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to send copies of the resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to every Representative of California in Congress."

A joint resolution of the Legislature of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 1

"Relative to the hunting season on migratory wild fowl

"Whereas California as determined by the Federal Department of Agriculture relative to migratory wild fowl is classed as one of the Central States and its open season for shooting wild migratory fowl has been fixed as that of other Central States; and

"Whereas California is a semiarid State and a semitropical State, its summers are long and without rains, its grains, fruits, vegetables, and other agricultural products are largely produced by irrigation, thereby using the waters from its rivers for irrigation and domestic purposes rather than as in earlier years when lakes, swamps, and other watering places used by migratory wild fowls were formed; and

"Whereas the lack of such watering places in the early winter months has discouraged the southern flight of migratory wild fowl until the seasonal rains of the winter months usually occuring about January 1 have begun; and

"Whereas the concentration of hunters on and around the few watering places during the present early hunting season brings about an undue slaughter of the local ducks which are hatched in this State; and

"Whereas the conservation of the local duck population should be encouraged by this further protection during the weeks or months preceding the regular southern flight of northern hatched birds; and

"Whereas the Federal duck-stamp purchasers contribute very materially to the protection of migratory fowl throughout the United States and should be encouraged to continue the purchase of Federal duck stamps; and

"Whereas it appears that should the open shooting season of ducks and other migratory fowl be set at a time when the seasonal winter rains begin and which form lakes and ponds in numerous places of the State thereby scattering the assemblage of such waterfowl, it would be a forward step in the conservation of locally hatched ducks and would also be of assistance to such duck-stamp purchasers as are not members of gun clubs; and

"Whereas because of the great length of the State, its sharply varying topography, and its marked differences in climatic conditions, it is essential that there be fixed two shooting seasons for ducks in this State, one for the northern portion of the State, and one for the balance of the State: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Secretary of Interior be requested to establish two duck-shooting seasons within California, the dividing line to be determined by the Director of Interior; and be it further

"Resolved, That the chief clerk of the assembly be and he is hereby directed to send a

copy of this resolution to the President of the United States and a copy to the Secretary of Agriculture."

Joint resolution of the Legislature of California; to the Committee on Commerce:

"Assembly Joint Resolution 50

"Relative to memorializing the President, Congress, and various officers of the United States to make funds available for the Corcoran Airport

"Whereas during the present period of intensive rearmament and preparation for national defense it is of the highest moment to provide adequate facilities for the training of aviators; and

"Whereas the Corcoran Airport is directly on the beam of flight of main-line air travel between Los Angeles, San Francisco, and Sacramento and points north and is in an advantageous geographical position with relation to the present Army airplane bases; and

"Whereas that airport has facilities for the taking off and landing of five airplanes at the present time, is situated in a level valley area without nearby obstacles such as buildings, power lines, or mountains, and flying conditions in the vicinity are ideal; and

"Whereas that airport has been developed to its present state solely through private capital and the present owner has shown a fine spirit of patriotism in his willingness to offer the facilities thereof for the use of the Government of the United States at the present time of crisis; and

Whereas funds have been made available by the President and Congress of the United States to the Commissioner of Work Projects to be expended in the development and completion of airports certified by the Secretary of War as being important for military purposes; and

"Whereas an appropriation measure, H. R. 4276, is now pending in the Congress of the United States which proposes to make available to the Administrator of Civil Aeronautics funds for expenditure in the establishment of air-navigation facilities and in the construction, improvement, and repair of airports approved as necessary for the national defense by a board composed of the Secretaries of War, the Navy, and Commerce: Now, therefore, be it

"Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California hereby respectfully urges the President and the Congress of the United States to enact that pending measure into law; and be it further

"Resolved, That the Administrator of Civil Aeronautics, and the said board be hereby respectfully urged to make funds available to complete the Corcoran Airport upon the enactment of that measure; and be it further

"Resolved, That the Commissioner of Work Projects and the Secretary of War be hereby respectfully urged to make funds available for the development and completion of the Corcoran Airport out of the funds now appropriated; and be it further

"Resolved, That the speaker of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Administrator of Civil Aeronautics, the Commissioner of Work Projects, to the Secretaries of War, the Navy, and Commerce, and to the Senators and Representatives from California in the Congress of the United States."

A joint resolution of the Legislature of California; to the Committee on Finance:

"Assembly Joint Resolution 20

"Relative to pension and compensation payments to veterans suffering total permanent disability

"Whereas there are numerous veterans of the past wars of the United States who are lingering and suffering under a total permanent disability and consequently are precluded from providing themselves with any of the comforts and necessities of this life; and

"Whereas many of these disabled and indigent veterans have been compelled to seek shelter in veterans' homes, hospitals, and institutions; and

"Whereas the pension or compensation payments received by such veterans are in many cases so small that such veterans are unable to provide themselves with the small comforts to which they are so justly entitled: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the President and Congress of the United States be memorialized to allocate the necessary moneys for the purpose of increasing, in the amount of $1 per week, the pension and compensation payments to all veterans who are suffering from a total permanent disability, who are now and have been confined to veterans' homes, hospitals, or institutions for a period of 6 months and who are receiving pension or compensation payments of not more than $6 per month, such increased payments not to be reduced in any amount by payments therefrom to any dependents of such veterans; and be it further

"Resolved, That the Governor of the State of California is hereby requested to transmit a copy of this resolution to the President and Vice President of the United States and to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such action."

A resolution of the Assembly of the State of California; to the Committee on Finance:

"Resolution relative to the Federal Social Security Act

"Whereas under the present Federal Social Security Act no provision is made for retirement income for those who already have reached retirement age, or for those who later will attain that age, who have, as farmers or business or professional men or women or in other capacities, created jobs for themselves and others, nor for those who have been employed on farms or in homes, churches, public offices, or other employment excluded from title 2 of the Federal Social Security Act, except by submitting to poverty registration of themselves and all members of their families, while retirement income and widows' pensions are made available to all employed in business and industrial establishments without question as to their economic status, thereby discouraging individual initiative and private enterprise: Now, therefore, be it

"Resolved by the Assembly of the State of California, That the President and the Congress of the United States are hereby respectfully memorialized to enact legislation so to amend title 1 of the Social Security Act as to make a minimum of $30 per month available, as a matter of right, to every retired citizen 60 years of age or older who is not drawing annuities in that amount under any other Federal retirement system; and be it further

"Resolved, That a copy of this resolution be forwarded to the Senators and Congressmen from California in the Congress of the United States and that they be, and they are hereby, requested to support legislation which will effectuate the purposes of this resolution; and be it further

"Resolved, That a copy of this resolution be sent to the Governor and the presiding officer of the senate and the assembly in each of the States now having a legislative session and to the Governors of all the other States and that the said officers be, and they are hereby, respectfully requested to present the same to their respective legislative bodies with a request that each of them promptly take similar action, to the end that there shall be a known definite public demand upon our Federal Government from these States for prompt elimination, in the manner herein indicated, of the injustice herein complained of; and be it further

"Resolved, That the chief clerk of the assembly of this State be, and he is hereby, instructed to forward a certified copy of this resolution to the President and the Vice President of the United States, to the Chief Clerk of the Senate of the United States, to the Speaker and to the Chief Clerk of the House of Representatives of the United States, and to all other persons to whom this resolution is specifically directed.

"House Resolution No. 170; read and adopted by the unanimous vote of the assembly April 30, 1941."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Immigration:

"Senate Concurrent Resolution 23

"Whereas under American law a person born in the United States and subject to the jurisdiction thereof, as well as a person born outside of the United States of parents both of whom are citizens of the United States, only one of whom need have resided in the United States prior to the birth of said person, as well as a person born outside of the United States of parents one of whom only is a citizen of the United States and the other an alien, under certain reservations as to residence in the United States of the United States citizen parent, and providing certain residence requirement for the child in order to retain American citizenship, is an American citizen at birth; and

"Whereas certain foreign countries have similar provisions in their laws as to the citizenship of children born to their nationals resident abroad; and

"Whereas as a consequence of such laws there results in many instances a condition of dual citizenship frequently embarrassing to American citizens whose loyalty is questioned without real reason; and

"Whereas certain foreign countries have provided for procedures under their administrations for surrendering the allegiance claimed by such foreign government, an allegiance which American citizens do not recognize, and which they would denounce if there were some machinery under American Government control for so doing: Now, therefore, be it

"Resolved by the Senate of the Twenty-first Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States be, and it is hereby, respectfully urged to pass legislation which shall contain substantially the following provisions, in order to clarify the citizenship status of persons born in the United States and subject to the jurisdiction thereof, of foreign parents neither of whom has been naturalized at the time of their children's reaching the age of 21 years:

"SECTION 1. A person born in the United States and subject to the jurisdiction thereof, of foreign parents, neither of whom has been naturalized, whose country of origin also claims the allegiance of the person so born in the United States, may, upon reaching the age of 21 years, denounce the foreign claimed allegiance by taking the same oath in form and manner as is provided in section 335 of the Nationality Act for renunciation of allegiance, and a certificate of such denunciation and allegiance shall be issued to him in the same manner as is provided in section 336 of the above-mentioned act.

"SEC. 2. Copies of such certificates shall be transmitted to the Secretary of State for such further action as may be practicable under treaty provisions and for transmission under the State Department's auspices to the

country of the origin of the parents of the American citizen; and be it further

"*Resolved*, That duly certified copies of this concurrent resolution be forwarded to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the President of the United States, to the Secretary of State and to the Secretary of the Interior, and to the Delegate to Congress from Hawaii."

By Mr. WALSH:

Resolutions of the State convention of the Massachusetts State Council, Knights of Columbus, affirming belief in the policy of nonintervention in foreign wars by the armed forces of the United States; favoring an early and universal negotiated peace based upon justice, and also the plan of Hon. Herbert Hoover for the relief of famished European peoples; and protesting against the adoption of a plan to induct girls of draft age into compulsory service or any regimentation of American womanhood; to the Committee on Foreign Relations.

By Mr. VANDENBERG:

A memorial of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A resolution of the Port of Detroit (Mich.) Commission, favoring the enactment of legislation providing for the development of the St. Lawrence River; to the Committee on Commerce.

A petition of sundry citizens of the State of Michigan, praying for the prompt enactment of legislation to halt the activities of any person or group of persons which effect the slowing up or hindering of production of war materials and supplies needed in the defense program; to the Committee on Education and Labor.

A memorial of sundry citizens of Lake Linden, Mich., remonstrating against involvement in war and the use of the United States Navy to convoy supplies to belligerents, and supporting the national-defense program; to the Committee on Foreign Relations.

Petitions of sundry citizens of the State of Michigan, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

A memorial of sundry citizens, members of the Birkett Memorial Baptist Church, of Detroit, Mich., remonstrating against the sale of beer in Army camps and exclusion of the Y. M. C. A. and the Salvation Army from operation in such camps; to the table.

Memorials of sundry citizens of the State of Michigan, remonstrating against the enactment in its present form of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Ottawa, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTIONS OF KANSAS OIL MEN'S ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point two resolutions unanimously adopted at the annual convention of the Kansas Oil Men's Association, held at Wichita, May 12, 1941. One resolution protests against the proposed 2-cents-a-gallon excise tax on fuel oil. The other protests against any further increase in the Federal tax on gasoline. I also ask that the accompanying letter from Mr. Fred Kistler, of Coffeyville, Kans., president of the K. O. M. A., be printed just ahead of the resolutions in the RECORD.

While I have the floor, Mr. President, I desire to state that, in my judgment, the taxes levied on petroleum products and on the automotive industry generally already are very high, and only the direst emergency would justify any increase in these taxes by the Federal Government. I think Congress should exercise great care in levying increased taxes, to insure as nearly as possible that they be levied equitably and in the public interest.

I send the letter and the accompanying resolutions to the desk for printing in the RECORD and appropriate reference.

There being no objection, the letter and resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

KANSAS OIL MEN'S ASSOCIATION,
Wichita, Kans., May 12, 1941.

Hon. ARTHUR CAPPER,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR CAPPER: We are enclosing copies of two resolutions which have been adopted by the Kansas Oil Men's Association at their annual convention, held in Wichita, Kans., on May 12, 1941.

These resolutions express the views of the members of the K. O. M. A. in Kansas and it is our hope that you will continue to oppose these measures in Congress and that they be presented before the Ways and Means and Senate Finance Committees. We assure you that we appreciate all that you are doing and that we are grateful for your assistance.

Very truly yours,
FRED KISTLER,
President, Kansas Oil Men's Association.

Whereas there has again been offered proposals in the National Congress providing for a Federal tax of 2 cents a gallon on fuel oil; and

Whereas this proposal is definitely in the punitive-tax class and is not offered as a revenue-producing measure, but to penalize one commodity and industry for the benefit of another competitive commodity and industry: Now, therefore, be it

Resolved, That the twenty-seventh annual convention of the Kansas Oil Men's Association, meeting in Wichita, Kans., May 12, 1941, compliment the National Congress for refusing to seriously consider punitive tax measures of this kind in the past and we respectfully urge and request our Members of Congress from Kansas to vote and work against the imposition of such a tax, and we further request that our views be placed before the House Ways and Means and the Senate Finance Committees.

KANSAS OIL MEN'S ASSOCIATION,
FRED KISTLER, *President.*
C. E. HOLMES, *Secretary.*

Whereas it is reported Congress is now considering proposals to further increase the Federal gasoline tax: Now, therefore, be it

Resolved, That this the twenty-seventh annual convention of the Kansas Oil Men's Association, held on the 12th day of May 1941 in Wichita, Kans., go on record as opposing any further increase, and respectfully submit to all Kansas Members of Congress the following reasons:

1. The Federal gasoline tax was increased 50 percent last July—higher than any other similar tax increase.

2. Gasoline is a necessity and under no circumstances should be classed with luxuries for tax or other purposes.

3. The tax in this State is largely paid by farmers, laboring people, and others with very modest incomes, and the present tax is high and burdensome.

4. The gasoline tax is paid only by one class, the motor users, and is based on automobile travel, not ability to pay or for benefits received from the Federal Government.

5. National defense should not be slowed down by excessive rates on vital and necessary highway transportation.

Be it further

Resolved, That our Members of Congress present our views to the House Ways and Means and Senate Finance Committees.

KANSAS OIL MEN'S ASSOCIATION,
FRED KISTLER, *President.*
C. E. HOLMES, *Secretary.*

RELIEF OF THE POLES—PETITION OF COMMITTEE OF UNITED POLISH-AMERICAN ASSOCIATIONS OF MANCHESTER, N. H.

Mr. BRIDGES. Mr. President, I offer for consideration, printing in the RECORD, and appropriate reference a petition or memorial of a committee of various Polish-American societies in the State of New Hampshire, protesting against the treatment accorded the people of Poland by Soviet Russia. The reports of conditions received here are shocking.

There being no objection, the petition or memorial was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

COMMITTEE OF UNITED POLISH-AMERICAN ASSOCIATIONS IN MANCHESTER, N. H.,
May 17, 1941.

To Senator H. STYLES BRIDGES; Senator CHARLES W. TOBEY; Congressman ARTHUR B. JENKS; Congressman FOSTER STEARNS:

Memorial to the Honorable Senate and House of Representatives of the United States in Congress assembled:

We, the undersigned, duly authorized by and acting on behalf of the various Polish-American societies, social, fraternal, civic, and business organizations, memberships of which is composed of American citizens by birth or naturalization, residents of Manchester, N. H., hereby most earnestly and hopefully implore you as a last resort in perpetuating and safeguarding the high Christian and humanitarian principles of American democracy, upon which your eminent and dual representation is founded, and on behalf of which noble doctrines this great Nation has always stood firmly and unshakable, never hesitating in the past to resort to arms in defense thereof when called by necessity.

Therefore, the undersigned present for your consideration a most deplorable condition existing in the eastern part of Poland, now under Russian occupation and controlled by their militaristic and political authority in accord with their treaty of September 1939, with the other invader of Poland, Nazi Germany.

The native Polish inhabitants of said part of Russian-occupied Poland are suffering indescribable hardships and agony due to the unscrupulous, methodical Russian resettlement policy of forced and compulsory deportations, or so-called repatriation, of masses, communities, and groups of native

Poles, who for centuries and from time immemorial have been dwellers of the great eastern land of their forefathers in the territories of Poland

And now thousands of unfortunate exiles, men, women, children, and aged, without even primitive consideration for their physical health, ability, or endurance, regardless of their status as original inhabitants of said regions, are being ruthlessly and mercilessly driven from their ancient homes and hamlets into isolated uncivilized outposts of darkest Russia's unknown frigid parts of Siberian snowy plains and deserts, where extreme privation, slow starving, and exposure are awaiting them, besides depressive mentality caused by being abruptly deprived from one's home life and familiar surrounding and being driven into a strange, secluded, and distant land of exile.

Furthermore, Soviet Russia's occupational authorities consistently refuse to permit any authorized relief agencies to enter and conduct relief activity among the stricken populace under Russian domination, which, in consequence, adds to misery and wholesale starvation among the unfortunate victims of war's brutalities.

Therefore, we, the following, most earnestly and hopefully plead that your combined eminent body of American Representatives kindly employ your high offices in coming to the assistance of those countless millions of innocent victims of the deplorable Russian atrocities by lodging a vigorous protest to the Rusisan Government, calling its attention to violation of international law and infringement upon basic humanitarian ethics and good will.

We believe that such joint action by Congress will in no small part enable our Polish brethren and kinfolks in eastern Poland in some degree to bear the rigors of unprovoked war's severe hardships until the time when again the eternal sun of freedom's twilight of self-determination for the masses of oppressed nations shall gloriously rise in victory above the dark sky of the present world turmoil and chaos.

Signed:

T. T. Kociuszi Society, Frank J. Kornisarek, president; T. T. Kosciuszki Auxiliary, Wadyslawa Szot, president; Polish-American Citizens Club, F. A. Prunell, president; Polish-American Citizens Club Auxiliary, J. R. Stoklosa, president; Maria Konopnicki Society, Helena Nowotynski; Polish-National Union, No. 213, Joseph Flis, president; Polish-National Union, No. 287, Luciwika Wyskiel, president; Polish-National Alliance Group, No. 2486, Frank Bialon, president; Polish-American Farmers, Inc., Yun Mocophiosy, president; Polish Army Veterans' Post, No. 122, Joseph Dabek, commander; Polish Army Veterans' Auxiliary, No. 19, Heryka Lachetoa, president; Polish National Alliance Group, No. 874, J. W. Klerzyneth, president; H. T. Parish Committee, H. T. Parish War Relief Committee, Joseph Grybek, president, Stanley Krolikowski; For the Central Polish-American War Relief Committee, Mary Tomashevski; Committee of Manchester, N. H., Frank Kolodziyiry; Stanley J. Piaseczny, Sr.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Education and Labor:

S. 194. A bill to authorize research by the Public Health Service relating to the cause, diagnosis, and treatment of dental diseases; with an amendment (Rept. No. 334).

By Mr. REYNOLDS, from the Committee on Military Affairs:

S. 1541. A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations; without amendment (Rept. No. 335).

By Mr. WALSH, from the Committee on Naval Affairs:

H. R. 3783. A bill authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy and for other purposes; without amendment (Rept. No. 336).

By Mr. BUNKER, from the Committee on Indian Affairs:

S 12. A bill authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims; without amendment (Rept. No. 337).

By Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs:

S. 584. A bill for the relief of the Indians of the Fort Berthold Reservation in North Dakota; without amendment (Rept. No. 338); and

S. 1115. A bill in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma; without amendment (Rept. No. 339).

AMENDMENT OF SUGAR ACT OF 1937—ADVERSE REPORT OF FINANCE COMMITTEE—MINORITY VIEWS

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (S. 937) to amend section 204 of the Sugar Act of 1937, reported it adversely, with amendments, and submitted a report (No. 333) thereon.

Mr. BROWN (for himself, Mr. JOHNSON of Colorado, Mr. LA FOLLETTE, Mr. CAPPER, Mr. VANDENBERG, and Mr. TAFT) submitted the views of the minority of the Committee on Finance on Senate bill 937, which were ordered to be printed separately as Part 2 of Report No. 333.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 1542. A bill to authorize the leasing of the undeveloped coal and asphalt deposits of the Choctaw and Chickasaw Nations in Oklahoma; to the Committee on Indian Affairs.

(Mr. WILEY introduced Senate bill 1543, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. GEORGE:

S. 1544. A bill to provide for cooperation with Central American republics in the construction of the Inter-American Highway; to the Committee on Foreign Relations.

By Mr. ELLENDER:

S. 1545. A bill to relinquish the title of the United States in and to certain lands in the State of Louisiana; to the Committee on Public Lands and Surveys.

By Mr. WALSH:

S. J. Res. 80. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.; to the Committee on Naval Affairs.

THE LATE BRIG. GEN. WILLIAM MITCHELL

Mr. WILEY. Mr. President, on June 21, 1940, I spoke in vindication of the late Brig. Gen. "Billy" Mitchell.

It is not my purpose to review that discussion here today, because I feel certain that every Member of this body agrees that "Billy" Mitchell, in his insistence on an increasing emphasis in aircraft in our national defense, has been vindicated by recent world events. Certainly also he has been vindicated by the great forum of public opinion.

It remains now only for the President, through the Secretary of War, to amend the records of the War Department so that he is at long last officially vindicated on the record.

This long-belated vindication will neither add to nor detract from the legend of "Billy" Mitchell. "Billy" Mitchell's name will go down in America's history as one of Wisconsin's greatest sons and one of America's greatest soldiers, regardless of whether official vindication comes to him or not.

I am introducing a bill not alone for the "Billy" Mitchell who has gone, but for the countless host of "Billy Mitchells" who are yet to come.

If, by the official vindication of the name of this great soldier, we will make the road a little easier for the present-day "Billy Mitchells" who are fighting antiquated tactics, caste controls, and red-tape methods, that official vindication will not have been in vain.

The ideas and the beliefs which "Billy" Mitchell held so tenaciously in the face of brass-hat opposition have been demonstrated as correct. Mitchell has been vindicated, and his ideas today stand as a living memorial which we cannot add to nor detract from. It remains only for us to make certain that his memorial will continue to live through the men—the independent thinkers, the independent adventurers and explorers and inventors—who will follow him.

That these men shall not have to face the same blindness in their superiors, the same lack of vision, the same cashiering, and the same pillorying, it is vital for the Secretary of War, under the direction of the Chief Executive, to amend the records of the War Department with respect to "Billy" Mitchell.

We have only to look to the skies to see the mighty air fleet that is the answer to the question of whether "Billy" Mitchell was right.

Mr. President, I send to the desk a bill relating to the military record of William Mitchell, and ask that it be referred to the appropriate committee.

There being no objection, the bill (S. 1543) relating to the military record of William Mitchell, was read twice by its title and referred to the Committee on Military Affairs.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 95. An act to amend section 6 of an act of Congress approved May 20, 1935, entitled "An act concerning the incorporated town of Seward, Territory of Alaska"; to the Committee on Territories and Insular Affairs.

H. R. 2279. An act to amend section 17 of the Joint Service Pay Act approved June 10, 1922, as amended; to the Committee on Military Affairs.

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes; to the Committee on the Library.

H. R. 3149. An act providing for the pay and allowances of retired officers of the Navy and Marine Corps on active duty;

H. R. 3782. An act establishing an Office of Budget and Reports in the Navy Department, and for other purposes; and

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes; to the Committee on Naval Affairs.

H. R. 3847. An act to adjust certain losses occurring in the redemption of adjusted-service bonds; to the Committee on Claims.

H. R. 4205. An act to add to the Cleveland National Forest, Calif., certain contiguous lands of the United States which can be most effectively and economically protected and administered as parts of said national forest; to the Committee on Public Lands and Surveys.

H. R. 4224. An act relating to the manning of certain vessels of 500 gross tons and less; and

H. R. 4225. An act relating to the manning of certain sail vessels; to the Committee on Commerce.

AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CLARK of Idaho submitted an amendment intended to be proposed by him to House bill 4590, the Interior Department appropriation bill, fiscal year 1942; to the Committee on Appropriations and ordered to be printed, as follows:

On page 78, after line 16, to insert the following:

"Grand Valley Reservoir, South Fork of the Snake River, Storage Project, Idaho, $150,000, for completion of geological and material studies, surveys, and estimates, rights-of-way, contracts with water users and for the sale of power, preparation of reports, location of deposits, clay, sand and gravel, and other materials;"

CLAIMS OF UTE INDIANS—MOTION FOR RECONSIDERATION WITHDRAWN

Mr. MURDOCK. Mr. President, on May 15 I moved that the votes by which the bill (S. 215) to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any or all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," was ordered to a third reading and passed be reconsidered. I now ask unanimous consent that I be permitted to withdraw the motion.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the motion is withdrawn.

I AM AN AMERICAN DAY—ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address delivered by him at Boston and Brockton, Mass., on May 18, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR NYE ON CONVOYS

[Mr. NYE asked and obtained leave to have printed in the RECORD a radio address delivered by him on May 8, 1941, on the subject No Convoys; No War, which appears in the Appendix.]

ADDRESS BY SENATOR REYNOLDS ON HOME DEFENSE

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix a radio address delivered by him on April 9, 1941, on the subject Home Defense, and also an article published in the New York Daily Mirror on April 9, 1941, entitled "Green Blasts 'Reds,' Tie-Ups by Minorities," which appear in the Appendix.]

ADDRESS BY SENATOR PEPPER AT McMASTER UNIVERSITY, HAMILTON, ONTARIO, MAY 19, 1941, UPON BEING AWARDED THE DEGREE OF DOCTOR OF LAWS, HONORARY

[Mr. PEPPER asked and obtained leave to have printed in the Appendix an address delivered by him at McMaster University, Hamilton, Ontario, May 19, 1941, upon being awarded the degree of doctor of laws, honorary, which appears in the Appendix.]

ADDRESS BY SENATOR BALL ON FOREIGN POLICY

[Mr. BALL asked and obtained leave to have printed in the RECORD an address delivered by him on May 17, 1941, at Minneapolis, Minn., on the subject of the foreign policy of the United States, which appears in the Appendix.]

ADDRESS BY FORMER GOVERNOR LANDON ON FOREIGN POLICY, AND COMMENT BY ARTHUR KROCK

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by former Governor Landon, of Kansas, on May 18, 1941, dealing with the foreign policy of the United States, and an article from the New York Times by Arthur Krock commenting on Governor Landon's address, which appear in the Appendix.]

ADDRESS BY CHARLES A. LINDBERGH AT MINNEAPOLIS, MINN.

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an address delivered by Charles A. Lindbergh at Minneapolis, Minn., on May 11, 1941, which appears in the Appendix.]

AMERICANS OF GERMANIC EXTRACTION—ADDRESS BY THEODORE H. HOFFMANN

[Mr. NYE asked and obtained leave to have printed in the RECORD an address delivered by Theodore H. Hoffmann, national chairman of the Steuben Society of America, at Madison, Wis., on April 30, 1941, on the subject Americans of Germanic Extraction, Their Contributions to Our Country and Their Stand Today, which appears in the Appendix.]

ATTITUDE OF THE PEOPLE TOWARD WAR—ARTICLE FROM WASHINGTON TIMES-HERALD

[Mr. NYE asked and obtained leave to have printed in the RECORD an article entitled "Why Not Find Out How the People Feel Toward War?" published in the Washington (D. C.) Times-Herald of May 17, 1941, which appears in the Appendix.]

GALA OCCASION—ARTICLE BY WESTBROOK PEGLER

[Mr. NYE asked and obtained leave to have printed in the RECORD an article by Westbrook Pegler published in the Washington Post of May 16, 1941, entitled "Gala Occasion," which appears in the Appendix.]

EDITORIAL FROM HELENA (MONT.) INDEPENDENT ON CRITICISM OF NONINTERVENTION ADVOCATES

[Mr. CLARK of Idaho asked and obtained leave to have printed in the Appendix an editorial published in the Helena (Mont.) Independent entitled "Stop Smearing," which appears in the Appendix.]

FEDERAL BUREAU OF INVESTIGATION—LETTERS BETWEEN ALEXANDER HOLTZOFF AND DR. MARY BEARD

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a series of letters passing between Alexander Holtzoff, special assistant to the Attorney General, and Dr. Mary Beard, of New Milford, Conn., dealing with the Federal Bureau of Investigation, which appears in the Appendix.]

OFFICE OF GOVERNMENT REPORTS

The Senate resumed the consideration of the bill (H. R. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

Mr. HILL. Mr. President, the pending bill, H. R. 3368, has for its purpose giving statutory authority to the Office of Government Reports. This Office was really established some 7 years ago under the name of the National Emergency Council by Executive order of the President. Under the Executive order of the President it has carried on its work during the past 7 years. Some 2 years ago, when we had the reorganization of the Government services, its name was changed from National Emergency Council to Office of Government Reports.

The purpose of having statutory authority is simply that the Office of Government Reports may be able to come to the Bureau of the Budget and then come to Congress to get a regular appropriation for its work and its administration, just as all the other agencies of the Government are required to do. As we know, under the rules of both the House of Representatives and Senate, for an appropriation to be in order in a regular appropriation bill there must be statutory or legislative authority for it. This bill will simply give to this Office authority to come to Congress and get a regular appropriation, just as the other agencies of the Government do. The bill does not in any way increase or enlarge the present powers or the present work of the Office. There is no augmentation in any way of the authority of the Office.

Mr. VANDENBERG. Mr. President——

Mr. HILL. I yield to the Senator from Michigan.

Mr. VANDENBERG. I notice that one of the contemplated functions of the Office is to—

collect and distribute information concerning the purposes and activities of executive departments and agencies—

And so forth. My understanding is that practically every one of these departments and agencies has a very well organized and largely staffed publicity department, and I am wondering whether this measure provides a substitution for all of this other ramifying ballyhoo equipment which we are already sustaining out of the Treasury.

Mr. HILL. I could not say it was a complete substitution, but it is a substitution to a certain extent. If the Senator from Michigan will bear with me, I expect to get to that very question.

I desire to amplify that the bill does not in any way grant any new or additional power, or in any way augment the au-

thority or the work this Office is now doing. The bill does not of itself make any appropriation. All it does is to authorize appropriations. In other words, even if we passed the bill, and Congress did not see fit to come along subsequently and make an appropriation for this Office, on July 1 next the Office would have to close up because of there being no money available. This is merely an authorization bill, taking no money out of the Treasury, and carrying no appropriation. As I have stated, it is not creating a new agency. The agency has been in existence for some 7 years.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HILL. I will yield, but if the Senator will let me proceed with the short statement I desire to make, I probably will cover what he has in mind. I will yield if he desires; I do not wish to be discourteous.

Mr. ELLENDER. I wish to ascertain whether each State was represented in the National Emergency Council when it was first organized.

Mr. HILL. It is my understanding that there was a representative from each State. Today there are 34 representatives in the Office of Government Reports, in 34 different States. In some of the States the representative has to have a regional office, so to speak; he has to have more than one State under him, because the office has not had the funds with which to provide a State office and a State director for each State.

Mr. ELLENDER. Does the Senator know how the directors from the States other than the 34 mentioned were relieved from their duties and what reasons were advanced for such action?

Mr. HILL. I do not know of any reason for their removal except lack of funds. It takes money to run these State offices and pay the State directors, and the change was due to a lack of funds. I can say to the Senator that the head of the Office of Government Reports would very much like to have a State director and a State office in each one of the 48 States of the Union. If he is given by the Congress the money with which to do that, he not only will be glad to do it, but he desires to do it. However, on account of a limitation of funds, he is able today to have only these 34 offices.

Mr. ELLENDER. Will this authorization of a million and a half dollars provide sufficient funds so that each State will have a director?

Mr. HILL. The authorization of a million and a half would be sufficient provided the Congress saw fit to appropriate the million and a half. As I have stated—and I wish to make it very clear—this bill of itself carries no appropriation, and takes no money out of the Federal Treasury at all for this Office. It merely authorized an appropriation, not to exceed a million and a half dollars. The testimony of the Director shows clearly that if the bill passes and Congress appropriates for this Office of Government Reports a million and a half dollars, there will be an office in every one of the 48 States of the Union.

Mr. ELLENDER. My reason for interrogating the Senator is that when the director for Louisiana was dismissed about 2 or 3 years ago, my understanding was that the entire set-up of the National Emergency Council would be abolished I was advised that the council had served its purpose. I am wondering whether it is to be maintained under the new legislation, and, if so, what is causing a change of attitude with respect to the matter.

Mr. HILL. I wish to emphasize that if the bill passes, and if under the authorization in the bill funds are given to the Office of Government Reports to provide a director and an office in each State, a director and an office for each State will be located in the several States.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Delaware.

Mr. HUGHES. Can the Senator tell the Senate what States do not have directors?

Mr. HILL. Yes; I can give that information, if the Senator will bear with me one moment.

The States of Delaware, Louisiana, Maine, Maryland, Mississippi, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Utah, Vermont, Wisconsin, and Wyoming do not have directors.

This Office comes directly under the Chief Executive—the President. It is a part of the Executive Office of the President. It is the Office of Government Reports in the Executive Office of the President. The President of the United States has asked for the enactment of the bill, and wrote a letter to the chairman of the House committee which has jurisdiction over the proposed legislation. The President stated in the letter:

> The responsibilities of the Chief Executive have become such that even in normal times there should be, as an integral part of the Executive Office of the President, an organization sufficiently flexible and independent to meet changing conditions, assist in dealing with special problems, serve as a central clearing house for information concerning Federal activities, and report on the opinions, needs, and desires of citizens.
>
> The Office of Government Reports is effectively serving this purpose. It was established within the Executive Office of the President to take over the functions and activities of the National Emergency Council—abolished under Reorganization Plan II. Funds for the operation of the National Emergency Council, and latterly the Office of Government Reports, have been allocated from relief appropriations or included as an item in the emergency relief appropriation acts.
>
> I feel it desirable that legislation be enacted at this time to provide permanently these facilities in order that the President may at all times have information concerning the progress of the Nation's business, and that the Congress, the departments and agencies of the executive branch, and the public may have a channel through which is available an over-all picture of the Government's program and activities.
>
> In brief, the Office of Government Reports, operating at modest expense, is an essential part of the Executive Office of the President.

Mr. President, that is from a letter from the President of the United States in which he states that this Office is an essential part of the Executive Office of the President of the United States, and in which he asks for the enactment of the bill.

Never in our history before has the President of the United States had so many burdens to carry as does our President today. Never before, perhaps, has he had the tremendous labors which are imposed upon the President today. Perhaps never before has he carried so heavy a responsibility as he carries at this hour. He asks us, as Members of the legislative branch of the Government, to give him this Office, to make this Office and the work of this Office available to him in carrying out his duties and functions as the Chief Executive of this Nation. If under similar circumstances the Congress were to ask the President of the United States for a similar office, or an office to do work which the Congress felt was essential for the carrying out of the work and the business of the Congress, I cannot conceive that the President would do other than grant the request of the Congress.

As I have said, if the bill shall be enacted and Congress shall see fit to appropriate the money, there can be an office and a director for each State. Then the question will resolve itself into a matter of appropriations.

As the President has indicated, however, the Office of Government Reports not only serves the President but also serves the many different departments in the Executive branch of the Government; it serves well the Members of Congress, and it serves the public generally.

The work is carried on in three divisions. The first division is that of Field Operations. As I have already stated, in the Field Operations Division there are some 34 offices in the different States carrying on the work of that division. Briefly, the work of that division is to act as a contact and liaison agency between the Federal agencies on the one hand and State and local agencies on the other hand, to act as a liaison and a coordinating agency between the different Federal agencies in the field, and to provide the President with information as to the functioning and the operation of these Federal agencies in the field.

The next division is the Division of Press Intelligence. Under that division this office gets out every day a daily bulletin giving a summary of the news as that news affects the Federal departments of the Government. That summary goes to Members of Congress who desire it. Many of them do desire it and get it. It goes to the heads of the different branches and bureaus of the Government. It does not in any way seek to interpret the news. It gives no expression to its own views or its own opinions. It is a mere statement of the facts, and does not go to the public. On the contrary this Office has declined to send any data of this kind, or this bulletin to the public.

Along with the bulletin of factual information the office also has a press clipping service. During the past year over one and three-quarter million clippings were used out of this Office, either by Members of Congress or by other agencies of the Government. Some 172,000 clippings were loaned to different agencies. One hundred and sixty thousand clippings were loaned or furnished to Members of Congress.

We have today some 243 different bureaus or branches of the Government.

There are some 350 daily newspapers. It is much more economical for the Government to have this one Office, and have this one Office examine the 350 daily newspapers and clip items which are germane and of interest to Government departments, than to have all the 243 different bureaus or branches running their own clipping services.

Then there is the division called the United States Information Service. Last month over 900 requests went from Capitol Hill, from Members of Congress, to this office for information on many different questions, and over 10,000 requests came in from the public generally, from people scattered throughout the 48 States of the Union. Information was given by this office during the past year, 1940, in response to over 100,000 requests.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. HILL. I am glad to yield to the Senator. I am sorry the Senator from Michigan [Mr. VANDENBERG] has left the floor. I wanted to answer his question at this point. But I am glad to yield to the Senator from Connecticut.

Mr. DANAHER. The service the Senator has been describing certainly must cost some money.

Mr. HILL. Of course, it costs some money. The very object of the bill before us is to authorize the making of an appropriation to carry on these services. The Senator does not think that the publishers send copies of newspapers free, or that all this work is done as a labor of love. Of course, it costs money.

Mr. DANAHER. My question is based on the fact that the Senator has said that the bill does not appropriate any money.

Mr. HILL. It does not.

Mr. DANAHER. No; the bill authorizes a continuing appropriation which will become permanent if the Office of Government Reports is made permanent. Is that not so?

Mr. HILL. The Senator is correct. The bill does not appropriate one dollar. All the bill does is to authorize appropriations so that appropriations will be in order in regular appropriation bills for this office if the Congress in its wisdom sees fit to make the appropriations.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. In reference to the 243 different agencies of the Government to which the Senator has just referred, how many of those agencies now have their own press bureaus and publicity departments? Is it not a fact that the Office of Government Reports has its own setup, and as it is proposed to continue it, it will not in any way interfere with the work of the press bureaus in the different agencies of the Government, and that it is not planned to supplant other Government press bureaus, but that the O. G. R. will be in addition to them?

Mr. HILL. No. Let me say to the Senator that I think we have to draw a line of distinction between an information bureau set up by a department, which provides information and gives information with reference to the work of that particular department, and a clipping bureau which collects clippings and has them available for the different departments. The fact that a department has an information service does not mean at all that it is subscribing to a clipping bureau. The fact is that most of the information the departments are supposed to give out is information which comes to them because of the work of the departments, rather than any information which may come from newspaper clippings of some kind.

Mr. AIKEN. But if the Office of Government Reports is established permanently, it will not result in supplanting any of the press bureaus of the various departments or reducing their personnel?

Mr. HILL. I would not say that. I would say that certainly, on the contrary, it ought to reduce the work of many agencies so far as the gathering of information and clippings is concerned. As the Senator well knows, these matters come before the Appropriations Committees, and there we must go into detail with each department to see how the money furnished it is being spent for information services, and whether or not such services are duplications of this press service.

Mr. AIKEN. Mr. President, will the Senator again yield?

Mr. HILL. I yield.

Mr. AIKEN. I call the Senator's attention to the testimony of Mr. Mellett, appearing on pages 13 and 14 of the hearings before the Senate Appropriations Committee, in which he stated very clearly that there would be no duplication of the work of the O. G. R. and the press bureaus and publicity bureaus of the different departments; that the work of the O. G. R. would be wholly in addition to what is now done by the press and publicity bureaus in the various departments.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ADAMS. I simply wanted to tell the Senator, if he does not know it, that the Committee on Appropriations in the last few months has been consistently striking out of every appropriation bill provisions for clipping services. In the past every bureau that came in asking for an appropriation always had a list of services for which it wanted money, including a clipping service, and recently the Appropriations Committee, by reason of the service rendered by the Office of Government Reports has been refusing such requests.

Mr. HILL. Yes; and, of course, that has made for economy because it is much more economical and much cheaper to have one office getting the clippings and making them available to all the different departments than to have each department getting its own clippings and running its own clipping bureau.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I notice at the end of the minority report is printed a list of all the employees in the Division of Press Intelligence, which I understand is the clipping service. There seem to be 111 employees in the clipping service division. If the authorization of appropriations for O. G. R. is doubled, as it is to be doubled by the provisions of the bill, does the Senator think there will be perhaps more than 200 employees in this clipping service?

Mr. HILL. I do not think so. In addition to maintaining the clipping bureau, the Press Intelligence Service publishes the daily bulletin about which I have been talking, which is a daily summary of news of the various departments.

Mr. TAFT. Is it not possible that those departments could get along without any clipping service? I have been receiving clippings from this bureau, but I am perfectly willing to give them up. I do not think they are worth half the expense which must be entailed in sending them to me.

Mr. HILL. I think perhaps the Government could run without the Press Intelligence Service. But take the bulletin which the Office issues each morning. That bulletin goes to the War Department, we will say. When the War Department receives the summary of what has happened with reference to the other departments, it knows what the Navy Department has done the day before with reference to the purchase of matériel and supplies, information in which the War Department is very much interested, and which the War Department ought to have. The War Department officials can look at the bulletin and see what has been done so far as the lend-lease program is concerned, a matter of very vital interest to the War Department. They can look and see what the latest news on housing is. One of the most important things in connection with the whole defense program is the matter of housing. The War Department can see what has been done about housing. It can see what the situation is so far as labor is concerned. It can see the latest action of the selective-service administration, or the latest information about subversive activities. It can see the latest action or report of the State Department, or of the Treasury Department. Such information is boiled down, digested, and ready for use every morning. So when the War Department begins to function that morning it has all that information.

Mr. TAFT. I receive that bulletin every morning. However, I do not learn anything from it, and I do not think any of the departments look at it. I do not believe it serves any useful purpose. I think that if it were abolished tomorrow the Government would go on exactly as it has been going on for the past 6 months.

Mr. HILL. It might be the Senator's fault that he does not learn anything.

Mr. TAFT. It is probably the dullest and most uninteresting document issued by the United States Government. I do not know whether the Senator reads it every morning, but I question very much whether it is of the slightest value to any Government department. I think the Senator has described it in a beautiful way; but as a practical matter I do not believe any department makes substantial use of that daily mimeographed volume.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BARKLEY. Many persons think that the CONGRESSIONAL RECORD, to which the Senator from Ohio makes large contributions, is one of the dullest publications in the United States; yet I dare say the Senator from Ohio would not be willing to abolish it, although if it were abolished there would probably be less talk in the Senate.

Mr. HILL. The Senator knows that many Government bulletins are not used at all. Many of them go into the trash basket, but they are very valuable in certain very important places. They give information which is very necessary and worth while.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ELLENDER. I notice from the minority report that the amount of money required to pay for the Office expenses in Washington is $730,180. Does that sum reflect the cost of operations in Washington?

Mr. HILL. The last Congress appropriated $750,000 for the office. It obtained some $300,000 in addition from national-defense funds. It is my understanding that those figures reflect the cost.

Mr. ELLENDER. Would $1,500,000 provide sufficient funds to maintain the service in every State as well as all costs to operate the office in Washington?

Mr. HILL. According to the testimony and the assurance of the Director, Mr. Mellett, an appropriation of $1,500,000 would permit the service to be given in every one of the 48 States of the Union, and take care of the cost of the operations of the Office of Government Reports in Washington.

Mr. ELLENDER. Is there any additional cost to the Office of Government Reports other than salaries? What about the printing of the reports?

Mr. HILL. The Office subscribes to newspapers. Such subscriptions are not free. There are certain expenses of that kind; and, of course, there is some travel expense, and in some places, such as the District of Columbia, there is some rent. Also there is some telephone expense, and there are other expenses of that kind.

Mr. ELLENDER. Also printing?

Mr. HILL. Including printing.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Vermont.

Mr. AIKEN. I think the fact should be made clear that the work of the Office of Government Reports does not in any way duplicate the work the press bureaus are doing. On page 14 of the hearings before the House committee Mr. Mellett said:

> Our work is not the same as the work of press bureaus in the various Government agencies.

Further, he said:

> It is a wholly different job. I have my philosophy about that, if that is what you are interested in.

Mr. WHITTINGTON said:

> I am trying to find out if there is a duplication.

Mr. Mellett replied:

> No; I think it is not.

So it is definitely clear from the testimony of Mr. Mellett that the Office of Government Reports does not contemplate doing the work that is now being done by the press bureaus and other publicity and clipping bureaus of the departments.

Mr. HILL. I thank the Senator for his contribution. I appreciate it very much.

Earlier in the discussion the Senator from Michigan [Mr. VANDENBERG] asked whether the public could obtain information by writing to the particular department which might have the information. That is true when the person desiring the information knows from what department to obtain the information, and does not want information which might have to be gathered from several different departments.

The Office of Government Reports advises that 60 percent of all requests from the public for information make the flat declaration, "We do not know to what department to write, so we are writing to you." A great many of the letters which come to the Office of Government Reports are simply addressed to "The United States Government, Washington, D. C." Many other letters are addressed simply, "Uncle Sam, Washington, D. C." Many of the requests are for information which must come from several departments. A person might well write in and ask for information about a defense contract, about housing, about conservation, and about many of the things now being done by various Government agencies. The Office of Government Reports expedites the giving of information, because instead of sending the letter from one department to the other, down the line, it obtains the information simultaneously and proceeds to send it back to the inquirer.

There is nothing new about this Office. As I have said, it has been in existence for 7 years, and the work it has been doing has been carried on almost ever since we have had a Government. We find that in the very beginning the founders of our Government—Washington, Jefferson, and Madison—proclaimed as one function of government the dissemination of information and the diffusion of knowledge. In accordance with that proclaimed policy, through the years the various agencies of our Government have been furnishing information of all kinds to the people, answering their requests for information, and giving them all the knowledge that the Government could give them. The Office of Government Reports is a clearinghouse, so to speak, which makes for economy and efficiency and which serves the President, the Congress, and the people generally.

Mr. DAVIS. Mr. President, the minority report which has been submitted on this proposed legislation outlines in detail the objections of the minority Members on the bill now before us. However, I shall take this opportunity to reemphasize some of those objections.

First, I should like to reemphasize the fact that the minority members of the Committee on Expenditures in the Executive Departments desire that the President should have all the necessary help to perform the functions of his office. I can appreciate the difficulties that may arise when Congress denies the President the money and help to perform his constitutional duty to execute the laws passed by Congress; but I do not believe the indiscriminate spending of money should be permitted.

The hearings before the House and Senate did not establish the need for the existence of the Office of Government Reports, even on its present basis; yet Congress is requested to grant authority to increase the appropriations for this office from $750,000 to $1,500,000.

No real need for the passage of this legislation was demonstrated during the hearings. Nothing was cited to show that the existing departments, agencies, and commissions have failed to supply the necessary information to the people.

Tte chief argument in behalf of this bill was that "the request for this legislation comes direct from the President."

We hear much about cutting down nondefense expenditures. The Secretary of the Treasury, Mr. Morgenthau, and other officials have appealed for a cut in nondefense items. Yet here is legislation to increase the appropriation for an agency that cannot be considered vital to national defense from $750,000 for 1941 to $1,500,000 in 1942, and to increase its personnel from 366 to 507. Although this is authorizing legislation, it is my understanding that the full $1,500,000 appropriation will be requested.

Mr. President, it is difficult to understand many points about the bill before us.

Since 1933 the Office of Government Reports and its predecessor, the National Emergency Council, have operated under funds appropriated for emergency relief. Thus, the total amount of funds appropriated for relief purposes was not spent for that purpose.

During the fiscal year 1934, but $127,435.81 was spent, but in 1936 the expenditures had increased to $1,481,362. In 1938 they had declined to $780,000.

Relative to the fiscal year 1941, an attempt was made by the administration to have a direct appropriation carried in the independent offices appropriation bill to finance the Office of Government Reports, but the House Committee on Appropriations refused to approve the item. Consequently, the relief appropriation bill for the fiscal year ending June 30, 1941, granted to the President authority to spend for the Office of Government Reports $750,000 of the relief funds therein appropriated. In addition, the Office will spend $225,000 of defense funds, making a total of $975,000 that will have been spent by the Office of Government Reports for the year ending June 30, 1941. It has approximately 366 employees at present.

Now the Office of Government Reports finally is coming to Congress for authority to exist on the same basis as any other

department, and to receive appropriations up to $1,500,000. After all these years the matter is brought to Congress during wartime conditions. On the basis of a $1,500,000 appropriation it is contemplated that the personnel of this Office shall be increased from 366 to 507. This includes both administrative and field offices.

Mr. President, I should like to call attention to the fact that at the present time the Office of Government Reports maintains field offices in 34 States. Eighty-five persons are now employed in the field. The directors of the State field offices are paid handsomely. The director of the Pennsylvania field office in Philadelphia receives $6,800 annually to hand out information and reports about our Government.

With the passage of the bill before us, it is contemplated that there shall be a field force and staff in each of the 48 States, and that the total field staff shall be increased from 85 to 182 persons.

The entire personnel of the Office of Government Reports is appointive, and does not come under civil-service rules and regulations.

We should remember that already the arms of our Government reach out into every nook and crevice in the country. All the departments, agencies, and commissions have field offices. With this additional super field staff in each of the 48 States, what a grand machine of favoritism may be built up to perpetuate any administration in power! I am not saying that the present President would do such a thing, but it is conceivable that those who follow him will use this vast organization to perpetuate themselves and their administrations in office.

What is the true purpose of these 48 field offices and their staffs? How can they possibly know everything about our Government and about what the various departments, agencies, and commissions are doing? Is it necessary to have someone in each State sitting at a desk and handing out reports and publicity statements that the various bureaus put out every day? Such material can be obtained directly from Washington.

I ask again, What is the true purpose of these proposed 48 field staffs?

There are two possible reasons for the existence of a central office of information. The first is to build up a propaganda organization to get ready for announcing our entry into the war, or to do some other work.

If it is a propaganda agency to mold public opinion, obviously it is an undemocratic institution, and we do not expect the people of this country to sanction such a bureau. I do not think Senators believe that is the way our people should be influenced.

When I visited Germany some years ago, an information office such as we have today was pointed out to me. Today it is the propaganda ministry that has taken away from the people free speech, freedom of the press, and, in part, religious freedom.

We must look at the Office of Government Reports and its contemplated expansion against the background of present-day events. Already in this country those who speak against the declared policies of the administration and its officers are rebuked in no uncertain terms. If such reaction is occurring today, how will it be later on, when the effect of war propaganda manifests itself?

Mr. President, the question arose many times during the hearings as to how the Office of Government Reports can become an office of censorship.

We must recognize that the best way to censor is not to forbid but to flood the country with material one wishes the public to accept.

In addition to the many different departments, independent offices, and regulatory commissions, we would have this additional office sending out governmental literature. Nothing was said during the hearings to the effect that any department, agency, or commission would decrease its information staffs. The Office of Government Reports will simply be in addition to, rather than in place of, the tremendous volume of Federal literature already pouring out of Washington.

As we have stated in the minority report, the emphasis of this Office would change from "what is being said" to "who is saying what." Again we would have the immediate threat of censorship.

Out-and-out censorship would not be necessary. The objective could be attained in many different ways which look innocent enough on the surface.

The second possible purpose of this set-up is to disseminate information to the public and to act as a clearing house through which the public might get information. The channels for getting information to the public already exist in great numbers and the amount of information that is sent to the public is measured in terms of tons.

It is useless, Mr. President, to have a central clearing house with field offices in each State. That only complicates matters and makes it difficult to get the type of information the people want. It implies a control of public information that a democratic country does not want. If it is to be a clearing house for information for the whole structure of government, then it can only be less efficient than the means already existing for disseminating information.

Individual citizens seeking information may now direct their inquiries directly to the specific department concerned. The establishment of a central clearing house meaning nothing but the intervention of a third party in the process. This third party in practically all cases will have to go to the various departments and agencies for the information.

It looks to me very much like made work and more bureaucracy. This seems so obvious that we wonder whether there is not an undeclared reason for the existence and expansion of this Office during wartime conditions.

Mr. President, another declared objective of this bill is to keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of the Federal agencies. This should impress everyone as unnecessary.

Certainly the 435 Members of the House of Representatives, the 96 Members of the Senate, the United States Conference of Mayors, and the hundreds of national organizations which maintain constant touch with our Government are managing to keep the President and Congress well informed of their opinions.

Another purpose of the bill concerns assistance to the President in dealing with special problems requiring the clearance of information between the Federal Government and other governmental units. To date, neither the President nor any State or local government or private institution has complained publicly of any difficulty which this bill can correct.

The language of the bill seems harmless enough. What concerns me most is not what the bill states and what little has been said about it, but what has been left unsaid.

If this bill will do only that which it states, then it is unnecessary duplication.

If it involves something which it does not say, then the people should know about it in a direct manner.

Not only does this bill increase nondefense expenditures but is an unwarranted and a dangerous step in the dark.

Neither I nor the people of this country are for buying a pig in a poke.

Mr. BONE. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Washington?

Mr. DAVIS. I yield to the Senator.

Mr. BONE. Is it the view of the Senator from Pennsylvania that this bill, if it should become a law, would prevent any Government department supplying information to anyone who wrote to the department?

Mr. DAVIS. No. There is nothing in this bill of which I know that would prevent any department furnishing any information anyone requests.

Mr. BONE. I, in common with other Members of Congress, have many inquiries about Government activities, and it is sometimes very difficult to know just where to obtain the information. Some effort has been made to clear up that situation, but I confess that my office has great difficulty sometimes in putting its finger on the source of information which we can transmit to the writer who inquires. I do not know whether it is intended by this bill to simplify that process and make the information more readily available or precisely what its purpose is; but it seems to me there ought to be some clarification because of the more minute coordination of the whole Government picture, so that people can more readily get information. I do not know whether this is a proper process, but I know that difficulty is mine as well as it is that of the Senator from Pennsylvania.

Mr. DAVIS. I do not think there is anything in this bill that will prevent the

departments from carrying on as they now do. I know sometimes when I write to a department for information I am informed that they can only give me the desired information through the chairman of the committee of which I am a member. Sometimes it is necessary to go to the chairman of the committee and ask him to obtain the information.

Mr. BONE. One of the difficulties I have experienced, and I presume that all other Members of Congress have faced the same problem, is that on writing to some one of the Government agencies, they, perhaps honestly enough, cannot supply the information, they send one around to various departments, and there is a great deal of confusion.

I had hoped that that situation would be cleared up in some fashion by at least some coordinating activity or agency that would enable a Member of the Senate, the Senator from Pennsylvania, myself, and others, to write to someone and get definite information. As it is now, frankly, I often do not know just where to put my finger on the information I want. I do not know whether this bill is the proper approach, but it seems to me we ought to have some way of obtaining immediately information about Government activities.

Mr. DAVIS. I do not think this bill will help the Senator in getting information that a department does not desire to give him, because today it would be necessary, if anyone wanted information which the department felt it could not give, for him to write directly to the President, and the President's Secretary, in turn, could refer the inquiry to the particular department, and request that the information be sent to him. This is only a sort of superinformation bureau, as I see it.

Mr. BONE. Sometimes the information desired is in two or three brackets; it may involve more than one department; and by the time one gets through making a half dozen inquiries he is all worn out and confused, because it is difficult to assemble the information obtained; it is fragmentary. I do not know what the answer is, but I feel that now, in the interest of more efficiency in our senatorial offices and congressional offices generally, there should be some way of having this information all pooled by someone—I do not know who that someone should be—so that if the Senator from Pennsylvania or the Senator from any other State writes to a department for information he can be able to supply his inquirer with whatever information he desires, if it is in accord with public policy to give out the information.

Mr. AIKEN and Mr. HILL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Pennsylvania yield; and if so, to whom?

Mr. DAVIS. I yield first to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, if I may make a suggestion to the Senator from Washington, such an agency already exists; it is the one we are speaking about today. But the President is asking to have it made a permanent agency, with an increased appropriation and increased personnel. However, today, if anyone seeks information he can write to the same Office of Government Reports and be referred to the proper department or agency for the information sought.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DAVIS. I yield to the Senator from Alabama.

Mr. HILL. I wish to say that the answer to the question of the Senator from Washington is this very Office of Government Reports. One of its main duties and functions is to supply information; and all the Senator has to do is either to write a letter to the Office or call the Office by telephone and the Office will supply him directly with the information he desires. If the information sought has to come from different departments of the Government, the Office of Government Reports will get the information and transmit it, without delay, to the Senator from Washington.

I think the Senator has found the very thing he has been hoping for. The Office of Government Reports will give him the information. I share with him his feeling about the confusion with respect to getting information, and the embarrassment at times due to the fact that there is so much delay. Here is this very agency which will give him expedition and speed in getting the information which he desires.

Mr. VANDENBERG. Mr. President, may I ask the Senator from Alabama a question in the time of the Senator from Pennsylvania?

Mr. DAVIS. I yield.

Mr. VANDENBERG. I am greatly encouraged by the suggestion which the Senator from Alabama makes that any information any Senator wants he can get by applying to this Office.

Mr. HILL. Mr. President, I will say that the Office cannot tell the Senator who the next Republican nominee will be; but it can give him any facts as to the Government, or anything like that.

Mr. VANDENBERG. I understand. If I were, for instance, to ask this Office how much aid-to-England material has been sunk to the bottom of the sea, does the Senator think I would get any more information from this Office than I have been unable to get from all the other departments of the Government combined?

Mr. HILL. To say the least, if I were the Senator, and desired such information, I would immediately make the request to this Office.

Mr. VANDENBERG. Does the Senator think the Senator from Virginia [Mr. BYRD] would have better luck in asking his question on the same subject of this Office rather than of Mr. Hopkins?

Mr. HILL. To say the least, if I were the Senator from Virginia and wanted the information, I would at once transmit the request to this Office.

Mr. VANDENBERG. I think the Senator is an optimist. [Laughter.]

Mr. AIKEN. Mr. President——

Mr. DAVIS. I yield to the Senator from Vermont.

Mr. AIKEN. For the information and possibly the benefit of the Senator from Michigan, I will say that it was testified before the committee that one of the functions of the Office of Government Reports is to furnish material for speeches; and we were advised that such material would be available to Republicans as well as to Democrats if they asked for it.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. DAVIS. I yield to the Senator from Wyoming.

Mr. SCHWARTZ. With reference to what has just been said by the Senator from Vermont [Mr. AIKEN], I merely desire to say that a daily report is issued by the Office of Government Reports giving short excerpts from the leading editorials of 350 newspapers in the United States. I happened to look at it in my office this morning, and I found first an editorial saying, in substance, "The President continues to lead us into war," while the next one took exactly the opposite view. Of course, a great majority of those 350 newspapers are Republican newspapers, because a great majority of our leading newspapers are Republican newspapers. Others are Democratic, and still others are independent; but any Representative or Senator desiring to get material for a political speech of any kind would simply look at this daily publication, which every Member of the House and every Senator receives and other public officials receive, which is not circulated to the general public, and he could find there anything to suit his political tastes.

Mr. AIKEN. We were so advised that material is available to all Representatives, Senators, or other Federal Government employees. I do not know whether the staff has been busy writing speeches, or merely furnishing material for them.

Mr. DAVIS. Mr. President, I desire to conclude by stating that, out of my own experience, I know that when any citizen seeking information writes a letter to the President of the United States, the President will have it referred to the department which has the desired information, and we know that the information will be sent to the person making the inquiry. For my part, I do not think it is at all necessary to have this superstaff. Other Senators who have served in Government departments know very well that this organization will be built up more or less as a superorganization. As I pointed out in my remarks a few moments ago, when I was in Germany in 1928—and I made this statement before the committee—I was taken to an office that did such work as this. Today, that office has expanded until there is nobody who has any right of free speech in the whole of that country, if we are to believe what we read today in the newspapers of this country. While I do not believe that will be done in this case with Mr. Mellett at the head of this Office, yet we cannot tell who will be at the head of it tomorrow. The Office of Government Reports may be developed into one of the greatest Ogpus that any country in the world has ever had. I am opposed to it.

I ask that there be printed in the RECORD at this point of my remarks the

minority views submitted by the Senator from Vermont [Mr. AIKEN] and myself on this bill, which views outline in full detail the minority objections to this measure.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON H. R. 3368 SUBMITTED BY MR. DAVIS FOR HIMSELF AND MR. AIKEN

This bill seeks to establish on a permanent basis an Office of Government Reports within the Executive Office of the President, for which the President can request each year, beginning with the fiscal year 1941–42, up to $1,500,000 in appropriations.

The text of the bill reads as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated annually to the Office of Government Reports in the Executive Office of the President a sum not exceeding $1,500,000 in order to—

"(a) provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information;

"(b) assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions;

"(c) collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public; and

"(d) keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies:

"Provided, That, in the expenditure of such funds, section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service where the aggregate amount involved does not exceed $50: *Provided further,* That the President may fix the salary of the Director of the Office of Government Reports at a rate of not more than $10,000 per annum."

The minority members of the committee wish to state their desire that the President should have all the expert help and advice necessary in the performance of his duties.

However, the minority members do not believe that the testimony in behalf of the measure has justified the request for annual appropriations up to $1,500,000 for an Office of Government Reports.

At the present time 366 people are employed by the Office of Government Reports. If the authorizing legislation before us is passed, and an appropriation of $1,500,000 granted, it is contemplated that the total employed by the Office of Government Reports will be 507. A total of 325 employees will be stationed in Washington and 182 distributed among all the States of the Union.

Right now the Office of Government Reports maintains field offices in 34 States. Some offices serve more than 1 State. The total field staff at present numbers 85 persons, including the State directors. It is proposed to have a State director and his staff in each of the 48 States.

The Office of Government Reports and its predecessor, the National Emergency Council, have been financed from funds appropriated for the purposes of recovery and relief.

During the fiscal year 1934, $127,435.81 was spent on the functions of this Office. But in 1936 the expenditures had increased to $1,481,362. In 1938 they had declined to $780,000. The expenditures for the fiscal year 1940 were $775,000.

Relative to the fiscal year ending June 30, 1941, an attempt was made to have a direct appropriation carried in the independent offices appropriation bill to finance this office, but the House Committee on Appropriations refused to approve the item. Consequently, the relief appropriation bill for the fiscal year 1941 granted to the President the authority to spend $750,000 of the funds therein appropriated for the Office of Government Reports. In addition, it will spend $225,000 of defense funds, making a total expenditure of $975,000.

Listed in the appendix of this report are the names, titles, and salaries paid to the employees of the Office of Government Reports (as of December 31, 1940), in the Washington office and in the field. It should be noted that the employees listed were not chosen through civil-service registers but are purely appointive employees.

The Secretary of the Treasury—Mr. Morgenthau—and other governmental leaders are urging that all nondefense expenditures be cut to a minimum. Yet here is legislation to increase the appropriation for an agency, that cannot be considered vital to national defense, from $975,000 to $1,500,000; and to increase its personnel from 366 to 507.

This bill contemplates under single-headed control, responsible only to the Chief Executive, one of the most elaborate, extensive, and costly systems of official publicity ever established in peacetime under our democratic form of government.

The hearings did not substantiate the need for the existence of the present agency, much less the need for expansion.

There is nothing under this bill which is not already being done or which cannot be done by the existing departments and independent offices. Here is a bureau which is superimposed functionally over the entire structure of our existing huge Government plant. Each department can handle its own demands for information and distribute data much better than a secondary and less-informed bureau can do it.

As Congressman BENDER so clearly and aptly stated in the House minority report on this bill:

"Individual citizens seeking information now direct their inquiries directly to the specific department concerned. The establishment of a "central clearing house" would mean nothing but the intervention of a third party in the process. The Office of Government Reports could in no case offer a definitive or authoritative reply to the citizen or to a State or local governmental body. It would act simply as an unnecessary and time-consuming intermediary, relaying the questions directed to other departments, and adding still further delays to the already lengthy interval between a request for governmental information and a responsible reply. Surely the Office of Government Reports will not assume responsibility for replies to sovereign States or to citizens' organizations which direct their questions to our Departments of War, Navy, State, or Treasury."

The American public is a well-educated public. The newspapers, radios, magazines, and other media all aim to inform the public about their Government. They are not so totally ignorant of the functions of their Government that it is necessary to set up a special unit to which they can send all their requests for information and reports.

It is not a difficult task for the President's Office to classify correspondence that comes to it and refer it to the proper department.

The functions of the Government are arranged in a logical manner. If a person wishes to write to his Government about a matter pertaining to the Army and its functions, he knows that a Department of War exists, and that his inquiry should be addressed to the Secretary of War. If, however, a letter about the Army is sent direct to the President, he can refer it to the War Department, with the request that it be answered and a copy of the answer sent to him.

We must remember that there are more than 1,000,000 civilians on the Federal pay roll. Their main job is to service the needs of the American public.

We have the Executive Offices of the President which include the White House, the Office for Emergency Management, Bureau of the Budget, National Resources Planning Board, and the present Office of Government Reports.

There are 10 Cabinet offices.

The Federal Security Agency includes five major divisions.

The Federal Works Agency also includes five major divisions.

The Federal Loan Agency includes eight major divisions.

We also have about 20 independent regulatory Commissions.

Added to this is the fact that when the public is uncertain where to go for information, or how to get it, they write to their Congressmen or Senators. There are 435 Congressmen and 96 Senators. Each legislator has a staff of 2 or more secretaries who spend most of their time getting information for their constituents.

With this vast set-up already in existence, to service the needs of our citizens for information and reports, it is hard to justify the need for a new unit to do this type of work. The arguments for the Office of Government Reports are labored and look very much like "made work" for more than 500 Government employees, at a cost to the people of $1,500,000.

This proposed legislation is indicative of the fact that the legislative branch of the Government must equip itself to scrutinize more closely the expenditures in the executive departments.

This Committee on Expenditures in the Executive Departments is the logical committee to perform such work. By its very name, this committee should watch closely how money appropriated by Congress is being spent.

It has become increasingly difficult for Congress to keep abreast of this rapidly growing Government and to watch over the executive departments which it has created.

This committee should be adequately staffed and money made available to it to conduct year-round investigations of how the departments, agencies, and commissions are spending their money.

Congressional appropriations have increased from $1,000,000,000 in 1910 to $11,000,000,000 in 1939. Almost $40,000,000,000 will be appropriated for national defense alone in the coming year.

The Committee on Expenditures in the Executive Departments can serve as a standing committee to inform the Appropriations Committee on expenditures after that committee has made the money available.

During the hearings one of the majority members desired to know how the Office of Government Reports is or can become an office of censorship.

The best way to censor is not to forbid but to flood the country with material one wishes the public to accept.

Out-and-out censorship would not be necessary. The objective can be attained in many different ways which look innocent enough on the surface.

The Office of Government Reports can be one way of accomplishing the fact. That Office would have $1,500,000, with 507 employees operating through Washington and an office and staff in each State of the Union.

An efficient, airtight organization is the first step in attaining control of any kind. And it looks very much like the Office of Government Reports can become such an organization.

How else can the Office of Government Reports help accomplish indirect censorship? In the first place, with an organization of 507 people and $1,500,000 to spend, they could easily catalog the newspaper writers and publishers, commentators, and other writers who are critical to the administration. The first step to effective censorship is to know who shall be censored at the right time. The question would become, "Who is saying what?" and not merely, "What is being said?" Although on the surface of things, this Office of Government Reports seems innocent enough, yet the possibilities for throwing off the cloak and becoming a real propaganda and censorship unit are unlimited. Potentially, the Office of Government Reports is capable of molding opinion. I say, let public opinion mold our Government officers and legislators, rather than the latter attempting to do the molding.

Senator AIKEN aptly stated before the Senate hearings on this bill:

"I can see how it might become censorship through usage. As soon as this bill became law the people of the country would be informed that this information could be quickly and readily obtained by writing to the White House instead of to the departments, as they have been used to doing. Now, it would be entirely possible—I do not say it would be done, and from what I have heard from Mr. Mellett it would not be done under him, but it might be done under somebody else in the White House, who would accumulate this information from the departments, and people would become accustomed to writing there instead of to the departments themselves—I say, it would be entirely possible for this agency, after it begins giving out most of the information, to put its own interpretation on some of the facts and data that are submitted to it by the different departments, and in that way it might become censorship through usage. It might be 5 or 10 years from now, and it would all depend on who was in charge of it and who was in the White House. It would not be legal any more than wars that are fought around the world are legal."

It must be remembered that each department, agency, and commission has its own bureau of publicity and division of information. Floods of mimeographed and printed material emanate out of Washington every day.

Professor Herring, of Harvard University, says:

"The technique of the alert public relations expert is to forestall criticism and to present the best side of the case, to dramatize events, and to arrange situations that generate favorable news. This the administration is doing. Those in opposition are outclassed, outguessed, and completely outstripped. They are left sputtering and protesting in the dust of the activities of the administration."

The Brookings Institution report to the Byrd Committee on Executive Reorganization, June 13, 1937, showed that Washington had more than 300 general publicity writers in the Federal agencies. Salaries range from $3,600 to $12,000 a year. Prior to 1933 the Capital's roll of Government publicists numbered 68.

Further information from the same report to Congress revealed that, during the fiscal year 1937, the Department of Agriculture carried 165 employees in its Office of Information. The Department of Agriculture, Work Projects Administration, and several other agencies maintain press representatives in every State. Home Owners' Loan Corporation, Federal Housing Administration, and the Social Security Board operate through regional press offices, which encompass all the States. During the fiscal year 1936, Work Projects Administration employed 33 persons in its Washington information section. The appropriation bill authorized salaries, aggregating $75,500, for this service, plus $346,179 for "printing, binding, mimeographing, multigraphing, and engraving."

The same Brookings report stated that during a 3-month period in 1937 Government press offices in Washington released 4,794 newspaper articles, distributing a total of 7,139,457 copies, or an average of 95,192 copies for every working day; and that during 1 year 5 agencies distributed news matrixes, one of them, the Federal Housing Administration, spending $32,716 for that service alone. All this was dispatched free of charge under the franking privilege.

James T. Young, of the University of Pennsylvania, states:

"Few realize the immense volume of both information and propaganda regularly released from Federal offices. On March 2, 1938, a Member of the House of Representatives (J. PARNELL THOMAS) stated that in 1936 over 669,000,000 pieces of mail, weighing over 91,000,000 pounds, were sent out by the executive departments of the Government at public expense. The paper and printing were estimated to have cost over $22,000,000.

* * * * *

"Despite the Federal Act of 1913 prohibiting the executive departments to employ publicity experts without the permission of Congress, over 270 Government employees were engaged in information work as of October 1, 1936, at an annual salary outlay of over $600,000. Many more, it was believed, were similarly engaged but under other names and titles. These figures also do not include the direct efforts made by administrators to influence lawmaking by direct persuasion and pressure. Nor do they cover the potent forces exerted by executive officers in addresses to Federal employees and to the public. In this group it seems essential to draw a distinction between the political and nonpolitical activities of the Government."

Nowhere in the hearings has anything been said about reducing or eliminating the publicity and information divisions in each department, agency, and independent regulatory commission. They will continue. This force of 507, and $1,500,000 for the Office of Government Reports is an addition to that great publicity machine that now exists in the Government.

If they desire to use it, what a fine political adjunct to the national political party in power such a bureau can become. On April 29, 1940, Representative Frank Horton, Republican, of Wyoming, asserted on the floor of the House that the Colorado office of the Office of Government Reports was having franked at Government expense a reprint of an editorial of William Allen White, which appeared in the Emporia Gazette and which was reprinted in the De Moines Register. This editorial strongly endorsed the reciprocal trade agreement program. Congressman Horton reported this matter to the Attorney General of the United States and said:

"The dissemination of the material in the manner described by the Office of Government Reports constitutes a clear violation of the law. * * * So serious do I feel the illegal use of the franking privilege, coupled with other lobbying activities, to have become, that I have introduced in the House of Representatives a resolution providing for a select committee of the House to investigate these and other encroachments upon the freedom and dignity of Congress."

It must not be forgotten also that included in the Executive Office of the President is the Bureau of the Budget, for which the President has requested for 1942 an appropriation of $1,237,000. Here is an existing agency which can or should perform a number of the functions which the Office of Government Reports wishes to perform. When it comes to tabulating national-defense contracts and figures, the Bureau of the Budget has experts trained in the finances of the Government who can provide the necessary information.

In the hearings on this bill it developed that one of the reasons for field staffs in 34 States was to inform the President on the functioning of Federal programs in the States. It would seem that the Federal agencies, such as the Federal Loan Agency, the Federal Security Agency, the Agriculture Department, etc., are more qualified to report to the President how their programs are functioning in the States. Obviously, this is another instance of "made work" and duplication on the part of another bureaucracy.

Another function of the field office stated as necessary is to clear legislation proposed by Federal agencies for enactment by State legislatures. This is unnecessary because practically each State has its own legislative reference service, whose function is to take care of such matters.

And it must also be remembered that when legislation affects the States and requires State enabling legislation, the various departments, agencies, and independent regulatory commissions are well informed and notify the proper State officers in one way or another of that fact. It is not necessary to have another division of Government to duplicate that work.

Another avowed purpose of the Office of Government Reports field service in 34 States is to inform industrialists in this national-defense program. It is hardly conceivable that, when it is so difficult for businessmen to get information even when they are in Washington, that one or two people in a State like New York or Pennsylvania can give them satisfactory information. It would still be necessary for the Office of Government Reports to contact Washington to get the information and, in turn, present that information to the questioner. That is more duplication and more bureaucracy.

The State directors are paid from $4,500 to $6,800. That is expensive spending of public money to provide a duplicating service on information that can be received any day from Congressmen or Senators, or from the more than 100 departments and independent establishments.

The publication of the United States Government Manual by the Office of Government Reports is another duplication. It duplicates the Congressional Directory, which has been in existence for many years. The publication of the Government Manual is a costly duplication. The total expense of preparing the manual is about $20,000 a year, and involves the employment of three persons full time.

The Office of Government Reports states that it has centralized in its office most of the departmental newspaper clippings. Yet each department, agency, and commission has a publicity and information division. Since each agency knows what papers in each section of the country portray the sentiment of the people about their program, it is not a great and onerous task to get that information for themselves.

Still another duplication or unnecessary function presented in the hearings is that the State directors help in time of tornado, flood, etc., in getting help to the distressed. A telegram or telephone call to the President, Senators, Congressmen, or departments will get Federal aid on its way just as rapidly. Now that the President has six administrative assistants and a staff in his Executive

Offices, word sent directly to the President will be given prompt attention.

Herewith are a few comments by keen observers. In 1935 Dr. E. Pendleton Herring, a member of the department of government faculty at Harvard, stated:

"Never before has the Federal Government undertaken on so vast a scale, and with such deliberate intent, the task of building a favorable public opinion toward its policies."

He further stated:

"Can one speak of government by consent when this consent is manufactured by official press agents?"

At about the same time, Mr. Elisha Hanson, Washington counsel to the American Newspaper Publishers' Association, summarized his observations on the expanding New Deal information services with the statement:

"For the first time in their history, the American people have seen their Government turning to propaganda in myriad forms to win their favor and keep their support."

APPENDIX

Employees on pay roll of the Office of Government Reports as of Dec. 31, 1940

[Number of employees, 347; amount of money, $730,180]

DEPARTMENTAL

Name	Title	Salary	Grade
Blackburn, Katherine C.	Assistant Director	$7,500	18
Mercey, Arch A.	Special assistant	7,500	18
Berger, Robert I.	do	7,500	18
Foster, Addison G.	Executive officer	6,500	17
Hamblet, Philip C	Special assistant	4,900	15
Andreen, Bea	do	4,600	15
Mitchell, D. Stanley	Senior administrative officer	4,600	15
Perry, John	Senior staff representative	3,800	13
Yeomans, Roger W	do	3,800	13
Morrow, Malcolm	Staff representative	3,600	12
Plummer, Herbert C	Informational representative	3,600	12
Thomason, James A.	Senior staff representative	3,600	12
Webber, William H.	Associate attorney	3,600	12
Wheeler, Richard S.	Statistician	3,600	12
Herring, Eleanor E. A.	Senior administrative assistant	3,200	11
Thomas, John	do	3,200	11
Shea, Brandan B.	Junior staff representative	3,200	11
Foster, Anne S.	Administrative assistant	2,900	10
Sollers, Hellane	Personnel officer	2,900	10
Utley, Marie L.	Associate fiscal accountant	2,900	10
Grow, Wendell H.	Junior accountant	2,600	9
Moss, Edward K.	Senior research assistant	2,600	9
Rinaudot, Alfred M.	Head statistical clerk	2,600	9
Arnold, Gladys	Principal clerk-stenographer	2,300	8
Sawaya, Marie M.	do	2,300	8
Knighten, Carl W.	Senior supervisor, duplicating section	2,300	8
Spry, John	Principal statistical clerk	2,300	8
Walkinshaw, Walter	Junior research assistant	2,300	8
Chance, Dorothy Grimes	Senior mail, file, and record clerk	2,000	7
Powell, Selma F.	do	2,000	7
Marshall, Iva M.	Senior clerk-stenographer	2,000	7
Murray, Mae	do	2,000	7
Nolan, Gertrude G.	do	2,000	7
Lipscomb, Pearl M.	Senior clerk-typist	2,000	7
Burke, Berniece C.	Clerk-stenographer	1,800	6
Dodds, Elinor W.	do	1,800	6
Stump, Maxene	do	1,800	6
Campbell, Howard D.	Junior supervisor, duplicating section	1,800	6
Carter, Margaret L.	Accounting clerk	1,800	6
Donohoe, Clarence F.	Clerk	1,800	6
Inman, Helen G.	Mail, file, and record clerk	1,800	6
Lawrenson, Elizabeth R.	Fiscal accounting clerk	1,800	6
McManus, John B., Jr.	Statistical clerk	1,800	6
Smith, Madella C.	Senior supervising telephone operator	1,800	6
Brewer, Mary D.	Assistant clerk-typist	1,620	5
Brown, Mildred L.	Senior stenographer	1,620	5
Donovan, D. Muriel	do	1,620	5
Jackson, Helen E.	do	1,620	5
Kingsbury, Margaret	do	1,620	5
Moore, Virginia B.	do	1,620	5
Stone, Cleo	do	1,620	5
Cobb, Harry P.	Assistant property and supply clerk	1,620	5
Lee, Robert E.	do	1,620	5
Harris, Elizabeth M.	Supervising telephone operator	1,620	5
Meunier, Gladys L.	do	1,620	5
Kreh, John E., Jr.	Assistant clerk	1,620	5
Julian, Davis T.	do	1,620	5
Kane, F. Carl	do	1,620	5
Keehan, John	Chauffeur	1,620	5
Whitener, Clarence C.	do	1,620	5
Volner, Abraham	Senior operator, miscellaneous duplicating devices.	1,620	5
Ballenger, George F.	Assistant electrician	$1,440	4
Bell, Louise	Junior stenographer	1,440	4
Cooper, Irene	do	1,440	4
Forrest, Alice	do	1,440	4
Hadley, Rosemary	do	1,440	4
Kaplan, Anne	do	1,440	4
Martin, Virginia H.	do	1,440	4
Schaeffer, Mildred	do	1,440	4
Sweek, Ardella	do	1,440	4
Taylor, Irma	do	1,440	4
Bernstein, Charles	Junior clerk	1,440	4
Booth, Willie Gertrude	do	1,440	4
Boyts, Gayle E.	do	1,440	4
Hanes, Margaret	do	1,440	4
Healy, John N.	do	1,440	4
Helring, Alice K.	do	1,440	4
Jones, Jeanne	do	1,440	4
Turner, Irene J.	do	1,440	4
Bickmore, Lee E.	Guard	1,440	4
Lipscomb, Albert J.	do	1,440	4
Wise, Henry Lafayette	do	1,440	4
Clark, Harriet	Senior telephone operator	1,440	4
Daniels, Beulah E.	do	1,440	4
Davenport, Alene P.	Senior typist	1,440	4
Lindel, Phyllis L.	do	1,440	4
Printz, Katherine	do	1,440	4
Rue, Emily M.	do	1,440	4
Stahl, Josephine S.	do	1,440	4
Truslow, Myrtle	do	1,440	4
Farrell, Eston C.	Junior operator, miscellaneous duplicating devices.	1,440	4
Thompson, Eleanor	do	1,440	4
Tyler, Martha	do	1,440	4
Sullivan, John Luke	Senior messenger	1,440	4
Switzer, Harry J., Jr.	Junior mail, file, and record clerk	1,440	4
Bailey, James R.	Messenger	1,260	3
Jones, Thomas P.	do	1,260	3
Langston, Clarence	do	1,260	3
Brann, William J.	Under clerk	1,260	3
Controwinski, Chris	do	1,260	3
Creager, Harry L.	do	1,260	3
Delaney, Robert E.	do	1,260	3
Dougherty, John C.	do	1,260	3
Farmer, Mary	do	1,260	3
Fertich, Margaret M.	do	1,260	3
Hatton, Myron W.	do	1,260	3
Iacone, Diane M.	do	1,260	3
James, Evelyn	do	1,260	3
Mathies, Janet	do	1,260	3
Noble, Jacklyn	do	1,260	3
Punch, Don	do	1,260	3
Smith, Eugene H., Jr.	do	1,260	3
Stramer, Bela A.	do	1,260	3
Sweeney, Dorothy	do	1,260	3
Thornton, Margaret E.	do	1,260	3
Wathen, Gwendolyn M.	do	1,260	3
Puckett, Johanna L.	Junior telephone operator	1,260	3
Ricker, Myldred V.	do	1,260	3
Youngs, Ruby O'B.	do	1,260	3

FIELD

State and name	Title	Salary	Executive order, grade
Alabama:			
Davis, George L.	State director	$4,600	15
Petree, Betty	Junior stenographer	1,440	4
Arizona:			
Spear, Steve A.	State director	4,500	14
Jones, Ariel Ester	Senior stenographer	1,620	5
Arkansas:			
Harrison, James J.	State director	6,000	16
Allen, Willie Ragon	Senior stenographer	1,620	5
Smith, Austin	Junior administrative assistant	2,600	9
California:			
San Francisco:			
Renshaw, Donald	State director	6,800	17
Baker, Warren Edward	Assistant clerk	1,620	5
Cudworth, Annette C.	Senior stenographer	1,620	5
Los Angeles:			
Wheeler, W. Larry	Administrative officer	4,600	15
Geroux, Zella	Clerk-stenographer	1,800	6
Colorado:			
Duffy, Eugene F.	Administrative assistant	$3,200	11
Totten, Fleta I.	Senior stenographer	1,620	5
Connecticut:			
Sheehan, William A.	Senior administrative assistant	3,600	12
Sasportas, Welcome	Under clerk-typist	1,080	2
Florida: Warren, Pearl	Clerk-stenographer	1,800	6
Georgia:			
Shurling, Francis F.	State director	4,500	14
Murray, Ruth T.	Junior typist	1,260	3
Adams, Mary T.	do	1,260	3
Idaho:			
Lockwood, Walter T.	State director	4,500	14
Halley, Nellie E.	Senior stenographer	1,620	5
Illinois:			
Johnson, Sveinbjorn	State director	6,200	17
Fleming, Naomi	Clerk-stenographer	[1] 5	6
Price, Mary Ann	do	2,000	7

[1] Per day.

Employees on pay roll of the Office of Government Reports as of Dec. 31, 1940—Continued

FIELD—continued

State and name	Title	Salary	Executive order, grade
Indiana:			
Hutchinson, Louis F.	Administrative assistant	$2,600	9
Ryan, Selena A.	Junior stenographer	1,440	4
Iowa:			
Hughes, John J.	State director	20	17
Bailey, Ruth W.	Administrative assistant	2,600	9
Kansas:			
McDonald, Frank W.	Senior administrative assistant	3,600	12
Paris, Marjorie	Senior stenographer	1,620	5
Kentucky:			
Wood, Lorenzo K.	State director	6,000	16
Miles, Evelyn	Senior stenographer	1,620	5
Massachusetts:			
Strom, Carl R.	Junior administrative assistant	2,600	9
Cronin, Eugenie Kelly	Junior stenographer	1,440	4
Green, Thomas Hynes	Special assistant	3,800	13
Martis, Helen R.	Senior stenographer	1,620	5
Michigan:			
Richards, William Charles	State director	4,600	15
Bernhard, Teresa Hanlon	Senior typist	1,440	4
Minnesota:			
Olesen, Anna Dickie	State director	6,000	15
Goldstein, Julius	Junior administrative assistant	2,600	6
Heng, Catherine S.	Senior stenographer	1,620	9
Missouri:			
Ryland, Robert K.	State director	6,000	16
Faust, Marian Conway	Clerk-stenographer	1,800	6
Montana:			
Romney, Miles	State director	4,500	14
Ceccone, Anne	Senior stenographer	1,620	5
Twohey, Frank S.	Junior administrative assistant	2,600	9
Nebraska:			
Metcalfe, Richard L.	State director	5,200	15
Murphy, Ilo L.	Junior stenographer	1,440	4
O'Neil, James A.	Administrative assistant	2,300	8
New York:			
Harris, Reed	Administrative officer	3,800	13
Chambers, Evelyn	Junior clerk	1,440	4
Katsky, David A.	do	1,440	4
McLaughlin, May A.	Principal clerk	2,300	8
U. S. Immigration Service:			
Roberts, Edythe C.	Informational representative	2,600	9
Kavanagh, Doris L.	do	1,800	6
Lyons, Marie H.	Junior typist	1,260	3
North Dakota:			
Cummins, Robert B.	State director	$4,500	14
Bodenstab, Katherine	Senior stenographer	1,620	5
Holdaway, Mabel	Special assistant	1,620	5
Ohio:			
Donahey, Vic	Administrative assistant	3,800	13
Flynn, Grace W.	Assistant clerk	1,620	5
Gunn, Marie D.	Senior stenographer	1,620	5
Oklahoma:			
Parrott, Forrest	State director	6,000	16
Behringer, Frederick D.	Junior administrative assistant	2,600	9
Herod, Mary Eddith	Junior typist	1,260	3
Oregon:			
Freed, Edgar	State director	[1] 20	17
La Velle, Frances	Junior typist	1,260	3
Pennsylvania:			
Lichtenwalner, N. L.	State director	6,800	17
Fishel, Ruth Naomi	Clerk-stenographer	1,800	6
Slepin, Max	Administrative officer	4,000	13
Rhode Island:			
Norton, Vernon C.	Senior administrative assistant	3,200	11
Roussin, Evelyn A.	Senior stenographer	1,620	5
South Carolina:			
Criswell, Ben N.	Administrative officer	4,100	14
Goolsby, Anna S.	Junior typist	1,260	3
South Dakota:			
Harvey, Guy H.	State director	4,500	14
Andersen, Edna M.	Senior stenographer	1,620	5
Tennessee:			
Miles, Amy Brown	State director	4,500	14
Reeves, Catherine	Senior stenographer	1,620	5
Texas:			
White, B. Frank	Senior administrative assistant	3,600	12
Gray, Margaret	Junior stenographer	1,440	4
Hammond, F. Darby	Junior clerk	1,440	4
Virginia:			
Stevens, E. Leigh	State director	5,600	16
Wallace, Anne Allen	Senior stenographer	1,620	5
Washington:			
Rochester, Alfred R.	State director	4,500	14
Graff, Della Morton	Senior stenographer	1,620	5
West Virginia:			
Bailey, Ernest L.	State director	6,000	16
Boone, Io	Junior administrative assistant	2,600	9

[1] Per day.

U. S. INFORMATION SERVICE

Name	Title	Salary	Executive order, grade
Root, Harriet	Chief, U. S. Information Service	$4,600	15
Brown, Hazel Arrington	Principal correspondence clerk	2,300	8
Chappell, Ruth Mapes	Senior correspondence clerk	2,000	7
Crowe, Mildred C.	do	2,000	7
Kaemmerer, Esther	do	2,000	7
Edmunds, Clara M.	Research assistant	2,000	7
Barnes, Rebecca C.	Interviewer and receptionist	1,800	6
Barton, Lillie B.	Correspondence clerk	1,800	6
Allegretto, Rose	Informational representative	1,800	6
Brady, Frances	do	1,800	6
Hamblet, Julia	do	1,800	6
Powell, Sarah	Correspondence clerk	1,800	6
Hamilton, Ruth C.	Junior informational representative	$1,620	5
Harris, Marjory L.	Editorial assistant	1,620	5
Johnson, Fern H.	Assistant clerk	1,620	5
Smith, J. Wesley	do	1,620	5
Linkins, Grace M.	Senior stenographer	1,620	5
Sansone, Alfred A.	Record clerk	1,620	5
Conard, Barbara Allen	Junior clerk	1,440	4
Sharpe, Beatrice W.	do	1,440	4
Hamner, Mary C.	Senior typist	1,440	4
Vest, Weltha	Proofreader	1,440	4
Cole, James	Senior messenger	1,440	4

PRESS INTELLIGENCE

Hatton, Charlotte J.	Director, Press Intelligence Division	$4,600	15
Gardephe, Fayette S.	Administrative assistant	3,200	11
Carland, Elizabeth L.	Principal clerk	2,300	8
Estes, Mary J.	do	2,300	8
Cusick, Elizabeth M.	Senior clerk	2,000	7
Trafton, Harold A.	do	2,000	7
Hagan, Robert S.	Senior editorial clerk	2,000	7
Lubin, Albert J.	do	2,000	7
Seeger, Walter F.	do	2,000	7
Steinmetz, Karl L.	do	2,000	7
Knapp, George L.	Senior research clerk	2,000	7
Brennan, Mabel C.	Clerk	1,800	6
Carland, John E.	do	1,800	6
Churchill, Marjorie	do	1,800	6
Collins, Lillian	do	1,800	6
Cooney, Paul P.	do	1,800	6
Ginsberg, Alexander E.	do	1,800	6
Grabill, Elta F.	do	1,800	6
Hoke, Priscilla W.	do	1,800	6
McConnell, Helen H.	do	1,800	6
McFall, Creed F.	do	1,800	6
Mark, Ann	do	1,800	6
Miller, Dorothy L.	do	1,800	6
Richmond, Robert R.	do	1,800	6
Schroeder, Robert B.	do	1,800	6
Tabor, Elizabeth V.	do	1,800	6
Thompson, Elizabeth C.	do	1,800	6
White, Frank X.	do	1,800	6
Koehler, Hilda	Research clerk	$1,800	6
Olney, Harry W.	Editorial clerk	1,800	6
Barr, Richard M.	Assistant clerk	1,620	5
Hoch, Edith	do	1,620	5
Kalassay, Karl W.	do	1,620	5
Killingbeck, James M.	do	1,620	5
Kimball, Daniel B.	do	1,620	5
Kimball, Elizabeth	do	1,620	5
McCarren, Elizabeth C.	do	1,620	5
Potzler, Rosanna	do	1,620	5
Enos, Max	Assistant editorial clerk	1,620	5
Ackart, Ethel M.	Junior clerk	1,440	4
Archer, Harry C.	do	1,440	4
Bengis, Benjamin	do	1,440	4
Boynton, Lillie F.	do	1,440	4
Collins, Richard K.	do	1,440	4
Cook, Perry E.	do	1,440	4
Cooney, Zella C.	do	1,440	4
Des Marets, Edwin W. T.	do	1,440	4
Dougherty, Robert	do	1,440	4
Farrell, Hal C., Jr.	do	1,440	4
Feeley, John	do	1,440	4
Goldfarb, Harry	do	1,440	4
James, Richard E.	do	1,440	4
Kiraly, Emery R.	do	1,440	4
Koppensteiner, Mary A.	do	1,440	4
Lincoln, Nathan S.	do	1,440	4
McGrath, Martin J.	do	1,440	4

Employees on pay roll of the Office of Government Reports as of Dec. 31, 1940—Continued

PRESS INTELLIGENCE—continued

Name	Title	Salary	Executive order, grade	Name	Title	Salary	Executive order, grade
McNelli, Kathryn	Junior clerk	$1,440	4	Gewirtz, Stanley	Under clerk	$1,260	3
Miller, Edith E	do	1,440	4	Hook, Walter C	do	1,260	3
Pollock, Isabel	do	1,440	4	Hughes, Blanch E	do	1,260	3
Stashak, George P	do	1,440	4	Hunt, Hope	do	1,260	3
Turner, John G	do	1,440	4	Jones, John M	do	1,260	3
Vining, Heath	do	1,440	4	Mayfield, Bess M	do	1,260	3
Watts, John R	do	1,440	4	Mayne, Lewis H	do	1,260	3
Connor, Donnie B	Senior typist	1,440	4	Miller, Edythe M	do	1,260	3
Hitchcock, Getha	do	1,440	4	Moore, Samuel W., Jr	do	1,260	3
Manser, Ruth E	do	1,440	4	Mudd, Ernest J., Jr	do	1,260	3
Peters, Charlotte J	do	1,440	4	Mulvey, James A	do	1,260	3
Roscoe, Dorothy M	do	1,440	4	Oakley, Thomas T	do	1,260	3
Shaw, Alice B	do	1,440	4	Phillips, Newell A	do	1,260	3
Smith, Leno	do	1,440	4	Sexton, John W., Jr	do	1,260	3
Dalrymple, Charles E	Junior file and record clerk	1,440	4	Shemin, William	do	1,260	3
Freschi, Joseph	Senior photostat operator	1,440	4	Shepp, Beatrice	do	1,260	3
Gentry, Byron H	Junior operator, miscellaneous duplicating devices.	1,440	4	Shine, Seymour W	do	1,260	3
Hoffman, Elizabeth	do	1,440	4	Sipes, John W	do	1,260	3
Hoover, Albert H	do	1,440	4	Thackaberry, Irene	do	1,260	3
Spatzer, David E	Assistant classification clerk	1,440	4	Tompkins, Evelyn D	do	1,260	3
Acton, Howard, Jr	Under clerk	1,260	3	Van Keuren, Catherine E	do	1,260	3
Anderson, Frank	do	1,260	3	Watkins, Mary E	do	1,260	3
Atchison, Virginia	do	1,260	3	Whaley, John V	do	1,260	3
Barrett, Mary	do	1,260	3	Cullen, Janice Mary	Junior typist	1,260	3
Bryant, Judson S	do	1,260	3	Hallock, John C	do	1,260	3
Brown, Robert B	do	1,260	3	Little, Josephine F	do	1,260	3
Donovan, Helen C	do	1,260	3	O'Leary, Elaine R	do	1,260	3
Foley, Gertrude	do	1,260	3	Taylor, Ralph	do	1,260	3
				Harris, Jackson	Janitor	1,080	2

MANUAL EDITORIAL

Foote, Bernard P	Senior editor	$2,900	10	Acker, Catherine A	Junior stenographer	$1,440	4
Blosser, Floy	Senior stenographer	1,620	5				

Mr. SCHWARTZ. Mr. President, I desire to make one or two observations.

The suggestion has been made that the Office of Government Reports is not a civil-service organization. It is not a civil-service organization in its entirety at this time; but all appointments made since January 1, 1940, have been taken from the civil-service rolls except in one or two instances, and in the case of typists, and that is because there are now no typists on the civil-service rolls. That classification has been exhausted; and this organization, along with many other organizations, will pass under the civil service in the regular procedure under the Ramspeck bill.

Mr. AIKEN. Mr. President, may I ask the Senator from Wyoming whether he would approve an amendment to this bill to that effect? I have prepared an amendment which I intend to offer which would put these 500-odd employees under the civil service if the bill should be enacted into law. I assume, after the remarks just made by the Senator from Wyoming, that he would approve such an amendment to the bill.

Mr. SCHWARTZ. Not necessarily. I should prefer to see the organization proceed in the way prescribed under the Ramspeck bill and the President's order with reference to all such organizations.

Mr. BONE. Mr. President, am I to understand from the Senator from Wyoming that all the employees listed in this pamphlet on our desks are now under civil service?

Mr. SCHWARTZ. No; I did not say that.

Mr. BONE. They appear to have been given grades which would seem to indicate that they have a civil-service status; or are those merely arbitrary grades that the Government gives the employees at different salary classifications?

Mr. SCHWARTZ. No; they have the civil-service salaries. What I said was that those employed since January 1, 1940, by reason of the terms of the appropriation bill under which they were operating, have been taken from the civil-service rolls when there has been a civil-service list from which they could be taken but that at the present time there are some classifications in the civil service which have been exhausted, such as typists. I further said that under the general order of the Executive which will carry bureaus under the civil service under the Ramspeck bill, this organization, along with the rest of them, will pass under the procedure that is provided in that order of the President.

Mr. BONE. Would that order carry all of these persons into the civil service?

Mr SCHWARTZ. No; I do not know that it would. I do not know that it would carry the directors. They may be in a separate class. The Senator from Alabama [Mr. HILL] can answer that question.

Mr. HILL. Mr. President, if the Senator will yield I will state that that order would apply to the Office of Government Reports exactly as it would apply to all the other Government departments which today are not under the civil service. In other words, this Office would go under the civil service under the same regulations and under exactly the same conditions under which all other Government departments that are not now under the civil service go under the civil service.

Mr. BONE. Permit me to advert again for an instant to the matter of supplying information. When I inquired a moment ago of the Senator from Pennsylvania about information available to us concerning certain operations of the Government, I had particularly in mind information relative to contracts which are being let by the Government in the national-defense program. That constitutes a considerable part of the number of inquiries coming in, and I understand that the National Council of Defense, or the O. P. M., have recently published a pamphlet and certain business letters which are circulated among businessmen have given advice as to whom to write concerning such contracts. But it is still somewhat nebulous and vague, and I know it has been confusing to a great many. I hope that at least it can be cleared up in the interest of better order and efficiency in our own offices, because Government organizations shift their personnel, and shift their operations, so that from day to day it is almost impossible to know precisely what work they are doing. I do not say that in a critical way; I suppose it is part of the necessity of the operations through which they are going; but it should be cleared up in some fashion.

Mr. VANDENBERG. Mr. President, I wish to refer again just for a moment to the matter of my colloquy with the able Senator from Alabama [Mr. HILL] regarding information respecting the sinkings of lend-lease material in the Atlantic. My inquiries were originally inspired by the constant and persistent proconvoy propaganda statement that 40 percent of the material was going to the bottom of the sea, a statement which led to the very persuasive suggestion, "Why make the stuff if you are going to sink it?" It seemed to me that, since the American people were being invited by this 40-percent figure to believe that there was a tremendous urgency in the situation, it would be worth while to know just what the truth was; and that

was my reason for the pursuit of the question.

As Senators will remember, I finally received an answer from Admiral Land, the Chairman of the Maritime Commission, who reported that, on the basis of what he called reported sinkings, only 8 vessels out of 205 which passed between the United States and the United Kingdom in 3 or 4 months had been sunk. That information was immediately greeted in many quarters as being a self-serving effort to minimize the hazards of trans-Atlantic traffic. It was condemned by the more violent pro-war party in the United States as being positively subversive in character. It was assailed as noninterventionist propaganda. One pontifical columnist, who did not find the information helpful to his own homilies, said that my simple question was misleading and that Admiral Land's answer was doubly misleading. There was much clatter and clamor, much smoke screening, much backfiring from and by those who were upset to have the Atlantic crisis brought back to reality and shorn of hysteria—although there were no new figures given at any time to seriously jeopardize the figures presented by the Maritime Commission.

This noon the situation is all cleared up with complete satisfaction to me, and I do not even need this new Department of Public Information in order to confirm my satisfied knowledge on the subject, because I see in the noon edition of the Evening Star today a statement by the distinguished majority leader of the United States Senate which I wish to quote. The headlines say: "Barkley sees delivery of goods to Britain as 'satisfactory'"

The article states:

> Senate Majority Leader BARKLEY said today that lease-lend war equipment "seems to be reaching Great Britain satisfactorily."
>
> Barring a change in the situation, he added, it was unlikely that the Government would take any new "affirmative steps" to see that the goods are delivered.
>
> "Of course," Senator BARKLEY told reporters, "the situation could change completely over a week end. Right now, however, indications are that the goods are getting across and conditions are not acute."

Mr. President, I am sure no one will accuse the distinguished majority leader of undertaking to manufacture noninterventionist propaganda. I am sure no one will accuse him of being a subversionist. I am sure his statement will be accepted at full face value, as I am very happy to accept it; and I consider the incident closed.

Mr. AIKEN. Mr. President, as a member of the Committee on Expenditures in the Executive Departments who has approved the adverse minority report on the pending bill, I wish to concur in practically everything that was said by the Senator from Pennsylvania [Mr. DAVIS]. I also wish to make a few observations of my own on the bill.

The bill authorizes the appropriation of a million and a half dollars for the purpose of establishing within the Executive Office of the President a permanent Office of Government Reports, which up to now has been of a temporary nature and which has been financed from funds appropriated to other departments or agencies of the Government.

In requesting the enactment of the legislation, the President states that this Office is now functioning satisfactorily. He wishes, however, to make it of a permanent rather than a temporary nature. While there is a natural inclination to grant this request of the Chief Executive without question, yet there are several reasons why I believe the bill should not be enacted into law at this time.

The bill has commonly been referred to as a censorship and propaganda bill. Whether, if it is enacted into law, it would be used for such purpose no one can foretell. That, of course, would depend upon the person in charge of its operation and the desires of the Chief Executive himself. We have been advised that both the President and Mr. Mellett, who, I understand, will be in charge of the Office of Government Reports if it is permanently authorized, are opposed to censorship in any form. But we must consider that the legislation would be enacted for the Office, and not for the men who are now operating it.

Disregarding the fact that the legislation which the bill provides might be used for censorship and propaganda purposes, there are other reasons why the measure should not be enacted into law at this time. The main reason, as I see it, is that it would add one more straw to the back of democracy's camel by further centralizing functions of the Government in the White House. I do not say that it is the straw which would break the camel's back; in fact, I do not believe it is. It is simply one more step in the drift of Government away from the people, away from the States, away from the Federal departments directly into the White House itself.

I have no doubt that any occupant of the Chief Executive's Office would undertake to use all powers devolving upon this Office wisely, but when individuals, local governments, or governmental departments are further relieved of responsibility or authority there is something lost which cannot be recovered.

At the present time many governmental departments maintain press bureaus, through which the public is kept informed of the work which they are doing. I think it goes without saying that press releases from the departments show up their work in the most favorable light. They are, in fact, propaganda, although I think most of them are of a benevolent nature. Some of it is too farfetched; I find some of it irritating; but I would not deny to Government departments this means of putting their work before the public. The departments are servants of all the people, and it is necessary that they have some means of counteracting misleading publicity and half truths disseminated by persons or groups who would ruthlessly exploit the public.

The bill would not eliminate the press bureau of any department. We have Mr. Mellett's own word to that effect. In fact, I think we may safely assume that the personnel of Government departments will not be reduced in any way—certainly not by the enactment of the proposed legislation. If enacted into law, the bill will result in all departments of Government more and more in their releases reflecting the opinion of the Chief Executive rather than their own honest and independent opinions.

The bill provides for the employment in the organization of 507 persons who would be responsible solely to the President. The 507 employees would be added to the Chief Executive's official family.

One of the purposes of the bill is to collect information concerning the activities of executive departments and agencies. On the floor of the Senate we have heard much talk about newspaper clippings and editorial opinion, but there is not one word in the bill that refers in any way to newspaper clippings or editorial opinions or news dispatches. There is no restriction in the bill as to the methods by which such information may be obtained. There is nothing in the bill to prevent the establishment of a White House secret service for the purpose of obtaining such information.

With the enactment of such a law as the bill proposes every employee of every department of government might come at once under the surveillance of a small army of investigators answerable solely to the Chief Executive, and to no one else. Under such conditions it is to be expected that the Federal workers, especially the appointive ones, who desire to keep in favor with the administration and to keep their jobs will be found more and more reflecting the opinion of the President and finding out what he thinks before expressing their opinion than they will be found venturing to express their own unbiased judgment.

I realize that the executive department already has means of collecting information concerning governmental work through regularly established agencies, but, so far as I know, it does not have an army of this size with which to permeate the departments. If the bill shall be passed, it will not be long before the byword of employees of our various departments will be, "The O. G. R. will get you if you don't look out and go along with the administration."

Another purpose of the O. G. R. is to furnish information from the Federal Government to the States for the purpose of securing State legislation which meets Federal approval or complies with Federal requirements. It is wholly unnecessary to set up a new agency for this purpose. Not only do the States have their own council of State governments, but they have the Commission for the Enactment of Uniform State Legislation, and either agency can adequately handle this work.

I have had a good many years' experience with State governments, and I know that the States are now adequately informed as to what legislation is required in order that they may fully cooperate with any Federal agency and comply with Federal requirements, if they so desire.

In my own State I have seen as many as 12 or 15 Federal departmental lobbyists operating at one time. We do not need any more authorization for that purpose by this or any other bill. It is not always ignorance that prevents States

from enacting legislation satisfactory to the Federal administration. Sometimes it is a determination to retain the rights of self-government which are still vested in the States. Almost invariably every bill pushed upon State legislatures by Federal authorities places more and more control of local and State matters in the Federal Government.

I can see no good reason why the bill should be enacted into law at this time. The President states that the present set-up is working satisfactorily. He made that statement in a letter to the chairman of the House committee. If because of the present emergency the President needs one and one-half million dollars instead of $750,000, let us make this sum available to him on a temporary basis, as it is being made available today. I realize, as I thing everyone else realizes, that the President must be bearing a very heavy load at this time, but we would be doing him no injustice by continuing the Office of Government Reports on a temporary basis instead of making it permanent.

When the people of the country, and particularly a good many of those close to the seat of government are in a hysterical condition, is no time to make legislation of this nature permanent. When national conditions again approach normalcy, there will be plenty of time to judge calmly whether we should establish a personal publicity and information service of over 500 persons for the executive department. Let us not put such a powerful instrument as the O. G. R. permanently in the hands of any one man. All men use temporary powers more carefully than they use permanent powers.

Mr. President, there was some discussion a few minutes ago as to the placing of these 500 employees under the civil service. There is nothing in the bill which would require these employees to be put under the civil service; but, for the reassurance of the people of our country that this organization will not be used to too great an extent or could not be used to too great an extent as a political machine, I think we should amend the bill to require all of these 500 employees, except the Director, to be under the civil-service laws, and I offer an amendment to that end.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). The clerk will state the amendment.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bunker	Davis
Aiken	Burton	Ellender
Austin	Butler	George
Bailey	Byrd	Gillette
Ball	Byrnes	Glass
Bankhead	Capper	Green
Barbour	Caraway	Guffey
Barkley	Chandler	Gurney
Bone	Chavez	Hayden
Bridges	Clark, Idaho	Herring
Brooks	Clark, Mo.	Hill
Brown	Connally	Holman
Bulow	Danaher	Hughes
Johnson, Calif.	Norris	Spencer
Johnson, Colo.	Nye	Stewart
La Follette	O'Mahoney	Taft
Lodge	Overton	Thomas, Okla.
Lucas	Pepper	Thomas, Utah
McCarran	Radcliffe	Tunnell
McFarland	Reynolds	Vandenberg
McNary	Rosier	Van Nuys
Maloney	Russell	Wallgren
Mead	Schwartz	Walsh
Murdock	Shipstead	Wheeler
Murray	Smith	Wiley

The PRESIDING OFFICER. Seventy-five Senators have answered to their names. A quorum is present.

Mr. HILL. Mr. President, the amendment offered by the Senator from Vermont [Mr. AIKEN] would provide for placing the employees of the Office of Government Reports under civil service.

The PRESIDING OFFICER. The amendment offered by the Senator from Vermont has not yet been stated. The amendment will be stated.

Mr. AIKEN. Mr. President, I find that several Senators wish to speak on the bill. I therefore ask permission to withdraw the amendment until they shall have spoken, at which time I shall reoffer the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. DANAHER. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The CHIEF CLERK. On page 2, line 1, after the word "institutions", it is proposed to strike out:

(c) Collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public.

Mr. DANAHER. Mr. President, the effect of my amendment would be to eliminate the function now performed as a temporary matter but which, under the terms of the bill, would be assigned permanently to the Office of Government Reports as a matter of law.

It is true that at the present time there is a similar organization functioning under Executive order for which appropriations have been made in the past in relief bills. Were the pending measure to become law, however, the Office of Government Reports would become permanent and upon it would devolve the duty of collecting and distributing all information concerning the purposes and activities of Government agencies.

It becomes apparent upon consideration that our news services will be permitted to obtain only such news, conduct only such activities as to news gathering, and obtain only such facts as to the scope, purposes, and operations of the executive departments and agencies of the Government as the Office of Government Reports shall decide the press may have.

It seems to me that fundamentally the duty of the press is to the public and not to the Government; and if we undertake, through such a measure as the pending bill, to channelize all information through the Office of Government Reports, we shall make our press subservient and answerable to and an arm of the Government.

It seems to me the point can very well be illustrated by an incident which occurred in my own experience only a few months ago. I saw that certain columnists, whose observations, articles, and general policies were attuned to the policies of administration spokesmen, were being given certain facts which were not available to us in the Congress. First, I took up the matter over the telephone with an officer in the air service, in the War Department. I was by him referred to another officer—some publicity counsel, apparently—and the name of a certain colonel was given to me. He spoke to me over the telephone. I repeated the inquiry. I was told that he would have to check into the situation and that he would let me know later. Sometime later the colonel telephoned me. He told me that it was felt that the information was of such character that he could not let me have it.

Thereupon I wrote to the Secretary of War, renewing the inquiry, and directly specifying my questions with reference to the very purported facts which had been put before the public by certain columnists. I asked if the statements were true. I asked if comments in the editorial columns of the Evening Star, which I quoted, were true.

The Secretary of War advised me by letter that the information was such that confidence had to be preserved, and that he could not release the information to me. He invited me to come to his office. So I went to his office. When I went to his office he told me he was glad to see me; he said it was not very often that he had had an opportunity of late to talk with one of his own party. [Laughter.] He told me he felt the discussion must proceed on the basis that I could not use the information in the Senate. He told me that whatever facts were revealed at this particular meeting must be preserved in confidence.

I told him I would not discuss the matter with him on that basis or on those terms, that the facts I sought and the information I wanted I required for use in consideration of the questions that from day to day would confront us in the Senate.

He had called in a colonel who, apparently, was in charge of this particular work; and before we got through he told me, item by item, what I had asked; he took up my questions, one after another, as propounded in my letter, and answered every single one of them. I have not divulged the facts he then gave me. It seemed to me, as he then said, that conceivably it might be in line with public policy to keep in confidence the information he was giving me. I felt that surely I could exercise my discretion as an American for the best interests of the United States, as a Senator of the United States, sworn to uphold the Constitution, just the same as he could; and therefore I, too, have preserved the confidence that he reposed in me. Actually all the facts upon the particular point became available in a few days and were released downtown.

But, Mr. President, when we find that in this way information may be suppressed, or funneled through a single route, while I concede that on many an occasion certain items must be kept confidential, what will we say of the centralization of all the data from all the departments, and the channelizing of all the information through the Office of Government Reports? Yet, under the provisions of this bill every single one of the executive departments and agencies of the Government must handle the facts through the Office of Government Reports.

Mr. HILL. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. HILL. The Senator is entirely in error. The bill would authorize the Office of Government Reports to provide information to the President, the Congress, and the public, as to the activities of the different departments; but there is nothing in the bill which would keep any department from giving out any information it saw fit to give out on its own motion, or in reply to any request that went to that particular department.

Mr. DANAHER. I thank the Senator.

Mr. President, let us not forget that there was a section in the lease-lend bill under the terms of which the President is given the power to make all needful rules and regulations with respect to the activities under that legislation. Not only did it give him that power, but, as I recall, under section 7 he was given the duty of from time to time reporting to the Congress information, the release of which he might think to be compatible with the public interest. If he thinks it is incompatible with the public interest to release such information, we do not get it. If he chooses to make rules and regulations with reference to all the services to be performed by the various departments, and devolving upon the several agencies under the lease-lend bill, naturally, the President under such rules and regulations, may channel all information concerning operations through the Office of Government Reports.

Mr. President, if we do not preserve for the American people free and open access to all information concerning their Government's activities, then, indeed, will we lose whatever we purport to be standing for. There is talk about democracy, Mr. President, and that we will "establish the four freedoms everywhere." We can just as surely lose them in this country, if we make the Office of Government Reports a propagandizing unit of the United States Government, as if we had an actual dictator, instead of a potential one here at the present moment.

I submit, Mr. President, that the views and the apprehensions and the judgment of some of the most able men in the professional field dealing with news and publicity are well-founded.

In that particular let me send to the desk an editorial from the Hartford (Conn.) Courant for March 4, 1941. I ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The clerk will read the editorial sent to the desk by the Senator from Connecticut.

The Chief Clerk read as follows:

[From the Hartford (Conn.) Courant of March 4, 1941]

THE BEGINNING OF CENSORSHIP

In the controversy that has naturally arisen over the provisions of the lease-lend bill, the public can be excused for not having paid much attention to another bill that also has far-reaching implications. It is known as the O'Leary bill, or H. R. 3368. Its purpose seems innocent enough—to extend the functions of the Office of Government Reports, which Office is directed by Lowell Mellett, one of the President's administrative assistants with a "passion for anonymity." This Office already has an assistant director, an administrative officer, a Director of the Division of Press Intelligence, and a Chief of the Information Service, and, of course, the usual complement of clerks.

If Congress votes to give it the $1,500,000 sought, it would "assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions." The plan has been for some time in the making, although when Arthur Krock first told about it in his column in the New York Times the President dismissed it as a "pipe dream." But it is now something that the administration desperately wants as a defense measure. Has not every foreign government a central propaganda agency through which all information clears, and why should we not have one also?

Mr. Mellett seems to be just the man to head such an agency. Not only is he one of the President's 6 administrative assistants but he has had a vast experience in disseminating information. He was at one time head of the National Emergency Council, whose function it was to furnish the newspapers, magazines, radios, and movies with helpful news about the New Deal and what it was doing for the public welfare. And it did a grand job of it. According to an article by Walter Davenport in Collier's it produced or distributed nearly 3,000 Government films, which effort caused it to be denounced by Representative DIRKSEN, of Illinois, as "the biggest piece of fakery in the Government establishment."

This National Emergency Council got upward of a million dollars annually from Congress to carry on its propaganda, but when it asked for half a million more the Senate decided that the time had come to wind up the whole business. But lo and behold, it was replaced by the Office of Government Reports, which undertook to perform similar functions within the limits of a reduced appropriation. But if this Office can now have a million and a half to play with as a starter it promises to outshine the achievements of the National Emergency Council.

Mr. Mellett, who is admittedly a man of ability and capacity, denies that any thought of censorship lies behind H. R. 3368, but if war comes he seems to feel that there ought to be some Government agency to advise with newspaper and periodical publishers and the radio with respect to the information they give out. It wouldn't be censorship, of course, but just a sidetracking of matters that the Office of Government Reports thinks should be sidetracked. All the good news the public would get and it ought not to be in a mood for anything else—if war comes. As for criticism of the Government's efforts, who could better define its proper limits than the astute Mr. Mellett? Just at present the administration appears to be particularly bothered by the tendency of press representatives to ask embarrassing questions, and all this embarrassment could be relieved if there were a propaganda bureau to take care of the situation. The questions wouldn't be answered, but the public could be lulled into believing that everything was going well.

In Canada, so we learn from the Montreal Gazette, the Government is becoming very restive under criticism and it would like to clamp down on it for no better reason than that the deficiencies of the administration have so often been disclosed. The Gazette notes, however, that the Government, after getting over its resentment, has usually remedied the faults complained of. The Prime Minister is admonished that "criticism of a partisan administration is not in itself partisan," that public opinion in Canada has no other interest except in the efficient conduct of the war, and that it must "find expression in newspapers of independent thought and purpose and through the representations of non-Liberal public men in Parliament itself." In the opinion of the Gazette, "the Government owes a debt, as does the public, to those newspapers and to those elected representatives that have succeeded in stirring the administration out of a sitting posture and putting it on its toes. Neither the Government nor the public owes anything to those journals which have done nothing but purr about the legs of Cabinet ministers, who have rushed to the Government's defense whenever it has been criticized, and who in at least 9 cases out of 10 have been obliged to swallow their statements."

From this we may conclude that honest criticism constitutes an important part of a nation's defense. France affords a conspicuous example of what may happen to a country under a form of censorship that keeps the public ignorant of what government is or is not doing. The need in Washington is not for a propaganda agency that will grow into a bureau of censorship, but for paying greater heed to the honest expression of public opinion. Particularly while we are in a state of at least technical peace there certainly is no reason why the acts and policies of the administration should not be subjected to the fullest scrutiny.

Mr. DANAHER. Mr. President, I am not concerned that this particular bill would establish censorship. Under sections 3 and 4 of the espionage act of 1917 there is authority now, as a matter of law, for the President to invoke a degree of censorship in this country. This bill would authorize the Office of Government Reports to become a propagandizing influence, through which agencies would announce their purposes and put forth thoughts desired to be implanted in the public mind, whether by radio, press, or otherwise. There is where the vice lies in this particular measure, and coupled with existing law as to possible censorship, we find inherent here at the very cornerstone of our American democracy a threat to our free press, to an enlightened public, and to complete free speech.

With such thoughts in mind, Mr. President, let me recount that when Dean Carl W. Ackerman of Columbia School of Journalism was here a few weeks ago, speaking before the American Society of Newspaper Editors, he said:

> Similarly Washington correspondents are not as free to obtain information and report it as they were in time of peace. News in Washington is supervised by news releases and off-the-record conferences. Factually all Washington news relating to foreign affairs and to national defense is essentially the same, every day, in all newspapers. The variations appear in volume, interpretation, emphasis, and timing.

Mr. President, if it gets to the point that the Mellett agency—and I do not disparage Mr. Mellett's capabilities in the slightest—will have complete control

over the information which goes to the press, and hence to the public, there will, indeed, have been foisted upon the American people a propaganda bureau.

Mr. President, the New York Herald Tribune is alive to the situation, judging from the editorial which appeared on March 26, 1941, entitled "A Step Toward Censorship." I ask that the editorial be printed in full at this point as a part of my remarks.

The PRESIDING OFFICER (Mr. BROWN in the chair). Is there objection to the request made by the Senator from Connecticut?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of March 26, 1941]

A STEP TOWARD CENSORSHIP

Opposition is once more developing to the bill authorizing the expenditure of $1,500,000 for the so-called Office of Government Reports. The objection is to making this hitherto temporary organization permanent. Criticism is to the effect that this Office could be made overnight into a Government censorship bureau. This is based on those sections of the bill which prescribe that the Office of Government Reports shall serve as a "central clearinghouse" for information about Government activities, and that it shall "collect and distribute information concerning the purposes and activities of executive departments."

What the opponents of this propcsal contend is that the Office of Government Reports could be used as a funnel through which to direct all information given out to the public about Government activities. They claim that by canalizing news about the Government this Office could also control news. In view of the fact that the present administration has for years been employing hundreds of publicity agents in all of its branches whose task has been to endeavor to place the multitudinous activities of the New Deal in a favorable light before the public, it certainly seems superfluous to authorize the expenditure of additional millions for the maintenance of a centralizing superpublicity bureau. It is difficult to see what useful purpose such a bureau could serve unless the intention is, as its enemies charge, to exercise even closer supervision of information of Government activities given out to the public than now exists.

To say that the control over Government releases by this Bureau would make it, in effect, a bureau of censorship with control of all news is, of course, stretching a point. Nothing in the bill indicates that this Office would have any authority to exercise any form of control over news not originating in or dealing with Government agencies. But when it is realized that the sphere of Government activities is being constantly enlarged it is reasonable to assert that a strict interpretation of this bill would give the director of the Office of Government Reports virtually full power to control—i. e., to censor—all information about all kinds of activities connected with the preparation of our defenses for war.

As America's participation in the war becomes greater it may well be that some form of military censorship will be necessary. Newspapermen who had experience with the type of control exercised during America's participation in the last war are not particularly alarmed about this sort of military censorship. The present bill, however, it should be noted, did not have its impetus in the war but seeks to perpetuate an idea dear to the hearts of the new dealers for years. Many of the President's closest advisers have shared his bitter resentment against the independence of the press in reporting about the activities of the executive branch of the Government. They have long sought means of controlling these reports. One of the principal purposes of the bill now under discussion is to facilitate such control. That is why the bill passed in the House seems as unwise in purpose as it would be costly in administration. On both counts it should be voted down.

Mr. TAFT. Mr. President, the bill before the Senate seems to me—with the exception of one matter which is covered by clause (c)—to be a wholly unnecessary piece of legislation, and the Office of Government Reports as it now is constituted seems to me to be a wholly unnecessary office.

I am not particularly concerned about censorship, but practically everything that is provided by the bill can be done now by the President if he wants to do it.

These are the authorities given by the bill:

(a) Provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information.

In the first place, Mr. President, you and I and all of us have frequent occasion to get information for ourselves and our constituents; and certainly I would never think of going to the Office of Government Reports for it. I would certainly go directly to the division that had the matter in charge. It is difficult enough to get the information then; it is difficult enough to find from them what one wants to know; but certainly to try to channel it through somebody else, through the Office of Government Reports, is something that I doubt very much if any Senator or Senator's secretary actually does.

Letters that come to the President's office relating to one department or another can be easily referred by his clerks—and certainly we have no disposition to deny him any number of clerks he wishes for that purpose—to the division which has the information, and every department has bureaus of information in tremendous volume to furnish information.

(b) Assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions.

Certainly any clerk of the President has authority to do that today; anybody in the President's office can assist him "in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions." He does not need a division of information for that purpose.

(c) Collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public.

I have no objection to somebody collecting information. Every department is collecting information; we are all collecting information; we do not need any statutory authority to collect information. That is a perfectly legitimate activity in which any official can engage. But "distribute information" is a term which unquestionably authorizes setting up a propaganda agency for the Government.

We have had repeated discussions of different phases of this propaganda business. The Appropriations Committee has sometimes put in bills provisions that money appropriated by them shall not be used for that purpose. We put in an appropriation bill last year a provision that no department should use the franking privilege to send out stuff that is not asked for. I think sending out desired information is the proper function of the Government. If a Government department is asked for information, I think it ought to have the information to give to the people who ask for it; but to permit a department to propagandize, to broadcast literature all over the United States is another matter.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. Surely.

Mr. HILL. Will the Senator cite one instance in which the Office of Government Reports has broadcast information?

Mr. TAFT. No; I am not accusing the Board of doing it. I say that we are now asked to authorize it to do so. I am not accusing the Office of doing it. I say that many departments have done so.

Mr. HILL. We have not authorized the Office of Government Reports to do a single thing that they have not been authorized to do for 7 years. What sense would there be in authorizing them to collect information unless they could make that information available, unless they could make some distribution of it? Is it the Senator's view that they should put it in a warehouse?

Mr. TAFT. But what does the word "distribute" mean? It means first, perfectly properly, that if newspapermen come in and ask for information or ask for an interview, it may be given. That is perfectly all right. It means, second, that books may be prepared, as we saw done by the W. P. A. and the C. C. C. and the R. E. A., and a number of other agencies, at very great cost to the Government, and those books may be distributed broadcast to persons who have not asked for them, as a propaganda machine. In the next place, the word certainly is broad enough to permit the manufacture and distribution of films regarding the different Government departments. Under the term "distribute information," certain films telling all about the Government departments may be made and distributed to all the moving-picture houses. Under that term it is certainly possible to prepare radio scripts, radio plays. Radio transcriptions for Senators and others may, if desired, be prepared under that provision. In other words, an elaborate propaganda machine may be set up to distribute information regarding the Government. That has been done; but I submit that the Congress has always taken a position against it, and that it is something which is beyond the proper functions of government.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. My information is that we now have something like 150 bureaus of information in the executive departments.

Mr. TAFT. I think there are about 150 information bureaus in the different departments, and they give out information. They give out press releases. That is perfectly proper. The press may use them or not, as they choose; but, so far as Congress has had to do with it, we have always, according to my recollection in the past 3 years, tried to check the voluntary distribution of information by any of these press agencies.

Mr. SHIPSTEAD. When these appropriations have been made, I have never observed that a certain amount of them has been allocated for that purpose. The expenditure of these funds seems to be entirely at the discretion of the head of the department.

Mr. TAFT. Yes; and there are all sorts of persons who do this. The press agents are not called "press agents." They have all sorts of fancy names, in order to avoid certain statutes.

Mr. SHIPSTEAD. There was a time when we lost almost all of our correspondents in the Senate Press Gallery because they were taken over by the other end of the Government.

Mr. TAFT. They were employed in the different departments.

Mr. SHIPSTEAD. Yes.

Mr. TAFT. I pass on now from (c) to (d). Incidentally, (c) does not mention the President. It is to—

distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public.

So apparently it is nothing that the President is particularly interested in getting.

(d) Keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies.

Certainly all the President has to do is to have a few persons in his office read all the newspapers, and he will get for his information all the complaints as to the work of the various Federal departments. It seems to me wholly unnecessary to authorize anybody to keep the President informed of criticisms and complaints of citizens. Of course under the Constitution they have the right of petition, and complaints are freely printed in the newspapers. If the President has enough clerks to collect that information, he does not need this bill. He can do that within his own office.

This one thing of distributing information really is the only purpose of this bill. The only possible reason for changing the Office of Government Reports as it is now is to add this further power to distribute information. Every other power the President already has. He has it in his own Executive Office. He has it in the Office of Government Reports if he wants to exercise it.

I am the last person to deny the President aid. I am willing to give him all the aid he wants. As a matter of fact, he has six secretaries at $10,000 a year. Mr. Mellett is one of them. The effect of this bill will be to add a seventh secretary, because Mr. Mellett will be put on the pay roll of this Office, and the President may add another secretary to his force. So far as I am concerned, he may have all the secretaries he wants to have, but the bill itself is unnecessary except for the one provision which the Senator from Connecticut [Mr. DANAHER] now seeks to strike out.

In the testimony of Mr. Mellett he cites a good many things which he says the Office is doing, and I maintain that all of them are unnecessary or duplications. He says:

The Division of Field Operations serves as a contact between the Federal and State Governments, local governments, and citizens. It serves also as a liaison and coordinating office between Federal agencies in the field. Finally, and perhaps most important, it serves as an information service to the President on the functioning of Federal programs in the States.

At the end of the minority views is printed the list of the State offices in a large number of States. I happen to be familiar with the State of Ohio. The employees are Vic Donahey, Administrative Assistant at $3,800; Grace W. Flynn, assistant clerk at $1,620; and Marie D. Gunn, senior stenographer at $1,620. Mr. Vic Donahey, I understand, is Mr. Vic Donahey, Jr., the son of the former Senator. He has a small office in the city of Cleveland. There are 7,000,000 people in the State of Ohio, and most of them are a long way from Cleveland. So far as coordinating activities of the State and Federal Governments is concerned, I called up Columbus yesterday and inquired at the Governor's office. No newspaperman in Columbus, as far as we can find, knows that there is an Office of Government Reports in the State of Ohio. Nobody has been there during the past legislative session to coordinate legislation; and, as far as we can discover, I suppose there are not more than a few hundred persons in the State who know that there is such an office. How perfectly ridiculous for one man and a clerk and a stenographer to attempt to coordinate all the activities of the Federal Government in the State of Ohio with those of the State government. If a person wanted to coordinate merely the farm agencies in the State of Ohio, the way to do it would be to get the Department of Agriculture to send out there somebody with knowledge of farm problems who could work with those different agencies, and he might be able to do a job. As for some representative of the Office of Government Reports coordinating the work of the farm agencies or of the security agencies or any other agencies of the State of Ohio, it is simply beyond human comprehension how it can be done.

The fact is that these State offices are either sinecures or political centers that afford a little political information. While the Democrats are in, they are branches of the Democratic National Committee. While the Republicans are in, they are branches of the Republican National Committee. That is all that these State offices amount to. I intend to offer an amendment striking out all authority to maintain any State office outside of the city of Washington.

I should like to read, on the subject of State offices, from the report of the President's Committee on Administrative Management, which was appointed in 1937.

Mr. James W. Fesler made a report on this very agency, and he recommends that the State offices of the National Emergency Council be abolished. I will read from his report:

It is recommended that the State offices of the National Emergency Council be abolished. The basis for this recommendation is the conviction that conflicts in the field occur much less frequently than is generally imagined, that two-thirds of the conflicts that do occur are caused by lack of coordination at Washington, and that fully half of the conflicts in the field must be settled at Washington. If these statements are correct, it would appear that coordination in the field is far less important than cordination at Washington.

We all know that to be true.

It is true that administration comes into contact with the public in the field, but the point of contact is not necessarily the point for treatment of the disease of lack of coordination. The majority of instances in the field are merely symptoms of diseases whose source, and hence point for treatment, lies in Washington. It would appear, therefore, that the elaborate field service of the National Emergency Council—

Which is the field service we are considering—

will not be necessary once the works program is abandoned or is administered through a different structural scheme.

This report of the President's own committee, a body which he appointed, approaches all the problems of these agencies with the greatest of sympathy, in some respects praises some of the activities of this particular department, and in others, as in the case of the field agencies, says they are wholly unnecessary.

The Office of Government Reports prepares a tabulation entitled "National Defense Contracts and Expenditures."

Such a tabulation is also prepared in the Department of Commerce at the present time. It is said:

This Week in Defense, a weekly summary of defense developments, is furnished to more than 3,800 officials in Washington and the States.

I have a copy of This Week in Defense. It is a mimeographed publication of some 8 pages. At the same time the O. P. M., which really knows something about defense, publishes a printed book every week, a book of 24 pages, which contains three times the material and very much more accurate information regarding the defense program than is published by the Office of Government Reports. Yet the Office of Government Reports is claiming credit for this thing, for these few mimeographed sheets called

This Week in Defense, which they publish at their Office.

The official weekly bulletin of the O. E. M.—

the Office for Emergency Management—

is complete. It covers all of the defense agencies. It provides not only actual information as to what has been done but of the various things which are contemplated.

So in that respect as in every other respect, when we check up we find that this thing is simply duplicating something which is done better in some other department.

Another function of the Office of Government Reports is the clearance of bills proposed for submission to State legislatures to enable State participation in Federal programs, and the reporting to the agency concerned on the progress of such legislation.

Frankly, if we wish to get through in Ohio a bill to coordinate State activities in the defense program, say in connection with sewerage problems, no one is going to ask the Office of Government Reports to do it. The Public Health Service is going to send a man out to do the job. He will have to talk to the sewerage officials and the sanitary officials of the State of Ohio; he will have to know his subject if he is going to be of any effect in getting through State legislation; and he will have to know what it is all about. The fellow who is the head of the State office of the Office of Government Reports, who never saw a sanitary project, is going to be of no use whatever in geting State laws enacted and coordinating in any Federal program.

Another item is this:

The Daily Bulletin provides an index of news and editorial comment on public affairs taken from 350 daily newspapers. A total of 114,300 papers were read in 1940, and 451,091 news items and 203,200 editorials were summarized and grouped under department headings.

Nobody else is doing that grouping, I will say, but we can get the clipping service from any clipping bureau. I do not mind the clipping service, but I could get the information just as well without the clipping service as with it. In fact, the most important items we clip in our office—those in the most important papers, and those from papers in Ohio in which I am interested.

Special research is provided. In 1940, 1,996 requests for special research were filled.

There are a great number of research organizations in Washington. I have no trouble in having very satisfactory research reports prepared in the Congressional Library. There are also private research organizations. Every Senator has a man on his own staff who can do some research, and I have not found that the Office of Government Reports is in any way necessary in order to provide research.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. TAFT. I yield.

Mr. SHIPSTEAD. Some years ago I introduced a joint resolution providing for a congressional bureau of research, independent of any other department of Government, subject only to the House and the Senate, for the use of the House and the Senate, to compile important information independent of any other source, a coordinated group of research experts to whom a Representative or Senator could go in order to get from an independent source, or at least through an independent channel, whatever information was necessary for his use in the consideration of legislation of an economic character, or of any other character, indeed, in which research was necessary.

Mr. TAFT. I thank the Senator from Minnesota.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. Such a service is available to a considerable extent through the Congressional Library.

Mr. TAFT. I mentioned the Congressional Library.

Mr. AIKEN. I find them very accommodating about furnishing information.

Mr. TAFT. The kind of research the Senator from Minnesota suggests would be of great use here, but, of course, this office is merely engaged primarily in research about Government departments. In fact, it is not authorized to do any other research, so that there is a very limited field of research for which we could apply to them.

Mr. SHIPSTEAD. Mr. President, will the Senator yield further?

Mr. TAFT. I yield.

Mr. SHIPSTEAD. I do not know whether the Senator from Vermont had reference to the legislative reference service in the Library or to other departments of the Library.

Mr. AIKEN. To tell the truth, I cannot say, but when I desire information concerning, let us say, exports from this country or imports into this country, or anything of that nature, my office gets the information through the Congressional Library.

Mr. SHIPSTEAD. The kind of a bureau I had in mind was something entirely independent of the Library of Congress or any other department of the Government, dependent only upon the Congress.

Mr. TAFT. The Senator is eminently right, and the Committee on Appropriations repeatedly has desired that it could get independent information, because the information that is handed them is what some particular department wants to hand them. If we ask for research regarding a particular department from the United States Bureau of Information, we will get what that department wants us to get. Consequently, from our standpoint, it is not of particular value as a research organization.

Mr. SHIPSTEAD. I might add that my proposal met with quite favorable consideration by Members of the Senate and the House whom I consulted, but I was finally told that the executive departments of the Government had objected, and support for the measure was therefore lost.

Mr. TAFT. I can understand why they would object.

Another item which seems to me unnecessary is this:

Considerable time and effort in research is saved Government offices and the public by the United States Government Manual, published three times annually and sold by the Superintendent of Documents.

Mr. President, that seems to me a complete duplication. There is a little added information in it, but it is largely a duplication of the Congressional Directory. No doubt Senators have seen the book. It looks to be about the size of the Congressional Directory, and I would think that nine-tenths of the information in that publication is simply a repetition of the information we find in the Congressional Directory. So far as I can see, the Congressional Directory is much more in demand and is used much more widely than the so-called United States Government Manual, published by the Office of Government Reports.

So, Mr. President, I wish to support the amendment of the Senator from Connecticut. It seems to me that the bill itself is unnecessary, but when it comes to the point of Congress officially authorizing a department of the Government to distribute information by propaganda, by circulars, by radio, by films, then we are doing something we never have done before.

I can conceivably recognize the value of such an agency in wartime. I can conceive that if we are at war we may desire to have an agency which is in fact a propaganda bureau, and frankly such, but if that is the case, then it ought to be an emergency institution; it ought not to be a permanent institution for all time to come; it ought not to authorize and establish the principle that the United States Government, in order to survive, is to go out to its people and advertise itself and spread propaganda and build up public sentiment for various agencies it may wish to favor. I believe the time has come when Congress should speak authoritatively against any such proposition, and I hope the amendment of the Senator from Connecticut will prevail.

Mr. LODGE. Mr. President, it so happened that during the Coolidge administration and part of the Hoover administration I was a newspaper correspondent in Washington, and I was impressed at that time with the fact that the side of the Government in any controversial question was always so easy to get. One of the reasons why we believe in a free press is because we think it presents both sides or all sides of controversial questions and thus enables the citizen to form his own judgment. But, as a matter of practical mechanics, it very often does not work out that way.

The Government, of course, has the facilities for issuing mimeograph statements; it has whole corps of research employees, reference libraries, and messengers to deliver the statements to the offices of the newspaper correspondents; but when the newspaperman wants to get the other side to the side that the Government puts out, he is confronted with some very real practical difficulties. In the first place, it is hard to know to whom to go in order to get the other side. In the second place, if the news-

paperman knows who he is, he may be in such a position that he would jeopardize himself if he talked. In the third place, there is an inevitable passage of time which usually makes it perfectly impossible to present the two sides of the question in parallel columns and with equal publicity to both.

That condition existed at the time I was connected with the press in the Coolidge administration and part of the Hoover administration, and I certainly believe it has not improved since that time.

In my judgment, anything that tends to increase the naturally dominating position of the Government in this field is not necessary.

Mr. BARKLEY. Mr. President, I do not desire to delay a vote on the pending amendment, but in view of the remarks which have been made by the Senator from Connecticut [Mr. DANAHER], the Senator from Ohio [Mr. TAFT], and other Senators, I suppose this would be the appropriate place for me to comment very briefly upon this bill as well as the amendment offered by the Senator from Connecticut [Mr. DANAHER].

I realize that there may be perfectly sincere and legitimate objections to the establishment of any agency in the Government designed to furnish information either to Congress or to the people, yet I do not know of any agency which is more greatly needed in the sense that it might be centralized, than an agency of some sort designed and set up for the purpose of giving information to the public as well as to Congress.

I recall that during the Wilson administration when William J. Bryan was Secretary of State, he advocated the establishment of a Government publication whose purpose would be to give to the people impartial information about what the Government is doing, and the arguments he advanced in behalf of such a Government publication were in part that if a Republican newspaper gave the information, it colored it according to its political bias, or if a Democratic newspaper gave the information and commented on it, it colored it according to its bias, and that there ought to be an impartial factual publication financed and sponsored by the Government of the United States in order that the people might receive information about what their Government was doing. Many people at that time thought Mr. Bryan was seeking to establish a sort of Government newspaper that would advocate the policies which were being put into effect by the administration in power. Nothing came of it.

During the World War we had a sort of publicity agency under the administration of George Creel, which published and disseminated among the people a history of what led us to get into the World War, what our objectives were, and similar information.

Until recently nothing has been done in the way of establishing any sort of Government publication or means of information carrying out the original ideas of those who suggested the thought which is, as I understand, the basis of this legislation.

From funds allocated to the President he established in the first instance the National Emergency Council, and in most States there was a director of the National Emergency Council, whose duty it was to seek information from all the agencies set up by the Government—the N. R. A., while it existed, the Home Owners' Loan Corporation, the Federal Farm Credit Administration, the Federal Housing Administration, the United States Housing Authority, the W. P. A., the P. W. A., and all the other activities which were in progress under the direction of the Government, in order that there might be available to anyone who desired it, a Senator, a Member of the House, or a private citizen, or to a college, or any other organization, information concerning the activities of these agencies. As a result of that, millions of requests came from the people for information concerning some branch of the Government or some activity of the Government.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Was the furnishing of such information carried over into this present Office of Government Reports?

Mr. BARKLEY. Yes. The present Office of Government Reports is a lineal descendent of the old N. E. C., the National Emergency Council, I believe it was called.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. DANAHER. When Mr. Mellett testified before the committee he said, and I read from page 4:

> The reports compiled by our Division of Field Operations are not made public. Usually they are prepared at the request of the agency most interested, or are developed to keep the President currently informed concerning the functioning of Federal agencies in the field. The reports give the President and the officials directly concerned an objective and impartial report, coming, as they do, from a group completely detached from the particular administrative problems involved.

So if the agency is the same as that to which the Senator is now referring, the service is not available to the public.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I shall be glad to yield in a moment.

I was stating that the Office of Government Reports is a lineal descendent of the old N. E. C. I do not think the Senator's question disputes that fact at all. One grew into the other. I happen to know from my own experience—and I am satisfied that every other Senator who is familiar with the service would say the same thing—that the original N. E. C., which was the National Economic Council, with State directors, was intended to obtain and coordinate information for the benefit of the President and of Congress. None of the information was denied to Congress. Any Senator, any Member of the House, or anyone in public office in Washington at that time could obtain all the information that was available as a result of the coordination of the reports made by State directors to Washington with respect to the various agencies.

I now yield to the Senator from Alabama.

Mr. HILL. The reports to which the Senator from Connecticut [Mr. DANAHER] referred were reports made by State directors with reference to the operation or administration of Federal agencies within the particular States. For example, if a State director in Kentucky should find an overlapping between Federal agencies, or shortcomings on the part of some agency due to inefficiency, he would make a report. It would come to Washington, to the President and to the departments concerned.

Of course, such reports are not of particular interest to the public. They are only the result of a check-up on the operation and administration of Federal agencies in the various States.

Mr. BARKLEY. That is true; and that practice is not out of harmony with the practice of any of the departments. Take the War Department. It may seek information from the Fifth Corps Area with respect to Fort Hayes at Columbus, Ohio, Fort Knox, Fort Thomas, or any other military establishment within that area. That information is not to be given out generally to the public, but it is gathered by the War Department in Washington in order that it may have the information not only for the benefit of the President but also for the benefit of Congress. I dare say that unless the information contains some military secret, publicity of which would be injurious to the cause of our country, any Member of Congress or any committee of Congress could obtain from the Secretary of War the information gathered from all forts in the United States. Undoubtedly that statement is true with regard to the Office of Government Reports.

It has been said that the Office of Government Reports might be used as a propaganda agency. I suppose technically that might be true. I suppose it might be said by any political organization not in power that any agency set up to gather information and give it to the public might be used in behalf of the administration which gathers it, and for that reason it might b looked upon with suspicion by the minority. Yet I am reliably informed that in the other branch of Congress, in which the minority is represented by about 30 percent of the membership, the number of requests made by individual Members of the minority represents about 30 percent of all the inquiries made individually by Members of that branch to this particular agency.

I think that fact is not only creditable to the agency but it is creditable to the minority. The minority has sufficient faith in the impartiality of the agency and in the information it gathers with respect to the activities of the Government that practically one-third of all the inquiries made by Members of the House have come from the minority.

Certainly I would be the last Member of this body to deny the minority the right to have such information. It ought to have it. It bears upon government.

It bears upon the problems which face us.

I am told that more than 10,000 requests annually come to Washington from individual citizens all over the United States for information. They come to us. Every day we receive letters asking us for information about the activities of certain departments and agencies of the Government. The number of agencies has multiplied in proportion to the problems which our Government must deal with; and whether we like it or not, as our social problems become more complex the Government of the United States must take note of those problems and deal with them. That is why our agencies and our activities as a government have vastly increased over a period of years. The increase has been inevitable, because, as society has become more involved, our problems have become more complex and men have become more dependent upon one another, regardless of geography or politics. As time goes on, it becomes necessary, to a greater and greater extent, for the Government of the United States to take note of the problems which beset the ordinary citizen. Such action has been compelled by the logic of events and by the very growth of our society in a world of complexity.

Our Government should not be an austere figure off on a mountain somewhere that cannot be approached by the people. More and more the Government of the United States has been compelled to have a sympathetic interest in the problems of every man, woman, and child in the country. Because of that fact it has been necessary for us to multiply the activities and interests of our Government far beyond the imagination of those who set up the Government in the beginning.

It seems to me that with all the complexity in our life and in our Government it is essential that we have a centralized agency somewhere in Washington whose duty it is to gather information with respect to the people's problems, an agency from which private citizens of high and low degree, and officers of all kinds in the Government of the United States and in the governments of the various States, can obtain information. It seems to me that $1,500,000 a year is a very modest sum to be devoted to that enterprise.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. The Senator from Kentucky has spoken of the complexity of our agencies. For example, we know that a great many young men in this country have been very much interested in defense employment and in training for such employment. Suppose a young man in one of the States wants training for defense employment. He does not know to whom to write. He writes to the Office of Government Reports. Some of the information which he very likely will need and must have if he is to be properly advised might well come from the Office of Education; some of it from the National Youth Administration; some of it from the W. P. A.; some of it from the C. C. C.; some of it from the National Defense Advisory Commission; and some of it from the Apprentice Section of the Department of Labor. Some of it might even come from the vocational education authorities of the various States and localities. As the Senator has said, the Office of Government Reports provides the citizen with an agency to which he may write, and from which he may obtain information, although it may be necessary for the agency to obtain the information from many different departments of the Government. Such an agency gives the citizen an opportunity to obtain the information which he wants about his Government and to find out the opportunities that may be open to him.

The interesting thing about the debate is that so many of the arguments that have been made against the bill are the same old arguments with which Thomas Jefferson and Horace Mann were confronted when Jefferson and Mann were waging their battle for the establishment of public schools.

Mr. BARKLEY. I thank the Senator for his illuminating statement.

All of us know the difficulty which faces us here, and most of the time we are here on the ground. We create the departments, we appropriate money for them, and we are supposed to know all that goes on in them. Our constituents think we know, or that we ought to know; and the number of letters I get is amazing, and I have no doubt other Senators get equal numbers of letters from persons in our States. I get mail from persons all over the United States who ask me questions about certain things that I cannot answer. I do not know. I go to the telephone, and call up the War Department. They say, "Well, we will switch you over to No. 2021." I get No. 2021: "No; we do not handle that. We will switch you to No. 562." Then I get No. 562.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. I am wondering why, in going through all this confusing process, the Senator does not call the Office of Government Reports, which the Senator states is effectively serving its purpose.

Mr. BARKLEY. That is what I am talking about.

Mr. AIKEN. Why does not the Senator call it now?

Mr. BARKLEY. I do. But if it is abolished, as I understand the Senator is seeking to do——

Mr. AIKEN. No; the pending amendment would not abolish it.

Mr. BARKLEY. The pending amendment would not abolish it; but the Senator has made a minority report against the bill, and I assume he would seek to abolish it.

Mr. AIKEN. The Senator from Vermont believes this is no time to make this Office permanent, to add 507 employees to the President's immediate official family. But if it can be shown—as I expect it can be shown—that at the present time the President needs the Office of Government Reports, I would be perfectly willing to vote for an appropriation so that it may be continued for the next 2 years. However, I do object to putting it upon a permanent basis at this time.

Mr. BARKLEY. The Senator seems to fear Congress. Congress can abolish this agency any time it sees fit. It has been created by Executive order, and its expenses have been paid by an allotment out of Executive funds or by an appropriation which, strictly speaking, is unauthorized by any substantive law.

This bill is intended to authorize it, so that it may be on the same basis as other agencies. Then it will be authorized in advance, and then will be a matter for Congress to determine whether a million and a half dollars or a million dollars or any other sum shall be appropriated from time to time for its maintenance. Congress can at any time abolish his agency. The Senator seems, by implication, to express a lack of confidence that Congress would abolish it.

Mr. AIKEN. So could Congress at any time repeal a law.

Mr. BARKLEY. Yes. Congress without repealing the law can refuse an appropriation in any year, if it does not want to make it.

But the point I am making is that we get all these requests; people back in the country do not know anyone in Washington, it may be, but us. They may know us personally because we have been among them. They may know their Representative in Congress, or their Senator, because over a period of years he has been among them, and they do not know anyone in Washington but us. Naturally, they write us letters asking for information that we must obtain from someone. They are entitled to the information. They are interested in the State. They are interested in their Government. The man in the country, walking between the plow handles, the man behind the counter, the man in the bank, the man in the law office, the dentist, does not know all the intricacies and details of Washington government.

Every day I get letters from people who want to do something to help the Government of the United States. They are not of military age, we will say; they are not necessarily seeking a job that will pay them a salary; but in this emergency they desire to do something. They want to make their services available, and they write to me—and I do not doubt they write to other Senators—and ask, What can I do?

I do not know what they can do. I may call the War Department, I may call the Navy Department, I may call the O. P. M. I may call the various agencies; and each of them has a personnel supervisor who may or may not give me information that will satisfy my correspondent. Thousands upon thousands of letters of that sort reach us every day.

We can simplify the matter, and probably can satisfy these millions of correspondents all over the country—persons who are just as much a part of the United States as we are, and who are just as loyal as we are, just as interested as we are—through this agency, this clearinghouse, which is set up for the purpose of furnishing information of that sort.

That is the individual view of the man in the street who wants to find out some-

thing about the Government of the United States. It so happens that in Congress we pass many laws the successful administration of which depends upon cooperation among the States. It may be necessary for a State legislature to pass a law—as it has been in many cases—to coordinate the laws of the State with the laws of the United States, in order that some agency of our Government, set up by us, may function efficiently.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. NORRIS. If we pass this bill, and if it becomes law, and then if the Senator gets the letter he described awhile ago from some patriotic citizen who says, "I want to help the Government. What can I do?" could the Senator answer that letter better if we should pass this bill?

Mr. BARKLEY. Undoubtedly I could.

Mr. NORRIS. What would the Senator tell him?

Mr. BARKLEY. I would send the letter down to this agency.

Mr. NORRIS. What would the agency say?

Mr. BARKLEY. I do not know what it would say. That would depend upon the letter.

Mr. NORRIS. The Senator does not know. Would the agency know? If so, what would it know?

Mr. BARKLEY. Letters are received which no one can answer. Inquiries are made to which no one can give a satisfactory answer.

Mr. NORRIS. I think the Senator just pointed out one.

Mr. BARKLEY. But, instead of my having that letter or making a copy of it or writing the substance of it in a letter of my own to the Secretary of War, the Secretary of the Navy, Mr. Knudsen, Mr. Hillman, the Secretary of Commerce, or a dozen agencies in Washington, I can send that inquiry to this particular agency and can get its reply, get the information, get the set-up, get the contacts it has made, and can give that information to my correspondent. That is one instance, I think, of this centralized bureau of information, as I might call it, being valuable to us as legislators and to the people of the United States.

Mr. NORRIS. I wish the Senator would tell me how this bill would help in replying to an actual letter which I received. About 2 weeks ago I received a letter from a woman in California, a woman I did not know, whom I never had seen or heard of. Evidently she is a very intelligent and a very patriotic woman. She wrote a beautiful letter without any mistakes of language or anything of that sort. She asked me whether the circular which she enclosed was true or false. Whether or not she was justified in the confidence she said she had in me, she said she was sending it to me because she believed I would tell her the truth.

The circular she enclosed was about two-thirds as large as the page of an ordinary book, such as this I hold in my hand. On one side there was an illustration, covering most of the page, of a large cemetery.

Mr. BARKLEY. A large cemetery?

Mr. NORRIS. A large cemetery filled with graves, and with a little tombstone at the head of each grave. The circular worried her a great deal. She said in the letter: "I cannot believe this statement, and I want to know whether it is true."

There was a quotation below it. On one side the circular stated that it was desired to have everybody in the United States read it, and on the other side was the statement that the Government had ordered 1,500,000 coffins. She was worried very much about that, and wanted to know whether that was merely propaganda, and false, or whether it was true, and, if it was true, what it meant. Would this bill, if it should be enacted into law, make it any easier for me to answer such a letter as that?

Mr. BARKLEY. I think it would, and I will tell the Senator why. That matter came up here a month or 6 weeks ago. It so happened that a routine order for a certain number of coffins was given by the War Department in view of the selective draft law, which over a period of 5 years would take into training in the United States Army about 5,000,000 men. Of course it was necessary to increase the number of coffins the War Department had on hand, because with 5,000,000 men in training, under the laws of nature the death of a certain proportion of them could be expected.

That was explained in the hearings on the lend-lease bill, for instance, by the Secretary of War as a routine order. The fact that he issued that routine order to be filled over a period of years was used by somebody in this country as propaganda for the purpose of convincing people that we were going at once into the European war and that we expected a million and a half men to be killed.

I think, of course, the Senator could have gotten that information from the Secretary of War, but he could have gotten it from this bureau, too.

Mr. NORRIS. Yes; but I did not, of course, believe the report which I had heard. I do not think I was bothered in answering the letter, and I could have said that the report was not true; but, as a matter of fact, I thought the woman was sincere; I thought she was patriotic, and I thought she was being misled by false propaganda.

Mr. BARKLEY. That is right; I agree with the Senator.

Mr. NORRIS. I thought she would have more confidence in the answer to her inquiry if it came from the Secretary of War than she would have if it came from me, and I wanted to back up my answer with proof that I thought was of the first character, because I was exceedingly anxious properly to answer that woman's letter, although she was entirely a stranger. I sent her letter with the little pamphlet to the Secretary of War; I received his answer, and then communicated with her. There was not any difficulty; there was not any doubt as to where to go, it seems to me, to get the proper information if I did not already possess it, although I believe I could have truthfully said to the woman, "This report is false; there is not anything to it, and no such thing has happened." But she was probably better satisfied with the result, and I was able to send the reply of the Secretary of War to her inquiry, stating that the report was groundless, that there was not any truth to it. When people are in doubt, and want to get the truth, it is not necessary, it seems to me, Mr. President, to provide another Government bureau.

I do not charge bad faith at all; I admit that the Representatives and Senators behind this bill are sincere and acting in good faith, and, for the time, probably there would come no harm from it, but it seems to me to set up this kind of an organization, with representatives in each State, to furnish information which can be had readily, and I think in many cases more reliably under present conditions, is objectionable, for two reasons. First, it involves a useless expenditure of public funds, though I do not think that is the greatest objection; and, secondly, as I see it, it contains in its very make-up the germs that in years to come, if it becomes permanent law, will cause to blossom forth a dangerous and ugly department of government, regardless of what political party may be in control. It will enable almost any government to perpetuate itself; it will grow in magnitude, and in evil as time goes on. It would not be very dangerous now; probably most men who might be put in charge would be acting in the best of faith and would be perfectly patriotic, but I think the Senator from Kentucky knows from his broad experience that, even though that kind of a gigantic machine in its infancy may be almost perfect, as time goes on propagandists, corruptionists, machine-minded politicians will crowd into it and ultimately control it. And when it gets that far, and an administration undertakes to use it, as it can, it will be an evil, akin, it seems to me, to the propaganda which Hitler has employed. Eventually, in the hands of someone like Hitler, the harm that it could do would be absolutely indescribable, it seems to me. The danger of giving governmental sanction to that kind of a possibility almost makes me shudder. Without charging any bad intent, without denying even that, for a time, it might result, perhaps, in great good, I do not want to be a party to putting such a measure as permanent law on the statute books of the United States. I think its ultimate end would be bad. I cannot get it out of my mind that these things are unnecessary.

We have got to suffer some inconveniences. The Senator spoke of Mr. Bryan's idea of a governmental newspaper or magazine. I remember it very well. I was always convinced that Mr. Bryan was perfectly sincere in his advocacy of that kind of a governmental publication, and, in the hands of a perfect man, it would have been an excellent thing, but we do not have perfect men. To start with, it might accomplish great good, but the danger is that it would eventually get into the hands of some evil-minded political machine crook; then look out for the liberties of the people under it and look out for the dangers of propaganda.

Frequently, from necessity, we have to judge between two views. As the Republican view and the Democratic view would be expressed, and each side would naturally shade its expressions according to its political opinions, Mr. Bryan thought there should be someone in between to tell the truth. In a democratic government let the people get both sides, and they will reach the truth according to their individual method of thinking. I do not see how we can better that; that is democracy. There is some evil in it, but that is one of the things we have to suffer and put up with in order to have free speech, a free press, and a democratic form of government. It seems to me we are in danger here of making things worse than they are, while I admit we are very sincere in trying to make them better.

Mr. BARKLEY. Of course, I appreciate, as we all do, the sincerity of the views of the Senator from Nebraska; and anything upon which he has very deep convictions I always regard as a matter of fundamental importance. Whenever I find myself differing from the Senator from Nebraska I begin to doubt whether I am right, no matter how long I may have entertained some views that I express. But let me get back to the particular matter of the inquiry made of the Senator from Nebraska by some woman in California.

That happened to be an inquiry upon which the Secretary of War could give first-hand information, because the Secretary of War had ordered these coffins. He knew why he ordered them. Nobody else in the Government knew why he ordered them.

Mr. NORRIS. Let me say to the Senator, before he proceeds further, that the Secretary of War never ordered 1,500,000 coffins.

Mr. BARKLEY. No; that is true.

Mr. NORRIS. He explained very fully in his letter that ordinarily the Government, of course, had to buy a great many coffins. They amount to about 700 a year, on the average.

Mr. BARKLEY. That is true; and the Government bought more than they usually buy.

Mr. NORRIS. Yes.

Mr. BARKLEY. And although the number was nothing like a million and a half, the Secretary of War knew the number, and he no doubt stated in his response what the number was, and why the Government had bought them, and why they had increased the usual number. Nobody else in the Government knew that except the Secretary of War, and therefore he was the proper person to give that information; and the Senator, of course, did the expeditious thing in referring this inquiry to the Secretary of War, who knew at first hand what the facts were.

While that is true of that particular inquiry, however, thousands of inquiries come to various agencies of the Government, including ourselves, as to which we do not happen to know who can give the fact; and it is in those cases, it seems to me, that a sort of clearinghouse of general information may be valuable.

Mr. MALONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Kentucky yield to the Senator from Connecticut?

Mr. BARKLEY. I yield.

Mr. MALONEY. I did not mean to interrupt the Senator——

Mr. BARKLEY. That is all right.

Mr. MALONEY. But I was delayed in getting to the Senate Chamber because of a committee meeting, and perhaps what I am about to ask has already been covered.

Mr BARKLEY. I do not know about that. I have not covered much so far.

Mr. MALONEY. I am about to let the Senator know what it is.

I am in sympathy with what I have just heard the Senator say about the need for a clearinghouse in the present emergency. I think that for the time being, and while the emergency lasts, because of the very great pressure on the White House, we ought to give them all the assistance that is reasonable; but I am wondering if any suggestion has been made about placing a limitation of time on this activity. I should like to provide such a clearinghouse for the present time, but I do not want to make it permanent. I wonder if that matter has been covered in the discussion.

Mr. BARKLEY. The Senator from Nebraska [Mr. NORRIS], in his inquiry to me, and other Senators who have discussed the matter, have discussed the question of making this organization a temporary one; but it seems to me, as the Chief Justice said in a certain famous case that he decided in the Supreme Court of the United States, the fatal infirmity of that theory is that we do not have any faith in Congress that if the need for this Office should terminate, the law itself would be terminated, and that once we set up this Office we have forsworn ourselves ever to abolish it if the need itself should terminate.

We have been carrying on this activity for the past 5 or 6 years I have forgotten when the old National Emergency Council was established, that being the first name given to this agency.

Mr. MALONEY. Mr. President, will the Senator further yield to me?

Mr. BARKLEY. Yes.

Mr. MALONEY. To whom did the Senator refer when he spoke of a lack of confidence in the Congress?

Mr. BARKLEY. I was referring to remarks that have been made heretofore by Members of the Senate to the effect that if we once establish this Office it will become permanent and go on forever, and that it will grow. My answer to that was that it seems to me that expression shows a lack of confidence in the Congress of the United States that if the need for this office should terminate in 5 years or in 4 years or in any other period of time, Congress would have the intelligence and the courage to abolish it, which it could do.

Mr. MALONEY. I do not think that principle applies at all, if the Senator will further yield.

Mr. BARKLEY. I yield.

Mr. MALONEY. I think we might do here what we have done in so many other instances—write into the legislation that it shall terminate when the emergency is over. That has been the practice of Congress.

Mr. BARKLEY. Of course, that leaves it to somebody to determine when the emergency is over.

Mr. MALONEY. It leaves it to the President.

Mr. BARKLEY. Probably the Senator from Connecticut was not in the Chamber when I began my remarks.

Mr. MALONEY. I just came in.

Mr. BARKLEY. I referred to the fact that a quarter of a century ago a very great man who was Secretary of State, Mr. Bryan, advocated the establishment of a Government publication to give impartial facts to the public, on the ground that partisan newspaper colored the news coming out of Washington according to their political predilections; and he contended that there ought to be permanently established in the Government some sort of means of information that would be given to the people, regardless of the political effect it might have. I grant that it is always possible for human beings to pervert a perfectly worthy enterprise into an unworthy activity; but Mr. Bryan's theory was that there ought to be an impartial agency in Washington, or with its avenues of information scattered all over the country, particularly with reference to Government activities, that would give the people the truth about what the Government is doing without any color, without its being shaded according to political views.

Mr. MALONEY. The Senator does not think there is any shortage of such information agencies here, does he?

Mr. BARKLEY. No; I do not think there is necessarily a shortage, but I think there is a great confusion of agencies. There is great chaos in knowing where to go to get the information even among us here, who are supposed to know a good deal more than we actually know.

Mr. MALONEY. Well, we do find out.

Mr. BARKLEY. Finally, after a while, maybe. [Laughter.]

Mr. MALONEY. The Senator does not speak for me.

Mr. BARKLEY. Frequently I am not sure that I have obtained from anybody the last word as to the facts of any particular agency or activity of the Government, but I believe that a single agency charged with the responsibility of gathering the information and charged with the responsibility of disseminating it can be relied upon to do so more effectively and more efficiently and certainly more expeditiously than it can be done by Members of the Senate or the House. The 130,000,000 people of this country do not know whom to write to except to us, because they happen to know us, and probably voted for us, and they feel that we can obtain all this information; but even after they write to us for it we have to scour around all over Washington, parade around and crawl around from one telephone to another, and from one agency to another to find out what

the truth is, and then we are not always certain we have obtained it.

Mr. NORRIS. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield to the Senator from Nebraska.

Mr. NORRIS. I desire to make a suggestion in reply to the Senator's remark that there is a lack of confidence in the Congress that they could repeal this act at any time they pleased; and yet, when the Senator from Connecticut suggested that we put in the law itself a date of expiration, the Senator from Kentucky did not like that suggestion.

That is natural, I think, because the Senator from Kentucky must know, as all of us must know, that when we put on the statute books a law, especially if it creates a large number of official positions, it is very easy to say we may repeal it if we do not like it, but when we come to repeal it we find we are up against something else; and if we put this bill on the statute books, with the many employees that are involved in it, it will be a very difficult thing ever to repeal it. At least, if we find the law is working real well, and we want to extend it, if we follow the suggestion of the Senator from Connecticut and put in a date of its expiration, it would be just as easy to continue the law by a special act as it would be to repeal it.

After all, the influences would exist in either case, whether we wanted to extend the law or whether we wanted to repeal it. If it is not right, we should not start it. We are in danger of starting something which we cannot stop after it is started. That is what I sincerely fear might be the result, and I do not want to see that brought about.

The Senator has been very fair in admitting that there are dangers in starting something of this kind, and sometimes it is necessary to go further than we would under ordinary circumstances, I agree. But if the people want to get information, and want to get it without any prejudice, in my opinion they would be up against just as hard a thing if we passed the bill before us as though we did not pass it. They have to rely on some one to give them the information. There is a great responsibility on the part of a man who gives information knowing that the people rely on the truthfulness of what he is going to say. He will be extremely careful not to exaggerate and mislead a trusting person.

A public man, a Senator, a Governor, a President, or a Representative, is much the same as a newspaper. Mr. Bryan was right, the newspapers are going to be biased by their political prejudices—they have been even unconsciously prejudiced. People learn about us, whether to rely on us and take our word, by following us for a period of years, until they either have confidence in us or suspicion about every one of us. We get a reputation either for honesty or for dishonesty, for crookedness or for straightforwardness. It is the same with a newspaper. The people judge a newspaper about as they do a public man.

Mr. BARKLEY. They are more fearful of a newspaper than they are of a public man.

Mr. NORRIS. Of some of the newspapers they should be more fearful, I agree. Probably some of them are and some of them are not. A newspaper which gets a reputation for truth and veracity, honesty and fairness, in the end will control a very much larger and broader and more intelligent constituency than a crooked newspaper. If one starts with a good reputation which gradually deteriorates, eventually he will reach the point where he cannot control anyone; and it is the same with a newspaper.

There are illustrations of that at present. Who believes the Chicago Tribune now, for instance—a great newspaper, boasting of being the greatest in the world—yet no one believes it, if there is any occasion for it to be biased or to state a thing wrongfully.

Mr. BARKLEY. I appreciate what the Senator says. What I meant by my observation was that of course a reputable newspaper, in which the people believe, reaches more people than we can as public men. If the people believe in its integrity and its honesty, unconsciously they are influenced day by day by the news items and by the editorials. It is much easier for a newspaper to reach the public than it is for us to reach the public; we just cannot do it.

I believe in what I stated a while ago about the effort to limit the life of the bill. There is no amendment pending upon that subject, but that is what the Senator had in mind. The effort to limit the life of the bill comes inevitably, it seems to me, from a fear that if there is no limitation, even if Congress saw it was no longer needed, the act would not be repealed.

It may be an open question whether it is easier to repeal a law which is permanent in its terms, or to extend one which contains a limitation, I do not know. We have had both kinds of laws. I have had a good deal of experience in the last few years in getting extended laws which had expired. Some have expired this year, and I have found that it is sometimes as hard to get one extended as it is to get one repealed.

I do not desire to take more time, though I do wish to comment on the relationship of this agency to the necessary cooperation between the States and the Federal Government. I had already pointed out the use to which the agency may be put for the benefit of Congress and for the benefit of Members who inquire of it. It may be that not all Members of Congress have made use of it. It is there for them if they wish to use it. It may be that they have other avenues of information. It may be that some of us will answer inquiries by saying, "I will look into this matter and inform you later," and then the next day we have other requests and other duties, and the first thing we know we have forgotten all about the inquiry. Frequently that happens in my own case, not intentionally, but because of the press of other business which comes to my desk, as it does to every Senator's desk.

I believe this agency is worth all it costs for what it does for Members of Congress, if for nothing else. There are in this country 130,000,000 people. They do not know anything about the details of government. They write to Washington, and many letters come here addressed to United States Government. Who is to answer a letter like that? It will come to the post office here, and the postmaster does not know where to send it. Sometimes letters come addressed to Uncle Sam. Who is Uncle Sam? I am not.

It may be that if a letter comes from my State it will come to my office, and if it comes from the State of the Senator from Nebraska it will be sent to him. I am sure he would not claim to be Uncle Sam; but the letters must be sent to someone. Where is such a letter to go? Where are we to get the information asked for? No matter whence a request comes, this Office is an agency to which we can resort for the information. It may have the information available on its desk. It certainly has the facilities for gathering it, and it is valuable to Members of Congress.

It is undoubtedly valuable to the members of State legislatures. As I stated a while ago, we have passed many laws in the administration of which it is necessary to get State coordination; for instance, in the flood-control program which we adopted 3 or 4 years ago. In my State it happened to be necessary to get the legislature to pass a law authorizing cities in the flood areas to issue bonds and hold elections in order that they might put up their share of the cost. In the case of the Home Owners' Loan Corporation, the Federal Housing Administration, the United States Housing Authority it was necessary for the legislature to authorize cities to set up housing commissions in cities which desired to take advantage of the housing law. Of course, it was desirable, as we had one agency here dealing with that subject, to have as nearly as possible uniform legislation in all the States with respect to it. So that it was necessary for somebody in Washington to cooperate with the 48 States in clearing legislation which would enable cities to take advantage of the housing law. These are only isolated instances in which it has been necessary for the Government of the United States to work out through some agency a system of coordination between the Federal Government and the legislatures and the executives of the States. This agency has been very valuable in coordinating legislation with the various States.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WALSH. Confirming what the Senator has said about the inability of many citizens to know from what department of government to seek information, I received some time ago the following letter:

> My postman tells me the Government can cure sick chickens. Please tell me how.

It is apparent he wanted a pamphlet from the Department of Agriculture with respect to the treatment and care of chickens, but he expressed his desire in this homely way, and he himself did not know where to get the information.

Mr. BARKLEY. Undoubtedly that is true. Of course, he was not aware that the Supreme Court of the United States 3 or 4 years ago advanced a remedy for sick chickens in the famous Schechter case.

Mr. President, I do not want to take more time of the Senate. I could proceed and refer ad infinitum to the benefits which are available to us as public servants and to the people of the United States, which can be obtained by reason of this agency. I think the amount involved is modest. I think the value which comes to us and to the Government of the United States and the people of the United States is far beyond the amount involved.

Something has been said about clipping bureaus, and the information coming to the various departments of the Government through clipping service. Of course, every 2 years every Member of the House of Representatives has to appear before his people, if he is a candidate for reelection, and give an account of his stewardship. Every 6 years we as Senators have to do the same thing. When in the House, I used to think that 2 years rolled around extremely rapidly, but it seems to me now that 6 years roll around even faster than 2 years rolled around then between one election and another. We have to go before the people and to give an account of ourselves, our stewardship, our public service. We, as elected representatives, can do that, but the executive department officials cannot do that. Many men are in the executive departments who never have an opportunity to go back before the people and find out what the American people are thinking, and because of that sometimes we find that men in executive positions lose touch with the trend of public opinion in the United States.

The clipping bureaus or agencies are set up in order that there may be brought to the attention of Government officials and placed on their desks the opinions contained in newspapers, magazines, and publications all over the United States. Every day and every week and every month from 350 to 500 daily publications and weekly and monthly magazines are scanned for expressions of opinion with respect to what is going on in Washington, and those clippings are sent to the executive departments of the Government of the United States, so that, in the absence of ability to go out among the people, the people may in that respect be brought to Government officials, in order that they may be brought in touch with public opinion on matters of government.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Last fall, I should say it was around the third or fourth week in October, I heard one of the Senators, and I think it was the Senator from Kentucky, talking about the fact that 85 percent of the newspapers of the United States were against the reelection of Mr. Roosevelt. Assuming that that current opinion were clipped and put on the desk of every executive downtown through the service of this very bureau, what effect would the Senator say it would have on their operations or their conduct?

Mr. BARKLEY. I do not recall whether I made that statement, but it was generally understood that 85 percent of the large daily newspapers in the United States were against the reelection of President Roosevelt, and I would say in answer to the Senator's question that if that current opinion had no more effect upon the agencies in Washington than it apparently had on the people, it would not have any effect at all.

Mr. DANAHER. Then why continue the organization?

Mr. BARKLEY. It still is necessary to get information in order to assess it and to value it and to weigh it, in order to determine now and then what it may be, and a critical editorial from an enemy newspaper, if there be such, would have some effect upon the administrative policy of an agency in Washington.

Mr. DANAHER. A newspaper like the Chicago Tribune?

Mr. BARKLEY. Like the Chicago Tribune?

Mr. DANAHER. Yes.

Mr. BARKLEY. I do not wish to single out any newspaper and comment upon its influence. The Senator from Nebraska [Mr. NORRIS] has covered that matter amply, and I do not find it necessary to add anything to what he has said about that particular publication.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. DANAHER. I mentioned that newspaper only because the Senator from Nebraska mentioned it, and I wonder if the Senator from Kentucky characterized it by his phrase, "enemy newspaper."

Mr. BARKLEY. The Chicago Tribune is an enemy to a good many things in which I believe, I will say to the Senator; but even so, I attribute to the Chicago Tribune sincerity in the advocacy of what it proposes. I am in no position to question the sincerity or the honesty of those who write on the Chicago Tribune. I do not agree with most of the things the Chicago Tribune advocates at this particular time, and apparently the people who read it do not agree with it. But that is a matter of personal opinion.

The amendment which is now pending is one to strike out subdivision (c) on page 2 of the bill, which is one of the purposes of the legislation. Among other things in the bill is this provision:

(a) Provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information.

I have commented upon that provision sufficiently, I think. The next provision is:

(b) Assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions.

I suppose that provision is all right, because the Senator has not moved to strike it out.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Does the Senator see any reason why the President could not properly deal with those problems now? He has all the clerks and all the assistants he wants. All this provision does is to authorize him to be assisted in dealing with special problems. He certainly can deal with them without any authority from the Congress.

Mr. BARKLEY. Of course, the President has secretaries, some six of whom are supposed to have a "passion for anonymity." I do not think this particular agency comes under the "anonymity" division of the President's clerical assistance. It may be that it is desirable now and then to have an agency of the Government with a passion for loquacity, and if this particular bureau can by talking to the people and giving information to them aid the President in coordinating his duties as to legislation on the part of the Federal Government with the States and other agencies, I see not only no harm in it, but I think great benefit can come from it. The language which the Senator from Connecticut seeks to strike out is contained in subdivision (c)—

Collect and distribute information concerning the purposes and activities of executive departments and agencies for the use of the Congress, administrative officials, and the public.

Mr. President, if there is anything we need it is information, I do not care what source it may come from or what agency may be utilized to gather the information. We know that in our individual capacities we cannot possibly, upon our own initiative, gather all the information we need with respect not only to inquiries which come to us, but with respect to legislation, and therefore I hope the amendment offered by the Senator from Connecticut will be rejected. I apologize to the Senate for the loquacity which I have exhibited, which has been prompted largely by questions asked me by Members of the Senate.

Mr. DANAHER. Mr. President, to hear the Senator from Kentucky one would think that if my amendment were to prevail, never again could the President get any advice or opinions or be kept currently informed as to attitudes either of the public or the press. To hear the arguments the Senator has made, one would think that citizens who wish to make inquiries about matters in Washington would not know where to turn.

Mr. President, let me read subdivision (a) of the bill:

To provide a central clearinghouse through which individual citizens, organizations of citizens, and State or local governmental bodies may transmit inquiries and complaints and receive advice and information.

Mr. President, if that does not mean what it says, I should like to have the Senator from Kentucky explain what it means; but if it means what it says, it is perfectly apparent that any citizen, or any group of citizens, or any organization, can submit inquiries either to the Senator from Nebraska, the Senator from Kentucky, or any other Senator, and the inquiries can be sent to the Office of Government Reports, the information can be

obtained, and the answers can be made. My amendment does not apply to that situation at all. There is no limitation even remotely suggested by my amendment with reference to subdivision (a).

The Senator from Kentucky talks about the inability of the President to deal with problems unless we help him by means of the pending bill. Let us look at subdivision (b). It is expressly provided that this agency shall—

assist the President in dealing with special problems requiring the clearance of information between the Federal Government and State and local governments and private institutions.

The pending amendment does not affect that clause. That clause will stay in the bill. So far as subdivision (d) is concerned, it is provided that the agency shall—

keep the President currently informed of the opinions, desires, and complaints of citizens and groups of citizens and of State and local governments with respect to the work of Federal agencies.

Not in any way whatever, Mr. President, are those various features inveighed against by the pending amendment; and yet to hear the Senator from Kentucky talk one would think that the amendment would destroy the entire bill. It is perfectly apparent that every ground upon which he purports to base his opposition to the amendment is left unchallenged and untouched by the remaining language in the bill.

If we turn to the amendment which would strike out subdivision (c), we find that it eliminates the provision which would make the Office of Government Reports a propagandizing force which would undertake to collect and distribute information, not concerning facts, not even concerning activities, but concerning the purposes of the executive departments and agencies, for the use of the President and the Congress. It becomes an argumentative force, a propagandizing medium. That is the sole purpose for which the power under subdivision (c) is sought.

Let me say to the Senator from Nebraska [Mr. NORRIS] that every word he has said with reference to the bill is pertinent and appropriate comment with reference to the principle involved. I wish I could associate myself with him in his handling of this question as a matter of principle. He is fundamentally and clearly right on the point.

Mr. President, the pending amendment goes only to subdivision (c). I believe it should be agreed to, and that subdivision (c) should be stricken from the bill.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Barbour	Bulow
Aiken	Barkley	Bunker
Austin	Bone	Burton
Ball	Bridges	Butler
Bankhead	Brooks	Byrd
Byrnes	Holman	Rosier
Caraway	Hughes	Schwartz
Chandler	Johnson, Colo.	Shipstead
Chavez	Lodge	Smith
Clark, Idaho	McFarland	Spencer
Clark, Mo.	McNary	Stewart
Connally	Maloney	Taft
Danaher	Mead	Thomas, Utah
Davis	Murdock	Tunnell
Ellender	Murray	Vandenberg
Green	Norris	Van Nuys
Guffey	Nye	Wallgren
Gurney	O'Mahoney	Walsh
Herring	Radcliffe	Wiley
Hill	Reynolds	

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Fifty-nine Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER]. On this question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LODGE (when his name was called). On this question I have a pair with the junior Senator from Michigan [Mr. BROWN]. If the Senator from Michigan were present I am informed that he would vote "nay." If I were at liberty to vote I should vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from California [Mr. DOWNEY], the Senator from Georgia [Mr. GEORGE], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Rhode Island [Mr. GERRY], the Senator from New Mexico [Mr. HATCH], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

The Senator from Arizona [Mr. HAYDEN], the Senator from Nevada [Mr. MCCARRAN], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Oklahoma [Mr. THOMAS] are detained in important committee meetings.

I also announce that the Senator from California [Mr. DOWNEY] has a general pair with the Senator from Rhode Island [Mr. GERRY], and that the Senator from Tennessee [Mr. MCKELLAR] has a general pair with the Senator from Montana [Mr. WHEELER].

Mr. AUSTIN. I announce that the Senator from Oregon [Mr. MCNARY] is detained on official departmental business. He has a general pair with the Senator from Mississippi [Mr. HARRISON].

I also announce the following pairs on this question:

The Senator from North Dakota [Mr. LANGER] with the Senator from Mississippi [Mr. BILBO];

The Senator from Kansas [Mr. REED] with the Senator from Oklahoma [Mr. LEE];

The Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS].

I am advised that the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr REED], and the Senator from New Hampshire [Mr. TOBEY] would vote "yea," and that the Senator from Mississippi [Mr. BILBO], the Senator from Oklahoma [Mr. LEE], and the Senator from New Jersey [Mr. SMATHERS] would vote "nay."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH];

The senior Senator from Maine [Mr. WHITE] with the Senator from Illinois [Mr. LUCAS];

The junior Senator from Maine [Mr. BREWSTER] with the Senator from Missouri [Mr. TRUMAN];

The Senator from Idaho [Mr. THOMAS] with the Senator from West Virginia [Mr. KILGORE].

The result was announced—yeas 20, nays 38, as follows:

YEAS—20

Aiken	Butler	Nye
Austin	Byrd	Shipstead
Ball	Danaher	Smith
Barbour	Davis	Taft
Bridges	Gurney	Vandenberg
Brooks	Holman	Wiley
Burton	Norris	

NAYS—38

Adams	Ellender	Pepper
Bankhead	Green	Radcliffe
Barkley	Guffey	Reynolds
Bone	Herring	Rosier
Bulow	Hill	Schwartz
Bunker	Hughes	Spencer
Byrnes	Johnson, Colo.	Stewart
Caraway	McFarland	Thomas, Utah
Chandler	Maloney	Tunnell
Chavez	Mead	Van Nuys
Clark, Idaho	Murdock	Wallgren
Clark, Mo.	Murray	Walsh
Connally	O'Mahoney	

NOT VOTING—37

Andrews	Hayden	Russell
Bailey	Johnson, Calif.	Smathers
Bilbo	Kilgore	Thomas, Idaho
Brewster	La Follette	Thomas, Okla.
Brown	Langer	Tobey
Capper	Lee	Truman
Downey	Lodge	Tydings
George	Lucas	Wagner
Gerry	McCarran	Wheeler
Gillette	McKellar	White
Glass	McNary	Willis
Harrison	Overton	
Hatch	Reed	

So Mr. DANAHER'S amendment was rejected.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

OFFICE OF GOVERNMENT REPORTS

The Senate resumed the consideration of the bill (H. R. 3368) authorizing expenditures for the Office of Government

Reports in the Executive Office of the President.

Mr. TAFT. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 2, line 4, after the word "public", it is proposed to insert the following:

But nothing herein shall authorize the distribution of films or radio scripts or radio transcriptions.

Mr. TAFT. Mr. President, since the Senate has refused to strike out subdivision (c), it seems perfectly clear to me that under subdivision (c) the words "collect and distribute information concerning the purposes and activities of executive departments and agencies" authorize the use of films or radio scripts or radio transcriptions. There was a time when the National Emergency Council did distrubute films, radio scripts, and radio transcriptions; but, in the first place, Congress disapproved that practice. We put an end to the use of films and the preparation of films, some of which were extremely expensive. In the second place, the President transferred to the Department of Education all power relating to radio scripts, radio transcriptions, and films, at the same time he transferred the other functions of the National Emergency Council to the Office of Government Reports. I read from the President's second reorganization plan:

The functions of the Radio Division and the United States Film Service of the National Emergency Council are hereby transferred to the Federal Security Agency and shall be administered in the Office of Education under the direction and supervision of the Federal Security Administrator.

All functions of the National Emergency Council other than those relating to Radio Service and Film Service (transferred by Section 201 (a) of this plan to the Federal Security Agency) are hereby transferred to the Executive Office of the President and shall be administered under the direction and supervision of the President.

So it seems to me perfectly clear that if any films are to be distributed we ought not to have two bodies distributing films, but we ought to follow the President's reorganization plan. I suggest that possibly the Senator in charge of the bill might be willing to follow the President's plan and accept such an amendment.

Mr. HILL. Mr. President, at the present time the Office of Government Reports is not engaged in making or distributing films, or doing anything in connection with films. So far as I know, it has no intention of doing so. In view of the fact that we want to proceed with all the expedition possible this afternoon, I shall be glad to take the amendment to conference. I see no reason why we should want to go into the matter of making or distributing films.

Mr. TAFT. The Senator's statement is satisfactory to me.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Ohio [Mr. TAFT] is agreed to.

Mr. AIKEN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Vermont.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new sentence:

All officers and employees of the Office of Government Reports appointed after the date of enactment of this act, except the Director, shall be appointed subject to the civil-service laws; and the compensation of all officers and employees of the Office of Government Reports, except the Director, shall be fixed in accordance with the Classification Act of 1923, as amended.

Mr. AIKEN. Mr. President, I do not believe any explanation of the amendment is necessary. It simply would place the employees of the Office of Government Reports under the Civil Service Act and its requirements. Earlier in the day I asked the Senator from Wyoming about this matter, and he seems to be in agreement with the proposed amendment. The amendment would go a long way toward assuring the public that the Office of Government Reports will not be used as a political agency.

I request the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. HILL. Mr. President, under the Ramspeck bill which Congress passed last fall and under the Executive order issued by the President to carry out the provisions of the Ramspeck bill, all the personnel of the Office of Government Reports would go under civil service. The Office of Government Reports would go under civil service along with many other Government agencies not now under civil service.

I favor the personnel of the Office of Government Reports going under civil service, as they will, but I am not in favor of adopting the pending amendment, because I am not sure the amendment has been drawn with such care and in such a way as to preclude any injustice being done to the present personnel of this Office.

As we know, under the Ramspeck law and the Executive order issued under it, on July 1 the different Government agencies, such as the Office of Government Reports, go under civil service, and all appointments must be made under civil service from civil-service lists. Then, the personnel with the agency on July 1 will have until January 1 of next year, 1942, in which to qualify under the civil service.

After long hearings and careful consideration, the Congress worked out the Ramspeck law. That law will put all the personnel in the Office of Government Reports under civil service on and after January 1. That law has been worked out in such a way as to be fair to everyone, employees now with the different agencies and employees who may come into the different agencies. Therefore, I do not think that we ought now to adopt this amendment which can do no good and might work some injustice and do some harm that we do not intend to do. The law is already written; the Executive order is already issued, and the Office of Government Reports will go under the civil service.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HILL. I yield.

Mr. BARKLEY. As I understand, the Ramspeck Act which Congress adopted a year or so ago authorized the President to issue an Executive order covering into the civil service all Government employees with the exception of the district attorneys.

Mr. HILL. And those who have to be confirmed by the Senate.

Mr. BARKLEY. Those who are named in the act—and I think district attorneys are named—and those who have to be confirmed by the Senate, which means all those who receive more than $5,000 a year, as I recall. The Executive order has already been issued covering the employees of this agency into the civil service, and, under the Ramspeck law and under the order issued by the President, between July 1 and January 1 all these employees must be certified by the chief of their bureau as being efficient; otherwise, they cannot even compete. If they are not certified by the head of their bureau as having performed satisfactory service, they are not entited to the benefits of the Ramspeck law, as I understand. That is correct, is it not?

Mr. HILL. That is my understanding.

Mr. BARKLEY. So that up to January 1 the various departments of the Government will have 6 months to determine whether any employee covered into the civil service by the Executive order is worthy of being covered in.

Mr. HILL. The truth is all employees now in the civil service have to stand an examination.

Mr. BARKLEY. I understand. After January 1, all those who are appointed will have to take a civil-service examination, as in the case of all other civil-service employees, and qualify under the civil-service law and be appointed according to their grade. Is that correct?

Mr. HILL. That is correct.

Mr. BARKLEY. So that this amendment, drawn as it is, really may lessen the requirements of the civil-service system as compared to the law as it now exists.

Mr. HILL. It might.

Mr. BARKLEY. It is possible that it might do that.

Mr. HILL. It might clash with the Ramspeck law, which was carefully worked out.

Mr. BARKLEY. Instead of strengthening the civil service, it might weaken it.

Mr. HILL. It might.

Mr. BARKLEY. Because they are all covered in, anyway, and they have got to establish their merit in order to get in after January 1. Any new appointees——

Mr. HILL. After July 1 all new appointees must be under the civil service.

Mr. BARKLEY. And the old appointees must during the 6-month period establish their worth to be permanently appointed to the civil service by having a

certificate from their chief and undergoing a noncompetitive examination.

Mr. HILL. The Senator is exactly right.

Mr. BONE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington?

Mr. HILL. I yield.

Mr. BONE. I thought the Senator from Vermont had the floor.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. BONE. I merely wish to ask the Senator from Vermont if it is not possible that his amendment might set up a new formula. It has been my understanding that the law was concisely stated by the Senator from Kentucky [Mr. BARKLEY]. We might have sympathy with the objective sought by the amendment of the Senator from Vermont, but I would not want to set up a new formula when it has been my understanding, and I think the understanding of every other Member of the Senate, that all employees in the departments were going under the civil service and were to be required to take an examination, which I think is all right. I might be sympathetic with the Senator's objectives, but I think they are going to be achieved by the existing law and I do not want to set up a formula which might complicate the matter.

Mr. AIKEN. Mr. President, I am not attempting to set up a new formula. In regard to the hiring of the employees of the O. G. R., as I understand, the present employees were hired under W. P. A. and N. Y. A., and are not covered by the Ramspeck law.

Mr. BONE. Does the Senator from Vermont have the feeling that what the Senator from Kentucky suggests is not the case? It has been my understanding that it was the case. Certainly we do not want to get our wires crossed and inject some new element. It is my understanding and I think the Senator must know, too, that all the employees are going under civil service.

Mr. HILL. There is no question about that.

Mr. BARKLEY and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and, if so, to whom?

Mr. HILL. I will yield in a few moments.

Mr. President, I have investigated this matter and there is no question that all the employees, all the personnel of the Office of Government Reports, will go under civil service under the Ramspeck law, as the employees of other agencies will go under the civil service under that law; they are not exempted in any way. The fact that the appropriations for the Office of Government Reports is carried in an appropriation bill providing appropriations for the Works Progress Administration does not in any way affect the fact that the employees of the Office of Government Reports will go under the Ramspeck law and into the civil service.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HILL. I yield.

Mr. BARKLEY. I wish to make a suggestion to the Senator from Vermont, and to inquire of the Senator from Alabama if I am correct. While it may be true that some of the employees under the O. G. R. may have been drawn from the National Youth Administration lists, and even the W. P. A., and we specifically exempted the W. P. A. from the civil service in the Ramspeck Act, as I recall, that is, the general employees of the W. P. A. out in the field, yet the employees of the O. G. R. are not carried on the rolls of the W. P. A., nor of the National Youth Administration, but are carried on the rolls of the Office of Government Reports, no matter from what source they were drawn. So they are covered into the civil service.

As a matter of fact, they may have gone from the list of the N. Y. A. eligibles, or even W. P. A. eligibles, yet these employees are not charged to the employee list of either of those agencies; they are employees of the O. G. R.

Mr. AIKEN. Mr. President, granting that what the Senator from Alabama and the Senator from Kentucky say is absolutely true—and I have no doubt that it is—it seems to me that they should have no objection at all to this simple little amendment, which was designed purely and simply to reassure the public, a part of which, at least, is in a doubting frame of mind over this bill. That is the reason I offer the amendment.

Mr. CLARK of Missouri. Will the Senator yield?

Mr. HILL. I yield.

Mr. CLARK of Missouri. Whatever may be the status of the Office of Government Reports at this time as to its employees, assuming the fears of the Senator from Vermont to be correct, is it not a fact that when this bill is passed and signed by the President establishing this office as a permanent office of the Government it will automatically be covered under the provisions of the Ramspeck law?

Mr. HILL. It would automatically be covered, and, for that matter, it is already under the provisions of the Ramspeck law. The only two agencies that do not come under the Ramspeck law are T. V. A. and W. P. A. The Office of Government Reports is already under the Ramspeck law.

Mr. BONE. Perhaps it might satisfy whatever reasonable fears the Senator from Vermont has to add to his amendment the statement that they should be covered under civil service in accordance with the provisions of the Ramspeck Act, if it can be identified by that sort of language. That would simplify the matter, and perhaps the Senator from Vermont will accept that suggestion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN]. On that amendment the yeas and nays have been demanded and ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). On this question I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. If present, he would vote "nay"; and if at liberty to vote, I should vote "yea."

Mr. LODGE (when his name was called). Making the same announcement I previously made, I have a pair with the junior Senator from Michigan [Mr. BROWN]. If he were present, I am advised that he would vote "nay"; and if at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from South Dakota [Mr. BULOW], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Rhode Island [Mr. GERRY], the Senator from New Mexico [Mr. HATCH], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

The Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Utah [Mr. THOMAS] are detained in important committee meetings.

I also announce that the Senator from California [Mr. DOWNEY] has a general pair with the Senator from Rhode Island [Mr. GERRY]; and the Senator from Tennessee [Mr. MCKELLAR] has a general pair with the Senator from Montana [Mr. WHEELER].

Mr. AUSTIN. I announce the following pairs on this question:

The Senator from North Dakota [Mr. LANGER] with the Senator from Mississippi [Mr. BILBO]; the Senator from Kansas [Mr. REED] with the Senator from Oklahoma [Mr. LEE]; and the Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS].

I am advised that, if present, the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], and the Senator from New Hampshire [Mr. TOBEY] would vote "yea"; and the Senator from Mississippi [Mr. BILBO], the Senator from Oklahoma [Mr. LEE], and the Senator from New Jersey [Mr. SMATHERS] would vote "nay."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH]; the Senator from Maine [Mr. BREWSTER] with the Senator from Missouri [Mr. TRUMAN]; the Senator from Maine [Mr. WHITE] with the Senator from Illinois [Mr. LUCAS]; and the Senator from Idaho [Mr. THOMAS] with the Senator from West Virginia [Mr. KILGORE].

The Senator from Oregon [Mr. MCNARY] is detained on official departmental business. He has a general pair with the Senator from Mississippi [Mr. HARRISON].

The result was announced—yeas 21, nays 37, as follows:

YEAS—21

Austin	Butler	Nye
Bailey	Byrd	Shipstead
Ball	Capper	Smith
Barbour	Danaher	Taft
Bridges	Davis	Vandenberg
Brooks	Holman	Walsh
Burton	Norris	Wiley

NAYS—37

Adams	Green	Overton
Barkley	Guffey	Pepper
Bone	Hayden	Radcliffe
Bunker	Herring	Reynolds
Byrnes	Hill	Rosier
Caraway	Hughes	Schwartz
Chandler	Johnson, Colo.	Spencer
Chavez	McCarran	Stewart
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	Maloney	Van Nuys
Connally	Murdock	Wallgren
Ellender	Murray	
George	O'Mahoney	

NOT VOTING—37

Aiken	Hatch	Smathers
Andrews	Johnson, Calif.	Thomas, Idaho
Bankhead	Kilgore	Thomas, Okla.
Bilbo	La Follette	Thomas, Utah
Brewster	Langer	Tobey
Brown	Lee	Truman
Bulow	Lodge	Tydings
Downey	Lucas	Wagner
Gerry	McKellar	Wheeler
Gillette	McNary	White
Glass	Mead	Willis
Gurney	Reed	
Harrison	Russell	

So Mr. AIKEN's amendment was rejected.

Mr. TAFT. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The CHIEF CLERK. On page 1, line 5, it is proposed to strike out "$1,500,000", and to insert in lieu thereof "$750,000."

Mr. TAFT. Mr. President, $1,500,000 is a very substantial increase over anything this Office has ever spent. It is frankly stated that, if authorized, those in charge of the Office intend to increase their employees from something like 350 to over 500.

The actual expenditures were $1,092,000 in 1937; $780,000 in 1938; $1,015,000 in 1939; $775,000 in 1940; and in the current fiscal year it is said that they will be about $975,000. If they got along in 1940 with $775,000, and if the accomplishments of the Office are as great as they have been represented to be by the advocates of the bill, it seems reasonable to think they can get along with $750,000 in the years that are coming hereafter. I do not see why there should be any expansion of the activities of this particular Office.

There is some additional work, apparently, in election years. The expenditures have been greater in those years. The testimony of one of the representatives of the Office is that the demands for information during an election year are tremendous as compared with the demands in an off year; but it occurs to me that perhaps they can get along in a Presidential year with the same amount that they can get along with in an off year.

I therefore offer the amendment.

Mr. BYRD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Virginia?

Mr. TAFT. I do.

Mr. BYRD. I suggest to the Senator from Ohio that I think his amendment would be stronger if he fixed the amount at that which will be paid out during the current year. As I understand, it is $980,000.

Mr. TAFT. If the Senator so requests, I shall be glad to modify the $750,000 so as to make the reduction from a million and a half dollars to $1,000,000. That will cover the $975,000 in the current year. I so modify the amendment.

The PRESIDING OFFICER. Without objection, the Senator from Ohio modifies his amendment as stated.

Mr. HILL. Mr. President, this is merely an authorization bill and does not fix the appropriation, except to the extent that it puts a ceiling over the appropriation and authorizes an appropriation of not to exceed $1,500,000. Congress, in its wisdom, in making the appropriation each year for this agency, can make the appropriation in lesser amounts than the $1,500,000. During this year the agency had to spend nearly a million dollars, due to the fact that it had an immense amount of work owing to the defense program. I hope the amendment will be voted down, and that the authorization will remain $1,500,000, so that in years to come Congress can fix the appropriation at whatever it feels to be wise.

Mr. BARKLEY. Mr. President, if the amendment should be agreed to, Congress could never appropriate more than a million dollars, no matter what the circumstances might be, without an additional authorization, but with the authorization a million and a half, it can keep the appropriation down to a million or any other sum it sees fit to adopt, depending on the circumstances in each fiscal year.

Mr. HILL. Exactly.

Mr. TAFT. Mr. President, my experience in observing governmental organizations demonstrates that the appropriations very rapidly rise to the amounts fixed in authorizations. In almost every case, in fact, the departments come in, if there is an authorization, and request the full amount of the authorization, and nine times out of ten they finally get it. If we really wish not to expand this bureau, but to keep it just as it is, we should adopt this amendment. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment presented by the Senator from Ohio. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). On this vote I have a pair with the senior Senator from Alabama [Mr. BANKHEAD], who, if present, would vote "nay." If permitted to vote, I should vote "yea."

Mr. LODGE (when his name was called). On this vote I have a pair with the junior Senator from Michigan [Mr. BROWN]. I am advised that if present he would vote "nay." If permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. BRIDGES (after having voted in the affirmative). I have a general pair with the senior Senator from Utah [Mr. THOMAS]. In his absence I withdraw my vote. If the Senator from Utah were present he would vote "nay."

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY] is detained on official departmental business. He has a general pair with the Senator from Mississippi [Mr. HARRISON].

I announce the following pairs on this question:

The Senator from North Dakota [Mr. LANGER] with the Senator from Mississippi [Mr. BILBO], the Senator from Kansas [Mr. REED] with the Senator from Oklahoma [Mr. LEE], and the Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS].

I am advised that the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], and the Senator from New Hampshire [Mr. TOBEY] would vote "yea"; and the Senator from Mississippi [Mr. BILBO], the Senator from Oklahoma [Mr. LEE], and the Senator from New Jersey [Mr. SMATHERS] would vote "nay."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH], the Senator from Maine [Mr. BREWSTER] with the Senator from Missouri [Mr. TRUMAN], the Senator from Maine [Mr. WHITE] with the Senator from Illinois [Mr. LUCAS], and the Senator from Idaho [Mr. THOMAS] with the Senator from West Virginia [Mr. KILGORE].

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from Iowa [Mr. GILLETTE], the Senator from New Mexico [Mr. HATCH], the Senator from Rhode Island [Mr. GERRY], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Utah [Mr. THOMAS] are detained in important committee meetings.

I further announce that the Senator from Rhode Island [Mr. GERRY] has a general pair with the Senator from California [Mr. DOWNEY], and that the Senator from Montana [Mr. WHEELER] has a general pair with the Senator from Tennessee [Mr McKELLAR]. I am advised that if present and voting, the Senator from Rhode Island and the Senator from Montana would vote "yea," and the Senator from California and the Senator from Tennessee would vote "nay."

The result was announced—yeas 22, nays 37, as follows:

YEAS—22

Adams	Byrd	Shipstead
Austin	Capper	Smith
Bailey	Danaher	Taft
Ball	Davis	Vandenberg
Barbour	Holman	Walsh
Brooks	Maloney	Wiley
Burton	Norris	
Butler	Nye	

NAYS—37

Barkley	Green	Overton
Bone	Guffey	Pepper
Bulow	Hayden	Radcliffe
Bunker	Herring	Reynolds
Byrnes	Hill	Rosier
Caraway	Hughes	Schwartz
Chandler	Johnson, Colo.	Spencer
Chavez	McCarran	Stewart
Clark, Idaho	McFarland	Tunnell
Clark, Mo.	Mead	Van Nuys
Connally	Murdock	Wallgren
George	Murray	
Glass	O'Mahoney	

NOT VOTING—36

Aiken	Harrison	Russell
Andrews	Hatch	Smathers
Bankhead	Johnson, Calif.	Thomas, Idaho
Bilbo	Kilgore	Thomas, Okla.
Brewster	La Follette	Thomas, Utah
Bridges	Langer	Tobey
Brown	Lee	Truman
Downey	Lodge	Tydings
Ellender	Lucas	Wagner
Gerry	McKellar	Wheeler
Gillette	McNary	White
Gurney	Reed	Willis

So Mr. TAFT's amendment was rejected.

Mr. MALONEY. Mr. President, on page 1, line 3, I move to strike out the word "annually." I am not entirely sure that the amendment would accomplish what I have in mind. What I aim to do is to keep the organization from becoming a permanent organization. I am assuming that with the word "annually" deleted it would be necessary, in order to provide funds for another year, for the organization to come back with a new proposal.

I briefly stated my views a little earlier, and I do not wish to delay the Senate at this time. This is as simple as an amendment could be. I think it unwise to continue, after the emergency is over, a tremendously large organization of this sort, which may be of importance now, and the benefit of which I should want to give to the President at this time. I think we should keep in mind the need for bringing it to an end as soon as reasonably possible. I hope the amendment will be accepted, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. Mr. President, I am sorry I cannot accept the amendment. In fact, I am not sure just what the effect would be if the amendment should be agreed to. It might be it would have no effect at all. Certainly I see no reason why the Congress should at this time, in passing a mere authorization bill, put itself in such a position that, if it desired to make an appropriation next year, there would have to be another authorization bill. Authorization bills are not passed in that way. We do not pass an authorization measure this year to extend for only 1 year and then have to pass another next year and another the following year if an appropriation is desired.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MALONEY. Is the Senator entirely sure that that is not the way appropriations are made?

Mr. HILL. Appropriations are made each year, but authorizations are not adopted each year.

Mr. MALONEY. It is my understanding that as to certain measures authorizations are made each year.

Mr. HILL. I think not. Certainly authorizations are usually not made to last for just 1 year. Authorizations are usually for an indefinite period. Then the appropriations under the authorizations have to be made every year. Of course, if an appropriation is not made for a particular year, if no money is available, the work is ended; but we certainly do not pass an authorization bill every year. In fact, I do not know of an instance during my long years in Congress in which we passed an authorization for an appropriation and limited the authorization to just 1 year.

Mr. VANDENBERG. Mr. President, will the Senator from Connecticut yield?

Mr. MALONEY. I do not have the floor. If the Senator from Alabama will yield to me, I should like to comment on his observation.

Mr. HILL. I yield.

Mr. MALONEY. If my amendment were adopted, it would leave the question open for another year. Is not that so?

Mr. HILL. If I understand the object of the Senator's amendment, and if his amendment would carry out the purpose he has in mind, we could make one appropriation for the coming fiscal year under this authorization.

Mr. MALONEY. That is my purpose.

Mr. HILL. Then the authorization would die, and the next year, if the Congress should want to continue the work of this agency and should want to make another appropriation, the agency would have to come back here and obtain another authorization before an appropriation could be made.

Mr. MALONEY. That is my purpose.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. VANDENBERG. Will the Senator permit me to address a question to the Senator from Connecticut in his time?

Mr. HILL. Certainly.

Mr. VANDENBERG. I ask the Senator from Connecticut if his object would not be better reached by an amendment such as I had hoped to propose myself and which, if it meets with the Senator's approval, I would prefer to have him offer, specifically to set a time limit for the termination of this experiment, so that it would definitely come back to Congress for a review at that time? Suppose we added at the end of the bill as an amendment:

Provided, further, That all authority herein contained shall expire June 30, 1943.

That would permit this agency to have 2 years in which to justify itself. If the emergency has not expired in 2 years, then the authority could be continued. There would be a clear and a definite and specific accomplishment, it seems to me, of everything the Senator from Connecticut wants, plus the complete answer to the complaint of the Senator from Alabama [Mr. HILL], because it would not complicate the authorization machinery at all. By the amendment it would be said that this emergency institution—and that is what we are told it is—shall have 2 years and 1 month in which to justify itself, and then Congress shall review it. Why is it not better to proceed in that manner?

Mr. MALONEY. Mr. President, will the Senator permit me to reply?

Mr. HILL. Yes; I yield.

Mr. MALONEY. I think my amendment would do exactly the same thing as would the amendment suggested by the distinguished Senator from Michigan, except that my amendment would do it in 1 year rather than in 2 years. My amendment would provide a limitation of time of exactly 1 year, whereas the Senator's amendment would definitely provide for 2 years. Under my amendment we could 1 year hence act in the light of the experience that we will have had in the meantime.

Mr. President, if the Senator will further permit me——

Mr. HILL. Yes; I yield.

Mr. MALONEY. I wish to say that I am motivated in part by the desire, which I think is shared by most of the people of this country, that we make every effort—and this is not anything new to Members of Congress—to curtail what we recognize as nondefense expenditures. I recognize that a half million dollars is not very much, but I also know that if we make this organization permanent, we will saddle the Government with one and one-half million dollars a year for so long as the Government endures. I should like to make a start toward effectuating the desire for economy. The people have said over and over again, and they are going to say it in ever larger volume in the days immediately ahead, "We are not afraid of large taxes if the Congress will do its part and do away with expenditures which we think are not necessary." I am willing to admit that the proposed expenditure may be necessary for the terrifying days of the emergency which now face us, but I am not willing to admit that the emergency will be here 5 years from now or 10 years from now. I am not in accord

with the view first taken by the Senator from Alabama, but I am completely in accord with his latest statement. I am grateful to the Senator from Michigan for his suggestion. I would vote for his amendment if mine should not prevail, but I think mine is a little stronger and comes nearer to what I am trying to accomplish than does his.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BARKLEY. I wish to ask the Senator if it is not true that this agency is not an emergency agency set up on account of the war situation? This agency has been in existence for 6 years.

Mr. HILL. For 7 years.

Mr. BARKLEY. While some Senators and other persons may disagree with the Senator from Alabama and with me, I think it has already justified itself.

Mr. HILL. There can be no question about that.

Mr. BARKLEY. If it has justified itself, this is a bill to make it unnecessary for the President, out of funds within his disposal, to continue the operation of this agency, but to authorize its continuance, so that the Committee on Appropriations will be, of course, advised that it is the view of the Congress that it should appropriate, within the $1,500,000 limit, whatever sum it thinks may be necessary. If the amendment offered by the Senator from Connecticut has any effect at all—and certainly if it has the effect he seeks to accomplish—this agency could not continue more than 1 year at a time without an authorization, and then an appropriation, so we would have to take two bites at the same cherry each year.

Mr. HILL. Yes; and, as the Senator knows, we do not do that.

Mr. BARKLEY. No.

Mr. HILL. Mr. President, we have spent all day considering this measure. Committee hearings were had on it before House and Senate committees. The House spent a day on it. After we shall have acted it will go to conference. Yet, if the amendment of the Senator from Connecticut should prevail, and if in the next session we should want to make an appropriation for this agency, we could not make the appropriation.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. HILL I yield.

Mr. BARKLEY. It is true that we do make annual authorizations.

Mr. MALONEY. I am glad to hear the Senator from Kentucky make that statement.

Mr. BARKLEY. We make annual authorizations, but those authorizations are permanent. Take the authorizations for rivers and harbors and for flood-control projects. Every year there comes before Congress a bill making certain authorizations, but those authorizations are good until Congress appropriates the money, no matter whether it is 5 or 10 years from now. The authorizations do not expire at the end of the year. They are not terminated at the end of the year. The next year another authorization is made for rivers and harbors or flood-control projects, but they are for entirely different projects.

Mr. HILL. Appropriation bills containing hundreds of items come to the Senate. All those items are based on authorizations; they have all been authorized by the passage of an authorization act, such as we seek to pass this afternoon with respect to the Office of Government Reports. As the Senator from Connecticut knows, as an able member of the Appropriations Committee, if there were not authorizations for those items, appropriations for them would be subject to a point of order. They would go out under the rules of the Senate, and certainly under the rules of the House, on a point of order. No Senator could rise and offer an amendment providing an appropriation and have it held in order unless it was covered by an authorization. Authorization bills covering certain matters are not passed each year, but appropriation bills are passed each year under previous authorizations. Even if we pass the pending bill as written, without agreeing to the amendment proposed by the Senator from Connecticut, not $1 can be appropriated for the Office of Government Reports until the House Appropriations Committee has acted on the appropriation request, until the House of Representatives has acted on it, until the Senate committee, of which the Senator from Connecticut is a member, has acted on it, and until the Senate has acted. The money must be appropriated. This measure will simply authorize the appropriation of money.

I wish to say that I think this agency has justified itself. It is true that the emergency has added to its burdens, has given it more work to do. Therefore it is necessary to make larger appropriations for it. But the agency has justified itself in its operations even in normal times.

I hope the amendment offered by the Senator from Connecticut will be voted down.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Connecticut [Mr. MALONEY], on page 1, line 3, to strike out the word "annually." The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). On this question I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. I am informed that if the Senator from Alabama were present he would vote "nay." If I were at liberty to vote I should vote "yea."

Mr. LODGE (when his name was called). As I previously announced, I have a pair with the junior Senator from Michigan [Mr. BROWN]. Not knowing how he would vote on this particular question, I withhold my vote.

The roll call was concluded.

Mr. STEWART (after having voted in the negative). I have a general pair with the Senator from Oregon [Mr. HOLMAN], who would vote "yea." I transfer that pair to the Senator from New York [Mr. WAGNER], and allow my vote to stand.

Mr. BRIDGES. I have a general pair with the Senator from Utah [Mr. THOMAS]. I am informed that if he were present he would vote "nay." If I were at liberty to vote I should vote "yea."

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from North Carolina [Mr. BAILEY], the Senator from Iowa [Mr. HERRING], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Utah [Mr. THOMAS], are detained in important committee meetings.

The Senator from Iowa [Mr. GILLETTE], the Senator from New Mexico [Mr. HATCH], the Senator from Rhode Island [Mr. GERRY], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

I further announce that the Senator from California [Mr. DOWNEY] has a general pair with the Senator from Rhode Island [Mr. GERRY], and the Senator from Tennessee [Mr. MCKELLAR] has a general pair with the Senator from Montana [Mr. WHEELER].

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY] is detained on official departmental business. He has a general pair with the Senator from Mississippi [Mr. HARRISON].

I announce the following pairs on this question:

The Senator from North Dakota [Mr. LANGER] with the Senator from Mississippi [Mr. BILBO], the Senator from Kansas [Mr. REED] with the Senator from Oklahoma [Mr. LEE], and the Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS].

I am advised that the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], and the Senator from New Hampshire [Mr. TOBEY] would vote "Yea"; and the Senator from Mississippi [Mr. BILBO], the Senator from Oklahoma [Mr. LEE], and the Senator from New Jersey [Mr. SMATHERS] would vote "Nay."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH], the Senator from Maine [Mr. BREWSTER] with the Senator from Missouri [Mr. TRUMAN], the Senator from Maine [Mr. WHITE] with the Senator from Illinois [Mr. LUCAS], and the

Senator from Idaho [Mr. THOMAS] with the Senator from West Virginia [Mr. KILGORE].

The result was announced—yeas 22, nays 36, as follows:

YEAS—22

Austin	Danaher	Radcliffe
Ball	Davis	Shipstead
Barbour	Glass	Taft
Brooks	Gurney	Vandenberg
Burton	McCarran	Walsh
Butler	Maloney	Wiley
Byrd	Norris	
Capper	Nye	

NAYS—36

Adams	Ellender	O'Mahoney
Barkley	George	Overton
Bone	Green	Pepper
Bulow	Guffey	Reynolds
Bunker	Hayden	Rosier
Byrnes	Hill	Russell
Caraway	Hughes	Schwartz
Chandler	Johnson, Colo.	Spencer
Chavez	McFarland	Stewart
Clark, Idaho	Mead	Tunnell
Clark, Mo.	Murdock	Van Nuys
Connally	Murray	Wallgren

NOT VOTING—37

Aiken	Herring	Smith
Andrews	Holman	Thomas, Idaho
Bailey	Johnson, Calif.	Thomas, Okla.
Bankhead	Kilgore	Thomas, Utah
Bilbo	La Follette	Tobey
Brewster	Langer	Truman
Bridges	Lee	Tydings
Brown	Lodge	Wagner
Downey	Lucas	Wheeler
Gerry	McKellar	White
Gillette	McNary	Willis
Harrison	Reed	
Hatch	Smathers	

So Mr. MALONEY'S amendment was rejected.

Mr. VANDENBERG. Mr. President, in view of the outcome of the vote on the amendment offered by the Senator from Connecticut [Mr. MALONEY], it may be futile to pursue the objective; but I offer the amendment which I suggested to him in our colloquy, because I think it is a more practical approach to the objective which he had in mind.

I do not know of a single emergency power which has been created in the past 8 years which has not had in it a definite date of termination when it came back to Congress for review. I know of no reason why this particular instrumentality should be an exception to the rule.

At the end of the bill I propose to add the following language:

Provided further, That all authority herein contained shall expire June 30, 1943.

That is 2 years and 1 month hence. If the emergency continues the power can be renewed. If the emergency is over—and this is only an emergency matter—Congress will automatically have an opportunity to pass upon the proposal involved. This is in essence an experiment, anyway, in spite of what has happened heretofore under the temporary powers exercised by this authority. Congress should definitely and specifically face the question at a fixed moment, when it shall say whether or not the powers shall continue.

I offer the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

Mr. HILL. Mr. President, we are not establishing an emergency instrumentality, as the Senator from Michigan seems to think. This instrumentality has been operating for the past 7 years. It operated before we were confronted by the emergency. It justified itself before the emergency arose. I can see no justification now for limiting it to 2 years. It will have to run the gantlet of the Appropriations Committees each year. It cannot operate unless Congress makes appropriations for it to operate.

I hope the amendment of the Senator from Michigan will be rejected, as was the amendment offered by the Senator from Connecticut [Mr. MALONEY].

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. TAFT. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following:

Provided, That the Office of Government Reports shall be located in Washington, and that all field offices shall be abolished before July 1, 1941.

Mr. TAFT. Mr. President, in my main address I read the report of the President's own Committee on Administrative Management, advising that the field offices of the National Emergency Council be abolished. That was the report of the President's committee. The reason was perfectly obvious. The field offices are wholly useless. On page 12 of the report, at the end of the minority report, there is printed a list of the offices, with the names and titles of the employees. Any Senator can look at the list and see who is the field officer in his State. If he can say that that field office is doing the Government the slightest good or accomplishing any purpose, then he should vote against the amendment. However, I am quite satisfied that if the vote is determined on that basis and not on any other basis, the amendment will be agreed to.

Mr. HILL. Mr. President, the Senator from Ohio having tried to shoot the heart of the bill out, and having tried to tear out all the vitals of the bill, now proposes that we dismember the bill, removing the legs, arms, eyes, nose, and ears, by abolishing all the State offices. In many ways the State offices are even more important than the office in Washington. The State office is the one which reaches down to the people back home. The State offices belong to the people in the various States.

I hope the amendment offered by the Senator from Ohio will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. DAVIS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). On this vote I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. In his absence I withhold my vote. If he were present, he would vote "yea." If I were permitted to vote, I should vote "nay."

Mr. BRIDGES (when his name was called). I have a pair with the senior Senator from Utah [Mr. THOMAS]. In his absence I withhold my vote. If I were permitted to vote, I should vote "nay." If he were present and voting, he would vote "yea."

Mr. STEWART (when his name was called). I have a pair with the Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the Senator from New York [Mr. WAGNER], and vote "yea." I am informed that if the Senator from Oregon [Mr. HOLMAN] were present and voting he would vote "nay."

The roll call was concluded.

Mr. PEPPER. I announce that my colleague the senior Senator from Florida [Mr. ANDREWS], is in Florida with a Senate committee. If present, he would vote "yea."

Mr. AUSTIN. The Senator from Oregon [Mr. MCNARY] is detained on official departmental business. He has a general pair with the Senator from Mississippi [Mr. HARRISON].

I announce the following pairs on this question:

The Senator from North Dakota [Mr. LANGER] with the Senator from Mississippi [Mr. BILBO], the Senator from Kansas [Mr. REED] with the Senator from Oklahoma [Mr. LEE], and the Senator from New Hampshire [Mr. TOBEY] with the Senator from New Jersey [Mr. SMATHERS].

I am advised that the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], and the Senator from New Hampshire [Mr. TOBEY] would vote "nay"; and the Senator from Mississippi [Mr. BILBO], the Senator from Oklahoma [Mr. LEE], and the Senator from New Jersey [Mr. SMATHERS] would vote "yea."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. HATCH], the Senator from Maine [Mr. BREWSTER] with the Senator from Missouri [Mr. TRUMAN], the Senator from Maine [Mr. WHITE] with the Senator from Illinois [Mr. LUCAS], and the Senator from Idaho [Mr. THOMAS] with the Senator from West Virginia [Mr. KILGORE].

The Senator from Massachusetts [Mr. LODGE] has a pair with the Senator from Michigan [Mr. BROWN]. If present, the Senator from Massachusetts would vote

"nay," and the Senator from Michigan would vote "yea."

Mr. HILL. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Oklahoma [Mr. LEE], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Iowa [Mr. HERRING], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Utah [Mr. THOMAS] are detained in important committee meetings. I am advised that if present and voting, these Senators would vote "yea."

The Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GERRY], the Senator from New Mexico [Mr. HATCH], and the Senator from New Jersey [Mr. SMATHERS] are necessarily absent.

The Senator from North Carolina [Mr. BAILEY] is detained in a committee meeting.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from California [Mr. DOWNEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

I further announce that the Senator from California [Mr. DOWNEY] has a general pair with the Senator from Rhode Island [Mr. GERRY]; the Senator from Tennessee [Mr. MCKELLAR] has a general pair with the Senator from Montana [Mr WHEELER]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from South Carolina [Mr. SMITH]. I am advised that if present and voting, the Senator from California, the Senator from Tennessee, and the Senator from Florida would vote "yea," and the Senator from Rhode Island, the Senator from Montana, and the Senator from South Carolina would vote "nay."

The result was announced—yeas 40, nays 18, as follows:

YEAS—40

Adams	Green	Pepper
Barkley	Guffey	Radcliffe
Bone	Hayden	Reynolds
Bulow	Hill	Rosier
Bunker	Hughes	Russell
Byrnes	Johnson, Colo.	Schwartz
Caraway	McCarran	Spencer
Chandler	McFarland	Stewart
Chavez	Maloney	Tunnell
Clark, Idaho	Mead	Van Nuys
Clark, Mo.	Murdock	Wallgren
Connally	Murray	Walsh
Ellender	O'Mahoney	
George	Overton	

NAYS—18

Austin	Byrd	Norris
Ball	Capper	Nye
Barbour	Danaher	Shipstead
Brooks	Davis	Taft
Burton	Glass	Vandenberg
Butler	Gurney	Wiley

NOT VOTING—37

Aiken	Bilbo	Downey
Andrews	Brewster	Gerry
Bailey	Bridges	Gillette
Bankhead	Brown	Harrison
Hatch	Lucas	Tobey
Herring	McKellar	Truman
Holman	McNary	Tydings
Johnson, Calif.	Reed	Wagner
Kilgore	Smathers	Wheeler
La Follette	Smith	White
Langer	Thomas, Idaho	Willis
Lee	Thomas, Okla.	
Lodge	Thomas, Utah	

So the bill, H. R. 3368, was passed.

Mr. HILL. Mr. President, I move that the Senate insist upon its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. VAN NUYS, Mr. BARKLEY, Mr. DAVIS, and Mr. AIKEN conferees on the part of the Senate.

RELIEF PROGRAM OF WORK PROJECTS ADMINISTRATION (H. DOC. NO. 214)

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Appropriations, and ordered to be printed:

To the Congress of the United States:

In my Budget message to the Congress in January, I estimated that $995,000,000 would be required during the ensuing fiscal year for continuing the relief program by the Work Projects Administration of the Federal Works Agency. Since the transmission of that message funds appropriated or recommended for national defense have been substantially increased and the lend-lease program has been set in motion.

While the increase in defense expenditures will have an important bearing on employment, we cannot anticipate an increase in employment in the same proportion as the increase in expenditures for next year. Moreover, this increase will not necessarily result in a corresponding decrease in unemployment. The labor force will increase, partly due to natural growth and partly due to additional employment of workers, such as students, who during normal times would continue to pursue an education. Also, many youth and workers on submarginal farms will obtain jobs during the present emergency.

An additional factor militating against as great a reduction in unemployment as might appear possible is that there are many of the presently unemployed who have little chance to be absorbed by the defense effort. Certain regions of the country are not affected by defense activities, and many types of workers are not in demand.

After weighing all factors I recommend an appropriation of $886,000,000 for the next fiscal year, of which $11,000,000 will be required for administrative expenses of agencies other than the Work Projects Administration. The remainder will provide for an approximate monthly average of 1,000,000 persons to be employed on the relief program.

It has been customary in recent years to provide in the relief appropriation an amount for allocation to Federal agencies for construction and other projects falling within the several categories set forth in the relief act. The agencies receiving such allocations frequently have projects of a similar nature included within State work projects administration programs. It is my belief that most of these projects, and particularly those of the War, Navy, Agriculture, and Interior Departments, should be provided for in the State programs. I therefore recommend that provision be made for a limited amount, not to exceed $5,000,000, for Nation-wide Federal nonconstruction projects. I further recommend that $600,000 be set aside for allocation, with the approval of the Director of the Bureau of the Budget, to those Federal agencies engaged in the planning of projects or the review of projects submitted through State work projects administration programs. This sum will offset the 4 percent administrative allotment now made in connection with the allocations to Federal agencies for projects.

During the current year the Work Projects Administration has been authorized to train workers for manual occupations in industries engaged in production for national defense. I recommend the broadening of this authority to accelerate the employment of Work Projects Administration workers in private industry.

The Work Projects Administration is now required to remove from employment those persons who have been continuously employed for 16 months and to make investigations at least once in 12 months to determine the continuing need of each project worker. I believe that the first requirement works a great hardship on many people. The second requirement is unnecessary and costly. I recommend the elimination of these requirements from the 1942 act.

Under existing law, aliens are denied the right to employment on relief projects. I believe that this works a hardship upon a class of persons whose private employment opportunities are becoming increasingly limited. I recommend the removal of this barrier to permit the employment of aliens who are otherwise eligible under the act.

Administrative employees of the Work Projects Administration and similar employees in other Federal agencies whose salaries are paid from relief funds, have been barred from the benefits of Executive Order No. 7916, dated June 24, 1938, and the act of November 26, 1940, extending the classified civil service of the United States. I recommend that this discrimination be eliminated.

There are several sections in the current relief act with respect to political activities. While there is no particular object to the reenactment of these provisions, most of them appear to be unnecessary because of the passage of the Hatch Act and amendments thereto.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 20, 1941.*

OBSERVANCE OF THANKSGIVING DAY

Mr. BRIDGES. Mr. President, somewhat over 300 years ago the early colonists in America established the custom of setting aside one day as a day of Thanksgiving. Somewhat over three-quarters of a century ago Abraham Lincoln as President fixed on the last Thurs-

day in November as Thanksgiving Day. Since the coming of the present administration, the present President, Mr. Roosevelt, changed Thanksgiving Day to the preceding Thursday in November, to the great dissatisfaction of many persons in this country who believed it was one more New Deal move to break down tradition.

I introduced a bill (S. 360) to make the last Thursday of November the legal holiday of Thanksgiving Day all over the country. I was very much pleased this morning when I learned that the President in his press conference announced he would return to the traditional Thursday as Thanksgiving Day. So we will go back to the last Thursday in the month as Thanksgiving Day. When questioned by a reporter as to why that was to be done, the President said he had made a mistake. I want to commend him for acknowledging that he had made a mistake in bringing about the change in Thanksgiving Day. I am glad he has admitted the mistake.

Inasmuch as the President of the United States has seen fit to correct his mistake and to return once again to the last Thursday in the month as Thanksgiving Day, I ask unanimous consent to withdraw my bill, Senate bill 360, which was referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Committee on the Judiciary is discharged from further consideration of the bill. The bill will be indefinitely postponed.

Mr. BARKLEY. Mr. President, I merely say to the Senator from New Hampshire that there was much controversy over the wisdom of changing Thanksgiving Day. The Senator no doubt knows that the change was made in part, at least, if not largely, at the urgent suggestion of merchants and businessmen over the country who felt that the original Thanksgiving Day was too close to other holidays, and that there should be a greater space between the celebration of Thanksgiving Day and the celebration of other holidays. I do not recall that it was stated in the papers this morning that the President said he had made a mistake; I understand that the organizations of merchants who urged this change stated they had made a mistake in urging the change upon the President.

However, regardless of all that, I am delighted to know that among the many other things for which the Senator from New Hampshire has to be thankful, he now will be able to be thankful on the original Thanksgiving, the last Thursday of November, as the original, 300-year-old, bottled-in-bond, blown-in-the-bottle Thanksgiving Day, and I am sure he will celebrate it becomingly. [Laughter.]

LEGISLATIVE PROGRAM

Mr. WALSH obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me for just a moment?

Mr. WALSH. Certainly.

Mr. BARKLEY. I desire to make a statement while Senators are here.

I had hoped we might take up bills on the calendar today following the passage of the bill just disposed of; but, obviously, it is impossible to do that. I shall propose that at the end of today's session the Senate adjourn until Friday, at which time I hope to have the Senate consider bills on the calendar to which there is no objection.

The Senator from Massachusetts, however, has a rather important emergency bill which was reported today from the Committee on Naval Affairs. I hope he may be given consent to have that bill considered at this time.

ACQUISITION OR CONSTRUCTION OF AUXILIARY NAVAL VESSELS

Mr. WALSH. Mr. President, I move that the Senate proceed to the consideration of House bill 3783, authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy. The bill probably will need no explanation after it has been read.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3783) authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes, which was read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to acquire or convert or to undertake the construction of 550,000 tons of auxiliary vessels of such size, type, and design as he may consider best suited for the purposes of national defense, such vessels to be in addition to those heretofore authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

Mr. WALSH. Mr. President, this bill passed the House yesterday. It came to the Senate today. Secretary of the Navy Knox requested me to try to obtain immediate action upon it, if possible. He says the passage of the bill will permit the inclusion in the appropriation bill of the appropriation authorized by it, and that it is most desirable that plans be made at once for the acquisition of the desired vessels.

As is well known to the Senate, combat vessels of the Navy are only part of the fleet. The bill provides for the acquisition of a number of auxiliary vessels, or vessels that can be purchased and converted into auxiliary vessels. The type of the vessels is set forth in the report, and is as follows:

Destroyer tenders, 2; store ships, 3; cargo ships, 9; ammunition ships, 2; hospital ship, 1; airplane transports, 4; repair ships, 2; special types, 15.

Mr. PEPPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Florida?

Mr. WALSH. Certainly.

Mr. PEPPER. Do I correctly understand the able Senator to say that this bill proposes to authorize the Navy to acquire certain additional cargo vessels?

Mr. WALSH. Yes; 9 cargo vessels.

Mr. PEPPER. Will the Senator further yield?

Mr. WALSH. Certainly.

Mr. PEPPER. I desire to ask the Senator about a situation of this kind:

For some weeks now a group of persons, I believe all the investors of whom are from outside Florida, have been trying to get an opportunity to build some vessels in Jacksonville, Fla., having chosen that site as one they deemed appropriate for their construction. They tell me, and I suppose it is a matter of record, that the General Board of the Navy has heartily recommended to the President and to the Secretary of the Navy the type of vessel they propose to build at this site. This type of vessel contemplates an extra deck above the usual deck which would provide a space for airplanes and for fighter craft, which would, of course, be carried along by this type of vessel and used for its own protection.

The men interested have about three or three and a half million dollars which they propose to put up in this enterprise. They have management personnel which they say will stand the scrutiny of anybody, and they have a certain working personnel that they say is immediately available. They propose to build 40 ways, so as to be able to construct 40 ships at a time, once they can get the plant under construction. They have been all over Washington. They have been to the Secretary of the Navy, and I went with them. They have been to the Chairman of the Maritime Commission. They want to build ships, and they cannot get anybody to let them build ships.

If these men have a type of vessel that is satisfactory to the General Board, or whoever the proper authorities of the Navy are, if they have management that will stand scrutiny, and if they have a minimum amount of personnel that will stand scrutiny, I desire to know if there is any hope under the bill the Senator is now proposing to have enacted that they will get an opportunity to build ships at this place, or any other place they may select as the site of construction.

Mr. WALSH. I am pleased to answer the Senator.

This bill provides for the acquisition of existing ships. It is intended to purchase ships that can be converted into auxiliary ships of the required character and type. The reason for it is to relieve the building ways that are now crowded with ships being built for the Navy and for the Maritime Commission.

First of all, of course, we cannot do anything in naval legislation about the situation to which the Senator has called attention. It is a matter of judgment and discretion as to who shall have a contract; but let me say that similar requests have come from nearly all Senators. I have received several from my State, and several have come from Maine and from other States, where there has been an urgent demand on the part of constructors of small naval vessels, craft of less than 100 feet in length, to get contracts, and a good many have been let. There has been a very urgent demand upon the

part of such builders as the Senator represents in that regard.

Mr. PEPPER. I do not want the Senator to misunderstand me. I have not said anything about a small vessel. I am referring to the ordinary 10,000-ton cargo vessel, which has the type of design to which I have referred. My reason for asking the Senator the question is that the Secretary of the Navy, whom I esteem very highly, answered us that whatever the virtues of these vessels, in the first place, the Navy had no money, and in the second place, that it was a Maritime Commission matter, and the Navy was not interested in cargo vessels. I want to know whether the Navy is interested in a type of cargo vessel which will meet the requirements of the technical staff of the Navy.

Mr. WALSH. The memorandum furnished me as to the types of auxiliary vessels which the Navy desired, and for which it would use this money, when appropriated under this authorization, states them to be as follows:

Destroyer tenders, 2; store ships, 3; cargo ships, 9—I have no other description of them—ammunition ships, 2; hospital ship, 1; airplane transports, 4; repair ships, 2; special types, 15. I think the special types are transports.

Mr. PEPPER. Does the Senator know why cargo vessels are limited to nine in number among those provided for in the authorization?

Mr. WALSH. Yes; auxiliary vessels numerically have a relationship to the total number of combat vessels in the fleet. There are so many auxiliary vessels of a particular type for so many battleships, so many cruisers, and so many destroyers. This number does not represent all our auxiliary vessels by any means, but it is an additional number to what we already have, and will help to fill out and complete the relationship of our auxiliary vessels to the combat vessels of the fleet. In other words, the fleet is the engine, and these auxiliary vessels are the cars which the engine hauls, or brings into action, as when a train moves.

I wish to impress upon the Senator that I am in sympathy with him in the situation he describes, and in the situation which exists elsewhere, but it is a problem entirely for the Navy Department. The measure before us will be of some advantage in that it will at least call attention to the fact that money is to be available for nine cargo ships. Whether the Government is to build them or buy ships already built and recondition them I do not know, except that our information is that they do intend to relieve the congestion in the navy yards and in the private shipbuilding yards by buying ships and converting them.

Mr. PEPPER. Mr. President, I am interested in the same thing the Senator suggests, that is, that the existing shipyards, which are so overtaxed that they cannot possibly fill all their contracts in less than 2 or 3 years, could be relieved in other ways even by allowing shipyards to be established at other places, where proper conditions may be met for the establishment of such yards.

My reason for interrupting the Senator is that the Secretary of the Navy said, "We have not any more money," which left the inference that perhaps enough money had not been appropriated. I do not know of any request from the Navy Department which has been turned down by the chairman of the Committee on Naval Affairs or by this body.

Mr. WALSH. I think all the money appropriated so far—and this year's bill has not yet been enacted—has been allocated for construction of vessels already authorized.

I do not desire to give the Senator too much encouragement. The bill before us will authorize the appropriation of more money, but it appears to me to be a measure to permit the acquisition by purchase of existing vessels which can be converted rapidly into auxiliary vessels. I hope the fact that the Senator has called the matter to the attention of the country and the Navy Department may interest them in giving some work to the yards to which he has referred.

Mr. PEPPER. I think the country is entitled to know, in this moment of crisis, whether we are trying to find people who can build ships, whether we are turning down people in my State or any other State who propose to build ships. I think it is very vital for this country to know whether the defense agencies in Washington are turning down people who can build ships, or whether they are building every ship that it lies within the industrial capacity of the country to produce. I have a very strong conviction that they are not.

Mr. WALSH. Mr. President, in my own State some reputable business people wanted to put up money and buy an existing yard on condition that they would get contracts from the Navy Department for ships. I am surprised the Senator is making such progress in Florida. The judgment and verdict the people of my State received, after visiting the Maritime Commission and the Navy Department, was that they would give no more licenses for new shipyards or for the reconstruction of shipyards on the east coast, as it was already very much congested, and that it was not in the interest of national defense to increase the number of shipbuilding establishments on the Atlantic coast. So the Senator's grievance, undoubtedly justified, could be multiplied by those of other persons seeking contracts who have not been able to get them.

Mr. PEPPER. I think what the Senator says is perfectly true, and that is why I referred to the situation as existing not only in my State but in other States. It seems to me that when there are but a few shipyards in 1,500 miles of coast line, it cannot be said the congestion is so very serious.

Mr. DANAHER. Mr. President, in answering the Senator from Florida, the Senator from Massachusetts pointed out that it was the purpose under the bill to convert ships. I wish to tell the Senator, the chairman of the Committee on Naval Affairs, that in Groton, Conn., there is a shipyard waiting to convert these ships, and the yard cannot get a license.

Mr. WALSH. That is the situation of which I spoke.

Mr. DANAHER. There are the ways and slips, and the shipbuilders are experienced men, who built dozens of ships during the last war.

Mr. WALSH. I have had the same experience in my State. The answer was made, as I have stated, that on the eastern coast there are too many shipyards, that it is congested, and that it is too dangerous a point of attack, inviting destruction in time of war.

Mr. DANAHER. Apparently that is the point. Let me pay tribute, while I am speaking of this matter, to the work of Representative W. G. FITZGERALD, of Connecticut, who has labored so hard in this particular. He has called meetings; he has gotten the facts together; he has brought the whole situation to the attention of the Maritime Commission and of the other authorities. Yet the yard to which I have referred is not opened.

Mr. WALSH. Of course, the same condition exists as to ammunition factories, which now are permitted to be established only west of the Alleghenies.

The PRESIDING OFFICER (Mr. BONE in the chair). The question is on the third reading of the bill.

The bill (H. R. 3783) was ordered to a third reading, read the third time, and passed.

JOHN BASSETT MOORE

Mr. CLARK of Missouri. Mr. President, I take it that by common consent in this country there is no dispute as to the fact that the greatest international lawyer in the United States and possibly the greatest international lawyer who has lived in the United States in the last hundred years is Judge John Bassett Moore. He was a judge of the Permanent Court of Arbitration at The Hague from 1912 to 1938. He was judge of the Permanent Court of International Justice, which is now the World Court, from 1921 to 1928. To his volumes on international law President Roosevelt referred reporters who questioned him during the time Congress was debating the lifting of the arms embargo in 1939. His works are by common consent outstanding authorities in the United States on the question of international law and international polity.

Recently Judge Moore wrote for the Virginia Quarterly Review an article which was published in that journal under the title of "What of the night?" It was reprinted in the St. Louis Post-Dispatch under the headline "When America kept its head."

I ask unanimous consent that at this point in my remarks this article, including the prefatory remarks in the St. Louis Post-Dispatch, be printed.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch]

John Bassett Moore was a judge of the Permanent Court of Arbitration at The Hague from 1912 to 1938 and a judge of the Permanent Court of International Justice (World Court) from 1921 to 1928. To his volumes on international law President Roosevelt referred reporters who questioned him during the time Congress was debating the lifting of the arms embargo in 1939.

[From the Virginia Quarterly Review]

WHAT OF THE NIGHT?

(By John Bassett Moore)

In the stormy darkness of the early hours of December 5, 1841, there arrived at New York, after a tempestuous voyage, the steamer *Humboldt*, bearing the famous Hungarian patriot and orator, Kossuth. In spite of the hour, he was welcomed by a long-waiting delegation whose spokesman assured him that "from the pine forests of Maine to the sugar bottoms of Texas, from the coal fields of Pennsylvania to the golden mountains of California—in all that vast region washed on the one side by the stormy Atlantic and on the other by the calm Pacific," his name not only would "unlock every heart" but also would be "the signal for the uprising of 18,000,000 people." The keynote having been thus sounded, what followed was for a time in an ever-rising inflection. The flame spread as the orator progressed. Public men and private persons, the civil and the military, judges and lawyers, political societies, Sons of Liberty, European democrats, omnibus proprietors, volunteer fire companies, and naturally the great bulk of aspirants for public office joined in the acclaim. Encouraged by this demonstration, Kossuth cast off all reserve and, in his so-called "official capacity" as the representative of Hungary, made an appeal for aid. Europe was, he declared, on the eve of great events, and he could not doubt that the people of the United States had resolved to "throw their weight into the balance" in which "the fate of the European Continent was to be weighed."

The emotional tide continued to rise until the distinguished agitator, after unusual congressional and other demonstrations in Washington, called upon the President of the United States, and, above all, upon Henry Clay, the father of pan-Americanism. President Fillmore received his visitor with great propriety, but, while expressing toward him personal respect and kindness, intimated that there was to be no departure from our established policy. But it was Henry Clay who effectually extinguished the flame. With entire candor, he told Kossuth that he must protest against the policy he proposed. Waiving for the moment, he said, the grave and momentous question whether the United States had the right "to assume the executive power among nations for the enforcement of international law," or to dictate to other nations what their relations one with another should be, the practical aspect of the matter must be considered. This in the end necessarily meant war, and, if the United States could, according to its conceptions, interfere in the affairs of other nations, so reciprocally could those nations interfere in the affairs of the United States. While we professed to believe their doctrines wrong, they might, on their part, believe them to be essential to their peace, their security, and their happiness, and would, if attacked, naturally deem themselves to be fighting a war of self-defense against unjustifiable aggression. Far better, said Henry Clay, would it be for the cause of liberty throughout the world that the United States should keep its lamp burning brightly in its own domain, as a light to all nations, than to hazard its extinction amid the ruins of fallen or falling republics in Europe.

After his reception at Washington, Kossuth toured the country, passing through the West and the South, and then through the North and East. Returning finally to New York, he sailed for England. His departure was scarcely noticed. The popular excitement died out with a suddenness proportionate to its extravagance.

I have given prominence to the visit of Kossuth not because it was the first or the last occasion on which the American people have manifested a tendency recklessly to sacrifice their national well-being in foreign wars, but because it vividly exemplifies that propensity. When, in 1793, Genêt came to the United States with instructions from the revolutionary government in France to bring about "a national agreement" under which the two peoples should "defend the empire of liberty wherever it can be embraced," he was greeted with popular demonstrations that would have justified a detached observer in believing that the populace was wholly composed of partisans of France and partisans of Great Britain, the former constituting a vast majority, and that the administration might be safely flouted and defied. Nevertheless, on April 22, 1793, George Washington, as President, with the countersignature of Thomas Jefferson, as Secretary of State, issued the proclamation of neutrality which continued until 1917 to guide the policy of the United States in regard to foreign wars, and particularly in regard to those in Europe and in the Far East.

The circumstances of our departure in 1917 it is not now my purpose extensively to discuss. President Wilson, in his address to the Congress of April 2, 1917, while invoking the entrance of the United States into what he called "the most terrible and disastrous of all wars, civilization seeming itself to be in the balance," declared that we should "fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free." That this was, in commercial parlance, what is known as a "large order," no student of history will deny. Nor do people all agree as to what freedom is, or as to its necessary limitations. In the present instance the aspiration turned to ashes.

Nor has the popular impression that the war then in progress was unprecedented in its extent and destructive effects any actual foundation. It is indeed wholly at variance with the facts. The current titles "World War" and "First World War" merely betray a misconception of history. Marshal Foch ("Des Principes de la guerre," 1918. Preface IX) has truly said that the principles which govern the art are immutable, and that among them is the harmonious employment of all the national resources in men, materials, and money. It was so in the wars of ancient Persia, of Greece, of Rome, and of Carthage. At the close of the Thirty Years' War (1618–48), the population of the old German Empire was reduced from 16,000,000, or slightly more, to about 4,000,000, and only 1 city was left with its ancient walls. In the wars of the Spanish Succession (1700–1713), the losses of the belligerents, among whom were Austria, England, France, Holland, and Spain, were enormous in their totality as well as in their proportions; the population of France alone was computed to have fallen nearly 14 percent. In the Seven Years' War (1756–63), in which George Washington fought as a British subject, although the general drain upon the belligerents, among whom were Austria, England, France, Prussia, Portugal, Russia, and Spain, and incidentally the British, French, Portuguese, and Spanish colonies in America, was less heavy, Prussia was estimated to have lost, simply on the field of battle, more than 6 percent of her population. The losses in life and property and in commerce and industry in the wars growing out of the French Revolution (1792–1802) and the Napoleonic wars (1803–15) are beyond computation; and it is said that in France, in 1813, the average height of young men coming of age began to show a decline. It is obvious that the popular impression as to the effect of steam and electricity in increasing the area of wars is erroneous, and that the lack of rapid transit did not prevent the European powers from winning and losing empires in conflicts which they fought face to face not only in Europe but also in America, in Africa, and in Asia. Although they reached their objectives more slowly, they gained them not less surely.

II

No contrast could be greater than that between the treatment of France under the peace treaties of 1814–15 and the treatment of Germany under the Versailles Treaty of 1919. The war of the coalition against France began in 1793. At the head of the coalition was Great Britain, then France's traditional rival and inveterate foe; and among Great Britain's allies were Austria and Prussia. The series of wars that followed, including the Napoleonic wars, continued with little interruption until 1815; and, after all the mutations of the intervening years, there appeared with Great Britain, in the first line of the victors, Austria and Prussia, of whom Castlereagh spoke as "the two states which were to form the immediate bulwarks of Europe." The day after Waterloo there were, it was said, few families in England that were not in mourning. And yet, by the treaties of 1814–15, the boundaries of France were hardly diminished, no pecuniary burden was imposed that she could not readily bear, and she was subjected to no degrading conditions. Thus was exemplified the old peace psychology now out of fashion and deeply despised.

Let us now turn to the new and advanced psychology—the psychology of phrase making, of frenzied oratory, and of vengeful retribution. A century later, at Versailles, the vanquished were summoned to accept without negotiation the doom pronounced upon them in their absence, with its rending of historic ties, its dispersal of peoples, its dismemberments, its extorted confession of guilt, its confiscations of private property, its demand for the imposition on Germany of the entire cost of the war, and for the hanging of the Kaiser as a crowning proof that the world had been "made safe for democracy." Nor do I have in mind only the Treaty of Versailles. I am also thinking, and in some respects even more, of the connected treaties of St. Germain and Trianon, of which the United States was also a signatory. These treaties related to southeastern Europe, which I happen to know not only by the study of history and the conduct of diplomatic correspondence but also by personal inspection; and I do not hesitate to say that what was done in that quarter, and particularly in the dismemberment of Hungary and Austria, was as lacking in sagacity as it was vengeful, and that it could not possibly endure.

Let us now become backward looking; let us turn our eyes back to 1815, toward the dark ages in which railways, steamships, telegraphs, telephones, and the radio had not illuminated the human understanding and knit men together in common brotherhood; to the days in which the "will to peace" did not clamor for economic sanctions, for boycotts, and for threats and acts of war as the appropriate means of assuring universal concord and permanent tranquillity. As we turn toward the past there looms out of the darkness the heroic figure of the Duke of Wellington, the Iron Duke, the man of deeds, who knew the agonies of war and the blessings of peace. He had in time of war governed alien populations under martial law—by the will of the military commander. But, what was his will and what did he do? He has himself told us. He governed with such moderation that political servants and judges who at first had fled afterward returned and acted under his direction, the judges sitting in the courts of law and administering justice according to the laws of the land. Consulted in 1814 as to whether Great Britain should not demand, as a condition of peace with the

United States, the retention of the territories she then occupied in the latter country, he answered in the negative. If the new "ideal," of which the Duke of Wellington represents the antithesis, correctly interprets what is meant by making the world safe for democracy, it is obvious that something is needed either to make democracy safe for the world, or to save the world from it.

President Wilson's predicament in Paris was from the beginning impossible. The head of a state, he lowered himself to the official level of his foreign competitors, whose governments at home could disavow or revise their acts, while his own associates were his subordinates and subject to his command. Nor have I ever doubted that, as a matter of law, when the President of the United States went to Paris there occurred the precise situation in which the Constitution provides that, in case of the President's "inability to discharge the Powers and Duties of the said office" they "shall devolve on the Vice-President." By this was meant, not only a permanent inability, such as may be caused by death or by an incurable and disabling disease, but an actual inability to discharge the ordinary functions of the office. President Wilson arrived in Paris on December 14, 1918, and, with the exception of less than a month's visit to the United States, remained in Europe until the signing of the Versailles Treaty on June 28, 1919. His actual absence from the United States thus amounted to at least 6 months. The powers and duties of the President do not relate solely to foreign affairs, but, even if they did, he could not effectively perform them when residing abroad.

In September 1922 I attended the entire annual meeting of the League of Nations at Geneva. I went there to adjust some matters relating to the Permanent Court of International Justice. More than 3 years had then elapsed since the signing of the Versailles Treaty, and yet no step had been taken toward the admission of Germany to the League of Nations. This seemed to me to be altogether inconsistent, not only with President Wilson's original conception of the League but also with what a league for peace should be. I particularly urged this view on an old friend, then a member of the League's Council, a man usually very considerate and gentle; and his reply was, "Oh, she would only be a nuisance." It had occurred to me that it must be the chief preoccupation of the League, if it was to be worth anything, to deal with nuisances, and, if possible, abate them. I do not subscribe to the doctrine that conciliation in the affairs of this world is useless. It is, in my opinion, a vindictive and provocative doctrine, springing from the assumption that those who differ with us are prompted to do so by malevolent or, at any rate, wholly selfish motives. While I have never cherished the illusion of perpetual peace, I have never thought it desirable to create conditions that insure perpetual war.

III

What we usually read concerning the Far East and our relations with it is, for the most part, either purely emotional, in the sense of being inspired by an imaginary affection for one group and an ignorant dislike of another, or is inspired by a propaganda craftily designed to induce us to support certain alien interests with which our own are said to be identical. The percolation of the latter phase became copious in the days when John Hay, after serving as our Ambassador at London, became Secretary of State. The story is told in Tyler Dennett's life of Hay, by which it appears that Hay's notes as Secretary of State with regard to the Far East were really framed by a man named Hippesley, an employee of Sir Robert Hart's customs administration in China, who was secreted in a hotel in New York, and with whom Hay communicated through an emissary, W. W. Rockhill, whom I knew well, and who often spoke to me of Hay's pro-British proclivities. So occult was this process that I became aware of it only some years later.

Meanwhile, Japan was systematically advancing toward her emancipation from the system of extraterritoriality. During the first Cleveland administration we had at Tokyo a minister named Hubbard, who, deeply sympathizing with Japan in that aspiration, desired the United States to be the first to recognize it. In a dispatch transmitting official copies of Japan's new constitution and the imperial speech on its promulgation, he predicted that what had been done would not only make the day memorable in the annals of the Empire, "but should be a cause of sincere congratulation from all western nations." In acknowledging the receipt of these documents, Mr. Blaine, who was then Secretary of State, observed that what had just taken place was "a bright augury" for the future of a country bound to American people "by so many ties of continued friendship and intimate intercourse." This attitude, however, was soon modified, when Hubbard was succeeded at Tokyo by a minister who did not share his views.

Meanwhile there came to Washington in succession to Sackville West, who had been dismissed, a new British diplomatic representative, Sir Julian Pauncefote, who began his career in the British colonial service in the Far East. In his conversations with me, which evidently reflected the impressions of his earlier days, he was wont to belittle the pretensions of the Japanese. Nevertheless, I was not startled when Great Britain, "viewing with alarm" the conquests of Russia in the Far East, not only led the way in emancipating Japan from the shackles of extraterritoriality, but actually made with her an alliance as a coequal sovereign power.

In course of time there developed on our Pacific coast an agitation for the application to the Japanese of the rule of exclusion applied to the Chinese 30 years before; an agitation inspired not only by the laborious habits of the Japanese but also by the increase of their holdings of land. The local sentiment in favor of exclusion was general, but not unanimous. A dissent was expressed in a letter addressed to me by a Californian grower of cherries, who put his protest in this form: "The Japanese will pick 200 to 250 baskets of cherries a day, while the others pick from 125 to 175. The Japanese pick cherries. The others eat cherries and talk politics; we call 'em hoboes." HIRAM JOHNSON, who was then Governor of California, had the good sense and the patriotism to insist that no measure should be adopted that violated our treaties with Japan. The Japanese resented the resulting discriminatory legislation, but, as it did not violate the treaties, never contested its legal validity in the courts.

The British-Japanese alliance served the interests of the Allies—Great Britain, France, and the rest—in the war that broke out in Europe in August 1914. Moreover, by the Lansing-Ishii agreement, the United States conceded to Japan the principle of the Monroe Doctrine as regarded China. In the Monroe Doctrine there was nothing startling apart from its geographical extent. An inhabitant of the city of New York naturally is more concerned with the acts of a next-door neighbor who disturbs his sleep or threatens his life than he is with the acts of a man across the river, in Jersey City, who similarly annoys those who live on his block. It is chiefly in international affairs, where racial, religious, political, commercial, and all other differences tend to present a competitive and antagonistic front, that the disregard of this dictate of common sense is preached as a necessity and extolled as a virtue.

In the Naval Conference at Washington in 1921–22, Great Britain forsook her alliance with Japan, both in letter and in spirit, for the purpose of securing the support of the United States in such other matters as might seem to be desirable. In the published record of that conference, the development of the divergence between Great Britain and France can be clearly traced; a divergence that went so far as to cause France to protest against what was done and practically to abandon the conference. The relations between Great Britain and France were then and for some time afterward decidedly strained, but the British evidently thought that the balance was more than redressed by securing the support of the United States in policies such as they might deem to be for their own advantage, whether in Europe or in Asia, or perchance in other quarters.

It is not a propensity to glorify the past that leads me to think that the conduct of our relations with the Far East has not grown more realistic or more sagacious since the administration of Theodore Roosevelt, with Elihu Root as his Secretary of State. Under their guidance, the United States was the first to recognize Japan's absorption of Korea, and this they intelligently did for definite reasons. Not only was the Chinese littoral then studded with the strongholds of European powers, but Russia, having nearly completed the Trans-Siberian Railway for military as well as for commercial purposes, was moving toward the absorption not only of Manchuria, but also of Korea, which had granted to persons about the Russian Imperial Court timber concessions along the Yalu River, the development of which would have made the country practically a Russian province. It was at this critical hour that Japan, believing it to be a matter of self-preservation, declared war. She was mainly financed through the sale of her bonds by Kuhn, Loeb & Co., of New York, with a London participation; and it was in the United States, at Portsmouth, N. H., that the peace by which the war was ended was negotiated and signed. Later, the Russian grantees of the concessions sought to revive them and to cloak them with an American character by assigning them to the representative of an important American industrial company at St. Petersburg. But this illicit device completely failed. Washington, Mr. Root being then Secretary of State, refused to countenance it.

The fundamental difference between the course of China and that of Japan in foreign affairs is that China relies on other countries to help her, while Japan relies upon herself. The reason for this is that Japan is a political and racial entity, while what is generically known as China is characterized by diversities and divisions. If the Chinese cannot cure this, then no one else can. No foreign power will undertake it without exacting a reward incompatible with China's sovereignty. During my various periods of service in the Department of State, I officially dealt with divisions and disorders in China, and in course of time witnessed the Boxer movement, the overthrow of the empire, and the setting up of the republic. But the intervention of foreign powers does not bring harmony or unity to a country, unless, perchance, they have intervened as enemies; and if intervention by enemies cannot bring unity, then nothing can. Should the United States disregard this fundamental truth in the Far East, it would furnish a striking example of the result of a lack of understanding, with disastrous consequences to itself and without benefit to the pretended object of its solicitude.

In 1929 the American Red Cross sent to China a commission to report upon the possibility of alleviating the conditions due to famine. The commission was composed of Ernest P. Bicknell, William M. Baxter, Jr., and Ernest S. Swift. Three better men could not have been selected, and Bicknell was an

experienced expert of the first rank. Besides, Mr. Howard Bucknell, Second Chinese Secretary to the United States Legation, was attached to the commission during its entire stay. He had lived 9 years in China, spoke Chinese fluently, and had traveled widely in the interior. The commission reached Peking on June 15, 1929; it sailed from Shanghai for San Francisco on August 30, 1929. It sought information from intelligent residents, both Chinese and foreign. It was entertained at Nanking by President-General Chang Kai-shek, C. T. Wang, Minister of Foreign Affairs, and other leaders of the Nationalist administration. In a month's survey of the famine area, it used specially constructed motor trucks for regions where good roads were almost unknown. It traveled approximately 2,500 miles, and visited the famine areas in the Provinces of Honan, Shensi, Shanso, Suiyuan, and Chahar, and obtained reports from the Province of Kansu, which was more inaccessible and where the depredations of bandits were more extensive.

The commission reported that the popular American conception of "famines" in the sense of general starvation for lack of food, due primarily to natural causes, did not exist in China, and probably never had existed on a large scale; that the actual causes were political and economic disorder, due to ambitious war lords whose lawless forces lived upon the countries in which they moved; that military leaders had seized railways, and destroyed tracks and bridges in order to hamper opposing forces; that the commission had seen tons of grain lying unprotected on the platform at a railway junction which was the shipping point for various famine regions; that in recent years retreating soldiers, along with deserters and outlaws, had in large numbers augmented the groups of bandits which ravaged the country; that with few exceptions, and particularly with that of Gen. Yen Hsi-shan of the Province of Shansi, the provincial governors had since the revolution of 1911 set themselves up as independent despots, and, as taxes could not be collected in money, had taken grain, animals, implements, and clothing; that, owing to the rapid increase of the population, the balance between food supply and starvation had become so delicate that any serious interruption of the regular routine of existence precipitated disaster, so that, when reserve stocks had been taken away, starvation conditions quickly followed.

In concluding its report, the commission said that China's enormous and complex problems had been "vastly increased by the political chaos which prevailed almost constantly from 1911 to the end of 1928," and that the famine of 1928–29 was "an inextricable part of this chaos"; that, while the impression was inescapable that new China was occupying the seats of power, only time "could test their ability to unite China's strong men in the cause of the country's welfare to remedy ancient abuses, disband the useless and menacing armies which now prey upon the poverty-stricken people, and inaugurate an era of peace and progress"; and that unless the Government could "exercise the authority and the leadership essential to the unification of the country and the establishment of a reign of law, the noblest plans for elevating the lives of China's millions must end in failure." On the strength of this report, no special campaign to raise funds was instituted, but relief in various forms has from time to time since been sent, and this will continue to be done whenever there is a reasonable assurance that it will be effective. It is the mission of the Red Cross to alleviate human suffering.

The fact is well known that the trade of the United States with Japan far exceeds that with China; and this has been so for many years, in spite of the vast differences between China and Japan as regards area and population. But upon this phase of the subject I do not desire to enlarge. What I particularly have in mind is the fact that the many interventions by western powers in China, going back for generations, have not corrected the fundamental weakness in her condition but have in some instances aggravated it. No matter how much her predicament may excite our compassion, the remedy must rest with the people of China themselves. While the assumption of the task by the United States would necessarily result in its own impoverishment, the imagination recoils from the attempt to forecast the result in other respects.

IV

In more than one of its phases there is need of a reexamination of our foreign policy. We prate of race equality, and this we do while excluding from the United States, with very limited exception, various classes of aliens, and particularly the Chinese and Japanese, not as individuals but on grounds of race; nor do I hear from any quarter, either from our professed philanthropists or from politicians, practical or otherwise, any proposal that this discrimination shall be abolished. In reality, race equality, especially in the sense of equal representation, is deliberately and ingeniously denied in much of our own legislation, the constitutionality of which has been upheld by our courts. With all this, being neither a professed philanthropist nor a candidate for office, I am not now concerned. But in my categories of psychology I assign, so far as concerns peace among nations, the chief place to what I call emotional hypocrisy, meaning the propensity to ascribe to those who differ with us some mental or moral obliquity. The world never will be at peace until men and women can, without regard to race, creed, color, or nationality, or to political and social equality or inequality, cry out, with a whole heart and a united voice, in the language of the Litany, "Lord, have mercy upon us miserable sinners!" And as of this I can see no prospect, I would commend, even on purely political grounds, the occasional observance of the sane Scriptural precept, "Judge not, that ye be not judged."

OVERTIME RATES OF COMPENSATION FOR PER ANNUM EMPLOYEES

Mr. REYNOLDS. Mr. President, today the Assistant Secretary of War, Judge Patterson, appeared before the Committee on Military Affairs and asked the committee to give immediate consideration to Senate bill 1541. He advised at that time that the provisions embodied in the bill had been fully discussed by the Committee on Military Affairs of the House of Representatives and that they had reported the bill favorably without a dissenting vote. The bill was favorably reported from the Senate Military Affairs Committee earlier today.

This bill is entitled—

A bill authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

The War Department is exceedingly anxious that this measure be passed today. It was not opposed by any member of the Committee on Military Affairs of the House or of the Military Affairs Committee of the Senate which had a full attendance at its meeting this morning. Vacation time is now arriving, and unless the bill is passed some of the plants may close down. I may state for the benefit of the Members of the Senate that the Assistant Secretary of War said the passage of the bill would not result in any additional cost to the Government, but it was testified that as a matter of fact, the United States Government would save money thereby.

Mr. President, I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1541) authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations, which was read, as follows:

Be it enacted etc., That compensation for employment in excess of 40 hours in any administrative workweek computed at a rate of one and one-half times the regular rate is hereby authorized to be paid, under such regulations as the President may prescribe, to those per annum employees in the field service of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, whose overtime services are essential to and directly connected with the expeditious prosecution of the overtime work upon which the employees enumerated in section 5 (a) of the act of June 28, 1940, and section 1 of the act of October 21, 1940, are engaged: *Provided*, That in determining the overtime compensation of the foregoing per annum employees the pay for 1 day shall be considered to be one three-hundred-and-sixtieth of the respective per annum salaries.

SEC. 2. Employees of the field service of the War Department and the Panama Canal Zone may, during the period of the national emergency declared by the President on September 8, 1939, to exist, be employed during the time they would otherwise be on vacation without deprivation of their vacation pay for the time so worked. Employees who forego their vacations in accordance with the provisions of this section may be paid, in addition to their regular pay, the equivalent of the pay they would have drawn during the period of such vacation. The provisions of this section shall be applicable only to employees whose service at the time cannot, in the judgment of the Secretary of War or the Governor of the Panama Canal, as the case may be, be spared without detriment to the national defense.

SEC. 3. The provisions of section 2 of this act and of section 7 of the act of June 28, 1940 (Public, No. 671), shall be administered in accordance with such rules and regulations as the President may prescribe.

SEC. 4. The provisions of this act shall be effective during the national emergency declared by the President on September 8, 1939, to exist, and shall terminate June 30, 1942, unless the Congress shall otherwise provide.

Mr. REYNOLDS. Mr. President, on May 19 a letter was addressed to me by Assistant Secretary of War Patterson, in which he said:

DEAR SENATOR REYNOLDS: Congressman MAY has introduced H. R. 4739 and the Committee on Military Affairs of the House has reported favorably on the bill.

The bill provides for overtime work in the Field Service of the War Department at the rate of time and one-half for per annum employees.

The bill merely places them on the same basis that laborers and mechanics are now on.

It also gives the War Department power to keep the Field Service employees at work during the time when they would otherwise be on vacation. The bill has been approved by the Bureau of the Budget, and has been endorsed by the War Department, and last week I made a statement before the House Military Affairs Committee, pointing out that by such legislation production at the arsenals would be greatly promoted without increased cost to the Government.

The national-defense program will be aided by the introduction of a similar bill in the Senate. We believe that prompt action should be taken, in view of the approaching season for vacations.

Mr. President, as the result thereof, I introduced a similar bill in this body, and it was reported favorably by the Committee on Military Affairs, and as I stated a moment ago, the Assistant Secretary of War, Judge Patterson, appeared before our committee this morning.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield to the distinguished Senator from Vermont.

Mr. AUSTIN. Mr. President, I sat in the meeting at which the committee considered this matter, and therefore I have no reason to object to the consideration of the bill. I wish to ask the chairman if it is not true that the net effect upon the Treasury of the United States will be that we will have the services of these men at their regular wages, so that the Government will not be out of pocket because of the passage of this measure, although it does permit double pay to any of these field workers who have a right to their vacation, but who remain at work producing needed military supplies?

Mr. REYNOLDS. That is quite true, and I thank the Senator very much for bringing that matter to the attention of the Senate.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WALSH. Mr. President, when the bill was under discussion I was unable to be present, as I was called to the telephone. I wish to ask the Senator from North Carolina if the bill has been modeled along the same line and constructed on the same basis as the naval bill which provides for compensation for overtime?

Mr. REYNOLDS. Yes.

Mr. WALSH. I wish to say to the Senator publicly that I hope his committee and my committee can cooperate on the bills that affect compensation and other features, because I have found, and the Senator will find that as soon as a naval bill is passed the Army will ask for a corresponding bill, or that as soon as an Army bill is passed the Navy will ask for a corresponding bill. I am happy to know that the committee in considering this bill, considered similar legislation relating to overtime compensation in the Navy. That is correct, is it not?

Mr. REYNOLDS. That is correct.

CONFIRMATION OF NOMINATIONS ON THE CALENDAR

Mr. BARKLEY. Mr. President, there are only two nominations on the Executive Calendar. As in executive session, I ask unanimous consent that they be now considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The clerk will read the first nomination on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of William Fleet Palmer to be United States attorney for the southern district of California.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Harry N. Child to be register of the land office at Spokane, Wash.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That concludes the calendar.

ADJOURNMENT TO FRIDAY

Mr. BARKLEY. I move that the Senate adjourn until Friday next.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Friday, May 23, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20 (legislative day of May 19), 1941:

UNITED STATES ATTORNEY

William Fleet Palmer, to be United States attorney for the southern district of California.

DEPARTMENT OF THE INTERIOR

REGISTER OF LAND OFFICE

Harry N. Child to be register of the land office at Spokane, Wash.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 20, 1941

The House met at 12 o'clock noon.

Rev. William C. Nelson, pastor of the Immanuel Evangelical and Reformed Church, Indianapolis, Ind., offered the following prayer:

Almighty God, make us reverent as we bow in Thy presence, conscious of our human failings, aware of our inadequacy for the high responsibilities that are ours. Fill us with that deep humility that is the symbol of a leadership consecrated to the service of mankind. Give us a full measure of grace for the task that is ours, that our people will see in us no evidence of personal or privileged interest, but only utter devotion to the principles of brotherhood and good will that are the strength of a free people.

Forgive, we pray Thee, our past complacency in taking the heritage of our fathers too much for granted. They have given us the vast resources Thou didst place in their hands, the verdant forests, the mighty rivers, the fruitful soil; they have given us also the tools by which we can continue building a better society—wise laws, splendid schools, free churches. For these, gracious Father, we thank Thee. Teach us, also, that in the final sense freedom cannot be inherited, but must be secured by each succeeding generation. Help us to see clearly that unless we who breathe the free air of America today have a passionate concern for freedom, it will die. As representatives and leaders of the Nation, may we have the courage and the steadfastness to do the will of the people—to make our own toil and sweat and heartache the pledges of our loyalty to them. Above all, we beseech Thee, Almighty God, may we not take the faith of our fathers for granted, but pray that it be reborn in us, and that through its inspiration we may have the power to do Thy work in the world. In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4276. An act making appropriations for the Department of State, the Department of Commerce, the Department of Justice, and the Federal judiciary, for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCARRAN, Mr. RUSSELL, Mr. BANKHEAD, Mr. TRUMAN, Mr. GEORGE, Mr. LODGE, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. HAYDEN, Mr. BYRNES, Mr. TYDINGS, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3827) entitled "An act for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROWN, Mr. ELLENDER, and Mr. CAPPER to be the conferees on the part of the Senate.

INTER-AMERICAN COMMISSION

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, the two threats to the Western Hemisphere that seemingly have come out of the attitude of the Vichy government and the purported move of the Nazi government in Iceland both demand that we recheck our sites in this whole question of the so-called Western Hemisphere.

Fortunately, there has been set up an Inter-American Commission of Territorial Administration, composed of the representatives of the New World which met at Habana. They drew up a remarkable document in the words of Professor Perkins with provision for joint action and international control of those territories which might be threatened or should be in danger of falling into the hands of the conquerors of Continental Europe.

Everybody knows that this Congress and the Habana declaration emphasized the point that the American republics would consider any transfer or attempt to transfer, sovereignty, jurisdiction, possession, or any interest or control of any region in the Western Hemisphere to a non-American state as inimical to our best interest.

As a matter of fact, this same group of representatives made provision for an emergency occupation placing the territories or possessions to be held under the Inter-American Commission of Territorial Administration. This Commission has authority to delegate the actual administration to one or more states, but its word is final as to control. It even provides that when the emergency is over the territories may be returned to their former situation or be constituted as an autonomous state provided it is not detrimental to the safety of the American republics.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. SHANLEY. I yield.

Mr. FISH. The gentleman is talking on a very important issue. I wonder whether he would not like to take 5 or 10 minutes under the rule on the bill we are about to take up?

Mr. SHANLEY. I would like to do so.

AGRICULTURAL PRICES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I just want to say that if there is to be, as I have no doubt there will, an attempt to influence the movement of prices in the United States, one thing I do not think ought to be done is to make any attempt to prevent agricultural prices from rising until they have reached parity. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks and to include a statement by Mr. W. L. Gregory, of St. Louis, to the Conference on Unemployment; and I ask unanimous consent to extend my remarks and include a petition on behalf of one of my own bills.

The SPEAKER. Without objection, the requests are granted.

There was no objection.

POWERS GIVEN TO THE PRESIDENT

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOLCOTT. Mr. Speaker, I just want to call the attention of the House to a bill which will probably be considered sometime next week, which is now before the Rules Committee and which has been reported out of the Committee on Banking and Currency. It is H. R. 4674. I invite the attention of the House to the committee report, especially the last page of the report, from which Members may readily determine that we give the President the power to establish a Fascist state in America, by authorizing him to set up corporations to do anything which he sees fit to do in the name of national defense. It also repeals, as far as the Reconstruction Finance Corporation is concerned, the inhibitions in the Neutrality Act, which forbid loans to foreign countries. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Emporia Daily Gazette of May 15 by the distinguished and nationally known editor, William Allen White, on the subject of antiwar drive.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House tomorrow for 20 minutes, after the disposition of the legislative business and any other special orders.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. FORAND. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief report by Edward F. Walker, showing that Rhode Island is "delivering the goods."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a speech delivered by my colleague the gentleman from Missouri [Mr. BENNETT] to the Republican women of the Sixth Congressional District of Missouri.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter by Lawrence B. Weston on the question of taxes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein an editorial, "What Should Be Done with Rudolf Hess," from the Nashville Tennesseean.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article entitled "Waste."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a quotation from a prominent underwriter at Lloyd's.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include some extracts from speeches by the President.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MEYER of Maryland. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Appendix of the RECORD and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a brief editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subject Something About Automobiles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that today, after the disposition of the legislative program and the other special orders, that my colleague the gentleman from Michigan [Mr. SHAFER] may address the House for 30 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include an editorial on American citizenship, which appeared in the San Francisco Bulletin.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in two particulars: First, to extend my own remarks; and, second, to extend my remarks and include some quotations from the La Follette magazine called the Progressive.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a short editorial and resolution.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a recent address by the Archbishop of New Orleans on the international situation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a short speech made by my colleague the gentleman from Tennessee [Mr. COURTNEY] at Clarksville, Tenn.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD on the subject Scapegoats and to include therein excerpts from Hugh Johnson's column, One Man's Opinion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an editorial from the Hollywood News-Citizen on control pertaining to the F. C. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AGRICULTURE AND PRICES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I hope my colleague the gentleman from California [Mr. VOORHIS] has not gone out.

Mr. VOORHIS of California. No; I am right here.

Mr. LELAND M. FORD. Mr. Speaker, I do not believe any of us is any more interested in agriculture than the Members from California, but I do believe we ought to give some attention to certain things that cause the threat of price controls.

I think when racketeering, communistic labor leaders come in with their demands and hold up every department of the Government, and say to the Government itself: "Your work cannot go on unless you do so and so," we had better give some consideration to those people, because, after all, those people are creating conditions that might bring about price control; and I think that is the very base or foundation of price itself—labor cost—and I say this without criticism, in all fairness to my colleague and all the rest of our colleagues.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. I yield.

Mr. VOORHIS of California. In all these commodities the cost of labor, the cost of material, and profits constitute the main elements.

Mr. LELAND M. FORD. Certainly, but when they increase from 25 to 30 percent in labor alone, in the case of airplanes it has raised the cost of that one item $250,000,000 and has resulted in an increase of $1,000,000 a day in the case of automobiles alone; that is a pretty heavy increase.

[Here the gavel fell.]

SHOULD CONGRESS GO HOME?

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, about this time last year the President advised Congress that he had no more proposals to submit and that it could pack its bags and go home.

After this invitation for Congress to go home and leave the Nation's affairs in the hands of the Chief Executive, the Congress provided three and one-half billions for national defense, enacted the amended Hatch Act, the Selective Service Act, amendments to the excess-profits provision of the Revenue Act, a provision dealing with amortization of defense-plant facilities, amendments to the Federal Hightway Act, an act requisitioning articles and materials for national defense, a Defense Housing Act, the Soldiers and Sailors Civil Relief Act, the Rivers and Harbors Act for National Defense, an act to call the National Guard into the Federal service, an act authorizing the R. F. C. to loan money for the development of strategic minerals, an act increasing the lending authority of the Export-Import Bank, and many other measures which were essential and vital to the country and to the defense program.

On yesterday, it appears from today's press, that the President advised congressional leaders that he had no further legislative proposals to submit to Congress at this time. Perhaps this is another invitation to go home.

Mr. MAY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Kentucky.

Mr. MAY. Does not the gentleman feel that if we had gone home when we threatened to do so last year it might have been better?

Mr. DIRKSEN. What do you think?

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BARNES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Daily News.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. BARNES]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two particulars and to include, first, a resolution adopted by the Oregon-Washington-California Pear League, Inc., and in the other to include a statement made before the Ways and Means Committee by Mr. Fred Brenckman, Washington representative of the National Grange.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

THE ST. LAWRENCE WATERWAY PROJECT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, I wonder if the gentleman from Illinois [Mr. DIRKSEN] overlooked an article that appeared in the paper this morning headed as follows:

House to get St. Lawrence project soon. The administration moved yesterday for prompt development of the controversial St. Lawrence seaway as a defense and British-aid project.

How anybody can figure this is a defense project I do not know. It certainly is a British-aid project, because it is going to give everything to British Canada. I believe in being a good neighbor, but I do not believe in being a good neighbor to the extent of taxing our people to death in order to give something to some other country than the United States of America and our own people. This is all going to be constructed in Canada, by Canadian labor and with American money, and Canada will get the full benefit of all the shipping. I say let Canada do it herself if she wants the seaway in Canada. Let them have their waterway up there in Canada, because

it will benefit the people of Canada, whereas it will injure the people of the United States.

In Pennsylvania we have about 400,000 miners who are going to be put out of work soon if this administration keeps on and on and on as it is. A less number of people are getting jobs every day by the New Deal except for national defense, and when the national-defense jobs fall off, then look out for a real depression, a real scarcity of jobs. The New Deal started the T. V. A.; it started Bonneville and Grand Coulee on the Columbia River. Finish them before we start another on the St. Lawrence. This administration is sticking its finger into so many things and each and every one costs many times more than it was figured to have cost. Where are you going to get the money to complete the task? They say it will cost $275,000,000. If judging by their figures in other projects that means $600,000,000. Why start it now? I say we will be wise to defer it for some years to come. Let us not do it now.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech I made over the radio recently.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, tomorrow is the four-hundredth anniversary of the discovery of the Mississippi River by De Soto. I would like to ask unanimous consent to address the House for 20 minutes unless the legislative program is going to stretch out too late in the afternoon. What is the legislative program for tomorrow?

The SPEAKER. Tomorrow is Calendar Wednesday. The call will rest probably with the Committee on the Merchant Marine and Fisheries, and I understand that committee has some business to call up.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes tomorrow on the life and character of Hernando De Soto after disposition of business on the Speaker's desk, and at the conclusion of any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

CONVOYS—HESS—PEACE

Mr. RANKIN of Mississippi. Mr. Speaker, some well-meaning newspapers have taken issue with my contention that instead of our convoying vessels into the war zone under our own flag we should transfer them to British registry and let Great Britain do the convoying under her flag. The Dallas News, for example, contends that Great Britain does not have a sufficient number of naval vessels to do the convoying herself. But I call attention to the fact that under the lend-lease bill we could transfer naval vessels to Great Britain with which she could do her convoying, if necessary.

In that way we could keep out of the war and at the same time render Great Britain the maximum amount of aid. If one of these vessels were sunk, it would be a British vessel, and would not necessarily draw us into the war. On the other hand, if we were doing the convoying under our own flag and one of these vessels were sunk, it might draw us into the war. That would paralyze our seagoing commerce all over the world and probably draw Japan into the conflict and cause us to have to keep a large part of our Navy in the Pacific Ocean. That would necessarily curtail our aid to England and plunge us into a war with three, or probably four, or maybe five of the major powers of the world.

I believe that 90 percent of the American people who really know the facts, and 90 percent of the Members of this Congress, are opposed to our going into the war.

Therefore, if we want to render the maximum aid to England and at the same time stay out of the conflict, we should transfer these vessels to British registry and let Great Britain use them for convoy purposes under her own flag.

In my opinion, the five points for world peace set cut by Cordell Hull in his speech night before last represent the views of an overwhelming majority of the people in this country, and, in fact, of the entire world.

There seems to be a peace movement going on behind the scenes now, and if the Christian people of this land would get behind it and push it for all it is worth they might bring this war to a close and save not only the British Empire but the entire world from the devastation and destruction of universal war.

My God, are we going to exhaust the manhood and the resources of civilization in a world conflict that will leave crepe on every door in Europe and America, with ruin and devastation and communism as its reward?

The world has been excited for the last few days over the dramatic flight of Rudolph Hess. There are strong indications that he went to England with Hitler's consent, and that at least somebody in Great Britain knew he was coming. There are indications that his flight has behind it a peace movement or a peace gesture. I first thought it was the flight of an insane man, I mean one more insane than the rest of his organization; but a closer examination convinces me that no insane men could have made that flight successfully, under the circumstances, in a new model plane, and have landed at a prescribed destination.

In the first place, Hess had been corresponding with Lord Hamilton, with whom he was said to have been acquainted before the war began. Hess is a very wealthy man and belongs to what might be called the German aristocracy, and, of course, Lord Hamilton belongs to the British aristocracy. They are both bitterly opposed to communism.

Hess is said to have stated to his friends that he would be back in a couple of days, which indicated that he intended to land at some place, confer with someone and return, but he missed his landing, ran out of gas and had to bail out. He landed in Mr. McLain's field and those Scotch farmers seized him and notified the authorities. Therefore it was impossible for his visit to be kept secret, although they kept it a secret from us from Saturday afternoon, when he landed at 6:30 o'clock, or about 3 o'clock our time, until Monday morning, when we first learned of it through the noon papers.

Up to that time, both England and Germany had been bombing each other every night. Those heavy bombings ceased the night Hess landed, although the moon was shining and it was the first moonlight night they had passed up since night bombings began. Even now those bombings have not regained their former proportions. The press has intimated that Lord Hamilton did not know Hess, but we learn that he has visited him twice since he landed, and that the last time he brought back with him a heavy brief case, securely locked, and, as I understand it, containing material which Hess had brought with him. Nobody questions Lord Hamilton's loyalty.

Mr. Bevins, the labor leader in England, who has boasted that they are going to have a Socialist government in England after the war, made a speech a day or so ago in which he protested against negotiating with Hess. If there was no question of negotiating with him, why the protest?

It has been pointed out that Mr. Churchill canceled his speech on the Hess issue.

Besides, it was well known to both sides that the agreement between France and Germany had been reached and that the announcement was forthcoming. Much as we regret to admit it, that agreement virtually puts France in alliance with Germany, which is one of the worst blows Great Britain has yet received.

It was also known that there was a proposed alliance, or collaboration, pending between Germany and Soviet Russia, which was very distasteful to Hess and his associates in Germany.

All these incidents added up, together with many others that crop up from day to day, lead one to believe that probably this was a peace movement, and was so understood by both sides.

If that is the case, let them take the five points laid down by Cordell Hull and use them as a basis for peace negotiations. If they will do that, the Christian people of the world will rally behind such a movement.

America's greatest contribution to the progress of mankind has been made by precept and example. In that way she has led the world for the last hundred years into a higher standard of living and into a higher concept of the rights and liberties of mankind.

If every peace-loving, patriotic man and woman in America, and throughout the world for that matter, would get together and marshal behind these ideals of peace laid down by Cordell Hull, the moral forces of mankind, they might bring about a cessation of hostilities, restore peace, and start the world into a new era of progress, prosperity, good will, and international understanding surpassing anything that civilization has yet known. [Applause.]

ST. LAWRENCE WATERWAY PROJECT

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. PITTENGER addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, my neighbor and good friend, the gentleman from Mississippi [Mr. RANKIN] cited as proof that Hess is not crazy the fact that he started to go some place and got there. Arrival at a chosen destination is no proof at all that the traveler is not crazy. This administration sometime ago started for bankruptcy and war; picked bankruptcy and war as its destination. The fact that we have reached national bankruptcy and are on the verge of war is no proof that it is not crazy. [Applause.]

[Here the gavel fell.]

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed a bill of the House of the following title:

On May 13, 1941:

H. R. 198. An act for the relief of William G. Sullivan.

PRIORITIES IN NATIONAL-DEFENSE TRANSPORTATION BY MERCHANT VESSELS

Mr. SABATH. Mr. Speaker, I call up House Resolution 208.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4700, a bill to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1½ hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Merchant Marine and Fisheries, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on motion to recommit.

Mr. SABATH. Mr. Speaker, I shall later yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, all those who have heard the Clerk read the rule know that the rule provides for an hour and a half of general debate, after which the bill will be considered under the 5-minute rule.

The bill makes in order the consideration of the so-called priorities in transportation by merchant vessels bill, in the interest of the national defense. This bill as I understand was reported by the committee after careful consideration. A rule was requested by the committee, and the statement was made that the bill received the unanimous vote of the committee. The Committee on Rules feels that it is a very important measure, and I do not suppose there will be any objection to the rule or to the bill.

Yesterday some gentleman criticized the administration for failure to begin the construction of needed merchant marine vessels, claiming that if it had been done this legislation would not have been necessary. Unfortunately, notwithstanding the fact that freight rates have increased up to 500 percent in the last few months, some of the shipping companies refuse to accept certain freight which does not provide the maximum freight rate, preferring to carry materials which are not needed for national defense. Consequently, it is necessary to force these companies to accept such freight as will be most needed for national defense, and this bill will give the President the authority to exercise that power.

Answering the gentleman who made the criticism that we have not proceeded with the construction of merchant vessels—I do not recall who he was—I have before me a few figures that may be of interest to him and to the country, to disprove the charge that this administration has failed to recognize and appreciate the need of increasing our merchant marine.

In 1920 we had 2,442 vessels with a gross tonnage of over 1,000 tons. Unfortunately, in 1933 that was reduced to 1,703 vessels, reducing the tonnage by nearly 1,000,000 tons. In 1921 we had 965 vessels laid out; in 1922, 971; in 1923, 1,919; and in 1933, 247.

This shows clearly that ever since 1933 we have started again to rebuild our merchant marine. We have authorized the construction of hundreds of thousands of tons of these needed vessels.

In yesterday's newspaper I read that many of these vessels are being turned over to the Commission, but notwithstanding that fact, the need is great for more ships; therefore, it is necessary that this legislation be enacted authorizing the President to force some of the shipping companies to accept such cargoes as are most needed for national defense.

Feeling that there is not and should not be opposition to this rule, I shall not take up any more of the time of the House, and reserve the balance of the time.

I now yield to the gentleman from New York 30 minutes, as I assured him I would.

Mr. FISH. I thank the gentleman very kindly.

Mr. SPEAKER, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, this is another bill to give the President additional authority. This bill gives him authority, as I take it, over ships, ships owned by the Government and certain other ships. That is correct, is it not?

Mr. SABATH. That is correct.

Mr. HOFFMAN. I wonder if there is anything in the bill which will enable the President to decide whether in operating these ships and in loading these ships, for example, in the harbors, the master or the crew shall have priority. Perhaps the gentleman can tell me.

Mr. SABATH. I think the chairman of the committee can answer that question perhaps more intelligently than I.

Mr. BLAND. The bill does not deal with the relations between master and crew.

Mr. HOFFMAN. Then what is the use of giving the President authority to determine priorities of cargo or destination when he cannot get his ships loaded? The N. L. R. B. holds that when a vessel is in port the crew can go on strike and carry on a course of conduct which, if it were on the high seas, would be mutiny.

If you cannot get a ship loaded—and you cannot get a ship loaded unless the union consents—why fool around determining what you are going to load on it or where it is going?

Until this administration—and I mean the President—takes hold of the present situation and gets some priority over labor unions for national defense there is very little use of passing a bill like this.

What is the object and what is accomplished by a bill like this when here at Indianhead the paper tells us this morning the A. F. of L. is on strike to stop construction of defense housing, stop it completely, because C. I. O. men are working there? What is gained by collective bargaining when one union will hold up Government work because members of another union are given work? Why does not the majority party, if you want to accomplish something, tell the President to get busy and carry on the national-defense program that has been determined upon and that he has outlined and that we have given him the money to bring about? Why does he not do something about the strike out on the west coast? The papers tell us the A. F. of L. is going through that picket line, but the President did not do anything to bring that about, unless he gave advice to someone. This strike at Indianhead is of the same kind that we had up at Wright Field, where airplane construction was held up. There the A. F. of L. would not let anyone work because the contractor had four C. I. O. men working. The purpose of the strike

at Allis-Chalmers, where the C. I. O. stopped production for 76 days because there were two A. F. of L. men working there, was similar.

Is it not about time, I ask you, that this country finally gets on a working basis? The United States News points out that the wage scale is higher today than it has ever been before, both in dollars paid per day and per week and also in what the wages paid will buy.

WE CANNOT WIN UNLESS WE SET OUR OWN HOUSE IN ORDER

The American people will not wholeheartedly and unitedly support a war unless that war is necessary and be fought for the preservation of our liberties.

Certainly a war cannot be won nor can our liberties be preserved if one group of our citizens is permitted, regardless of law, to impose their will upon the majority.

David Lawrence, in his editorial entitled "Our First Defeat," in the May 23 issue of the United States News, states that the recent forcing of General Motors to yield to the demands of the C. I. O. for an increase in wages was a surrender by the United States Government to the demands of the union.

If this economic surrender, which adds to the cost of our national-defense program, which may be the inception of a spiral of inflation and which may end in national bankruptcy, were the only surrender of the Federal Government, there might be hope for the future. A more appalling surrender is that of the courts, which recently have utterly failed to protect the constitutional rights of the individual citizen.

The courts and the National Labor Relations Board have traveled fast and far on their course of remaking America, emasculating the Constitution, destroying the liberty of the individual citizen.

On February 27, 1939, Chief Justice Hughes, in National Labor Relations Board versus Fansteel Metallurgical Corporation, said:

> We think that the argument misconstrues the statute. We are unable to conclude that Congress intended to compel employers to retain persons in their employ regardless of their unlawful conduct—to invest those who go on strike with an immunity from discharge for acts of trespass or violence against the employer's property, which they would not have enjoyed had they remained at work. Apart from the question of the constitutional validity of an enactment of that sort, it is enough to say that such a legislative intention should be found in some definite and unmistakable expression. We find no such expression in the cited provision.

Notwithstanding this opinion the third circuit court of appeals, on November 8, 1939, in Republic Steel Corporation versus the National Labor Relations Board, although referring to the Fansteel case, and stating that, in that case, "The court made it clear that unlawful conduct of that character (sit-down strike) deprived the participant of the right of reinstatement," further said:

> We think it must be conceded, however, that some disorder is unfortunately quite usual in any extensive or long drawn out strike. A strike is essentially a battle waged with economic weapons. Engaged in it are human beings whose feeling are stirred to the depths. Rising passions call forth hot words. Hot words lead to blows on the picket line. The transformation from economic to physical combat by those engaged in the contest is difficult to prevent even when cool heads direct the fight. Violence of this nature, however much it is to be regretted, must have been in the contemplation of the Congress when it provided in section 13 of the act that nothing therein should be construed so as to interfere with or impede or diminish in any way the right to strike. If this were not so, the rights afforded to employees by the act would be indeed illusory. We accordingly recently held that it was not intended by the act that minor disorders of this nature should deprive a striker of the possibility of reinstatement (*N. L. R. B.* v. *Stackpole Carbon Co.*, supra).

It then held that certain workers who were guilty of violence and unlawful conduct were entitled to reinstatement and made this comment:

> As to the remaining offenses proved to have been committed, we are satisfied from their character and from the small penalties imposed that they were all sufficiently minor to come within our decision in the Stackpole case and the order of the Board directing the reinstatement of the persons involved in them will be enforced.

So now it is evident from the decisions of our Federal courts that employees on strike may destroy the property of the employer and still be entitled to reinstatement as employees, if the destruction is not too great.

It is also apparent from the Federal decisions that employees on strike may assault and beat up other employees, or their employer, and still be entitled, under the National Labor Relations Act to reinstatement and back pay if the beatings are not too severe.

It would be enlightening and also helpful to employers if the circuit courts of appeal of the United States and the Supreme Court itself, speaking through Justice Frankfurter, would advise employers as to just whether a striker may blacken one or both eyes of a loyal employee seeking to go to work; just how many stitches rendered necessary in the scalp of a loyal worker by a striker will bar the striker, the picket, from his right to reinstatement.

Even though, as picket, a striker beat up loyal men who wanted to work for national defense, if he did not beat them too hard, the employer would have to take them back, said Justice Frankfurter. I would like Justice Frankurter to lay down in some of these decisions just how much a man can do to a loyal worker before he forfeits his rights under the Wagner law. The Justice says a little violence is all right. What does he mean? You can black the left eye or the right eye or both eyes and still be entitled to reinstatement and back wages? Can you break one leg and one arm, but if you break two legs does the striker lose his right to reinstatement?

How about it? Should not the Court, in fairness, tell about how long a gash you can cut in the head of a loyal worker before losing your right to reinstatement and back pay? Why not be fair to the loyal workers? Why not be just to the employer and let him know just how far these strikers and these pickets can go? And why not be fair to the independent worker, why not be fair to the independent businessman, the small businessman?

In the milk drivers' case in Chicago, Justice Frankfurter held that, inasmuch as there was a long history of violence and destruction of property, the employees were not entitled to reinstatement, but, in the beauty-parlor case from the same city, he held that pickets who never were employees might picket and use a certain amount of violence—he did not say just how much—in closing an employer's business.

Still more recently, the N. L. R. B. has held that sailors on a vessel which was in port, who picketed the ship and prevented its operation, were not guilty of mutiny and might not be refused, because of their unlawful conduct, reemployment or reinstatement.

Just how the courts expect the Maritime Commission to operate its vessels when the court has turned over the possession of those ships and the activities on those ships to the crew as long as the vessels remain in port, neither the Board nor the courts has explained.

The Communists—yes, Stalin himself—must take a great deal of satisfaction in the recent holdings of the Board, the circuit courts of appeals, and the Supreme Court itself.

This ruling of the Board which permits sailors to strike on United States vessels, employed in the Government service, will utterly destroy our ability to defend ourselves on the Atlantic.

Along the same line is the recent decision of Justice Frankfurter and other members of the United States Supreme Court, which holds that, even though a man has never been employed in a particular plant, if he be refused employment because he belongs to a union and has a record of violence—nevertheless, although he never worked for that company, if he applied for a job and was refused employment—he must be reinstated and paid wages from the time of his first application for work.

Congress made no such law. The N. L. R. A. does not so provide. But Justice Frankfurter and the members of the Court who agreed with him took over the functions of Congress and added their own amendment to the N. L. R. A. They said that "reinstatement" meant "give employment to."

Congress should forthwith amend the N. L. R. A. by adding a provision that "reinstatement" means what everyone understands it to mean, that is, in this case, reemploy a man who was formerly employed.

With all his Harvard learning—and apparently he has had too much—Justice Frankfurter will never convince the average citizen that "reinstate" means "give employment to."

With the N. L. R. B. destroying the authority of the Government over the crews and the ships owned by it and which are necessary to protect us on the high seas; with the Supreme Court of the United States destroying private business by compelling an employer to hire a man who may be engaged in subversive practices, who may be an alien,

a member of the Communist Party, seeking, under the orders of Stalin, to overthrow this Government by force, it is just plain foolhardy to talk about winning a war either on the Atlantic or in Europe, or of preserving the liberties of our citizens here at home.

Until the Wagner law is amended, until the Supreme Court is given explicit directions as to what Congress means and intends, this Nation is adrift without a rudder and without compass, except one whose needle swings to every liberty-destroying idea that may enter the heads of the members of the N. L. R. B., of Justice Frankfurter and some of his associates.

Until the "four freedoms" prevail here in America, there is neither hope of establishing them throughout the world nor of winning a war to preserve them here at home.

I ask you, in fairness, is it not about time Congress took the situation in hand, quit passing the buck to the administration, and amended this National Labor Relations law so as to protect the individual worker, so as to protect the businessman, so as to make it possible for us to prepare for national defense, and so as to make it possible to spend this money wisely and well? [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself the remainder of the time. There was no opposition to the bill in the Rules Committee. The rule is an open rule on a measure connected with national defense. The title of the bill explains its purpose. It reads:

To provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes.

The bill, as I understand it, comes with the unanimous report from the Committee on the Merchant Marine and Fisheries. Hon. John J. Dempsey, a former distinguished Member of the House, now one of the Maritime Commissioners, came before the Rules Committee and discussed the bill in some detail. He asked for speedy and favorable action on the bill. All the bill does is to make it possible for the Maritime Commission to have some control over shipments in both American and foreign ships. For example, if an American ship wanted to fill up entirely with cocoa from Africa, under the present law it could do so, instead of bringing back in the same cargo some war-defense material, such as manganese or copper, essential to our defense, which might call for a lower rate. The result has been that these merchant ships, looking for the best possible rates, have loaded down with cargoes that may not be essential to national defense, and the administration has been powerless to prevent it. The purpose of this bill is to give some control to the Maritime Commission through the issuance of warrants. The warrants simply mean that these ships, when they come back and need to be repaired, must have a warrant before they are permitted to be repaired, and in that way the Government holds some control over these ships and their cargoes. It may be that many of the shippers are willing to do what the Government wants them to do in bringing back material essential to our national defense, but some do not and therefore it would be unfair to those willing to comply to permit other ships to bring back cargoes that are not essential in the emergency and get a higher rate for goods in transit. That is all there is to the bill, and I see no objection to it, except as regards amendments as to where these ships may go, and that may raise an issue under the 5-minute rule. However, in view of the fact that this is a national-defense bill and affects our merchant marine, let me say to the distinguished chairman of the Committee on Rules that perhaps he was referring to me yesterday when I said that I thought the Maritime Commission had been negligent in not using all of our shipyards or all shipyards available, to build merchant ships and still more ships. I submit that is what should have been done from the beginning. I do not in any way criticize the purpose of the bill or the bill itself, which I am for, or the membership of the Commission, which I consider to be highly efficient, including Mr. Dempsey, a very able and popular former Member of this House.

I shall discuss issues that are not directly involved but connected with this bill, and one of those is the use of convoys, perhaps the most important single issue before the country at the present time. If there is anything more important than that and war I do not know what it is. It ought to be discussed all the time throughout the country in every village, hamlet, and town, and particularly in the House of Representatives, regardless of party affiliations. I made up my mind a long time ago. I am against convoys and I want no war, unless we are attacked by some foreign foe. But the American people are somewhat bewildered about this issue, and they seem to think that we could have convoys and no war. Convoys and war are one and inseparable. The President of the United States said that convoys mean shooting and shooting means war, and in spite of what Capt. James Roosevelt said over in Cairo, we are not in the war. Captain Roosevelt knows nothing whatever about war. Those who served in war know what war is. War means fighting, blood, and death, it means shooting and killing, and no American has been killed and no blood has been shed and no American ship has been sunk. We are not in this war, and we will not be in this war until the Congress in a constitutional way, the American way, passes a war resolution. Of course, if the President uses convoys, that would be a direct step to war. It would mean war after shooting begins, not a declaration of war by Hitler or by any of the dictators, but eventually by ourselves through the Congress of the United States, if sufficient American ships are sunk.

Mr. OLIVER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. OLIVER. Is it not possible and probable that under the terms of this bill the attack, about which the gentleman has spoken, may be invited by our action, if we do not adopt some restrictive language in this bill making it impossible for our ships to operate in certain belligerent waters?

Mr. FISH. I understand the purpose of the gentleman's question, and I do not know any more sincere or consistent opponent of war in the Congress of the United States. No one admires him more than I do. Yet I think it would be carrying it too far to put the gentleman's proposed amendment into the bill. The President has the power, under the Neutrality Act, to establish war zones. We gave him that power. He has exercised that power up to this time fairly. It is the law of the land, and we should uphold the law, and the President should. To say to the President, "We are going to take away that power that you have under the Neutrality Act" would not be a sound or a wise amendment at this time, although I am in sympathy generally with everything that can be done to keep us out of war and to prohibit convoys. What I want to see in the House of Representatives is a straight-out convoy or no-convoy amendment or proposal. What I want is to have an open discussion and vote at the earliest possible occasion, with every Member on both sides given an opportunity to debate it and to say whether there shall be convoys of British ships or whether there shall not be, or even of our own ships.

This memorandum was just given to me by a person for whom I have a very high regard and have known a great many years, who listened over the radio this morning and heard the commentator say that Senator BARKLEY had said there was no need for convoys at the present time. The commentator went on to say that this was very interesting, since this was the first pronouncement by any administration spokesman against convoys. I have every reason to believe that that is a correct statement. I certainly hope it is so, because that is the first out-and-out statement of one of the leaders of the party in power that there is no need at the present time for convoys. That in itself will do more to stop the spread of war hysteria than anything else. The papers yesterday were filled with editorials, "We are on the brink of war," "War is imminent," "We may be in war in 24 hours or 48 hours," all because of this talk of convoys. They thought the President was going to make a recommendation to Congress today for convoys, or to call for further national-emergency powers.

I want to discuss that for a few minutes.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. CULKIN. I am strongly in sympathy with the attitude of the gentleman from New York, and I have fought shoulder to shoulder with the gentleman from Maine [Mr. OLIVER] on some of these issues. However, I believe that a collateral attack on the Neutrality Act now is a mistaken policy. I think to fight a series of sham battles on the convoy issue would invite disaster for those who oppose it.

Mr. FISH. I agree that it would be a bit of shadow boxing. What we want to

do is to meet the issue head-on, convoys or no convoys. I submit if we do the convoy issue will be beaten in this House by at least 70 votes. I know of only 6 Republicans who would vote for convoys, and I am led to believe by the Democrats with whom I have talked that there would be at least 70 or more Democrats who would vote against convoys.

Mr. CULKIN. Does not the gentleman believe that this bill carries out the spirit of "aid to England short of war"?

Mr. FISH. And consistent with our own national defense.

Mr. CULKIN. Yes; exactly.

Mr. FISH. Yes. It is a defense measure. This is an honest and honorable defense measure. The trouble with some of our defense measures that have been forced through is that they were practically crimes committed in the name of national defense But this is an out-and-out defense measure that everybody should be willing to support.

The reason I am not in favor of the amendment of my friend from Maine is that I think he would jeopardize, in the view of the public, the position of the House on convoys. I am convinced that the Members on both sides of this House are against convoys, and if given an opportunity to vote they would vote that way. Their constituents are against convoys and so are they.

Let me read this into the RECORD from today's New York Herald Tribune:

METHODISTS FIGHT CONVOYS—NEW YORK EAST CONFERENCE OPPOSES USE OF UNITED STATES FORCES WITH ARMED SHIPS

Use of United States naval or air forces to convoy munition-laden ships through belligerent waters was opposed in a resolution adopted yesterday by the New York East Conference of the Methodist Church, in its closing session at the Hanson Place Central Methodist Church, Hanson Place near Lafayette Street, Brooklyn. The annual conference of the district was opened last Thursday.

The resolution was introduced by the Reverend Ernest F. Weise, pastor of the Grace Methodist Church, Waterbury, Conn., and read in part: "We insist upon a policy of nonintervention in the wars which are raging abroad, and * * * protest the proposal to use our naval or air forces to convoy munition-laden ships through belligerent waters."

The Reverend Dr. Francis J. McConnell, bishop of the Methodist Church of the New York area, was chairman at the session.

I want all Members, Republicans and Democrats alike, to know that one great group of religious people, the Methodists, are outspoken against convoys, because they know convoys mean war.

There is no such thing as an undeclared war in a free country with a representative and constitutional government, such as the United States. An undeclared war is an invention and creation of the totalitarian nations.

If President Roosevelt wants unity and a united America, all he has to do is to submit the convoy issue which is an act of war according to Frank Knox the Secretary of the Navy, to the Congress in an orderly, constitutional manner and in the American way.

The President has said that convoying means shooting and shooting means war. Congress alone has the constitutional power to declare war. Convoying would be badly beaten in Congress, and a clear-cut honest war resolution would not receive 100 votes in the House.

Eighty percent or more of the American people want to stay out of war unless attacked and will refuse, as will Congress, to be put into an undeclared war.

Congress alone has the constitutional power to declare war. I do not believe a clear-cut, honest war resolution would receive 100 votes in the Congress. Eighty percent or more of the American people want to stay out of war unless attacked and will refuse, as will the Congress, to be put into an undeclared war. I believe this is another issue that ought to be discussed upon the floor of the House. We hear and read a lot about an undeclared war. There is no such thing as an undeclared war in the United States of America. We alone have the responsibility in the Congress. You are the elected Representatives of your people back home, and over 80 percent of your people are determined to stay out of war in spite of the gigantic conspiracy to get us in, this mass of propaganda, domestic and foreign, and interventionist columnists, radio commentators, and the eastern press—in spite of it all the American people are uncompromisingly against war; and even you Members from the Southland. Polls taken down there have shown that not more than 35 percent of the people are for war and in most of the Southern States there are very much less than 35 percent of the people for war. If we are to have war there is only one honorable, honest, and decent thing to do, and that is for the President to send in a war resolution and let the Congress vote it up or down. There seems to be some little confusion in the minds of people about what happened under Woodrow Wilson and what might happen at the present time.

Woodrow Wilson never at any time said or made any promise that he would keep the American people out of war. The statement that he did is an absolute fiction. I took occasion just the other night to ask Mrs. Woodrow Wilson herself about it. I sat next to her at a dinner, and I asked her if President Woodrow Wilson at any time promised that he would keep this country out of war. She said, "He certainly never made any such promise." People who advocated Mr. Wilson's reelection stated that he had kept us out of war; the campaigners for him made the statement that he had kept us out of war, but he never said he would keep us out of war. On the other hand, President Roosevelt repeatedly has said that we will not participate in foreign wars. These are the exact words of the Democratic national platform; they are the identical words of the President himself, "We will not participate in foreign wars." Then he went on and said:

And we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas except in case of attack.

That is an entirely different proposal. That is a definite promise and pledge.

I still insist that the President will not and does not propose to break his promise and pledge to the American people, and I will stand upon that until I know definitely otherwise.

Mr. Speaker, this bill refers also to our commerce with Africa. The American people have been treated to a lot of hysterical and alarming talk about Dakar, a small African town 6,000 miles from New York, or almost twice as far as Berlin. The Nazis in Dakar, surrounded by impenetrable forests and huge deserts, would be making progress backward in relation to getting nearer to the United States.

Dakar is 1,800 miles from Natal, Brazil, which, in turn, is twice as far from us as Germany. The jungles of Brazil and the swampy lands along the Amazon are natural barriers against any attack by panzer divisions, which would be swallowed up and lost in that territory, as vast as Germany, France, and England combined.

If a few German planes fly from Dakar to Brazil there is no reason for Americans to get hysterical and jittery and to begin looking under their beds for Nazi parachutists.

I hope, Mr. Speaker, we shall soon have an opportunity in the House, if this issue of convoys is still raised before the public, or if the President has any thought of convoying to face this matter fairly and squarely. I do not believe the President will convoy, because he knows it is an act of war. I believe if he is really thinking about it seriously he will submit it to the Congress. Then every one of us will have the right and privilege to decide for ourselves regardless of partisanship whether we will convoy British ships or American ships into the war zone. In the meantime I hope there will be an end to this hysteria that war is imminent; that we are in the war. We will not be in this war until Congress itself declares war, for there is no such thing as an undeclared war in America. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 1 minute remaining.

Mr. FISH. Mr. Speaker, I yield the balance of my time to my distinguished colleague the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by printing an editorial published in the Pittsfield Eagle on Monday last.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I congratulate my colleague the gentleman from New York [Mr. FISH] that not only today but for many months he has been sincere and honest in expressing his views in opposition to war. I am pleased he concedes that President Roosevelt is against war and that the gentleman from New York has sufficient confidence in the President to feel that the President is opposed to war. I am not speaking for the President in any way, but I do know

that he has many times stated he is opposed to war and has been quoted to that effect in the press. Then, too, he has stated that convoys might mean shooting, and shooting would mean war, and that he was opposed to war.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. CULKIN. Does not the gentleman from Illinois believe that the position of the gentleman from New York is correct in view of the fact that the President is his constituent?

Mr. SABATH. I have always thought that the gentleman from New York should use good judgment at all times when he speaks of the President. Unfortunately, however, he is a little prejudiced, but I feel he should support the President at all times. I believe he is now with the President and I think he has been in his speech, in reference to the attacks that have been made against the President of the United States by many newspapers and by many men, who for 3 years have been charging that the President's aims are to involve this country in war. Those are not his views and it is not his desire. He desires to keep us out of war, but he feels that we should give Great Britain all possible aid because Great Britain, as is believed not only by the majority of well-informed people, but many others, is fighting a great battle and the aid we are giving here is aiding her and keeping us from becoming involved in war. Everybody concedes that if Great Britain can defeat Germany and the other powers we will not be dragged into war or forced into war. What the result might be if Hitler should defeat Great Britain is another proposition. I called attention to it on March 18, 1938. I explained then what the aims of Hitler were in every respect, and I guessed right.

I do feel that there is a grave danger to our Nation and to our institutions if Hitler should succeed in defeating Great Britain, and for this reason I am desirous and willing to do everything within my power, and I feel it is the aim of 90 percent of the American people to give Great Britain all the aid we possibly can.

Mr. KEEFE. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Wisconsin.

Mr. KEEFE. Are we to understand from the gentleman's remarks that he is also opposed to convoys?

Mr. SABATH. Yes; I am opposed to convoys. [Applause.] I always have been, and I am opposed to anything that might involve us in war. To that extent I would be inclined to agree with my colleague the gentleman from Mississippi [Mr. RANKIN]. I think we should turn over such vessels to Great Britain and let them fly the British flag, in that way eliminating any possible danger of our involvement.

Mr. FISH. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. FISH. Then the gentleman agrees with my proposition that I made yesterday that we ought to build more ships and still more ships and turn them over to the British?

Mr. SABATH. I do.

Mr. FISH. And use all of the available yards?

Mr. SABATH. However, unfortunately, the gentleman insinuated that we have not built enough ships or vessels. The Commission could not build any more ships than we have made available to it in appropriations.

Mr. FISH. There are lots of idle yards that could be put to work immediately.

Mr. SABATH. On Friday we passed a bill providing an additional $350,000,000 to build vessels.

Mr. FISH. Those are all for the Navy. They are not cargo ships. I am talking about cargo ships.

Mr. SABATH. Some of them will be cargo ships.

Mr. FISH. Oh, no.

Mr. RANKIN of Mississippi. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. If it becomes necessary to lend or lease naval vessels to Great Britain to conduct these vessels, they could be used for that purpose?

Mr. SABATH. Yes; I agree with the gentleman. That is what should be done if it becomes necessary.

Mr. RANKIN of Mississippi. In that way it would enable us to render the maximum aid to Great Britain without being drawn into the war, because if we were drawn into the war, it would probably shut off our aid to Great Britain.

Mr. SABATH. I agree with the gentleman. I was here during the first World War. I have been a member of the Foreign Affairs Committee of the House, and I have taken a deep interest in our foreign relations. I have done everything in my humble way to aid the cause of my country, and I shall continue to do so. I have been in the past against militarism and I am against war, but I am also in favor of protecting our country from any invasion or attack, and I am willing to help any country that aids our country directly or indirectly. Now, that is all I have to say on that point.

Mr. RANKIN of Mississippi. Let me make this further suggestion: Our present program of aid to England enables us to keep machines going off the assembly line and to have those machines tested on the field of battle. If it does nothing else, it will enable us to prepare ourselves to protect this country against all comers.

Mr. SABATH. I am in favor of a thorough defense.

Mr. RANKIN of Mississippi. So am I.

Mr. SABATH. Mr. Speaker, I wish to say a few words in answer to the gentleman from Michigan, who, day in and day out, attacks labor and calls attention to labor conditions. The gentlemen who appeared before our committee in favor of the rule for the pending bill testified that the companies, corporations, and the owners of cargo vessels have increased their freight rates by about 500 percent. They also stated that the rates are so high that two trips for any one of these vessels will pay the entire cost of construction of such ship or vessel.

Naturally when the men who make possible the loading and operation of these ships are informed of the great increase in the freight rates, they feel they are entitled to a little increase in their wages and to that extent I feel they are justified in their action and demands. Not only have the shipping companies increased their rates as much as 500 percent, but practically all other lines of businesses have similarly increased prices. Is it any wonder, therefore, that labor asks to participate in a meager or fair share of the increased profits to enable them to provide a decent living for themselves and their families? I hold in my hand an article appearing in the April issue of the Labor Information Bulletin of the Department of Labor. It reflects the net profits of companies engaged in various lines of business for the year 1940. I will not encumber the RECORD with the complete article, but I will include in my remarks the statistics of 12 of the leading businesses which show the enormous profits that they have made and are continuing to make today. The figures are as follows:

Business profits in 1940—Net profits in 1940

	Number of companies	Millions of dollars
Automobiles	13	249.3
Chemicals	39	184.5
Electrical equipment	35	135.6
Food products	105	220.8
Machinery and tools	140	171.8
Mining	63	237.3
Petroleum	55	162.3
Public utilities (net income)	69	265.2
Railroads, class I (net income)	136	191.1
Retail trade	63	173.6
Steel and iron	57	291.0
Telephone (net operating income)	94	243.3

Mr. Speaker, it is not always, as we hear on this floor, the fault of labor that a strike is called. In the majority of cases the responsibility is with industry, with the employers, who in many instances have refused to comply with the laws of our country. Notwithstanding the fact that their problems have been increasing greatly, they refuse to recognize the fact that the cost of living has increased and that the wage earner must earn a little more to provide for himself and dependents.

Therefore, I feel that it is not always in the interest of national defense that the gentleman from Michigan speaks, but invariably with the intention to weaken or destroy organized labor in this country. I believe that is the paramount issue with him. I cannot help but differ with his views and his conclusions.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The distinguished chairman of the Committee on Rules has discussed strikes arising out of demands for better wages and perhaps better working conditions. Will the gentleman be kind enough to give us an expression of his views as to strikes which arise purely out of jurisdictional disputes between two rival unions?

Mr. SABATH. I have criticized such strikes many times on the floor. I can show the gentleman letters I have sent to Mr. Green and Mr. Murray stating that I as a friend of labor feel that they are making a mistake if they do not urge their

local unions to cease the kind of strikes to which the gentleman from Wisconsin has alluded. I believe that such strikes are not justifiable at this time, and not only that, I believe that at no time are they justifiable. Those gentlemen should see to it that such strikes do not take place. [Applause.]

Mr. KEEFE. Then, to that extent, I take it, the gentleman would favor intervention by the Congress of the United States to handle that particular type of strike, if labor does not accede to the suggestions the gentleman has indicated he has sent to Mr. Green and Mr. Murray?

Mr. SABATH. I do not believe it is necessary for any legislation on that subject to be passed. These gentlemen realize the responsibility they owe to the country and to their own organization, which has taken 60 years to build up in the interest of labor and which has accomplished a great deal of good. I feel that, in view of conditions, there is not so much danger from the strikes. In fact, we have very few strikes. I believe that, taking everything into consideration, we have fewer men out of employment due to strikes today than we have had even in so-called peacetimes. I believe these disturbances should be eliminated. Unfortunately, we have a few men in this House and a few writers, like the gentleman who has been mentioned, Mr. David Lawrence, of the United States News, whose articles have been placed in the RECORD, who naturally represent the industrial side and at all times are opposed to anything that may be in the interest of the American wage earner of the American laboring man. Such articles are printed and reprinted in all the big papers which are friendly to industry, but the cause of labor very seldom finds its proper place in these great newspapers. That is to be regretted.

I feel that we are progressing with all the speed possible in our national defense. The few strikes we have, that are being magnified by some opponents of organized labor, are nowhere near as great or as dangerous as they would try to have the country believe.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Alabama.

Mr. PATRICK. I am very much concerned about that very point. I should like to know how we as the majority group here, upon whose shoulders falls the greatest responsibility in legislation, will carry ourselves if we merely say that we are opposed to jurisdictional strikes and are not willing to go further and do anything about them.

Mr. SABATH. It is not only a question for the majority; it is also a question for the minority. We should all try to bring about the elimination of jurisdictional strikes.

I have in my possession letters from Mr. Murray and from Mr. Green in which they assure me they are doing everything in their power to eliminate jurisdictional strikes, that they are opposed to high initiation fees and dues, and that in this respect they will continue to do their utmost to bring about the cooperation of their local unions in furtherance of our national-defense program. Of course, sometimes they cannot control a union here and there in the States, but on the whole I believe they are doing well.

Mr. Speaker, I remember the complaints we had in 1917 against Mr. Gompers. What a hue and cry there was that he and the American Federation of Labor would dictate the policy of America and destroy everything. After 6 or 9 months he was applauded by every sane-thinking and sincere American for the manner in which he succeeded in handling labor then. I am satisfied that Mr. Green and Mr. Murray will do likewise. [Applause.]

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. I call the attention of the gentleman from Illinois to the fact that Mr. William Green of the American Federation of Labor came out this morning agreeing with the gentleman's position and with my position that these vessels should be transferred to British registry and that this convoying should be done under the British flag.

Mr. SABATH. I am mighty glad to hear the gentleman from Mississippi make that statement. I am glad that some wise men agree with me at times.

Mr. RANKIN of Mississippi. The pleasure is mine.

The SPEAKER pro tempore (Mr. LANHAM). The question is on the adoption of the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, on yesterday I got unanimous consent to extend my remarks in the RECORD and include a newspaper clipping, and I now ask unanimous consent to include therewith an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Inyo Independent of May 2, 1941. On the Trona strike that has existed in California.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short poem on Huey Long.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD by inserting therein my own remarks made before the Flood Control Committee of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

There was no objection.

Mr. PITTENGER. Mr. Speaker, in connection with my remarks this morning and my permission to revise and extend, I wish also to include certain quotations from the St. Lawrence survey, a brochure published by the Department of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PRIORITIES IN NATIONAL-DEFENSE TRANSPORTATION BY MERCHANT VESSELS

Mr. BLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4700), to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 4700, with Mr. WILLIAMS in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. BLAND. Mr. Chairman, I yield myself 15 minutes and ask unanimous consent to revise and extend my own remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Chairman, members of the committee who were present during the discussion of this bill by the gentleman from New York [Mr. FISH] and the gentleman from Illinois [Mr. SABATH] heard very complete and comprehensive statements of the purposes of this bill.

Let me say in the beginning that the bill was reported unanimously by the committee. There was no opposition in the committee to the measure, no opposition appeared in the Rules Committee and no opposition appeared before the committee except that some amendments were suggested. Some of these amendments have been covered in the bill. Practically 90 percent, and I believe now I may say, practically 100 percent of the ship operators agree with the necessity for the bill, and concur in its provisions.

The bill is to provide for priorities in transportation by merchant vessels in the interest of national defense and for other purposes. Briefly stated, as to the purposes of this bill, it may be said that it would empower the President, whenever he may deem it to be in the interest of national defense, including the maintenance of essential supplies and services, to authorize the Maritime Commission to issue warrants with respect to vessels owned by citizens of the United States, and upon application for or on behalf of the owner, with respect to foreign-flag vessels not so owned. The issuance of such warrants would be predicated upon the agreement of owners or charterers of vessels to certain conditions to be complied with by the vessels affected with

respect to: (1) the trades in which the vessel shall be employed and the voyages which the vessel shall undertake; (2) the class of cargo or passengers to be carried; (3) the maximum rate of charter hire or equivalent; and (4) such incidental and supplemental matters as appear to the Commission to be necessary or expedient for the purposes of the warrant.

The bill provides that the Commission in issuing warrants shall give priority to the importation into the United States of strategic and critical and other needed materials and shall collaborate closely with other defense agencies for the purpose of securing such materials. Vessels holding warrants would be entitled to priority over other merchant vessels with respect to the usual facilities for loading, discharging, lighterage, or storage of cargo, bunkers, overhauling, dry docks, and repair, and would have priority among themselves as determined by the Commission. Persons furnishing any of said facilities would be authorized, or with the approval of the President might be required, to grant such priorities.

The bill is somewhat similar to but far less drastic than a bill for somewhat the same purpose that was passed in the World War.

The President has directed the Maritime Commission to be the agency through which the various national-defense agencies, including the Army and Navy, may call for materials they need to import into the United States. There has been reasonably good cooperation. There has been a voluntary arrangement that has been tried for some time, and this is voluntary to the extent that there is no compulsion on anybody to come under this agreement, except insofar as the priorities that are established in unloading, repairing, dockage, and that sort of thing would necessarily have a very strong and compelling influence to induce a ship operator to come under the bill. The natural inclination is to bring in that commodity which pays the highest rates. Take, for instance, one typical example that was cited before the committee by Mr. Dempsey, a former Member of this House, who was the Commissioner who appeared to present this bill. He referred to cocoa and manganese. Both commodities come from Africa. Cocoa takes a very high freight rate. Manganese takes a lower freight rate. The majority of the operators, patriotically inclined, desire to go along with the arrangement that has been made by the Commission and bring in the allotted quotas of manganese, but if this is not done by all, then some ships would not cooperate. One, because of the higher freight rates applicable to cocoa, may say "I am going to bring in cocoa all the time." That would be unfair and unjust to the others who are playing ball. This bill would deny priorities to those who would not cooperate. The bill would also have a compelling influence with respect to the rates. It would serve to hold down enormous rates that otherwise might result.

Mr. Frank Taylor, who is president of the Merchant Marine Institute, representing practically all of the shipowners and operators along the Atlantic coast, presented that question very cogently when he said:

> There is a question that has been asked here about the plan of any commissions being paid by one operator to the other. The plan that was worked out in connection with the Maritime Commission provided for doing away with higher charter rates, while they were kind of creeping up there a while, and there was a voluntary proposition worked out where the owner and the operator agreed. It keeps it away from high charter rates, and what we there endeavor to do is to work out a mutually negotiated plan of cooperation that would do away largely with high charter rates. In other words, to get income from the trade with operation of the vessel that would be commensurate with its tariff, and this is the plan to keep away from high ceiling charter rates. So that the tariff rates on the top, which is almost closed up—so that there is almost a ceiling that we could start upon, so that the whole plan that is in operation at the present time is a practical cooperative plan and that is going almost 100 percent without any legislation whatsoever. So that, we have no objections, so far as off-shore foreign trade is concerned, to any warrants being issued because I am sure that in the compliance of the companies with the vessels that we operate, there would be no trouble in them obtaining these warrants if this were enacted into law today.

Then the thought developed that there was always the possibility that the foreign ships not bound by this voluntary agreement might advance freight rates. There was absent any definite plan whereby we could compel the transportation into this country of tungsten, manganese, and other materials essential to our present defense purposes. Mr. Dempsey said:

> The Maritime Commission is not taking over or operating any ships. We are simply asking the operators of ships to operate them principally in the service in which they are now engaged, for instance, but to do a certain specific thing.
>
> We have at this time requests and orders from the various agencies of the Government having to do with national defense for some 4,000,000 tons of materials to be brought into this country. Cocoa is not one of them. If you permit—it is your job, not mine; I am just here to give you the picture—if you prefer them to bring in cocoa rather than manganese, then the bill is a bad bill; but if you prefer them to bring in a reasonable amount of strategic materials, then this bill is a necessity.

The sole objective, Mr. Chairman, in this bill is that we may bring into this country those things that are needed for our national defense, and in some cases those things that are needed to protect against a very high increase in prices of essential materials. There was one amendment that was written into the bill at the suggestion of Mr. Henderson as to needed materials other than commodities essential to national defense. This was done because it was found that we might need to bring into this country some commodities, for instance, nitrates, in order to protect against an exorbitant high price of fertilizer to the farmers. Where it is deemed by the O. P. M., where it is deemed by those charged with enforcing the present program, that there is a necessity for importation, for national purposes, and to protect the people against exorbitant prices, then under the operation of this bill the Maritime Commission can provide for these services. This bill will also serve to protect against the Government itself going into business. Ship operators may continue to operate their own ships.

There were objections upon the part of the ship operators that the operation of their vessels might be taken away from them and transferred to someone else. We wrote into the bill that is now before you protection against that danger, so that these operators might continue in the further operation of their ships.

The bill will be read for amendment and the provisions of the bill will be further discussed, if necessary. It seems to me that the fact that the shipowners agree to this, that everybody who has come before the committee, with very minor exceptions as to certain amendments, agree to this; and the fact that it is a bill brought to you with practically 100-percent endorsement of the committee warrants me in saying that the bill should be passed. As was suggested here this morning, some members of the committee may offer some amendments. If so, I have no criticism to make. If they feel they should do so, I shall never complain of any amendment so offered. I may fight the amendments as hard as I can, but I shall never complain of any amendment that comes from any member of my committee, because I feel that every member is loyal and patriotic and not only trying to do his duty to his constituents but to the Congress.

I reserve the remainder of my time. [Applause.]

Mr. WELCH. Mr. Chairman, I yield 15 minutes to the gentleman from Maine [Mr. OLIVER].

Mr. OLIVER. Mr. Chairman, in the first place, let me pay my respects once again to the distinguished chairman of the House Committee on the Merchant Marine and Fisheries. For the past 5 years I have had the privilege of serving under the jurisdiction of that able and distinguished gentleman. During that time there has never been an occasion when he was not only willing but entirely eager to extend to every member of the committee the utmost consideration and the utmost cooperation.

It is therefore with some reluctance that I come before the House this afternoon to state my position on this bill. I feel more or less like a lone wolf crying on the prairie, so to speak, but nevertheless I feel most strongly with regard to some particular possibilities that will arise as this bill becomes law. I am in somewhat of an anomalous position, in a way, because I supported this bill in the committee and I intend to support on the floor of this House the general provisions of the bill itself. I think the chief objective which the bill is trying to reach entirely merits our support. I feel that the methods which are established by the bill, however, are somewhat deplorable in that the authority given to the Maritime Commission through the provisions of this bill can be termed, in my opinion, nothing other than friendly coercion, to say the least, against the shipping interests of this Nation.

It is true that most of the operators appearing before our committee—as a matter of fact, I think all of them without any exception—supported the provisions of this bill, but I wonder whether or not that support came as a result of their enthusiastic liking for the bill, or whether they supported the legislation because they felt they had to take it whether they liked it or not, and if they did not go along with the terms of the bill and approve it, then they would suffer from a policy of what might be termed "either accept these mandates, or else."

The chief objective, as I understand it, which the proponents of this bill seek to reach is the procurement of the raw materials which are now available in foreign lands and so essential to our defense, and which have piled up on the docks in those foreign ports in ever-increasing tonnage until at the present time our defense industries are actually seriously suffering from lack of those raw materials. I notice in the papers today and last evening that some Government officials connected with the Office of Production Management have made the statement that our stock piles of strategic materials are sadly deficient because of the lack of shipping facilities to bring those commodities to our shores for processing into the materials which we feel are so essential to our defense program.

The principal objective which the bill seeks to reach in having the in-bound cargoes brought to our shores is something that every Member of this House can conscientiously support. I believe every Member of this House will support that particular objective. There is a phase of the situation, however, that occurs to me to be even more important than that. I propose to present to this Committee an amendment to the bill which, in my opinion, is necessary if we as Members of this House this afternoon are not going to participate in an authorization which may mean actual murder of hundreds of our seamen who go out on these cargo ships, taking raw materials to belligerent nations through the Red Sea. It seems to me that when we authorize the Maritime Commission to take over by warrant, as this bill does, the services of ships belonging to citizens of the United States for the purpose of carrying war materials into waters which up until the last few weeks have been considered most dangerous to our shipping, so much so that they were included in the neutrality proclamation of the President, stating that these certain areas should not be entered by our merchant marine, I repeat, when we mandate, when we coerce, when we force those ships with their personnel to go into those areas which, whether they are officially declared to be so or not, still are belligerent areas, regardless of what our officials state, and we know down deep in our hearts that they are dangerous waters, I repeat again, when we say to our shipping, "You must accept a commission under our coercion as a Government to go into those dangerous areas," then it appears to me that, by the same token, we as Members of Congress are accepting the responsibility of ordering a murderous and a suicidal mission for our seamen. I am opposed to any such proposition.

There will be those who will say that under the principle of freedom of the seas our ships have the right to sail over the seven seas of the world without any restrictions or without attack and what not; but, gentlemen, we are faced here with the practical fact that ships are not being unmolested, to say the least, while they are carrying contraband of war to belligerent nations, and this will be true whether or not those ships belong to the United States. When we, as responsible Members of this House, take the position that we are going to fight this thing on that basis, then it seems to me we have no moral right to order our men into those belligerent waters unless and until we have the intestinal fortitude to set up in this Government a policy to protect those men. If it is a matter of convoys, if it is a matter of naval escort, if it is a matter of arming those ships, then let us have that issue decided before we send those defenseless men into those dangerous areas.

How can you justify yourself to yourself stating that you are opposed to war or any steps which will lead to war yet at the same time vote here this afternoon for authority to a Government agency to send into belligerent areas these ships and our men and not at the same time take some steps to establish protection for them? Do you want to be a party to putting our ships in a position where they will be attacked by belligerent powers either by dive bombing, by mines, by raiders, or whatnot, and read in the papers perhaps 2 or 3 weeks or a month hence that our own people, our own flesh and blood so to speak, have been killed by these attacks of belligerent nations? Do you want to be a party to such a proposition?

Here this afternoon you are being asked to give the Maritime Commission authority to issue warrants to ships of United States registry to go into the Red Sea carrying materials of war. In my opinion, as I have said before, to do such a thing is to send these men on a suicidal mission. It might be termed a mandate of murder, and you are asked to be a party to it.

When this bill was before the committee I did not present such an amendment to the committee for consideration. I did not do it because at that time this issue had not become so acute as it has become during the past few days. I did not feel at that time that it was entirely in order to make this issue, but when I read how the President has accepted the gauntlet which was thrown down by the leader of the German forces, when I realize these ships are to go into the Red Sea at the rate of probably 20 a month, when I realize that these ships will have to depend for protection upon the good faith of the family of nations that defenseless ships shall not be attacked, it seems to me something should be done about the situation here this afternoon. It is my intention, therefore, as soon as this bill is read for amendment to present an amendment which will prohibit the Maritime Commission from issuing warrants for the operation of these ships in and through the Red Sea. If you will support this amendment it appears to me then you can say you are not going to become a party to sending men and ships, defenseless, unprotected and unescorted, into an area which is certain to be infested with mines, which is certainly exposed to attack by mines, by bombers, and whatnot, which in turn will doubtlessly mean our ships being sunk in the Red Sea. You fully realize that the sinking of American ships will give those articulate forces which are adamant in their determination to convoy all the explosive materials they need to bring their determination more favorably before the American people.

If these ships were to be manned solely by individuals like Dorothy Thompson, Walter Winchell, or our erstwhile Republican leader, Wendell Willkie, then I would say by all means send them over; I would have no objection, perhaps, to such a policy. [Applause.] But, as a matter of fact, you are asking our own people, our own defenseless seamen, even though it is true that they volunteer for service on these ships, you are in effect ordering them into a dangerous belligerent zone. I do not question the right of the President to lift the ban against the operation of ships in the Red Sea; I do question his judgment. I do not think he has any moral right or that we have any moral right to authorize warrants to be issued for Red Sea shipping operations, at least under existing conditions. The matter of bringing cargoes back to this Nation for defense purposes is perfectly proper and something I believe we should do. I believe it is something we have to do. I do not, however, believe in order to furnish aid to Britain that, if we are not willing to furnish it through the front door of the Atlantic, we should vote to deliver these items through the back door of the Red Sea, for it means just exactly the same to me so far as the actual results to be expected are concerned.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield.

Mr. SHORT. Does the gentleman believe it would be wise for our Government to send unarmed American merchantmen into dangerous belligerent waters without giving them adequate protection?

Mr. OLIVER. That is exactly the point, I may say to the gentleman from Missouri, that I have been trying to make rather ineffectively here.

Until this Congress has the intestinal fortitude, or until Government officials have the determination and the courage to go directly before the American people and say we are going to defend our merchant marine wherever it goes and make that defense practical and usable for them, I do not believe we have any right to order defenseless seamen into these particular areas where we know they are going to be killed.

Mr. SHORT. If this bill is enacted into law, then the Government will be granted the authority to issue these warrants or to commandeer even private

ships, say, running from our west coast to Australia or New Zealand and force them to go into the Red Sea or any other place the Government might designate.

Mr. OLIVER. There is no question about that.

Mr. SHORT. And failure to comply with such orders would bring both fine and imprisonment.

Mr. OLIVER. There is no question about that. I thoroughly agree with the gentleman.

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I yield 5 additional minutes to the gentleman from Maine.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield.

Mr. IZAC. I was just wondering how the gentleman would meet the situation if Mr. Hitler says the Aleutian Islands is a combat area? Would the gentleman recognize that? Would the gentleman simply keep our ships off the seven seas? Or are we going to delineate for ourselves the zone of operation in which to carry out the lease-lend bill? What is the gentleman's idea?

Mr. OLIVER. The gentleman has asked a fair question. I will try to answer it. Until we adopt a policy here as a Government policy that we are going to protect our ships, and we have not done that as yet, and see to it that that protection is available to them, it seems to me we should not send these ships into any area that we know is a dangerous belligerent zone. The results which will flow from that operation are going to be disastrous for us.

Mr. IZAC. Of course, under international law, in order to make it dangerous, or in order to make that zone recognized as a blockade zone, it must be effective. Mr. Hitler has not made the Red Sea dangerous to the extent that he can keep ships from going through there. I have not heard of a single ship being sunk in the Red Sea.

Mr. OLIVER. The gentleman has read the paper yesterday and today where a ship going over the same route was attacked, and, according to newspaper reports, it was sunk.

Mr. IZAC. Does the gentleman know where it was sunk?

Mr. OLIVER. I cannot say exactly where it was sunk. As I understand from the picture that was shown in the newspaper, it was sunk down at the southern tip of Africa, adjacent to the waters which our ships under this particular bill will traverse to carry materials to the Red Sea.

Mr. IZAC. The gentleman recognizes that is several thousand miles away from the Red Sea though?

Mr. OLIVER. I understand that, but it is my understanding that our ships are going to follow that same route. A ship going from New York, we will say, would go down through the South Atlantic, around the Cape of Good Hope, the southern tip of Africa, and up the east coast of Africa to the Red Sea. Now, it is entirely reasonable to assume that some incident will occur to ships loaded with contraband of war. I do not believe there is any question but what an attack is going to be made and explanations are going to be asked for afterward. Feeling that way, there are only two things for us to do. One is to prohibit the ships from going there at all, and the other is, if we intend to send ships in there, let us defend them with everything we have. Of course, I am not advocating convoys. I would vote against convoys. I will vote against them today and I will vote against them a month from now, because I do not believe we should expose ourselves to these belligerent conditions and situations. To those of you who believe in the freedom-of-the-sea principle and who are willing to see this country go to war over that principle, I say you ought to recognize a practical situation and do something about it before you send our undefended and entirely unprotected ships into that zone.

Mr. IZAC. The gentleman is talking now about a zone far away from the actual combat zones, and I refer to the place where this ship happened to be sunk. Now, it is possible for a German submarine to go 3,000 miles from a combat zone and sink a ship loaded with contraband of war, but certainly that is not a blockade and certainly we do not have to recognize that as being forbidden waters. If we do, we might as well tie up our merchant marine and forget about the building of hundreds of ships, stay at home and be completely isolated.

Mr. OLIVER. I recognize the force of the gentleman's argument. I merely state that when a ship is mandated to take war contraband from our shores to the British at Suez, for example, that ship is going to follow a certain prescheduled route that is known to everybody in the world. We can illuminate that ship all we want to, but that does not mean anything. If Germany, for example, is going to sink ships and intends to or tries to sink them, she is going to sink the ships regardless of whether they are illuminated or not. If it is our intention and is to be our policy to carry these cargoes through in our own ships, let us delay such action until we have the courage first to set up a real practice of protection for them. That is my plea.

Mr. RANKIN of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. I yield for a brief question.

Mr. RANKIN of Mississippi. Let me suggest to the gentleman again that if we are going to send our vessels into this war zone, when war is going on there, we ought to follow the policy I have advocated of transferring them to British registry and letting the British take the ships under their own flag.

Mr. OLIVER. Obviously, that would be one honest way out of the particular dilemma with which we are faced this afternoon. It seems to me that before we give our approval to this legislation we should give most serious consideration to an amendment I shall offer at the proper time to prohibit the issuance of warrants by the Maritime Commission to mandate the operation of these ships into the Red Sea. [Applause.]

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, while I am not a member of the Committee on the Merchant Marine and Fisheries, yet the legislation that has come out of that committee has had a singular appeal to me, and I would feel thoroughly derelict in my duty today if I did not point out some things that I think are pregnant with danger in this bill.

First, let me point out to you that there appears in this bill that phrase that is recurring in other legislation, and which you will find on page 1 of the bill, to this effect: "notwithstanding the provisions of any other law." I have on other occasions sought to strike that from bills that have gone across this floor. We first became conversant with it in the lend-lease bill, and mark you that that phrase is going to give us trouble. I asked the Legislative Reference Service to compile a list of enactments that by implication were modified or repealed by that same identic phrase in the lease-lend bill, and they sent me a partial list that embraced over 30 statutory enactments. So when we say "notwithstanding the provisions of any other law," it means that everything that stands in the way or that is in conflict goes out of the window. Mark you well those words. Secondly, let me suggest to you that there is no appeal provision and no appeal set up under which an appeal can be made in case of controversy with respect to the issuance of these warrants, and yet there is a penalty clause in the bill running up to $5,000. Surely, since this country is not at war, the right of appeal from administrative determinations ought to be safeguarded.

That is a second provision that I would suggest to you this afternoon. Now, let me expatiate on the matter already presented by my friend the gentleman from Maine [Mr. OLIVER]. There is an ancient technique in this bill. It does not say that a vessel owner must go and get a warrant. The same technique is employed that we employed in the farm legislation. There is no mandate to the farmer that he has got to cooperate with a Federal program, but we say to him, "If you do not, why, obviously, there are certain benefits that you cannot have." This is what we say in this bill. No man must go and get a warrant for his vessel, but if he does not get a warrant, it means that he is foreclosed so far as certain facilities are concerned, so far as docks and wharves and fuel and loading facilities are concerned. So there is the indirect pressure by which vessel owners and operators must go and get themselves a warrant from the Maritime Commission.

Now, oddly enough, there is a double-header authority here. This bill says that the President may authorize the Maritime Commission, under such rules and regulations as they may devise, to issue these warrants. The first and primary sources of authority is the White House, and you might well know that if the President is going to authorize the Maritime Commission with respect to

these warrants, he can, if he so desires, through the Commission, determine some of the conditions under which a warrant shall issue. What are those conditions? They are recited on page 2, and they relate first of all to the trades in which a vessel shall be employed, to the voyages that it shall undertake and that means the place and the route, and also to the maximum rate or charter hire. That will mean control of rates and charter hire, to the class or classes of cargo that it may carry, to the class or classes of passengers that it may carry. These are the conditions upon which a warrant will be issued, and not otherwise, if this bill is literally construed. Then appears this language:

> And such incidental and supplementary matters as appear to the United States Maritime Commission to be necessary or expedient for the purposes of a warrant.

In other words, the Commission determines the basis on which a warrant will be issued. When the gentleman from Maine [Mr. OLIVER] points out that there is authority here to mandate a vessel upon a certain trade route and to send that vessel into an area that may be fraught with danger and that may precipitate hostilities and conflict, I think he is giving an exact interpretation of the language that appears in the bill today.

A reading of the report accompanying this bill including the letter of Admiral Land to the chairman of the committee and the letter of Mr. Leon Henderson to the chairman indicates patently enough that this is a bill for strict control of the merchant marine including cargoes, passengers, rates, routes, voyages, and all other matters. Is it then improper or unwarranted to infer that such complete control carries with it the power and authority to compel vessels to operate on certain routes that may be extremely hazardous and bring trouble and difficulty?

Mr. Chairman, the country has been in a dither about convoys. This language in the bill is equally dangerous in my judgment, because if the White House determines, through an agency of the Executive Branch of the Government, namely, the Maritime Commission, that a warrant will be or can be issued only as the vessel proceeds on a certain course or in a certain direction, or to a certain part of the globe, what then? What you are doing by means of priorities for fueling and docking, and so forth, is to purvey to the Maritime Commission, under the authority of the President of the United States, complete control over the merchant shipping of the country, as to where it shall go, what it shall carry, and what rate it shall charge. To be sure, the bill expires by its own terms in 1943, but this is the danger period right now, and we should remember that in the event of a squeeze or pressure exercised, whereby vessels may be compelled to go in a certain area, where they may be conceivably attacked, if they carry the wrong kind of goods, then look out, for we are on the threshold of danger, and I, for one, propose to support the amendment to be offered by the gentleman from Maine [Mr. OLIVER].

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. SHORT. However much Members may differ in respect to defining the confines of the Western Hemisphere, all will agree that the Red Sea, 10,000 miles away from America, is not in the Western Hemisphere.

Mr. DIRKSEN. I quite agree with that. One need not be an expert geographer, or have addressed himself to scientific studies of the globe for a long time, to determine that the Red Sea is not in the Western Hemisphere, and if it should be possible under the administration or operation of this mandate that vessels should go into that area, and they should be attacked upon the theory that they carry contraband of war, then we stand in the very shadow of conflict.

Mr. SHORT. And if we send them there unprotected, then we are doing a dastardly thing by committing suicide for Americans on those vessels, and if the President is going to give protection, then he will have to employ convoys, and the purpose of the bill then is to bring about the use of convoys under the name of something else.

Mr. DIRKSEN. I will not say that that is obviously the purpose of the bill, but I will say that the language of the bill permits that sort of interpretation.

Mr. SHORT. And if he does permit that sort of thing, then we will accomplish by indirection what we have not the courage to accomplish by direction, and we are being carried into the war through the back door, and it makes no difference whether you get into the war through the back door or the front door.

Mr. DIRKSEN. Frankly, I will say, in conclusion, that I think this bill is far more important than is manifest by the number of Members on the floor today, and yet we will see evidence of its operation as it is articulated into action some time in the near future, if this bill passes in its present form.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. ROBSION of Kentucky. Did not the President include the Red Sea as in the danger zone in a proclamation?

Mr. DIRKSEN. Yes; in his first proclamation.

Mr. ROBSION of Kentucky. And are there not more signs of war and more active war in the neighborhood of the Red Sea than there was at the time that he issued that first proclamation?

Mr. DIRKSEN. I can only say that I am not in the confidence of the State Department, and have no pipe line into their intimate information, but, insofar as I read the communiques day after day and see the incidents displayed in the newspaper, I would say that the gentleman has made a correct statement.

Mr. ROBSION of Kentucky. There is more danger to us of war now by going into that territory with our ships than there was 6 or 8 months ago.

Mr. DIRKSEN. Yes.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. GIFFORD. I want to follow up the argument of the gentleman from Connecticut [Mr. SHANLEY]. Is the gentleman willing to take over Martinique through the Monroe Doctrine and the idea of the transfer of property?

Mr. DIRKSEN. Am I willing to take over Martinique?

Mr. GIFFORD. I want to know how bold the gentleman is.

Mr. DIRKSEN. Frankly, I see no reason for taking over Martinique now.

Mr. GIFFORD. Under the Monroe Doctrine. I am inquiring about the question of sovereignty, or joint sovereignty of the United States and someone else, or who will take it over.

Mr. DIRKSEN. When the gentleman speaks of taking it over, does he mean by force or by purchase?

Mr. GIFFORD. Under the Monroe Doctrine we should not allow that transfer by direction or indirection from France to Germany. It is in the Western Hemisphere. I want to know where that line is that we draw. We are very bold up to a certain line, but we do not want to cross the line. Where is that line?

Mr. DIRKSEN. Obviously if there are any hostilities that are aimed at Martinique that are going to render delicate the foreign affairs of this country, there will be plenty of time to step in. There is not the slightest evidence of such a situation at the present time.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, of course the Western Hemisphere really begins at the longitude of Greenwich and runs 180° west. That takes in part of Europe, and certainly a part of the Atlantic that Mr. Hitler has said is a combat area. Now, I want to point out a discrepancy in the statement of the gentleman from Maine [Mr. OLIVER]. The Western Hemisphere may be considered as starting in the very part of the world that Mr. Hitler has denied the right of our ships to enter. In other words, when he says, "3 miles off Greenland is a combat area," he is making unnecessary our quibbling over the matter of the Red Sea.

If you carry the argument of my friend from Maine to a logical conclusion you will see that you cannot have those ships going either to the Red Sea or to Pernambuco or to the Philippines or to any other part of the world with any degree of safety, because if his amendment is not worded in such a way as to cover the seven seas, there is always danger to ships, because submarines and bombing planes can practically cover the surface of the earth. Now, if you are going to stifle the American merchant marine, limit it to coastal waters, I know of no better way to do it than by adopting an amendment such as the one the gentleman suggests and have it apply not only to the Red Sea but to other areas distant from our shores.

The reason I took the floor today is to make this suggestion: Instead of trying

to limit or delineate where we may issue a warrant to send a ship, if we really mean what we said in the delivery of supplies to Great Britain under the lend-lease bill, there is a better way than our wasting any time talking about convoys. Let me make this suggestion: Under international law no zone is a blockade zone unless the blockade thereunder is made effective by the belligerents. Mr. Hitler cannot make that zone off Greenland effectively a blockade area. Therefore, all we have to do, instead of worrying about convoys, is to say, "We are going to have a zone from the tip of Greenland or Iceland, and from east of Maine—the State of my friend Mr. OLIVER; from there over to Scotland and Ireland is our zone, and we are going to send our ships in there. We are not going to convoy them, but we are just going to cover the whole surface of the sea with our Navy, and are going to send our ships in there. If anybody does not like it they had better take some other area and call it their zone, because this is our zone."

That is one way we can go ahead and make effective our delivery of supplies under the lend-lease bill, and we will not have to worry about going in the back door and corkscrewing up around the Red Sea, as the gentleman from Missouri [Mr. SHORT] suggested. We can do it openly in a zone that we have more right to than any other nation on the face of the earth, because it is in the Western Hemisphere. Every bit of that area I have outlined between Iceland and Greenland and Iceland is west of zero degree longitude. [Applause.]

[Here the gavel fell.]

Mr. WELCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Chairman, this bill can be supported by every Member of the House on either side of the aisle who is for aid to England, short of war. I am one of those. That is the platform on which I campaigned. I did not vote for the lease-lend bill. I considered the grant of power in that bill to be unnecessary and too extreme. However, I did finally vote for the appropriation.

I am opposed to getting into this war, and one of the means that is in aid of that is to enable England to win the war. Aid to England is now our declared national policy. That commitment was made solemnly, after due debate by Congress. The fears, suggestions, deliberations, and doubts of the gentlemen on this bill, as stated here today, do not go to the heart of this question at all. Here is the situation: The port of New York is glutted with war materials that have come from our factories pursuant to the lease-lend bill. The ports of practically every other State of the Union are now glutted. I do not mean to say or even to infer that the operators have been selfish in their procedure, for this traffic jam has been inevitable. This bill proposes to iron out that confusion and place the responsibility upon the Maritime Commission to give warrants of priority to carry these cargoes where they will best help England, subject, of course, to what remains of the neutrality bill.

That is the real issue here. There is no other issue. A learned or lengthy discussion of the freedom of the seas or to the danger to life and property does not help England. Keep in mind that that is the frank purpose of this bill. Today 80 percent of the people of the country are opposed to getting into this war, but 80 percent of them are in favor of helping England. This is also the declared policy of Congress. By passing this bill you will be acting in accord with the wishes of the American people.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. CULKIN. Very briefly.

Mr. GIFFORD. The gentleman says "aid to England." But we must not go in her back door. How many back doors has England? Canada, Australia, New Zealand—how many? We shall only carry it in her front door. Is that right?

Mr. CULKIN. I am glad to have the gentleman's observation.

Mr. GIFFORD. The gentleman talks about aid to England. We must not go in the back door though she has a hundred. Is that right?

Mr. CULKIN. That is true. I again thank the gentleman for his observation.

Mr. GIFFORD. We must go in only the front door.

Mr. CULKIN. The fact is the world today is on fire and some of the things going on are not very pretty, not very conventional; and there are grave dangers and vicissitudes in our course. But the amendment to this bill suggested by the distinguished, charming, and able gentleman from Maine [Mr. OLIVER] whom I admire greatly, one of the most useful Members of the House, simply hamstrings the administration in its statutory duty to aid England. This is not the way to carry out the gentleman from Maine's objective. The way to do that is to make a frontal attack at the proper time on the present provisions of the Neutrality Act. That is the cure of the situation of which the gentleman from Maine complains. I regret extremely to find myself for the first time in disagreement with the able gentleman from Maine, on merchant-marine legislation, but with the world on fire and we having committed ourselves to help England go to victory, I see no other course open. A good deal of our present policy is based upon the proposition that if we do go vigorously to England's aid that we will not get into the war ourselves. I pray God that may so work out.

I am strongly for this bill as it has been written. The bill was favored by the operators with the exception of one or two amendments which have been written into the bill. The bill will be handled ably and considerately so far as domestic needs are concerned, both intercoastal or coastwise. The Maritime Commission is efficient, patriotic, and able. I say therefore looking at this international situation as a realist and having in mind the declared policy of the Congress as expressed in the lend-lease bill, that the passage of the pending measure is proper and timely and meets the needs of the hour. [Applause.]

Mr. BLAND. I understand all time, Mr. Chairman, has been used on the other side.

Mr. OLIVER. We have used all of our time.

Mr. BLAND. I desire to use no further time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That during the emergency declared by the President on September 8, 1939, to exist, but not after June 30, 1943, the President may, notwithstanding any other provisions of law, whenever he deems it in the interest of national defense, including the maintenance of essential supplies and services, authorize the United States Maritime Commission to issue warrants as hereinafter provided with respect to any vessel documented under the laws of the United States or any vessel not so documented but owned by a citizen of the United States. Such warrants may also be issued to foreign-flag vessels not owned by citizens of the United States upon application therefor by the owner of said vessel or the charterer thereof on behalf of such owner. Such application shall be in such form as the United States Maritime Commission may prescribe. All warrants shall be issued and may be revoked pursuant to regulations issued by the United States Maritime Commission with the approval of the President.

Mr. OLIVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER: On page 2, line 2, after the word "States", strike out the period, insert a colon, and these words: "*Provided*, That no warrants shall be issued under the authority of this act to vessels of the United States, documented or undocumented, for operation in the waters of the Red Sea."

Mr. OLIVER. Mr. Chairman, this is the amendment I discussed during general debate and I will not consume all the time allotted to me under the 5-minute rule. I merely want to say, all arguments to the contrary notwithstanding, it seems to me that this amendment should be adopted. Those who feel that the lend-lease policy was a proper policy for this Government to adopt, and those who believe we can best and most effectively serve England by keeping out of this war, should support this amendment. It seems to me to be quite obvious that if our ships are sunk in the Red Sea the people of this Nation are going to be aroused to the point where they will demand further acts of a warlike nature and even war itself. It should be obvious to all of us that if the United States gets into this war we are going to be unable to send to England as large an amount of war materials as we would be able to send if we stay out of the war.

Anything we do here, therefore, that would result in our getting into this war will, it seems to me, work against the very policy we have already established of giving aid short of war and of giving the most effective aid to England. It seems to me the arguments which have been made to the effect that this would militate against our aid to Britain just work in reverse Anything we can do to keep our ships from being sunk in the Red

Sea and to keep out of actual war will enable us to extend greater aid to England over the longer period.

In closing let me say I have no doubt that under the United States Maritime Commission the authority contained in this bill will be carried out effectively. I believe the Emergency Shipping Division of the Maritime Commission under Mr. Robson and his assistant, Mr. Wilcox, will do a very effective job, an efficient job, in bringing to our shores the raw materials we need. They have already done a remarkable job and I pay tribute to them for their efficiency in the interests of this Government.

I support this bill on the general proposition that it is necessary to effectively bring raw materials to us for war production, and I also appeal for the adoption of this amendment for the purpose of carrying out most effectively the aid extended to England under the Lend Lease Act, which can best be achieved by us staying out of this war. It seems to me, Mr. Chairman, that the members of this Committee can most consistently adopt this provision without in any way militating against, but rather serving the policy already adopted by this Government of giving all aid possible to England.

[Here the gavel fell.]

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maine [Mr. OLIVER].

Mr. Chairman, as the gentleman from New York stated, I hate very much to be in disagreement with the gentleman from Maine [Mr. OLIVER]. I do not feel that I can add anything to the argument that was made against the proposed amendment by the gentleman from New York [Mr. CULKIN] and by the other gentleman from New York [Mr. FISH]. I do not know more consistent opponents of war, more consistent opponents of convoys, more consistent adherents to their position, than these gentlemen, and certainly in season and out of season, the gentleman from New York [Mr. FISH] has been heard on that subject. I offer no criticism of him for the advocacy of his position.

To write this amendment into the pending bill will be an attempt to amend the Neutrality Act by adding to this bill prohibitions against the issuance of mandates and priorities in certain areas. The neutrality bill and the Executive proclamations thereunder define combat areas. That should not be the function of this bill. There is no provision in this bill that requires vessels to go to the Red Sea. I am not going to ask you to conclude that they will not go there, but the neutrality law applies to this bill as well as to other bills. The President under the neutrality law is given the right to fix combat zones and to redefine combat zones. That should not be done here.

To specify any place, such as the Red Sea, does not meet the problem, as the gentleman from California has pointed out. The very incident referred to here, the sinking of the Egyptian ship, was many thousands of miles away. The President, as I understand the Neutrality Act, may define the Red Sea as a combat zone or not. The Red Sea may be dangerous today and safe tomorrow. It may be safe today and dangerous tomorrow. There is no way that you could carry out the thought and the views of the gentleman from Maine except by rewriting into this act the neutrality law.

There may be other zones, and doubtless are, to which the gentleman's amendment does not apply that are now comparatively safe and may be dangerous tomorrow. The very point at which the *Zamzam* was torpedoed may be safe today and dangerous tomorrow. To write a provision of this kind is to make an amendment to the neutrality law, and that is the sole effect.

The President is vested with the authority to determine what shall be combat zones. Even if I were completely in agreement with all the views expressed by the gentleman from New York [Mr. FISH], I would approve this amendment here. I agree with his conclusion that this is not the place at which to raise that issue. We should meet that issue head-on, squarely, and in the open.

Mr. Chairman, I ask that the amendment be defeated.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. OLIVER].

The amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 1, line 5, strike out the words "notwithstanding any other provisions of law."

Mr. DIRKSEN. Mr. Chairman, I shall detain the Committee no longer than to say that this is the matter I discussed briefly in my preliminary remarks, and in addition thereto, may I say that it is bad draftmanship to undertake by implication to modify, change, alter, or in any other way affect all the legislation that the Congress has put on the books if it should stand in the way.

Mr. CULKIN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

Mr. Chairman, I find myself in thorough disagreement with the gentleman from Illinois [Mr. DIRKSEN]. The draftsmanship of statutes is a more or less expert field. I happen to have had some experience with it myself, particularly in the field of municipal law. The old provision dealing with the question presented here was: "All acts or parts of acts inconsistent herewith are hereby repealed." That was the old language. That is not any more sweeping than the language complained of, to wit, "notwithstanding any other provisions of law." It seems to be more simple and equally effective.

What is the use of writing a statute and leaving on the books a number of statutes that are in direct conflict with the mandate or direction of the new statute?

Mr. Chairman, I ask that the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] be defeated.

Mr. WADSWORTH. Will the gentleman yield?

Mr. CULKIN. I yield to the gentleman from New York.

Mr. WADSWORTH. Is not the language carried in this bill as now quoted by the gentleman from New York the more defensible in that this proposed act is to extend only for 2 years?

Mr. CULKIN. I think the gentleman's suggestion is excellent. I do not think the House need have any fear of the language in the pending bill. It is orderly and proper.

Mr. BLAND. Mr. Chairman, I shall only take sufficient time to heartily concur in the opposition of the gentleman from New York [Mr. CULKIN] and ask that the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The amendment was rejected.

The Clerk read as follows:

SEC. 2. The warrants to be issued pursuant to this act shall be in such form as the Maritime Commission shall prescribe, and shall set forth the conditions to be complied with by the affected vessel as a condition to receiving the priorities and other advantages provided in this act, by reference to an undertaking of the owner or charterer with respect to the trades in which such vessel shall be employed, the voyages which it shall undertake, the class or classes of cargo or passengers to be carried, the maximum rate of charter-hire or equivalent, and such incidental and supplementary matters as appear to the United States Maritime Commission to be necessary or expedient for the purposes of the warrant. Nothing in this act shall authorize the United States Maritime Commission to require the owner or charterer to relinquish the manning, storing, victualing, supplying, fueling, maintaining, or repairing of his vessel to any other person or persons. Nothing in this act shall be deemed to alter, amend, or repeal any of the coastwise laws of the United States.

SEC. 3. Vessels holding warrants issued pursuant to this act shall be entitled to priority over merchant vessels not holding such warrants, with respect to the use of facilities for loading, discharging, lighterage or storage of cargoes, the procurement of bunker fuel or coal, and the overhauling, drydocking or repair of such vessels. Vessels holding warrants shall have such priority as among themselves, as the United States Maritime Commission shall determine to be necessary and advisable in the interests of national defense, or as may be specified in the warrants. Persons furnishing any of the abovementioned facilities shall be authorized, and under rules and regulations prescribed by the United States Maritime Commission with the approval of the President may be required to grant such priorities, anything in any contract whether heretofore or hereafter made to the contrary notwithstanding.

SEC. 4. It shall be the policy of the Commission in issuing the warrants authorized by this Act to give priority to the importation into the United States of strategic and critical materials and to collaborate closely with other defense agencies for the purpose of securing these and other materials so far as may be practicable in the quantities and at the times requested by them: *Provided*, That there shall be no unjust discrimination between ports of the United States. Nothing in this act shall authorize the exaction of any sum from the holder of a warrant solely for the privilege of carrying cargo on any route. Vessels that on January 1, 1941, were

engaged primarily in the coastwise transportation of coal for national defense and domestic consumption shall be granted warrants only so long as they continue in the same service as of said date.

SEC. 5. The term "citizen of the United States" as used in this act includes corporations, partnerships, and associations existing, authorized, or organized under the laws of the United States or any State, district, Territory, or possession thereof.

SEC. 6. Whoever willfully violates any rule, regulation, or order issued under the authority conferred herein shall be punished by a fine of not more than $5,000, or by imprisonment for not more than 2 years or both: *Provided*, That the District Court of the Canal Zone shall have jurisdiction over offenses committed against the provisions of this act within the Canal Zone.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WILLIAMS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes, pursuant to House Resolution 208, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—THE RELIEF PROGRAM (H. DOC. NO. 214)

The SPEAKER laid before the House the following message from the President of the United States, which was read, referred to the Committee on Appropriations, and ordered to be printed.

To the Congress of the United States:

In my Budget message to the Congress in January, I estimated that $995,000,000 would be required during the ensuing fiscal year for continuing the relief program by the Work Projects Administration of the Federal Works Agency. Since the transmission of that message funds appropriated or recommended for national defense have been substantially increased and the lend-lease program has been set in motion.

While the increase in defense expenditures will have an important bearing on employment, we cannot anticipate an increase in employment in the same proportion as the increase in expenditures for next year. Moreover, this increase will not necessarily result in a corresponding decrease in unemployment. The labor force will increase, partly due to natural growth and partly due to additional employment of workers such as students who during normal times would continue to pursue an education. Also, many youth and workers on submarginal farms will obtain jobs during the present emergency.

An additional factor militating against as great a reduction in unemployment as might appear possible is that there are many of the presently unemployed who have little chance to be absorbed by the defense effort. Certain regions of the country are not affected by defense activities, and many types of workers are not in demand.

After weighing all factors I recommend an appropriation of $886,000,000 for the next fiscal year, of which $11,000,000 will be required for administrative expenses of agencies other than the Work Projects Administration. The remainder will provide for an approximate monthly average of 1,000,000 persons to be employed on the relief program.

It has been customary in recent years to provide in the relief appropriation an amount for allocation to Federal agencies for construction and other projects falling within the several categories set forth in the relief act. The agencies receiving such allocations frequently have projects of a similar nature included within State Work Projects Administration programs. It is my belief that most of these projects, and particularly those of the War, Navy, Agriculture, and Interior Departments should be provided for in the State programs. I therefore recommend that provision be made for a limited amount, not to exceed $5,000,000, for Nation-wide Federal nonconstruction projects. I further recommend that $600,000 be set aside for allocation, with the approval of the Director of the Bureau of the Budget, to those Federal agencies engaged in the planning of projects, or the review of projects submitted through State Work Projects Administration programs. This sum will offset the 4 percent administrative allotment now made in connection with the allocations to Federal agencies for projects.

During the current year the Work Projects Administration has been authorized to train workers for manual occupations in industries engaged in production for national defense. I recommend the broadening of this authority to accelerate the employment of Work Projects Administration workers in private industry.

The Work Projects Administration is now required to remove from employment those persons who have been continuously employed for 18 months, and to make investigations at least once in 12 months to determine the continuing need of each project worker. I believe that the first requirement works a great hardship on many people. The second requirement is unnecessary and costly. I recommend the elimination of these requirements from the 1942 act.

Under existing law aliens are denied the right to employment on relief projects. I believe that this works a hardship upon a class of persons whose private employment opportunities are becoming increasingly limited. I recommend the removal of this barrier to permit the employment of aliens who are otherwise eligible under the act.

Administrative employees of the Work Projects Administration, and similar employees in other Federal agencies whose salaries are paid from relief funds, have been barred from the benefits of Executive Order No. 7916, dated June 24, 1938, and the act of November 26, 1940, extending the classified civil service of the United States. I recommend that this discrimination be eliminated.

There are several sections in the current relief act with respect to political activities. While there is no particular objection to the reenactment of these provisions, most of them appear to be unnecessary because of the passage of the Hatch Act and amendments thereto.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 20, 1941.*

COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES—INTERSTATE PETROLEUM PIPE LINES

The SPEAKER laid before the House the following communication from the President of the United States:

THE WHITE HOUSE,
Washington, May 16, 1941.

MY DEAR MR. SPEAKER: As a result of recent study by the Special Subcommittee on Petroleum Investigation of the House Committee on Interstate and Foreign Commerce, Chairman COLE has transmitted to me for consideration a proposed measure "to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense." This measure is concerned with one of the vital phases of our national-defense program.

The vast concentration of industry, population, and military bases on the Atlantic coast is now dependent for petroleum upon tankers plying between the Gulf coast and the middle Atlantic ports. Not only is this water route long and potentially perilous, but even present demands upon these transportation facilities make restriction of oil consumption to essential uses a distinct possibility within a few months. The immediate construction of pipe lines to augment the supply to the Atlantic coast is the one means available to relieve this situation.

The bill which is proposed by Mr. COLE seems to me adequate to accomplish its objectives, and, in my opinion, it is a measure of first rank in importance. The situation which the bill is designed to correct must be remedied. I therefore take this means to call the measure directly to your attention and to urge that it be given early and earnest consideration by the Congress.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

EXTENSION OF REMARKS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to revise and extend the

remarks I made this afternoon and include certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

POWERS RELATING TO THE STABILIZATION FUND AND ALTERATION OF THE WEIGHT OF THE DOLLAR

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 211), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 4646), a bill to extend the time within which the powers relating to the stabilization fund and alteration of the dollar may be exercised, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Coinage, Weights, and Measures, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PLANT-PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 202), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4671, a bill to authorize a plant-protection force for naval shore establishments, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. SACKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution introduced by State Representative John P. Corrigan in the House of Representatives of the Commonwealth of Pennsylvania with reference to the sugar industry in Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech by Governor O'Conor at the Naval Academy, together with a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. I do this, Mr. Speaker, for the purpose of getting some information from the majority leader as to the program for the rest of the week.

Mr. McCORMACK. Tomorrow will be Calendar Wednesday. I understand that the Committee on the Merchant Marine and Fisheries will have the call.

Mr. MARTIN of Massachusetts. The Committee on the Merchant Marine and Fisheries or the Committee on Banking and Currency?

Mr. McCORMACK. The Committee on Banking and Currency, I understand, will not have any bills for consideration tomorrow. I understand that the committee is going to request a rule on the Reconstruction Finance Corporation bill. Therefore, I expect that the Committee on the Merchant Marine and Fisheries will be the committee that will have some bills to call up.

Mr. MARTIN of Massachusetts. Does the gentleman know what bills will be called up by the committee?

Mr. McCORMACK. It is my understanding—and this information has been received from the gentleman from Virginia [Mr. BLAND]—that the first bill to be called up will be H. R. 4658, which is the Coast Guard omnibus bill. The second bill will be House Joint Resolution 139, the Nautical School bill.

The next bill will be H. R. 4258, which relates to the control of narcotics on American vessels outside of territorial waters.

I see that the chairman of the Committee on the Merchant Marine and Fisheries is here. May I ask him if that is correct?

Mr. BLAND. Yes; that is correct.

Mr. McCORMACK. It is the intention to call up on Thursday the rule that has just been reported on the plant protection force bill. As I understand, this bill is to authorize the employment of 200 additional men in connection with the Naval Intelligence Unit for the protection of plants. This bill is from the Committee on Naval Affairs.

The Committee on Rules is meeting tomorrow. If they report out any other rules on bills that will not be particularly controversial and will not take a long time for consideration, then, if the plant protection bill does not take the whole day, I reserve the right, so I shall not be placed in the embarrassing position of committing myself, to call up such a bill. For example, if a rule on the bill dealing with lighter-than-air vessels is reported out of the Committee on Rules—and I have no knowledge as to what action will be taken—if there should be time on Thursday, I would probably want that called up, if it could be disposed of on Thursday.

Mr. MARTIN of Massachusetts. The Vinson bill will not be called up this week?

Mr. McCORMACK. No.

I do not believe there will be anything for Friday, if we have a session on Friday.

So that the minority leader and the House may have some advance information, may I say that I cannot give the schedule for next week now, but on Monday it is the intention to call up the bill in relation to the extension of the equalization fund, the monetary bill, so-called. I give this notice so that the Members may be aware of that fact.

Mr. MARTIN of Massachusetts. No provision has been made yet for calling up the Vinson bill?

Mr. McCORMACK. Not at this time; no.

Mr. MARTIN of Massachusetts. Does the gentleman believe it will come up next week? I ask this because Memorial Day happens to come next week, and some of the Members are planning engagements.

Mr. McCORMACK. I am unable to state now. Of course, the uncomfortable situation is that the rule has been reported out, and after 7 legislative days any member of the Committee on Rules has the privilege of calling up the rule. This presents a very practical problem to the leadership. I cannot give a definite answer now except to state that it is receiving very serious consideration.

EXTENSION OF REMARKS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD at this point and include a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BENNETT. Mr. Speaker, Congress should lose no time in an effort to stop profiteering in this country. We face a very bad situation. Step by step we are being taken into war. We have a national debt far greater than any of us ever expected to see, and it is steadily mounting. The administration is trying to sell savings stamps and bonds, but I predict that sales will be slow.

During the World War period the farmers had money with which to buy savings stamps and Liberty bonds. Then wheat was more than $2 per bushel, and corn $1.50. Today wheat on the Chicago market is 99 cents; corn, 71 cents; oats, 37 cents; rye, 50 cents. Farmers are one group that will not be able to buy Government bonds. While the farmers' prices are still low, profiteers are steadily raising the price of food. This morning I received a telegram from Farmers' Union Livestock Commission Co. and others of Kansas City, Mo., which I desire to read:

KANSAS CITY, MO., *May 19, 1941.*

HON. PHILIP A. BENNETT,
House Office Building,
Washington, D. C.:

Our Corn Belt and Midwestern States farmers and cattle feeders have on hand

and are now offering on the public livestock markets of the country the finest selection of mature-beef steers that has been presented in many years. They represent the product of long hours of careful and painstaking care and handling on the part of the feeder, as well as a very substantial investment in money and feed. Since January of this year market prices for these Choice heavy beeves have declined until today we find the beef costing buyers in many instances within 1 cent per pound dressed of low-grade cow beef. Conditions which permit of such an unheard of and deplorable situation in the beef trade should challenge and arouse to action all factors in the industry, as well as people generally. The prosperity of America lies very near the soil. The products of 75 percent of all our cultivable acres finds its market through livestock. The successful defense of America will be closely bound up with our farmers' ability to provide the storehouses with an abundance of health- and strength-giving meats. They cannot be expected to do this at a loss. However, prices presently prevailing for Choice mature beeves are below the cost of production. This will result, if continued, in discouraging the feeding of beef cattle. In fact, it has already done so. It is our opinion that the present semidemoralized condition of the market for thick, fat, heavy steers weighing 1,250 to 1,500 pounds could be alleviated and materially helped by purchases for Army and Navy use of this choice product. Meat, to have quality, must be rich in fat, yet we understand to come within Army specifications it cannot be too well fatted. For the next 60 days an oversupply of this grade of beef will burden the trade, and the feeders of such cattle will suffer tremendous losses, unless something is done to provide an additional outlet for the meat. Our boys in the Army camps are entitled to the best. Giving them the top in beef at but slightly increased costs over inferior grades and thereby helping the men who produce it, seems consistent with sound business practices. In the efforts now being made to make hog raising and grain production profitable, we must not fail to remember the importance of beef cattle to our agriculture, and the fact they constitute the largest money investment of all livestock. Moreover, that it takes 8 to 12 months at a cost per pound of gain of approximately 12½ cents to produce a choice mature steer which now sells on the hoof from 9.75 to 10.50. We earnestly request your support and assistance toward the end of helping maintain prices for beef cattle at a cost-of-production figure.

Farmers Union Live Stock Commission Co., W. G. Bernhardt, manager; Texas Live Stock Market Association, Dick Arnett, Jr., manager; Producers Commission Association, Lester H. Ryon, Joe R. Hoover, representing customers with 1,200 heavy cattle ready to market; Fred H. Olander, chairman, Missouri River Markets Group.

Mr. Speaker, notwithstanding that the very best corn-fed steers are selling at $10 per hundred, beef is so high that many of our people are unable to buy it. This morning I called District Groceries, Inc., and found that the price of sirloin today is 50 cents per pound. Round steak is 45 cents, and the cheapest chuck roast 35 cents per pound. I submit, Mr. Speaker, that these figures justify an investigation of the charges repeatedly made that prices of food and commodities are unnecessarily high. Taking advantage of the emergency, labor and business are making money. Is it not about time the Congress should consider the farmer who is ever this Nation's most necessary and dependable citizen? I urge Members of the House to insist that our soldiers be fed American beef; that importation of competitive farm products be stopped, and that those guilty of profiteering in foods be prosecuted. There is too much difference between price to producer and consumer.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent editorial from the Deposit Courier.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that on tomorrow, after the legislative program of the day and following any previous special order, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

Mr. VOORHIS of California. Mr. Speaker, last week on Wednesday, testimony was given before a Senate committee by an official of the Federal Reserve Board, Mr. Walter Wyatt, the General Counsel of the Board, in which he pointed out that in September of 1939, on the outbreak of the war in Europe, there had taken place a critical condition in the bond market in the United States, whereupon the Federal Reserve Board had purchased a considerable quantity of bonds, $473,000,000 worth, and as a result of these purchases there had taken place not only a stiffening of the bond market, but also a very marked rise in the prices of securities and a definite trend toward increased employment and production, and also that the dollar index, the index of the purchasing power of the dollar, had fallen by seven points; that is to say, the price level had stiffened by that amount. It was not said, although it might have been, that after the purchase of these bonds had taken place, a short time thereafter, the policy was reversed, a number of bonds were sold by the Federal Reserve Board and precisely the opposite train of circumstances took place. All I am bringing this to the House's attention for today is in preparation for a speech which I hope to be able to make within the course of the next week, in which I am going to talk about some of the things which I believe would go furthest toward giving the American people a real hope and confidence as they view the future, and the only point I want to make at the moment is that evidently this testimony by Mr. Wyatt, as well as the events I have briefly sketched, indicate beyond shadow of doubt that the Federal Reserve Board, utilizing as it does the credit of the United States for the purchase of outstanding securities, is able to influence price levels, economic circumstances, the price of securities, and a great many other of the central factors in our whole economy. To my mind, any agency utilizing the credit of the United States as the Federal Reserve Board does should be a public agency and not a private one, and I believe furthermore that as we face the serious problems of public finance that we are bound to face in the future, it is important for us to consider the effect of powers of this sort and the possibilities of the use of national credit in constructive ways in order that we may meet, in a democratic fashion, the financial difficulties and problems which are going to determine, I believe, whether or not we are able in the long pull to compete against the kind of things that the totalitarian governments have done.

Mr. Speaker, this is chapter I of my speech this afternoon. I want now to turn my attention to the matter of the Western Hemisphere.

THE UNITED STATES AND LATIN AMERICA

The relationship between our Nation and the nations that lie to the south of us, as most of the Members probably know, is a matter in which I have taken a very deep interest. It is my belief that the people of the Latin-American republics, from every cultural standpoint and from the standpoint of the depth of their intellectual ability and grasp, and from the worth-whileness of their religious and social and educational and cultural institutions and attainments, are in every way the equals of the people of the United States. I do think it is true, however, that the nations of Latin America have a very great need under present circumstances for certain types of material and economic development. I believe that one of the things that would free those nations very substantially from dependence upon nations which furnish them a market for large exports of staple crops would be a better balancing of their economies as between agriculture and the extractive industries, on the one hand, and manufactories, on the other, and therefore I believe it is definitely to the best interest of the United States to do whatever we can toward the encouragement of the industrial development of Latin America.

I also believe, as a purely good-neighbor proposition, that it is worth while for us, and certainly important for the Latin-American countries, that they be placed in a position where their public works can be increased, where their roads can be improved, and many of their works that they are in need of can be expanded.

LATIN-AMERICAN SCHOLARSHIPS IN THE PANAMA CANAL ZONE JUNIOR COLLEGE

Mr. Speaker, I have today introduced a bill, the primary purpose of which is to enlarge the capacity of the junior college located in the Panama Canal Zone so that it will accommodate about 600 students, or approximately 400 more than its present enrollment. The plan calls for a yearly presentation by the Government of the United States to each of the Latin-American republics of 10 scholarships in the Canal Zone Junior College so that at the beginning of the second year, and

every year thereafter, the total enrollment of that college shall be about 400 of such students, in addition to the regular enrollment—and its natural increase—of the students residing in the Canal Zone and those accepted by the director of the college who reside in Panama.

It is contemplated that the college equipment, such as classrooms, laboratories, gymnasiums, and so forth, shall be enlarged to the extent necessary to facilitate these additional students in their mental and physical training, and that, through cooperation with the Panama Government and after expert investigation, a suitable area of soil be selected on which to conduct proper research and experimentation in agriculture. It should also be required that Latin-American students holding these scholarships be housed in dormitories and shall take their meals in refectories of the college, to be provided for such purposes from this appropriation. It is further proposed that selections for these scholarships shall be made from among those Latin-American students who have attained high standing or who have displayed special aptitudes in the courses which they have successfully completed in their secondary schools leading to graduating diplomas; or from among those who have the equivalent of a secondary-school education plus such practical training and experience as should qualify them to undertake work in their chosen fields and who seek entrance to the junior college. Their qualifications shall be determined by an entrance examination given at or as near the domicile of each aspirant as may be practicable by an examiner who may be designated by his minister of education.

At the present time, I am informed, there are nearly 60 colleges and universities in the United States that are awarding an equal number of scholarships to students from the Latin-American republics, and these are all filled, I believe. In addition, there are—according to the latest available check up—between 1,100 and 1,200 Latin-American students taking courses of one kind or another in the United States. I have not a break-down showing the categories of studies being taken and the number of students in each—that is to say, liberal arts, sciences, humanities, and the two professions, law and medicine, including dentistry. It is notorious, however, that in the past, and considering the practical needs of Latin America, an altogether disproportionate number of students from Latin America attending educational institutions in the United States and Europe have pursued studies in law or in medicine, so that those nations, like our own, find themselves cluttered up with briefless barristers, and satchelless surgeons. It is my thought, therefore, that, with the possible exception of training for veterinarians, scholarships to this college for courses in preparation for law and medicine should not be granted by this Government, but should be limited to agricultural and scientific curricula.

The thought which prompted the introduction of this bill to the Congress concerns the children of poor and middle-class people of Latin America more, perhaps, than it does those of the wealthy and official classes. I have mentioned the number of scholarships which are being given by our institutions of learning and the number of tuition-paying Latin-American students now attending those institutions, many of them having come here because of the untenable situation in Europe, of which we may take full advantage without being criticized on the score of commercial greed. In general, it may be fairly assumed that the tuition-paying students are the children of well-circumstanced families, while the tuition-paid—scholarship—students are likely to be, in the majority of instances, children of influential government officials, for politics is much the same the world over. To the middle-class parents the fact that a son or daughter has been offered a scholarship in an American college is something pleasing, but frequently embarrassing because of the high cost of things other than tuition itself, which they must meet if the scholarships are accepted. For the poor man whose child might be offered a scholarship, the incident expenses would be out of the question. The former with great effort might be able to withstand the drain upon his resources, while the latter would be compelled reluctantly to decline with thanks. To the former, incident expenses probably averaging a minimum of $800 a year is a lot of money as money is reckoned in Latin America. To the latter they are out of the question. Yet many a Latin-American youth, possessor of "hands that the rod of empire might have swayed," if he could have had the opportunities, is to be found in Latin America.

I have been told of a Guatemalan Indian boy discovered in the provinces by Col. John Considine whilst he was head of the military mission sent by our Government to train the boys of the National Polytechnic School in the capital of the country. This boy, with some aid from his parish priest, had mastered Spanish—his mother tongue was Kachikel—mathematics up to geometry, and on his own he had learned to read English. His ambition was to attend the Polytechnic School. So impressed was Colonel Considine with the boy's persistence and industry that he recommended him to President Ubico, who appointed him to the Polytechnic School, and he walked 120 miles to the capital to enroll. He is now a trusted officer in the Guatemalan Army. That is the type I should like to see on the enrollment book of this proposed Canal Zone junior college.

There is among many of the Latin American countries today a noticeable trend toward industrialism. That is already reflected in our exports to those countries. Figures prepared by Mr. Lewis Clark, of the Department of Commerce, appearing in Foreign Commerce Weekly of April 5 of this year, show that iron- and steel-mill products, industrial machinery, chemicals, electrical machinery, yarns, and wood pulp made up 41 percent of our 1940 domestic exports to Latin America, totaling $719,000,000 that year, compared with 31.8 percent of our $490,000,000 worth of exports to those countries in 1938. The increase in exports of industrial machinery "indicates," says Mr. Clark, "the effort being made by the Latin-American natives to become more nearly self-supporting," and some cases," he says, "reflected the expanding industrial capacity of South America." Just a year before, in Commerce Reports for April 6, 1940, Mr. Rollo Smith, of the Latin American Section of Regional Information, called attention to the fact that an ever-increasing percentage of our finished and semimanufactured exports to Latin America falls within the producers' goods category.

In a recent study prepared by Charles K. Ludewig, chief of the division of economic information of the Pan American Union, the economic evolution in Latin America is briefly and interestingly set forth. Freely rendered, it shows that from 1914 to 1917 the Latin Americans had been receiving high prices for their primary products and their coffers were replete with cash. Then the United States entered the World War and no nation was left which could meet the Latin-American demand for manufactured goods. So they started to establish their own factories. Then came peace and the keen competition on the part of Europe to recover, on the part of the United States to retain, Latin-American markets. The war of foreign terms and prices weakened support of home production. At length came the international economic debacle of 1929, which resulted, among other changes, in the acceleration in the manufacture of direct-consumption goods within nations which depended upon sales abroad of large quantities of primary goods at profitable prices, within which category Latin America may properly be classed.

I have adverted to this changing character of our exports to Latin America because it has a direct relation to one of the purposes I have in mind in the establishment of this enlarged junior college in the Panama Canal Zone, and a very practical relation it is.

As has been noted, I should like, insofar as possible, to limit these proposed scholarships to agricultural and scientific courses which would include training in farm management, agricultural production—with emphasis on tropical products—pastoral pursuits, civil, mechanical, and electrical engineering, chemistry, mining, forestry, landscaping, business training, domestic science and home economics, interior decoration, design, and so forth. The present junior college gives the straight degree of associate in arts. My suggestion would be that the Latin Americans should receive the degree of associate in science, with agriculture, forestry, commerce, mining, engineering, home economics, according to the course pursued by the graduate, in parentheses.

Equipped with this sheepskin each year 200 Latin-American graduates could adopt one of two courses: They could return to their homes with a diploma commanding respect; or if they had displayed exceptional talents at the junior college, a way might be found to enable them to continue their courses in the United States. In this connection it has been suggested that for each State that granted two Canal Zone junior-college scholarships to its outstanding high-school graduates the Federal Government would defray the expenses of two

scholarships to Latin-American graduates of the Canal Zone college to such State university as conducted courses in agriculture and/or mining. This should not increase the annual appropriation hereinafter mentioned by more than $50,000, which would also take care of a few students from Canada, if that country cared to participate.

Walter C. Eels, professor of education at Leland Stanford University, is on record as saying:

> It is quite significant of the success of the junior college in its preparatory function that there is such a variety of judgment and evidence in its favor.

The University of Chicago declares that—

> Junior-college graduates do notably better work (in the University of Chicago) than students transferring from 4-year colleges and universities. Their records have been consistently superior. The causes, however, are indeed hard to determine; * * * whatever the causes, the fact stands that students with low high-school grades who first attended a junior college and who then entered the University of Chicago succeeded in passing and graduating in far larger number than did students with similar high-school records who transferred from other types of colleges or who enrolled in Chicago as freshmen.

The survey of the need of a junior college in the Panama Canal Zone made in 1929–30 under the direction of Profs. George D. Strayer and N. L. Engelhardt, of Columbia University Teachers College, stated that such a college "should be the school in which large numbers of students find their definite vocations in life. It should prepare definitely for the upper 2 years of colleges in the United States." This, the present Canal Zone Junior College, which was guided by the recommendations of Strayer and Engelhardt, has very successfully accomplished by way of what may be termed its transfer courses, that is, the curricula to be followed by those desiring to transfer to 4-year colleges in the United States. Its "terminal" courses are for those who are uncertain whether or not they can continue their formal education beyond the junior college, but "these courses have been so planned that the student may transfer to a college for further study should a change of circumstances or plans make this advisable, with a minimum loss of credit." There is no pronounced difference in the two. Thus the college has already supplied us with the very system needed for those Latin Americans who enter through scholarships.

Those who elected to terminate their schooling with an "associate" degree would at least have an education which for practical usefulness would be superior to that which they could secure at home, for there are few schools in Latin America the credits from which entitle a graduate thereof seeking entrance to an American college to anything greater than an American high-school rating.

The practical benefits to be derived from these scholarships is such that every American desirous of forwarding his or our country's interests in Latin America would be justified in supporting this bill. In the training of these students we would be able to capitalize that microcosm, the Canal Zone, in many ways. It could be utilized as a laboratory just as the technical and scientific bureaus of the Federal Government are being capitalized by several institutions of higher learning in the District of Columbia. These students in the Canal Zone would become familiar with road construction in the American way and with American road-building machinery and efficiency; they would familiarize themselves with American electrical equipment, chemical apparatus and scientific paraphernalia of all sorts, dredging, stevedoring, and canalizing machinery, the interiors of middle-class American homes—their furniture, cooking utensils; methods of sanitation and physical culture. Grown accustomed to all these, the alumni would be the best possible propagandists for the purchase by their respective countries of the thousands and thousands of commodities that enter into the American way of life. The effect on our export trade can be imagined.

One of the most narrow-minded criticisms I have heard concerning any attempt on our part to encourage industrial trends in Latin America is that we would be building up competition for American exporters to that area. Statistics do not support that contention. To be sure the character of the trade will change—is already changing, as I have indicated, but the value of the trade would be greatly enhanced if past experience is any criterion. The following table shows the aggregate value of United States exports for the lustrum 1935–39, by continents, expressed in millions of dollars:

	Type of exports, 1935–39		Total	Percent
	Agricultural	Nonagricultural		
PREDOMINANTLY INDUSTRIAL				
Europe	2,500	3,462	5,962	42.0
Asia	552	1,874	2,426	17.0
Northern North America	327	1,802	2,129	15.0
Total	3,379	7,178	10,517	74.0
PREDOMINANTLY AGRICULTURAL (OR PASTORAL)				
Africa	33	560	593	4.2
Oceania	56	368	424	3.0
Southern North America	196	1,100	1,296	9.2
South America	68	1,248	1,316	9.3
Total	353	3,276	3,629	26.0
Grand total	3,732	10,414	14,146	100.0

In fine, three-quarters of our foreign sales have been made in peacetime to the industrialized continents. To encourage the Latin Americans in their industrialization would be bread upon the waters, and competition in that area after the war will be vicious and without quarter from our European opponents.

The beneficial effects of 2 years' residence amid American surroundings would be reciprocal and inestimable. For one thing they might induce the children of our own American families in the Canal Zone to take a real interest in learning the Spanish and Portuguese languages. Young Americans and Latins would meet in the schoolroom and on the ball field and each would draw from the other something of benefit to himself which would improve his complexes, and I pause to admonish that if any of our young men start for Latin America with anti-Indian prejudices the State Department had better cancel their passports. We must tolerate none of that.

There is a decided tendency among our legislators these days to base their arguments in favor of their bills on war defense, believing that will gain support of their measures. I base this measure in large part on peace defense—on the long-range view that we must strengthen our peace standing in Latin America by enlisting Latin-American personnel. Dr. Don Luis Quintanilla, minister plenipotentiary, counselor of Mexican Embassy, in a recent radio broadcast, diagnosed the indifference of the majority of Latin Americans to our strenuous cultural and commercial program of Latin-American rapprochement as due to the doubt in their minds that we were sincere and to their belief that we were indulging in one of our whims; that, as with Latin-American plays and music and dances and women's styles, our wooing would be fickle and we would leave Latin America standing at the church when the bell of peace tolled. Latin America remembers what happened after the last World War, when she prepared her trousseau of expanded food acres, increased herds, and enlarged timber and mining activities, and with peace the bridegroom absconded to Europe, reducing Miss Latina to sackcloth and ashes. He may have been faithful to Cynara in his fashion, but his fashion was limited to bananas and coffee, and he skimped the prices on those. She asked for love and he suffocated her with loans. He sold her promises to repay to his kinfolks, and his entire household excoriated her because she could not liquidate. In the entire history of our relations with Latin America, during the years 1921–30, mark it as a disgraceful decade. There has been some atonement in the last 8 years, but Miss Latina is not yet sure whether our tears derive from the cockpit or the confessional. The expansion of the Canal Zone Junior College would be one small but effective assurance that we are going to play fair and help raise the baby.

A few words as to the present Canal Zone Junior College:

It was founded in 1933. In September 1934 it occupied its permanent home, a new $300,000 reinforced concrete building designed especially for college work. It was accredited in April 1934 by the American Association of Junior Colleges. The first graduating class finished in June 1935—16 young men and 8 young women receiving the degree of associate in arts. It has a large laboratory for physics, chemistry, and biology; a music

room, drafting room, commercial laboratory, a large science lecture room, household-arts laboratories, standard classrooms, and offices for the faculty. It has two small dormitories—one for women and one for men. The laboratories and special rooms are completely equipped. "The laboratories," says the College Catalogue, "have a greater wealth of equipment than those of many much larger and older institutions, including both junior colleges and 4-year colleges." And, of course, these may be supplemented by occasional group visits to the Canal Zone plants.

There are nearly 50,000 volumes available in the Canal Zone and school libraries. The Canal Zone is badly in need of an air-conditioned library to minimize the deterioration of volumes by intense year-round humidity. There is a large and well-equipped general shop building used by students in science and engineering. The gymnasium floor is 50 by 120 feet and equipped with the latest in apparatus. There are a magnificent swimming pool, an athletic field, and baseball diamonds and tennis courts. A little theater has been in contemplation. Some of these facilities would have to be enlarged to take care of 400 additional students—200 the first year. Present yearly tuition charges are for children of Government employees stationed on the isthmus, $180; for children of American citizens who are not employees of the Government, $200; all others, which includes Panamanians, $225. There are no refectories which in the plan I have in mind are, I believe, essential to reduce for the Latin Americans the cost of attendance, bringing the students of all the countries into more intimate association. Dormitory accommodations call for enforcement of discipline, for the Canal Zone is today the seat of the most exemplary discipline to be found under the American flag. I am confident there would be no adolescent participation in politics with such a system. The students would learn neatness and order, retire at fixed hours, and eat nourishing American foods supplied at cost by the great Canal Zone commissaries.

It is believed that with such plant as is now available in the present college, an initial appropriation of $1,500,000 for expansions and new construction would provide amply for the enlarged junior college. And right now is the accepted time to undertake it while defense construction on a huge scale is in progress on the Panama Canal Zone.

Since the founding of the present college in 1933 a total of 18 Canal Zone high-school students have been awarded scholarships in the junior college by different Canal Zone organizations. I do not know their value nor what they include, but it would be only fair for the United States Government to reward, on a competitive basis, excellence in studies, deportment, and character of graduates of the Canal Zone high school in such manner as would place them on a scholarship par in the junior college with their Latin-American conferees, and here, in the case of American students, I would assess a high rating to excellence in Spanish and Portuguese.

The present teaching staff, clerical, administrative, and fiscal service, and force of native employees is estimated for the fiscal year 1942 at $552,000, compared with an estimated $489,000 for the fiscal year 1941 not yet completed. This includes both the high school and junior college. The enlargement of this staff would call for an estimated $300,000 a year additional. This would include 21 additional instructors, 17 additions to the clerical and administrative staff, and an increase of about 125 to the force of native employees. On the basis of present enrollment and an estimated average of $200 a year for tuition, probably not more than $33,000 annually is received from this source.

I should place a value on these Latin-American scholarships of $500 annually which should cover tuition at $180, meals in the refectory for 9 months, $180, and dormitory upkeep and textbooks, $140. This would mean $200,000 annually for the 400 Latin-American scholarships to be paid by way of reimbursement into the treasury of the junior college. This plus the $300,000 for the support of extensions in staff and plant would entail an annual cost to the Federal Government of $500,000 or $550,000, including State scholarships.

With the addition of the scholarship program the high-school and present junior college set-up could, I should think, get along with $500,000 annually. This would mean a total for the high school and the enlarged junior college of $1,000,000. To one-half of this sum we are already obligated.

I have endeavored to set before the Congress a brief outline of what I regard as a very essential and long-range program for the strengthening of our social and commercial ties with Latin America for a moderate annual expenditure of public money. Apportionment of the proposed scholarships has been suggested on the basis of 10 to each of the 20 Latin-American republics as the fairest method practicable. Consideration was given to apportionments by population, by secondary-school enrollments, by total trade with the United States, and by the application of weighted values to each of these factors. In each case an altogether too great preponderance resulted in favor of two or three of the more advanced nations—in one case as high as 55 percent of the 400 scholarships in contemplation. It is, of course, the backward countries which have greatest need for help of this kind. Ten graduates returning each year to sophisticated Argentina could do a lot of good. But 10 graduates returning to Guatemala or Honduras, for example, could do relatively much more good, and 200 graduates returning to Latin America each year would unquestionably boost our exports to an extent which would far outvalue even in dollars and cents benefits the half million dollars annually required to put those graduates into circulation. The student of road building would ask for American road-building machinery; of electrical science, American electrical equipment; of home economics, American utensils, and so forth. Their influence in the betterment of social relations, while unassessable, would be very great.

Panama will never rank high as a commercial nation, although it is the center and conduit of a commerce which expands with each normal decade. All the factors of commerce are there. It is a great center of air and water transportation. It is the medulla oblongata of the Western Hemisphere. It will one day, I predict, be the seat of an international entity more enlightened than The Hague, less stultified than was the League of Nations. It is already developing into a social center. It will eventually become an intellectual center, where the minds of 22 nations, including Canada, will study for the betterment of mankind.

So far as this hemisphere is concerned, the chances are good that the Canal Zone will remain neutral ground. It will not be plagued by political rows and those student uprisings so frequently reported from other countries. More and more the Republic of Panama will be the spot where the Latins and the Nordics compose their differences, and the practicalism of the Yankee is sweetened by the idealism of the Don. A finer setting for the adolescents of Pan America cannot be named.

If Congress will weigh well this bill, I am confident of its passage and of the signature of the great avatar of good neighborliness, President Franklin Delano Roosevelt.

Mr. Speaker, I am indebted to Mr. George Curtis Peck, whose knowledge of and friendship for Latin America are both outstanding and exemplary, for invaluable assistance in the preparation of this speech and the bill I have described.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and, also, to include a description sent out by the Industrial Corporation of the plan they have adopted for making possible continuous operation of their plant; also, I ask unanimous consent to extend my remarks by including a brief article by Mr. Jonathan Daniels.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO FILE REPORT

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent that a subcommittee appointed under special resolution of the Committee on Interstate and Foreign Commerce have until midnight tonight to file a report to accompany a bill that I have introduced on behalf of the committee.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a copy of a letter from the President of the United States, addressed to me, dealing with the same subject discussed in a letter addressed to the Speaker of the House, and which was read earlier in the day. The letter has to do with the subject of petroleum pipe-line transportation for national defense. And

I further request unanimous consent to insert at this point, immediately following the President's letter, because of its admitted importance, a copy of the special report of the committee.

The SPEAKER. Is there objection?

There was no objection.

The letter follows:

THE WHITE HOUSE,
Washington, May 16, 1941.

Hon. WILLIAM P. COLE,
Chairman, Special Subcommittee on Petroleum Investigation, Committee on Interstate and Foreign Commerce, House of Representatives.

MY DEAR MR. COLE: I have received your letter of May 6, with which you transmitted a copy of a proposed bill to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense.

I agree that this is essential legislation. The inadequacy of our present transportation system to meet the petroleum needs of the Atlantic coast and the urgent need for additional pipe-line facilities call for the immediate enactment of such pipe-line legislation as you have proposed.

I have directed the attention of Speaker RAYBURN to this situation in a letter of even date, a copy of which I am enclosing.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

The report is as follows:

PETROLEUM INVESTIGATION—PIPE-LINE TRANSPORTATION RELATED TO NATIONAL DEFENSE

On January 3, 1941, when the House of Representatives passed House Resolution 15 extending the work of the special subcommittee investigating the petroleum industry under the authority of House Resolution 290 of the Seventy-sixth Congress, such action was taken primarily to enable the subcommittee to inquire into the national-defense needs for petroleum, which subject was at that time, and is today, of tremendous importance. The decision of the House was prompted by a letter from the President of the United States to the committee dated November 29, 1940, in which the vital need for petroleum in the national defense, its importance in commerce and industry, and the critical conditions in Europe and Asia were referred to.

The subcommittee was planning to hold its final sessions with national-defense needs as the controlling subject before it when, on January 23, 1941, the President of the United States addressed a letter to the chairman of the Committee on Interstate and Foreign Commerce of the House containing the following observations:

"The Atlantic coast area now is dependent upon ocean transportation for nearly its entire supply of crude petroleum products. Present facilities for such transportation do not afford much leeway under normal conditions and very likely will prove inadequate in an emergency. It is in the interest of national defense to augment currently these facilities, especially if this can be done by private agencies without extra cost to the Government.

"I have been informed by the Government agencies concerned that the completion of one gasoline pipe line and the commencement of another to the Southeastern States have been delayed by opposition from other carriers in interstate commerce. Although this situation ultimately might correct itself, delay in its solution will retard the completion of essential transportation facilities. If the matter is not settled before your committee resumes its investigations under House Resolution 290, as extended, I hope that it will be included in your hearings and that a solution thereto will be presented to the Congress."

In response to the letter from the President, the chairman of the Committee on Interstate and Foreign Commerce of the House, Mr. LEA, of California, directed the subcommittee—which, for a number of years has been associated with legislation affecting the petroleum industry, and also has investigated many of its activities—to comply as far as practicable with the request of the President. In doing so, Chairman LEA accompanied the release of the President's letter with the following statement:

"I have requested information about the President's request from both sides to the controversy for the benefit of the committee. I have assured the President that the petroleum subcommittee, of which Mr. WILLIAM P. COLE, JR., is chairman, will give proper consideration to the problem before that committee submits its report.

"The committee will go into the facts with a view of determining whether or not there is or should be a legislative remedy provided to meet the situation suggested by the President. Should the inquiry of the committee convince us that the facts justify or require legislation, I assume an appropriate measure will be recommended to the House for passage."

In pursuance to the request presented by the President, the subcommittee, along with its preparation for additional hearings dealing with national defense, undertook immediately an inspection and investigation of the pipe-line situation. It became obvious that because of the additional work placed upon the subcommittee that it was inadvisable to conclude by May 1, 1941, the interesting inquiry we were making of the many problems developing from time to time, especially in a period such as we are now experiencing. The work of the subcommittee was, therefore, extended to January 3, 1942, at which time it is hoped the final report of the subcommittee will be filed.

In view, however, of the importance of the pipe-line situation, the subcommittee concluded its investigation of that subject and submits this report with accompanying legislation for the consideration of Congress and with the recommendation that such consideration be given at the earliest practicable date.

We assume it needs little, if any, argument to support the statement that if the Atlantic coast area and the States in the southeastern part of the country require additional transportation facilities for the delivery of petroleum in quantities sufficient to meet the domestic and defense program needs, then Congress should act and act expeditiously in passing any legislation required for such purposes. Following the interesting inquiry into this subject with which we have been pretty closely identified in recent weeks, the subcommittee finds that such a need exists today and is becoming increasingly more pressing.

The controversy between one gasoline pipe line and other carriers in interstate commerce, as referred to in the President's letter of January 23, 1941, evidently inspired the President to request the subcommittee to conduct this special investigation. At the same time, the subcommittee is aware of the fact that the President had before him the bigger and more important subject of transportation throughout the Southeastern States and the entire Atlantic seaboard. The subcommittee did not consider the controversy in one Southeastern State between the pipe line and another form of transportation to be of sufficient importance to justify special legislation dealing with that situation alone, but a mere brief association with that controversy and a familiarity with the facts available from both sides supplied an abundance of justification for the timely expression of interest by the President of the United States. Facts almost too commonly known to restate here have developed before the subcommittee in its hearings, both public and in executive session, supporting the recommendation of the subcommittee, and are to be found in the hearings and in the possession of the members of the subcommittee.

The two proposed pipe lines, which are discussed at some length in the hearings before the subcommittee, will undoubtedly contribute something toward the advancement of our national-defense program, but it is generally considered that the majority of the capacity of such proposed lines would be for domestic uses. The proposed locations, however, tie in very definitely with the needs of our defense program in the southeastern part of the United States, and feeling as the subcommittee does that their availability at this time to the needs of the national defense can conceivably be most necessary, the subcommittee recommends that the undertaking be given prompt consideration by the governmental authorities entrusted with the legislation we recommend to the end that they might be an integral part of a great system of additional pipe-line transportation contemplated in the legislation recommended and most urgently needed at this time.

The subcommittee makes its recommendation with this report, supporting, as it always has, rigid adherence to the policy of guaranteeing to the States the prerogatives they have always had, and to recommend against any greater encroachments of the Federal Government into a field normally entrusted to the States than the interest of our entire Nation makes necessary at this time. The subcommittee will be very much surprised if it does not find wholehearted and enthusiastic support in the Southeastern States, through their Representatives, to the program recommended at this time.

Let us analyze some of the admitted facts applicable to the position we find today along almost the entire Atlantic seaboard and in most of the Southeastern States of this Nation. It is shameful for us to find ourselves in such a situation at this time. A lot of it, we believe, can be attributed to the fact that responsible governmental agencies and legislative bodies have been too unwilling to face boldly the facts before them in a way their country demanded.

From Florida to Maine, water transportation provides virtually the entire supply of petroleum used along the Atlantic coast. One-eighth of the total is consumed by the area south of Hatteras, and seven-eighths by the area north of Hatteras. Western Pennsylvania and New York supply a very small part of the total consumption, and this is the only local contribution to the large consumption in this area. It will be immediately admitted, therefore, that the supplying of oil to the Atlantic coast presents a problem which is essentially one of transportation. A few pipe lines of the large number now in operation in the United States make their way into our Atlantic seaboard area, but not more than 4 percent of the total demand is supplied by such lines.

Oil tankers or oilers, as they are called by the Navy, about which we hear so much at this time, deliver each day of the year to ports on the Atlantic seaboard about 550,000 barrels of crude oil; 400,000 barrels of domestic, industrial, and commercial fuel oils; nearly 350,000 barrels of gasoline; 75,000 barrels of kerosene; and smaller amounts of lubricants and miscellaneous oils.

During 1940, nearly 1,400,000 barrels of crude oil and petroleum products were delivered daily to Atlantic coast ports and it is expected that 1941 needs will require a daily delivery of at least 1,500,000 barrels. Forty percent of this total is crude oil which is delivered to refining plants near Marcus Hook,

Pa., Bayonne, N. J., and to a lesser extent, New England and other Atlantic coast ports. Sixty percent is received in finished form, ready for consumption upon delivery. Refineries along the Louisiana and Texas Gulf coast are the principal source of these finished petroleum products. Of the total Atlantic coast supply of crude oil and refined products, about 83 percent has been received from Gulf coast ports, 14 percent from nearby foreign ports, 1 percent from California, and the remaining 2 percent by land. If these percentages remain constant during 1941, and if, as anticipated, a daily supply of 1,500,000 barrels will be required, the domestic tanker fleet operating between the Gulf coast and Atlantic coast ports will be called upon to deliver 83 percent of the total, or approximately 1,250,000 barrels a day. Barge shipments from Gulf coast t South Atlantic ports, including the west coast of Florida, contribute only 20,000 barrels daily of this total.

Petroleum statistics generally assume such astronomical dimensions that it is difficult to reduce them to terms which come within the experience of those who are purchasers of oil products, a few gallons at a time. For instance, at a daily rate of 1,250,000 barrels, it is evident that at least 450,000,000 barrels of oil should be shipped this year by tankers from Gulf coast to Atlantic coast ports. That total, however, must be broken down if it is to be understood in terms of transportation. The average tanker will carry about 87,000 barrels per voyage; hence, the delivery of 450,000,000 barrels during the year will require about 5,200 loadings, an average of about 100 loadings each week or 14 each day. If 14 tankers are to sail each day, a tanker must be loaded and ready to leave some Gulf coast port each 100 minutes throughout the year.

Although the majority of our present tankers are old and slow, recent additions to the fleet have been of larger size and faster. Each such addition increases the average speed of the entire fleet. In addition, particular attention has been given to reducing the time consumed in loading and unloading. The net result of these changes and increased efficiencies is that our present tanker fleet now can make about 20 round trips a year between Gulf coast and Atlantic coast ports, which they do with the regularity of a ferry service. Each vessel on the average can be expected to move about 1,700,000 barrels in the 20 round trips. At this rate it would require a domestic fleet of 260 tankers engaged in this service to move 450,000,000 barrels from Gulf coast to Atlantic coast ports during the year.

It should be recognized also that where movements of such magnitude are involved, delays or losses which may appear insignificant when expressed as a percentage become surprisingly important when the effect on deliveries of such delays or losses is translated into actual quantities of oil. A delay or loss of only 15 percent would reduce annual deliveries by 67,000,000 barrels which is more oil than is now held in storage on the Atlantic coast.

Although calculations show the need for 260 tankers during 1941 in continuous operation between Gulf coast and Atlantic coast ports, the record so far this year shows that such a level has not been maintained. The record shows that 272 tankers were engaged in this service during January of this year, 260 in February, 239 in March, and 253 in April. As a consequence, deliveries of oil to Atlantic coast ports so far this year have not been equal to the demand and it has been necessary to draw upon the oil held in storage along the Atlantic coast. Reports of the Department of the Interior show that Atlantic coast stocks of crude oil and petroleum products were reduced during the first quarter of 1941 by 11,684,000 barrels.

If conditions had continued normal, it is quite probable that the American flag tanker fleet, with the addition of such new ships although that accomplishment would have been able to transport the oil which will be needed on the Atlantic coast this year, although that accomplishment would have required the continuous operation of the fleet throughout the year and might have involved some draft on stocks. Other and newer demands, however, have been placed upon our tanker fleet. The situation became critical on May 1, 1941, when the Maritime Commission, in response to the President's call asked the tanker owners to cooperate by allocating 50 tankers to be used in what is described as a shuttle service between Caribbean or Gulf coast ports and United States ports north of Hatteras, where the cargoes are turned over to foreign-flag boats for the voyage across the Atlantic. The tanker owners responded promptly and agreed immediately to allot 25 of their present tankers to this service, with arrangements for the transfer of the second 25 boats to be made subsequently. The Maritime Commission now has notified the tanker owners that the second 25 boats will be needed immediately. Of the first 25 tankers which now are being transferred to this shuttle service, 20 are being taken from the Gulf coast to Atlantic coast trade, 2 from the Pacific coast and 3 from the Atlantic foreign service.

It is evident that the first transfer of 25 tankers already is having an effect upon our domestic affairs. One company within the past few days has chartered a foreign-flag tanker, for use between Venezuela and the north Atlantic, at a rate of 80 cents per barrel, which is 30 cents per barrel higher than the previous rate. It is reported also that some domestic tanker owners are asking a similar charter rate for American-flag tankers in the Gulf-to-Atlantic trade. Sales of fuel oil and gasoline now are being made in New York and Boston at prices which are higher than those which prevailed before the transfer of these vessels.

The transfer of the second group of tankers will cut deeper into the Gulf-to-Atlantic fleet. Eighty percent of our American-flag tankers normally operate in that service; hence, it is that service which must be affected most seriously by these tranfers. The net effect of these transfers probably will be to reduce the fleet in this service to about 210 ships or 50 less than the 260 tankers needed.

It is obvious that other means of moving oil to the Atlantic coast must be provided without delay if we are to avoid the higher prices, and possibly the restriction of oil consumption to essential uses, which are certain to follow this contraction of our customary transportation facilities. The minimum requirement for such supplemental transportation is approximately 300,000 barrels daily or, roughly, one-fourth of the anticipated consumption in the Atlantic coast area during the present year. A definite effort is being made at present to utilize existing pipeline and rail facilities to the fullest possible extent, but such changes can only add the proverbial "drop in the bucket." The problem is that of providing new ways of shipping about 100,000,000 barrels of oil to the Atlantic coast this year and that cannot be done unless additional pipe lines of large capacity are built immediately.

As hereinbefore stated, considerable attention was given during our recent hearings to the controversy which resulted when two companies endeavored to build gasoline pipelines in the Southeastern States. The bill which we are introducing today does not have that situation solely in mind. It is aimed at the broader national picture and is designed to give the support of the Federal Government to the pipe-line construction which is necessary for the national defense. The gasoline lines in the Southeastern States, when completed, may be able to deliver up to 60,000 barrels of gasoline daily into the Atlantic coast area, but even that accomplishment would leave nearly 250,000 additional barrels of oil for the transportation of which pipeline facilities must be provided. The projects which have been proposed in this connection are crude oil lines of large capacity, designed to transport crude oil from the producing fields of the Mid-Continent and Southwest to the principal refining centers of the Atlantic coast. In all discussions which have been had as to the laying of these lines, it has been evident that the strong support of the Federal Government is necessary in obtaining rights-of-way, priorities on material and equipment, and other related matters.

Will it be possible to complete these pipe lines in time to avoid a crisis in the present serious situation? That is a question which cannot now be answered. The time taken to build a pipe line depends largely upon the difficulties encountered in obtaining rights-of-way, delays which may occur in the manufacture of the pipe, and its delivery to the points where it is needed, and the number of crews which are employed in laying the line after the pipe has been delivered. The distances to be traveled range from 900 to 1,300 miles, depending upon the routes which may be selected, and the cost will run from $40,000,000 to $60,000,000. It may take from 3 months to 6 months to complete such lines and any delays which intervene before a start can be made must necessarily postpone to that extent the date of final completion.

If these lines are built and if the new tankers which are under construction are completed on schedule, we probably will close the year in a fairly satisfactory position with respect to oil transportation. Our subcommittee had the privilege of visiting the Bethlehem shipyards in Baltimore and saw the new things which are being done in tanker construction. We have in mind particularly the new method of ship construction, whereby the tankers are built separately in sections and then brought together and welded in final form. By this means and other comparable efficiencies a tanker now may be built in from 4½ to 5 months, as compared with the former operation which took approximately twice as long. Approximately 140 tankers now are under construction or contract in American yards, but delivery dates on these vessels probably extend over the next 2 or 3 years, and the most that may be expected in the immediate future is the delivery of approximately two finished boats per month.

One of the most far-reaching and important acts by Congress in recent years was the creation of the Maritime Commission and the appropriation of substantial sums of money to carry into effect the operations contemplated by the legislation relating to that Commission. The laying down of new ships from day to day, and especially of the type now found to be so essential to the transportation of materials needed in the interest of national defense, is evidence of what we might have done along other lines if we had not been too susceptible of the propagandists who felt that no foreign development of any character could involve this country in any appreciable danger.

Since the subcommittee closed its hearings on the subject herein discussed there has come to its attention notice of a substantial increase in the price of gasoline per gallon to the consumer along the Atlantic seaboard, all of which is attributable to, by the reports, requisitioning of tankers for the national-defense program. The subcommittee has not inquired into the reasons for this increase, but points to it as an evidence of what might be ahead for the consuming public for the great Atlantic seaboard area of this country, and

perhaps in many other sections as well, during the coming months. If gasoline prices are to be raised, fuel-oil prices will be raised. If sufficient supply is not available, the effect upon many activities, due to curtailment in use, must be contemplated. We already have upon us an admitted situation whereby approximately 20 percent of our source of transportation to the Atlantic seaboard area is to be taken elsewhere. The subcommittee has not discussed herein the possibilities of the future as to the number of additional tankers that might be required in foreign service, because such is not a matter of definite proof, but it is a subject of easy conjecture. The subcommittee reports with all the emphasis it commands that this situation is serious and requires an immediate solution at the hands of Congress. The investigation of the subcommittee prompts us to say that the President of the United States is to be commended for the vision and initiative he has taken in this respect by bringing to the attention of Congress the situation which appeared at the time to be of some consequence, but not of the magnitude present today.

The hearings contain an interesting discussion of the law and its application to the subject of the right of the Federal Government to delegate to a private corporation the power of eminent domain. The subcommittee feels that this legal discussion is more directly applicable to a situation wherein Congress would attempt to grant a private company or person the right to acquire by condemnation private property for the purpose of constructing a pipe line without national-defense purposes as a basis therefor; but where the Federal Government, in the interest of national defense, under the bill recommended by the committee and accompanying this report, grants to private companies or individuals the right to condemn private property a different situation is presented, and there is an abundance of legal authority in support of such an undertaking. The committee recommends to those interested in the subject the reading of the legal discussions before us, which were presented by eminent counsel.

The investigation conducted by the subcommittee has presented an opportune disclosure of the condition at this critical time of the great petroleum industry and to some extent of our railroad system. The subcommittee finds that these two leading industries of our country are today in splendid condition to meet the heavy and increasing demands being imposed as a result of our preparation for the defense of the United States. The great railroad system of this country is doing everything it can to meet unprecedented demands and the subcommittee is aware of most important decisions of very recent origin to increase the capacity of our railroads throughout the country so that almost any conceivable demand imposed upon them will be met with dispatch and efficiency. It is most pleasing for the subcommittee to be able to report the petroleum industry in good shape.

The United States has today sufficient reserves to meet all demands of the present and almost every demand in the future that the subcommittee can visualize. This means, however, that the industry and the States enjoying the possession of this indispensable natural resource will not permit any waste thereof and will rigidly enforce by law and conduct the prevention of waste and the appropriate conservation of our petroleum resources, which, after all, belong to the people of the United States as a whole. The subcommittee has found during its 7 years of association with this problem a strengthening of interest on the part of the producing States and of the industry to preserve this great natural possession. We are constantly studying many aspects dealing with these subjects, and from time to time, if necessary before January 3, 1942, will make further reports and appropriate recommendations to Congress as circumstances justify.

WILLIAM P. COLE, JR., *Chairman.*
CLARENCE F. LEA.
EDWARD A. KELLY.
CHARLES A. WOLVERTON.
PEHR G. HOLMES.

EXTENSION OF REMARKS

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter from the President of the United States; also a letter which was read from the Speaker's desk a few moments ago; and a considerable portion of the report which we are filing, for the benefit of the Members.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under special order heretofore entered, the gentleman from Michigan [Mr. SHAFER] is entitled to recognition for 30 minutes.

The gentleman from Michigan does not appear to be present.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 269. An act to amend section 5278 of the Revised Statutes, as amended; to the Committee on the Judiciary.

S. 879. An act relating to certain Carey Act lands in Wyoming; to the Committee on Irrigation and Reclamation.

S. 1469. An act to amend the act of April 15, 1935, as amended (49 Stat. 156; U. S. C., Supp. V, title 34, sec. 842), and for other purposes; to the Committee on Naval Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 327. An act for the relief of Paula Liebau Anderson;

H. R. 336. An act for the relief of Della B. Birnbaum;

H. R. 513. An act for the relief of Paul T. Ward;

H. R. 682. An act for the relief of Julius Springer;

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 696. An act for the relief of J. K. Love;

H. R. 819. An act for the relief of Littlefield-Wyman Nurseries;

H. R. 1151. An act for the relief of Foot's Transfer & Storage Co., Ltd.;

H. R. 1267. An act for the relief of Russell H. Gauslin;

H. R. 1355. An act for the relief of Adam M. Garmon;

H. R. 1678. An act for the relief of W. A. Facht;

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming;

H. R. 3362. An act to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.);

H. R. 3404. An act authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property;

H. R. 3514. An act to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value;

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906;

H. R. 3828. An act for the relief of Sophrania Holmes;

H. R. 3987. An act to provide relief for, and to promote the interests of, the landowners on the Uintah Indian irrigation project, Utah, and for other purposes;

H. R. 4125. An act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service;

H. R. 4183. An act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes; and

H. J. Res. 105. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 21, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold a public hearing at 10:30 a. m., Wednesday, May 21, 1941, for the consideration of private bills.

COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of Subcommittee No. 1 of the Committee on the Post Office and Post Roads on Wednesday, May 21, 1941, at 10 a. m., to consider H. R. 2856 and H. R. 3988.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, May 22, 1941, in the caucus room, for consideration of H. R. 1108.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 1038, entitled "A bill to amend Public Law No. 257, Seventy-sixth Congress, approved August 4, 1939, so as to provide pensions to peacetime veterans of the Regular Army, Navy, Marine Corps, and Coast Guard suffering from arrested tuberculosis contracted while in the service." The hearings will be held Tuesday, May 27, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10

a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

547. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended; to the Committee on Irrigation and Reclamation.

548. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Commerce for the fiscal year 1942, amounting to $361,000 (H. Doc. No. 215); to the Committee on Appropriations and ordered to be printed.

549. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Commissioners of the District of Columbia to pay a claim which has been settled by them under the provisions of the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," approved February 11, 1929 (45 Stat. 1160), as amended by the act approved June 5, 1930 (46 Stat. 500), amounting to $600, and which requires an appropriation for its payment (H. Doc. No. 216); to the Committee on Appropriations and ordered to be printed.

550. A letter from the Assistant Secretary of Agriculture, transmitting a draft of a proposed bil lto provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on the Merchant Marine and Fisheries. House Joint Resolution 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes; with amendment (Rept. No. 594). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 4476. A bill providing for sundry matters affecting the Military Establishment; with amendment (Rept. No. 599). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 211. Resolution providing for the consideration of H. R. 4646, a bill to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised; without amendment (Rept. No. 600). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 202. Resolution for the consideration of H. R. 4671, a bill authorizing a plant-protection force for naval shore establishments, and for other purposes; without amendments (Rept. No. 601). Referred to the House Calendar.

Mr. COLE of Maryland: Special Committee to Investigate Petroleum Industry. Report pursuant to House Resolution 15 (77th Cong.) and House Resolution 188 (77th Cong.). Resolution dealing with petroleum industry; without amendment (Rept. No. 602). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 439. A bill granting a pension to Martha Pace; without amendment (Rept. No. 595). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 477. A bill granting a pension to Cora Arlena Ballard; with amendment (Rept. No. 596). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 1994. A bill granting a pension to Capt. Victor Gondos, Jr.; with amendment (Rept. No. 597). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 2063. A bill granting an increase of pension to William H. Shanklin; with amendment (Rept. No. 598). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 2329) granting a pension to Cordie Brandenburg, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CONNERY:

H. R. 4806. A bill to provide a radio-broadcasting tax; to the Committee on Ways and Means.

By Mr. COFFEE of Washington:

H. R. 4807. A bill to exempt States and agencies thereof from the payment of certain district-court fees; to the Committee on the Judiciary.

By Mr. COLE of New York:

H. R. 4808. A bill to authorize the appointment of certain Reserve officers to the line of the Regular Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. DICKSTEIN:

H. R. 4809. A bill to amend section 24 of the Immigration Act of February 5, 1917 (title 8, sec. 109, U. S. C., Annotated); to the Committee on Immigration and Naturalization.

By Mr. HANCOCK:

H. R. 4810. A bill to authorize the appointment of official reporters in the courts of the United States and to fix their duties and compensation; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. R. 4811. A bill relating to through rates in the case of certain property of the United States manufactured or processed in transit; to the Committee on Interstate and Foreign Commerce.

H. R. 4812. A bill further to define the powers of a district judge in certain suits; to the Committee on the Judiciary.

By Mr. KING:

H. R. 4813. A bill to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; to the Committee on the Territories.

By Mr. SHANLEY:

H. R. 4814. A bill granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection; to the Committee on Pensions.

By Mr. VOORHIS of California:

H. R. 4815. A bill to provide scholarships at the Canal Zone Junior College for students from the Latin-American republics; to the Committee on the Merchant Marine and Fisheries.

By Mr. COLE of Maryland:

H. R. 4816. A bill to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense; to the Committee on Interstate and Foreign Commerce.

By Mr. BECKWORTH:

H. R. 4817. A bill to authorize the refusal of visas to aliens whose admission into the United States would endanger the public safety; to the Committee on Immigration and Naturalization.

By Mr. HÉBERT:

H. R. 4818. A bill relating to the times of paying the compensation of officers and employees of the United States in the District of Columbia, and officers and employees of the government of the District of Columbia; to the Committee on the Civil Service.

By Mr. LEA:

H. R. 4819. A bill to amend section 7 of the Natural Gas Act; to the Committee on Interstate and Foreign Commerce.

By Mr. RANKIN of Mississippi:

H. R. 4820. A bill to amend Veterans' Regulation No. 1 (a); to the Committee on World War Veterans' Legislation.

By Mr. ROBERTSON of North Dakota:

H. R. 4821. A bill to provide adequate markets and fair prices for agricultural commodities produced in the United States; to eliminate the necessity for mandatory reductions in crop production; to provide a method for the exchange of surplus agricultural commodities for products of foreign countries on a basis mutually advantageous to agricultural and manufacturing interests in the United States and to such foreign countries; to promote foreign trade in the interest of friendly and peaceful relations among nations; and for other purposes; to the Committee on Ways and Means.

By Mrs. SMITH of Maine:

H. R. 4822. A bill to provide for a preliminary examination and survey for improvements at the head of Penobscot Bay; to the Committee on Rivers and Harbors.

By Mr. VINSON of Georgia:

H. R. 4823. A bill providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat; to the Committee on Naval Affairs.

By Mr. WEISS:

H. R. 4824. A bill to prohibit the clearance of any ship or vessel when carrying a cargo of petroleum or petroleum products from any port of the United States to any port of Japan or any of its possessions; to the Committee on the Merchant Marine and Fisheries.

H. R. 4825. A bill to prohibit the exportation of petroleum or petroleum products except under license from the Secretary of Commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAMER:

H. R. 4826. A bill to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes; to the Committee on Patents.

By Mr. WEISS:

H. J. Res. 189. Joint resolution requesting the President of the United States of America to exercise the powers vested in him under section 6 of Public, No. 703, Seventy-sixth Congress, to the end that no further shipments of petroleum or petroleum products shall be made to Japan, and for other purposes; to the Committee on Military Affairs.

H. Con. Res. 37. Concurrent resolution recommending that no further shipment of petroleum or petroleum products be permitted to be sent to Japan, and for other purposes; to the Committee on Military Affairs.

By Mr. CASEY of Massachusetts:

H. Res. 212. Resolution to create a committee to study prices paid for the necessities of life; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 50, with reference to national defense; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 53, with reference to House bill 3570, relative to public buildings; to the Committee on Public Buildings and Grounds.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 23, with reference to legislation regarding citizenship; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GALE:

H. R. 4827. A bill for the relief of Edward Hall; to the Committee on Claims.

By Mr. HANCOCK:

H. R. 4828. A bill granting a pension to Lazell B. McWethy; to the Committee on Invalid Pensions.

By Mr. BOLAND:

H. R. 4829. A bill granting a pension to Mary Elizabeth O'Keefe; to the Committee on Invalid Pensions.

By Mr. McGEHEE:

H. R. 4830. A bill for the relief of Mrs. W. V. Justice; to the Committee on Claims.

By Mr. O'HARA:

H. R. 4831. A bill for the relief of Katherine McCue; to the Committee on Claims.

By Mr. SECREST:

H. R. 4832. A bill granting a pension to Olive W. Myrick Roach; to the Committee on Invalid Pensions.

By Mrs. SMITH of Maine:

H. R. 4833. A bill granting a pension to Ivan L. Williamson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1109. By Mr. ANGELL: Petition of certain citizens of Portland, Oreg., asking the enactment of House bill 4000; to the Committee on Military Affairs.

1110. By Mr. BOLLES: Petition of sundry citizens of Edgerton, Wis., supporting Senate bill 860, in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1111. Also, resolution of the Board of Directors of the Wisconsin Farm Bureau Federation in session at Madison, Wis., declaring that whereas agriculture is America's first line of defense, and whereas the failure to defer farm operators and necessary farm help from military service is creating a situation which will retard the production of food and fiber, the Wisconsin Farm Bureau Federation urgently requests that the necessary help now employed in farming be granted a deferred status in the draft, and insisting that their service shall not be required as long as their presence on the farm is essential to keep production of agricultural produce at a level that will meet the requirements of national defense, and insure that the friends of democracy have an adequate source of agricultural produce to achieve victory; to the Committee on Agriculture.

1112. By Mr. HART: Petition of the American Racing Pigeon Union of the United States, favoring the enactment of House bill 1790, to safeguard the breeding and training of homing pigeons for use in time of war; to the Committee on Agriculture.

1113. By Mr. KRAMER: Petition of the Rotary Club of Paso Robles, Calif., requesting Congress to take the necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

1114. Also, petition of the Los Angeles Industrial Union Council, Chrysler Auxiliary, No. 71, Los Angeles, Calif., requesting Congress to eliminate section 2A, article 7, from the social-security law or increase the pension to the people in the amount of approximately $15 per month to allow for the deductions to be taken by the law in aforesaid section of social-security law to be in effect July 1, 1941; to the Committee on Ways and Means.

1115. Also, petition of the Assembly and the Senate of the State of California, urging Congress to pass the House bill 4276, and that the Administrator of Civil Aeronautics will then make funds available for the completion of the Corcoran airport, such funds provided for in aforesaid bill, and also that the Commissioner of Work Projects and the Secretary of War are hereby respectfully urged to make funds available for the development and completion of the Corcoran airport out of the funds now available; to the Committee on Appropriations.

1116. Also, petition of the Assembly and the Senate of the State of California, requesting that the Secretary of the Interior establish two duck-shooting seasons within California, the dividing line to be determined by the Director of the Interior; to the Committee on Agriculture.

1117. Also, petition of the Assembly and the Senate of the State of California, urging the President and the Congress of the United States to enact legislation which will modify the severity of the 18-month provision of the Work Projects Administration in regard to older persons employed on sewing projects, and who are unable to gain other employment, and will insure them against becoming destitute; to the Committee on Appropriations.

1118. Also, petition of the Assembly of the State of California, requesting the President and the Congress of the United States to allocate the necessary moneys for the purpose of increasing in the amount of $1 per week the pension and compensation payments to all veterans who are suffering from a total permanent disability, who are now and have been confined to veterans' homes, hospitals, or institutions for a period of 6 months and who are receiving pensions or compensation payments of not more than $6 per month, such increased payments not to be reduced in any amount by payments therefrom to any dependents of such veterans; to the Committee on World War Veterans' Legislation.

1119. Also, petition of the California Highway Commission, urging immediate action on a bill now before the Budget Commission in the House that, if passed, will provide for the construction of access roads leading to cantonments and training grounds in the various parts of the State of California in conjunction with the national-defense program; to the Committee on Military Affairs.

1120. Also, petition of the Santa Maria City Council, Santa Maria, Calif., requesting Congress to take the necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by the national-defense projects and that said defense highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

1121. Also, petition of the Ventura Hotel and Apartment House Association of Ventura, Calif., requesting Congress to take the necessary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense highway development be made a definite part of the national-defense program and financed in its entirety by national-defense funds; to the Committee on Military Affairs.

1122. Also, petition of the Women's Civic Club of Pismo Beach, Calif., requesting Congress to take the necesssary steps to secure immediate additional and adequate appropriations to provide for the development of strategic national-defense highways in the State of California and particularly to that section most affected by national-defense projects and that said defense highway development be made a definite part of the national-defense program and financed in its entirely by national-defense funds; to the Committee on Military Affairs.

1123. Also, petition of the Assembly of the State of California, requesting the President and the Congress of the United States to enact legislation so as to amend title 1 of the Social Security Act to make a minimum of $30 per month available, as a matter of right, to every retired citizen of 60 years of age or older, who is not drawing annuities in that amount of any other Federal retirement system; to the Committee on Ways and Means.

1124. By Mr. LEA: Petition of 20 citizens of Oroville, Calif., asking that Work Projects Administration workers be paid union wages; to the Committee on Appropriations.

1125. By Mr. LEAVY: Resolution of the Stevens School Parent-Teacher Association, of Wenatchee, Wash., opposing the including of musical instruments in the proposed new luxury tax bill, pointing out that music is an important factor in our educational program in schools, that a musical instrument is no more a luxury instrument than a carpenter's saw or hammer, and that music is a great benefit to humanity during these trying times, and not something that the people should be deprived of; to the Committee on Ways and Means.

1126. By Mr. RICH: Petition of sundry citizens of Shelocta, Pa., favoring Senate bill 860; to the Committee on Military Affairs.

1127. By Mr. ROLPH: Memorial of the board of supervisors of the city and County of San Francisco, asking consideration of Resolution No. 1793, relative to securing additional and adequate funds to provide for development of strategic highways in California, and particularly that section most affected by national-defense projects; to the Committee on Military Affairs.

1128. By Mr. WOLCOTT: Petition of Edwin Doebler and 32 others, advocating the enactment of the Geyer anti-poll-tax bill; to the Committee on Ways and Means.

1129. By the SPEAKER: Petition of the New York Board of Trade, Inc., New York City, petitioning consideration of their resolution with reference to reducing all expenditures except those that are necessary to arm America; to the Committee on Expenditures in the Executive Departments.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 21, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God be merciful unto us, and bless us; and cause his face to shine upon us.

That thy way may be known upon earth, thy saving health among all nations.

Let the people praise thee, O God; let all the people praise thee.

O let the nations be glad and sing for joy: for Thou shalt judge the people righteously, and govern the nations upon earth.

Let the people praise thee, O God; let all the people praise thee.

Then shall the earth yield her increase; and God, even our own God, shall bless us.

God shall bless us; and all the ends of the earth shall fear Him.

We humbly pray in the Name of Jesus Christ, our Lord and our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3368. An act authorizing expenditures for the Office of Government Reports in the Executive Office of the President.

The message also anncunced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. VAN NUYS, Mr. BARKLEY, Mr. DAVIS, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938; and

S. 1541. An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

CONFERENCE REPORT—DEFENSE PRIORITIES AND ALLOCATION OF MATERIAL

Mr. VINSON of Georgia submitted a conference report and statement on the bill (H. R. 4534) to expedite the national defense, and for other purposes, in order to extend the power to establish priorities and allocate material, for printing, under the rule.

SUPPLEMENTAL APPROPRIATION BILL

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4669) making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 8, insert:

"SENATE"

Page 1, after line 8, insert:

"For payment to Lucile S. Sheppard, widow of Morris Sheppard, late a Senator from the State of Texas, $10,000."

Page 1, after line 8, insert:

"The unobligated balance of the appropriation for folding speeches and pamphlets at a rate not exceeding $1 per thousand, contingent fund of the Senate, for the fiscal year 1940, is reappropriated and made available for the fiscal year 1941."

Page 7, after line 7, insert:

"TEMPORARY NATIONAL ECONOMIC COMMITTEE

"Not to exceed $2,500 of the funds appropriated for the Temporary National Economic Committee which remain unexpended and unobligated on April 3, 1941, shall be available until December 31, 1941, for expenditure by the committee, upon vouchers approved by the chairman, for the purpose of winding up the affairs of the committee, including the employment of necessary clerical and other assistants in connection therewith."

Page 13, line 1, strike out "$236,000" and insert "$336,000."

Page 13, line 1, strike out "$200,000" and insert "$300,000."

Page 13, line 6, strike out "$55,000" and insert "$65,000."

Page 13, line 7, strike out "$12,000" and insert "$14,000."

Page 15, after line 2, insert:

"WAR DEPARTMENT—CIVIL FUNCTIONS

"CORPS OF ENGINEERS

"Rivers and harbors: For an additional amount for the preservation and maintenance of existing river and harbor works, and for the prosecution of projects heretofore authorized, including the objects and under the conditions specified under this head in the War Department Civil Appropriation Act, 1941, to be available until expended, $540,000."

Mr. TABER (interrupting the reading of the amendments). Mr. Speaker, I ask unanimous consent that the amendments may be considered as read.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TABER. Mr. Speaker, reserving the right to object, there are a few items in here that relate to the operations of the Senate that are nothing more than routine; small items for the temporary national economic committee; $100,000 increase in the amount that the House allowed for the Office of the Secretary o State which the State Department says is necessary if they are to enforce the new rule they have made for a check-up in this country of all sponsors of proposed immigration visas. Five hundred and forty thousand dollars is allowed to the War Department for the development of a harbor on the west coast about 58 miles above San Francisco that the Navy and the Coast Guard say is absolutely necessary for the operation of small craft.

Mr. WOODRUM of Virginia. That has been authorized

Mr. TABER. That has been authorized, and that is the only item for which this money is to be used.

With this situation I do not see that it would be improper to agree to the request of the gentleman from Virginia.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

OFFICE OF GOVERNMENT REPORTS

Mr. O'LEARY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President, with a Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

I may say I have consulted the ranking minority member, the gentleman from Massachusetts [Mr. GIFFORD], who is agreeable to this action.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. O'LEARY, COCHRAN, and GIFFORD.

EXTENSION OF REMARKS

Mr. MAAS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include as a part of my remarks a speech by Mrs. Carrie Chapman Catt at the White House Friday night.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a poem entitled "Crosses in Flanders," composed by an employee of the House Office Building, and I ask that it be printed in the daily RECORD in the form of a cross, the way it is composed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by the gentleman from Michigan [Mr. TENEROWICZ].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that today after the disposition of the business for the day and previous special orders I may address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I want to ask Uncle Sam a question. Uncle Sam, how long do you think you can demand, and secure, patriotism in uniform at $21 a month under the Selective Service Act when you are denied all semblance of patriotism in overalls at $21 a day?

Uncle Sam, every man in this House, and every man that you have called to the colors under your Selective Service Act takes your word for it that he is going in there to defend America, and to train himself to be an integral part in the defense of America. But, Uncle Sam, you have called those boys—you have not asked them to serve you—you have demanded they serve you. You have taken them, if you please, from their homes, from their firesides, from the farm, from the factories, and from their college studies. You have put them in uniform, and you have taken them into your camps and you are paying them $21 a month to go into training, as the President has said, for the defense of America. And yet, right today, you have neither the arms, equipment, nor even ammunition with which to adequately train them.

Uncle Sam, listen! You have not been fair to those boys because while the Congress has given you the authority to call those boys—and I know of very, very few cases in which they have refused your will—yet they know you have not played fair with them, Uncle Sam, when you let union labor employed in Army camp construction tell you where to get off, and you take it lying down. It is time for you to wake up. It is time for you to call the cards—make them show face up on the table. And when they do not show face up on the table, it is time for you to clamp down and bring those cards out from under the table, because Uncle Sam—what do you find today? You find these boys, coming from all walks of life, at your demand going into the Service, into camps that are half prepared, that are not even ready for occupancy. And what greets these boys on their arrival? What greets them? Let me tell you something. Here is what greets them. We have in the construction of these camps, if you please, a certain number of men, perhaps, some of them of conscription age, but most of them, perhaps, above the age, who, because they have the ability to carry a hammer, and a saw and a plane qualify therefore as carpenters. And we have others who, perhaps, have seen a brick before and because they can carry a trowel or possibly can throw brick and mortar together are paid a bricklayer's wage; and then we have others who have various other similar qualifications. But all these men, providing they can pay a certain fee to a certain labor union, which in turn will eventually be used for the perpetuation of certain politicians in office, can qualify as skilled laborers on your emergency construction job, which the Congress has said must be completed before these loyal citizens of yours, Uncle Sam, can be inducted into the Army.

But, Uncle Sam, you have not completed your camps. They are still in the process of construction. Many of the barracks still do not have even tar paper on the roofs, and consequently they leak whenever it rains. In many camps the sanitary facilities are far from completed and yet, Uncle Sam, you have pulled these boys into the service from every walk of life and they have heeded your call and heeded it willingly, when you tell them that they are training to defend their homes in America. But when these boys arrive in camp, what do they find? Here is what they find. They find that your workers, Uncle Sam, work faithfully more or less during the week, and finally they come to Saturday, the day of rest and relaxation in many jobs, and the Sunday that follows is always a day of complete relaxation and rest, or as the Polish people would put it, a "double holiday." And so these men, though not satisfied with their rate of $1.65 an hour, console themselves with a neat sum of double time for Saturdays and Sundays. And hence, their pay approaches very close to $21 a day. And then comes the following Monday, and a rainstorm comes up, and then what happens? These carpenters, these laborers, decide that they must have an interunion strike and so they decide that they will walk out and seek their shelter in a hall wherein they can argue out their differences, while your boys in khaki under leaky roofs roll their blankets to keep them dry. And, Uncle Sam, what do you do about it? Why, you crawl in your shell—your crawl in your shell—why? Because you realize, Uncle Sam, that in one camp in Camp Belvoir, for instance, in a very short period of a few months, a certain union collected over $800,000 in labor union dues, and you think, perhaps, you might get some of that gravy when next comes a political campaign. O Uncle Sam, are you playing fair with those boys that you have put in khaki? Do you really expect to command from them at $21 a month the patriotism that you should demand from those who are getting $21 a day? No, do not kid yourself, Uncle Sam, America was not built that way, it is not built that way today—and you cannot get it. Oh, you want proof, do you? Let me give you proof, and I will give it to you straight from the shoulder, right now. And you will take it and you will have to like it. Yes, Uncle Sam, you will take this proof and you will like it. And when I give you this proof, Uncle Sam, I am warning you right now, that you better call America's attention to the fact that these boys whom you are taking from the farm, from the bench, from the study halls, from the fireside, will take just so much and not too much.

All these boys want is a fair chance, Uncle Sam. That is all we have ever asked in America—until recently. And now you ask me for the proof, and here it is. I will want to read to you, and read into the CONGRESSIONAL RECORD, at this point, in the form of a letter which was sent to me—possibly, Uncle Sam, you might consider it in the form of a petition, but I choose to call it a letter—which was written to me within the past week by a number of boys who are serving in a certain regiment in the United States Army. These boys, may I add, are not selectees and, therefore, they are not boys who might be easily swayed today without having had a background of military training and experience. These boys have all been in the service of this Government for a number of years and they, in common with every man in this Congress and every man that I have ever talked to in the United States, feel the same urge—they will go "all out" for the defense of America, but they are not so certain as to just how far they will go in the interests of the international bankers. And this letter, or petition if you so choose to call it, Uncle Sam, that I want to read to you, was signed by every enlisted man—privates, first and second class; corporals; sergeants; first sergeants; staff sergeants—of a certain organization in our Army and appended to it was a

note which said that, if I so desired, every man of the 2,500 men of that regiment would sign a comparable letter or petition. I want to read that letter which was sent to me by those boys at this time. And may I say this before I read it: That before any of you people down in the War Department, or any of the rest of you who want to crack down on these true Americans and want to get tough with these boys for having the courage to state their position in this presently tough situation, may I say this, that you will be wasting your time to ask me who signed that original letter, because I have burned it up and destroyed it, because I do not approve of boys who, perhaps, would thwart military discipline or, perhaps, in the eyes of certain warmongers, who might distrust their words, would make them appear as unpatriotic and therefore might bring about certain military reprisals upon those men. That is the last thing I want to do.

Mr. Speaker, and Uncle Sam, I will stake my honor as a Member of Congress upon the honest patriotism of every man who signed that letter which came to me personally. And it is because of the faith that I have in those boys, the fact that I realize that they are fully as patriotic as I am, that I would not permit some underling in our armed forces, who challenged to make an issue of it for his own personal aggrandizement, that I have destroyed the original of this letter. But again I repeat this one underlying and fundamental principle back of that letter that came to me. Uncle Sam, you may force American youth into uniform at $21 a month, but you cannot—and you will not—secure American patriotism at $21 a month when you have it in your power, and yet you refuse to demand, true American patriotism at $21 a day out of uniform. And, still, Uncle Sam, these boys will heed your call anytime if you come clean with them. They will fight in Africa, they will fight in Great Britain, they will fight in Europe, if you tell them—and if you show them—and if you explain to them why it is necessary to do so to defend their homes in America. These boys are not yellow, Uncle Sam, but they do want, they do ask from you—and they are entitled to have—a fair break and a lot more real facts brought out in the open and not kept behind the walls of the White House or in the cloistered walls of certain places in Washington. Uncle Sam, you know it, you have demanded that these boys go into khaki, that they go into camp, and it is about time when you put those boys under arms that you come clean with them and tell them what they have to do. So let us go, Uncle Sam; and when you say let us go, and you tell these boys where they are going, they will go with you, and do not mistake that.

Uncle Sam, I repeat, you cannot command true Americanism at $21 a month while at the same time you refuse to demand even half-hearted Americanism of those receiving $21 per day. And I used the words "half-hearted" advisedly because I want to know how many real patriots we have in the overalls of labor today. If we in this Nation have to go into a military economy, let us get into it without fear or favor. And I suggest that the first move henceforth should be to take this man Walter Ruether off the deferred list and put him in khaki at $21 a month. Lest you forget, Uncle Sam, Walter Ruether and his brothers have long been the outstanding labor agitators in the city of Detroit and the State of Michigan. Repeatedly he has flaunted the laws of our State and the laws of the Nation, and yet we learn in the daily papers that he has received a deferred classification, which means that he will not serve in khaki. Listen, America, your son and my kin are being taken and put into uniform—why should not Walter Ruether? Hank Greenberg was taken, was he not? Why not Walter Reuther?

Uncle Sam, when you do not choose to demand of labor and racketeering labor leaders the same loyalty and patriotism that you command of these boys in khaki, you, and you alone, are at fault, and you, and you alone, must assume the responsibility for this petition, which I now read to you and to the Members of this House of Representatives:

Being soldiers in the armed forces of the United States Army, men who shall be called upon to face the gunfire in the front-line trenches, we feel it our democratic and conscientious duty to express our opinion on the question of convoys; or, if you please, on the entry of this Nation into the present war. We wish to state that as loyal Americans we are ever ready to fight, to give up our lives if necessary for the defense of our country at home or anywhere in this Western Hemisphere from aggression. However, we are absolutely 100 percent against being a part of any American expeditionary force to be used in Europe, Africa, or Asia. Reasons have been presented for our participation in this war, but until causes and principles substantiated by the facts of reality are forthcoming, we shall be opposed to participation.

Mr. Speaker, attached to that petition, or letter, was the following note:

This represents the 100-percent returns of the enlisted personnel of this Army organization. Other units will show the same results, and if you desire a survey of the 2,500 enlisted men in our regiment it can be secured. You might entitle this "'Debunking' the Gallup Poll." Drastic measures are in order.

I understand that Dr. Gallup does intend to take a poll among the armed forces of this country to ascertain their attitude in regard to a possible A. E. F. Apparently these boys seem to have beaten Dr. Gallup to the punch.

This is a very serious matter, Uncle Sam, and one to which you should give the most careful consideration, because it means only one thing—it means that these boys have lost faith in your leadership; they have lost faith in your leadership in this international crisis because you have not come clean with them and told them the truth, and it is about time you do so. [Applause.]

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Emergency Committee for Zionist Affairs, explaining the situation in Palestine and the middle east.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

CONFERENCE REPORT ON POST OFFICE AND TREASURY DEPARTMENTS APPROPRIATION BILL

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a conference report and statement on the Post Office and Treasury Departments appropriation bill (H. R. 3205).

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition of business on the Speaker's table and at the conclusion of any special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

[Mr. PITTENGER addressed the House. His remarks appear in the Appendix of the RECORD.]

UNITED STATES MILITARY ACADEMY AT WEST POINT

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. SNYDER. Mr. Speaker, it was my pleasure, together with three other House members of the West Point Visiting Committee, namely, the gentleman from Arkansas [Mr. TERRY], the gentleman from New Jersey [Mr. POWERS], and the gentleman from South Dakota [Mr. CASE], to visit and inspect West Point establishment last Monday.

I am pleased to stand up here today and tell you of the wonderful progress that is being made at West Point and that has been made in the last 5, 6, or 7 years; also to commend Gen. Robert L. Eichelberger, Superintendent of West Point, for keeping abreast of the movements that are taking place in the country in a military way.

I want to read you the menu served the some 1,700 cadets at West Point last Monday. The committee had the pleasure of dining in the mess hall with the

cadets from their congressional district and I am sure that the committee agrees with me that the food was not only plentiful but well prepared, well served, and the surrounding atmosphere most appropriate.

Breakfast: Chilled orange juice, dry cereal, light cream, poached eggs, grilled ham, grape jelly, toast, coffee, milk.

Lunch: Shredded lettuce, Thousand Island dressing, Italian raviola, tomato sauce, grated cheese, creamed chopped beef, peach cobbler, water rolls, iced tea.

Supper: Celery, olives, chilled tomato juice, grilled club steak, mushroom sauce, mashed potatoes, buttered garden spinach, pineapple sundae, coffee, milk.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Milwaukee Journal of May 17, 1941, entitled "Defense of What?" which is a comment on a talk recently given by the chief justice of Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. WASIELEWSKI]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I delivered over the Columbia Broadcasting System last night entitled "America's Rendezvous With Destiny—Let It Be Something Less Than Total War and Something More Than Just One Private Peace."

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two editorials on the St. Lawrence project.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, has it come to this? The press announced this morning that the president of the corporation of the Academy of Music in Philadelphia, John Frederick Lewis, denied the use of the Academy of Music Hall to Col. Charles Lindbergh for May 29. In the city where Independence Hall is located, where liberty was born, where the Liberty Bell hangs, in old Philadelphia, an American who represents easily more than one-half of all the Americans, is denied the use of Music Hall because they say he attracts un-American people. I believe it is worthy of comment that the first great evidence of nazi-ism is intoleration and censorship such as this, which the president of the corporation of Music Hall slaps on Colonel Lindbergh in Philadelphia. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have written in answer to questions concerning the appropriations at this session of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter received under date of May 17 from the Department of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an editorial from the Worcester (Mass.) Telegram.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WHY PARITY FOR THE FARMER IS NEEDED NOW

Mr. CREAL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CREAL. Mr. Speaker, last Sunday an editorial in the Washington Post urging the veto of the parity payment bill stated that to grant further subsidies to the farmer would be like placing blood on the tongue of a tiger with the hope of satisfying his appetite.

Yesterday some tables were furnished us—and we well know it without tables—indicating that in 1929, which was supposed to be the prosperity period, with boom days for everybody, the earnings of the factory worker, averaging every class of labor, skilled and unskilled, were $24.60 per week. Today it is $30 plus. And that is not all. The Department of Labor points out that his dollar today buys of the necessities of life one-fifth more than it did in 1929, so that he is making the equivalent of $36 now compared with $24 then. Yet if the farmer asks that he be permitted to come up to some sort of a level with the other kinds of business he is compared to a tiger with blood on his tongue. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I cannot help but refer to the remarks of my colleague the gentleman from Pennsylvania [Mr. SNYDER] when he spoke of how well the people of this country are being fed, especially those at West Point. I also call attention to the fact that the Chaplain this morning said, "Let the people praise Thee, let the people praise Thee, O God."

I wonder if the people of the world would not praise America if we did something to alleviate the suffering of the people of Europe who have no food, of the women and children who are starving to death in Europe. It seems to me that acting on the proposal that was made by President Hoover, the seven points he made dealing with the providing of soup kitchens and trying to alleviate the suffering and the misery and the starvation over there, would be the finest thing America could do. It would be the Christian act from a country who has plenty. Britain should permit it at once. The President should and could demand it. I do hope that the President of the United States and the Congress will take some action whereby we can save those people from starvation and whereby the American people can do the right, the honorable, and the just thing. Will the President act? [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two short editorials from the Oil City Derrick.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no obection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GIBSON. Mr. Speaker, I do not know how many of you have an ear for good music and good quartet singing, but in my home town there is a quartet that has the honor, or dishonor, of having sung me into Congress. They are in Washington today and will sing over radio station WMAL from 10:30 to 10:45 tonight. I invite any of you who like good quartet singing to tune in; and if you do not like them, I will pay you for your time.

The members of the quartet are Mr. Carlos Grantham, high tenor; Mr. Leon Grantham, low tenor; Rev. Frank Spivey, baritone; and Joe Newbern, bass. LeRoy Carver will sing a solo. Miss Lerah Sut-

ton is the pianist. I invite your attention to the program. [Applause.]

PEACE EFFORTS—BOMBLESS NIGHTS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, on yesterday I called the attention of the House to the fact that many believe that the Hess incident is a peace movement and to the fact that bombing up to that time had apparently ceased. This morning's paper states that London has enjoyed the tenth bombless night, and that bombing has apparently ceased in that area on both sides of the channel.

I hope it never starts again and that the people of London will never be again harassed with that kind of punishment. [Applause.]

The British press states that the English people are anxious now for us to get into the war. They want us to send an army to Europe. If we are honest with the English people we ought to tell them frankly that we are not going to send an army to Europe. We have all said so, from the President down. [Applause.]

In my opinion, there is a peace movement under way. I wish my Government would take steps to bring about a truce, in order, if possible, to bring this horrible war to a close as speedily as possible, on the basis of Cordell Hull's five points, before it engulfs the rest of the world and completes the destruction of the civilization of mankind. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. THOM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. THOM. Mr. Speaker, next to the Republican membership of this body what organization in the country has derided and damned the New Deal more than the New York Stock Exchange?

Every stock market letter that finds its destination in the hands of an investor or a would-be investor has for years sung the same song about the collapse of business through the misguided policies of the "brain trusters" at Washington.

Curious now that this Wall Street citadel of opposition to the New Deal comes boldly into Washington, kidnaps from the inner New Deal family, Mr. Emil Schram, Chairman of the Reconstruction Finance Corporation, and yesterday elected him president of that institution.

Are the New Deal administrators such bunglers and marplots after all?

Your Uncle Sam paid Mr. Schram, New Dealer and Indiana Democrat, $10,000 a year.

The stock exchange hires him at $48,000 a year.

Even the New York Times, which is so pained about the goings-on of the New Deal, bursts forth with an endorsement of him:

> The New York Stock Exchange is to be congratulated in having both the good sense and the good fortune to secure the services of Emil Schram as its president—

Says the Times—

> Mr. Schram is one of the best liked and ablest executives in the Government.

Good-bye, Emil, and remember that the only Democrat in the stock exchange is probably an office boy. [Laughter and applause.]

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PARLIAMENTARY INQUIRY

Mr. DONDERO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DONDERO. If my inquiry is not proper, Mr. Speaker, I shall withdraw it. I have been here a good many years and I wonder if the Speaker of the House will restate to the House the proper way in which a Member ought to address the House of Representatives when we are in the House and when we are in Committee.

The SPEAKER. The Chair is of the opinion that a Member is properly within the rule when he simply addresses himself to "Mr. Speaker," and that it is a violation of the rules to add "ladies and gentlemen of the House" or anything else. That is the rule as the Chair understands it.

Mr. DONDERO. May I add to that, Mr. Speaker, when we are in Committee, the proper thing then is simply to address the Chair without saying, "ladies and gentlemen of the committee"?

The SPEAKER. The gentleman is correct.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a poem on the late Senator Borah?

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

QUESTION OF PERSONAL PRIVILEGE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. HOFFMAN. The question grows out of an editorial in the Washington Daily News of May 13, 1941. It is entitled "Demagogs at Work." It is as follows:

> Another District day in the House has come and gone. Again efforts of earnest men to solve intricate District problems have been leered at, jeered at, stamped upon, and discarded by demagogs.
>
> The Overton formula was not perfect, especially after it had been amended to require that all Federal contributions to the District be used for new construction and none for maintenance.
>
> This amendment was added to gain the support of the President. Imagine the chagrin of champions of the measure when no whisper of support came from the White House yesterday. House managers made no effort whatever to help the valiant little band led by Representative JOHN F. HUNTER (Democrat, Ohio), who charged in support of the bill but were overwhelmed as by a stampede of Texas steers.
>
> Imperfect as it was, however, the formula afforded a fair and permanent solution to the problem of fiscal relations between the Nation and its Capital City; a solution to end the annual dog fight over how much of the expense of maintaining his Capital City Uncle Sam should pay. It was deserving of serious consideration. The reply of a huge majority of the House was a threat to increase all other taxes and make Washingtonians pay "as much as my constituents have to."

May I call to the attention of the Speaker the following:

> This was demagoguery not only because it was a refusal to consider Senator OVERTON'S formula on its merits, but also because it was done for political effect. House Members were willing to punish the District in the hope that it would win votes back home.

In support of my contention that this editorial is a reflection upon Members of the House in their representative capacity, if the Speaker desires any authority I have two or three precedents I would like to cite.

The SPEAKER. The Chair did not hear the gentleman.

Mr. HOFFMAN. In support of my position, if the Chair is in doubt as to whether this raises a question of privilege I would like to cite one or two precedents.

The SPEAKER. The Chair would rather hear the gentleman on what he states is a question of personal privilege, and the present occupant of the chair would like the privilege of passing upon that himself.

Mr. HOFFMAN. I did not know but that any statement I might make would be as someone said about a speech I once made—that it was perfectly superfluous—but I will cite the action of the Senate which appointed a committee to investigate a charge of corruption made by a newspaper——

The SPEAKER. The Chair would like to see the article the gentleman is reading from. The Chair does not intend to be critical at all because this is entirely impersonal, but the Chair does think, and would like to have the attention of all Members of the House, that when a Member intends to raise a question of personal privilege it would be a very great convenience to the Chair if the attention of the Chair was called to it before the Member rises. This is not said in any criticism.

Mr. HOFFMAN. I stand reprimanded. I have usually followed that course, but sometimes I have met with less success when I followed that course than when I raised it in this way.

The SPEAKER. Where does the article refer to the gentleman from Michigan personally?

Mr. HOFFMAN. It does not so refer, but it refers to all those Members of the House who voted in opposition to that bill.

There are two precedents which seem to me to be applicable. I quote from 3 Hinds, section 1834; also from section 1835:

1834. On December 5, 1878, the House ordered an investigation of a charge made by a Washington newspaper that there had been corruption in regard to the passage of certain District of Columbia legislation, and that a Vermont Representative, a Chicago Member, and a Maryland Member had received certain amounts of money corruptly.

1835. In 1846 the Senate investigated a general newspaper charge of corruption. On March 12, 1846, the Senate raised a select committee to investigate a general charge of corruption made against a portion of the Senate by a newspaper in Washington. This charge mentioned no individuals by name, but charged a portion of the Senate with having sold out to England in the settlement of the Oregon boundary question.

It is quite true that, on both of these occasions, the newspaper used the word "corruption," or at least I assume from the language just quoted that "corruption" was the word to which exception was taken.

The editorial in question charges clearly and unequivocally that the District of Columbia legislation referred to was, by Members of the House, "leered at, jeered at, stamped upon, and discarded by demagogs."

It certainly is a reflection upon every Member of the House in his representative capacity, it most assuredly would belittle his standing among his constituents as a Representative, if it were true that, when legislation came before the House, he leered at, jeered at, stamped upon, and, as a demagog, discarded it. Such conduct cannot be said to be proper conduct on the part of a Representative of the people. If it be true that he so acted, would he be a true Representative of his people?

The article further charges that the action of those who voted against that bill was demagoguery.

It further charges that Members of the House, in order to win votes back home, punished the District. If, to win votes, a Representative votes to punish an integral part of the Union, his action would correctly be designated as corrupt.

The SPEAKER. The Chair will read that part of the rule which affects Members, so far as personal privilege is concerned:

Second, the rights, reputation, and conduct of Members individually, in their representative capacity only.

There is nothing in this matter that refers to the gentleman from Michigan [Mr. HOFFMAN] either individually or in his official capacity. The Chair would hesitate to hold a question of personal privilege of Members of the House lies in a general criticism of the action of the House. Therefore, the Chair is inclined to hold that the gentleman has not stated a question of personal privilege.

Mr. HOFFMAN. Then, Mr. Speaker, I rise to a question of the privilege of the House and send up a resolution. It does not seem possible to me that a newspaper can make a wholesale charge against Members of the House and not give cause for a question of personal privilege, while if it said that John Doe, a Member of the House, was a demagog, it would raise that question. If that is the correct ruling, then all one needs to do is to say that all the Members of Congress are crooks, without calling them by name, and the editor can get away with it.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That a committee of five Members be appointed by the Speaker to investigate and report to the House on the charge made in the following editorial, which appeared in the Washington Daily News of May 13, 1941:

"DEMAGOGS AT WORK

"Another District day in the House has come and gone. Again efforts of earnest men to solve intricate District problems have been leered at, jeered at, stamped upon, and discarded by demagogs.

"The Overton formula was not perfect, especially after it had been amended to require that all Federal contributions to the District be used for new construction and none for maintenance.

"This amendment was added to gain the support of the President. Imagine the chagrin of champions of the measure when no whisper of support came from the White House yesterday. House managers made no effort whatever to help the valiant little band led by Representative JOHN F. HUNTER (Democrat, Ohio), who charged in support of the bill, but were overwhelmed as by a stampede of Texas steers.

"Imperfect as it was, however, the formula afforded a fair and permanent solution to the problem of fiscal relations between the Nation and its Capital City; a solution to end the annual dog fight over how much of the expense of maintaining his Capital City Uncle Sam should pay. It was deserving of serious consideration. The reply of a huge majority of the House was a threat to increase all other taxes and make Washingtonians pay 'as much as my constituents have to.'

"This was demagoguery not only because it was a refusal to consider Senator OVERTON'S formula on its merits, but also because it was done for political effect. House Members were willing to punish the District in the hope that it would win votes back home."

The SPEAKER. The Chair has Webster's International Dictionary before him, and in that the word "demagog" is defined as follows:

1. A leader or orator popular with or identified with the people.

It is only fair to say that there is a notation under that that it is obsolete or historical.

2. One who plays an insincere role in public life for the sake of gain, political influence, or office; a poser in politics; especially one who panders to popular prejudice or seeks to inflame reasonless passions in the advancement of his personal interests.

For the moment at least the Chair would hesitate to hold that the gentleman's resolution is privileged. The Chair assures the gentleman that he would like to look into it further. He would hesitate to hold at this time that the general criticism of Members of the House is a matter so involving the privileges of the House that a resolution of this kind would be in order.

Mr. HOFFMAN. Do I understand by that that at some subsequent time today or some other time it will be taken up again?

The SPEAKER. The Chair desires to look into the matter and will talk with the gentleman personally or recognize him in the House later in the day.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a colloquy between the chairman of the House Military Affairs Committee and myself dealing with Senate Joint Resolution 76, the Philippine export-control measure, passed by the House under date of May 19. This statement has been read within the last few minutes by the gentleman from Kentucky [Mr. MAY], though I do not believe he is on the floor at the moment. He stated that it is acceptable to him. I wish to have it made a part of the permanent RECORD so that it will be included in the debate on Senate Joint Resolution 76 in the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

COAST GUARD

The Clerk called the committees, and when the Committee on the Merchant Marine and Fisheries was called:

Mr. BLAND. Mr. Speaker, by direction of the Committee on the Merchant Marine and Fisheries, I call up for consideration the bill (H. R. 4658) to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes, and I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I presume the gentleman will explain the bill?

Mr. BLAND. I am perfectly willing to explain the bill. I think really the better course would be to consider it as in Committee of the Whole and to take it up, under the 5-minute rule, because the bill consists of 10 sections. Some of them are clearly and purely clarifying. I will make a brief statement as to each section.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the act of August 28, 1916 (39 Stat. 538; U. S. C., title 33, sec. 732), is hereby amended to read as follows:

"The Secretary of the Treasury is authorized, whenever he shall deem it advisable, to exchange any right-of-way of the United States in connection with lands pertaining to the United States Coast Guard for such other right-of-way as may be advantageous to the Service, under such terms and conditions as he may deem to be for the best interests of the Government; and in case any expenses, not exceeding the sum of $500, are incurred by the United States in making such exchange, the same shall be payable from the appropriation 'Coast Guard, general expenses,' for the fiscal year during which such exchange shall be effected."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this amendment arises by reason of the transfer of the Lighthouse Service to the Coast Guard and simply extends existing law for exchange of right-of-way of the United States to lighthouse property, to include the exchange of rights-of-way to all Coast Guard property. It is believed that, given this right to exchange properties, roads may be straightened and there will be simplification of procedure rather than to have to come to Congress or go through the former procedure. The amendment is clarifying only.

With that statement, the Clerk may read, unless there are some questions.

The Clerk read as follows:

SEC. 2. Section 2 of the act of August 16, 1937 (50 Stat. 667; U. S. C., Supp. V, title 33, sec. 721a), is hereby amended by striking out the words "Lighthouse Service" wherever they appear and substituting therefor the words "Coast Guard," and by adding a new sentence at the end thereof as follows: "In the event such payment is deposited subsequent to payment by the Coast Guard from appropriated funds to the person or persons repairing or replacing the damaged property, such payment shall be deposited to the credit of the appropriation current at the time the collection is made."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Section 2 extends to the Coast Guard existing law authorizing the use of funds collected for the repair or replacement of navigation aids and other lighthouse property damaged or destroyed, so as to include all Coast Guard property and provides for crediting such collections to applicable appropriations if the latter are used before collections are made.

Where there is damage to navigation aids it is better to make the repairs, even where you collect from the person who did the damage; get the work done and replace the funds.

The Clerk read as follows:

SEC. 3. (a) The Secretary of the Treasury is hereby authorized, during the national emergency declared by the President on September 8, 1939, to exist, to negotiate contracts on behalf of the Coast Guard for the acquisition, construction, repair, or alteration of complete Coast Guard vessels or aircraft, or any portion thereof, including plans, spare parts, and equipment therefor, that have been or may be authorized, and also for machine tools and other similar equipment on the same basis and subject to the same limitations, and with the same privilege of priority in deliveries as is provided for similar contracts authorized to be negotiated by the Secretary of the Navy by section 2 (a) of the act of June 28, 1940 (Public, No. 671, 76th Cong., 3d sess.).

(b) The act of August 24, 1935 (49 Stat. 793; U. S. C., Supp. V, title 40, secs. 270a-270d), may, in the discretion of the Secretary of the Treasury, be waived with respect to contracts for the purposes enumerated in paragraph (a) of this section.

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

This contains two subsections, (a) and (b). Subsection (a) extends to the Coast Guard the same authority for the negotiation of contracts that is now applicable to the Army and Navy, with respect to contracts for vessels, aircraft, and national-defense supplies.

It can readily be seen that such authority in the Coast Guard is necessary, in view of the extension of the same or similar authority to the Army and the Navy. They have to negotiate their contracts just as do the Army and the Navy.

Subsection (b) authorizes the Secretary of the Treasury to exercise the same authority conferred on the War and Navy Departments by the act of April 29, 1941, as to waiver of performance and payment bonds with contracts for construction of vessels, aircraft, and for supplies in connection with the national defense. Contracts have been advertised under the existing law and the Coast Guard has been unable to obtain necessary performance and payment bonds contained in it. Companies now building ships, particularly for the Coast Guard, are smaller companies, unable to obtain such bonds, due to rapidly changing wages and prices of materials. The sole effect of this provision is to proceed in the same way as the Army and Navy. Percentages of payment are retained. Claims of subcontractors may be protected by giving notice to the employer. No rights are lost and it is deemed necessary and found to be necessary to make this change.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes; I yield.

Mr. RICH. In making these contracts for improvements with some companies, supposing under present-day conditions a small company made contracts and then had demands from labor unions, demanding greater wages and greater salaries after the contracts had been made, those small contractors then probably would not be able to complete their contracts. In what situation would they be as far as the Government is concerned? Would the Government demand that they complete them?

Mr. BLAND. They would be in the same position as they are with the Army and Navy. I think the Government would have the right to demand that they complete them.

Mr. RICH. Under present-day conditions, then, anyone who is bidding on any contracts certainly must figure away above what the actual cost would be at the present time, because they have to take into consideration anything that may be unforeseen.

Mr. BLAND. That would be one of the reasons for the change to negotiated contracts.

Mr. RICH. And for that reason practically everything the Government does by contract today costs enormous sums above the contract price or the expected price because everybody figures they will probably have labor troubles, labor disputes and they must count on granting these increases.

Mr. BLAND. I think that is one of the reasons for the negotiated contract.

Mr. RICH. Certainly under present-day conditions the Government is going to have to foot the bill.

Mr. BLAND. This is an effort to avoid that very difficulty. I do not know that it will avoid the difficulty but the other departments have found it is the only way to accomplish it, and similar provision should be made for the Coast Guard.

By unanimous consent the pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 4. The joint resolution of May 5, 1894 (28 S. at 582; U. S. C., title 31, sec. 542), is hereby repealed.

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I should say that along with the report not only do we have the Ramseyer rule, which shows the changes in existing law, but a detailed statement which shows the changes, and we have also put in a further summary which shows the changes in a brief form. This section repeals an old act of 1894, which was applicable only to the old Revenue Cutter Service. It will be remembered that before 1915 we had the Life Saving Service; also the Revenue Cutter Service. They were consolidated and amalgamated into the Coast Guard. This particular act was applicable to the Revenue Cutter Service. It provided for partial payment on contracts for construction of vessels by the Treasury Department not to exceed 75 percent. This 75-percent provision has been eliminated in every other bureau engaged in the construction of ships. The present form of ship-construction contract used by all Government departments provides for the retention of only 10 percent of contract price. There is now a standard form for the use of all bureaus connected with ship construction which provides for the withholding of 10 percent until the completion of the contract. This change will make the standard form apply to the Coast Guard, which includes the Revenue Cutter Service. The Coast Guard is the only agency today that does not use the payment clause of the standard form.

By unanimous consent, the pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 5. Section 1 of the act of January 28, 1915 (38 Stat. 800; U. S. C., title 14, sec. 1), is hereby amended by striking out the words "which shall constitute a part of the military forces of the United States" appearing immediately after the words "Coast Guard" in the first sentence thereof and substituting therefor the following: "which shall be a military service and constitute a branch of the land and naval forces of the United States at all times."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a clarifying amendment only and definitely defines the status of the Coast Guard as a military service. The particular phraseology of the act of January 28, 1915, which amalgamated the Life Saving Service and the Revenue Cutter Service, has given trouble from the time it was passed. The old law provided that the Coast Guard should constitute a part of the military forces of the United States and operate under the Treasury in time of peace and under the Navy Department in time of war. This amendment specifically states that the Coast Guard shall be a military service and constitute a branch of the

land and naval forces of the United States at all times.

In one decision of the Supreme Court of the United States involving a land-grant reduction—I have not seen the case, but it was brought to my attention by the Coast Guard authorities—the Coast Guard was involved and they were held to be entitled to land-grant reduction only when operated under the Navy. A number of bills go through Congress every session that refer to the different services as "the land and naval forces of the United States, including the Coast Guard."

This amendment simply states that the Coast Guard is a part of the land and naval forces of the United States at all times, whether operating under the Treasury in time of peace or under the Navy in time of war.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. MARTIN of Massachusetts. Would this change the status of the enlisted man in the Coast Guard in respect of pensions or compensation?

Mr. BLAND. No. I do not recall that this question was brought up in the committee, but it is my recollection that sometime ago a question involving pension claims arose under the existing language, and that the confusion existed which this amendment is intended to remove. This amendment will make certain that those provisions apply to the Coast Guard as was evidently the original intent.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. CULKIN. Commander Gorman, who testified on this bill, stated that the retirement and other pensions of the enlisted men of the Coast Guard were not affected by this legislation; at least, not unfavorably affected.

Mr. BLAND. That is true.

Mr. CULKIN. I heard him say that.

Mr. BLAND. That is unquestionably true. It makes their status more definite and certain.

The question arose as to whether or not certain privileges or benefits existed at all times or only after the Coast Guard had been actually transferred to the Navy in time of war. In the emergency that exists now there is a partial transfer of some of the Coast Guard units to the Navy, and some question may exist as to the status of the men, since we are not at war. Some question arose in the past as to what the status of the men might be. The question was raised by the Comptroller General or inferred from a ruling made by him. This amendment answers that question.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. RICH. The gentleman referred to the language contained in various bills, "the land and naval forces of the United States, including the Coast Guard." I ask this question for information: I wonder if, in the experience the gentleman from Virginia has had touching the operation of the Coast Guard, the Marine Corps, and the Navy, whether we have a good set-up, a good organization, from the standpoint of economy, by having these three separate divisions, or whether it would not be more economical to have this all under the Navy Department under such regulations that separate mention would not have to be made of the different services in which they were used. What is the gentleman's idea on that?

Mr. BLAND. I think the present set-up is far more economical. I recall that some years ago the question arose as to consolidation with the Navy. I went into it at that time. My recollection is that at that time Mr. Lewis Douglas was Director of the Budget. It was his conviction, and our conviction also, that consolidation would cause far greater expenditure, and that the economy as now practiced by the Coast Guard could not exist in such a set-up. Furthermore, I hope that may never come about, because the Coast Guard is a definite and distinct organization with a fine esprit de corps, and I should hate for that to be lost to the country.

Mr. RICH. The gentleman certainly convinced me when he said Lew Douglas recommended this, because I feel that when a Member of the House he was one of the finest men we had, and he seemed to know more about good, sound business than any other man I have ever associated with, notwithstanding the gentleman from Virginia and a lot of other men we have in the House. He certainly was one fine man, and I commend him and the gentleman from Virginia.

[Here the gavel fell.]

Mr. CULKIN. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, the suggestion made by the gentleman from Pennsylvania would be like placing the police force of a municipality under the regular Army or Naval Establishments. Of course, he does not mean it that way, but it would have that implication.

Mr. BLAND. There is no question but what the gentleman is correct.

The pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 6. (a) Section 1 of the act of January 28, 1915, is hereby further amended by striking out so much of the second sentence thereof as precedes the proviso and substituting therefor the following: "Whenever the Coast Guard or any units thereof are transferred to the Navy Department, applicable appropriations of the Navy Department shall be available for the expenses thereof: *Provided*, That the applicable appropriations of the Coast Guard shall be available for transfer to the Navy Department for such expenses in such amount or amounts as the Director of the Bureau of the Budget shall determine:"; and by adding the word *"further"* after the word *"Provided"* where it last appears in said section.

(b) The paragraph of the act of August 29, 1916 (39 Stat. 600; U. S. C., title 14, sec. 4), relating to reimbursement of naval appropriations for expenses of the Coast Guard, is hereby repealed.

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this section contains two subsections. The sole purpose of subsection (a) of this is to make naval appropriations available for expenditure for the maintenance and operation of Coast Guard units when such units are operated under the Navy. At the present time, in the existing law there is a provision of that kind but only in time of war.

The situation at present is that certain units of the Coast Guard have been transferred to the Navy, or rather the operation has been transferred to the Navy. There is just as much reason for making this same provision applicable to the existing transfer of units as to transfers in time of war.

Subsection (a) makes the same provision in time of extended national emergency when the Coast Guard units are operating under the Navy.

Subsection (b) repeals a part of the law making reimbursements from the Coast Guard applicable to the Navy as to units operating with the Navy, so long as the units are operating with the Navy. Obviously, that is a necessary amendment to the law.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 7. Section 1 of the act of June 22, 1936 (49 Stat. 1820; U. S. C., Supp. V, title 14, sec. 45), is hereby amended by striking out the proviso at the end of the first sentence thereof and substituting a period for the colon immediately preceding such proviso; and section 4 of said act (U. S. C., Supp. V, title 14, sec. 48), is hereby amended to read as follows:

"SEC. 4. Any officer of the Coast Guard enumerated in section 1 of this act may be designated by the Commandant of the Coast Guard as captain of the port for such port or ports or adjacent navigable waters of the United States as he deems necessary to facilitate execution of the duties prescribed by this act."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the existing law contains a provision which restricts the jurisdiction of the Coast Guard with regard to inland waters to such waters as Chesapeake Bay, Delaware Bay, and similar arms of the sea. This amendment extends the jurisdiction to all inland waters, so that all doubt as to the extent of the Coast Guard authority is removed. The provision is necessary, especially in times of flood and similar disasters so far as enforcement of the law is concerned, and especially in the enforcement of laws relating to explosives—loading and unloading of explosives—anchorages for vessels and other navigation laws applicable to inland waters. The jurisdiction is concurrent and not exclusive. In other words, we have extended the power of the Coast Guard to exercise police control so as to include inland waters other than bays, and this makes certain the power of the Coast Guard to exercise the authority that it should exercise on inland waters. This section removes doubt if any exists.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 8. Section 1 of the act of May 26, 1906 (34 Stat. 200), as amended (U. S. C., Supp. V, title 14, sec. 35), is hereby further amended by substituting the word "four" for "three" in subparagraph (a); by changing the phrase "1, 2, or 3 full years" in subparagraph (b) to "1, 2, 3, or 4 full years"; by deleting subpara-

graph (c); and by adding two new subparagraphs, (c) and (d), reading as follows:

"(c) Under such regulations as the Secretary of the Treasury shall prescribe, an enlisted man may be detained in the Coast Guard beyond the term of his enlistment—

"1. until the first arrival of the vessel on which he is serving at its permanent station, or at a port in a State of the United States or in the District of Columbia;

"2. until the first arrival of an enlisted man attached to a shore station beyond the continental limits of the United States or in Alaska at a port in any State of the United States or in the District of Columbia where his reenlistment or discharge may be effected, or until he can be discharged or reenlisted at his station beyond the continental limits of the United States or in Alaska, whichever is earlier, but in no event to exceed 3 months;

"3. with his consent, while undergoing medical or hospital treatment for injury, sickness, or disease incurred incident to service, until a final determination is made with reference to his eligibility for reenlistment, retirement, or discharge, but in no event to exceed 6 months;

"4. while awaiting disciplinary action or trial and disposition of his case;

"5. for a period of not exceeding 30 days in other cases not specifically covered by this section, when essential to the public interests: *Provided*, That the determination that such detention is essential to the public interests, made in accordance with regulations prescribed by the Secretary of the Treasury, shall be final and conclusive.

"(d) Any person detained in the Coast Guard, as provided in subparagraph (c) of this section, shall be entitled to receive pay and allowances and benefits under the same conditions as though his enlistment period had not expired, and shall be subject in all respects to the laws and regulations for the government of the Coast Guard until his discharge therefrom: *Provided*, That enlisted men detained under the provisions of subparagraph (c) 1 of this section shall be entitled to the pay and allowances provided for enlisted personnel of the Navy detained under similar circumstances: *Provided further*, That pay or allowances shall not accrue for any period beyond the term of enlistment in the case of an enlisted person detained in accordance with subparagraph (c) 4 of this section if the trial results in conviction."

Mr. BLAND. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this section deals with the terms of enlistment. The present terms of enlistment in the Coast Guard are 1, 2, or 3 years. There is nothing compulsory about it. This permits enlistments for 1, 2, 3, or 4 years. It is not mandatory. Discretion is in the Secretary of the Treasury to provide by regulation for from 1 to 4 years. Periods of enlistments are regulated by the possibilities of recruiting. When recruits are available in large numbers it is an advantage to have 4 years, because it reduces the overhead, the expenditure for clothing, recruiting, training, and mileage on discharge. It also puts the Coast Guard service in this respect on a par with the Navy. At the present time, as I have stated, reenlistments are for 3 years, and there is nothing mandatory.

Mr. COLE of New York. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from New York.

Mr. COLE of New York. With regard to reenlistments, I understand this bill authorizes the Secretary of the Treasury to prescribe the rules and regulations. What would be the situation with regard to that portion of the Coast Guard when it is under supervision of the Navy Department? Would the Secretary of the Treasury still exercise control over the reenlistment of the Coast Guard men?

Mr. BLAND. I think so, because the operation would be under the Navy, while the general jurisdiction would be, I think under the Secretary of the Treasury. I may be mistaken, but I think that would be the practical operation of it.

The provisions as to detention of service simply correct a great injustice. This change provides for detention for specific reasons beyond the period of enlistment. Authority exists to detain a man (1) if it is in the interest of the Government, or (2) for disciplinary purposes, or (3) when he is disabled or sick, or (4) when he is undergoing hospital or medical treatment for sickness or injury incurred incident to service, or (5) pending a retirement board; but the Comptroller General has ruled that although the Coast Guard has the authority to detain the man, it has no authority to pay him. The Coast Guard has always paid for the detention of these men until last year, when the Comptroller ruled that the Coast Guard could not do it. I understand that the Navy has introduced a similar bill to correct the situation in the Navy.

Mr. Speaker, this section corrects the injustice as applicable to the Coast Guard. Detention in the interest of the Government can only be for 30 days.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 9 (a) The act of May 27, 1908 (35 Stat. 417), as amended (U. S. C., title 39, sec. 134), is hereby further amended to read as follows:

"Enlisted men of the United States Navy, Marine Corps, or Coast Guard may, upon selection by the Secretary of the Navy in the case of the Navy or Marine Corps, and by the Secretary of the Treasury in the case of the Coast Guard, be designated by the Post Office Department as 'Navy mail clerks' and 'assistant Navy mail clerks' and as 'Coast Guard mail clerks' and 'assistant Coast Guard mail clerks,' who shall be authorized to receive and open all pouches and sacks of mail addressed to naval and Coast Guard vessels, as the case may be, to make proper delivery of such mail, to receive matter for transmission in the mails, to receipt for registered matter (keeping an accurate record thereof), to keep and have for sale an adequate supply of postage stamps, to make up and dispatch mails, and other postal duties as may be authorized by the Postmaster General, all in accordance with such rules and regulations as may be prescribed by the commanding officer of the vessel or of the squadron to which the vessel is attached. Such enlisted men may also be designated as Navy mail clerks and assistant Navy mail clerks and as Coast Guard mail clerks and assistant Coast Guard mail clerks with expeditionary forces on shore or for duty at stations and shore establishments under the Navy Department and the Treasury Department, respectively, where the services of such mail clerks and assistant mail clerks are necessary. Each mail clerk and assistant mail clerk shall take the oath of office prescribed for employees of the Postal Service and shall be amenable in all respects to naval and Coast Guard discipline, as the case may be, except that, as to their duties as such clerks, the commanding officers of the vessels upon which they are stationed shall require them to be governed by the postal laws and regulations of the United States. Whenever necessity arises therefor any assistant mail clerk may be required by the commanding officer of the vessel upon which he is stationed or of the squadron to which said vessel is attached to perform the duties of mail clerk. They shall receive as compensation for such services from the Navy Department or from the Treasury Department, as the case may be, in addition to that paid them of the grade to which they are assigned, such sum in the case of mail clerks not to exceed $500 per annum, and in that of assistant mail clerks not to exceed $300 per annum, as may be determined and allowed by the Navy Department and by the Treasury Department, respectively."

(b) Section 3 of the act of August 24, 1912 (37 Stat. 554; U. S. C., title 39, sec. 135), is hereby amended to read as follows:

"Every Navy mail clerk and assistant Navy mail clerk and every Coast Guard mail clerk and assistant Coast Guard mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk."

Mr. BLAND. Mr. Speaker, section 9 does only this: It provides for a mail clerk for Coast Guard services in remote localities, under exactly the same conditions as are provided for enlisted men of the Navy under similar circumstances.

A man who is detailed and appointed as a mail clerk would receive pay in the amount of $500 additional, but no additional pay will be asked for, as in the few cases where used it will be absorbed in the general appropriations. It will be taken care of in the general appropriations for the Coast Guard.

There are not many cases in which there would be the necessity for a mail clerk. In Alaska and in other remote localities, such as vessels engaged in the ice patrol or in other isolated duties, this would afford an opportunity for the appointment of a mail clerk, and authority would exist then in that appointee to issue money orders, stamps, and so forth, as a second- or third-class postmaster.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Would not this be identical with the authority the Navy now has to designate enlisted men as representatives of the Post Office Department?

Mr. BLAND. Yes; that is true.

The Clerk read as follows:

SEC. 10. The Coast Guard Auxiliary and Reserve Act of 1941 (Public, No. 8, 77th Cong.) is hereby amended as follows:

(1) Section 9. Delete the last sentence and substitute therefor: "Any member performing such service shall, upon authorization by the Commandant, be entitled to actual necessary traveling expense, including subsistence or a per diem in lieu thereof, as prescribed for civilian employees of the Government."

(2) Section 202. Insert a comma after the word "Reserve" in the first line and add the phrase "which shall be a component part of the Coast Guard."

(3) Section 205. Add the following language at the end of said section:

"In time of peace members of the Coast Guard Reserve may, with their consent, be given additional training or other duty either with or without pay, as may be authorized by the Secretary of the Treasury. When authorized training or other duty without pay is performed by members of the Reserve

they may, in the discretion of the Secretary of the Treasury, be furnished with transportation to and from such duty, with subsistence and transfers en route and, during the performance of such duty, be furnished subsistence in kind or commutation thereof at a rate to be fixed from time to time by the Secretary of the Treasury."

(4) Section 206. Delete the first sentence and substitute therefor the following:

"Commissioned officers, chief warrant officers, warrant officers, and enlisted men of the Reserve when engaged on active duty, on active duty while undergoing training, on training duty with pay, or when engaged in authorized travel to or from such duty, shall receive the same pay and allowances as are received by commissioned officers, chief warrant officers, warrant officers, and enlisted men of the Naval Reserve of the same rank, grade, rating, and length of service."

(5) Section 210. Delete the entire section and substitute therefor the following:

"Upon first reporting for active or training duty with pay at a location where uniforms are required to be worn, a commissioned or warrant officer of the Reserve shall be paid a sum not to exceed $100 as reimbursement for the purchase of the required uniforms, and thereafter he shall be paid an additional sum of $50 for the same purpose upon completion of each period of not less than 4 years in the Reserve: *Provided*, That this latter amount of $50 shall not become due any officer until called to active or training duty after the expiration of the previous 4-year period: *Provided further*, That in time of war or national emergency a further sum of $150 for the purchase of required uniforms shall be paid to officers of the Reserve when they first report for active duty: *Provided further*, That the Secretary of the Treasury shall prescribe regulations governing the conditions and requirements under which this allowance shall be payable to temporary members of the Reserve. Enlisted men of the Reserve may be allowed the cost of, or issued such items of uniforms, bedding, and equipment as may be prescribed by the Commandant: *Provided further*, That the value of such allowances or of items so issued to any person during any 3-year period shall not exceed $100: *And provided further*, That notwithstanding the foregoing limitation upon first reporting for active duty, in time of war or national emergency, enlisted men of the Reserve may be issued such additional articles as are required to give them the same outfit as is authorized for enlisted personnel of the regular Coast Guard upon first enlistment."

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the Committee on the Merchant Marine and Fisheries finishes its business the further call of the calendar be dispensed with.

Mr. MAY. Reserving the right to object, Mr. Speaker, do I correctly understand that there will be no objection to the House Committee on Military Affairs, which might get the call, taking up matters under unanimous consent?

Mr. McCORMACK. It is my understanding that the gentleman from Kentucky has some bills to call up by unanimous consent, that the ranking member and the other Republican members of the committee are in agreement on this, and that the leadership on the other side has been consulted. Is that correct?

Mr. ANDREWS. That is correct.

Mr. McCORMACK. It is with that understanding, that the leadership on this side has been consulted and that everything is satisfactory from that angle, that the Chair will recognize the gentleman from Kentucky.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BLAND. Mr. Speaker, the Coast Guard Reserve Act provided that pay and allowances of members of the Coast Guard Reserves should be the same as that of members of the Regular Coast Guard. It was thought that members of the Naval Reserve would receive the same pay and allowance as personnel of the Regular Navy. However, within the past 2 years the Navy has established a separate pay scale for their Reserves, which, while amounting to the same total pay and allowances received, differs in its method of application.

For instance, in the Regular service, a lieutenant, junior grade, goes up in pay grades according to the length of service. In the Naval Reserve the pay of a junior lieutenant is fixed, and it is fixed at a rate which in the Regular service he would receive only if he had been originally appointed in a grade higher than ensign.

This amendment simply puts the Coast Guard Reserve on the same basis as the Naval Reserve. The Coast Guard is finding difficulty in its enlistment of men in the Coast Guard Reserve because the law provides as to the Regular Coast Guard, Navy, and Army, that an enlisted man can draw during his first 4 months' service only $21 a month, regardless of the rating in which he is enlisted, but this restriction does not apply to members of the Naval Reserve; so that there is a considerable handicap in competition with the Naval Reserve, if you may call it that. There is an effort to get men in the Coast Guard Reserve, and the existing law is a very severe handicap on the Coast Guard.

It is desired to take in members in advance ratings, chief petty officers, petty officers first-class, and so forth, in accordance with the experience they have had, but under the existing Coast Guard law they would receive only $21 a month during the first 4 months of service, whereas in the Naval Reserve they would receive the pay of their rating from the time of entering the service. This amendment removes that handicap.

The statement was made before the committee at the time the Selective Service Act was passed that the provision that enlisted men would receive $21 a month was not intended to cover the Reserve. That provision was meant for men who would ordinarily be enlisted as apprentice seamen in the Navy or privates in the Army. However, it has been held by the Comptroller General that the restriction to $21 a month is applicable to all enlisted men in the Regular Service regardless of the rating in which enlisted. The practical effect of this section is to put the Coast Guard Reserve in its enlistments on the same basis as the Navy.

Mr. CULKIN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the minority of the Committee on the Merchant Marine and Fisheries finds itself, as is generally the case, in full concurrence with the majority. This legislation is really needed to cure some administrative bottlenecks and to correct and clarify the existing law. It involves no additional disbursements on the part of the Government.

May I say a word briefly in regard to the Coast Guard. The American people, particularly those inland, know little about the magnificent and continuing services of the Coast Guard both in time of peace and in time of war. The Coast Guard fights the elements 365 days a year. It does not make any difference whether the wind is blowing with hurricane force or is a mild zephyr, the Coast Guard is on the job. Its commissioned personnel and enlisted personnel are on all fours with those of the Navy in ability and character. The esprit de corps of the Coast Guard is ever at a high pitch.

America is to be congratulated upon having this force which has written a history of heroism down through the years, reaching into life savings of over 40,000 lives rescued from watery graves last year, the ice patrol reaching up into the Arctic regions and making the North Atlantic safe for those who go down to the sea in ships; not a life has been lost by reason of collision with icebergs in many years. The Coast Guard story is a story of brave men and unqualified heroism. This legislation is needed to clarify their status, and the minority of the committee heartily concurs in it.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BLAND rose.

Mr. HENDRICKS. Mr. Speaker, will the gentleman yield for the purpose of my submitting a unanimous consent request?

Mr. BLAND. I yield.

PERMISSION TO ADDRESS THE HOUSE

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I remember that Jimmy Walker once said, "I never argue with a newspaperman because he goes to press too often." I never argue with the press, but there are times when I feel that it is quite proper to counteract the viciousness of certain columnists. Mr. Westbrock Pegler writes a column which was carried by the Washington Post Sunday, May 18, which is headed with the title, "Fair Enough." This title is ironical in view of the substance of the column. Mr. Pegler takes occasion to discuss an instance of mob violence occurring recently in west Florida and in his article he indicts Florida as being an adolescent, irresponsible, and thus far incorrigible State, and at the same time he conveys the impression that he thinks the natives of Florida are moral degenerates and morons.

I do not for one moment attempt to justify the acts of mob violence discussed, but I do say that this attack on my State is ungentlemanly, untruthful, without foundation, and unworthy of a man

whose thoughts are printed in the newspapers. [Applause.]

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an excerpt from one of the local papers.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

VESSELS FOR STATE NAUTICAL SCHOOLS

Mr. BLAND. Mr. Speaker, by authority of the Committee on the Merchant Marine and Fisheries I call up the joint resolution (H. J. Res. 139) to provide suitable vessels for the use of certain State nautical schools, and for other purposes, and ask unanimous consent that the joint resolution may be considered in the House as in Committee of the Whole.

There being no objection, the Clerk read the bill, as follows:

Resolved, etc., That in the administration of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended (U. S. C., 1934 ed., title 34, secs. 1121 to 1123), the United States Maritime Commission may repair or recondition, equip, and furnish to any State maintaining a marine school or a nautical branch under such act, a suitable vessel owned or acquired by the Commission or otherwise available for disposition hereunder. Any department or agency of the United States is hereby authorized, notwithstanding any other provision of law, to supply to the Commission for disposition hereunder any suitable vessel which can be spared without detriment to the service to which such vessel has been assigned. All vessels furnished to States for the use of such schools shall be and remain the property of the United States, and shall be maintained in good repair by the Commission.

SEC. 2. The Maritime Commission is authorized, from any moneys hereafter appropriated or made available to the Commission, to provide for the construction, by contract or otherwise, in accordance with plans and specifications prepared by the Commission and approved by the Secretary of the Navy, of not more than four suitable vessels with modern equipment and instruments to replace vessels otherwise furnished to States which are maintaining schools under such act at the time of enactment of this joint resolution.

SEC. 3. The maximum amount authorized to be appropriated for any one marine school or nautical branch by section 2 of such act of March 4, 1911, as amended, is hereby increased from $25,000 to $50,000. Each marine school or nautical branch thereof, as a condition to receiving any portion of the monetary aid authorized by said section 2, or the use of any vessel authorized by this joint resolution, shall under appropriate authority agree to conform to such standards in regard to students' entrance requirements, the staff of instructors, and courses of and facilities for training as the Maritime Commission shall prescribe. Each marine school or nautical branch thereof, as a condition to receiving any portion of such monetary aid in excess of $25,000, shall under appropriate authority agree to admit to such school students resident in other States upon such terms and in such numbers as the Commission shall prescribe.

SEC. 4. The Maritime Commission is authorized to prescribe such rules and regulations as may be necessary or appropriate in the administration of this joint resolution and such act of March 4, 1911, as amended.

With the following committee amendments:

Page 2, line 25, after the word "such", insert the word "minimum."

Page 3, line 3, after the word "shall", strike out the word "prescribe" and insert in lieu thereof the word "approve."

Page 3, line 9, after the word "prescribe", insert *"Provided,* That the per capita cost of students designated by the Maritime Commission for admission to such school shall be paid from the Federal funds authorized in said section 2 and that the total number of such students shall not exceed one-third of the student capacity of such school."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING THE USE OF NARCOTICS ON AMERICAN VESSELS ON THE HIGH SEAS

Mr. BLAND. Mr. Speaker, by authority of the Committee on the Merchant Marine and Fisheries, I call up the bill (H. R. 4258) to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) subject to such exceptions as the Secretary of Commerce may by rules and regulations prescribe, whoever brings on board, or has in his possession or control on board, any vessel of the United States any narcotic drug not constituting a part of the cargo entered in the manifest or part of the ship stores, shall be fined not more than $——— or be imprisoned for not more than ———, or both.

(b) As used in subsection (a) "narcotic drug" means any narcotic drug as now or hereafter defined by the Narcotic Drugs Import and Export Act, the internal-revenue laws or any amendments thereof, or the regulations issued thereunder, or marihuana as now or hereafter defined by the Marihuana Tax Act of 1937 or the regulations issued thereunder.

SEC. 2. This act shall take effect ——— after the date of its enactment.

With the following committee amendments:

Page 1, lines 3 and 4, strike out the words "subject to such exceptions as the Secretary of Commerce may by rules and regulations prescribe."

Page 1, line 8, insert after the dollar sign the figures "5,000."

Page 1, line 9, after the word "than", insert the following: "5 years."

Page 1, line 12, beginning with the word "the", strike out the remainder of section 1 and insert the following: "or any substance in respect of which a tax is imposed pursuant to chapter 23 of the Internal Revenue Code, as amended, or pursuant to any regulations thereunder."

Page 2, line 5, after the word "effect", insert the words "thirty days."

The committee amendments were agreed to.

Mr. BLAND. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: On page 1, line 6, after the words "United States", insert a comma and the following: "while engaged on a foreign voyage."

Mr. BLAND. Mr. Speaker, the purpose of this amendment is to carry out the original intent of the committee when reporting the bill. It was intended then that the bill should be applicable to a foreign voyage and when the vessel should be outside of the territorial waters of the United States. There is ample law to deal with this problem of narcotics when the vessel is within the territorial waters of the United States. It was shown that if the narcotic—say, marihuana—was brought on board and was not on the manifest, but was disposed of outside of the territorial waters, then there was no law to deal with it. This makes it possible to protect against that situation.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. COLE of New York. When this bill was before the House on Monday on the Consent Calendar, I raised the question that since it makes a criminal offense the mere possession of narcotics aboard an American vessel, an innocent person would be subject to a penalty, because the legality of having the narcotic in his possession is not an element of the crime but the mere possession of it constitutes a criminal offense.

Mr. CULKIN. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. CULKIN. May I say to the chairman that this matter came up on the Consent Calendar, and the gentleman from New York [Mr. COLE] spoke about the necessity for some amendment. I was strongly in sympathy with it. I have thought out this amendment, that it should not apply to a narcotic drug carried pursuant to a duly registered physician's prescription, and I shall offer it at the proper time. I think that is a sane provision.

Mr. COLE of New York. Mr. Speaker, since our discussion of the subject matter on Monday, I have had occasion to discuss it with officials of the Treasury Department, and they advise that much of the abuse of the narcotic traffic has come from persons who had prescriptions from licensed physicians. So I am a bit fearful that the amendment about to be offered by the gentleman from New York [Mr. CULKIN], without further modification, would not achieve the objectives sought by this measure.

Mr. BLAND. Mr. Speaker, when the gentleman spoke to me about the amendment on Monday I concurred in his view that it had some merit. I took the matter up with those charged with the administration of the narcotic law, and then, referring to other conditions in which sometimes prescriptions have been given, I came to the conclusion that the suggested amendment would be unwise and unsafe. I found this to be the case. I brought to the attention of those

charged with the responsibility of enforcing the law the fact that the gentleman from New York was considering an amendment of that kind, and I received from them the following information:

It is understood that an amendment has been suggested to H. R. 4258 which would permit persons to bring narcotics on board vessels of the United States for personal use if such narcotics have been lawfully secured pursuant to prescription in the United States or elsewhere.

The Treasury Department officers who deal with narcotic matters feel that such an amendment would serve as a loophole which would be available to narcotics smugglers. Thus, for example, if the amendment were adopted, a smuggler might secure a prescription for a considerable amount of narcotics from some South American doctor and have it filled by a druggist in the same country under the pretext that he needed it for personal treatment for, let us say, cancer or angina pectoris. He could then bring it in and dispose of it in this country at a handsome profit. It should be observed in this connection that an ounce of morphine or heroin is a large quantity. An ounce of heroin, for example, is worth about $2,000 in the dope traffic in this country, or almost 60 times as much as an ounce of gold.

Existing law (the Narcotic Drugs Import and Export Act of 1909, as amended) prohibits the importation or bringing of narcotic drugs into this country under criminal penalties, except as part of legitimate ship's stores or duly manifested as part of the cargo and imported pursuant to required import and export permits. If a passenger coming into New York today should bring in pills or other medical preparations containing narcotics for his personal use, they would be confiscated under existing law. Similarly, if a physician returning from Europe should bring in narcotics in his satchel or should even go to Canada or Mexico with narcotics in his bag and return with the same narcotics, they would be subject to confiscation under existing law.

Passengers, including doctors, who thus bring medical preparations into the United States containing any narcotic drugs whatever are today technically liable to a fine of not more than $5,000 and imprisonment for not more than 10 years under the Narcotic Drugs Import and Export Act of 1909, as amended. It has not, however, ever been the practice or policy of the Treasury Department or the Department of Justice to prosecute such persons if the attendant circumstances indicate that their conduct was innocent, or to do anything more in such cases than to confiscate the narcotic drugs involved.

The present proposed amendment, therefore, would create an exemption in the new law which does not exist in the present law.

Even if this country should authorize persons to bring narcotics on American vessels for their personal use, it could not change the treatment which other countries accord to such activities. The following instance is an example: A few years ago an American physician accompanied a sick woman to Baden-Baden, Germany. He took along the necessary narcotic drugs with which to treat her on the voyage. When they arrived in England the English authorities confiscated all his narcotics under English law and would not even let him have the necessary narcotic pills with which to treat her on the train ride to London where he could secure more drugs.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. BLAND. Yes.

Mr. ANDREWS. Referring to the bill under consideration, and to the remarks of the gentleman from New York [Mr. CULKIN] and the gentleman from New York [Mr. COLE], what would the chairman think of the insertion of the word "knowingly" on page 1, after the word "has", in line 5?

Mr. BLAND. Mr. Speaker, I am afraid that such an amendment would still involve difficulties. This is one of the hardest problems to deal with that we have, and it would be difficult to prove whether the man knowingly had it in his possession or not. If the Government is required to prove that he knowingly has it, the answer is always going to be made on the part of the seaman or other person that somebody stuck it in his pocket, and in view of the delicate situation here, dealing with a problem of this kind, I would hope that amendments which need to be considered with a great deal of care would not be attached to the bill at this time. If there is any merit in them, let us consider them in the Senate.

Mr. COLE of New York. Mr. Speaker, in view of the communication which the gentleman has read from the officials of the Treasury Department, that it has not been the practice of the Government to prosecute innocent violation of the criminal law in regard to narcotics, and in view of his assurance that that practice will continue and will apply to the operation of this act, my interest in the matter is satisfied.

My interest is simply that an innocent person who takes aboard ship narcotics for the purpose of his own health should not be prosecuted, even though technically he is in violation of the law.

Mr. BLAND. Of course, the gentleman realizes that while I give assurance as far as I can, it is very difficult to look into the future. That is the intent. That is what would be my desire. What would be the result I do not know.

Mr. CULKIN. May I get the chairman's reaction to such an amendment as this: I think the ghost is laid as far as the Treasury is concerned, but it does not cure the possible intervening blackmail. I was going to suggest something like this: On page 1, line 8:

Not having been previously prescribed by a duly registered physician in usable doses currently necessary for the health of a patient.

Mr. BLAND. I am afraid that would offer too many loopholes.

Mr. CULKIN. In our public service we have our share of administrative brass hats. The more limited a man's authority, the more vigorous he is to assert authority.

Mr. BLAND. That is frequently true.

Mr. CULKIN. In other words, with this type of public servant the citizen is something to war with. It seems to me that in a case like this we ought to write some protection into the law on this phase of the practice. That is, the prescription must be written by a duly registered physician, and he can only prescribe for a particular patient in current doses that are needed for the health of the patient.

Mr. BLAND. I am afraid cases may arise in which some very large doses will be required.

Mr. CULKIN. I am thinking in terms of the citizen who goes abroad.

[Here the gavel fell.]

Mr. BLAND. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. May I bring attention to one thing that I had not touched on, and then I will come to the gentleman's suggestion.

Every vessel, large or small, carries narcotic drugs as part of its ship's stores. On passenger vessels, of coure, there are ships' doctors who issue these drugs to passengers when needed. On freighters the master is authorized to obtain narcotic drugs for ship's stores and issue them to crews or passengers. It would appear, therefore, that there is no occasion for any passenger or member of a crew to bring narcotic drugs on board a vessel of the United States for his personal use. To permit such a course of action would open the door to persons who would be only too happy to avail themselves of this loophole in the law to engage in illicit practice.

Mr. CULKIN. The gentleman has met these physicians on board ship, and he knows about them. Suppose somebody who is suffering from a painful cancer goes aboard and he has lost his supply of the necessary morphine or whatever it may be, can the gentleman conceive the situation he would be in in trying to deal with this doctor to get some of that needed narcotic? He would have to get an order from the President of the United States. I cannot see why my amendment is not desirable. I think the original contention of the gentleman from New York [Mr. COLE] is sound. I think it will prevent intervening blackmail. At least we are now able to write a record as to what we mean by this law.

I offer the amendment, Mr. Speaker.

The SPEAKER pro tempore. There is an amendment pending. No other amendment is in order at this time.

The question is on the amendment offered by the gentleman from Virginia [Mr. BLAND].

The amendment was agreed to.

Mr. CULKIN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CULKIN: On page 1, in line 8, after the word "stores", insert "not having been previously prescribed by a duly registered physician in usable doses currently necessary for the health of a patient."

Mr. CULKIN. Mr. Speaker, that limits it to the minimum, it seems to me. I am not going to discuss it further.

Mr. BLAND. Mr. Speaker, I hope the amendment will be defeated. The very language of the amendment, "in usable doses"—I am afraid we might find some men taking very large doses. There is opportunity to get the narcotics from the ship's stores. This is one of the most dangerous conditions that exists. The reason for this bill is not only to prevent passengers, crews of ships, and others from bringing narcotics in, but primarily to prevent possession and use on shipboard, where the use endangers discipline and threatens the safety of ship, passengers, crew, and cargo. The law seems

to be ample after the territorial waters are reached.

Mr. OLIVER. Will the gentleman yield?

Mr. BLAND. I yield.

Mr. OLIVER. Can the gentleman advise the House as to the existing law with respect to ships in territorial waters, as to whether or not there is a similar provision affecting individuals found with narcotics in their possession?

Mr. BLAND. I cannot state definitely, but it is my information that there is ample law today for protection against narcotics within territorial waters.

Mr. OLIVER. Is it made a criminal offense by existing law for anyone to have narcotics in his possesion aboard ship?

Mr. BLAND. I believe so. The information that came to us is that there was a hiatus in the law. A case was cited to the effect that a seaman could have narcotics in his possession on the high seas and outside the territorial waters of the United States. He could come up almost to the territorial waters of the United States, and then put the narcotics on the manifest, or he could dispose previously of the narcotics by use or in some other manner. The district attorney said there could be no prosecution if the narcotics had been put on the manifest or if disposed of previously. There could not be a prosecution for possession outside the territorial waters of the United States or for bringing on board. This opens the door to a land-office business. I believe there are Members present in the House—lawyers who have had experience with the law—I am not so sure but that the gentleman from Pennsylvania [Mr. GRAHAM] may have prosecuted cases under existing law, though probably not as to narcotics on shipboard. I believe there are Members who can state from personal experience as prosecuting attorneys that this is a correct statement of the law.

Mr. GRAHAM. Mr. Speaker, if the gentleman will yield, I may say that his interpretation of the law is absolutely correct.

Mr. McINTYRE. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. McINTYRE. The gentleman objects to the word "dosage." The amendment provides that it must be prescribed by a physician. Would not this leave the size of the dose within the discretion of the physician?

Mr. BLAND. It most assuredly would, and there is likely to be a wide variance in the size of dose prescribed by different physicians. I fear it would leave a loophole.

I hope the amendment will be defeated. If there is a necessity for such an amendment, I hope it will be considered in the Senate.

Mr. CULKIN. The gentleman now gives the House the assurance—the unqualified assurance as I understand it—that this law will not be abused against those who are legally in possession of narcotics obtained on a physician's prescription; that they will not be prosecuted because of that possession?

Mr. BLAND. I am afraid such an assurance would be limited by the court's interpretation of existing law.

Mr. CULKIN. If the gentleman will give me that assurance I will withdraw the amendment. I will trade with him right here and now.

Mr. BLAND. I assure the gentleman that would be my interpretation and my desire, but I could give no assurance as to what would be done by the law-enforcement agencies of the Government.

Mr. CULKIN. I believe the matter may be ironed out in conference much more effectually. I think this amendment should be included in the bill in order to protect that part of the public that may be so terribly afflicted that they need medicine containing narcotics. I am otherwise strongly in sympathy with the purpose of the bill.

[Here the gavel fell.]

The SPEAKER. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BLAND. Mr. Speaker, that concludes the business from the Committee on the Merchant Marine and Fisheries.

The SPEAKER. The Chair understands that this completes the call of the calendar for today.

TRANSFUSION OF BLOOD

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4293) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act relating to the transfusion of blood by members of the Military Establishment," approved February 9, 1927, as amended by the act of June 2, 1939 (U. S. C., title 24, sec. 30), is hereby further amended to read as follows: "That any person, whether or not in the employ of the United States, who shall furnish blood from his or her veins for transfusion into the veins of a person entitled to and undergoing treatment at Government expense, whether in a Federal hospital or institution or in a civilian hospital or institution, or who shall furnish blood for blood banks or for other scientific and research purposes, shall be entitled to be paid therefor such reasonable sum, not to exceed $50, for each blood withdrawal as may be determined by the head of the department or independent agency concerned, from public funds available to such department or independent agency for medical and hospital supplies: *Provided*, That no payment shall be made under this authority to any person for blood withdrawn for the benefit of the person from whom it is withdrawn: *And provided further*, That expenditures heretofore made to any person, whether or not in the employ of the Government, for blood furnished from his or her body for any of the purposes described in that part of this enactment preceding the first proviso are hereby authorized and validated."

Mr. MAY. Mr. Speaker, I move to strike out the last word for the purpose of explaining the bill.

The bill merely provides for payment at the same price to people other than those employed by the Federal Government. It enables the Government to procure blood for transfusion purposes, and in addition to that for scientific purposes.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. ANDREWS. I would like to find out whether there will be additional cost to the Government under the provisions of this measure.

Mr. MAY. I do not see why there would be any more cost.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 2 OF THE ACT OF APRIL 3, 1939

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4443) to amend section 2 of the act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of April 3, 1939 (53 Stat. 556), is hereby amended to read as follows:

"SEC. 2. When the facilities of the Army for instruction and training in aviation are deemed by the Secretary of War to be insufficient he may, under such regulations as he may prescribe, and without reference to any limitation contained in section 127a of the National Defense Act, as amended (10 U. S. C. 535), detail personnel of the Army of the United States as students of any technical, professional, or other educational institution, or as students, observers, or investigators at such industrial plants or other places as shall be best suited to enable such personnel to acquire a knowledge of or experience in the specialties incident to aviation in which the training of such personnel is essential: *Provided*, That no expense shall be incurred by the United States in addition to the authorized emoluments of the personnel so detailed except for the cost of tuition at such educational institutions, and the cost of maintenance of necessary personnel who may be detailed as supervisors or inspectors and of the equipment assigned to them for their official use: *Provided further*, That the tuition for the personnel during the period of their detail may be paid from any funds which may hereafter be made available for the procurement branches."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED PAY FOR CERTAIN MILITARY PERSONNEL WHILE ENGAGED ON PARACHUTE DUTY

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4031) to provide increased pay for certain military personnel while engaged on parachute duty.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MAY. The purpose of the bill, H. R. 4031, the bill under consideration, is to authorize increased pay for certain officers and warrant officers who are not on flying pay status while such personnel are assigned to parachute units and engaged on parachute duty requiring parachute jumping as an essential part of their military duty. It simply increases the monthly pay of those who are now being paid $60 a month to $100 a month when they are engaged in this hazardous business of jumping from planes in practice in making preparation for parachute activities in case of military necessity

Mr. RICH. If we are trying to build up our national-defense program for the defense of this country why should we send any parachutists to land on foreign soil? We do not want to get these parachutists on foreign soil. We want to keep them here in this country. If we are honestly interested in our own national defense and are not so much interested in trying to promote a war in Europe, I sometimes wonder whether we need these parachute jumpers.

Mr. MAY. For the reason that your Military Affairs Committee, including its chairman, has been unable to determine just where parachute duty may be required, and in view of the situation that exists throughout the world today we just simply are trying to make arrangements to be prepared to meet it in the event we do have to meet the situation, wherever and whenever it may come.

Mr. RICH. I think it is wise to pay these men additional for this hazardous duty. I think that is a fine thing because I do not know anybody who would want to jump out of a plane in a parachute for $100 a month.

Mr. MAY. I would not want to, if I could help it.

Mr. RICH. But when it comes to training these men, the point that I am trying to make is that if we are interested solely in national defense, may I ask the gentleman, who has charge of the Military Affairs Committee, where he is going to let these fellows come down? I hope they never come down in Europe and I hope they do not come down in Asia. I hope they stay in America where they belong.

Mr. MAY. I think the gentleman agrees with me we ought to have them well trained so that if they have to jump, wherever it may be, either in war or in peace, they can come down safely; I have been close to jumping a few times myself and that is not very attractive.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Can the gentleman tell us how the compensation of these parachutists, after they get this increase, will compare with the average worker in industrial pursuits engaged in defense programs?

Mr. MAY. I think the gentleman knows that they are being increased from $60 a month to $100 a month.

Mr. HOFFMAN. The gentleman stated $100 per month?

Mr. MAY. That is the maximum, $100 a month.

Mr. HOFFMAN. But these men who are engaged in factories are getting $100 a week in some cases.

Mr. MAY. I understand that, but we do not have control over them.

Mr. HOFFMAN. Are you ever going to try to get the compensation of these men in this hazardous occupation, who are away from their homes somewhere, parallel with the compensation of the boys in the factories?

Mr. MAY. We have another bill that will come up next which provides adequate insurance protection for them while they are doing this jumping and training, and as far as compensation is concerned, I would like to see it trebled.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, will the chairman of the Military Affairs Committee advise me whether or not he has any objection to substituting the Senate bill for the House bill?

Mr. MAY. That is what I propose to do when the proper time comes.

Mr. VAN ZANDT. We understand that the base rate of pay of the enlisted men will be $50 a month?

Mr. MAY. Instead of $21.

Mr. VAN ZANDT. Instead of the specialist rating.

Mr. MAY. This is a $50 a month increase.

Mr. VAN ZANDT. Additional pay at the rate of $50 a month?

Mr. MAY. That is right.

Mr. VAN ZANDT. The gentleman will substitute the Senate bill?

Mr. MAY. That is right. I propose to substitute the Senate bill for the House bill.

Mr. BOREN. Mr. Speaker, reserving the right to object, I want to clarify that point a little. I want to be sure that there is no discrimination in the increase as between officers and enlisted men. Everybody engaged in this business, whether officer or enlisted man, is going to be proportionately increased?

Mr. MAY. We are providing for the enlisted man who is not now provided for.

Mr. RICH. I realize it is no more than right to make these increases so far as the service men are concerned, but how are you going to get the taxpayers to support all of these increases and how are you going to keep this Nation from going into bankruptcy?

Mr. MAY. We know of a good many good ones, including one very excellent gentleman from Pennsylvania, who we think will pay a reasonable tax on anything he is getting without complaining.

Mr. RICH. I am going to vote for any tax bill you bring in here, but I am wondering what business judgment this administration is going to show in connection with the solution of this problem, because I heard one of the biggest men in the Democratic Party say yesterday, "We are going to print the money." You know that means bankruptcy just as sure as the world is round and it means a revolution almost when you start it.

Mr. MAY. I think the gentleman knows I am opposed to that. I think we ought to work for and earn what money we get, and I am certainly opposed to any scheme for printing-press money.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to substitute the Senate bill, S. 1063, to provide increased pay for certain military personnel while engaged on parachute duty, for the House bill, H. R. 4031.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That hereafter any officer, warrant officer, or enlisted man of the Army, Navy, or Marine Corps of the United States not in flying-pay status who is assigned or attached as a member of a parachute unit, including parachute-jumping schools, and for whom parachute jumping is an essential part of his military duty and who, under such regulations as may be prescribed by the Secretary of War or the Secretary of the Navy, has received a rating as a parachutist or is undergoing training for such a rating shall receive, while engaged upon duty designated by the head of the department concerned as parachute duty, additional pay at the rate of $100 per month in the case of any such officer or warrant officer, and additional pay at the rate of $50 per month in the case of any such enlisted man.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4031) was laid on the table.

TRAINING OF ENLISTED MEN OF THE ARMY AS AVIATION STUDENTS

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4449) to authorize the training of enlisted men of the Army as aviation students.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to substitute the bill S. 1371 for the bill H. R. 4449.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. RICH. Reserving the right to object, Mr. Speaker, will the gentleman explain the difference between the Senate bill and the House bill?

Mr. MAY. The only difference is that in the House bill we allowed these flying

cadets while engaged in practice Government insurance in the amount of $5,000 in case of death. The Senate bill raises that to $10,000. I prefer the $10,000 to the $5,000. That is the only difference.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such regulations as he may prescribe, to cause the detail of enlisted men of the Regular Army and of other components of the Army of the United States in active Federal service for training and instruction as aviation students, in their respective grades, in such numbers and schools as he shall direct: *Provided*, That enlisted men so detailed as aviation students who are undergoing courses of instruction which require them to participate regularly and frequently in aerial flights shall be issued Government life insurance in the amount of $10,000 under the National Service Life Insurance Act of 1940 (Public, No. 801, title VI, pt. 1), except that the premiums shall be paid by the Government during the period such enlisted men are undergoing training and instruction, and upon completion of training and instruction as aviation students they shall have the option of continuing such policies at their own expense: *And provided further*, That nothing herein shall be construed as repealing or otherwise affecting existing statutory authorizations for the appointment and training of aviation students or aviation cadets.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4449) was laid on the table.

CREATING THE GRADE OF AVIATION CADET IN THE AIR CORPS

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 840) to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the grade of aviation cadet is hereby created as a special and separate enlisted grade in the Air Corps, Regular Army, in substitution for the grade of flying cadet, created by the act approved July 11, 1919, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1920, and for other purposes." Wherever, in any act of Congress, the designation "flying cadet" shall appear, it shall be construed to mean aviation cadet.

SEC. 2. The Secretary of War is hereby authorized and directed to establish and maintain one or more schools for the training and instruction of aviation cadets.

SEC. 3. Under such regulations as the Secretary of War may prescribe, male citizens of the United States may enlist as aviation cadets, and enlisted men in the Regular Army may be appointed by the Secretary of War as aviation cadets. Each aviation cadet shall, at the time of his enlistment or appointment as such, be required to sign an agreement that upon his successful completion of the prescribed course of training and instruction as an aviation cadet he will accept a commission as second lieutenant, Air Corps Reserve, and will serve as such for a continuous period of 3 years on active duty, unless sooner released: *Provided*, That in the case of a minor, such agreement shall be signed with the consent of his parents or guardian. Upon the successful completion of such prescribed course of training and instruction, each aviation cadet shall be commissioned as a second lieutenant, Air Corps Reserve, and upon the completion of such period of 3 years on active duty each such second lieutenant shall be promoted to the grade of first lieutenant, Air Corps Reserve. The Secretary of War may at any time discharge any aviation cadet or release from active duty any such officer in the Air Corps Reserve.

SEC. 4. The base pay of any aviation cadet shall be $75 per month, which pay shall include extra pay for flying risk, as provided by law. Aviation cadets shall be paid, in addition, a money allowance for subsistence of $1 per day and shall, while undergoing training, be furnished quarters, medical care, and hospitalization, and shall be issued uniforms, clothing, and equipment at Government expense. No aviation cadet shall be entitled to receive longevity pay. While traveling under orders, they shall, under such regulations as the Secretary of War may prescribe, receive transportation and reimbursement for necessary expenses incurred which are incident to such travel, or cash in lieu thereof. When traveling by air under competent orders, they shall receive the same allowances for traveling expenses as are now or may hereafter be authorized by law for officers of the Army. When commissioned as second lieutenants, Air Corps Reserve, pursuant to this act, they shall be paid a uniform allowance of $150.

SEC. 5. Aviation cadets shall be issued Government life insurance in the amount of $10,000, the premiums on which shall be paid by the Government. Upon being commissioned as second lieutenants, Air Corps Reserve, they shall have the option of continuing such policies at their own expense.

SEC. 6. Section 2 of the act of June 16, 1936 (49 Stat, 1524), as amended, is hereby amended to read as follows:

"SEC. 2. Whenever any Air Corps Reserve officer who has not been selected for commission in the Regular Army is released from active duty that has been continuous for 1 or more years, he shall be paid a lump sum of $500 for each complete year of active service as such officer, and if released from active duty otherwise than upon his own request, or as a result of inefficient or unsatisfactory service as determined by the Secretary of War, such lump-sum payment shall be prorated for fractional parts of each year of such active service. The lump-sum payments herein authorized shall be in addition to any pay, allowances, compensation, or benefits which such officers may otherwise be entitled to receive."

SEC. 7. All laws and parts of laws inconsistent with or in conflict with the provisions of this act are hereby repealed.

SEC. 8. This act may be cited as the "Army Aviation Cadet Act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISCHARGE OR RETIREMENT OF ENLISTED MEN OF THE REGULAR ARMY AND OF THE PHILIPPINE SCOUTS IN CERTAIN CASES

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2277) to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, may I ask the gentleman if this is the bill that has been on the Consent Calendar for some time?

Mr. MAY. It is.

Mr. COLE of New York. Then I object, Mr. Speaker.

Mr. MAY. The Senate passed a similar bill with a slight amendment. I hope the gentleman will withdraw his objection.

Mr. COLE of New York. May I say that my reason for making the objection is that, as I understand, there are some amendments which Members of the House have indicated they desire to place in the measure. Not knowing that the bill was coming up for consideration this afternoon, they are not here to offer the amendments. That is my reason for entering the objection.

USE OF CERTAIN LANDS FOR MILITARY PURPOSES

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2670) to authorize the use of certain lands for military purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Atlanta National Guard Target Range, Georgia, comprising 134.2 acres of land, being no longer required for National Guard purposes, is hereby incorporated in and made a part of the Fort McPherson Military Reservation, Ga.

SEC. 2. That the tract of land, comprising thirty-six one-hundredths of an acre, with dwelling house thereon, adjacent to the Fort Du Pont Military Reservation, Del., heretofore acquired as a part of the Chesapeake & Delaware Canal property, being no longer required for that purpose, is hereby incorporated in and made a part of the Fort Du Pont Military Reservation, Del.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OVERTIME RATES OF COMPENSATION FOR CERTAIN EMPLOYEES OF THE GOVERNMENT

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4739) authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, I understand there is a bill of a similar nature affecting the Navy, the War Department, and the Coast Guard, providing for overtime payment to clerical employees and that application has been made for a rule. Under these circumstances, it would seem best that the procedure to apply for a rule should be followed out, and this bill should not be passed by unanimous consent.

Mr. ANDREWS. Mr. Speaker, will the gentleman reserve his objection?

Mr. COLE of New York. Yes.

Mr. ANDREWS. May I point out that this is one of the most important bills, from the standpoint of proper operation of production, that there is before the Congress today? All private industries throughout the country have arranged for their employees to forego their vacations this summer to work on the national-defense program. It makes a very sorry picture from the standpoint of the War Department and the O. P. M. to have Government arsenals not on the same basis as private industry, as a matter of example.

Mr. COLE of New York. This bill goes much further than simply permitting a person to work during his earned vacation and receive pay for work during the period of the vacation. I am advised that it also provides overtime pay for stenographers, clerks, and filing clerks who work in the field.

Mr. ANDREWS. It provides overtime for persons who may be working in place of taking their vacations, which is entirely proper, exactly the same as private industry has arranged to do. I do not believe the gentleman understands the situation.

Mr. COLE of New York. It is, of course, possible that I may be misinformed on the matter, but, as I understand it, the measure provides for time and one-half payment for overtime work in the group of stenographic and clerical employees. If this is so, I feel that it is wrong to establish by unanimous-consent procedure the precedent of time and one-half pay for overtime work for this class of Federal employees. It may be that there are certain groups of employees whose overtime services are necessary to the defense program because of the peculiar nature of their skill, but I am advised that this measure goes further than just that type of employee.

So far as the vacation element of the bill is concerned, a year ago the Congress authorized the personnel in the Navy Department to work during their vacations and to receive double pay for it, providing the Secretary of the Navy issue an order stating that their work was necessary to the national defense. Up to this time that authority has never been exercised by the Navy Department. Now, I understand that this bill, instead of making it permissive with the head of the department, makes it mandatory that if anybody wants to work instead of taking his vacation, he shall have the right to work and get his pay also.

Mr. ANDREWS. May I point out that the Committee on Naval Affairs have a bill taking care of the Navy Department and the Coast Guard exactly the way they want it. I see no reason why a member of the Committee on Naval Affairs should attempt to slide their own bill on a bill from the Committee on Military Affairs.

Mr. COLE of New York. I am not attempting to do that at all. There is a bill for the consideration of which application for rule has been made. Since it apparently covers the same subject matter as this, and, obviously, from our discussion, it is something that the membership does not understand entirely, I feel that it is wrong to pass it by unanimous consent. Therefore, Mr. Speaker, I object.

ADVERTISEMENTS FOR BIDS FOR QUARTERMASTER SUPPLIES FOR THE ARMY

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 55) to repeal section 3716 of the Revised Statutes, as amended.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That section 3716 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 10, sec. 1202), which relates to advertisements for bids for quartermaster supplies for the Army, is hereby repealed.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MAY. That is all I have for the present, Mr. Speaker.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

Mr. DICKSTEIN. Mr. Speaker, I rise to take the few minutes allotted to me for a discussion of a very serious problem, namely, the discrimination practiced within Government agencies against people because of their race and creed. My own State, through our great Governor Lehman, was compelled to appoint a committee on discrimination in employment in that State, and I have no doubt that such discrimination exists in other States as well as in the District of Columbia. According to newspaper accounts, this is also true of employment practices which have been reported in connection with Government defense contracts.

It was revealed today that a program is being inaugurated by the State industrial commission of my State, and that Freida S. Miller was made chairman of such a committee. Miss Miller, in a statement to the press, disclosed that the committee will concentrate on important problems raised by the defense emergency in the belief that a solution ought to be found for them if we are going to be united in a defense program. She also says that we are particularly concerned with two forms of discrimination which are common in this country today. One is based upon nationality or country of origin, the other on racial and religious distinction. The first bars from defense employment many citizens of Italian and German extraction, even though they have unquestionably proven their loyalty to these United States. The second makes it difficult for thousands of qualified Americans to secure jobs in the plants which are rearming our Nation. Both are contributing toward disunity at a time when the common objective and national unity must be paramount.

Mr. Speaker, I have on my desk, as I have no doubt other Members of Congress have, similar complaints by the dozens. There is discrimination as to employment against naturalized citizens who have been here for many years just because at one time or another their father or forefathers came from Axis countries. Thousands of qualified Negroes find it impossible to secure positions because of discrimination against their race. Thus loyal citizens of the United States are prevented by reason of such discrimination from adding their efforts to the program of our national defense. This disunity gives aid and comfort to the enemies of the United States and causes the world at large to believe that there is no unity among our people in the matter of national defense.

Discrimination because of race or creed does not belong in a democracy. Discrimination against any American who seeks to help his government in developing a 100-percent defense program should not be tolerated by our Government; especially when it means depriving law-abiding citizens of an opportunity of working and earning a living. One case has been called to my attention of two boys who volunteered for the draft and were accepted. At the same time their older brother, who was supporting his family, applied for a job, and despite the fact that he is a good, loyal American, he was deprived of work because of racial discrimination. This is exactly what Hitler wants to create in this country—disunity, intolerance, and race hatred so that we may not be able to carry out our defense program and to present a united people if and when our democratic way of life is threatened.

I am going to introduce a resolution in the Congres today for a House committee to study this serious problem. I think it is a serious question that ought to be carefully examined by a congressional committee to determine where the fault lies and who the people are who have been receiving the benefit of Government contracts and have deprived American citizens because of their race, creed, or religion of the right to perform an honest day's work in defense of their country.

The Governor of my State, representing almost 13,000,000 people, apparently, is satisfied that such discrimination is at hand, and I could go right down the line and name a number of departments, which I do not even at this time care to mention, where such practices are going on. If we are going to be united, we must be united not only in times of peace, but in times of war. If it is important to help this country build up its great defense to defend democracy against at-

tacks from without, it is just as important to defend the rights and privileges to which all American citizens are entitled in a democracy. If a man is honest, is a good American, and is capable of performing the work, he is entitled to work for his government, no matter what his race, creed, or religion may be. If we want to be healthy and if we want to really build ourselves up to the extent of being able to destroy the enemies within as well as the enemies without, we must first see to it that our democracy is not weakened from within by unfair prejudices and discriminations.

I regret to say that only recently five or six young men, born in this country, whose fathers were born in this country, whose brothers were in the draft, were fired because their foreman did not like certain people from a certain city. These men are married and have children. I wonder what explanation one could give to children in such a case—after having taught them the underlying principles of democracy.

I say it is unfair; it is the duty of this Congress, with the vast amount of money that we are spending in defending our country, in defending our shores, to eradicate this practice of discriminating against anyone who wants to work, and who is an American citizen at heart and in practice.

This resolution no doubt will go before the Committee on Rules, and I now serve notice upon that committee that I will ask for a hearing at an early date. I think that we can submit to the committee and to this Congress enough evidence that we have discrimination in Government agencies against race and creed, and that we have discrimination against honest people who want a day's work, by certain contractors who have the benefit of large Government contracts and the opportunity to make a lot of money because of these contracts.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. Briefly.

Mr. HOFFMAN. Does the gentleman recall that there is already a bill which has been introduced and referred to a committee of the House which prohibits that very thing?

Mr. DICKSTEIN. I do not recall it.

Mr. HOFFMAN. It was introduced in November last, and reintroduced.

Mr. DICKSTEIN. What does it do?

Mr. HOFFMAN. It makes it unlawful to demand of anyone as a condition precedent for going to work for this Government on defense the joining or the not joining of any organization.

Mr. DICKSTEIN. As I said before, this is my thought: My thought now is that the discrimination against American citizens in our defense program because of race or religion, whether they are members of a union or not, should not be permitted.

I know of instances—and I can cite many of them—of people who have even passed a civil-service examination, and who were entitled to take the next place, but who were in some form or other found to be not qualified because of race, creed, and color. That is what I am talking about, and I say it is a most unhealthy practice for this Government to allow such a thing right under our noses, when we are spending billions of dollars to defend our democracy.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield again?

Mr. DICKSTEIN. Yes.

Mr. HOFFMAN. I agree with the gentleman that there should be no discrimination because of race or religion; but does the gentleman say that there is any justice in discriminating against a man because he has joined some organization?

Mr. DICKSTEIN. I say that I agree with the gentleman. The matter ought to be reported out from the Rules Committee, and I do not think any committee has the right to stifle any bill without giving it a chance to come before the Congress for public discussion so that we may determine the destinies of our country.

Mr. Speaker, our great President in a speech delivered a few days ago called attention to the fact that our country is at the present time surrounded by totalitarian forces. We are a minority seeking to carry on the torch of liberty in a world where liberty actually and practically seems to have been extinguished. We are trying to carry on the American way of life against a world of enemies seeking to do everything in their power to disrupt and destroy our American way of life. We are seeking to maintain an American standard of living in a world where the standards of living are being undermined and put on the basis of slavery instead of free labor. It is therefore of great importance to us at this juncture to do everything in our power to promote national unity, to promote cooperation among the many sections of our population, and to see to it that there is no attempt made to divide our citizens by virtue of race, creed, or color. American citizens should have equal rights to employment, equal rights to participate in our national effort to establish a thoroughgoing national defense, and equal rights to contribute their share to the well-being of the Nation in accordance with their ability, character, and reputation.

When a person who has secured contracts based upon appropriations made by Congress and practices discrimination against any honest-to-goodness American who seeks a day's work just because he is prejudiced against certain racial and religious groups, he is not fit to hold that contract and is not fit to conduct the defense program for this United States.

What good is it to defend democracy against attacks from without when we allow the basic principles of democracy to be violated right here in our own country? I have asked this question a number of times. Yes; I have been in the Well of this House condemning nazi-ism and fascism and communism. I have exposed these movements away back in 1933. I hate any man or woman who represents foreign dictators and seeks to undermine our Government. They have no place here. We ought to remove them from our shores. But there are many millions of men and women who came here from foreign countries because they were escaping the barbaric persecutions of totalitarian governments. They have proved their loyalty in the last war and they will do so again if necessary. I hope it will not be necessary, but if we have war they will be ready to defend this country with their lives. Why discriminate against anyone who seeks an honest day's wages to maintain his family, because he happens to come from a country which is now condemned by the world? We draft their boys. We have drafted millions of boys from those families.

The SPEAKER pro tempore (Mr. GORE). The time of the gentleman has expired.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I present these views in an honest effort to do away with the evils I discussed which, in my opinion, are a serious threat to our democracy. In view of all the spending we have done for national defense, it should be worth while to spend a little more to prevent the destruction of our democratic way of life by the enemies of democracy in our own country. I thank you.

[Here the gavel fell.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Mississippi [Mr. RANKIN] is recognized for 30 minutes.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for me to prefer a unanimous-consent request?

Mr. RANKIN of Mississippi. If it is not taken out of my time.

Mr. HOFFMAN. It would not take half as much time as a quorum call would.

Mr. RANKIN of Mississippi. I would like to have a quorum call.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Will the gentleman yield to me?

Mr. RANKIN of Mississippi. If it is not taken out of my time.

Mr. PATRICK. Mr. Speaker, on tomorrow I had unanimous consent to address the House for 10 minutes. I would like to change that until Monday of next week.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. O'TOOLE, indefinitely, on account of operation.

SENATE BILL REFERRED

Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 215. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938; to the Committee on Indian Affairs.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The Speaker announced his signature to enrolled bills and joint resolution of the Senate of the following titles:

S. 15. An act to provide for the completion and delivery of the Boca dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District;

S. 994. An act to appropriate the proceeds of sales or other dispositions of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval, bills and a joint resolution of the House of the following titles:

H. R. 327. An act for the relief of Paula Liebau Anderson;

H. R. 336. An act for the relief of Della B. Birnbaum;

H. R. 513. An act for the relief of Paul T. Ward;

H. R. 682. An act for the relief of Julius Springer;

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 696. An act for the relief of J. K. Love;

H. R. 819. An act for the relief of Littlefield-Wyman Nurseries;

H. R. 1151. An act for the relief of Foot's Transfer & Storage Co., Ltd.;

H. R. 1267. An act for the relief of Russell H. Gauslin;

H. R. 1355. An act for the relief of Adam M. Garmon;

H. R. 1678. An act for the relief of W. A. Facht;

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming;

H. R. 3362. An act to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.).

H. R. 3404. An act authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property;

H. R. 3514. An act to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value;

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906;

H. R. 3828. An act for the relief of Sophrania Holmes;

H. R. 3987. An act to provide for, and to promote the interests of, the landowners on the Uintah Indian Irrigation Project, Utah, and for other purposes;

H. R. 4125. An act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service;

H. R. 4183. An act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes; and

H. J. Res. 105. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes.

ADJOURNMENT

Mr. HOFFMAN. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently no quorum is present.

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and the Speaker announced that the motion was agreed to.

Mr. HOFFMAN. Mr. Speaker, I challenge the vote on the ground that no quorum is present.

Mr. COOPER. Mr. Speaker, I make the point of order that a quorum is not necessary in order for the House to adjourn.

The SPEAKER. A quorum is not necessary to adjourn the House.

The motion was agreed to; accordingly (at 2 o'clock and 28 minutes p. m.) the House adjourned until tomorrow, Thursday, May 22, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, May 22, 1941, in the caucus room, for consideration of H. R. 1108.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 1038, entitled "A bill to amend Public Law No. 257, Seventy-sixth Congress, approved August 4, 1939, so as to provide pensions to peacetime veterans of the Regular Army, Navy, Marine Corps, and Coast Guard suffering from arrested tuberculosis contracted while in the service." The hearings will be held Tuesday, May 27, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees) on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

551. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the District of Columbia for the fiscal year 1940 and prior fiscal years in the amount of $46,422.92, and supplemental estimates of appropriations, for the fiscal year 1941 in the amount of $76,040.27, in all $122,463.19, together with certain drafts of proposed provisions pertaining to existing appropriations (H. Doc. No. 219); to the Committee on Appropriations and ordered to be printed.

552. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 7, 1940, submitting a report, together with accompanying papers and an illustration, on reexamination of Pinole Shoal and Mare Island Channel and Turning Basin, Calif., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 24, 1939 (H. Doc. No. 217); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

553. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 17, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Great Lakes connecting channels, with a view to determining if it is advisable to provide additional lockage facilities at St. Marys Falls Canal, Mich., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1941 (H. Doc. No. 218); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee of conference on the disagreeing votes of the two Houses. H. R. 4534. A bill to extend the power to establish priorities and allocate material; without amendment (Rept. No. 603). Ordered to be printed.

Mr. LUDLOW: Committee of conference on the disagreeing votes of the two Houses. H. R. 3205. A bill making appropriations for the Treasury and Post Office Departments for year beginning July 1, 1941; without amendment (Rept. No. 604). Ordered to be printed.

Mr. MAAS: Committee on Naval Affairs. H. R. 4687. A bill to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by foreign governments; without amendment (Rept. No. 605). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN:

H. R. 4834. A bill to amend the Packers and Stockyards Act, 1921, as amended; to the Committee on Agriculture.

By Mr. MOTT:

H. R. 4835. A bill to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.; to the Committee on Rivers and Harbors.

By Mr. PIERCE:

H. R. 4836. A bill to provide for preserving varieties of apples and other fruits and field crops that are in danger of becoming lost or extinct; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. R. 4837. A bill to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes; to the Committee on the District of Columbia.

By Mr. TENEROWICZ:

H. R. 4838. A bill to extend the Civil Service Act; to the Committee on the Civil Service.

By Mr. VINSON of Georgia:

H. R. 4839. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. COFFEE of Washington:

H. R. 4840. A bill to authorize the Secretary of War to grant and convey to the State of Washington and to Chicago, Milwaukee, St. Paul & Pacific Railroad Co. and Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of the property of Chicago, Milwaukee, St. Paul & Pacific Railroad Co. as their respective interests may appear, fee title to certain lands of the United States in Pierce County, Wash., for highway and railroad purposes; to the Committee on Military Affairs.

By Mr. SECREST:

H. R. 4841. A bill to establish a National Archives Trust Fund Board, and for other purposes; to the Committee on the Library.

By Mr. DICKSTEIN:

H. Res. 213. Resolution creating a Special Committee to Investigate Discrimination in Government Positions, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 4842. A bill for the relief of Cohen, Goldman & Co., Inc.; to the Committee on Claims.

By Mr. BRADLEY of Pennsylvania:

H. R. 4843. A bill for the relief of Eugene F. Clements; to the Committee on War Claims.

By Mr CASEY of Massachusetts:

H. R. 4844. A bill for the relief of Henry J. McCann; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1130. By Mr. THOMAS F. FORD: Resolution of the Legislature of California, memorializing Congress to pass H. R. 3570, allocating funds for the building and operation of emergency schools necessitated by reason of national defense; to the Committee on Public Buildings and Grounds.

1131. By Mr. FULMER: Resolution submitted by J. A. Hunter, Jr., clerk of the House of Representatives of South Carolina, to memoralize the Congress of the United States to remove the Federal tax on gasoline and to leave this source of revenue to the States; to the Committee on Ways and Means.

1132. By Mr. KEOGH: Petition of the Long Island Association of New York, favoring the quota limitations placed by the Congress in 1937 on the further expansion of subsidized beet-sugar production and tropical refining be maintained; to the Committee on Agriculture.

1133. By Mr. LEAVY: Resolution of the Wenatchee (Wash.) Chapter of the Washington State Music Teachers' Association, opposing the proposed tax on musical instruments in any luxury-tax bill which may be presented, pointing out that music is an important factor in the educational program of our country, that it is distinctly not a luxury, and that music is of great benefit to our people during times of stress, and the people should not be deprived of its enjoyment; to the Committee on Ways and Means.

1134. By Mrs. ROGERS of Massachusetts: Petition of sundry residents of the Fifth Massachusetts Congressional District, opposing the enactment of House bill 3852; to the Committee on the District of Columbia.

1135. By Mr. ROLPH: Petition of the Down Town Association of San Francisco, asking consideration of its resolution to bombproof the Union Square garage for use in time of emergency as an air-raid shelter, and appealing for an appropriation from the United States Government in sufficient amount to finance the additional construction necessary in this connection; to the Committee on Military Affairs.

1136. By Mr. SHAFER of Michigan: Petition of Rev. F. Brock Wells and approximately 300 other citizens of Battle Creek, Mich., protesting against the passage of Senate bill 983 and House bill 3852, regulating the practice of barbering in the District of Columbia; to the Committee on the District of Columbia.

1137. Also, petition of 80 citizens of Michigan, protesting against the reduction of draft-age limit under Selective Service Act from 21 to 18 years; to the Committee on Military Affairs.

1138. By the SPEAKER: Petition of the Federation of Churchmen's Brotherhoods of St. Louis and Vicinity, St. Louis, Mo., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1139. Also, petition of the University of Nebraska, Lincoln, Nebr., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1140. Also, petition of the Rainbow Division Veterans, Washington, D. C., petitioning consideration of their resolution with reference to the governmental program; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 22, 1941

Rev. Robert Lee Bull, rector of Trinity Protestant Episcopal Church, Elizabeth, N. J., offered the following prayer:

Our Heavenly Father who art always more ready to hear than we to pray, who knowest our necessities before we ask and our ignorance in asking, grant to us all those things which are needful for our welfare.

In this time of anxiety and confusion may we have the grace to ask what Thou wouldst have us to do; that the spirit of wisdom may save us from all false choices, that in Thy light we may see light, and in Thy straight path may not stumble.

Succor in mercy the suffering and starving victims of the war. Shield from vice and temptation the young men in the service of their country. Unite our people to resist tyranny and to stand steadfast in defense of our liberties. May no sacrifice seem too hard for us to bear, and may the sacrifices asked of us be not in vain.

Help us to create a more brotherly society in America. Pour out Thy Spirit upon all flesh and hasten the coming of Thy kingdom of righteousness and peace.

We pray for our President and all who share the burdens and responsibilities of government. Bless our country. Save our world. Grant peace again in our time, and keep alive in our heart the hope of a better world tomorrow through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that after the completion of the legislative program for the day and other special orders that have been entered I may be permitted to address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks, and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. SIKES addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that today, following the legislative program of the day and the other special orders, I may address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute at this time.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. MURRAY addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein two newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that after the close of the legislative business of the day and the other special orders I may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONVOYS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute at this time.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CURTIS. Mr. Speaker, I have today placed on the Clerk's desk a discharge petition in order to bring on the floor of this House for consideration the bill introduced by me known as House Joint Resolution 152. This is an anticonvoying bill, and I hope that the Members will avail themselves of the opportunity of signing this petition.

My bill would prohibit the armed forces of the United States and American vessels and aircraft from transporting, delivering, or convoying articles or materials to belligerent countries. No one has challenged the accuracy of the statement

of the President of the United States when he said, "Convoys mean shooting and shooting means war." If that be true, then the decision to convoy or not to convoy is the decision that determines our entrance into the war. Under the Constitution that decision should be made by the Congress of the United States.

I appeal to everyone in this House who believes in constitutional representative government to sign this discharge petition so that the question of peace or war can be decided in a constitutional manner by the representatives of the people. I trust that the Members who oppose as well as favor convoys will sign this petition so that the matter can be considered, debated, and determined by this Congress.

EXTENSION OF REMARKS

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a speech delivered by Hon. Harold L. Ickes, Secretary of the Interior, at an I am An American Day meeting in Central Park, New York, on Sunday, May 18, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks twice in the RECORD and to include excerpts from magazines in these two instances.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to speak for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

[Mr. SHAFER of Michigan addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial appearing in Il Progreso Italo Americano, and I also ask unanimous consent to extend my own remarks in the RECORD and to include two original poems written by a citizen of Chicago.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made by Mr. Nelson A. Rockefeller, Coordinator of Commercial and Cultural Relations.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include my testimony before the Ways and Means Committee on the tax bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

LET US KEEP AMERICA OUT OF WAR

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, the newspapers now quote Secretary Knox as suggesting that we do away with the Neutrality Act. His desire and ambition evidently is to get this country in the European war.

Mr. Speaker, I hope the President of the United States and those in authority will do all they can to keep us out of war. I hope they will see that our boys are not sent abroad. We tried the noble experiment in 1918 of making the world safe for democracy, and it was a huge failure. Let us not try this again.

We should not permit men in authority to get this country involved in the war. It should be the duty of every Member of Congress to use every ounce of influence he has with the administration to try to settle the world's differences by peaceful methods. It is our duty to keep America out of war.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution of the Oregon Legislature and also a short statement from the National Grange on the gasoline tax.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution passed by the Ancient Order of Hibernians, and I also ask unanimous consent to extend my own remarks in the RECORD and to include copy of a petition sent to the President of the United States signed by some ladies and gentlemen of Clark County, Mont., respecting the war.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

THE ROOSEVELT DAM AND OTHERS IN CENTRAL ARIZONA

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. MURDOCK. Mr. Speaker, in 1902 a famous law was passed, the Newlands Reclamation Act, and under it a great project was begun in my State, the building of the Roosevelt Dam, work starting in 1906 and being finished in 1911. Since the completion of the Roosevelt Dam four other great storage dams have been built on that river system.

We have had a dry cycle recently while later dams were being constructed, and not until this year have all five of these reservoirs been full. Now they are filled to overflow, guaranteeing water for that greatest of all our reclamation projects and assuring abundant crop production on those rich acres for an indefinite but long future.

In the auditorium of the new Interior Department building, this afternoon at 3:30, and tomorrow at 3:45 in the Agriculture Department Auditorium, a gentleman from Arizona will show some colored films showing these reservoirs full, the dams overflowing, and the beauty of that desert country now transformed into a fertile and productive garden. I hope that every Member of the House may see this film.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief excerpt from a statement by Mr. Brenckman, national representative of the National Grange.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a sampling of telegrams and letters I received following a radio speech I made.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, after speaking here yesterday, I found out that in Philadelphia Colonel Lindbergh had been denied the use of the radio besides the Music Hall. I wonder if these "big shots" in Philadelphia, doing this, are not the decendants of the 400 who wined and dined the officers of the British Army while Washington's Army was wintering at Valley Forge.

While we are talking about intolerance in Pennsylvania, I apologize to my colleagues for the little column that I put in the RECORD every week end. I am doing it just because Ramsey Black, Third Assistant Postmaster General, from

Pennsylvania, said that I could not frank them out. [Applause.]

[Here the gavel fell.]

HERNANDO DE SOTO

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include certain quotations which I should like to use with reference to the expeditions of Hernando De Soto.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. BUCK. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program today and following any special orders heretofore entered, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to extend his own remarks in the RECORD.

ATTENDANCE AT SESSIONS OF THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, the observation just made by the gentleman from Mississippi relative to the fact that he has not missed a roll call in a long time brings up a rather interesting matter of House decorum.

Mr. RANKIN of Mississippi. If the gentleman will yield, the 10 years in which I never missed a roll call were from 1922 to 1932. It is the first time, they tell me, that any Member ever answered every single roll call for 10 consecutive years.

Mr. DIRKSEN. I have never been particularly squeamish about missing roll calls. I often feel that I can do my people much more good, sometimes, at the other end of the Avenue than I can here answering a quorum call. There are also occasions when one must go home and necessarily miss the roll calls. If there are any new Members in this body within the sound of my voice right now, I say to you out of the experience of 9 years that my people have never taken me to task when I missed a roll call, because I believe they have sufficient trust and confidence in my diligence and devotion to the job to know that if I am not here responding I am still pursuing the people's business. So do not think too much of it. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the remarks of the gentleman from California [Mr. BUCK], I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

FREEDOM OF SPEECH

Mr. SHORT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SHORT. Mr. Speaker, the press reports that Phil La Follette has been denied the opportunity to speak down in Florida, and that Col. Charles Lindbergh has been denied the opportunity to use the radio in Philadelphia. One would think that both of these gentlemen are foreign Communists in our midst, but they both happen to be distinguished, loyal, and patriotic Americans—one a former Governor of one of our great Commonwealths and son of an illustrious man who served with honor in the United States Senate; the other a calm, courageous, heroic, and patriotic American whose father ably served in this House.

Mr. Speaker, the poorest method I know whereby to promote unity among our people is to deny any man in this country his fundamental right to exercise free speech. Before we start to impose the "four freedoms" upon all the peoples of this earth, God help us to begin to practice some of these freedoms here at home. [Applause.]

[Here the gavel fell.]

AN ANSWER TO ANNE LINDBERGH

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an article by Judge Brand entitled "An Answer to Anne Lindbergh."

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the Northwestern Retail Coal Dealers Association on the coal situation in the Northwest.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

(Mr. WOODRUFF of Michigan and Mr. SHORT asked and were given permission to revise and extend their own remarks in the RECORD.)

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL, 1942—CONFERENCE REPORT

Mr. LUDLOW. Mr. Speaker, I call up conference report on the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, and ask unanimous consent that the statement of the conferees may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, and 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 10, 11, 12, 13, 15, 19, 21, and 22; and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$794,810"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "six hundred and thirty-five inspectors"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,444,700"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$665,350"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert: "$7,278,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert: "$8,250,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$57,500"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "$21,486,465, of which amount the sum of $22,848 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$5,065,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$9,950,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$637,500", and the Senate agree to the same

LOUIS LUDLOW,
EMMET O'NEAL,
GEO. W. JOHNSON,
GEORGE MAHON,
JOSEPH E. CASEY,
JOHN TABER,
FRANK B. KEEFE,
ROBERT F. RICH,
Managers on the part of the House.

CARTER GLASS,
PAT MCCARRAN,
CARL HAYDEN,
JOSIAH W. BAILEY,
H. C. LODGE, JR.,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Treasury Department

No. 1: Strikes out, as proposed by the Senate, authority in the appropriation for contingent expenses for "newspaper clippings".

Nos. 2 and 3: Strikes out the appropriation of $3,000,000, inserted by the Senate, for a Coast Guard training station at Avery Point, Conn.

Post Office Department

No. 4: Appropriates $794,810 for personal services in the office of the Third Assistant Postmaster-General, instead of $798,560 as proposed by the Senate and $791,060 as proposed by the House.

Nos. 5, 6, and 7, relating to postal inspectors: Appropriates $2,444,700 for 635 inspectors, instead of $2,405,700 for 620 inspectors as proposed by the House and $2,496,700 for 655 inspectors as proposed by the Senate; and makes provision for travelling expenses for the additional 15 inspectors.

No. 8: Appropriates $7,278,000 for compensation to assistant postmasters, instead of $7,230,000 as proposed by the House and $7,400,000 as proposed by the Senate.

No. 9: Appropriates $8,250,000 for clerks at third class post-offices, instead of $8,400,000 as proposed by the Senate and $8,050,000 as proposed by the House.

No. 10: Appropriates $1,475,000 as proposed by the Senate, instead of $1,450,000 as proposed by the House, for carfare and bicycle allowance.

No. 11: Appropriates $11,400,000 as proposed by the Senate, instead of $11,250,000 as proposed by the House, for the star route service.

No. 12: Appropriates $112,300,000 for railroad transportation of mail as proposed by the Senate instead of $112,000,000 as proposed by the House.

No. 13: Appropriates $57,460,000 as proposed by the Senate, instead of $57,400,000 as proposed by the House, for salaries, Railway Mail Service.

No. 14: Appropriates $57,500 for traveling expenses of the Railway Mail Service, instead of $60,000 as proposed by the Senate and $55,000 as proposed by the House.

No. 15: Appropriates $450,000 as proposed by the Senate, instead of $440,000 as proposed by the House, for miscellaneous expenses, Railway Mail Service.

No. 16. Appropriates $21,486,465 for domestic air mail and makes $22,848 of that immediately available, instead of $21,509,313, as proposed by the Senate and $21,280,327 as proposed by the House. The additional amount of $206,138 agreed upon provides $183,290 for the fiscal year 1942 and $22,848 for the month of June in the fiscal year 1941 for service on air-mail routes for which certificates of convenience and necessity have been issued by the Civil Aeronautics Board, as follows: Route 52 from Great Falls, Mont., via Cut Bank-Shelby, Mont., to Lethbridge, Alberta, Canada; route 53 from Houston, Tex., via Shreveport, La., and Pine Bluff, Ark., to Memphis, Tenn.; and the extension of route 47 to Louisville, Ky., service previously authorized on this route from St. Louis, Mo., via Evansville, Ind., to Nashville, Tenn.

No. 17. Appropriates $5,065,000 for manufacture of stamps and stamped paper, instead of $5,000,000 as proposed by the House and $5,165,000 as proposed by the Senate. The reduction of the sum of $100,000 restores the purpose of the House bill to eliminate the printing of air-mail stamps in more than one color.

No. 18. Appropriates $9,950,000 for rent, light, fuel, and water for first-, second-, and third-class post offices, instead of $9,900,000 as proposed by the House and $9,975,000 as proposed by the Senate.

No. 19. Appropriates $350,000 as proposed by the Senate instead of $330,000 as proposed by the House for transportation of postal equipment and supplies.

No. 20. Appropriates $637,500 for furniture for public buildings, instead of $600,000 as proposed by the House and $675,000 as proposed by the Senate.

Nos. 21 and 22. Inserts a new section, proposed by the Senate, prohibiting the use of the funds contained in the bill to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence. This is an identical section with those which the House has adopted in connection with other appropriation bills.

LOUIS LUDLOW,
EMMET O'NEAL,
GEO. W. JOHNSON,
GEORGE MAHON,
JOSEPH E. CASEY,
JOHN TABER,
FRANK B. KEEFE,
ROBERT F. RICH,
Managers on the part of the House.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that there may be inserted in the RECORD at this point a tabulated statement which shows a financial picture of this measure from the date of its beginning until the date of its consummation.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The statement referred to follows:

Treasury and Post Office appropriation bill, 1942

Amount of bill as passed by the Senate:	
Treasury Department	$307,330,185
Post Office Department	843,826,447
Total	1,151,156,632
Amount of bill as passed by the House:	
Treasury Department	304,330,185
Post Office Department	842,064,311
Total	1,146,394,496
Amount added by the Senate:	
Treasury Department	3,000,000
Post Office Department	1,762,136
Total	4,762,136
Senate recessions:	
Treasury Department	3,000,000
Post Office Department	532,248
Total	3,532,248
House recessions:	
Treasury Department	None
Post Office Department	1,229,888
Total	1,229,888
Total recessions	4,762,136
Bill as agreed upon for 1942:	
Treasury Department	304,330,185
Post Office Department	843,294,199
Total	1,147,624,384
Bill as agreed upon for 1942 is less than the Budget estimates:	
Treasury Department	5,031,220
Post Office Department	2,947,374
Total	7,978,594
Bill is less than comparable 1941 appropriations:	
Post Office Department	+27,804,022
Treasury Department	−30,319,950
Total	−2,515,928

Mr. LUDLOW. Mr. Speaker, I may state briefly for the information of the House that the Senate added to this bill the aggregate sum of $4,762,136; the House conferees were able to secure a recession of $3,532,248 in conference; so that in its final form the bill, as agreed upon, is $7,978,594 less than the Budget estimates and $2,515,928 less than the comparable appropriations for 1941.

Mr. Speaker, we bring this report to the House backed by the unanimous judgment of the conferees on both sides, and I now yield such time as he may desire to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the conference committee has brought back this report with a saving of three-fourths of the additions that were put on by the Senate. [Applause.] The result has been such that I feel I ought to compliment the gentleman from Indiana [Mr. LUDLOW] and the gentleman from Kentucky [Mr. O'NEAL] upon the efforts they made in conference. [Applause.] They were such that the gentleman from Pennsylvania [Mr. RICH], the gentleman from Wisconsin [Mr. KEEFE], and myself very gladly joined in signing the conference report.

At this time this country is facing a crisis. We are having all sorts of demands made upon the Treasury in the alleged name of national defense, all sorts of things that are not defense, all sorts of demands that just result in waste of the people's money. The country is facing a tax bill of $3,500,000,000, which I believe is needed if we are to keep the Treasury right side up and meet defense needs. The example that the gentleman from Indiana [Mr. LUDLOW] and the gentleman from Kentucky [Mr. O'NEAL] have set in the efforts they have made on this bill can well be followed by other Members of this House in their conferences and in their work upon bills that take money out of the Treasury. Let us keep them down far enough so that we can help in the Appropriations Committee and in the House to reduce the demands upon the Treasury, and help as far as we can to land the Treasury right side up. [Applause.]

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF POWER TO ESTABLISH PRIORITIES AND ALLOCATE MATERIALS

Mr. VINSON of Georgia. Mr. Speaker, I call up conference report on the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 3, and agree to the same.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

ROBT. R. REYNOLDS,
ED C. JOHNSON,
LISTER HILL,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1

The House bill provided that the President should be entitled to obtain such information from, require such reports by, and make such inspection of the premises of, any person, firm, or corporation as might be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of the bill.

Senate amendment numbered 1 provided that no such inspection should be made of any private dwelling, occupied as such, without a warrant directing the search issued in accordance with title XI of the Espionage Act of June 15, 1917.

The Senate recedes.

Amendments Nos. 2 and 3

The House bill provided that the President might exercise any power, authority, or discretion conferred on him by the bill through a Director of Priorities, whom he was authorized to appoint by and with the advice and consent of the Senate. The Director was to receive compensation at the rate of $12,000 per annum, and was authorized to appoint and fix the compensation of such officers and employees as were necessary to carry out his powers under the bill. The Director was to exercise his powers with the assistance of industry committees, which he was directed to establish and utilize, and upon the basis of information furnished to him by such industry committees and upon the basis of such other information as he deemed pertinent. Such powers were to be exercised by the Director only after prior approval of such exercise by the Joint Army and Navy Munitions Board.

Senate amendment numbered 3 strikes out this provision of the House bill, and Senate amendment numbered 2 authorizes the President to exercise any power, authority, or discretion conferred on him by the bill through such department, agency, or officer of the Government as he may direct and in conformity with any rules and regulations which he may prescribe.

On both Senate amendments numbered 2 and 3 the House recedes.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, I may state to the House that the effect of the conference report is the rejection of what was known as the Cox amendment when the priorities bill was before the House. As the Members will recall, my colleague from Georgia offered an amendment seeking to give statutory existence to the Priorities Division of the O. P. M.; also that the Director of the Priorities Division be confirmed by the Senate and that the Priorities Division be subordinated to the jurisdiction of the Joint Army and Navy Munitions Board.

I appeared before the Committee on Military Affairs of the Senate, where this bill was sent, and did my level best to convince that committee that the position of the House was well founded. Mr. Knudsen, Mr. Stettinius, and Judge Patterson, of the War Department, as well as representatives of the Navy Department, were very much opposed to the amendment, so the Senate Military Affairs Committee rejected the amendment. When we went to conference yesterday I offered a compromise proposition, and I regret that the conferees on the part of the Senate would not adhere to the House proposition. So there was nothing we could do except recede, as we cannot afford to hold up the bill simply because of this one question involved, as it simmered down to, which question was whether or not the Director should be confirmed by the Senate.

Mr. SABATH. Mr. Speaker will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. SABATH. Does the gentleman say that the conferees agreed to some compromise proposition?

Mr. VINSON of Georgia. Oh, no; I stated that the conferees rejected a compromise that I offered and that the bill is just as it was when I introduced it.

Mr. SABATH. But the amendment adopted in the House is eliminated?

Mr. VINSON of Georgia. Yes.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. DIRKSEN. Assuming, for instance, where the flow of material is restricted to the point where an existing industry simply cannot control operations, is there any provision under which there may be redress, or at least an appeal?

Mr. VINSON of Georgia. From the Director?

Mr. DIRKSEN. From the action of the Director.

Mr. VINSON of Georgia. The manufacturer could probably appeal to the Director of the O. P. M., which is practically the same thing, of course. There is no other agency to which he could appeal, unless he makes his appeal directly to the President of the United States.

Mr. MAAS. The bill gives the power to the President of the United States.

Mr. DIRKSEN. May I point out to the gentleman from Georgia that the Merchant Marine and Fisheries priorities bill, on the floor this week, provided that it would be possible to issue a warrant under such condition that it would be impossible for a man to refuel or repair his vessel, so that for all purposes they could put an individual entirely out of business? There was a penalty clause there of $5,000 and no redress whatever.

Mr. VINSON of Georgia. There is no penalty clause in this. The main objective of this is to make it obligatory and

mandatory on the part of the manufacturer to give priority, thereby relieving him of a legal liability for doing so.

Mr. DIRKSEN. Is it not the gentleman's opinion that Congress ought to be reasonably cautious here in the granting of extraordinary powers, at least to the extent of preserving the right of appeal?

Mr. VINSON of Georgia. Oh, yes. I did my level best; and if I had my way the O. P. M. would exist by virtue of statute, but unfortunately I am but one man and cannot do anything else.

Mr. Speaker, if there is no further question, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

OVERTIME RATES OF COMPENSATION FOR CERTAIN EMPLOYEES

Mr. ANDREWS. Mr. Speaker, yesterday when the chairman of the Committee on Military Affairs, the gentleman from Kentucky [Mr. MAY], called up the bill H. R. 4739, authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations, an objection was interposed on this side which prevented the passage of the bill. I understand that objection has been withdrawn. I ask unanimous consent that the bill be now taken up for immediate consideration.

The SPEAKER. The Clerk will report the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. A similar Senate bill is on the Speaker's table.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that the similar Senate bill be substituted.

The SPEAKER. Is there objection?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, will the gentleman state whether or not this bill modifies in any way the language relating to employment in the Canal Zone, as embodied in the paragraph dealing with that subject in the appropriation bills?

Mr. MAY. I did not understand the gentleman's question.

Mr. CASE of South Dakota. In the appropriation bills dealing with employment in the Canal Zone we have a special paragraph that deals with that employment. Is there anything in this bill that changes the provision in the appropriation bills?

Mr. MAY. No; I think not. It merely provides for payment for vacation time, when they work rather than take a vacation.

Mr. CASE of South Dakota. The reason I raised the question is because we had very extended consideration of that in the conference on the appropriation for the civil functions of the War Department and the Senate bill did make some substantial changes. However, in conference it was agreed to hold to the House's version. I am wondering if in any way this upsets that agreement?

Mr. MAY. As I understand, it does not make any difference in the pay, except that it is an identical provision with the House provision on the subject of leave-of-absence pay.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. ANDREWS]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That compensation for employment in excess of 40 hours in any administrative workweek computed at a rate of 1½ times the regular rate is hereby authorized to be paid, under such regulations as the President may prescribe, to those per annum employees in the field service of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, whose overtime services are essential to and directly connected with the expeditious prosecution of the overtime work upon which the employees enumerated in section 5 (a) of the act of June 28, 1940, and section 1 of the act of October 21, 1940, are engaged: *Provided*, That in determining the overtime compensation of the foregoing per annum employees the pay for 1 day shall be considered to be one three-hundred-and-sixtieth of the respective per annum salaries.

SEC. 2. Employees of the field service of the War Department and the Panama Canal Zone may, during the period of the national emergency declared by the President on September 8, 1939, to exist, be employed during the time they would otherwise be on vacation without deprivation of their vacation pay for the time so worked. Employees who forego their vacations in accordance with the provisions of this section may be paid, in addition to their regular pay, the equivalent of the pay they would have drawn during the period of such vacation. The provisions of this section shall be applicable only to employees whose service at the time cannot, in the judgment of the Secretary of War or the Governor of the Panama Canal, as the case may be, be spared without detriment to the national defense.

SEC. 3. The provisions of section 2 of this act and of section 7 of the act of June 28, 1940 (Public, No. 671), shall be administered in accordance with such rules and regulations as the President may prescribe.

SEC. 4. The provisions of this act shall be effective during the national emergency declared by the President on September 8, 1939, to exist, and shall terminate June 30, 1942, unless the Congress shall otherwise provide.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 4739, was laid on the table.

RIGHT-OF-WAY ACROSS CAMP WALLACE MILITARY RESERVATION, P. I.

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 166) to provide a right-of-way across Camp Wallace Military Reservation, P. I.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Asiatic Petroleum Co. (Philippine Islands), Ltd., its successors and/or assigns, an easement for rights-of-way for oil and/or gasoline pipe lines, and appurtenant ramp for rolling drums, over, across, in, and upon the Camp Wallace Military Reservation, P. I.: *Provided*, That such easement shall be granted only upon a finding by the Secretary of War that the same shall be in the public interest of the United States in the property affected thereby: *Provided further*, That all or any part of such easement may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof: *And provided further*, That all moneys which may accrue to the United States under the provisions of this act shall be deposited in the Treasury as miscellaneous receipts.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIGHT-OF-WAY ACROSS CAMP WALLACE MILITARY RESERVATION, P. I.

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 167) to provide a right-of-way across Camp Wallace Military Reservation, P. I., and I would like to state that it is identical with the other bill except that it relates to a different pipe line. It is reported favorably by the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Standard-Vacuum Oil Co., its successors and/or assigns, an easement for rights-of-way for oil and/or gasoline pipe lines over, across, in, and upon the Camp Wallace Military Reservation, Philippine Islands: *Provided*, That such easement shall be granted only upon a finding by the Secretary of War that the same will be in the public interest of the United States in the property affected thereby: *Provided further*, That all or any part of such easement may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof: *And provided further*, That all moneys which may accrue to the United States under the provisions of this act shall be deposited in the Treasury as miscellaneous receipts.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PLANT PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

Mr. SABATH. Mr. Speaker, I call up House Resolution 202, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state

of the Union for the consideration of H. R. 4671, a bill to authorize a plant-protection force for naval shore establishments, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, at the request of the gentleman from New York [Mr. FISH] I will later on yield him 30 minutes.

Mr. Speaker, this rule makes in order the bill H. R. 4671, authorizing the Secretary of the Navy to establish and appoint a force for naval shore establishments, of about 330 men, which he claims are absolutely needed to safeguard those establishments.

Unlike other measures, this bill provides that whenever such force is not necessary, by concurrent resolution this force can be eliminated.

We have a great many establishments where we now have about 230,000 civilians employed on important work. In the first district, which is the Boston district, there are 32,000 civilians; in the New York district, 32,000; in the Philadelphia and New Jersey district, 30,000; in the Potomac, Washington-Maryland district, 17,000; in the Norfolk district, 30,000; in the southern district, 14,000; in the Texas district about 3,000; in the south California district, 3,000; in the north California district, 20,000; in the Pacific Northwest, 14,000. You will notice there are none employed in the Middle West, because we have none of those naval establishments. Notwithstanding that fact, this work is being done for the entire country, in which the Middle West is just as much interested and desirous that this work that is being done at great expense to the Government for the defense of our Nation should not be in any way sabotaged or delayed.

I have a letter from the Secretary of the Navy, who explains the need of these men. From what he states, it will require about 330 men and about $3,000,000.

I agree with the gentleman from New York [Mr. TABER], who said that we should economize, and I am for economy, but this is absolutely necessary, in view of the tremendous increase in the number of civilian employees in those naval establishments, and, as has been stated to me, it is really insurance and it is protection against sabotage, and also protection for construction that should not be hampered or delayed.

I do not desire to take any more time, because I feel that, being a unanimous report from the Committee on Naval Affairs, after thorough investigation and study, the rule should be adopted. The rule provides for 1 hour of general debate, and after debate the bill will be taken up under the 5-minute rule. So it is a liberal rule, giving any Member an opportunity, if he so desires, to offer any amendment that he may be inclined to offer.

I believe the bill as drafted should receive the unanimous support of the House just as it received the unanimous support and approval of the Committee on Naval Affairs and the Committee on Rules.

Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH] and reserve the balance of my half hour.

The SPEAKER pro tempore (Mr. WHITTINGTON). The gentleman from Illinois consumed 6 minutes.

Mr. FISH. Mr. Speaker, this rule comes here with a unanimous report from the Rules Committee. It is a fair and open rule. I am not only in favor of the rule but I am also in favor of the bill. I understand the Committee on Naval Affairs reported the bill unanimously. There is, however, some opposition to it which will be heard under the rule by a distinguished Member of this House, the gentleman from Pennsylvania [Mr. DITTER], who wants to express his opposition, and he will be afforded ample time under the rule to do it. I am not, however, in accord with the views he will express. The gentleman from Pennsylvania feels that there is a duplication of effort and that this investigation should be done by the F. B. I.

Mr. VINSON of Georgia and Mr. SABATH rose.

Mr. FISH. Mr. Speaker, I yield first to the gentleman from Georgia.

Mr. VINSON of Georgia. That same question was raised, as you will recall, in the Rules Committee. Here is the situation:

By direction of the President on July 1, 1940, responsibility for investigation of subversive activities in the country was divided as follows: The Federal Bureau of Investigation is primarily responsible for investigation of subversive activities among the civilian population of the country, and in this work offers whatever assistance it can to private plant owners. The Army is responsible for civilians employed by the Army and for establishments owned and operated by the Army. The Navy is primarily responsible for the loyalty of its civilian employees and for the safety of the Navy's own commercial establishments. The President has, therefore, delegated by directive instruction to the F. B. I. investigation of subversive activities in private plants, and the F. B. I. is to concentrate its activity there.

This bill does not deal with private plants; it deals merely with Government plants.

I thought I would give the gentleman from Pennsylvania, as well as the House, that observation.

Mr. DITTER. Mr. Speaker, will the gentleman from New York yield?

Mr. FISH. Yes.

Mr. DITTER. I appreciate, of course, this unusual recognition that is given to me by, first, the observation of the gentleman from New York, who attempts to present my argument to the House—and I will take that privilege upon myself in due time——

Mr. VINSON of Georgia. He did it in good spirit.

Mr. DITTER. And then I should like to say to the distinguished gentleman from Georgia that I am well aware of the Executive order that was issued; but that of itself does not lend the merit to this bill which I think should be added to make it the action of the House.

Mr. FISH. Mr. Speaker, I am quite sure the gentleman from Pennsylvania will fully present his position, and he will have all the time he requires, all the time he needs, or all the time he asks for in which to present his views in his usually able, honorable, and open way.

The only reason I referred to it was because he was the only one I knew who was opposed to it; and in view of the fact I was speaking first to a unanimous report, I thought I ought to say there would be some opposition. I knew what his position would be, and I wanted to explain why I did not agree with him.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. The gentleman from Georgia, as he always does, has very ably presented the facts to the House and backed up his reasons for the bill, and the gentleman from Illinois wants to add other valuable views. I now yield to the gentleman from Illinois.

Mr. SABATH. After the committee acted on the rule, and in compliance with the request of certain Members, I called up Mr. Hoover's office and was informed they were not in position to handle this matter and that they were in full accord with this measure. I also called up the Intelligence Service of the Navy. They informed me they are in no position to take on this work and that they feel this legislation is needed and necessary.

Mr. DITTER. Mr. Speaker, will my distinguished friend from New York yield?

Mr. FISH. I always yield to my distinguished friend from Pennsylvania.

Mr. DITTER. I wonder whether my friend could ever suggest any case where any bureau under the present administration would take exception to the possible overreaching and expansion and growth of any of the many, many agencies that have been established? It is only to be supposed that each one of these agencies will be happy to have one more added on to this great pyramid that is being built up. I am not surprised by the observation made by my distinguished friend from Illinois. Certainly it was to be expected they would give that very information and none other.

Mr. FISH. I think the statements the gentlemen have made are logical—both the gentleman from Illinois and the gentleman from Pennsylvania. I do not want to take sides between them. The gentleman from Illinois as usual is highly industrious, and telephoned all the different bureaus which might be concerned, and has presented their answers. But I go back a little farther in my support of this bill than other Members of the House.

Way back in 1930, when I was chairman of the committee investigating Communist activities and propaganda in the United States, we found even in those days, 11 years ago, that direct efforts were being made by Communists in America to form their nests or nuclei in the Navy,

and particularly in the naval shipyards. That has been going on for years and with increasing efforts every year. There is no question about it. The Dies committee has furnished all kinds of evidence that Communists are honeycombing our shipyards at the present time. In addition to that, of course, you have the Nazis, the Fascists, and other un-American groups, also operating, if they can, in our shipyards. I understand the opposition perfectly well. I asked some high-ranking naval officers, because I wanted to make sure. I spoke to Admiral Adolphus Andrews, one of our finest naval officers, who is head of the Brooklyn Navy Yard, and he said that these agents or investigators must operate under the authority of the Navy in order to obtain the greatest efficiency to run down the spies, the "fifth columnists," the Nazis, Fascists, Communists, and the various other agitators who are spreading propaganda within the navy yards and in the Navy. He said it never would do at all to bring in outsiders who are not under the authority of the Navy. I have a very high regard for Admiral Andrews. He is a fine American citizen, he is a trained naval officer, and I believe he is only interested in getting the best results. He is absolutely convinced that this bill is the best way to make the investigations and to protect the Navy from sabotage.

We need this bill very badly. It is necessary to expose immediately these saboteurs, these "fifth columnists" and other un-American agitators and those engaged in subversive activities. Every day's delay is a handicap to the Navy, our first line of defense. I can understand that the F. B. I. have trained men and that it probably would do a good job. However, the Navy says it can do a better job in its own way under its own authority and it claims that is the best way to handle it and it would be handicapped otherwise. Therefore, as one who has known for years about the Communist activity in our shipyards and in our Navy, which has increased a hundredfold in the last 2 years, since the European war began, I am in favor of this bill. Why? Because we have employed hundreds of thousands of new workers and every Communist, Fascist, and Nazi agitator has been trying to get into the navy yards just to undermine the other workers, spread alien propaganda, and commit acts of sabotage if they have it in their power. I do not know how many there are, but I know the situation is serious and, therefore, the Congress should act and entrust this job to the Navy Department.

Mr. PLUMLEY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Vermont.

Mr. PLUMLEY. Is it not a fact that this bill provides for the employment of a civilian at the head of this Navy outfit who will be paid a salary of $7,500? And, is it not a fact that the bill also provides for an additional appropriation to carry on this work of the Navy of $3,000,000? And, is it not a fact that your subcommittee on appropriations for the Navy gave this matter consideration for days, and heard all that the gentleman has undertaken to tell us and finally in our best judgment we struck out the appropriation? We are now opposed to it.

Mr. FISH. Mr. Speaker, this bill comes to the House with the unanimous report of the Committee on Naval Affairs, Republicans and Democrats alike. They are the ones who had the real hearings. The Rules Committee also had a hearing, and that committee brought in a unanimous report.

The gentleman spoke about a civilian head, but he is appointed by the Secretary of the Navy and so is everybody else under the terms of the bill. That is my answer to the gentleman's first question.

The gentleman also referred to $3,000,000. I am not prepared to say that $3,000,000 is either too much or too little. If it were $30,000,000 and the Navy needed it, I would vote for the $30,000,000. Why? One battleship costs $100,000,000, and we have to protect those battleships when they are under repair and when they are in the navy yards. If it costs $3,000,000 or $30,000,000, and the Navy can make out a case, I will vote for whatever is needed and necessary. It is up to the Committee on Naval Affairs to say whether $3,000,000 is too much or too little.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. The gentleman stated that they appeared before the Appropriations Committee and after hearing the subcommittee rejected the item. Of course, that committee should have rejected it because there was no authorization for it. This bill is the authorization. If that committee had appropriated the money, it would have been subject to a point of order. We are not asking them to appropriate money. We are merely asking for authority so that in time the distinguished members of the Appropriations Committee may inquire as to whether or not they will make the money available.

Mr. DITTER. Will the gentleman yield at that point?

Mr. FISH. I yield to the gentleman.

Mr. DITTER. I think probably my friend from Georgia, since he lays so much stress on the matter of authority, would like to have the House know that the gentleman who is to get the $7,500 has been appointed and his salary is being paid, not in the future but at the present time, from some source and that somebody apparently did not even consider the distinguished chairman of the Naval Affairs Committee, insofar as providing the place, the job, nor the salary were concerned.

Mr. VINSON of Georgia. Is it not a matter of fact that in the appropriation bill the Subcommittee on Appropriations has in four different places in the bill given carte blanche authority to the Secretary of the Navy, the Chief of Ordnance, and others, without inquiring of the Naval Affairs Committee or of the Congress, to appoint agents and that some are being paid as high as $25 a day? And so numerous have they become under the generosity of the gentleman that you put a limitation of 8,500 as the total number of employees in the Navy Department. Now, who opened the door? It was not the Naval Affairs Committee. It was the gentleman from Pennsylvania.

Mr. DITTER. Will the gentleman yield for me to answer?

Mr. FISH. I want to give the gentleman plenty of time to answer. I have only 6 minutes left.

Mr. DITTER. I would like to answer the gentleman. I hardly imagine that the distinguished gentleman from Georgia would try to use this authority with reference to the $25 a day for the appointment of this man to a job paying $7,000?

Mr. VINSON of Georgia. That is the top salary. It may or may not be too much.

Mr. DITTER. The gentleman admits he was appointed without authority.

Mr. VINSON of Georgia. No; I will not admit that.

Mr. FISH. In the remaining 5 minutes I should like to discuss a matter that is somewhat connected with this bill—the question of freedom of speech—which is involved in the bill indirectly.

The attempt to suppress freedom of speech in Philadelphia, the birthplace of our independence and constitutional liberties, may have unfavorable repercussions throughout the world.

Freedom of speech is the first and most important of the four freedoms President Roosevelt wants to impose by force on foreign nations. If Colonel Lindbergh, representing the views of over 80 percent of the American people who want to stay out of war unless attacked and because we are not prepared, is denied the right of free speech and free assembly at Philadelphia, in the name of heaven, why should we try to go to war to enforce it on distant countries? We Americans believe in freedom of speech, of the press, and radio, and if we did not we might just as well join the Nazis instead of lease-lending $7,000,000,000 of war materials to the British to help defeat Hitler.

The war makers in Philadelphia have made a serious blunder, and a blunder is often worse than a crime. Such un-American action breeds bitterness, disunity, and civil strife. American citizens who want to stay out of European and Asiatic wars will not be pushed into an undeclared war by subterfuge. They insist on their right as American citizens to be heard, in Philadelphia and elsewhere, and will not tolerate such dictatorial and Nazi tactics in free America.

There is only one issue—war or peace—and that must be decided by one yardstick: What is best for America?

I hope every American citizen of Philadelphia, regardless of party affiliations, who believes in free speech, free assembly, and in our civil liberties, will stage a huge protest demonstration against the politicians and interventionists responsible for undermining the faith of liberty-loving Americans in those principles and ideals of free government proclaimed by our forefathers at Philadelphia.

Colonel Lindbergh has the same right as any other American citizen to express his views publicly in time of peace. He

was invited to appear before both the House Committee on Foreign Affairs and the Senate Foreign Relations Committee in opposition to the lend-lease bill and war. What is good enough for Congress, New York, Chicago, St. Louis, and Minneapolis ought to be good medicine for Philadelphia.

Are we Americans to substitute for our civil liberties the doctrine of passive obedience and nonresistance and destroy every bulwark of freedom?

Have the flames of American liberty burned so low that the free men and women of Philadelphia will not pour out their resentment and indignation at this blow to their own freedom and free institutions?

I still have faith in the purpose and character of American citizens in Philadelphia and throughout the Nation.

Mr. Speaker, in the remaining minutes I shall read from the ticker tape a statement made today by the Secretary of War, Henry L. Stimson.

Secretary of War Henry L. Stimson today charged that the Neutrality Act is a violation of our most sacred and important tradition of foreign policy, freedom of the seas. He said that its repeal should be very carefully considered in connection with delivery of the goods to Great Britain.

Stimson made his statement at a press conference, 24 hours after Secretary of the Navy Frank Knox had urged repeal of the Neutrality Act, which he described as a blunder.

The two statements recall the recent campaign waged by Cabinet members, including Knox and Stimson, for increased naval aid for Britain. It might indicate a possible administration move to seek repeal of the neutrality legislation. If the act were repealed, American ships would be able to carry arms directly to Britain. The act now forbids American vessels to do that or to carry munitions to any nation at war.

Stimson said that the question of actual repeal of the act is for other officers of the Government to decide.

That is, of course, the Congress.

"I've always considered it a violation of our most sacred and important tradition of foreign policy—freedom of the seas," he said, "I always prophesied it would bring us into trouble."

That is, the neutrality law would bring us into trouble. The only thing that has kept us out of trouble, the only thing that has kept us out of war is this prohibition against sending our armed ships or merchant ships or cargo ships or munitions ships to Great Britain and into the war zones.

Mr. Stimson, the Secretary of War, and Mr. Knox, the Secretary of the Navy, are the two greatest arch interventionists in America. They are thinking day and night of means to get us into the war. They know as well as every other American that if you repeal the Neutrality Act and send our cargo ships to Great Britain and into the war zone we will be in the war in a short time. That is exactly what they want. They want to get us into war. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 10 minutes to my distinguished colleague and friend the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Speaker, I should like to make one or two points clear.

First, I give no aid or comfort to any subversive groups. I want it definitely understood that the objection I presently make is not an objection to the use of those forces necessary to seek out saboteurs. I am in hearty accord with every move that is made by the Federal Government to find those who may be enemies within our midst. If there are "Trojan horses" here, I shall support every move that can be made to discover them.

My concern at the present time is deeper than just this surface question. The easy thing to do, as my distinguished friend from New York has just done, and as my brilliant and versatile friend from Georgia, the chairman of the Committee on Naval Affairs, will undoubtedly do in good time, is to wave a flag and, by the waving of that flag, cover up, as I see it, one of the fundamental difficulties with which we are dealing—that is, the duplication of agencies.

You and I go back to our people and say we are in favor of every move that can save money for the taxpayer. Mark you, I would not in any way let economy stand in the way of the investigation of any forces that may be subversive or that may in any way be antagonistic to our ideals and our institutions. However, I do feel that if the same investigation, if the same endeavor can be accomplished without the duplication of agencies, you and I are charged with a degree of responsibility to see that such duplication does not take place.

What are the facts? I heard my friend from Georgia say that this is under a Presidential order that the Army, the Navy, and the civilian groups be separated as far as investigations go. The mere fact that the President of the United States issued that Executive order does not, as far as I am concerned, place the stamp of approval upon that particular act; in fact, I believe a great deal of our difficulty is the latitude that has been given in the matter of issuing of Executive orders. We have become an administrative rather than a legislative government. So I say, the simple fact that the President says this is the method that shall be used, to my mind does not warrant the expenditure of the additional sum provided here.

Everyone knows this administration has made one great record which probably will never be equalled and God grant that nobody will try to equal it. The one thing this administration knows how to do is to create agencies. It has made a record of just piling them one upon the other; of pyramiding one upon the other; of using the alphabet until there are no more available letters left in it.

They now want to appoint a new agency to cost $3,000,000. The work that has to be done could be done by the F. B. I. just as well as this newly created agency could do it; in fact, my own impression is the F. B. I. could do it better.

The defensive position of my very distinguished friend, the gentleman from Illinois [Mr. SABATH] and I have the highest regard for him—is well known in the House. It is known that over the sins of omission or commission of this present administration he hovers just like an angel, lest someone may charge this administration with sins of either omission or commission.

My friend comes to the House and says he called F. B. I. and F. B. I. said, "No; we do not want this, we want another agency to do it." Why, that is the natural thing. How could F. B. I. be operating as an administrative agency and as part of the executve branch of the Government if they did not lend their stamp of approval to this thing? That in itself does not merit $3,000,000 more. This work can be done by an established agency of the Government. I challenge any man here on the floor of the House to say F. B. I. is not a capable, trustworthy, proven agency of investigation. They are skilled men. They are men who have stood the acid test. At the head of that agency is a man who has rendered the best of service in the tasks that have been assigned to him. If this be so—and I hardly believe any man will challenge the statement—why not let F. B. I. take over? Give them 200 additional men or 300 additional men, or whatever may be necessary to carry out this work, and root out the enemies in the places where there are difficulties.

What I am opposed to is not the appointment of investigators. I am opposed to the army of patronage seekers that would come as a result of this measure. You are going to get so many more stenographers, and you are going to get so many more clerks, and you are going to get another agency building itself up for successive $3,000,000 grabs, and then you say you want economy. If we want economy, if we want to make the dollars do all the work that they should be doing, those dollars ought to be applied to the doing of some serious things right now. If you want the dollars to be doing the things they should be doing, then for goodness sake let us get away from this policy of trying to find every excuse to establish a new agency of government, to set up another establishment, to create some more jobs, to give a new administrator $7,500 and get a lot more clerks and a lot more stenographers and a lot more of other employees somebody will have to pay for. Your people and my people will have to pay the bills.

I do not stand here today as an individual in my complaint. I appear, I think, as the spokesman of the Naval Appropriations Subcommittee of the House in the objection I am presently registering.

I want to close with the assurance that I am 100 percent back of every well-directed, carefully supervised agency of the Government that seeks to root out those things which may be dangerous or destructive; but, by the same token, and with equal emphasis, I am opposed to the creation of unnecessary agencies which merely provide an excuse for additional jobs—for more pay rollers and pay rollers and pay rollers to be supported by the taxpayers of America.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. DITTER. I could hardly refrain from yielding to my distinguished friend from Georgia.

Mr. VINSON of Georgia. The gentleman has stated that he is not only appearing individually in opposition to this measure, but that he is appearing on behalf of the Subcommittee on Naval Appropriations.

Mr. DITTER. May I correct the gentleman? I said I felt I could be spokesman. I should hardly presume to go further.

Mr. VINSON of Georgia. Will the gentleman state to the House how the Subcommittee on Appropriations is so involved in this matter, because we would like to know what is behind the scene and what is under the cover with respect to this thing? This is the first time I have heard of the Appropriations Committee thinking that anyone had trespassed on its jurisdiction with reference to this matter.

Mr. DITTER. I should hardly presume to speak for the Appropriations Committee. That, after all, in reply to the interrogation the gentleman now makes, would be the height of presumption; and may I assure the gentleman that the committee in no way is jealous of any transgression of any of its prerogatives, and that I feel the Appropriations Committee, through those words that I may be presently speaking——

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the gentleman from Pennsylvania 1 additional minute.

Mr. DITTER. My feeling is that the Appropriations Committee, after all, has the reputation of being the watchdog of the House. The authorizing committees are always infused with the fervor the gentleman from Georgia manifests at all times with regard to the needs of the Navy. Such enthusiasm at times may carry us to points where better judgment and more careful discretion, brought about as a result of the Appropriations Committee's activities, will be helpful, not only to the Government but to the taxpayers as well.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman from Illinois yield me 1 minute?

Mr. SABATH. Mr. Speaker, I yield the gentleman from Georgia 1 minute.

Mr. VINSON of Georgia. Then the conclusion from the gentleman's argument is that the judgment of 5 men should be followed, instead of the judgment of 31 men on the Naval Affairs Committee?

Mr. DITTER. Maybe the gentleman is trying to put words into my mouth.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. DITTER. My friend is putting words into my mouth. I in no way said that. I tried to compliment my friend the gentleman from Georgia. I meant in no way to be critical of him when I said the fervor and enthusiasm which had at all times been manifest when he brought these naval bills to the House was commendable. I tried to say that at times, in the overreaching of that enthusiasm, he has sought authorizations which probably the checkmating of the Appropriations Committee has made it helpful to the committee and to the Congress. I have felt that these modifications probably would be acceptable in the better judgment of my friend the gentleman from Georgia. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yielded a few additional minutes to the gentleman from Pennsylvania [Mr. DITTER] because I know that he is sincere and means well. The gentleman stated that my defensive position of the administration is well known in the House, and that it is his further observation that I hover just like an angel, lest someone may charge it with sins of either omission or commission. Naturally, I appreciate the importance the gentleman places on my activities in support of the administration, but I wish to assure him I would not defend any department, bureau, agency, or any person in the administration or Government service unless I were satisfied that their cause or activity was worthy and entitled to my defense.

May I say to the gentleman that the same question arose in my mind when the application was made for the rule originally on the pending bill, whether the F. B. I. or the Bureau of Naval Intelligence should not be entrusted to do this work? After investigation, because I felt the same as he does, I came to the conclusion that the recommendation of the Naval Affairs Committee should be approved, and why? Because the F. B. I. says that they are not in a position to do this kind of investigation, and I inquired of the Assistant Director of the F. B. I., who informed me that the Bureau is not in a position to do this work, that it is outside of their sphere of activities, and consequently I came to the conclusion that the request of the Secretary of the Navy and the recommendations of the Committee on Naval Affairs should be complied with. Here is what the Secretary has to say:

> There is almost a total lack of trained, experienced investigators now employed by the United States Navy, and there is immediately needed a force of at least 330 experienced men to investigate properly the loyalty and patriotism of the 229,000 civilian employees.

I agree with him that it is necessary; and, as I said before, it is a real insurance and protection. Of course, the gentleman from Pennsylvania makes the point that there will be so many appointees. So far, I wish to say that I do not know a single Member on this side who has received any appointment from the Secretary of the Navy, whom we all know is a Republican, and who was the Republican nominee in 1936 for the Vice Presidency; and the gentleman from Pennsylvania, as well as others, should know that politics have been suspended in the interest of national defense. So, when we talk of patronage, I assure the gentleman from Pennsylvania that he will receive the same consideration as anyone on this side; and, in fact, I think to a greater degree.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Of course I would not dare impute that any of this patronage would be under the charge or the direction of the majority. I only spoke of patronage in a general way.

Mr. SABATH. I am pleased to hear the gentleman would not think even for a moment that anyone on the majority side would try to utilize this important work from a patronage point of view.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. YOUNG. I was very much impressed by the argument made by the gentleman from Pennsylvania [Mr. DITTER] and I am wondering if the F. B. I. cannot do this work. I am sure the gentleman from Illinois [Mr. SABATH] and I will agree that the enlisted personnel of the United States Marine Corps and of the United States Navy include some of the finest young men in America, and I am wondering whether these men, why 300 or 1,000 of the enlisted personnel of the Marine Corps and of the United States Navy, in addition to the F. B. I. investigators, could not be selected to do this work of protecting plants in this country and thereby save the taxpayers of this country $3,000,000. I have had some applications for jobs of this sort from good Democrats in Ohio and I would like to help place them in employment. I am wondering why the enlisted men of the Army and the Navy and the Marine Corps cannot do the job and save the taxpayers' money.

Mr. DITTER. May I make this observation, since the gentleman has referred to me? I join and concur wholeheartedly in the observation the gentleman makes. I believe the enlisted personnel of the Navy and the Marine Corps might well fill the need that is presently here.

Mr. SABATH. Mr. Speaker, I assure the gentleman that I am just as anxious to bring about as much economy as conditions permit, and if I had not been satisfied that it is absolutely necessary for trained investigators to be put in these various establishments, I would not have voted for the rule. In that connection, about 2 years ago I had inserted in the RECORD the number of plants and establishments that had been destroyed during 1914–17, and I believe the enemies of democracy and of our country are now better organized, more dangerous, and more determined than they were in 1917. I feel that it is our duty that we should do everything within our power to protect every defense establishment in the United States. In that connection I ask unanimous consent that I may be permitted to reinsert in the CONGRESSIONAL RECORD the names of those different plants to which I called attention 2 years ago that were sabotaged in 1914, 1915, 1916, and 1917.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I list the disturbances occurring in this country preceding our entry into the World War, dating from August 29, 1914 to April 2, 1917, as follows:

1914

August 29: Pompton, N. J., Du Pont powder storehouse blown up; one killed.

December 23: Picatinny, N. J., Government arsenal mixing house set on fire.

1915

January 18: Trenton, N. J., plant of John A. Roebling Co., making chains for French Army, destroyed by fire believed caused by bomb; damage, $1,500,000.

February 12, Haskell, N. J., explosion in Du Pont plant; three injured.

March 6: Haskell, N. J., explosion in Du Pont plant; five killed.

April 1: Alton, Ill., explosion in Equitable Powder Co. plant; five killed.

April 30: Carneys Point, N. J., Du Pont plant mixing house destroyed by explosion; six injured.

May 12: Wellington, N. J., Anderson Chemical Co. guncotton storehouse wrecked; three killed.

May 15: Carneys Point, N. J., Du Pont Co. stillhouse destroyed by two explosions.

June 26: Wayne, N. J., Du Pont mill demolished by explosion.

July 13: Jefferstontown, Ky., United Safety Powder Co. mixing building wrecked by explosion, three killed; Carneys Point, N. J., two Du Pont Co. buildings wrecked by explosion; one killed, three injured.

August 3: Philadelphia, explosion in Frankford Arsenal; three killed.

August 16: Simamahoning, Pa., explosion in plant of Aetna Explosives Co.; five killed.

August 25: South Bethlehem, Pa., shell explosion in Bethlehem Steel Works; two killed.

August 30: Baltimore, Md., E. J. Dodd shrapnel plant burned.

August 30: Official letter from Constantin T. Dumba, Ambassador of Austria-Hungary to United States, seized and disclosed he planned to "disorganize and hold up for months, if not entirely prevent, manufacture of munitions in Bethlehem, Pa., and Middle West, which, in opinion of German attaché, is of great importance and amply outweighs expenditure of money involved."

September 10: Ambassador Dumba's recall demanded by President Wilson.

October 12: Pompton, N. J., explosion in Du Pont powder plant; seven injured.

October 16: Kane, Pa., explosion in Aetna powder mills; three Germans arrested.

November 10: South Bethlehem, Pa., machine shop of Bethlehem Steel Co. burned; loss, $5,000,000.

November 12: Trenton, N. J., munitions plant of Roebling & Sons destroyed by incendiary fire; loss, $1,500,000.

December 1: Wilmington, Del., explosion in Du Pont powder mills; 31 killed.

December 3: United States asked Germany to recall Captain Boy-ed, military attaché, and Captain von Papen for "improper activities in military and naval matters."

December 10: Hopewell, Pa., entire town destroyed and Du Pont powder plant burned with loss of $2,000,000.

1916

February 15: Brooklyn, N. Y., two British ships burned at docks; loss, $1,000,000.

March 31: Horst von der Goltz disclosed plot to invade Canada, blow up Welland Canal, and admitted enlisting Germans in Baltimore.

April 19: Government seized papers of Wolf von Igel, former secretary to Captain von Papen, in New York "advertising office." State Department later said they disclosed maintenance of a spy system, financing a bureau to stir up labor troubles in munitions plants, "the bomb industry and other related activities," financing of propaganda and subornation of American writers and lecturers.

July 30: Black Tom, N. J., ammunition trains blown up; four killed; loss, $45,000,000.

1917

January 11: Franz Bopp, German consul general in San Francisco, and Baron George W. von Brincken convicted of conspiracy to injure American shipping, railroad trains, bridges, and munitions plants, and sentenced to 2 years' imprisonment.

January 12: Kingsland, N. J., munitions plant of Canadian Car & Foundry Co. destroyed by explosion; loss, $16,000,000; Haskell, N. J., explosion in Du Pont powder plant blows up 400,000 pounds of powder, shaking four States.

February 21: United States published note from German Foreign Secretary Zimmermann proposing alliance with Mexico, for which Mexico would be paid by annexation of Southwestern American States; New Britain, Conn., set afire by incendiary bombs in 20 places; loss, $300,000.

March 22. Capt. Franz von Rintelen, of German Navy, and two others convicted in New York of conspiracy to interfere with shipment of munitions.

April 2: Six Germans convicted in New York of conspiracy to destroy munitions ships by bombs; attempt made to burn naval training station at Great Lakes, Ill.

On April 2, 1917, Congress met in special session. On April 4 the Senate passed the war resolution. The House passed the resolution April 6, and it was signed the same day by President Wilson. The formal declaration of war against Germany was issued immediately.

I feel that this record of sabotage during the World War will serve to bring home to the membership the imperative need of increasing our investigative forces without further delay.

Mr. YOUNG. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. I yield.

Mr. YOUNG. I appreciate the fact that the gentleman from Illinois is intent on rendering thorough and efficient public service. But I am wondering why the enlisted personnel of the Marine Corps and of the Navy could not be trained the same as the civilians?

Mr. SABATH. There is nothing in the bill that prevents the Secretary from taking those enlisted men or men from the civil service; but they want experienced men who will do the work. As it is, I am reluctant to admit how few men they have in those plants, which involve billions of our money, to protect the Government against sabotage. If I were not afraid it would be publicized I would tell you how few investigators we have, but I am obliged to refrain from doing so. However, I feel it is vitally necessary that this bill be passed.

Mr. SPEAKER. In conclusion, let me say that though the Secretary of the Navy is a Republican, I have the utmost confidence that he would not urge the passage of this legislation if he were not satisfied that it is absolutely necessary in the interest of protection and safety of our Navy and naval shore establishments.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BRADLEY of Pennsylvania. I would like to observe that the purpose of this bill is to assemble a force of trained investigators and I would like to point out to the gentleman from Pennsylvania [Mr. DITTER] that his argument defeats itself. First, the gentleman says he wants to summon the F. B. I., because they are equipped to handle it. Then he concurs with the gentleman from Ohio [Mr. YOUNG], that they could take them from the enlisted personnel of the Navy. So one argument defeats the other.

Mr. SABATH. The gentleman from Pennsylvania [Mr. BRADLEY] has answered the gentleman from Ohio as well as his colleague from his own State and I feel there is nothing more that I could add to his explanation. I therefore move the previous question on the resolution.

Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. WHITTINGTON). The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. YOUNG) there were ayes 52 and noes 1.

So the resolution was agreed to.

PERMISSION TO FILE REPORT

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight to file a report on the bill H. R. 3582.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

Mr. MARTIN of Massachusetts. Reserving the right to object, what is this bill?

Mr. COFFEE of Nebraska. It is a bill to allocate any deficit in the duty-free sugar quota from the Philippine Islands to the domestic areas.

Mr. MARTIN of Massachusetts. Is there any opposition to the bill?

Mr. COFFEE of Nebraska. This request is simply for permission to file a report. There is some opposition to the bill.

Mr. MARTIN of Massachusetts. But is there a minority who would also like to have permission to file a report?

Mr. COFFEE of Nebraska. I do not know whether there will be a minority report or not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may extend his remarks in the Appendix to the RECORD and include a short article.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. COPELAND] may be allowed to address the House for 20 minutes on Monday next, following the regular business of the day.

The SPEAKER pro tempore. Without objection, the request is granted.

There was no objection.

EXTENSION OF REMARKS

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article on the Gallup poll.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Mr. Alfred Calvin Gaunt, president of the Small Business Institute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a short article.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PLANT-PROTECTION FORCE FOR NAVAL SHORE ESTABLISHMENTS

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4671) to authorize a plant-protection force for naval shore establishments, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4671, with Mr. KERR in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with and that the bill be printed at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish a plant-protection force for naval shore establishments, and to maintain and operate the same until June 30, 1943, unless Congress shall have, in the meantime, by concurrent resolution, declared such a force no longer necessary. The duties of this force shall be as prescribed by the Secretary of the Navy.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,450,740 to effectuate the purposes of this act, including salaries, travel, clothing, weapons, motor-propelled vehicles and their maintenance, and any other necessary equipment and supplies.

SEC. 3. The civilian in charge of the force herein authorized may be appointed by the Secretary of the Navy without regard to civil-service laws, at a salary of $7,500 per annum.

Mr. VINSON of Georgia. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. BRADLEY] who reported the bill on behalf of the Committee on Naval Affairs.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I am very sorry that my good friend and colleague from Pennsylvania [Mr. DITTER] is opposing this bill. I know that he is sincere in his desire for economy and I know that he is opposed to anything that would create a field day for the subversive agitators of the United States. I know, too, that as a member of the opposition occasionally it is to be expected that he will find himself opposed to measures which I advocate. I find no fault with him for that, but I do deplore just a little that he allowed some tinge of politics to enter into the debate on a measure that is not political and that has been reported unanimously by 27 members of the Committee on Naval Affairs. The entire membership of Republicans and Democrats has approved this measure and reported it to the House.

The number of employees in the industrial establishments of the Navy Department has increased in the past 8 or 9 years perhaps over 500 percent. In the Philadelphia Navy Yard, in my home city, there has been an increase of from four to five thousand men, to approximately 25,000 civilian employees. Added to that are approximately 5,000 others employed on W. P. A. projects or by private contractors working in the yard. Throughout the whole United States we have a force of 195,000 men, added to which is another 34,000 employees of contractors working on various projects, making a total of approximately 230,000 men employed, the greater part of them coming in during this period of emergency.

The Secretary of the Navy told us that the number of men employed to check subversive activities was so small that there was real apprehension about their ability to adequately protect the Government's interests.

We have billions of dollars of Government money invested in the construction of battleships, and millions of dollars in additional public works we are constructing at naval industrial establishments, and we have had a wholesale increase in the number of employees during the last 8 or 9 years with perhaps 10 or 15 men for the whole Navy Department to check up on the activities and character of these employees. I am astonished that we have had no very serious difficulty so far.

My friend said he would have this force put under the jurisdiction of the F. B. I. I assume he believed Mr. Hoover to be a fearless, courageous man, and for that reason I feel he believes also that when Mr. Hoover tells the chairman of a committee of this House he thinks the Navy Department should have jurisdiction over this force that Mr. Hoover would not be deterred by any fear of reprisals from making a recommendation that was in accordance with his own honest judgment. I believe Mr. Hoover can be relied upon to assert his independence, for I think he has given a greater example of independence in his actions than has any other official of the United States Government during the present administration. If Mr. Hoover says he is satisfied this force belongs under the jurisdiction of the Secretary of the Navy, I believe he is qualified to speak on behalf of the Federal Bureau of Investigation.

The Secretary of the Navy appeared before the committee and endorsed this measure. As a matter of fact, the chairman of the committee the gentleman from Georgia [Mr. VINSON] introduced the bill at the request of the Secretary of the Navy. It authorizes the expenditure of $3,000,000 to employ approximately 300 trained agents who will be taken from fields in private life and from other Government agencies based upon their prior experience as investigators and their prior training in that field. I am sure my good friend from Pennsylvania need have no fear that the Republican who is now Secretary of the Navy will allow any politics to be played in the selection of these men; and the unanimous report from the Committee on Naval Affairs, expressing as it does the view of his own Republican colleagues, indicates they were satisfied on that score.

I am convinced the Navy Department needs this additional force to an extent perhaps greater than we realize. We know what is taking place in various industrial plants throughout the United States. We know that instances of sabotage and destruction occur almost every day in the week; and we are very foolish if we allow the billions of dollars the Government has invested in ship construction and public works in our naval establishments to be endangered because of failure to authorize the appropriation of $3,000,000, which is a very small insurance premium to pay.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to my friend from New York.

Mr. COLE of New York. I would call to the gentleman's attention the fact that this $3,000,000 is to be spread over 2 years. It means therefore the authorizing of the expenditure of $1,500,000 for each of the 2 years constituting the life of the bill.

Mr. BRADLEY of Pennsylvania. That is quite true and I thank the gentleman from New York for his contribution. It really amounts to an authorization for 1 year of $1,500,000.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield.

Mr. SANDERS. Regarding the suggestion of using enlisted men: The gentleman is a member of the Naval Affairs Committee. I should like to have the gentleman's observation as to whether or not there is any economy in training the enlisted personnel of the Navy as specialists in the art of fighting in these highly technical modern wars and then utilizing them as investigators, something for which they were not trained?

Mr. BRADLEY of Pennsylvania. Certainly not. As a matter of fact, just this morning I had a conversation with Major General Holcomb, Commandant of the Marine Corps, not on this particular matter but with respect to the assignment of enlisted personnel to other duties. Major General Holcomb told me that the Marine Corps needed the services of every soldier who had been enlisted for military duty and that they could not spare any enlisted or officer personnel for any other duty, and I do not believe they would have the proper training for this work anyway.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield.

Mr. VINSON of Georgia. As a matter of fact by the assignment of these 330 investigators it will relieve from duty in the navy yards now at least half the marines on duty there, would it not?

Mr. BRADLEY of Pennsylvania. I think that is a safe assumption. Quite a large proportion of the marine guards in the navy yards will be relieved from that duty if we have this trained force of investigators.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield.

Mr. SHEPPARD. I am very much interested in the comments of the chairman of the Committee on Naval Affairs, I may say to the gentleman, for the reason that I have been under the impression from the presentation that has been made up to now that this particular proposal was to authorize the services of trained under-cover Secret Service agents. Now if we are going to have such men relieve ordinary marine policemen what economy is there in that?

Mr. BRADLEY of Pennsylvania. That is not the intent at all.

Mr. SHEPPARD. Then explain what it is all about.

Mr. BRADLEY of Pennsylvania. I explained that with trained investigators in these establishments to check up on subversive activities there would be need for fewer guards than if we did not have this investigation service.

Mr. SHEPPARD. May I make a further inquiry of the gentleman?

Mr. BRADLEY of Pennsylvania. Yes.

Mr. SHEPPARD. I want the gentleman to understand that I appreciate the significance involved here in the protection of property and life on these particular projects that the Navy is operating, because I had experience in it 24 years ago and I know some of the answers. I would like to ask the gentleman this question, if I may: What in your hearings was brought out, if anything, indicating the type of man who was going to act as director of this program and the man's qualifications, and if he has been chosen as yet?

Mr. BRADLEY of Pennsylvania. I do not know whom the Secretary of the Navy might eventually chose for the position, but I have every confidence that the man he selects will be eminently qualified to perform the duties which will be incident to a position of this kind. I think we should give proper credit to the Secretary of the Navy and his conduct of the office during the time he has been Secretary. His record so far as an administrator is a guaranty to the House that he will exercise his usual diligence and place an efficient individual in control of this division.

Mr. SHEPPARD. Does the gentleman know at this time whether or not he has changed his mind on the original appointment which he set up to justify his appropriation before our committee?

Mr. BRADLEY of Pennsylvania. I am not in position to say what the Secretary of the Navy might eventually do except I feel with respect to his answers to questions which were put to him by members of the committee that the entire Committee on Naval Affairs has absolute confidence in his judgment on this particular thing. I am very confident of that.

I hope there will be very little opposition to this measure. It is not a political measure; it is not partisan; it is something which we absolutely need, and the quicker we get it the safer we are going to be able to feel about the activities in our Government-owned and operated shipbuilding establishments.

Mr. Chairman, I yield back the balance of my time.

Mr. COLE of New York. Mr. Chairman, I have no requests for time on the minority side.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, may I say to the Committee that the Secretary of the Navy requested a hearing before the Naval Affairs Committee in executive session on this bill. Some months prior thereto, under authority of an appropriation bill, he had delegated a special agent to make a complete survey of the naval plants of the country with reference to sabotage and subversive elements. Here is the confidential report that is the basis for this bill. The Secretary of the Navy brought this report to me, and he and I read it. As a result of this he asked that a bill be prepared covering this subject matter, authorizing that the Secretary be permitted to employ a civilian to head a force of whatever number he deems necessary to protect the shore establishments of the Navy.

The House will just have to take my word. If you could read this report, you would wonder why more accidents and more sabotage have not already occurred. Without calling any names or any places, and without divulging anything confidential, listen to this:

> There are 100 suspects, 60 of whom are Communists and 40 of whom are Nazis. At this place there are 400 reported to be affiliated with the Nazi organization.

This confidential report, which I am going to send back to the Navy, justifies the Congress passing this bill without a dissenting vote, and it is upon this report and the confidential information that the Secretary divulged to the Naval Affairs Committee which prompted us to bring this bill before you. You have to trust our judgment about this matter, because I cannot sit quietly by, knowing this to exist, without presenting it to the House and asking that legislation be enacted to curb this activity as much as possible.

Mr. COCHRAN. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Missouri.

Mr. COCHRAN. Conceding this legislation is necessary, does not the gentleman feel that some representative of the special agents' office or of the Intelligence Service of the Navy Department be put at the head of this, rather than a civilian?

Mr. VINSON of Georgia. No. I think the Secretary of the Navy is charged by law with the preservation of all this shore activity in the Naval Establishment. I have implicit confidence in Secretary Knox; he is doing a magnificent job, and if the House will go along with him we will all be proud of the great record that he is making. I may not agree with every utterance he makes with reference to foreign affairs and other things, but I say to you that he is running the Navy just like the Navy should be run, with only one objective in view, and that is the general welfare of the country. If the Secretary thinks that some naval officer should be at the head of this, he has authority to designate that individual, and if he thinks he should employ somebody else, he also should have the authority to do so. He should be given full authority to curb this spy system that is growing up in the Naval Establishment.

Mr. COCHRAN. I am not going to be overrun with fear of any spy system growing up in the Navy Department or any shore station.

Mr. VINSON of Georgia. The trouble with the gentleman is that he should be alarmed about it, but he is not conversant with the situation.

Mr. COCHRAN. If I were head of the Navy Department and had a report such as the gentleman says he has in his hand, I would very soon get rid of those people that they are suspicious of. Why, they should not delay a minute if they know someone working in the Navy is not loyal.

Mr. VINSON of Georgia. How can we do it unless we have an intelligence force to ferret them out, which is what we are trying to do.

Mr. COCHRAN. We have an intelligence force in the Navy Department right now. I am not saying this is not necessary. I am not saying that an increase in the intelligence force is not necessary. But here you have a bill worded in such a way that you are going to pick up men and put them in charge and, under the wording of the bill, 9 out of 10 of them can be political appointments.

Mr. VINSON of Georgia. I differ from the gentleman on that.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Not now.

Mr. COCHRAN. Will the gentleman yield me 5 minutes?

Mr. VINSON of Georgia. I will yield the gentleman some time.

Mr. Chairman, I yield myself 2 additional minutes.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from Missouri has made reference to political appointments. May I suggest to the gentleman that if he has that fear, he can very readily reach the thing he fears by adding to the bill an amendment providing that it shall be unlawful for any Member of the House or the Senate or any man in public life to make any recommendation to the Secretary of the Navy in reference to these appointments.

Mr. COCHRAN. Mr. Chairman, will the gentleman from Georgia yield so that I may reply to the gentleman from Michigan?

Mr. VINSON of Georgia. I yield to my good friend from Missouri.

Mr. COCHRAN. I may say to the gentleman from Michigan that there is nothing in the world to prevent him from offering such an amendment, but I will tell the gentleman what I will do. I will support an amendment to this bill to put these guards under civil service and let them be selected from the civil-service register. There is no politics in that, either. I will vote against the committee amendment; and if we vote that down, we accomplish what I desire.

Mr. VINSON of Georgia. That is the very reason we broadened this provision. He can select them from the civil service and he can select them from outside of the civil service.

Mr. COCHRAN. But where is he going to select from?

Mr. VINSON of Georgia. We did not want to confine him to any source from which to get these men to do this job. It is an important job that has to be done. As I have said, I have implicit confidence in the Secretary of the Navy. We have no assurance that the persons in the civil service will qualify to do the particular kind of work he wants done.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Whenever you talk about civil service, my good colleague from Georgia is on the ground. I yield to the gentleman.

Mr. RAMSPECK. The President of the United States issued an order months ago giving the Secretary of the Navy the right to exempt anybody he wanted to from the civil service.

Mr. VINSON of Georgia. That is right.

Mr. RAMSPECK. Therefore this bill, drafted as it is, could have only one purpose; that is, to make this a politically appointed police force. I do not say the gentleman intended that, but that will be the effect of it.

Mr. VINSON of Georgia. Let me say this: All of you are disturbed about politics. You are disturbed about patronage. You are disturbed because the Secretary of the Navy is going to make the appointments. The Secretary of the Navy, as I have said, is doing a magnificent job. You have to trust somebody. I do not care whether he is a Democrat or a Republican; I know he is a great American, and he is doing a duty we all can be proud of. I have implicit confidence that neither politics, religion, nor anything else will cut any figure with the Secretary in selecting the men. He will have one objective; that is, can the man deliver the goods?—and that is all he will have.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, we are not in any way trying the Secretary of the Navy or anybody else here, as far as I know, or even criticizing the work of the Secretary of the Navy insofar as his administration of the Navy Department is concerned. There has been a great deal of criticism, as the gentleman from Georgia intimated a minute ago, in reference to some of Secretary Knox's speeches. I do not agree with some of his speeches. The point I am making is that we are certainly not concerned about politics when we ask the gentleman to consider the advisability of selecting this list from the civil-service register. Surely the gentleman realizes if the merit system prevails in connection with these appointments there will be no politics involved.

Mr. VINSON of Georgia. If the gentleman will yield, does not the gentleman know that the F. B. I. is not confined to civil service?

Mr. COCHRAN. I know the F. B. I. is not confined to civil service, and I will tell the gentleman something. If I had my way, the F. B. I. would be subject to civil service. I am a strong supporter of the F. B. I. but we have other outstanding investigating divisions in this Government that have made wonderful records, and every one of their employees has been selected from civil-service registers. This applies to the Intelligence Service of the Bureau of Internal Revenue, the Narcotic Service, the Customs Service, post-office inspectors, and others.

Mr. VINSON of Georgia. Then you would not have as efficient an organization as you have today.

Mr. COCHRAN. Oh yes, we would. Two laws that I was responsible for—the Kidnaping Act and the Extortion Act put the F. B. I. on the map.

Mr. MOTT. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Oregon.

Mr. MOTT. Since the gentleman thinks this bill would permit more political appointments, and since the Secretary of the Navy is a Republican, what kind of appointments does the gentleman believe the Secretary would make—Republicans or Democrats?

Mr. COCHRAN. The gentleman from Oregon will be pretty well taken care of, because out his way he has some big places that will have to be policed. Being a Republican himself, and a member of the Naval Affairs Committee, and the Secretary of the Navy being a Republican, if there is any politics involved the gentleman will get his in, do not worry about that. I am not, understand, saying the Secretary of the Navy will play politics. I want to relieve him of pressure.

Mr. Chairman, this is the first time in 8 years I have seen the Republicans so keen about exempting Government appointments from civil service. Heretofore, almost unanimously, the Republicans have demanded appointments be made from civil-service registers and have offered amendment after amendment to pending legislation, which I supported. Time and again I have taken the floor in support of legislation to extend the merit system. I have repeatedly stated my constituents have a better opportunity to get a Government position when the merit system prevails than when the spoils system is in effect. I am not going to be mean enough to say you have a purpose in supporting this amendment but I hope someone on the minority side will rise and explain the change in attitude. Surely there is a reason and we should let the people know what that reason is. It will not be long before this question will come up again on some bill and I will await with interest to see how some of my friends on the minority side vote then.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Chairman, I should like to ask the chairman of the committee a question, if he will answer it. I should like to know whether or not the Navy Department recommended the elimination of civil service in this measure.

Mr. VINSON of Georgia. No; the Navy Department brought the bill up, as the bill will show, with all the appointments confined to the civil service, but after we heard the Secretary, after he disclosed briefly what is in this confidential report, the Committee on Naval Affairs felt it would be unfair, if he was to do a good job, to restrict him as to the source from which he would get his police force. We thought in view of the fact that the F. B. I. is not restricted that this force should not be restricted, either.

Mr. RAMSPECK. The point I make to the chairman of the Committee on Naval Affairs is that the President of the United States under the general authority of the civil-service law has already given to the Secretary of the Navy and the Secretary of War in an Executive order the authority to make such exemptions as are necessary to national defense and, therefore, the language written into this bill can have only one effect, to keep these persons so appointed under the bill from obtaining civil-service status at any time without another act of Congress. It is unnecessary As a matter of fact, we do not need any legislation to establish these positions. The Navy Department has the authority. The only reason they have not established them is because the Appropriations Committee did not give them the money. Is not that correct?

Mr. VINSON of Georgia. No; the gentleman is clearly in error and is just as wrong as was the gentleman from Missouri. The reason the bill is here is in order to get authority to do what is asked in this measure.

Mr. RAMSPECK. Did they not ask the Appropriations Committee for the money and did they not refuse it?

Mr. VINSON of Georgia. And they properly should have refused it, because they had no authority to do it.

Mr. RAMSPECK. Yes; they have.

Mr. VINSON of Georgia. The gentleman is confusing this question in his mind with the matter of the guards. This is not the old guard bill that was before the committee some time ago. This force is to be divorced completely from the civilian guards of the Navy. They will have three systems of protection in the navy yards, the Marines, the civilian guards, and if this bill goes through they

will have what might be classified as under-cover men in the Naval Establishment.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish a plant-protection force for naval shore establishments, and to maintain and operate the same until June 30, 1943, unless Congress shall have, in the meantime, by concurrent resolution, declared such a force no longer necessary. The duties of this force shall be as prescribed by the Secretary of the Navy.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,450,740 to effectuate the purposes of this act, including salaries, travel, clothing, weapons, motor-propelled vehicles and their maintenance, and any other necessary equipment and supplies.

With the following committee amendment:

Page 2, line 2, strike out "$1,450,740" and insert in lieu thereof "$3,000,000."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. The civilian in charge of the force herein authorized may be appointed by the Secretary of the Navy without regard to civil-service laws, at a salary of $7,500 per annum.

With the following committee amendment:

Strike out all of section 3 and insert:

"The civilian in charge of the force herein authorized, together with the other personnel thereof, may be appointed by the Secretary of the Navy without regard to civil-service laws, the civilian in charge to receive a salary at the rate of $7,500 per annum, the salaries of the other personnel to be in accordance with the Classification Act of 1923, as amended: *Provided*, That any person appointed to the force who is employed in the civil service at the time of such appointment shall retain his civil-service status for all purposes and shall suffer no reduction in pay by reason of such appointment."

Mr. RAMSPECK. Mr. Chairman, I rise in opposition to the committee amendment.

Mr. Chairman, this committee amendment is nothing in the world but an attempt to create a new force of political appointees. As I stated a while ago, the President of the United States, in order to facilitate national defense, has issued a general Executive order giving authority to the Secretary of the Navy, as well as the Secretary of War, to make such exemptions from civil service as may be necessary in the interest of national defense, and if the Secretary of the Navy feels that these people ought to be selected outside of civil service he has that authority now without this committee amendment, and the only purposes this committee amendment could serve are two: First, it would prevent the persons so appointed from being brought under civil service at a later date if they proved satisfactory employees; and, second, it would subject the Navy Department to untold pressure from political sources to make political selections for these positions.

The Navy Department, according to the statement of the chairman, did not ask for this exemption, and it ought not to be put in the bill. We ought not to play politics with an important protective force such as this bill intends to provide.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. VINSON of Georgia. Does not the gentleman realize the fact that this is a temporary bill and is to have effect no longer than 1943, and can be terminated sooner by joint resolution of Congress?

Mr. RAMSPECK. I recognize that fact, but at the same time I recognize the fact that the Secretary of the Navy now has authority to make such exemptions as are necessary, but you are proposing here to exempt them by law and subject the Secretary of the Navy and the Navy Department to political pressure from every Member of Congress and every United States Senator and every State political machine and subject the Members of Congress themselves to pressure to have political people appointed to these positions without regard to their qualifications, and every one of you will have hundreds of applications and you will have to write letters endorsing them and in many cases they will have to make appointments of people who are not qualified. They ought to be permitted to select these people in accordance with the present law and the present executive order without being subjected to the political pressure which this bill is bound to bring down upon the heads of the Navy Department. As a matter of fact, they started out to select a force like this and notwithstanding what my friend says and notwithstanding the statement of my colleague from Georgia, I know they went to the Appropriations Committee for a guard force of a similar nature and were turned down and did not get the money, and this bill ought not to be enacted in this form.

I hope the House will vote down this committee amendment and leave it under the general law and the executive order of the President, which gives the Secretary of the Navy all the authority he needs, and if he sees fit to make an exemption on that basis, he will then have the right to do so.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I trust the Committee will accept the committee amendment and reject the position taken by my colleague the gentleman from Georgia [Mr. RAMSPECK].

When this matter was before the committee the Secretary thoroughly endorsed the language proposed here. We must be fair. The Secretary is going to try to administer this law in a proper manner. He is going to try to get the best men in the country for these positions and the best men should be obtained for them. So I hope the committee amendment will be approved by the Committee.

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the committee amendment. This is a matter that should give the Congress some little concern. If you place a civilian in charge of this organization, he is going to come in contact frequently with the naval officers, and no one knows better than the gentleman from Georgia [Mr. VINSON], the chairman of the Committee on Naval Affairs, how naval officers will react to a situation of that kind. You are always going to have a commandant in charge of the naval station with many naval officers at the shore stations where the men will be assigned to duty, and this individual in command is going to be in charge of certain civilian employees. You know Navy officers do not want to have civilians telling them what to do. I suggest the official in charge should be a naval officer. There are plenty of them, not in the line, that can be spared, who are competent to handle this position. They would not be running into trouble with the commanding officer and his assistants. Now, there has been some reference to politics. I come from a big city, and I suppose it seems always strange to some, that, coming from a big city I am always advocating the civil service and the extension of the merit system in the Government. I have supported the gentleman from Georgia [Mr. RAMSPECK] on every motion he has made with regard to appointments to be made from the civil-service register, and why? Because I know that when a Member of Congress gets one job not subject to civil service, your bureau chiefs, or other outsiders, get nine of them, so I know my constitutents have a better opportunity to get work from the Government if they are selected from the civil-service register than if they are selected without regard to civil service. I think the statement of the gentleman from Georgia [Mr. RAMSPECK], the chairman of the Civil Service Committee, is sound, and that this House should vote down this committee amendment. I know positively that recently a civil-service examination was held for guards and an eligible list established. I further know you have eligible lists available for investigators. From these lists you can get men to perform the duties required under the terms of this legislation. For that reason, I propose to support the motion of the gentleman from Georgia [Mr. RAMSPECK].

The CHAIRMAN. The question is on the committee amendment.

Mr. RAMSPECK. Mr. Chairman, on that I demand a division.

The Committee divided; and there were—ayes 64, noes 15.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KERR, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4671, and, pursuant to House Resolution 202, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded upon any amendment?

Mr. RAMSPECK. Mr. Speaker, I demand a separate vote on the amendment to section 3.

The SPEAKER. The question is on agreeing to the other amendment.

The other amendment was agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

Committee amendment: Page 2, line 6, strike out the language of section 3 and insert:

"The civilian in charge of the force herein authorized, together with the other personnel thereof, may be appointed by the Secretary of the Navy without regard to civil-service laws, the civilian in charge to receive a salary at the rate of $7,500 per annum, the salaries of the other personnel to be in accordance with the Classification Act of 1923, as amended: *Provided*, That any person appointed to the force who is employed in the civil service at the time of such appointment shall retain his civil-service status for all purposes and shall suffer no reduction in pay by reason of such appointment."

The SPEAKER. The question is on agreeing to the amendment.

Mr. RAMSPECK. Mr. Speaker, on that I demand a division.

The House divided; and there were—ayes 76, noes 15.

Mr. RAMSPECK. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. This is an automatic call. The question is on agreeing to the amendment.

The question was taken; and there were—yeas 270, nays 40, not voting 121, as follows:

[Roll No. 54]

YEAS—270

Allen, Ill.	Cole, N. Y.	Gale
Allen, La.	Colmer	Gathings
Andersen, H. Carl	Connery	Gavagan
	Cooley	Gibson
Anderson, Calif.	Cooper	Gifford
Anderson, N. Mex.	Copeland	Gillie
	Costello	Gossett
Andresen, August H.	Cox	Graham
	Cravens	Grant, Ala.
Andrews	Creal	Grant, Ind.
Arends	Crowther	Green
Arnold	Cullen	Gregory
Baldwin	Cunningham	Guyer, Kans.
Barry	Curtis	Gwynne
Bates, Ky.	D'Alesandro	Haines
Bates, Mass.	Davis, Ohio	Hall, Edwin Arthur
Beckworth	Davis, Tenn.	
Beiter	Day	Hancock
Bell	Dickstein	Hare
Bennett	Dirksen	Harris, Ark.
Bishop	Disney	Hart
Blackney	Domengeaux	Harter
Bloom	Dondero	Hartley
Boggs	Doughton	Hébert
Bolton	Downs	Heidinger
Bradley, Pa.	Doxey	Hendricks
Brooks	Drewry	Hess
Brown, Ga.	Durham	Hinshaw
Bryson	Dworshak	Hobbs
Buck	Eaton	Hoffman
Buckley, N. Y.	Eberharter	Holbrook
Bulwinkle	Edelstein	Holmes
Burch	Elliott, Calif.	Hook
Burdick	Ellis	Hope
Burgin	Elston	Howell
Butler	Engel	Hunter
Canfield	Englebright	Imhoff
Capozzoli	Fellows	Izac
Carlson	Fenton	Jenkins, Ohio
Cartwright	Fish	Jennings
Casey, Mass.	Fitzgerald	Jensen
Chenoweth	Fitzpatrick	Johns
Chiperfield	Flaherty	Johnson, Calif.
Claypool	Flannagan	Johnson, Ill.
Clevenger	Flannery	Johnson, Luther A.
Cluett	Forand	
Coffee, Nebr.	Ford, Miss.	Johnson, Okla.
Cole, Md.	Ford, Thomas F.	Jones
Kee	Murray	Sikes
Keefe	Myers, Pa.	Simpson
Kelley, Pa.	Nelson	Smith, Maine
Kennedy, Martin J.	O'Brien, Mich.	Smith, Ohio
	O'Connor	Smith, Va.
Kennedy, Michael J.	O'Leary	Smith, W. Va.
	O'Neal	Snyder
Keogh	O'Toole	South
Kerr	Pace	Sparkman
Kinzer	Paddock	Spence
Kirwan	Patman	Springer
Kramer	Patton	Starnes, Ala.
Lambertson	Pearson	Steagall
Landis	Peterson, Ga.	Stefan
Lanham	Pierce	Stratton
Larrabee	Pittenger	Sumners, Tex.
Leavy	Plauché	Talle
LeCompte	Ploeser	Tarver
Lesinski	Poage	Taylor
Lewis	Priest	Thill
Lynch	Randolph	Thomas, Tex.
McCormack	Rankin, Miss.	Thomason
McGehee	Rankin, Mont.	Tibbott
McGregor	Reed, Ill.	Van Zandt
McKeough	Richards	Vincent, Ky.
McLaughlin	Rivers	Vinson, Ga.
McLean	Robertson, N. Dak.	Vorys, Ohio
McMillan		Vreeland
Maas	Robertson, Va.	Ward
Maciora	Robinson, Utah	Wasielewski
Magnuson	Robsion, Ky.	Weaver
Mahon	Rockefeller	Welch
Martin, Iowa	Rogers, Okla.	Wheat
Martin, Mass.	Rolph	Whittington
Mason	Russell	Wigglesworth
May	Rutherford	Williams
Merritt	Sanders	Wilson
Meyer, Md.	Satterfield	Wolfenden, Pa.
Michener	Scanlon	Wolverton, N. J.
Mills, Ark.	Schaefer, Ill.	Woodruff, Mich.
Mills, La.	Schulte	Worley
Monroney	Scrugham	Wright
Moser	Shafer, Mich.	Youngdahl
Mott	Shannon	Zimmerman
Mundt	Short	

NAYS—40

Angell	Hill, Wash.	Rees, Kans.
Baumhart	Hull	Sauthoff
Cannon, Mo.	Jackson	Sheppard
Case, S. Dak.	Johnson, Ind.	Smith, Wash.
Cochran	Kean	Stevenson
Coffee, Wash.	Kefauver	Sumner, Ill.
Eliot, Mass.	Kunkel	Taber
Fogarty	Ludlow	Tenerowicz
Gearhart	McIntyre	Thom
Gehrmann	Oliver	Tinkham
Geyer, Calif.	Pheiffer, William T.	Tolan
Gilchrist		Wadsworth
Granger	Plumley	Young
Healey	Ramspeck	

NOT VOTING—121

Barden	Halleck	Ramsay
Barnes	Harness	Reece, Tenn.
Beam	Harrington	Reed, N. Y.
Bender	Harris, Va.	Rich
Bland	Heffernan	Rizley
Boehne	Hill, Colo.	Rodgers, Pa.
Boland	Houston	Rogers, Mass.
Bolles	Jacobsen	Romjue
Bonner	Jarman	Sabath
Boren	Jarrett	Sacks
Boykin	Jenks, N. H.	Sasscer
Bradley, Mich.	Johnson, Lyndon B.	Schuetz
		Scott
Brown, Ohio	Johnson, W. Va.	Secrest
Buckler, Minn.	Jonkman	Shanley
Byrne	Kelly, Ill.	Sheridan
Camp	Kilburn	Smith, Conn.
Cannon, Fla.	Kilday	Smith, Pa.
Carter	Kleberg	Somers, N. Y.
Celler	Knutson	Stearns, N. H.
Chapman	Kocialkowski	Sullivan
Clark	Kopplemann	Sutphin
Clason	Lea	Sweeney
Collins	McArdle	Terry
Courtney	McGranery	Thomas, N. J.
Crawford	Maciejewski	Traynor
Crosser	Mansfield	Treadway
Culkin	Marcantonio	Voorhis, Calif.
Delaney	Mitchell	Walter
Dewey	Murdock	Weiss
Dies	Nichols	Wene
Dingell	Norrell	West
Ditter	Norton	Whelchel
Douglas	O'Brien, N. Y.	White
Duncan	O'Day	Wickersham
Edmiston	O'Hara	Winter
Faddis	Osmers	Wolcott
Ford, Leland M.	Patrick	Woodrum, Va.
Fulmer	Peterson, Fla.	
Gamble	Pfeifer, Joseph L.	
Gerlach		
Gore	Powers	
Hall, Leonard W.	Rabaut	

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Bonner with Mr. Rich.
Mr. Barden with Mr. Ditter.
Mr. Woodrum of Virginia with Mr. Treadway.
Mr. Rabaut with Mr. Osmers.
Mr. Patrick with Mr. Bender.
Mr. Jarman with Mr. Crawford.
Mr. Kilday with Mr. Thomas of New Jersey.
Mr. Norrell with Mr. Harness.
Mr. Bland with Mr. O'Brien of New York.
Mr. Clark with Mr. Bolles.
Mr. West with Mr. Knutson.
Mr. Johnson of West Virginia with Mr. O'Hara.
Mr. Courtney with Mr. Jarrett.
Mr. Harris of Virginia with Mr. Reece of Tennessee.
Mr. Kleberg with Mr. Culkin.
Mr. Boykin with Mr. Powers.
Mr. Terry with Mr. Kilburn.
Mr. Boland with Mr. Brown of Ohio.
Mr. Collins with Mrs. Rogers of Massachusetts.
Mr. Somers of New York with Mr. Gamble.
Mr. Beam with Mr. Wolcott.
Mr. Whelchel with Mr. Jenks of New Hampshire.
Mr. Kelly of Illinois with Mr. Scott.
Mr. Boehne with Mr. Douglas.
Mr. Camp with Mr. Reed of New York.
Mr. Traynor with Mr. Dewey.
Mr. Romjue with Mr. Winter.
Mr. Peterson of Florida with Mr. Rodgers of Pennsylvania.
Mr. Gore with Mr. Carter.
Mr. Delaney with Mr. Leonard W. Hall.
Mr. Barnes with Mr. Buckler of Minnesota.
Mr. Lea with Mr. Rizley.
Mr. Dies with Mr. Stearns of New Hampshire.
Mr. Murdock with Mr. Bradley of Michigan.
Mr. Sutphin with Mr. Halleck.
Mr. Joseph L. Pfeifer with Mr. Clason.
Mr. Schuetz with Mr. Hill of Colorado.
Mr. Ramsay with Mr. Gerlach.
Mr. Boren with Mr. Leland M. Ford.
Mr. Celler with Mr. Marcantonio.
Mr. Byrne with Mr. Mitchell.
Mr. Harrington with Mr. Sasscer.
Mr. Duncan with Mr. Walter.
Mrs. Norton with Mrs. O'Day.
Mr. Faddis with Mr. Sweeney.
Mr. Nichols with Mr. Shanley.
Mr. Kocialkowski with Mr. Heffernan.
Mr. McArdle with Mr. Houston.
Mr. Smith of Connecticut with Mr. Jacobsen.
Mr. Sheridan with Mr. Secrest.
Mr. Lyndon B. Johnson with Mr. Sullivan.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tomorrow night to file a committee report on the bill S. 1438.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Reserving the right to object, what bill is that?

Mr. STEAGALL. It is the Senate Reconstruction Finance Corporation bill. A similar bill has been reported by the House. This is merely to take care of the parliamentary situation, so that when the House takes up the measure we will consider the Senate bill, technically.

Mr. MARTIN of Massachusetts. Is there any minority report to be filed?

Mr. STEAGALL. Oh, no.

Mr. MARTIN of Massachusetts. If there were, I would ask that they have permission also.

Mr. STEAGALL. Oh, there is no opposition. I would make such a request if there were.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to ask the majority leader if he has proceeded far enough with his plans for next week to tell us what bill will follow that which comes out of the Committee on Coinage, Weights, and Measures on Monday?

Mr. McCORMACK. I am hopeful that the Rules Committee will report out a rule on the bill H. R. 4647, a bill to enlarge the powers of the Reconstruction Finance Corporation with reference to certain national-defense activities. If that bill is reported, it will be the next order of business after the bill that is taken up on Monday, the extension of the stabilization fund.

Mr. MARTIN of Massachusetts. Will Calendar Wednesday business be set aside to consider that on Wednesday or will it be taken up on Thursday?

Mr. McCORMACK. Without committing myself definitely, the probabilities are that I will ask unanimous consent to dispense with Calendar Wednesday business next week. To date we have been quite generous with Calendar Wednesday calls, and without definitely committing myself the probabilities are that I will ask unanimous consent that Calendar Wednesday business be dispensed with next week.

Mr. MARTIN of Massachusetts. Is it the purpose to have a session on Memorial Day?

Mr. McCORMACK. No.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. RANDOLPH] may have permission to extend his own remarks by including in the Appendix of the RECORD a speech recently made by him.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks by including therein an editorial which recently appeared in the Boston Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent, I desire to insert in the Appendix to the RECORD a dispatch appearing in yesterday's New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to insert in the RECORD a brief account of a patriotic meeting in Ardmore, Okla.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks with regard to the question of convoys.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THILL. Mr. Speaker, I ask unanimous consent that on Monday next, after the legislative business has been disposed of and all special orders, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Vermont [Mr. PLUMLEY] is recognized for 30 minutes.

THE NICARAGUAN CANAL—WHY NOT?

Mr. PLUMLEY. Mr. Speaker, we are in the midst of a terrible emergency, for never in history has the world been so torn nor the United States faced with a greater apprehension or real danger.

We are hurriedly sending every weapon of war, except actual manpower, to the aid of Great Britain. We are training hundreds of thousands of young men. We are arming for defense. We are building to double, perhaps treble, our great Navy to defend us.

Yet we are strangely and obtusely and stubbornly ignoring one of the most vital needs that would complement this great naval expansion and is absolutely essential.

I suggest, I insist, that construction of the long-mooted Nicaraguan canal is as desperately needed for the efficient maneuvering of our proposed three-ocean navy as are the additional ships that will create that Navy.

It is worse than neglect for this administration, this Congress, to ignore that fact.

The distinguished chairman of the Rivers and Harbors Committee of the House told the press the other day that he was about ready to introduce a bill to carry out the joint agreement between Canada and the United States to construct the St. Lawrence waterway canal.

Now, I do not propose at this time to discuss the merits or demerits of that proposition. I stand here today to reiterate that from the standpoint of national defense there is a canal that should be built and one that we should have had brains enough to construct long ago. That is the Nicaraguan canal.

The situation is admittedly serious, yet so much rubbish has been dumped and so much dust has been raised in order to bury domestic difficulties and to blind the eyes of the public that it is not surprising that somebody writes me:

> What has become of all those proponents of the Nicaraguan Canal project? Everything they ever said in favor of it has long ago been demonstrated to have been true.

It is true that we have tardily discovered that inadequate facilities for either peace or war are afforded by the Panama route. Some of us could say, "I told you so." The need for eventual enlargement, as prophesied, has been demonstrated. There is a terrific responsibility resting upon us and a crushing expense involved in an attempt to police and protect this one, inadequate, improperly defended lane.

A THREE-WAY NAVY AND A TWO-WAY CANAL

So what? Just this, as I see it. If we are to have a three-way Navy—and, generally speaking, I am in favor of it—we should at least have a two-way route; that is to say, one by way of the Panama Canal and the other by way of the Nicaraguan canal. The more and bigger our Navy, the greater our need for two ways.

Expensive program? Yes. Necessarily long time to construct such a canal? Yes. But the construction of this canal would have saved and still will save the wasteful expenditure of millions of dollars in boondoggling and leaf raking and in a thousand other manufactured projects in an attempt to create a prosperity unreal; and the canal could and would be completed before the new Navy is finished.

Let us talk sense, not hysteria. Let us keep at least one foot on the ground. If we are going to take on the job of policing this hemisphere, we had better fix it so that we can get through by land or water to a sea one way when we cannot go by the other.

Let us talk about the Nicaraguan canal, which for some reason or other, and I think I know very well the reason, never until recently has appealed to military and naval strategists. So long as we could rely on the British Navy in the Atlantic, we could keep our fleet in the Pacific. But what a change.

To a layman the Nicaraguan project presents the possibility of the most permanently profitable investment that could be offered for us as one of the two most necessary and satisfactory artificial waterways on the globe; connecting as it would two oceans at or nearby the

center of the habitable and commercial zone of this continent. It would pay, or could have long ago paid, for itself economically. That is one reason why it never has been approved by those in competition to it whose selfish interest has been uppermost. It would be invaluable, defensively and military, and for the use of our three-way navy. Who undertakes to deny this? Let him speak and tell the truth.

It may be that one should not be economically minded in these days of waste of the taxpayers' money. Nevertheless, I still am.

NO EASTERN OR WESTERN MARKETS

Is it true that perhaps there will never again be any eastern or western markets, no exports or imports after the war? I deny that such a prospect confronts us for that means the end of civilization and of expansion and of the United States. It is just too silly to contemplate. But were it so, even then we might justify the expense incident to the construction of the Nicaraguan canal on the ground that we need it for our national defense so long as we have anything to defend.

Now, the United States of America should not be deprived of this canal or be licked as a United States of America, because, to serve some selfish interest and to put dollars into somebody's pocket, the Nicaraguan canal route would cramp the style of the Panama Canal, in that it would save from 1 to 2 days' time for 80 percent of the shipping that would use and does now use the Panama route. Nor should we stand idly by and see ourselves made a whole burnt offering, because, with the larger locks made necessary and to be contemplated, the Nicaraguan canal could and would pass the largest ships that are humanly possible of conception, which the Panama Canal cannot do. Nor should we cease to urge the building of the Nicaraguan canal for any of the reasons that once seemed so important to those who were most interested, selfishly and financially, in building the Panama Canal, the inadequacy of which has been demonstrated even for the normal volume of shipping, to say nothing of military necessities.

It is an incontrovertible fact that the Nicaraguan canal would strengthen us from a military standpoint when in arms, and in peacetimes should stimulate and enlarge our commerce.

DOG-IN-THE-MANGER STUFF

We should even refuse longer to be a dog in the manger, barking at European powers that might seek to build such a canal, and, as we bark, growling that as defenders of the Monroe Doctrine we will not tolerate such interference as foreign powers might contemplate as possible with respect to the construction by them of such a canal as we need but will not build.

I can stand here and say, "I told you so." How much better off we should be today had we believed and listened to those people who years ago prophesied absolutely and actually and substantially what has happened, insisting as they did, that for our own national defense, in such a time as they prophesied, we would need and ought to have this second waterway? We just will not listen to advice or learn from experience. There are none so blind as those who cannot see, unless it be those who will not. Yet it is not too late.

As we have needed it, we now need and shall in the future need, more than ever, the Nicaraguan canal for the fulfillment of national opportunity and of our destiny; the defense of two continents and the competent discharge of the international duty we have assumed.

Otherwise the Monroe Doctrine means nothing and our brave talk means less. Reduced to its lowest denominator, the construction of this canal is a question of patriotism and of potentiality for the United States as a self-supporting and self-contained territory that has assumed the burden of the defense of a hemisphere.

OUR GOOD-NEIGHBOR POLICY

And again, this proposition with respect to building the Nicaraguan canal is of the essence of our good-neighbor policy as between us and the Central and South American countries, talking about it from the standpoint solely of economic potentiality and the saving of civilization. To get right down to brass tacks, under the threat of having to enforce that very Monroe Doctrine about which we bluster and brag so much, "we'll have either to cut bait or to fish," as they say on the New England fishing banks. And in either event we shall need this Nicaraguan canal.

True, I am more influenced today by what I think is military necessity, perhaps, than by the economic potentiality; yet both are involved. One is present and necessity is something in the line of vision without which a people perishes.

In these days of boondoggling and leaf raking and relief projects, with the cost and factor of our unemployment running into the millions, why have we done nothing about this tremendous project which involves our national life, this interoceanic canal, the advisability of the construction of which has been discussed since 1550?

Do you know that the report of the United States Army engineers, made in connection with the survey completed between the years 1929 and 1931, showed that tremendous advantages would accrue to us out of the construction of this canal? Well, it is a fact. You can find the report and read it for yourself.

That was 10 years ago, or more. What has been done about it? Nothing. And why? Well, the answer is perfectly obvious to those who understand what has been going on.

THE ARMY REPORT WAS FAVORABLE

Do you know the Army report showed that no less than two-thirds of all the traffic then using the Panama Canal would save much time by using the Nicaraguan route? Shortening of sailing time would, of course, have cheapened rates and would have stimulated commerce; and will. You should get a copy of that report and read it, for there are a lot of other good things about this canal which are disclosed by this report that has been submerged and buried for obvious reasons—but why talk about it?

Let us do something about it. We need this Nicaraguan route now. We have always needed it.

The two canals would supplement each other strategically and commercially, or would have; and still will, strategically. The usefulness of and the necessity for the Panama Canal, from the first standpoint, would and always will be just as great as now. We need two.

The new third set of locks is no equivalent to a second canal. Even a blind man can see that. The reasons are too numerous even to argue about.

We are spending a terrific amount of money to make a Navy second to none, and it is not wise for us to take a chance of getting our fleet balled up at Panama, or of having it sunk or blocked in attempting to negotiate a passage through that Canal to another sea.

We need two canals in order to insure our safe transit. The Nicaraguan canal is vital to our national security and to our adequate defense, or so I, as a layman, see it and have always seen it. Nothing that has happened recently has changed my opinion but, rather, has confirmed my judgment that, as I have often suggested and for reasons too numerous to mention here, the need is great today. It always will be. We need to assure ourselves of the protection such a canal will guarantee for our three-way Navy.

THE SEA OF DESTINY

And last but not least, it is not to be forgotten that, as W. Adolphe Roberts has said, the Caribbean is "our sea of destiny, the Mediterranean of the west"—a sea around whose shores man has perpetrated some of his most frightful cruelties to his fellow man; a sea upon whose roaring waters some of the most magnificent epics of the past have been staged, a sea of gold and blood and torture and striving, foci of the trade routes of the western world, cradle of what has now flowered into the civilization of the west.

In his review of Roberts' book, H. W. Baldwin speaks of the Caribbean as the "strategic sea of destiny." This book, The Caribbean, fills a need which has long existed, since it is the first complete history of that sea. As Baldwin says:

For 448 years since Columbus first crossed the Atlantic in his cockleshells the Caribbean has been the stage setting for the march of empire; upon its waters and its islands and the continents it laves have waxed and waned men and governments and peoples, political systems and dynasties and religions; beneath its flamant sunsets have sailed the conquerors and the conquered, the makers of history and those whom history has passed by. To call the roll of Caribbean characters is to summon from the past all the pomp and pageantry of the days of kings, to sound the trumpet of adventure, to roll the muffled drum of death and disaster:

Columbus, Cortez, Balboa, De Soto, Ponce de Leon in the perpetual quest of man—the search for never-ending life; Sir Francis Drake and Morgan, Nelson and Josephine, Alexander Hamilton, Toussaint l'Ouverture Dessalines, and King Christophe, the ruined monument to whose cruel glories still molders beneath the tropic suns; Bolivar the Liberator, Raphael Semmes, and Ferdinand

de Lesseps, and Gorgas, and Goethals, and all the thronging ghosts whose deeds—noble, mean, avaricious, or mighty—are written large in the political boundaries, economic status, racial characteristics, and inherited traditions of the polyglot peoples who are the sons and daughters of the Caribbean Sea.

This magnificent pageant of our past has long been crying for an author, a historian, to piece together the great dramas and the great scenes which compose it.

IMPORTANCE OF THE CARIBBEAN

Now the Caribbean is assuming a new importance in the strategic picture of the world.

At the end of the book the author discusses the "issues of 1940," and while perhaps overestimating the importance of Jamaica and Martinique in the defense of the Panama Canal, nevertheless, ends on the true and prophetic note:

If the present war reaches the New World, or totalitarianism dominates the Old, the sea's strategic importance will be greater than at any time in the 448 years since the coming of Columbus.

The Nicaraguan canal, eventually. Why not now?

I am still wondering why somebody does not do something about it. I shall keep hammering away at this subject as I have been hammering for the last 7 years. I do not seem to have gotten very far. One cannot do much alone against such opposition as has been met. What I am wondering is this: Is anybody going to help? And if so, who and when? [Applause.]

The SPEAKER. Under the previous order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 20 minutes.

IS THE BRITISH EMPIRE IN THE COURT OF PUBLIC OPINION IN THE UNITED STATES WITH CLEAN HANDS?

Mr. BURDICK. Mr. Speaker, it is both interesting and alarming to follow the successive steps in the demands of Great Britain to involve the United States in the present World War. In the first World War, Great Britain mapped out exactly the same course that is now being pursued. Step by step, gradually but certainly, we were rushed into that war. If we are to learn anything from history, we should be intelligent enough to see that Great Britain is again, step by step, gradually but certainly, leading the United States into war.

For some unknown reason the British statesmen seem to have the Indian sign on our own statesmen. It seems that we are acting under the spell cast upon us and that we have no way of thinking for ourselves. Have we in the United States become so dumb mentally that we can be made fools of by men whose intelligence is not superior to our own?

Six months ago all England wanted from the United States was our sympathy; 5 months ago all England wanted was to purchase war supplies in the United States; 4 months ago all England wanted was our sympathy, the right to purchase war supplies in the United States, and a gift of money enough from the people of the United States to purchase war supplies. All this was granted by Congress, and 90 percent of the Congressmen thought that was the end of the British demands. That, however, was not the end. A month ago Britain demanded that we seize all ships in the United States belonging to Germany and Italy and turn them over to Great Britain. Although these ships had come into our harbors as friends for protection, we followed the demands of Great Britain without a whimper and seized the ships. Everyone knows who ever read a page on international law that we had absolutely no right to take this action. But Congress took it because Great Britain demanded it. The actual seizure of the ships, if we kept possession of them, might have been justified on the ground that as a last resort to our own self-defense it became an extreme necessity. But when we seized the ships and are in the process of turning them over to the enemy of the nations involved, there is no excuse, no justification, no authority, and no right, legal or moral, upon which we can base our action. But we did it because we are evidently too dull mentally to cope with the intelligence of Great Britain.

No sane person would now expect us to go any further. But, Mr. Speaker, we have not yet started to aid Great Britain. The next step in the program of Great Britain is now upon us. The daily papers have it on their front pages this morning. It is just what I personally knew would be the next move. I knew it because Great Britain did the same thing in the first World War. Here it is:

LONDON, May 21 (Wednesday).—In contrast to Prime Minister Churchill's recent appeal to America to "give us the tools and we will finish the job," today's News Chronicle, in a half-page editorial entitled "We Appeal to America," says:

"We, the British people, want you American people in this war on our side. Fighting. Now."

This, of course, is the last step. Great Britain passed over one step to get to the last at the earliest possible moment. Her logical step was to ask us to convoy British shipping. She asked for it, but we have not yet acted upon that matter. We have given in so easily to British mentality that it can be presumed, with every evidence of truth, that Great Britain thought this step would be taken by us for the asking, and, therefore, immediately jumped to the last demand—that of sending our boys overseas to be slaughtered in the defense of the British Empire.

I presume this step will be taken also. It will unless we can pull ourselves together long enough to think for ourselves. We have all along felt secure in one thing—that our boys would not be sent overseas to fight in any war. We felt that security by the speeches of the President when he was a candidate in 1940. On October 20 at Boston, the President said:

And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again; your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores. Yes, the purpose of our defense is defense.

That was the position the President took then and that position was the great contributing factor to his election. Was the President sincere then? Was he trying to hoodwink the American people and win the election? My answer is that the President was sincere. He honestly believed that we would not be entangled in the net spread to involve us. The President believed that the "Roosevelt luck" would carry us through. But now the situation has changed. As matters have worked out, the "Roosevelt luck" failed to show up, and today I actually believe the President cannot determine what to do.

The successive steps we have taken, all of which had a tendency to involve us, taken together, spells actual war, and the President is fully aware of this. He ought to have foreseen what the results of these separate steps would mean. I think it fair to say that the President has been pushed into this position through the influence of British statesmen.

What I have to say about the President is not political in the least. In the campaign he was opposed by Wendell Willkie, the mouthpiece of J. P. Morgan, who not only wanted to involve us in the war but was determined to do so to save the financial system of Great Britain. Willkie was deliberately forced on the delegates to the Republican National Convention for the very purpose of involving us. My mere statement of this, without proof, would be nothing but a mere opinion, but the facts show this opinion to be right. Here are the facts:

Early in the year 1940—about February—a dinner was held by the Economic Society at the Hotel Astor. Mr. Willkie presided. Other speakers were the Minister from Australia to the United States, Richard G. Casey, captain of the *Flint*, and a professor from Harvard—a refugee from Germany.

This was an adroit meeting to egg us into war, aided and abetted by Wendell Willkie.

Five hundred people were present, and New York businessmen and industrialists predominated.

Thomas W. Lamont engineered the Willkie boom. Lamont, a partner of J. Pierpont Morgan, was very close to Willkie, and the Morgan firm had backed Willkie in the Commonwealth & Southern Utilities Co.

The House of Morgan was and is the financial agent of the British Government, and Willkie was put up by Morgan as a candidate who would protect their interests. Willkie himself was a phony candidate and meant nothing more to the House of Morgan than a mere tool to carry out its design and involve us in the European war.

A few weeks before the Republican convention met in Philadelphia, Mr. and Mrs. Ogden Reid, of New York, gave a private dinner to intimate friends in New York. Among the guests were Mr. and Mrs. Wendell Willkie, Mr. and Mrs. Robert Taft, Dorothy Thompson, Al Williams, Mr. and Mrs. Lewis Douglas, and Thomas Lamont.

There may have been others, but at least these people were there. Everyone knows that Lamont is the partner of J. P.

Morgan, that Douglas is president of the Mutual Life Insurance Co. of New York and headed the Democrats for Willkie.

Thomas Lamont, turning to Willkie, said:

We are going to nominate an interventionist at the Republican convention, and you are going to be that interventionist.

Mr. Willkie arose and made this reply:

If the Philadelphia convention does not nominate an interventionist, I shall vote for Mr. Roosevelt.

Senator TAFT, then arose and said:

I do not wish my silence to be construed as in agreement with that sentiment.

That, of course, was the end of TAFT as a Presidential candidate and Mr. Lamont, with unlimited resources, ballyhooed in the newspapers, on the radio, and in the galleries of the convention hall for Willkie and before the delegates came to themselves, Willkie had been nominated.

Here is evidence enough that Willkie was forced on the people for the purpose of involving us in the war. Willkie's election would have meant war, and Roosevelt's election seems headed for the same result.

Since the President, evidently, does not know what to do, what can Congress do to keep us out of actual war? Can Congress do anything? My answer is, "Yes"; Congress can prevent our going in if it has the courage to stand up and be counted.

First of all, Congress should turn down the proposition to convoy goods to Great Britain, because the President says, "convoys mean shooting and shooting means war."

The next thing Congress can do is to force the statesmen of Great Britain to permit the shipping of food to aid starving people in Europe.

Former President Hoover is right for once and I want to rise here in my place and say he is right. He has a plan to feed starving Europe. Germany has agreed to it, but Mr. Churchill says, "No." He advances two reasons: First, that the Germans will get some of the food, and secondly, that if the people under the German yoke begin to starve they will revolt against Hitler. Neither reason is sound and the last one is unworthy of any Christian man.

This attitude of Great Britain has alienated the affections of all people in Europe. It seems strange that Great Britain has not a friend on earth except the United States. It is because of this attitude and other positions equally unworthy of a Christian empire.

We can demand that Great Britian allow this food to pass. We have it in our power. Are we men enough to use the power we have? Are we afraid of anyone when we know we are right and acting under the dictates of Christian humanity?

If Great Britain will not allow this food to pass, we can say to Mr. Churchill, we withdraw further credit. We will vote no more money for the aid of Great Britain. We condemn your action and will have nothing to do with a government which is not only willing but insists upon starving millions of men, women, and children who are not in the least responsible for their present plight.

Is Great Britain in our court with clean hands? No one can come into a court of equity in the United States whose hands are unclean. Are hands clean that will withhold food from innocent people when that food is supplied without cost to Great Britain? While we are not now in a court of equity, we are still in the greatest court in the world, the court of public opinion in America. England's hands are not clean; they are unclean. That is not only proved but admitted. Shall this court of public opinion longer tolerate the petition of Great Britain for convoys, for money, and, lastly, for the blood of Americans?

If this is the civilization Churchill wants us to save with our lives, it is not the kind of civilization that deserves saving and is not the kind of a civilization that the United States has nurtured and protected. Mr. Speaker, I hope the Members of this House will not longer be led around by the nose by some foreign statesman. I hope we will act on our own volition and that we shall continue to be a Christian nation no matter what happens to Great Britain under the leadership of men who are willing to starve millions of innocent people under the false logic that it will help Great Britain. [Applause.]

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CURTIS. The gentleman from North Dakota gave to the House a quotation from a speech made by the President of the United States last fall wherein he promised we would not go to war. I call the gentleman's attention to the fact that at the time that promise was made it was expected and the newspapers predicted that England might fall any day. It was the same situation that we face at this time. There has been no change of events that would justify any alteration of that position.

Mr. BURDICK. I think the gentleman is clearly right. I can see no necessity whatever, not the remotest reason for this agitation, step by step, for getting the American people rolled up to a state where they will be willing to send their sons 3,000 miles across the sea to fight for some other country.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. H. CARL ANDERSEN. The gentleman well knows from his long experience in this House that in order to get legislation of any kind to the floor of the House we must first get it by these administration-controlled committees, must we not?

Mr. BURDICK. Yes.

Mr. H. CARL ANDERSEN. How can we hope to get anticonvoy legislation before us under such circumstances?

Mr. BURDICK. We do not need any anticonvoy legislation. They have got to get affirmative legislation to use convoys, and then is the time we want to say "no."

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. SHORT. I should like to have the gentleman's opinion concerning the barnstorming tour of the British Ambassador. It is rather unusual to have an Ambassador from a foreign country make speeches all over this Nation trying to inflame and incense the people to engage in conflicts abroad.

Mr. BURDICK. The learned gentleman from Missouri is familiar with what happened in the last war. The same thing happened then; they barnstormed this country into the war, and after we got into it they said they would pay us but that we got in too late and we had no business there anyhow.

Mr. HILL of Washington. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. BURDICK. I yield.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent, in view of what has happened in the last few minutes, to extend my remarks in the RECORD and to include therein a statement by George Washington on embroilment in foreign wars, also a statement made by President Roosevelt, and also three short letters from constituents of mine showing how 95 percent of the people of my State stand on embroilment in foreign wars.

The SPEAKER pro tempore (Mr. THOMASON). Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BURDICK. Mr. Speaker, if there are no more questions, I yield back the remainder of my time. [Applause.]

EXTENSION OF REMARKS

By unanimous consent, Mr. HOBBS was given permission to revise and extend his own remarks.

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Texas [Mr. RUSSELL] is recognized for 5 minutes.

Mr. RUSSELL. Mr. Speaker, during the recess in April, I visited my home district. While there I took the opportunity to visit Camp Wolters; I stood on the hill and viewed over 10,000 young Americans—the flower of our land. I could see patriotism and Americanism written on their faces. My heart thrilled as I gazed on this sight, and a mist gathered in my eyes as I thought of the cheerful sacrifice they were making in the defense of America, and the support of civilization. The thought came to me how grand it is to be an American.

But a pain of sadness swept through my heart when I saw how poorly they were equipped, and I was informed by the officers that they were unable to secure the necessary equipment to properly train these wonderful Americans.

This morning I received a letter from one of my constituents, Mr. W. J. Martin, of May, Tex. Mr. Martin has a son in the Army. When he was inducted into the service I wrote his son a letter of appreciation because I appreciate the service of these red-blooded Americans who are going into the Army.

Mr. Martin's letter is as follows:

DEAR MR. RUSSELL: Sometime ago you wrote my son a nice letter in regard to his Army service, for which I want to thank you.

Mr. RUSSELL, I would like to ask you some questions. Is this Government too small to handle such men as old John Lewis and these other labor leaders? Is the Government going to handle this labor trouble, or is labor going to handle the Government? Hitler says the United States is an inside job, and it looks to me like he is sure doing a good job of it, for every day it is strike, strike, strike, on the radio and in the daily papers.

Mr. RUSSELL, I think it is a dirty shame for the Government to take these boys away from their homes to train them to defend our country, paying them the small amount they do, and then let the labor unions call strike after strike for more pay, when they are already making more money in 3 days than these soldier boys make in 30 days.

I do not believe these laborers are doing the striking; it is their leaders, and they are doing it to help Hitler.

Why does this Government stand for it?

If this Government can't handle these things here at home, how could we hope to handle Hitler when he sees fit to attack us?

Personally, I believe this United States is big enough to handle the job, but the question in my mind is, Are they going to do it, or are they going to let the things happen to us from the inside that have happened to France and all those other countries? We have often heard it said that Britain is our first line of defense, but I say our first line of defense is right here at home.

I am in favor of aiding Britain in every way we can, if it is necessary, and I am in perfect harmony with our defense program, but there are too many leaders that are being allowed to obstruct and hinder it. You may pass this on to the other Congressmen, if you care to. I would appreciate all to know how we parents of these boys feel about the way some things are going.

Respectfully,

W. J. MARTIN.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I merely wish to observe that that is a fair sample of the letters that come from my part of the country, too.

Mr. RUSSELL. I thank the gentleman.

Mr. Speaker, it was discussed at the time of the recess that the labor situation would work itself out, and I had hoped that it would, but today it seems that our hopes were in vain, and Mr. Martin may have something when he says our first-line trench is not England but at home, and these un-American strikes may be the workings of Hitler's parachute troops in America. There are many thousands of Americans who believe so.

May America, through its Congress, have the courage to wipe out these parachute troops, if they are such, and do it now.

The longer we wait, the harder the battle will be. [Applause.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. MURRAY] is recognized for 5 minutes.

DID YOU KNOW THAT DAIRYING AND NEW DEALING DO NOT MIX?

Mr. MURRAY. Mr. Speaker, the following is a table showing the prices of 92-score butter at Chicago from 1915 to 1940, or a period of 26 years:

Yearly average wholesale prices of butter at Chicago, 1915–40—Butter,[1] 92-score creamery, per pound

	Cents
1915	28.0
1916	31.9
1917	41.0
1918	49.5
1919	57.6
1920	58.7
1921	41.7
1922	39.2
1923	46.0
1924	41.2
1925	44.1
1926	42.8
1927	45.8
1928	46.0
1929	43.8
1930	35.3
1931	27.0
1932	20.1
1933	20.8
1934	24.8
1935	28.8
1936	32.0
1937	33.2
1938	27.1
1939	25.4
1940	28.7

[1] Source: Agricultural Marketing Service (table 601, Agricultural Statistics, 1940).

What are the conclusions one necessarily draws from a study of these prices?

First. That butter averaged 31.5 cents per pound the last 4 Republican years.

Second. That butter averaged 38.1 cents per pound the last 8 Republican years.

Third. That butter averaged 42.6 cents per pound the last 10 Republican years before the New Deal controlled the House of Representatives.

Fourth. That butter averaged only 27.6 cents per pound the first 8 years of the New Deal.

Fifth. That butter has averaged only 26.4 cents per pound the 10 years that the New Deal has had control of the House of Representatives.

Sixth. That butter has never averaged a parity price per pound since the New Deal got control of the House of Representatives.

Seventh. That during only 2 years of the New Deal has butter even averaged 30 cents per pound.

Finally, the New Deal has now pegged the butter price at 31 cents per pound when the same Agricultural Department reports show that butter parity price at Chicago was 37.1 cents per pound. The New Deal through the power delegated to it has pegged this price at 31 cents when 20 percent would have to be added to make this price a parity price.

The great bulk of dairy farmers in Wisconsin, as well as other dairy States, should realize the great amounts of public funds that are being borrowed and expended for sectional crops in order to promote the New Deal. The dairymen are continually paying for subsidies for these other groups, but do not get the prices for their own product that existed before the days when the Harvard "hot dogs" started in their wild schemes to make America over.

There is not much expression of interest in the producer's viewpoint here in Washington. The consumer seems to be ever in the minds of the people who the dairy farmer thinks are looking after his interests. Otherwise why should butter average 38 percent more the last 8 Republican years than it has the 8 years of the New Deal?

It is a bitter pill for the New Deal price jugglers to swallow when they peg the price of butter below the 4-year average of the Hoover administration. This is especially true when we realize the new dealers always like to refer to low farm prices under Hoover.

The New Deal pays one group of farmers over $200,000,000 to reduce and control a few farm crops and then it goes out and asks the dairymen of the country to increase their annual production by 10,000,000,000 pounds of milk. The dairy farmers are not given any definite guaranty of what percentage of production cost they can expect to receive for their product if they do increase their production.

The first 3 months of 1941 we imported 5,756,618 pounds of cheese and exported 744,295 pounds of cheese. Whose dairy business are we expanding when our own dairy prices are below parity?

The New Deal has direct control over the markets for all farm products. The farm price juggling by the New Deal is unfair, unjust, and void of common sense. If any farmer is not getting a parity price today, no one is accountable except the New Deal.

Every man that milks a cow should have conclusive evidence that dairying and New Dealing do not mix any more than oil and water.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. MURRAY. I yield to the gentleman.

Mr. H. CARL ANDERSEN. The gentleman, of course, knows that perhaps it is due to the importation of 2,000,000,000 pounds of competing oils and fats in 1940 that our butter price is as low as it is.

Mr. MURRAY. There are many reasons for this low price, and the New Deal has not helped it any. May I say to the gentleman that during this whole year, and I come from a rural section, I have not made any comment about reciprocal trade treaties, for the reason that I personally do not want to be responsible for making matters any worse for the Secretary of State than they now are. I do say to the administration at this time, however, that the wisest, the fairest, and the best thing it can do is to go ahead and give the American farmer parity prices, because if it does we will not hear the complaints that we hear about importations. The American farmer will not indicate much grievance if he is given a parity price for what he himself produces. Let us consider this new trade treaty with Argentina that is coming up. I think the administration should do the right thing and give the American farmers parity

prices for their products, because if it does not, next month when we start hearings on this Aregentine treaty I wonder if we are not going to say a lot of things, and I refer to Members on both sides of the aisles, that it should not be necessary to say. The last time we had the Argentine treaty up we had a bad situation, and evidently we will have a more delicate situation to meet this time.

The administration now has complete control of every market for all agricultural products. They have it, first, through the use of the $235,000,000 provided by appropriation, and otherwise, by Congress for domestic relief purposes; and second, through the use of the millions in the spend-lend bill to buy agricultural products for foreign peoples.

No one can give one fair or just reason why the administration should not give the American farmer producing all farm crops a parity price, as long as the administration has assumed this control of the market. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Nebraska [Mr. CURTIS] is recognized for 20 minutes.

RECONSTRUCTION FINANCE CORPORATION

Mr. CURTIS. Mr. Speaker, the country is well aware of the unity that prevails in the Congress. That same unity prevails throughout the country. We all want America to be defended. We do not want any stone left unturned. We do not want the Commander in Chief handicapped in anything that would delay or interfere with the most rapid production of arms, ammunition, and implements of warfare. We want our Commander in Chief to be free to defend the Western Hemisphere to the utmost.

There is no agreement on the question of the United States intervening in wars in Europe or in Asia. Many people doubt if there can be unity on that question. There is no unity in this country on the question of proceeding any further on the road to state socialism, communism, or totalitarianism. There never should be, because that means the destruction not only of our Government but of our way of life entirely.

Under existing law, the Reconstruction Finance Corporation has very definite powers that they can exercise to assist in our defense program. There is no objection to these. The R. F. C. has power to create corporations to produce and acquire strategic and critical materials. The R. F. C. has power to create corporations, to purchase and lease land, to build and expand plants, to purchase and produce equipment, supplies, and machinery for the manufacture of arms, munitions, and implements of war. The American people want that done and there is no objection to it.

The R F. C., or a corporation created by it, may lease any such arms or ammunition plants to private concerns. That is all right. These corporations may engage in the manufacture of arms, ammunition, and implements of war directly. That, too, is all right.

But, Mr. Speaker, let us consider what authority we are asked to delegate to the Reconstruction Finance Corporation in addition to that authority provided under existing law. The proposal now before the Rules Committee—H. R. 4674—has the most unusual language. This proposal provides that the Federal Loan Administrator, with the approval of the President, can create or organize, corporations any time prior to July 1, 1943, with such powers as they may deem necessary in order to expedite the national-defense program, including but not limited to the powers that I have previously mentioned. This is a blanket authority for the President, through the R. F. C., to create corporations to engage in business without any restriction whatever. The sky is the limit. There is no part of our economy that does not have some such connection with the national-defense program. What kind of corporations can the President create? The answer is obvious, he can create any kind. What powers will these corporations have? They will have such powers as they, meaning the Federal Loan Administrator and the President shall deem necessary. Let us consider what might be included in these broad powers.

Does food have any relation to the national-defense program? It has a very definite relationship. The farmers of America produce this food. Under this broad authority corporations may be created, not only to buy, sell, market, and regulate the flow of agricultural products in this country, but corporations can be created to license producers and thus determine who shall plow, who shall sow, and who shall reap. In this proposal the only restriction that you have is that it must be in order to expedite the defense program, and it shall have such powers as the President shall determine. That is something to think about.

Let us consider how this proposal might affect the petroleum industry. No one can deny that gasoline and oil are very essential items in our defense program. Certain of the warring nations are known to have limited their bombing raids, because of their supply of gasoline. And the need for certain oils is greater. Are you going to grant to the President the power to create corporations to go into the oil business? Are we going to have state socialism take over the refining industry?

Mr. Speaker, we in this House will have something to answer for if we give this blanket approval to state socialism in America.

Consider for a moment the place that drugs and medicines, doctors, hospitals, and nurses play in our defense program. Are we by our votes going to grant to the President authority to create corporations to build and run hospitals, manufacture, distribute, and sell drugs and medicines, and to commandeer the medical and nursing professions of America? In this proposal before the House, we are now asked to grant to the President authority to create corporations with such powers as he may deem necessary in order to expedite the defense program, including the powers that he has already with arms and ammunitions, but not limited to those. I again say that the authority granted under this bill makes the sky the limit on what the President can do toward creating a Fascist state in America. At the beginning of my remarks I said that there were no activities in America that did not have some relationship to the defense program. I think that is true. Are we going to place our O. K. on state socialism for all activities in America because they may relate to national defense?

Are communication lines essential to national defense? What part do newspapers play in a defense program? Is the radio essential to the defense program? Are you by your vote here going to grant to the President authority to create a corporation to dispense news and information to take the place of the United Press, the Associated Press, the International News Service, the Transradio Press, and all the other very fine private news agencies in America? In the interest of news and propaganda in connection with the national-defense program are you going to grant to the President authority to create official state newspapers?

As long as this blanket authority exists, even though it is never used, it will constitute a threat to compel the private agencies engaged in giving to the people the news, to toe the line and obey a bureaucratic Government or their business will be taken over by a competitive organization paid for by public funds. Do we want a situation in America where the newspapers and the radio must give out that information that the bureaucrats want, or they will be forever put out of business and like other Fascist states the government will run the radio and the newspapers.

Mr. Speaker, men have fought and died, they have languished in prisons, they have had their tongues torn out by their roots, they have gone through all sorts of sacrifices to give us freedom of speech and freedom of the press. In the name of the founding fathers, are we going to give away that most precious right in this blanket authority?

What is true of our radios and newspapers in connection with national defense is likewise true of our educational system. The schools of America have a great task upon their shoulders. It is twofold. It deals with the ideals and concepts that we want the youth of America to have, and it deals with vocational guidance and training, at this time when we need skilled workers. This proposal which is before us in which we are asked to grant to the President authority to create corporations for any purpose whatever, does not even except educational institutions.

The making of clothing has a very definite relation to national defense. Because of its relation to national defense are we going to take the manufacture of clothing away from the private concerns in America and create corporations which will put the Government in the business of making clothes?

This proposal to give these broad powers to the President in expanding the R. F. C., and affiliated corporations, is a

Fascist move. Once these clothing factories are created and built by our Government, would you be at all surprised if the women of America were mobilized and regimented to work in these factories? Madame President, herself, has said:

I personally believe that if we are going to ask the young men universally to give a year of service to their country, it would do no harm to require the same thing of young women in their own communities.

Let us consider what possibilities there would be for state socialism in the field of finance, banking, or insurance under this proposal. All such institutions have a very definite relationship to national defense. In this proposal we are asked to give to the Federal Loan Administrator, with the approval of the President, the power and authority to create and organize corporations with such power as they deem necessary in order to expedite the defense program, limited in no way whatever. This authority would extend to the field of finance, banking, and insurance.

Mr. Speaker, the threat of state socialism, communism, and fascism is before us. America has not escaped the threat of this world-wide revolution. As Americans we must resist it. The gentleman from Ohio [Mr. VORYS] has very ably said:

There is a lot of talk about whether we are in this war or whether it is our war or not; I would like to put it this way: There is an imperialistic war going on in Europe in which we have no part; at the same time there is a revolution going on which is world-wide, which affects many lands, and which is distorted and prostituted in many places. We are a part of that world-wide revolution. The struggle is not only military but moral; not only with guns, but ideas. The stronghold of the democratic ideal in the world is not Britain, but America, and our strength lies not only in our material resources but in the moral strength of democracy.

Mr. Speaker, this bill is not necessary. If the President needs the power to create a corporation to assist with any particular phase of the national defense, let us grant that authority specifically. This Congress is united on national defense. We have all seen important national-defense measures pass this Congress in the matter of a few minutes. We can and will do it again. There is no earthly reason why we should grant a broad delegation of power to the President to create all the corporations necessary to make America a Fascist state. It might be well to raise the question as to what will be done with these corporations after the national emergency is over. Did you ever know of a Government business activity that would discontinue and disband, or will they forever be a burden upon the taxpayers?

Mr. Speaker, it is when the little things go wrong, in a motor or an airplane that the crash comes. No one would be so brazen as to suggest to the American people that we abandon our American way of life and accept a Fascist state. But these threats come in innocent-appearing bills like this one. Little by little we build the ladder by which we decend to the pits where the Old World has lived in misery for centuries. I believe with Abraham Lincoln who said:

If destruction be our lot, we ourselves must be the author and the maker thereof. As a nation of freemen we will live through all time, or die by suicide.

[Applause.]

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from California [Mr. BUCK] is recognized for 25 minutes.

OUR RELATION TO THE WORLD SITUATION

Mr. BUCK. Mr. Speaker, the momentous world events of recent weeks have given me much concern, as doubtless they have other Members of the House. Because of the dangers for the United States, I feel impelled at this time to make a few remarks concerning our relation to the world situation.

One of the greatest tragedies of the present era is that the free peoples of the world have remained too long unaware of the tremendous dangers confronting them. Too long have they pursued complacent ways of life. Too long did they ignore the warnings of a few leaders who saw the approaching storm. Too late did they undertake the production of defensive weapons in quantities sufficient to meet an unparalleled situation.

The free peoples have been hypnotized by the leaders of the totalitarian states. These leaders have given out soothing statements of their high motives and peaceful intent. They have concluded with the free nations nonaggression treaties, and agreements for mutual respect of territorial integrity and political independence. Assuming these statements and treaties and agreements to be protection against attack, the free nations have pursued the peaceful way of life and have given inadequate attention to defense preparations. Meanwhile, the totalitarian leaders have regimented their own peoples; have directed their entire national energies toward preparation for conquest. They have geared their agricultural and industrial facilities for war production. They have built guns and tanks and planes in ever-increasing numbers. They have assembled huge supplies of raw materials. They have hoarded stocks of food. They have been preparing for years for unlimited aggressive warfare.

But the preparations of the leaders of the aggressor nations went even further. At their direction spies, propagandists, secret agents, military men in civilian clothes, and commercial people filtered into the free nations. They sought to soften the people of these nations to prepare the way for and make easy the task of conquest.

Finally, the aggressor nations, convinced of the similarity of their purposes, have banded together in a world-wide movement of aggression.

You are aware of the devastating results of this long-prepared conquest. Free nation after nation, lacking adequate military preparation, has gone down before the crushing advance of the totalitarian hordes. Peoples which only yesterday basked in the sunshine of freedom are today chained in dungeons of darkness. The totalitarian leaders impose upon these peoples brutal methods reminiscent of the Dark Ages—starvation, forced labor, concentration camps, firing squads, and terrorization through indiscriminate killing of noncombatant men, women, and children.

Many people in America, while aware of what has been going on in other parts of the world, do not sense any real danger for us. The fall of nation after nation, the threatening spread of hostilities, the menacing struggle for the possession of the seas, all these have failed to move the complacent individuals who think that the United States is immune from danger. They do not realize that if the totalitarian hordes overrun the continent of Africa, hostile airplanes will have a base within a few hours' flying time of this hemisphere. They believe that the oceans serve as a barrier against an attack on this country; they do not realize that if the totalitarian states obtain control of the seas, those seas become a highway for, rather than a barrier against, an attack on this hemisphere. Furthermore, these complacent individuals do not realize that totalitarian agents in America have been making and are making every possible effort to soften the American peoples for an attack that some day may reach this hemisphere.

This subject was discussed by President Roosevelt in his address to Congress at the beginning of the present session. He then made the following statement:

I have recently pointed out how quickly the tempo of modern warfare could bring into our very midst the physical attack which we must expect if the dictator nations win this war.

There is much loose talk of our immunity from immediate and direct invasion from across the seas. Obviously, as long as the British Navy retains its power, no such danger exists. Even if there were no British Navy, it is not probable that any enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean until it had acquired strategic bases from which to operate.

But we learn much from the lessons of the past years in Europe, particularly the lesson of Norway, whose essential seaports were captured by treachery and surprise built up over a series of years.

The first phase of the invasion of this hemisphere would not be the landing of regular troops. The necessary strategic points would be occupied by secret agents and their dupes—and great numbers of them are already here and in Latin America.

To soothe the American nations the totalitarian leaders proclaim that they have no designs on this hemisphere; that they have every intention of respecting the Monroe Doctrine. But nations at peace have been given assurances repeatedly that their national integrity would be respected. In 1933 Hitler said that the German people had no thought of invading any country. In 1935 Hitler said that Germany had neither the wish nor the intention to annex or unite with Austria. In 1936 Hitler said that Germany had no territorial demands to make in Europe. In 1937 Hitler said that Germany was ready to acknowledge and guarantee Belgium and Holland at all

times as inviolable neutral territory. In 1938 Hitler said that he had assured all immediate neighbors of the integrity of their territory as far as Germany was concerned. A year later Germany and Denmark signed an agreement that they would not resort to war or any other form of violence against each other. Germany gave assurances on April 9, 1940, that she had no intention of infringing upon the territorial integrity or the political independence of Norway.

The record tells for itself how these promises have been broken. At present some 15 nations in Europe are under the domination of Germany. Furthermore, Axis legions have moved into the Near East and into Africa. This is further evidence, if such were necessary, that the dictators' plans for conquest know no bounds.

I hope that we in America can be aroused to the full extent of the danger before it is too late. I hope that we can profit by the experience of the peoples who have been enslaved. If we could fully profit by the experience of these peoples who have been the victims of broken promises, who have lived through the misery and suffering of the war as waged by the totalitarian nations, and who have experienced the terrorization which comes from living in areas under the domination of these nations, I am sure we would lose not a minute's time to take full and adequate steps which would insure that the war shall not reach this hemisphere.

The danger before us is as great as or greater than any we have experienced in our entire history as a Nation. To preserve our national existence, our democratic institutions, our way of life, it is necessary that we unite in a mighty defense effort. Capital must play its part. Labor must play its part. Each citizen must do his task in support of our broad program of national defense, which in reality is a program of self-preservation. As individuals we are prone to take our liberties for granted. Our forefathers sacrificed blood and treasure to obtain them; we should be willing to make equal sacrifices to retain them.

It is clear that our Nation must prepare for every possible contingency. We must prepare to meet a challenge in the Pacific and in the Atlantic. We must continue to increase and perfect our Navy, our Army, our Air Corps. We must produce in greater volume the weapons necessary for self-defense. We must build great numbers of merchant ships. We must produce tanks and planes and guns and ammunition. All these things we must do with the utmost speed.

As a part of our defense effort the people of this country have approved overwhelmingly a policy of assistance to Great Britain, China, and other nations which are endeavoring to turn back the advance of the totalitarians. We realize that Great Britain with her Navy stands between us and the Axis military forces. If Great Britain should fall, we would be left alone to face the totalitarians. Obviously our own interests fully justify the policy of furnishing Great Britain with the weapons necessary for use in the heroic resistance of the British people. This is but the exercise of our inalienable right of self-defense. We have already furnished Great Britain with war supplies in accordance with the Lend-Lease Act of March 11 of this year. We must continue to send supplies, and in greater quantities. Furthermore, we must insure that these war supplies reach their destination. We are determined that the products of our fields and factories shall reach the Nation for which they are intended. This point was emphasized by Secretary of State Cordell Hull in the following statement from a radio address delivered a few days ago:

> We are a practical people. When we set ourselves to a task we finish it. We have set ourselves to the task of arming and supplying those whose successful defense is vital to our security. * * * We will not permit this purpose to be frustrated. We will find a way to insure that the weapons pouring in ever greater volume from our factories will reach the hands which eagerly await them.

We must face the fact that if Great Britain should fall, the task before this country would become greatly increased. Our national security would require the continuous devotion of a very large part of all our work and wealth for defense production, prolonged universal military service, extremely burdensome taxation, unending vigilance against enemies within our borders, and complete involvement in power diplomacy. These would be the necessities of a condition as exposed as ours would be in that contingency.

Another direction in which our defense preparations are being made is by cooperation with the other American nations. An attack by an aggressor power against any nation of this hemisphere obviously would menace the United States. Our national-defense system, therefore, is part of a hemisphere defense system in which we are cooperating with the other American nations. We are keeping these nations fully advised of our defense preparations. We have welcomed military missions from them and, in turn, our military experts have been welcomed by those nations. We encourage a frank interchange of information and plans. The eight naval bases which we have acquired from Great Britain were acquired for the protection of the entire Western Hemisphere. The unity of the nations of this hemisphere was proven when these naval bases were promptly opened by the United States to the other American republics for cooperative use.

In conclusion let me urge that we be not discouraged when the tide of events is temporarily unfavorable to our interests. There will, of course, be ups and downs during the days and weeks and months ahead. Powerful propaganda agencies will endeavor to weaken our will to carry on. But it is our tradition that we carry on with increased and renewed vigor when the difficulties seem particularly great.

The world today is passing through a great crisis, a crisis in which the finest ideals of humanity, which have seen their fullest realization in our own country, are passing through an ordeal of fire and sword. If we have the faith, if we have the resolution, these ideals, the very lifeblood of democracy, will prevail.

I should like to close by quoting the final paragraph of an address delivered a month ago by Secretary Hull:

> Although the task is huge, though time is pressing, and though the struggle may continue for a long time, I am confident that at the end there will come a better day. We are at work not only at the task of insuring our own safety but also at the task of creating ultimate conditions of peace with justice. We can help to lay a firm foundation for the independence, the security, and the returning prosperity of the members of the family of nations. I have absolute faith in the ultimate triumph of the principles of humanity, translated into law and order, by which freedom and justice and security will again prevail.

[Applause.]

The SPEAKER pro tempore. Under special order heretofore made the Chair recognizes the gentleman from Kansas [Mr. REES].

GASOLINE TAXES IN THE DISTRICT OF COLUMBIA

Mr. REES of Kansas. Mr. Speaker, I desire to express my endorsement of a bill introduced by the gentleman from Indiana [Mr. SPRINGER], being H. R. 4549. This bill proposes to increase the tax on gasoline in the District of Columbia from 2 cents per gallon to 4 cents. The bill was introduced in the House April 28, and referred to the Committee on the District of Columbia. I think, that in view of circumstances that I shall relate, the committee should proceed to hold hearings on this bill.

The thing that calls my attention more forcefully to this matter is some publicity that has appeared in the Washington newspapers during the last 2 or 3 days regarding this problem. Here is a headline that reads "2 cents too much, gas tax fought at D. C. highway hearings." Here is another that says, "Gas tax rise for highway fought."

Now, let us look at the situation briefly for a minute. The gas tax in the District of Columbia—for the District—is 2 cents per gallon. Every State in the union has a higher tax except one which also has a 2-cent tax. That State—Missouri—I am informed, is making an effort to increase its tax because of its needs. Think for a moment. The rate is lower than 46 States. Furthermore, Mr. Speaker, the average tax in all the States is 4.4 cents per gallon. The tax here is less than half that amount.

Mr. Speaker, that situation might not be criticized so much if it were not for the fact that through the years the general fund of the District has made large contributions for the improvement of highways and building bridges for the District of Columbia.

Only recently a plan was submitted by Highway Director H. C. Whitehurst that provided for improvements over a period of years, to cost about $40,000,000, to lift the traffic face of the Nation's Capital. The plan was applauded by the newspapers and by many leading citizens of the District. Now we find that plan assailed because it includes a recommendation that the tax on gasoline be increased from 2 to 4 cents to help finance the proposition. Mr. Speaker, if there were no need for the improvement and for the tax increase, I would not favor the bill.

It seems to me that the need is obvious. If a hearing on the bill does not disclose the need for improvements, at least, in line with this plan, then it is a different matter. On that subject I want to direct your attention to a careful investigation that was made by a special committee recently, headed by the Honorable W. A. POAGE, of Texas. That report is on file and should be carefully studied by the membership of this Congress. I shall not have time to discuss this report, but I do call your attention to a statement that from 1925 to and including 1937 about $23,000,000 was used from the Federal Treasury to help the street and road funds of the District. The report also discloses that the Federal Government during that period spent approximately $18,000,000 for bridges in the District.

Mr. Speaker, I think it could be said that there has been an expenditure of the equivalent of 4 cents per gallon on the roads and streets and bridges but that only 2 cents tax has been collected.

Now, Mr. Speaker, my criticism lies in the fact that the people in the District are being favored with a low tax on gasoline, and the taxpayers in your State and mine are required to make up the deficit. I just do not believe it is fair. I do not think you do, either.

Mr. Speaker, I do not want the people of Washington to pay more than their share of taxes. I think they should do their part. That is all I ask. They are already favored with a real-estate tax rate of only $1.75 per hundred dollars. The average is about $3 in most places this size.

I know the need for improvements in this great city is great. But before the people of your States and mine should be asked to help contribute between $5,000,000 and $10,000,000 per year, the people of the District should be willing to boost their rates on a par with ours.

Another thing, Mr. Speaker, a great part of the gas tax would be paid by people who do not permanently reside in this city and who pay very little other direct taxes.

I have noticed through the columns of the newspapers that certain big users of gasoline have appeared before the "citizens committees" protesting against the tax raise. These same users are the ones who use and wear the streets the most and who also profit most by the use of the streets and highways. Here we are, in the finest city in the United States, the most prosperous city in the whole country the last 10 years, and their people unwilling to pay as much gasoline tax as people pay in other parts of the country. I just cannot believe it.

Mr. Speaker, why not have a meeting of the Committee on the District of Columbia within the very near future and have a hearing on H. R. 4549? I really believe that when all the facts are presented the committee will support it. I think, too, that when the people of the District are familiar with all of the facts the great majority of them will favor this legislation.

Mr. Speaker, I am including a statement of gasoline taxes levied upon the sale of gasoline in the various States and the District of Columbia, as of this date, May 22, 1941:

There is a Federal tax on gasoline now of 1½ cents per gallon, which is in addition to the amounts set opposite the various States; that is to say where the State tax is cataloged at 4 cents there is an additional Federal tax of 1½ cents which makes the total in that particular jurisdiction 5½ cents.

	Cents
Alabama	6
Arizona	5
Arkansas	6½
California	3
Colorado	4
Connecticut	3
Delaware	4
District of Columbia	2
Florida	7
Georgia	6
Idaho	5
Illinois	3
Indiana	4
Iowa	3
Kansas	3
Kentucky	5
Louisiana	7
Maine	4
Maryland	4
Massachusetts	3
Michigan	3
Minnesota	4
Mississippi	6
Missouri	2
Montana	5
Nebraska	5
Nevada	5
New Hampshire	4
New Jersey	3
New Mexico	5
New York	4
North Carolina	6
North Dakota	4
Ohio	4
Oklahoma	4
Oregon	5
Pennsylvania	3
Rhode Island	3
South Carolina	6
South Dakota	4
Tennessee	7
Texas	4
Utah	4
Vermont	4
Virginia	5
Washington	5
West Virginia	5
Wisconsin	4
Wyoming	4

SUMMARY

One State has a State tax of 2 cents, that is Missouri, which now has a bill and constitutional amendment pending to raise the tax to 3 or 4 cents. The District of Columbia has a tax of 2 cents.

There are 10 States with a State tax of 3 cents.

There are 17 with a State tax of 4 cents.

There are 11 with a State tax of 5 cents.

There are five with a State tax of 6 cents.

There is one State with a State tax of 6½ cents.

There are three with a State tax of 7 cents.

Two jurisdictions have a tax of 2 cents—District of Columbia and Missouri.

The average for the States is now 4.4 cents.

The Federal Government now has a tax of 1½ cents per gallon which applies to all jurisdictions. There are other hidden gasoline taxes, such as production taxes, storage taxes, etc.

TAXES

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, as my colleagues know, the Committee on Ways and Means, of which I am a member, is rather busy forenoons and afternoons in having hearings on tax legislation. Invariably those who have come before us—and we have had from 200 to 300 persons appear before us—make two statements. The first is that they are 100-percent patriotic and for the defense program. In the next paragraph they all say that if we tax them any more than we are taxing them now they will have to go out of business, or that we will reach the point of diminishing returns and the revenues will be so decreased that it would not be worth while taxing them at all.

My contention is that if they are 100-percent Americans they ought to be willing to pay the taxes. I know in my own case the tax is going to be trebled on my income. I certainly will pay that and not say a word against it. I have supported all the appropriations for defense, believing they were for the defense of the Western Hemisphere. I voted against the conscription bill and I voted against the lease-lend bill. But we are in it now, and if we are going to have the fiddler we are going to "pay the fiddler."

Mr. Lovell H. Parker, tax consultant and former chief of staff, Joint Congressional Committee on Internal Revenue Taxation, came before the committee this morning, and he wanted to reduce the amount raised from three and one-half billion to two and one-half billion. One of the ways he wanted to diminish it was to not have anything done with reference to excess profits. I asked him if he was satisfied with the present law regarding excess-profits taxes. He said he was not entirely so; but he said that he wanted that law to remain on the statute books for at least a year more, so as to give it a fair trial. So I read to him from a statement.

[Here the gavel fell.]

Mr. HILL of Washington. I ask permission to proceed for 2 additional minutes, Mr. Speaker,

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. I read to him from a statement by Mr. John L. Sullivan, Assistant Secretary of the Treasury, before our committee on Monday, May 19, from page 7 of that statement. I want to read this for you and for the country at large. It shocked me when he made this statement:

One company whose profits in 1940 were more than 3,000 percent larger than in 1939 is subject to no excess-profits tax whatever on 1940 earnings and this is a company which has thus far received over $70,000,000 of defense contracts. A large industrial company which has received over $250,000,000 of defense contracts and had earnings in 1940 of nearly 200 percent larger than in 1939 will pay no excess-profits tax. It appears that only 5 out of 12 large, integrated steel companies will be subject to excess-profits tax on the income of 1940, although steel companies have in general received huge amounts of defense orders.

These companies pay little or no excess-profits tax because they are allowed a minimum credit of 8 percent of invested capital.

I asked him if he was in favor of that kind of legislation remaining on the stat-

ute books, and he said he was. I replied by saying that we have drafted our young men, have taken them out of good positions where they were getting good salaries, to serve their country at $21 a month. Therefore I, for my part, am in favor of taxing excess profits 100 percent.

My friends, this 3,000-percent increase sounds a great deal to me like the first World War of 1917 and 1918, when 22,000 new millionaires were made. It is time that the American people and the American Congress realize that we must reach these excess profits before it is too late. We must be fair to little business, small industries, to all—but let there be no profits at the expense of service and suffering and possibly lifeblood. [Applause.]

[Here the gavel fell.]

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman be allowed to have 1 additional minute to answer a question.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. H. CARL ANDERSEN. My question, Mr. Speaker, is more in line of a reflection on the gentleman's speech on taxation. I think it is one of the best we have heard on that subject for some time.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, first I am going to talk for the RECORD and then in a moment I shall have some comment to make of interest to the visitors.

Mr. Speaker, I call the attention of the Members to the fact that the Appropriations Subcommittee handling the relief bill, the Work Projects Administration, is in session this week. I believe the committee is meeting now in one of the committee rooms hearing witnesses. It is vitally important to those sections of the country that have not received national-defense contracts that this appropriation for W. P. A. be continued. I regret that the President recommended a cut. I believe the W. P. A. officials ought to be allowed to carry on the projects in those communities where there is high unemployment until such time as private industry can absorb the unemployed. Now just a word to our visitors.

Our visitors wonder why we are still in session and yet practically all of the Members not here. Once in a while a visitor goes away and says, "I am disgusted with Congress." He goes away with this feeling because they do not understand the situation. The Members of Congress work under a heavy schedule. They are at their offices as a rule at 9 o'clock in the morning and together with their office employees proceed to answer the mail and take care of the departmental requests, and make trips down town to the various departments in connection with matters in which the people from whose districts they come are interested. At 12 o'clock noon the House goes into session. We function through committees. After the House goes into session they take up legislation. All of the bills that come here have been carefully considered in committees where witnesses have appeared and testified and where the committee has reported them out on what we call a calendar for action. You will find most of the Members in their seats during the consideration of this legislative program.

The reason I am talking now and the reason there have been several other speeches is because we are on what is known as special orders, after the disposition of all business on the Speaker's table and the legislative program for the day. Members get permission in advance by unanimous consent to talk for 10 or 20 minutes, and those are the speeches to which you have been listening this afternoon.

The other Members of the House, aside from the small number here listening to the special orders, are undoubtedly in their offices attending to the work of their districts and to their duties. So when you go back and tell your friends how many you saw here on the floor, tell them also that you did not visit the various offices and did not see the great activity that is going on in those offices at this time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LARRABEE, for 2 weeks, on account of important business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1438. An act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; to the Committee on Banking and Currency.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes; and

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

ADJOURNMENT

Mr. HILL of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 7 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, May 26, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Friday, May 23, 1941, in room 1304, House Office Building, for consideration of H. R. 1108.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 1038, entitled "A bill to amend Public Law No. 257, Seventy-sixth Congress, approved August 4, 1939, so as to provide pensions to peacetime veterans of the Regular Army, Navy, Marine Corps, and Coast Guard suffering from arrested tuberculosis contracted while in the service." The hearings will be held Tuesday, May 27, 1941, at 10:30 a. m., in room 247, House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m. Wednesday, May 28, 1941, for the consideration of private bills.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

There will be a meeting of the Committee on Expenditures in the Executive Departments Wednesday, May 28, 1941, room 304, House Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees), on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 4473. A bill authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes; without amendment (Rept. No. 606). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. S. 1420. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed title in certain lands of Veterans' Administration Facility, Dayton, Ohio, to the county of Montgomery, State of Ohio, for highway-widening purposes; without amendment (Rept. No. 607). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. S. 1421. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the Norfolk & Western Railway Co. a small piece of land at Veterans' Administration Facility, Roanoke, Va.; without amendment (Rept. No. 608). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 4692. A bill relating to the disposition of personal property of certain deceased patients or members of United States Veterans' Administration facilities; without amendment (Rept. No. 609). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4660. A bill to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935; without amendment (Rept. No. 610). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. S. 774. An act to authorize the Pennsylvania Railroad Co., by means of an underpass, to cross New York Avenue NE., to extend, construct, maintain, and operate certain industrial side tracks, and for other purposes; without amendment (Rept. No. 611). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 1300. An act to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services; with amendment (Rept. No. 612). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Patents. H. R. 4784. A bill to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; with amendment (Rept. No. 613). Referred to the Committee of the Whole House on the state of the Union.

Mr. COFFEE of Nebraska: Committee on Agriculture. H. R. 3582. A bill to amend the Sugar Act of 1937 by authorizing the proration of certain additional amounts of sugar among domestic areas; with amendment (Rept. No. 614). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. S. 1438. An act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; with amendment (Rept. No. 616). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LELAND M. FORD: Committee on Immigration and Naturalization. H. R. 3308. A bill for the relief of George M. Louie; without amendment (Rept. No. 615). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RANKIN of Mississippi:

H. R. 4845. A bill to increase the rate of pension to World War veterans from $30 to $40 per month, to grant such rate at age 65, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. AUGUST H. ANDRESEN:

H. R. 4846. A bill to provide adequate markets and fair prices for agricultural commodities produced in the United States; to eliminate the necessity for mandatory reductions in crop production; to provide a method for the exchange of surplus agricultural commodities for products of foreign countries on a basis mutually advantageous to agricultural and manufacturing interests in the United States, and to such foreign countries; to promote foreign trade in the interest of friendly and peaceful relations among nations; and for other purposes; to the Committee on Ways and Means.

By Mr. BURDICK:

H. R. 4847. A bill to permit courts of bankruptcy to appoint as conciliation commissioners persons who are not lawyers; to the Committee on the Judiciary.

By Mr. CLASON:

H. R. 4848. A bill to provide for the reimbursement of the town of Ludlow, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on Military Affairs.

Mr. Mr. FULMER:

H. R. 4849. A bill to provide for regulating, inspecting, cleaning, and when necessary disinfecting railway cars, other vehicles and other materials entering the United States from Mexico; to the Committee on Agriculture.

By Mr. MAAS:

H. R. 4850. A bill to amend section 14 of the Wool Products Labeling Act of 1939; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY:

H. R. 4851. A bill to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 4852. A bill to consolidate the police and municipal courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RANKIN of Mississippi:

H. R. 4853. A bill to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans, in Veterans' Administration facilities under contract on parity with other war veterans; to the Committee on World War Veterans' Legislation.

By Mr. WHITE:

H. R. 4854. A bill to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended; to the Committee on Irrigation and Reclamation.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 8, with reference to House bill 597, relative to statehood for Hawaii; to the Committee on the Territories.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to consider their resolution with reference to the cane sugar refining industry; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolutions Nos. 37 and 40, with reference to designating December 15, 1941, as Bill of Rights Day; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their house concurrent resolution No. 10, with reference to section 55 of the Organic Act of Hawaii; to the Committee on the Territories.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to consider their senate resolution No. 100 with reference to a reapportionment in the House of Representatives of the Legislature of the Territory of Hawaii; to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EBERHARTER:

H. R. 4855. A bill for the relief of Ralph Lightell, as guardian of Virginia Lightell, a minor; to the Committee on Claims.

By Mr. HINSHAW:

H. R. 4856. A bill for the relief of Teofilo Daued, a merchant of Guaymas, Sonora, Mexico; to the Committee on Claims.

By Mr. HOPE:

H. R. 4857. A bill for the relief of Louis McCoy; to the Committee on Claims.

By Mr. MURRAY:

H. R. 4858. A bill for the relief of the heirs of Simon M. Myhre; to the Committee on Claims.

By Mr. RAMSPECK:

H. R. 4859. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment on the claims of H. B. Nelson (doing business as the H. B. Nelson Construction Co.), against the United States for the amount of such actual losses or damages as shall appear to be due him; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1141. By Mr. BOLLES: Resolutions adopted at the annual meeting of the Evangelical and Reformed Church, representing 85 congregations in southern Wisconsin with a total membership of 18,000 persons, opposing the United States entering the European war or sending our boys to foreign soil; to the Committee on Foreign Affairs.

1142. By Mr. BULWINKLE: Petitition from various citizens of Morganton, N. C., protesting against the passage of Senate bill 983 or House bill 3852; to the Committee on the District of Columbia.

1143. By Mr. COCHRAN: Memorial of the House of Representatives of the State of Missouri, endorsing aid to the suffering, starving, helpless victims of war's brutalities; to the Committee on Foreign Affairs.

1144. By Mr. FORAND: Petition of the emergency committe of Rhode Island to the President and the Congress of the United States, expressing the belief that the security of the United States demands that we deliver the goods to Britain now; to the Committee on Foreign Affairs.

1145. By Mr. HART: Petition of 54 residents of Hudson County, N. J., opposing the convoying of ships to Great Britain by the American Navy; to the Committee on Foreign Affairs.

1146. By Mr. HOFFMAN: Petition signed by 58 residents of Berrien Springs, Mich., protesting against the enactment of Senate bill 983 or House bill 3852; to the Committee on the District of Columbia.

1147. By Mr. LUTHER A. JOHNSON: Petition of Frank W. Moon, manager, Corsicana Coca-Cola Bottling Co., Corsicana, Tex., opposing 1-cent-a-bottle tax on soft drinks; to the Committee on Ways and Means.

1148. By Mr. MARTIN J. KENNEDY: Petition of members of Local 325, affiliated with System Federation, No. 78, Railway Employees

Department, American Federation of Labor, opposing the St. Lawrence waterway project; to the Committee on Foreign Affairs.

1149. By Mr. MARTIN of Massachusetts: Memorial of the Senate of the State of Massachusetts, opposing legislation curtailing the American cane-sugar refining industry; to the Committee on Agriculture.

1150. By Mr. ROLPH: Memorial of the State of California, asking consideration of assembly resolution relative to the Federal Social Security Act; to the Committee on Ways and Means.

1151. By the SPEAKER: Petition of the Council of Bishops of the Methodist Church, Boston, Mass., petitioning consideration of their resolution with reference to Senate bill 860, to protect our conscripted soldiers and sailors as far as possible from the liquor and vice traffic; to the Committee on Military Affairs.

SENATE

FRIDAY, MAY 23, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Most merciful God, who art of purer eyes than to behold iniquity, but who knowest the weakness and corruption of our nature, and the manifold temptations which we daily meet with: We humbly beseech Thee to have compassion on our infirmities, and to give us the constant assistance of Thy Holy Spirit, lest through our own frailty, or the trials which encompass us, we be drawn again into sin.

Yet we pray not only for ourselves but for all men, for Thou dost feel the world's pain, and lookest upon all sick and suffering persons, enfolding them in the arms of Thy love.

Protect and assist, we pray Thee, all those who at home or abroad, by land, by sea, or in the air are serving their country, that they, being armed with Thy defense, may be preserved in all perils. Fill them with wisdom and gird them with strength that they may do their duty to Thy honor and glory; through Jesus Christ our Lord. Amen.

NAMING A PRESIDING OFFICER

The Secretary—Edwin A. Halsey—read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., May 23, 1941.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CARTER GLASS, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

PAT HARRISON,
President pro tempore.

Thereupon, Mr. GLASS took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 20, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 166. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.;

S. 167. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.;

S. 840. An act to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes;

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty;

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students; and

S. 1541. An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4669) making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3368) authorizing expenditures for the Office of Government Reports in the Executive Office of the President; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. O'LEARY, Mr. COCHRAN, and Mr. GIFFORD were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 2670. An act to authorize the use of certain lands for military purposes;

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes;

H. R. 4443. An act to amend section 2 of the act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States;

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes;

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes;

H. J. Res. 55. Joint resolution to repeal section 3716 of the Revised Statutes, as amended; and

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

S. 15. An act to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District;

S. 994. An act to appropriate the proceeds of sales or other dispositions of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor";

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes;

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

CALL OF THE ROLL

Mr. McNARY. Mr. President, I think it was understood that we would consider the calendar today, following, of course, the routine morning business. That is the understanding which was had a few days ago.

The ACTING PRESIDENT pro tempore. The Chair so understands.

Mr. McNARY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Nye
Aiken	George	O'Mahoney
Andrews	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Hayden	Rosier
Bone	Herring	Russell
Brewster	Holman	Schwartz
Bridges	Hughes	Shipstead
Brooks	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Stewart
Bulow	La Follette	Thomas, Idaho
Bunker	Lee	Thomas, Okla.
Burton	Lodge	Thomas, Utah
Butler	Lucas	Vandenberg
Byrd	McCarran	Van Nuys
Byrnes	McFarland	Walsh
Capper	McNary	Wheeler
Caraway	Maloney	White
Clark, Idaho	Mead	Wiley
Clark, Mo.	Murdock	Willis
Connally	Murray	
Danaher	Norris	

Mr. BYRNES. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], the Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. KILGORE], the Senator from Arkansas [Mr. SPENCER], the Senator from Missouri [Mr. TRUMAN], the Senator from Delaware [Mr. TUNNELL], and the Senator from Washington [Mr. WALLGREN] are detained on important public business.

The Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. HATCH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

Mr. MCNARY. The Senator from Vermont [Mr. AUSTIN] is absent because of the illness of his mother.

The Senator from Pennsylvania [Mr. DAVIS] is absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent because of the serious illness of his mother.

The Senator from South Dakota [Mr. GURNEY], the Senator from Kansas [Mr. REED], and the Senator from Ohio [Mr. TAFT] are necessarily absent.

The ACTING PRESIDENT pro tempore. Seventy Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATIONS

The ACTING PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF THE INTERIOR (S. DOC. NO. 59)

A communication from the President of the United States, transmitting as a proposed amendment to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, a supplemental estimate of appropriation, fiscal year 1942, for the Department of the Interior, Fish and Wildlife Service, amounting to $25,000 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PUNISHMENT FOR CONSPIRACY TO VIOLATE COUNTERFEITING LAWS, ETC.

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws (with an accompanying paper); to the Committee on the Judiciary.

ADMINISTRATION OF RECLAMATION LAWS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to facilitate and simplify the administration of the Federal reclamation laws and the act of August 11, 1939, as amended (with an accompanying paper); to the Committee on Irrigation and Reclamation.

REGULATION OF RAILWAY CARS, VEHICLES, AND MATERIALS ENTERING THE UNITED STATES FROM MEXICO

A letter from the Assistant Secretary of Agriculture, transmitting a draft of proposed legislation to provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other material entering the United States from Mexico (with an accompanying paper); to the Committee on Agriculture and Forestry.

JOINT RESOLUTION OF ILLINOIS LEGISLATURE—LIVE DUCK DECOYS

Mr. LUCAS. Mr. President, I present for printing in the RECORD and appropriate reference House Joint Resolution No. 9 of the Legislature of the State of Illinois, dealing with the substitution of live decoys for wooden block decoys. I trust that the Wildlife Service of the Interior Department will take due cognizance of the significance of this resolution.

The joint resolution was referred to the Committee on Agriculture and ordered to be printed in the RECORD, under the rule, as follows:

House Joint Resolution 9

Whereas the Federal Government, several years ago, placed a prohibition against the use of live duck decoys by hunters of wild fowl in order to preserve a rapidly dwindling supply of wild ducks, and, as a result of this action, the supply of wild ducks has been doubled, and restored to an extent which has removed completely any danger of their extermination; and

Whereas during this period, the use of inanimate decoys or "wooden block" decoys has proved wholly unsatisfactory from the hunter's viewpoint, has made the securing of ducks almost prohibitory, has caused the expenditure of sums of money for licenses and duck stamps far out of proportion to the returns of such investment; and

Whereas in addition, the present regulations have created a condition whereby the largest percentage of duck shooting takes place over rivers, lakes, or ponds from distances from 80 to 120 feet, a range causing considerable inaccuracy in marksmanship and resulting in the inhumane wounding of large numbers of wild ducks which cannot be retrieved; and

Whereas said regulations, though highly commendable at the date of their adoption and for several years thereafter, have since outlived their purpose, and operate today as an unreasonable restriction upon hunting privileges: Therefore, be it

Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Illinois (the Senate concurring herein), That we hereby respectfully but urgently importune the Congress of the United States, the Federal Migratory Game Bird Commission, and the United States Department of Agriculture, to take such action as may be necessary to modify the present restrictions relating to the use of live duck decoys by wild-fowl hunters and to permit by law or regulation, whichever may be utilized, the use of a limited number of live decoy ducks for each duck blind; and be it further

Resolved, That copies of this preamble and resolution be forwarded immediately by the secretary of state to the President of the United States, to the Speaker of the House of Representatives of Congress and to the President of the Senate thereof, to the Federal Department of Agriculture, the Federal Migratory Game Bird Commission and to each Member of said Congress from the State of Illinois.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Acting President pro tempore, or presented by Senators, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on the Library:

"Assembly Joint Resolution 37

"Relative to memorializing Congress to designate December 15, 1941, as Bill of Rights Day

"Whereas December 15, 1941, will be the one hundred and fiftieth anniversary of the adoption of the Bill of Rights embodied in the Constitution of the United States as its first 10 amendments; and

"Whereas this date which is ordinarily significant assumes unusual importance at this particular period in the history of our Nation and the world, when those fundamental rights are threatened by totalitarian forces abroad and their sympathizers at home; and

"Whereas various veterans' and patriotic organizations and citizens have petitioned this legislature to urge suitable action to encourage the promotion of widespread observance of the anniversary; and

"Whereas House Joint Resolution 120 is now pending in the Congress providing for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Congress of the United States is hereby respectfully memorialized and urged to enact said House Joint Resolution 120, and to designate December 15, 1941, as a national holiday and to authorize the appointment of a Bill of Rights Sesquicentennial Commission to sponsor appropriate ceremonies and celebration upon that day; and be it further

"*Resolved*, That the chief clerk of the assembly is instructed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Military Affairs:

"Assembly Joint Resolution 40

"Relative to making citrus fruits available to the enlisted personnel of the military and naval forces of the United States

"Whereas numerous reports have been received that the enlisted personnel in Military and Naval Establishments in this State have been denied oranges and other healthful citrus fruits in their food menu; and

"Whereas numerous soldiers and sailors are suggesting gifts of oranges from their families; and

"Whereas all citrus fruits are well known and universally recognized in scientific studies on diet to be of special value as an article of diet; and

"Whereas there is a surplus of citrus fruits in the hands of the producers of California, the marketing of which is at the present time receiving the assistance of the Federal Government: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the War Department and the Navy Department of the United States are hereby urged to provide citrus fruits as a regular part of the menu in Military and Naval Establishments throughout the Nation; and be it further

"Resolved, That orange juice, grapefruit juice, and other California fruit juices be made available at all Army and Navy canteens where soldiers and sailors may buy these healthful and refreshing beverages; and be it further

"Resolved, That the chief clerk of the assembly is hereby directed to send copies of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Senators and Congressmen from California in the Congress of the United States, the Secretary of the Army, the Secretary of the Navy, the commandant of the Eleventh Naval District, San Diego; commandant of the Twelfth Naval District, San Francisco; and commanding officer, Ninth Corps Area, San Francisco."

A joint resolution of the Legislature of the Territory of Hawaii; to the Committee on Appropriations:

"Senate Joint Resolution 8

"Joint resolution memorializing the Congress of the United States of America to make appropriations for the endowment and maintenance of the Agricultural Experiment Station of the Territory of Hawaii in accordance with the provisions of the act of Congress entitled 'An act to extend the benefits of certain acts of Congress to the Territory of Hawaii,' approved May 16, 1928 (45 Stat. at L. 571), and to make additional appropriations therefor

"Whereas the act of Congress entitled 'An act to extend the benefits of certain acts of Congress to the Territory of Hawaii,' approved May 16, 1928 (45 Stat. at L. 571), provides that the Territory of Hawaii is entitled to share in the benefits of the Hatch Act (24 Stat. at L. 440), as amended and supplemented by the Adams Act (34 Stat. at L. 63) and the Purnell Act (Agricultural Experiment Stations) (43 Stat. at L. 970), and authorizes certain sums to be appropriated for the endowment and maintenance of an agricultural experiment station in the Territory of Hawaii; and

"Whereas, the amounts authorized to be appropriated by said act of May 16, 1928, and those actually appropriated by the Congress have been as follows:

	Amount authorized	Amount appropriated	Difference	Accumulated deficit
Fiscal year—				
1930	$15,000	$15,000		
1931	20,000	20,000		
1932	22,000	22,000		
1933	24,000	24,000		
1934	26,000	26,000		
1935	28,000	28,000		
1936	30,000	30,000		
1937	50,000	50,000		
1938	60,000	50,000	−$10,000	$10,000
1939	70,000	55,000	− 15,000	25,000
1940	80,000	60,000	− 20,000	45,000
1941	90,000	67,500	− 22,500	67,500

"and

"Whereas under the bill to make appropriations for the Department of Agriculture for the fiscal year ending June 30, 1942, now before the Congress, the Territory will not receive the sum of $90,000, the amount authorized by the act of May 16, 1928, and will not receive any increase over the amount appropriated for the year ending June 30, 1941; and

"Whereas by reason of deficiencies in the appropriations for the fiscal years 1938 to 1941, inclusive, there is at present an accumulated deficit of $67,500 which the Territory was entitled to be granted under the said act of May 16, 1928; and

"Whereas the said accumulated deficit of $67,500 and the proposed deficiency for the fiscal year ending June 30, 1942, of $22,500 totals $90,000; and

"Whereas the loss of $90,000 over a period of 5 years is a matter of extreme concern to the Territory; and

"Whereas all States, regardless of size, importance, nearness to Federal research centers or other factors receive $90,000 a year from the Federal Government for the support of their agricultural experiment stations; and

"Whereas the Hawaii Agricultural Experiment Station is provided with a technical staff of highly trained men, land, buildings, laboratories, and other facilities for conducting agricultural research in the manner provided in the several acts of Congress; and

"Whereas the Territory is bearing a larger portion of the cost of maintenance of its agricultural experiment station than many of the States; and

"Whereas the research in progress by the Hawaii Agricultural Experiment Station is extremely important to not only the Territory of Hawaii but also the United States; and

"Whereas in this time of national emergency, because of the isolation of the Territory, the production of food and feed crops is next in importance only to the maintenance of the armed forces in the Territory, if, indeed, it can be distinguished as a separate problem; and

"Whereas the production of food crops and the development of an economically sound program of diversification of crops requires continuous, intensive, and detailed research; and

"Whereas such deficiencies in appropriations represent important research which might have been accomplished along the lines of development of adapted varieties, improved cultural practices, new methods of disease and insect control, greater utilization of local feeds and byproducts, control of poultry and livestock parasites and diseases, etc.; and

"Whereas the Hawaii Agricultural Experiment Station needs a greatly increased endowment to pay the necessary expenses of conducting the investigations and making the experiments upon which an adequate program of seed and food production can be based; and

"Whereas in view of the strategic position of the Territory the agricultural problems of the Territory are of national concern as well as of vital importance to the welfare of the people of the Territory: Now, therefore, be it enacted by the Legislature of the Territory of Hawaii:

"SECTION 1. That the Congress of the United States of America be, and it hereby is, urgently requested to give careful consideration to the facts hereinbefore set forth, and (1) to increase the appropriation for the Territory of Hawaii for its agricultural experiment station for the year ending June 30, 1942, from $67,500 to $90,000, as authorized by the said act of May 16, 1928, and to appropriate a similar sum for the year ending June 30, 1943; and (2) to appropriate for the Territory of Hawaii for its agricultural experiment station an additional amount on account of deficiencies in the appropriations for the years ending June 30, 1938, to 1941, inclusive.

"SEC. 2. That duly authenticated copies of this joint resolution be forwarded to the President, the Secretary of Agriculture, the Secretary of the Interior, and each of the two Houses of the Congress of the United States of America, and to the Delegate to Congress from the Territory of Hawaii.

"SEC. 3. That this joint resolution shall take effect upon its approval.

"Approved this 18th day of April, A. D. 1941.

"J. B. POINDEXTER,

"Governor of the Territory of Hawaii."

A joint resolution of the Legislature of the Territory of Hawaii; to the Committee on Immigration:

"Senate Joint Resolution 5

"Joint resolution memorializing the Congress of the United States of America to provide for the issuance, by the Immigration and Naturalization Service of the United States Department of Justice, of certificates of citizenship to all persons residing in the Territory of Hawaii who are citizens of the United States and who apply for such certificates and present due proof of such citizenship

"Whereas through the cooperation of the Immigration and Naturalization Service of the United States Department of Justice, provision has been made in subdivision E of rule 11 of the immigration rules and regulations for the issuance of certificates of citizenship to citizens of the United States who are bona fide residents of the Territory of Hawaii; and

"Whereas said subdivision E of rule 11 requires that the applicants for such certificates of citizenship must show that they actually intend to depart temporarily from the Territory of Hawaii, and the officers of the Immigration and Naturalization Service, acting under said rule 11, refuse to issue such certificates or to investigate claims of citizenship unless the applicants show to the satisfaction of the Immigration and Naturalization Service that they are about to travel to continental United States or other parts of the world; and

"Whereas such certificates are not issued unless the applicants contemplate such travel, and there is danger in the case of such citizens as are not contemplating immediate travel, that the necessary proof of their birth in the Hawaiian Islands, or other facts necessary to etsablish their citizenship in the United States, will be lost by death or removal from the Territory of Hawaii of witnesses who can testify to facts, or otherwise; and

"Whereas the certification of the citizenship, upon due application and proof being made therefor, is a matter of vital importance to the young citizens of oriental ancestry in the Territory of Hawaii, and if provided for will tend to produce greater security and satisfaction in such citizenship and will tend to create better and more loyal citizens of the United States: Now therefore

"Be it enacted by the Legislature of the Territory of Hawaii:

"SECTION 1. That the Congress of the United States of America be, and it is hereby, urgently requested to provide by appropriate and adequate legislation for the issuance of certificates of citizenship of all persons residing in the Territory of Hawaii who are citizens of the United States and who apply for such certificates to the Immigration and Naturalization Service of the United States Department of Justice and furnish due proof of such citizenship, regardless of the intention on the part of such applicants to travel or not to travel in the immediate future.

"SEC. 2. That duly authenticated copies of this joint resolution be transmitted to the Delegate to Congress from Hawaii, the Secretary of the Interior, and the Department of Justice of the United States, and each of the two Houses of the Congress of the United States of America.

"SEC. 3. This joint resolution shall take effect upon its approval.

"Approved this 21st day of April, A. D. 1941.

"J. B. POINDEXTER,

"Governor of the Territory of Hawaii."

A joint resolution of the Legislature of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"House Joint Resolution 24

"Joint resolution requesting the Congress of the United States to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission

"Be it enacted by the Legislature of the Territory of Hawaii—

"SECTION 1. The Congress of the United States is hereby respectfully requested, through the Delegate to Congress from the Territory of Hawaii, to make certain amendments to the Hawaiian Homes Commission Act of 1920, as amended, as more particularly set forth in the proposed form of the bill hereinafter set out; and to that end the Congress of the United States is hereby requested and urged, through said Delegate to Congress, to enact and adopt a bill amendatory of the Hawaiian Homes Commission Act of 1920, as amended, in substantially the following words and figures, to wit:

"'A bill to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission.

"'Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—

"'SECTION 1. That section 203 (4) of the Hawaiian Homes Commission Act, 1920, is hereby amended so that the first course describing "(1) Portion of the government land at Auwaiolimu Punchbowl Hill, Honolulu, Oahu" of the available lands on the island of Oahu will read as follows:

"'"1. One hundred and sixty-three degrees thirty-one minutes two hundred and thirty-eight and eight-tenths feet along the east side of Punchbowl-Makiki Road."

"'SEC. 2. Section 208 (3) of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"'"(3) The lessee shall occupy and commence to use or cultivate the tract as his home or farm within 1 year after the lease is made. The lessee of a farm lot shall plant and maintain not less than 5, 10, 15, and 20 trees per acre of land leased, and the lessee of a pastoral lot shall plant and maintain not less than 2, 3, 4, and 5 trees per acre of land leased during the first, second, third, and fourth years, respectively, after the date of lease. Such trees shall be of types approved by the commission and at locations specified by the commission's agent. Such planting and maintenance shall be by or under the immediate control and direction of the lessee. Such trees shall be furnished by the commission free of charge."

"'SEC. 3. Section 209 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

"'1. By amending paragraph (1) thereof to read as follows:

"'"(1) Upon the death of the lessee, his interest in the tract or tracts and the improvements thereon, including growing crops (either on the tract or in any collective contract or program to which the lessee is a party by virtue of his interest in the tract or tracts), shall vest in the relations of the decedent as provided in this paragraph. From the following relatives of the lessee—husband and wife, children, widows, or widowers of the children, grandchildren, brothers and sisters, widows or widowers of the brothers and sisters, or nieces and nephews—the lessee shall designate the person or persons to whom he directs his interest in the tract or tracts to vest upon his death. Such person or persons must be qualified to be a lessee of Hawaiian home lands: *Provided, however,* That Hawaiian blood requirements shall not apply to the descendants of those who are not native Hawaiians but who were entitled to the leased lands under the provisions of section 3, Public Document No. 227 in the Seventy-third Congress, approved May 16, 1934: *And provided further,* That such person or persons need not be 21 years of age. Such designation must be in writing, filed with the commission and approved by the commission, in order to be effective to vest such interests in the successor or successors so named.

"'"In the absence of such a designation as approved by the commission, the commission shall select from the relatives of the lessee, as limited by the foregoing paragraph, one or more persons who are qualified to be lessees of Hawaiian home lands, except that such person or persons need not be 21 years of age, as the successor or successors of the lessee's interest in the tract or tracts, and upon the death of the lessee, his interest shall vest in the person or persons so selected. The commission may select such a successor or successors after the death of the lessee and the rights to the use and occupancy of the tract or tracts may be made effective as of the date of the death of such lessee.

"'"In the case of the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, the land subject to the lease shall resume its status as unleased Hawaiian home lands and the commission is authorized to lease such land to a native Hawaiian or Hawaiians as provided in this act.

"'"Upon the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, or the cancelation of a lease by the commission, or the surrender of a lease by the lessee, the commission shall appraise the value of all such improvements and growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness to the commission, or for taxes, or for any other indebtedness the payment of which has been assured by the commission, from the deceased lessee or the previous lessee. Such payment shall be made out of the loan fund and shall be considered an advance therefrom reimbursable out of payments made by the successor or successors to the trust involved.

"'"Such appraisal shall be made by three appraisers, one of which shall be named by the commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned."

"'2. By deleting therefrom paragraph (3) thereof.

"'3. By substituting for the figure "(4)", of paragraph (4) thereof, the figure "(3)".

"'SEC. 4. Section 213 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"'"SEC. 213. Hawaiian home-loan fund; Hawaiian home-development fund; Hawaiian home-administration account; how constituted. There is hereby established in the treasury of the Territory a revolving fund to be known as the Hawaiian home-loan fund and special funds to be known as the Hawaiian home-development fund and the Hawaiian home-administration account. Thirty percent of the Territorial receipts derived from the leasing of cultivated sugarcane lands under any other provisions of law, or from water licenses, shall be deposited into the Hawaiian home-loan fund until the aggregate amount of moneys deposited therein from such two sources, together with moneys received and deposited therein from any other sources, not including, however, installment payments upon loans made to lessees or payments by a successor or successors to the tract representing reimbursements on account of the advance made pursuant to section 209 (1), shall equal $2,000,000. In addition to these moneys and the moneys covered into the loan fund as installments paid by lessees upon loans made to them as provided in paragraph 2 of section 215, there shall be deposited into said revolving fund all other moneys, except moneys received for the Hawaiian home-administration account, received by the commission from any source whatsoever. The moneys in said fund shall be available only for loans to lessees as provided for in this act, for interest and sinking-fund charges upon bonds issued for Hawaiian homes purposes, and for the payments provided for in section 209 (1), and shall not be expended for any other purpose whatsoever, except that 25 percent of the amount of moneys so covered into the said revolving fund annually shall be transferred into the Hawaiian home development fund until the aggregate amount of such annual transfers shall equal $400,000. The moneys in said development fund shall be available, with the prior written approval of the Governor, for the construction of necessary improvements for domestic use and consumption of water, including the construction of pipe lines and reservoirs, for the construction of sanitary sewerage facilities and for the construction of roads through and over Hawaiian homelands. The Commission is authorized and empowered to use moneys in said fund, with the prior written approval of the Governor, to match Federal, Territorial, or county funds available for the above purposes and to that end is authorized to enter into such undertaking, agree to such conditions, transfer funds herein available for such expenditure, and do and perform such other acts and things, as may be necessary or required, as a condition to securing match funds for such projects or works.

"'"The entire receipts derived from any leasing of the "available lands" defined in section 204 shall be deposited into the Hawaiian home administration account. The moneys in said account shall be expended by the commission for salaries and all other administration expenses of the commission, but not including structures and other permanent improvements, subject, however, to the following conditions and requirements:

"'"(1) The commission shall, at such time as the Governor may prescribe, but not later than November 15 preceding each biennial session of the legislature, submit to the Territorial director of the Bureau of the Budget its budget estimates of expenditures for the next ensuing biennium in the manner and form and as required by Territorial law of Territorial departments and establishments.

"'"(2) The commission's budget, if it meets with the approval of the Governor, shall be included in the Governor's budget report and shall be transmitted to the legislature for its approval. The total amount of the commission's budget shall in no event exceed the amount of $140,000 for the biennium.

"'"(3) Upon approval by the legislature of the commission's budget estimate of expenditures for the ensuing biennium, the amount thereof shall be available to the commission for said biennium and shall be expendable by the commission for the expenses hereinabove provided; any amount of money in said account in excess of the amount approved by the legislature for the biennium shall be transferred to the general fund, such transfer to be made immediately after the amount of moneys deposited in said administration account shall equal the amount approved by the legislature.

"'"(4) The moneys in said administration account shall be expended by the commission in accordance with Territorial laws, rules and regulations, and practices.

"'*Provided, however,* That the receipts from the leasing of available lands as defined in section 204 shall not be covered into said

account until July 1, 1943: *And provided further,* That for the biennium commencing July 1, 1941, and ending June 30, 1943, the amount of money appropriated by the Territorial Legislature for the commission, whether or not in excess of $140,000, shall be deposited in said account and shall be expended as herein provided.

"'SEC. 5. Section 215 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

"'1. By amending paragraph (1) thereof to read as follows:

"'"(1) Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee, or successor or successors in interest, of a tract of agricultural or pastoral land shall not exceed $3,000 and to any lessee, or successor or successors in interest, of a residence lot shall not exceed $1,000: *Provided,* That where, upon the death of a lessee leaving no relative qualified to be a lessee of Hawaiian home lands, or the cancelation of a lease by the commission, or the surrender of a lease by the lessee, the commission shall make the payment provided for by section 209 (1), the amount of any such payment made to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, shall be considered as part or all, as the case may be, of any such loan to the successor or successors, without limitation as to the above maximum amounts: *Provided further,* That where, in such cases of the death of a lessee leaving no qualified relatives, or cancelation of a lease by the commission, or the surrender of a lease by the lessee, no payment is due or made the legal representative of the deceased lessee, the successor or successors to the tract shall assume any outstanding loan or loans thereon, if any, without limitation as to the above maximum amounts."

"'2. By amending the first sentence of paragraph (2) thereof to read as follows:

"'"The loans shall be repaid upon an amortization plan by means of a fixed number of installments, such installments to be monthly, quarterly, semiannual, or annual, as may be determined by the Commission in each case, sufficient to cover (a) interest on the unpaid principal at the rate of 3 percent per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding 30 years."

"'3. By amending paragraph (3) thereof to read as follows:

"'"(3) In case of the borrower's death, the Commission shall, in any case, permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable, or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. The Commission may, with the concurrence therein of at least three of the five members, in such cases where the successor or successors to the tract assume the contract of loan, waive the payment, wholly or in part, of interest already due and delinquent upon said loan, or postpone the payment of any installment thereon, wholly or in part, until such later date as it deems advisable. Such postponed payments shall, however, continue to bear interest at the rate of 3 percent on the unpaid principal and interest. Further, the Commission may, with the concurrence therein of at least three of the five members, if it deems it advisable and for the best interests of the lessees, write off and cancel, wholly or in part, the contract of loan of the deceased lessee, or previous lessee, as the case may be, where such loans are delinquent and deemed uncollectible. Such write-off and cancelation shall be made only after an appraisal of all improvements and growing crops on the tract involved, such appraisal to be made in the manner and as provided for by section 209 (1). In every such case the amount of such appraisal, or any part thereof, shall be considered as part or all, as the case may be, of any loan to such successor or successors, subject to the provisions of paragraph (1) of this section."

"'4. By adding a new paragraph thereto, to be designated and numbered (7), and to read as follows:

"'"(7) Whenever the Commission shall determine that a lessee is delinquent in the payment of his indebtedness to the Commission, it may require such lessee to execute an assignment to it, not to exceed, however, the amount of the total indebtedness of such lessee, including the indebtedness to others the payment of which has been assured by the Commission, of all moneys due or to become due to such lessee by reason of any agreement or contract, collective or otherwise, to which the lessee is a party by virtue of his interest in the tract. Failure to execute such an assignment when requested by the Commission shall be sufficient ground for cancelation of the lessee's lease or interest therein."

"'Section 6. Section 220 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"'"SEC. 220. Development projects; appropriations by territorial legisiture; bonds issued by legislature. The commission is authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands and to undertake other activities having to do with the economic and social welfare of the homesteaders: *Provided, however,* That roads through or over Hawaiian home lands, other than Federal-aid highways and roads, shall be maintained by the county or city and county in which said particular road or roads to be maintained are located. The legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to augment the Hawaiian home-loan fund, the Hawaiian home development fund and the Hawaiian home administration account, and to provide the commission with funds sufficient to execute and carry on such projects and activities. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated. The commission shall pay from the Hawaiian home-loan fund into the treasury of the Territory:

"'"(1) Upon the date when any interest payment becomes due upon any bond so issued, the amount of the interest then due; and

"'"(2) Commencing with the first such date more than 1 year subsequent to the issuance of any bond and at each interest date thereafter, an amount such that the aggregate of all such amounts which become payable during the term of the bond, compounded annually at the rate of interest specified therein, shall equal the par value of the bond at the expiration of its term."

"'SEC. 7. Section 222 of the Hawaiian Homes Commission Act, 1920, is hereby amended by amending the second sentence thereof to read as follows:

"'"All expenditures of the commission, as herein provided out of the Hawaiian home administration account, the Hawaiian home development fund, and all moneys necessary for loans made by the commission, in accordance with the provisions of this chapter, from the Hawaiian home-loan fund, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the commission."

"'SEC. 8. The Hawaiian Homes Commission Act, 1920, is hereby amended by adding thereto a new section to be numbered section 225 and to read as follows:

"'"SEC. 225. Investment of loan funds; disposition. The commission shall have the power and authority to invest and reinvest any of the moneys in the loan fund, not otherwise immediately needed for the purposes of the fund, in such bonds and securities as authorized by territorial law for the investment of territorial sinking-fund moneys. Any interest or other earnings arising out of such investments shall be credited to and deposited in said fund and shall be included in and considered as a deposit from other sources, as provided for in section 213."

"'SEC. 9. This act shall take effect on and after the date of its approval.'

"SEC. 2. The Secretary of Hawaii is hereby requested and directed to forward certified copies of this joint resolution to the Delegate to Congress from Hawaii, to the Secretary of the Interior, and to the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States.

"SEC. 3. This joint resolution shall take effect upon its approval.

"Approved this 19th day of April A. D., 1941.

"J. B. POINDEXTER,
"Governor of the Territory of Hawaii."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"Be it resolved by the House of Representatives of the Territory of Hawaii (the Senate concurring), That the Congress of the United States of America be, and it hereby is, requested and urged to amend section 55 of the organic act of Hawaii allowing the granting of divorce by the courts of the Territory of Hawaii to applicants who have resided in the Territory of Hawaii for 6 months next preceding their application; and be it further

"Resolved, That certified copies of this concurrent resolution be forthwith forwarded to the Delegate to Congress from Hawaii and to the Secretary of the Interior and each of the two Houses of the Congress of the United States of America."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"Senate Concurrent Resolution 8

"Concurrent resolution memorializing the Congress of the United States of America to enact H. R. 597, Seventy-seventh Congress, first session, with certain amendment, relating to statehood for Hawaii, or some similar legislation

"Be it resolved by the Senate of the Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States of America be, and it hereby is, respectfully requested to enact into law H. R. 597, Seventy-seventh Congress, first session, enabling the people of Hawaii to form a constitution and State government, to be admitted into the Union upon an equal footing with the original States, with the following amendment, or to enact into law some similar legislation granting statehood to Hawaii:

"Delete the second paragraph of section 2 of said H. R. 597 and insert in lieu thereof the following:

"'Such delegates shall possess the qualifications of such electors, and members of the Territorial legislature shall be eligible to election as such delegates, and with no resulting disqualification as such members of the Territorial legislature, the provisions of sections 16 and 17 of the Hawaiian organic act to the contrary notwithstanding. The aforesaid convention shall consist of 84 delegates apportioned among the several representative districts within the limits of the proposed State on the following basis: First district, 8

delegates; second district, 8 delegates; third district, 12 delegates; fourth district, 24 delegates; fifth district, 24 delegates; sixth district, 8 delegates.'

"Be it further

"*Resolved*, That certified copies of this concurrent resolution be forwarded forthwith to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, the chairman of the House Committee on the Territories, the chairman of the Senate Committee on Territories and Insular Affairs, the Secretary of the Interior, and the Delegate to Congress from the Territory of Hawaii."

A resolution of the Senate of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"Senate Resolution 100

"Whereas since the last session of this legislature, a census has been taken of the population of Hawaii; and

"Whereas said census discloses that the fourth and fifth representative districts have greatly increased in population in proportion to the other districts of the Territory; and

"Whereas the registration of voters in said fourth and fifth representative districts have also greatly increased in proportion to the other representative districts; and

"Whereas the report of the Joint Committee on Hawaii rendered to the Congress on February 15, 1938, made certain recommendations to the legislature of said Territory regarding reapportionment of the membership of said legislature; and

"Whereas by senate resolution passed at the Twentieth Session of the Legislature of the Territory of Hawaii, the Congress of the United States was requested to amend the organic act to provide for apportionment; and

"Whereas no reapportionment has been had: Now, therefore be it

"*Resolved by the Senate of the Twenty-first Session of the Legislature of the Territory of Hawaii*, That the Congress of the United States of America be and it is hereby respectfully requested and urged to amend the Hawaiian Organic Act by enacting a bill in substantially the following form:

"'A bill to amend the Hawaiian Organic Act so as to provide for reapportionment in the House of Representatives of the Legislature of the Territory of Hawaii

"'*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled:*

"'SECTION 1. Section 35 of the Hawaiian Organic Act is hereby amended to read as follows:

"'"SEC. 35. Number of representatives. That the house of representatives shall be composed of 42 members, elected, except as herein provided, every second year."

"'SEC. 2. Section 39 of the Hawaiian Organic Act is hereby amended to read as follows:

"'"SEC. 39. Apportionment. That the electors in the said districts shall be entitled to elect representatives as follows:

"'"In the first district, 4;

"'"In the second district, 4;

"'"In the third district, 6;

"'"In the fourth district, 12;

"'"In the fifth district, 12;

"'"In the sixth district, 4."

"'SEC. 3. Section 55 of the Hawaiian Organic Act is hereby amended by substituting for that portion thereof reading as follows:

"'"The legislature, at its first regular session after the census enumeration shall be ascertained, and from time to time thereafter, shall reapportion the membership in the senate and house of representatives among the senatorial and representative districts on the basis of the population in each of said districts who are citizens of the Territory";

"'the following:

"'"The legislature, not later than July 1, 1951, and every ten years thereafter, shall reapportion the membership in the house of representatives among the representative districts on the basis of the total number of registered voters who actually voted at the last preceding general election for the office of Delegate to Congress from Hawaii."

"'SEC. 4. Section 65 of the Hawaiian Organic Act is hereby amended to read as follows:

"'"SEC. 65. That the legislature of the Territory may from time to time establish and alter the boundaries of representative districts and of the voting precincts in both senatorial and representative districts, and may apportion the representatives to be elected from such representative districts."

"'SEC. 5. This act shall take effect on its approval.'

"Be it further

"*Resolved*, That duly certified copies of this resolution be forwarded to the Secretary of the Interior and to the presiding officers of each of the two Houses of Congress, to the chairman of the Committee on Territorial Affairs of the Senate of the Congress, to the chairman of the Committee on the Territories of the House of Representatives of the Congress, and to the Delegate to Congress from Hawaii."

Several papers and a letter in the nature of petitions from citizens of the United States, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter in the nature of a petition from Ellen Clifford, of San Francisco, Calif., praying for the enactment of House bill 1091, to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to veterans subsequent to June 26, 1905, with a proposed amendment thereto; to the Committee on Pensions.

By Mr. RADCLIFFE:

A memorial of sundry citizens of Takoma Park, Md., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. CAPPER:

A petition of sundry citizens of Hutchinson, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

Memorials of sundry citizens of Canton, Lehigh, Liberal, and Johnson, and Ness, Rush, and Russell Counties, in the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. LODGE:

Resolutions of the State convention of the Massachusetts State Council, Knights of Columbus, affirming belief in the policy of nonintervention in foreign wars by the armed forces of the United States; favoring an early and universal negotiated peace based upon justice, and also the plan of Hon. Herbert Hoover for the relief of famished European peoples; and protesting against the adoption of a plan to induct girls of draft age into compulsory service or any regimentation of American womanhood; to the Committee on Foreign Relations.

A resolution of the Senate of the State of Massachusetts; to the Committee on Finance:

"Resolutions memorializing Congress in opposition to proposed legislation curtailing our cane-sugar refining industry

"Whereas it is the established policy of the Senate of the Commonwealth of Massachusetts to preserve the domestic sugar refining industry in Massachusetts, as evidenced by Massachusetts House Document No. 1296 of 1934, favoring Federal legislation for the preservation of the cane-sugar refining industry, which legislation the Congress subsequently enacted in 1934, thereby protecting consumers in Massachusetts and elsewhere in the United States on the supply and price of sugar; and

"Whereas existing Federal law provides a readily accessible supply of raw cane sugar from Central and South American countries, which, as our Government experts on defense and consumers' needs have stated, is ample for United States consumption; and

"Whereas legislation by the Congress is being considered and which, if enacted, would deprive this sound Massachusetts industry of much of its raw material, would deprive our good neighbors of Latin American countries of the market for their product, and would add millions of dollars to the huge subsidy now given to the beet-sugar industry, thereby increasing the burden upon the American consumer: Therefore be it

"*Resolved*, That the Senate of Massachusetts respectfully urges upon the Congress of the United States to oppose any change in existing Federal law that would create unemployment in this Commonwealth, further overburden the consumer, and detract from existing good will between the United States and the Latin-American countries so necessary in this time of national emergency; and be it further

"*Resolved*, That the secretary of the Commonwealth forthwith forward copies of these resolutions to the President of the United States, to the Presiding Officers of both branches of Congress, to the Secretary of State of the United States, to the Secretary of Agriculture of the United States, and to the Members of Congress from this Commonwealth."

By Mr. JOHNSON of California:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"Assembly Joint Resolution 25

"Relative to the sewing projects of the Work Projects Administration

"Whereas the Work Projects Administration is required by law to remove from employment all relief workers who have been continuously employed on W. P. A. projects for 18 months; and

"Whereas the requirement is especially severe in its application to older women employed on sewing projects, as their opportunities for private employment are more limited than the opportunities of others; and

"Whereas it appears that a more equitable and personal method might be employed on the sewing projects, which would secure a greater degree of security for our older women, at no great additional cost to the Nation: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the President and the Congress are hereby respectfully urged and requested to enact legislation which will modify the severities of the aforesaid requirement as applied to older persons employed on sewing projects and will enable those who are unable to obtain other employment to be safe from destitution; and be it further

"*Resolved*, That the chief clerk of the assembly is hereby directed to send copies of the resolution to the President of the United States, the Vice President of the United

States, the Speaker of the House of Representatives and to every Representative of California in Congress."

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 1

"Relative to the hunting season on migratory wild fowl

"Whereas California, as determined by the Federal Department of Agriculture relative to migratory wild fowl, is classed as one of the Central States and its open season for shooting wild migratory fowl has been fixed as that of other Central States; and

"Whereas California is a semiarid State and a semitropical State, its summers are long and without rains, its grains, fruits, vegetables, and other agricultural products are largely produced by irrigation, thereby using the waters from its rivers for irrigation and domestic purposes rather than as in earlier years when lakes, swamps, and other watering places used by migratory wild fowls were formed; and

"Whereas the lack of such watering places in the early winter months has discouraged the southern flight of migratory wild fowl until the seasonal rains of the winter months usually occurring about January 1 have begun; and

"Whereas, the concentration of hunters on and around the few watering places during the present early hunting season brings about an undue slaughter of the local ducks which are hatched in this State; and

"Whereas the conservation of the local duck population should be encouraged by this further protection during the weeks or months preceding the regular southern flight of northern-hatched birds; and

"Whereas the Federal duck-stamp purchasers contribute very materially to the protection of migratory fowl throughout the United States and should be encouraged to continue the purchase of Federal duck stamps; and

"Whereas it appears that should the open shooting season of ducks and other migratory fowl be set at a time when the seasonal winter rains begin and which form lakes and ponds in numerous places of the State, thereby scattering the assemblage of such waterfowl, it would be a forward step in the conservation of locally hatched ducks and would also be of assistance to such duck-stamp purchasers as are not members of gun clubs; and

"Whereas, because of the great length of the State, its sharply varying topography, and its marked differences in climatic conditions, it is essential that there be fixed two shooting seasons for ducks in this State, one for the northern portion of the State and one for the balance of the State: Now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Secretary of Interior be requested to establish two duck-shooting seasons within California, the dividing line to be determined by the Director of Interior; and be it further

"*Resolved,* That the chief clerk of the assembly be, and he is hereby, directed to send a copy of this resolution to the President of the United States and a copy to the Secretary of Agriculture."

Two joint resolutions of the Legislature of the State of California; to the Committee on Commerce:

"Senate Joint Resolution 23

"Relative to memorializing the President and the Congress of the United States and the United States officials having jurisdiction of the matter in connection with the removal of brush and debris in the area to be flooded by Shasta Dam

"Whereas there now exists in the area which will be flooded by the water impounded by Shasta Dam a great quantity of brush, debris, and other loose material; and

"Whereas the water to be impounded by Shasta Dam is to be used as a water supply for urban and other areas in the portion of the State in which the dam is situated and the presence of the brush, debris, and other material in said waters would impair the water distribution systems involved and menace the potability of the water for drinking purposes; and

"Whereas the clarity of the water impounded by the dam will enhance the scenic value of the lake thereby created and add to the recreational value of the project: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California, jointly,* That the President and the Congress of the United States, the Secretary of the Interior of the United States, and the Chief of the Bureau of Reclamation in the Department of the Interior are hereby respectively urged to take such steps as are necessary to provide that the brush, debris, and other materials in the area to be covered by the water impounded by Shasta Dam be removed prior to the time the area is flooded; and, be it further

"*Resolved* that the Secretary of the Senate is hereby instructed to transmit copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, the Secretary of the Interior, the Chief of the Bureau of Reclamation in the Department of the Interior, and to each member from California in the Congress of the United States."

"Assembly Joint Resolution 50

"Relative to memorializing the President, Congress, and various officers of the United States to make funds available for the Corcoran Airport

"Whereas during the present period of intensive rearmament and preparation for national defense it is of the highest moment to provide adequate facilities for the training of aviators; and

"Whereas the Corcoran Airport is directly on the beam of flight of main-line air travel between Los Angeles, San Francisco, and Sacramento and points north and is in an advantageous geographical position with relation to the present Army airplane bases; and

"Whereas that airport has facilities for the taking off and landing of five airplanes at the present time, is situated in a level valley area without near-by obstacles such as buildings, power lines, or mountains, and flying conditions in the vicinity are ideal; and

"Whereas that airport has been developed to its present state solely through private capital and the present owner has shown a fine spirit of patriotism in his willingness to offer the facilities thereof for the use of the Government of the United States at the present time of crisis; and

"Whereas funds have been made available by the President and Congress of the United States to the Commissioner of Work Projects to be expended in the development and completion of airports certified by the Secretary of War as being important for military purposes; and

"Whereas an appropriation measure (H. R. 4276) is now pending in the Congress of the United States which proposes to make available to the Administrator of Civil Aeronautics funds for expenditure in the establishment of air navigation facilities and in the construction, improvement, and repair of airports approved as necessary for the national defense by a board composed of the Secretaries of War, the Navy, and Commerce: Now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California hereby respectfully urges the President and the Congress of the United States to enact that pending measure into law; and be it further

"*Resolved,* That the Administrator of Civil Aeronautics and the said board be hereby respectfully urged to make funds available to complete the Corcoran Airport upon the enactment of that measure; and be it further

"*Resolved,* That the Commissioner of Work Projects and the Secretary of War be hereby respectfully urged to make funds available for the development and completion of the Corcoran Airport out of the funds now appropriated; and be it further

"*Resolved,* That the speaker of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Administrator of Civil Aeronautics, the Commissioner of Work Projects, to the Secretaries of War, the Navy, and Commerce, and to the Senators and Representatives from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Assembly Joint Resolution 20

"Relative to pension and compensation payments to veterans suffering total permanent disability

"Whereas there are numerous veterans of the past wars of the United States who are lingering and suffering under a total permanent disability and consequently are precluded from providing themselves with any of the comforts and necessities of this life; and

"Whereas many of these disabled and indigent veterans have been compelled to seek shelter in veterans' homes, hospitals, and institutions; and

"Whereas the pension or compensation payments received by such veterans are in many cases so small that such veterans are unable to provide themselves with the small comforts to which they are so justly entitled: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the President and Congress of the United States be memorialized to allocate the necessary moneys for the purpose of increasing, in the amount of $1 per week, the pension and compensation payments to all veterans who are suffering from a total permanent disability, who are now and have been confined to veterans' homes, hospitals, or institutions for a period of 6 months and who are receiving pension or compensation payments of not more than $6 per month, such increased payments not to be reduced in any amount by payments therefrom to any dependents of such veterans; and be it further

"*Resolved,* That the Governor of the State of California is hereby requested to transmit a copy of this resolution to the President and Vice President of the United States and to the Speaker of the House of Representatives of the Congress of the United States, and to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully requested to urge such action."

A joint resolution of the Legislature of the State of California; to the Committee on Public Buildings and Grounds:

"Assembly Joint Resolution 53

"Relative to memorializing Congress to pass H. R. 3570, allocating funds for the building and operation of emergency schools necessitated by reason of national defense

"Whereas the various centers in California which are engaged in national-defense work are experiencing a great influx of families to engage in defense work, resulting in a considerable increase in number of children to be received in the public schools; and

"Whereas the existing school facilities in those centers are grossly inadequate to meet the increased number of children to be immediately accommodated; and

"Whereas by reason of the premises it is vitally necessary that these defense centers receive immediate aid from the Federal Government to enable them to erect additional school buildings and to maintain them; and

"Whereas there is pending in Congress H. R. 3570, which, if passed, will allocate adequate funds to meet this emergency: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly,* That the Congress of the United States be memorialized to pass H. R. 3570 at the earliest possible date; and be it further

"*Resolved,* That the secretary of state send a copy of this resolution to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and to the Senators and Congressmen from California in the Congress of the United States."

(The ACTING PRESIDENT pro tempore laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Public Buildings and Grounds.)

REDUCTION IN FEDERAL EXPENDITURES—MEMORIAL

Mr. DANAHER. Mr. President, I have received from Miss Gertrude Case, of Hartford, Conn., a petition or memorial of such nature and such interest that I feel it is worthy of being printed in full in the CONGRESSIONAL RECORD. I ask that it be printed in the RECORD as a part of my remarks and appropriately referred.

There being no objection, the letter, in the nature of a memorial, was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

HARTFORD, CONN., *May 7, 1941.*

Hon. JOHN A. DANAHER,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: We wish to enter a protest.

We have in mind particularly the widows and single women who are dependent on dividends for their support. These incomes have been greatly reduced in recent years, even in some instances having been cut in two, and inheritance taxes are very heavy.

We have taken all this without a murmur, but now we read that taxes are to be greatly increased on this type of income.

We see no signs of any real economy in the administration of the Government as regards the reduction of unnecessary bureaus, excessive printing, high salaries, unwanted enterprises like the Enfield Dam, etc.

In our judgment, this is where the first effort at economy should begin. Our protest is that it is unfair for one class of the population to be more heavily burdened by taxation than another.

The President has asked that all be ready to make sacrifices.

We are ready to make further sacrifices if the Government and all its employees will take the lead.

We demand the reduction of the national expense account.

Will you kindly bring this to the attention of the proper authorities?

Very truly yours,

CLARA D. CAPRON.
GERTRUDE CASE.

DECENTRALIZATION OF FEDERAL GOVERNMENT

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief article by Editor Jerry Klutz, published in the Washington Post, entitled "Cabinet Heads Study Decentralization Plan," which discusses the possibility of decentralization of the Federal Government by sending some departments and agencies into the field.

It has seemed to me for some time, Mr. President, that it would be a healthy thing to decentralize some of the activities of our Government. Whether this should go as far as setting up regional headquarters for all departments dealing with the Nation as a whole, I do not undertake to say; but it seems to me that many of the agencies of the Department of Agriculture and of the Department of the Interior, particularly, could well be quartered in the midcontinent and in the far West.

I find a growing feeling throughout the country that the Federal Government is a Washington government. That is psychologically much less desirable than the feeling "This is our Government" which I believe would prevail if the direct contacts with government were closer home. Also, in my judgment, the effect on Federal employees would be good. The closer they are to the people they serve, the better will be the service and the chance for national unity.

There is too much congestion and resultant waste motion in Washington today, and the situation is growing steadily worse. I do not undertake to say what departments or agencies should be moved from Washington; but I do say the matter should be given serious consideration, and that soon.

I send the newspaper article to the desk to be printed as part of these remarks.

The ACTING PRESIDENT pro tempore. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Washington Post]

CABINET HEADS STUDY DECENTRALIZATION PLAN

(By Jerry Klutz)

The plan to decentralize the Federal Government is beginning to take shape. Decentralization is understood to have been discussed at a recent Cabinet meeting, and since that time several Cabinet members have instituted studies to determine what bureaus, if any, could be moved out of the city. To the surprise of the Cabinet members, it's reported that several bureau chiefs offered to move all or parts of their agencies to the field. None of the volunteer agencies has been mentioned in connection with decentralization. It would take 2 months, officials say, to move an agency out of here and get it settled in another city. The fight for space to house expanding defense agencies is becoming more pressing daily, and it's generally expected that something will be made public soon on the agency or agencies to be transferred.

Decentralization or not, Civil Service Commission experts foresee a steady rise in the number of Federal employees in Washington. It's estimated that, roughly, 225,000 new employees will be hired by Uncle Sam during the 1942 fiscal year that will start on July 1. About 10 percent of that number will be hired here, past records indicate. There are at least 165,000 departmental employees here now, and Civil Service officials expect the number to be near 200,000 during the 1942 fiscal year. Counting Navy Yard and other Federal workers here, classified as "field," the number now is believed to be more than 190,000.

ORDER OF BUSINESS

Mr. McNARY. Mr. President, while the able Senator from Kentucky [Mr. BARKLEY] and I agreed upon the consideration today of bills on the calendar to which there is no objection, no order was made to that effect. At this time I ask unanimous consent that at the conclusion of the routine morning business the Senate proceed to the consideration of bills on the calendar to which there is no objection.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon?

Mr. LEE. Mr. President, is the request to take up the calendar at this time?

Mr. McNARY. At the conclusion of the routine morning business.

Mr. LEE. Reserving the right to object, I wish to make a few remarks.

Mr. McNARY. That would be in order only after the conclusion of the routine morning business.

Mr. LEE. That is true; but, if the request should be granted, as I understand, the calendar would be immediately taken up.

Mr. McNARY. Not necessarily. The Senator could speak on any bill that might be called up.

Mr. LEE. Yes, for 5 minutes; but I wish to speak a little longer than that.

Mr. McNARY. I should have to object to a speech during the morning hour. That is really in violation of the rules.

Mr. LEE. I am not asking to do that. I wish to speak following the conclusion of the routine morning business, before the calendar is taken up.

Mr. McNARY. Very well. In view of that statement, I withdraw the request at this time.

SUGAR QUOTAS

Mr. ADAMS. Mr. President, there is pending upon the calendar a measure as to which time is very important. It deals with the sugar situation in the United States.

The bill to which I refer was adversely reported from the Committee on Finance by a vote of 11 to 8. Those of us who come from sugar-producing States are under pressure—and a very just pressure—from the sugar producers in our States to have this matter settled.

The amount of acreage devoted to domestic sugar production has been very greatly reduced. We have learned that there probably will be a deficit in the amount of sugar the Philippine Islands may market this year. Existing law requires that all that deficit shall be apportioned to foreign countries. Not a single pound of the Philippine deficit may come to an American sugar producer, using the word "American" in its broadest sense, including Hawaii and Puerto Rico.

The bill to which I refer, Senate bill 937, seeks to have a portion of the Philippine deficit made available to the American cane producer and the American beet-sugar producer. Planting seasons are rapidly passing. There is still an opportunity in some sections of the United States to plant; and, whether the bill be passed or defeated, it is important that the sugar producer know what is the determination of the Congress. Therefore I should like, and those coming from the sugar-producing States are eager, to

have this bill given a definite place on the calendar, considered, and disposed of.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield to the Senator from Oregon.

Mr. McNARY. The bill to which reference is made is already on the calendar?

Mr. ADAMS. Yes.

Mr. McNARY. It is not likely that unanimous consent will be given to pass it today. Why can we not come to an agreement that it may be considered say on Monday or Tuesday of next week?

Mr. ADAMS. What I wanted to do was to see if I could not have an understanding or an agreement or a rule that would make the bill the unfinished business at the first session next week.

Mr. GEORGE. Mr President, I should be obliged to object to that. I should have no objection to having the matter brought up as soon as the leader returns; and I presume he will be in his seat on Monday. I feel quite sure that some day next week may be agreed upon for the consideration of the bill; but at this time I should object to the assignment of any special day for its consideration.

The bill was adversely reported. It is true it is on the calendar, because it was the desire of the Committee on Finance even though an adverse report had been made on the bill, that the proponents of the measure should have the right to be heard on it before the full Senate. I feel certain that on the return of the leader on Monday we can agree upon a date early in the week for the consideration of the bill.

Mr. McNARY. Mr. President, let me make an added observation, to apprise the able Senator from Colorado of his rights. While objection has been made to any specific date, at the conclusion of the morning business the able Senator from Colorado may move to make the bill the special order for any date he may choose.

Mr. ADAMS. Under the unanimous-consent request, if granted at the conclusion of the morning business the Senate would proceed to a call of the calendar. I am perfectly willing to have the calendar called today, but I desire to have the opportunity at the close of the morning business to make a motion to take up at the appropriate time the bill to which I have referred. I do not wish to be forced to object to the unanimous-consent request which has been made.

Mr. McNARY. Let me further advise the Senator that I have withdrawn my request, because the information from the able Senator from Oklahoma is that he desires to speak; so the request is not now before the Senate.

Mr. BYRNES. Mr. President, let me say to the Senator from Colorado that the Senator from Kentucky [Mr. BARKLEY] is unavoidably absent today. His request to me is that at the conclusion of the business of the day a recess be taken until Monday and that there be a session on Monday.

Even if it does not appear in the RECORD, certainly it nevertheless is true that the Senator from Kentucky advised many Members of the Senate that today he would ask unanimous consent for the consideration only of uncontested bills on the calendar. Relying upon that statement, I think many Members of the Senate have acted, and therefore I express the hope that, because of the statement of the Senator from Kentucky to so many Members of the Senate, we may be granted unanimous consent to consider uncontested bills. The Senator from Colorado is assured that there will be a session on Monday, and he can then take such action as he may deem wise as to the bill in which he is interested. I do not know what plan, if any, the Senator from Kentucky may have as to the session on Monday. Because I do not know what commitments he may have made to Senators as to measures, I hope the Senator from Colorado may take the matter up with him between now and Monday. He will have an opportunity on Monday, certainly, to ask the Senator from Kentucky, in view of the circumstances, to see that he has an opportunity to submit to the Senate the question in which he is interested.

Mr. ADAMS. The argument the Senator presents is the very reason why I say it is necessary to do something today. I do not wish to be confronted on Monday with the statement by the Senator from Kentucky or some other Senator, "We are not going to take up any business today. We have told Senators so that they may be away." I want the matter settled today so that on Monday next the bill may be brought up, and that notice will be given that the bill is to be taken up, so that those who are interested on one side or the other may be present. I am not willing to have the matter suspended in the air, if I can avoid it, since it is of such tremendous importance to literally hundreds of thousands of citizens. I think the Senate should be willing to have the measure set down for Monday, so that those who are interested may be here, and will have notice that there will be some business taken up Monday, and not be met with the statement that the Senator from Kentucky or some other Senator said that we would not do any business on Monday, and Senators could go away.

Mr. BYRNES. I can only say that at the conclusion of the call of the calendar the Senator could make the motion. If unanimous consent is granted for the consideration of uncontested measures on the calendar, before those matters are concluded the Senator from Colorado may have an opportunity, during the next hour, to communicate with the Senator from Kentucky, and ascertain whether he has made any commitments. The Senator from Colorado could then proceed to make his motion, at the conclusion of the call of the calendar, that on Monday the Senate shall consider the bill to which he has referred.

Mr. ADAMS. No one has more regard for the Senator from Kentucky than I, but, on the other hand, I do not concede that the entire proceedings of the United States Senate shall be determined in deference to the will of the Senator from Kentucky. The matter to which I refer affects many States and thousands, indeed millions, of people. If the Senator from Kentucky should say he did not care to have it taken up, it would not change my view. I am obligated by the duty I owe to my constituents to make the effort to have the bill considered.

Mr. BYRNES. I do not think the Senator from Kentucky would do what the Senator from Colorado suggests. The Senator from Colorado misunderstood me. If the Senator from Kentucky had made a commitment to the Senator from Colorado to have the sugar bill taken up on Monday, the Members of the Senate would ordinarily be disposed to give great weight to the decision of the leader in promising the Senator from Colorado that the measure might be considered.

Mr. ADAMS. The Senator from South Carolina is acting as majority leader today, and I have taken up the matter with him.

Mr. BYRNES. The Senator from South Carolina is acting for the Senator from Kentucky only for the purpose stated by the Senator from Kentucky to the Senate when we last met, to have a call of the calendar for the consideration of uncontested bills. I hope the Senator will not object to the request.

Mr. ADAMS. I have no disposition to object. I merely wish to be assured that there will be opportunity to make a motion to consider the sugar bill. I do not want to have the calendar called without it being known that at the conclusion of the call of the calendar the motion will be made.

Mr. McNARY. Regular order.

Mr. GEORGE. Mr. President, I express the hope that the Senator will not make the motion, because I should resist it, and for very good reasons, I may say, and I think that among those reasons is an understanding with some Senators that it would not be taken up on Monday; that on Monday we would agree upon a date next week when the bill could be heard and considered by the Senate.

Mr. O'MAHONEY. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. I yield.

Mr. O'MAHONEY. Let me inquire of the Senator from Georgia whether in this expression we may understand he speaks after having conferred with the Senator from Kentucky?

Mr. GEORGE. No; I did not speak to the Senator from Kentucky about taking up the bill next week, but the Senator from Kentucky was aware of the fact that the bill was here, under an adverse report, and he did indicate to me that nothing would be done today except by unanimous consent—that is, that only bills to which there was no objection would be considered. I am not speaking for the Senator from Kentucky, but I have no doubt the Senator from Kentucky will afford the acting chairman of the committee an opportunity to bring the bill up.

Mr. O'MAHONEY. When the Senator from Georgia makes that statement to the Senator from Colorado, are we to understand that, as acting chairman of the Committee on Finance, he would take the position, with us, that this measure should be made the unfinished business for some day next week?

Mr. GEORGE. It is my desire to have it made the unfinished business some day next week. I would prefer Wednesday, but I am not able now to make any commitment, and would not undertake to do so until the Senator from Kentucky returns, because he may have made some contrary agreement.

I can assure the Senator from Colorado that the committee will have no disposition not to bring the bill up, or not to permit its presentation to the Senate by the proponents of the measure next week.

Mr. O'MAHONEY. The Senator does not know of any reason to fear that any objection would be made to the consideration of the bill?

Mr. GEORGE. None by the committee.

The ACTING PRESIDENT pro tempore. The Senator from Oregon calls for the regular order.

Mr. McNARY. I make the point that we are now in the morning hour, and I ask that we conclude the routine morning business.

The ACTING PRESIDENT pro tempore. Reports of committees are in order.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BARBOUR, from the Committee on Commerce:

S. 573. A bill authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station in Monmouth County, N. J.; without amendment (Rept. No. 341).

By Mr. BARBOUR, from the Committee on Naval Affairs:

S. 1530. A bill to amend the act approved June 6, 1940, entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.; without amendment (Rept. No. 340)

By Mr. RADCLIFFE, from the Committee on Commerce:

S. 1311. A bill to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco; without amendment (Rept. No. 342).

By Mr. STEWART, from the Committee on Claims:

H. R. 2569. A bill for the relief of Charles R. Woods; without amendment (Rept. No. 343).

By Mr. ELLENDER, from the Committee on Claims:

S. 1387. A bill for the relief of Everett A. Alden, Robert Bruce, Edgar C. Faris, Jr., Kathryn W. Ross, Charles L. Rust, and Frederick C. Wright; without amendment (Rept. No. 344);

H. R. 2426. A bill for the relief of H. B. Wilson; without amendment (Rept. No. 345); and

H. R. 1976. A bill for the relief of J. W. and Robert W. Gillespie; with amendments (Rept. No. 346).

By Mr. HUGHES, from the Committee on Claims:

H. R. 3629. A bill for the relief of Irene Trauernicht; without amendment (Rept. No. 347);

H. R. 1933. A bill for the relief of Bert and Marie Freeman; with an amendment (Rept. No. 348); and

H. R. 4270. A bill for the relief of Margaret M. Cutts; with an amendment (Rept. No. 349).

By Mr. SCHWARTZ, from the Committee on Military Affairs:

S. 505. A bill making provision for payment of employees of the United States Government, its Territories, or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States; with an amendment (Rept. No. 350).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 1346. A bill to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, Territory of Hawaii; with amendments (Rept. No. 351).

By Mr. BURTON, from the Committee on Commerce:

S. J. Res. 65. Joint resolution to permit travel by a ship of Canadian registry between American ports; without amendment (Rept. No. 352).

By Mr. GEORGE, from the Committee on Foreign Relations:

S. 1544. A bill to provide for cooperation with Central American republics in the construction of the Inter-American Highway; without amendment (Rept. No. 354).

By Mr. REYNOLDS, from the Committee on Military Affairs:

S. 1447. A bill making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength; with an amendment (Rept. No. 353).

S. 878. A bill to authorize the Secretary of War to acquire by donation land, or to accept donation of the cost of acquiring same, for military or other public purposes; with amendments (Rept. No. 355).

By Mr. GILLETTE (for Mr. WALSH), from the Committee on Naval Affairs:

S. 373. A bill to amend section 45 of the Act of March 4, 1909, as amended; without amendment (Rept. No. 357);

S. 375. A bill authorizing postgraduate instruction for civilian employees of the Naval Establishment; without amendment (Rept. No. 358);

S 1133. A bill to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States; with amendments (Rept. No. 356); and

H. R. 4305. A bill to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941; without amendment (Rept. No. 359).

By Mr. CLARK of Missouri, from the Committee on Commerce:

S. Con. Res. 10. Concurrent resolution to investigate the matter of the obtaining of essential war materials from the Western Hemisphere by the Axis Powers (submitted by Mr. GILLETTE on the 5th instant); without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

By Mr. BROWN, from the Committee on Commerce:

S. 1304. A bill granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va.; without amendment (Rept. No. 360);

H. R. 2828. A bill to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., Authority; without amendment (Rept. No. 361); and

H. R. 4632. A bill authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941; without amendment (Rept. No. 362).

By Mr. ADAMS, from the Committee on Public Lands and Surveys:

S. 752. A bill to provide for the establishment of the Coronado International Memorial, in the State of Arizona; with amendments (Rept. No. 363).

SENATOR FROM NORTH DAKOTA—PROCEEDINGS, ETC.

Mr. CONNALLY. Mr. President, from the Committee on Privileges and Elections I report a resolution which I ask to have read.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 118), as follows:

Resolved, That the Committee on Privileges and Elections, or any duly authorized subcommittee thereof, for the purposes of the proceeding now pending before said committee to determine whether WILLIAM LANGER is entitled to retain his seat in the Senate as a Senator from North Dakota, may authorize any one or more persons to conduct any part of such proceeding on behalf of the committee, and any person so authorized may hold such hearings, issue such subpenas and provide for the service thereof, require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, and take such testimony, as the committee, or any such duly authorized subcommittee, may from time to time authorize in connection with such proceeding.

Mr. CONNALLY. Mr. President, I should like to have the attention of the Senator from Oregon [Mr. McNARY]. This resolution was considered, prior to reporting it today, by the Committee on Privileges and Elections, and I am authorized to say for the committee that it hopes the Senate will adopt the resolution. The reason for reporting the resolution is that the committee plans to send a couple of investigators out to North Dakota. Because of the long distance and great expense of bringing witnesses here to Washington, we desire to have authority for these investigators to be able to issue subpenas and to administer oaths and gather testimony officially, and then report back to the full committee in Washington. I assume it will be necessary to secure unanimous consent for the consideration and adoption of the resolution.

Mr. McNARY. Mr. President, the matter has dragged along a considerable time. I think it should be expedited, and I sincerely hope that favorable action will be taken at the present time.

Mr. CONNALLY. I thank the Senator. I ask unanimous consent for the present consideration of the resolution.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none; and without objection, the resolution is agreed to.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1546. A bill relating to the production of poppies for seed purposes only; to the Committee on Agriculture and Forestry.

By Mr. MEAD:

S. 1547. A bill to amend certain sections of the Federal Credit Union Act, approved June 26, 1934, as amended, and for other purposes; to the Committee on Banking and Currency.

S. 1548. A bill for the relief of John Cardillo and Philip Cardillo; to the Committee on Claims.

By Mr. GEORGE:

S. 1549. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment on the claims of H. B. Nelson (doing business as the H. B. Nelson Construction Co.) against the United States for the amount of such actual losses or damages as shall appear to be due him; to the Committee on Claims.

By Mr. HILL:

S. 1550. A bill for the relief of Carl Chalker; to the Committee on Claims.

By Mr. NYE:

S. 1551. A bill for the relief of Edward N. Berg; to the Committee on Claims.

By Mr. JOHNSON of Colorado:

S. 1552. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of regulating interstate and foreign commerce in beans, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BANKHEAD:

S. 1553. A bill to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages; to the Committee on Banking and Currency.

By Mr. REYNOLDS:

S. 1554. A bill to establish a Civilian Air Reserve to be organized and trained by the War and Navy Departments, and for other purposes; to the Committee on Military Affairs.

By Mr. BAILEY:

S. 1555. A bill for the relief of Eric W. Rodgers; to the Committee on Claims.

HOUSE BILLS AND JOINT RESOLUTIONS PLACED ON CALENDAR OR REFERRED

The following bills and joint resolutions were severally read twice by their titles and ordered to be placed on the calendar or referred, as indicated:

H. R. 4293. An act to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" (U. S. C., title 24, sec. 30), as amended June 2, 1939 (Public, No. 109, 76th Cong.), so as to provide compensation for donors of blood for persons entitled to treatment at Government expense whether or not the donors are in the Government service, and for other purposes; to the calendar.

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes; to the Committee on Naval Affairs.

H. R. 2670. An act to authorize the use of certain lands for military purposes;

H. R. 4443. An act to amend section 2 of the act of April 3, 1939 (53 Stat. 556), so as to make its provisions applicable to personnel of all components of the Army of the United States; and

H. J. Res. 55. Joint resolution to repeal section 3716 of the Revised Statutes, as amended; to the Committee on Military Affairs.

H. R. 4258. An act to supplement the navigation laws and facilitate the maintenance of discipline on board vessels of the United States;

H. R. 4658. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 4700. An act to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes; and

H. J. Res. 139. Joint resolution to provide suitable vessels for the use of certain State nautical schools, and for other purposes; to the Committee on Commerce.

CHANGE OF REFERENCE

On motion by Mr. BROWN, the Committee on Commerce was discharged from the further consideration of the bill (S. 1398) for the relief of Elinor Leugers, and it was referred to the Committee on Claims.

AMENDMENT TO INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. MURRAY (for himself, Mr. NYE, and Mr. MCCARRAN) submitted an amendment intended to be proposed by them, jointly, to House bill 4590, the Interior Department appropriation bill, fiscal year 1942, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 24, line 19, after the word "*Provided*", to insert the following:

"That in addition to the amount herein appropriated, the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $600,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further,*".

INVESTIGATION OF AIRPLANE CRASHES—LIMIT OF EXPENDITURES

Mr. CLARK of Missouri submitted the following resolution (S. Res. 119), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 307, Seventy-sixth Congress (providing for an investigation of airplane crashes), is hereby increased by $10,000.

ADDITIONAL CLERICAL ASSISTANCE FOR SENATORS

Mr. MEAD submitted the following resolution (S. Res. 120), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee to Audit and Control the Contingent Expenses of the Senate is authorized and directed to make a study and investigation for the purpose of determining (1) the extent to which Members of the Senate are in need of additional clerical assistance for the purpose of enabling them to adequately handle the additional volume of work which their offices are called upon to perform as a result of the present national-defense emergency, and (2) the advisability of providing such clerical assistance by the temporary employment for the duration of such emergency of persons to be compensated from the contingent fund of the Senate. The committee shall make a report to the Senate at the earliest practicable date, with respect to the result of its study and investigation and shall include in such report such recommendations as it may deem appropriate.

ASSISTANT CLERK, COMMITTEE ON MILITARY AFFAIRS

Mr. REYNOLDS submitted the following resolution (S. Res. 121), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs hereby is authorized to employ an assistant clerk to be paid from the contingent fund of the Senate at the rate of $2,880 per annum, beginning May 18, 1941.

INTER-AMERICAN BANK—CONVENTION WITH AMERICAN REPUBLICS

Mr. GEORGE. Mr. President, by direction of the Committee on Foreign Relations I ask unanimous consent that the draft of the proposed enabling act carrying into effect the Inter-American Bank convention, or agreement, be referred to the Committee on Banking and Currency for its advice and report. The Foreign Relations Committee has not acted upon the convention itself, but desires to have the Banking and Currency Committee consider the proposed enabling act, because it deals with banking and banking problems. I am, therefore, asking unanimous consent that this proposed draft of the enabling act be withdrawn from the Committee on Foreign Relations and referred, for the purposes stated, to the Committee on Banking and Currency, and also that the injunction of secrecy be removed from the convention and from the draft of proposed legislation.

The ACTING PRESIDENT pro tempore. Without objection, the proposed draft of a bill will be referred to the Committee on Banking and Currency, and the injunction of secrecy will be removed from the convention and from the proposed bill.

ADDRESS BY SENATOR HATCH ON SPEEDING UP AMERICAN INDUSTRIES

[Mr. GEORGE asked and obtained leave to have printed in the RECORD a radio address delivered by Senator HATCH on May 19, 1941, on the subject of speeding up American industries, which appears in the Appendix.]

ADDRESS BY SENATOR MEAD AT CELEBRATION OF NATIONAL MARITIME DAY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator MEAD at the celebration of National Maritime Day, May 22, 1941, at the Navy Yard, Washington, D. C., which appears in the Appendix.]

ADDRESS BY OSCAR L. CHAPMAN ON THE SPIRIT OF AMERICAN CITIZENSHIP

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address on The Spirit of American Citizenship, delivered by Oscar L. Chapman, Assistant Secretary of the Interior, at Alton, Ill., on May 18, 1941, which appears in the Appendix.]

ADDRESS BY OSWALD RYAN ON AXIS PENETRATION IN SOUTH AMERICAN AVIATION

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD a radio address entitled, "The Axis Penetration in South American Aviation," delivered by Oswald Ryan, member, United States Civil Aeronautics Board, on May 21, 1941, which appears in the Appendix.]

ADDRESS BY COMMANDER HARRIS, OF JEWISH WAR VETERANS, AT ANNUAL MEMORIAL SERVICE IN NEW YORK

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Commander Harris, of the Jewish War

Veterans of the United States at the annual memorial service held in New York City on May 18, 1941, which appears in the Appendix.]

BALANCING THE RISKS—ARTICLE BY STUART CHASE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the Appendix an article by Stuart Chase entitled "Balancing the Risks," published in the Progressive of May 17, 1941, which appears in the Appendix.]

CAMPAIGN PLEDGES—EDITORIAL FROM SOUTH BEND (IND.) TRIBUNE

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial entitled "Destructive," published in the South Bend, (Ind.), Tribune of May 18, 1941, which appears in the Appendix.]

THE MIDDLE WEST AND WAR—EDITORIAL FROM THE PROGRESSIVE MINER

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial from the Progressive Miner entitled "The Middle West and War," which appears in the Appendix.]

MANNERS IN THE MODERN STYLE—ARTICLE BY GEORGE E. SOKOLSKY

[Mr. NYE asked and obtained leave to have printed in the RECORD an article by George E. Sokolsky entitled "Manners in the Modern Style," published in the New York Sun of April 15, 1941, which appears in the Appendix.]

DEFENSE PRIORITIES AND ALLOCATION OF MATERIAL—CONFERENCE REPORT

Mr. REYNOLDS. Mr. President, I submit the conference report on House bill 4534, which I ask to have read, and I respectfully request immediate consideration of the report.

The ACTING PRESIDENT pro tempore. The conference report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 3, and agree to the same.

ROBT. R. REYNOLDS,
ED C. JOHNSON,
LISTER HILL,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

CARL VINSON,
P. H. DREWRY,
MELVIN J. MAAS,
Managers on the part of the House.

The ACTING PRESIDENT pro tempore. Is there objection to consideration of the conference report?

Mr. McNARY. May I inquire of the Senator from North Carolina what is the nature of the report? There was so much disturbance in the Senate Chamber when the Senator from North Carolina spoke I could not hear him distinctly.

Mr. REYNOLDS. The conferees met to consider the measure which deals with priorities, and their report is now before the Senate. I may say that several days ago the Assistant Secretary of War, Judge Patterson, together with members of his staff, appeared before the Senate Military Affairs Committee, at which time we considered the matter of priorities as it is now handled by one of the members of the O. P. M. staff. There was disagreement between the conferees on the part of the House and the conferees on the part of the Senate in relation to the permanency of the legislation. The Senate conferees receded in one instance, and the House conferees receded in two instances. The matter merely relates to confirmation of the authority which the O. P. M. has heretofore been exercising. The O. P. M. is desirous of having some statutory legislation with respect thereto.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the conference report? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

ORDER OF BUSINESS

Mr. BYRNES. Mr. President, the Senator from Oklahoma [Mr. LEE] announced to the Senate that he desired to address the Senate for a short time. I ask unanimous consent that at the conclusion of the speech of the Senator from Oklahoma the calendar be called for the consideration of bills to which there is no objection.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. NYE. Mr. President, reserving the right to object, I was quite prepared to wait until the call of the calendar had been completed before addressing the Senate for 6 or 7 minutes; but if there is to be any departure from that rule I shall insist upon being privileged to speak prior to the call of the calendar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina?

Mr. McNARY. Mr. President, I think it is understood that after the speeches shall all have been concluded we shall then take up the calendar.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore (Mr. GLASS). In his capacity as Senator from Virginia, the Chair submits a conference report on House bill 3205 and asks unanimous consent for its present consideration.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, and 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 10, 11, 12, 13, 15, 19, 21, and 22; and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$794,810"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "six hundred and thirty-five inspectors"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,444,700"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$665,350"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert: "$7,278,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert: "$8,250,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$57,500"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "$21,486,465, of which amount the sum of $22,848 shall be immediately available"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$5,065,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$9,950,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$637,500"; and the Senate agree to the same.

CARTER GLASS,
PAT MCCARRAN,
CARL HAYDEN,
JOSIAH W. BAILEY,
H. C. LODGE, JR.,
Managers on the part of the Senate.

LOUIS LUDLOW,
EMMET O'NEAL,
GEO. W. JOHNSON,
GEORGE MAHON,
JOSEPH E. CASEY,
JOHN TABER,
FRANK B. KEEFE,
ROBERT F. RICH,
Managers on the part of the House.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. THOMAS of Oklahoma. Is the conference report subject to debate?

The ACTING PRESIDENT pro tempore. It is.

FOOD FOR THE SMALL DEMOCRACIES OF EUROPE

Mr. THOMAS of Oklahoma. Mr. President, I desire to occupy only a few moments. I have received a letter from former President Herbert Hoover expressing interest in the movement which he leads for furnishing supplies to some of the hungry people of Europe. About the same time I received that letter I received a communication from my own State, which I desire to have read at the desk, if I may.

The ACTING PRESIDENT pro tempore. Without objection, the letter will be read.

The Chief Clerk read as follows:

PRESBYTERY OF TULSA,
Tulsa, Okla., May 15, 1941.

Senator ELMER THOMAS,
Washington, D. C

DEAR SENATOR THOMAS: The Presbytery of Tulsa, consisting of 32 Presbyterian ministers, and an elder representative from 22 churches in northeastern Oklahoma, in session at Nowata, went on record as favoring the Hoover plan for aid to the five small democracies of Europe, and instructed me to write to you stating this action taken.

We trust that you will do all in your power to further the purposes of those who are working for this cause.

Very truly yours,

GLENN O. CANFIELD,
Stated Clerk.

The ACTING PRESIDENT pro tempore. Without objection, the letter will be referred to the Foreign Relations Committee.

Mr. THOMAS of Oklahoma. Mr. President, after receiving these two communications I made an investigation, the result of which I desire to place on record. At this time I ask unanimous consent to have printed in the RECORD a copy of a news story under the heading "Mercy ship men wept at hunger of French boys," by Grace Robinson. I ask that it be printed in the RECORD at this point in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MERCY SHIP MEN WEPT AT HUNGER OF FRENCH BOYS

(By Grace Robinson)

When he saw American cake—cake left over from the crew's breakfast—the little French Boy Scout forgot his speech of welcome to the captain of the American Red Cross ship. He and his buddies gobbled every scrap. Chief Officer Edward Patrick Lebzeltern, of the American Export Lines freighter *Exmouth*, related yesterday.

The *Exmouth* is back after delivering Red Cross food and clothing at Marseille—and crew members, who thought they were hard-boiled, are quite unashamed of tears that came when hungry children swarmed over their deck.

"DAMNED HUNGRY"

"If you're not hard-boiled, you could not help a couple of tears showing. And a lot of us who thought we were hard-boiled found out we weren't," said Lebzeltern. "They're damned hungry over there. Darn near the whole town was out to meet us. They brought broadcasting mikes onto the ship.

"The chief steward prepared gallons of coffee for the visitors, and the women pitched in and washed dishes and helped pour. They hadn't seen real coffee with sugar for a long time."

When the head of the board of trade asked for needles and thread, the *Exmouth* crew handed over all they had. Fortunately, no one needed mending on the return trip.

THIRTY OR FORTY STOWAWAYS

Before they left Marseille on April 12, stowaways had secreted themselves aboard like hungry mice in a pantry. "We found 30 or 40," said Lebzeltern. "They hid themselves everywhere from the crow's nest to the hold. We found 'em even in the lifeboats."

All were put ashore.

The *Exmouth* was obliged, also, to reject passage to two British intelligence officers who got on board one night.

"They told me they traveled 3,000 kilometers, mostly through enemy territory, to reach Marseille," said Lebzeltern.

He said they wanted to stay aboard and let the British at Gibraltar find them. Capt. Oscar Ljungstrom was obliged to refuse.

The *Yankee Clipper*, which arrived at La-Guardia Field, brought stories of even greater hunger in Spain.

James Wood Johnson, former president of the American Volunteer Ambulance Corps, said the vast majority of Spanish children were suffering from anemia, and "almost every child is suffering from some disease." Thousands will never return to normal, he said, and "the result of this prolonged malnutrition and anemia is loss of memory, physical incapacitation, and impossibility of sustained concentration."

He did not know "what kind of mothers the little Spanish girls would become. At present they are so stooped and their growth has been so stunted that their condition is horrible."

Mr. THOMAS of Oklahoma. On May 7 there appeared in the Washington Daily News a news story by William Philip Simms on the same subject. The heading of the article is "Hoover urges test of his plan to feed Europe's starving." I ask that the article be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of May 7, 1941]

HOOVER URGES TEST OF HIS PLAN TO FEED EUROPE'S STARVING

(By William Philip Simms)

While the administration is seriously perturbed over the fate of the 50,000,000 people of the little invaded democracies of Europe, large numbers of whom are facing death from starvation and disease, it hesitates to run counter to London's objections to relief.

Speaking for Britain, Ambassador Lord Halifax has stated that any food sent through the blockade would help the Germans. Former President Herbert Hoover, on the other hand, has replied with a plan designed to meet every objection raised.

WOULD TRY EXPERIMENT

Postponing for the time being his efforts to get food through to all of the invaded democracies, Mr. Hoover now proposes to pick out just one community in one country and try out an experiment. The area chosen is one of the hardest hit in Belgium. In it are 3,000,000 starving women, children, and unemployed men. For his test he proposes that:

1. These people shall come to soup kitchens and eat on the spot.

2. The Germans shall supply 25,000 tons of wheat per month for the bread which is calculated to replace ultimately more food to Belgium than the Germans have taken out.

3. The British shall allow 20,000 tons of soup materials and special food for children per month to pass through the blockade.

ONE DAY'S SUPPLY

4. Not more than 10,000 tons of imported soup materials shall be in Belgium at any one time, so that if the Germans were to seize it all, it would be less than 1 day's food supply for Germany.

5. The Germans shall guarantee not to sink mercy ships.

6. The whole operation shall be under neutral supervision on the spot.

7. If the Germans violate the agreement in any way, the effort will be stopped forthwith.

The Germans have accepted the plan. The British have turned it down. The American Government is on the fence.

Some of America's highest military and naval authorities, however, are for it. Gen. John J. Pershing said he has "every confidence that the salvation of these people can be worked out along the lines proposed by Mr. Hoover without military loss or benefit to either side." Admiral William V Pratt said the same thing.

The National Committee on Food for the Small Democracies, of which Mr. Hoover is the honorary chairman, says the Belgium trial would prove, once and for all, whether the relief plan is practical or not. If it isn't, it would be dropped. Thus no possible harm could come of it and it might do incalculable good.

The plan would cost the United States and Great Britain nothing. The little democracies have credits of their own in this country with which to pay cash for whatever they buy. It would take no ships from Britain's supply. Vessels now out of service would become available.

Under the proposal, less food, rather than more, would be the ultimate result for Germany. For Germany would have to return the equivalent of the basic foods already requisitioned and refrain from taking future supplies from the people, whether locally produced or imported.

The British Government has made no reply since Mr. Hoover's trial plan was accepted by the Germans. It is recalled that during the World War, London raised strenuous objections to relief in Belgium and occupied France but subsequently reversed itself completely. It not only agreed to the plan but helped to finance it to the tune of $100,000,000. And when bottoms became scarce because of the U-boat campaign, and there was talk of taking over the mercy ships for the emergency, both London and Paris uttered an emphatic veto Relief had to go on, regardless.

Part of the British thesis now is that when these people get hungry enough they will revolt against Germany. Military experts, however, reply that successful resistance is impossible where disarmament of a nation is complete.

Mr. THOMAS of Oklahoma. Mr. President, Mr. Hoover's organization is not asking for any support from Congress, save its good will and moral support. It is not asking for any money with which either to purchase supplies or transport them to Europe. As an explanation of the program now being pro-

moted by Mr. Hoover's organization, I ask that there be printed in the RECORD at this point a statement explaining the program which is being promoted by that organization.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The United States is completely committed to a program of giving unqualified backing and all possible assistance to those countries, large and small, now resisting to the utmost—with their blood—the spread of brutal, criminal invasion. It is proper and vitally necessary that we defend our way of life, keep our own shores inviolate, and see to it that the democratic ideal is not crushed and stomped under by the totalitarian powers.

Our country has closed ranks on this subject. We are united. We do not conceal our desire to see Great Britain win. With pride and conviction we want the world to know that we intend to contribute to Great Britain's victory. We recently enacted historic legislation that I feel makes that ultimate victory a certainty.

We intend to help Great Britain's allies, Greece, Yugoslavia, far-away war-torn China, and other countries that find it necessary to resist unprovoked, brutal invasion.

We are not a warlike nation. We stand "for life, liberty, and the pursuit of happiness." We insist on it for ourselves and we believe there will be no permanent peace on this globe until all nations, large and small, can receive justice and have their full share of life, liberty, and happiness.

We are a compassionate nation. We are a humane nation. Because we as a people are compassionate and humane, we do not subscribe to the belief that in order to defeat your enemies it is necessary to impose a death sentence on your friends through slow starvation or the epidemic disease that unfailingly grows out of mass malnutrition. We abhor the thought of starvation. We do not permit it here. If the head of a family does not provide for his family, we, under our humane social structure, provide for his dependents. Most of all, we cannot view without the deepest possible concern the starvation of innocent, helpless, and defenseless babies, children, women, aged, and infirm.

As I speak there are four small democratic nations in Europe who have been overrun by the oppressors and who are experiencing desperate and tragic hunger as a result.

War, as such, is a harsh and brutal thing. When nations are at war, the usual humanities disappear. Even so, we do not like to think of anyone starving—enemy or friend. It simply cannot be necessary to starve your friends. The people in the countries I am speaking of today are, however, not enemies. They are our friends. They are Great Britain's friends and allies. These people are not aggressors. They are the peoples of Belgium, Norway, Poland, and Holland. Each one of these nations is in its present tragic plight because, up to the limit of its small and militarily inadequate ability, it resisted the onrush of the bestial invader. Their babies, their children, their women, their aged and infirm committed no military crime. They didn't begin the war. They wanted to live at peace with the world.

And yet, these helpless little peoples, of whose identical stock there are now 20,000,000 good American citizens, are being just as surely and relentlessly starved as though they were aggressors who had to be beaten to their knees. They are inflexibly and mercilessly caught between the German invasion and occupation on the one hand and the stringent British blockade on the other. As we talk and deliberate, as we ponder on how to defend democracy and our own shores, as we build armaments and ships with which to crush the invader, these people starve.

There is a ray of hope for them. The compassionate and Christian voice of millions of Americans is being raised in their behalf. These millions of Americans have become articulate through a committee known as the National Committee on Food for the Small Democracies. This national committee is composed of more than 800 members. These members are men and women of national stature, every one of whom has made an important contribution to our national life. They come from every State in the Union. Associated with them are more than 2,200 local committees, with tens of thousands of thoughtful and responsible Americans, who are the backbone of their respective communities. They are drawn from every religious group, from all political parties and shades of honest thought, and are of many racial strains. But this committee has no foreigners on its roster. Its every member is an American citizen, each enjoying his inherent right as an American, to plead a cause in which he sincerely believes. Many of these members are ninth generation, pioneer-stock Americans. In other words, the national committee on food for the small democracies is a completely American committee, and is the instrument through which millions of thoughtful Americans are making themselves heard on one of the most important matters confronting us.

This committee is seeking a solution for the tragic problem confronting the helpless and hungry in the small invaded nations. It presents no demands on this Congress. It has no hard and fast, inflexible suggestions to give us. But it believes that a formula for saving millions of innocent lives can be found; and it is of the strong opinion that the Government of our country, through its great humanitarian president, Franklin D. Roosevelt, and the Government of Great Britain, should speedily seek that formula before it is too late. Hunger cannot wait. The committee feels that the hungry must be saved before, out of desperation and necessity, they turn forever from democracy and become the unwilling but yielding tools of their oppressors, who tell them daily in propaganda outpourings that the democracies are leaving them to starve. The committee states and restates that the realities as well as the moralities of this crisis demand that the United States and Great Britain cannot declare themselves to be the champions of democracy while at the same time enforcing starvation upon the only democratic peoples on the earth excepting themselves; that we cannot be defenders of Christian civilization against the paganism of which Hitler is the symbol, if we give only lip service to the Christian ideal, and the foundation of Christian teaching—which is compassion.

It is my feeling that the members of this committee are working constructively in a world that seems bent on destroying itself. They are on the affirmative side of an issue that will be before this body constantly in the days to come. We will continue to hear about it, and undoubtedly be under the necessity of dealing with it in some way. For this committee is fighting for the lives of 37,000,000 helpless people who are our kind of people.

The committee's honorary chairman is Herbert Hoover, whose vast experience in the realm of relief and the mass feeding of populations must be respected, irrespective of our individual political beliefs. Besides, Mr. Hoover has made several emphatic public avowals of late that he is out of politics—"has been divorced from it" as he phrased it in a recent address—so we can view him in the clear and shining light of his humanitarianism. We can also view him in the light of a purely altruistic interest in the present problem, since it has been expressly and publicly stated that the Committee on Food for the Small Democracies is not in existence for the purpose of administering the relief.

I quote from its recent literature: "This committee wishes to make it clear that none of its members seeks to administer any relief. The American Red Cross has been given permission by the British to import supplies through the blockade for French children, and this committee would favor the extension of their fine service, or those of the Friends Service Committee to the Belgians and others."

I quote at this time from the letterhead of this committee, with which many of you are familiar. This letterhead gives the committee's purposes as follows:

"The stated purpose of this committee is to raise a voice on behalf of the peoples of Finland, Norway, Holland, Belgium, and central Poland so that agreements may be made by the German and British Governments with a neutral organization (a) by which their domestic food supplies can be protected from the occupying armies, (b) by which supplemental supplies can be imported through the German and British blockades and protected, (c) to secure the efficient operation of such a neutral organization to the end that the lives of millions of children, women, and men can be saved from the inevitable famine and pestilence which confront them and that renewed hope may be given to them in the ideals of mankind."

The National Committee on Food for the Small Democracies has made various proposals of workable plans for feeding the 37,000,000 hungry victims of the present war, and, I should say, they are the only proposals to date that have been presented. I define them as workable because they are based on the practical experience gained in the last war by America's greatest experts on relief, when 10,000,000 people in France and Belgium were fed without aiding Germany—and that is a matter of authenticated public record. They are also based on the experience gained when these same experts later fed 22,000,000 people in 21 starving countries. The committee believes that by adapting formerly successful methods of mass feeding to the present military situation in Europe, American skill, ingenuity, and organizing genius can make those methods work again. The British raised a variety of objections to the large proposals for feeding the 37,000,000. Consequently, a new and limited plan for feeding in Belgium was suggested, not only in order to cover their objections and provide a test case to ascertain whether the Belgian people could be fed in 1941 as they were in 1914 to 1919 without damaging the British military effort, but also because the situation in Belgium is critical. It is so critical, in fact, that when the proposal was submitted to the Belgian Government in London they urged it strongly upon the British Government.

Belgium is always the first country to feel the full impact of starvation when hunger is on the march. It is the most densely populated nation on earth, with 711 persons per square mile, and an 80 percent urban population. For half a century, under normal conditions, Belgium has been 49 percent dependent upon overseas imports for food. These imports have been stopped up by the blockade. The native supplies have been decreased owing to crop failures due to bad harvest weather, and decrease of normal planting because farmers turned soldiers, and the German confiscation of food stocks. The result is that the present food ration per person in Belgium today is 960 calories. That is less than one-third the 2,200 calories necessary to support life. By that I mean, if you or I were to be kept alive and nothing more, we would require 2,200 calories of food a day. As a matter of fact, you and I eat about 4,000 to 5,000 calories a day. To talk, then, of people subsisting on 960 calories a day is to talk of

people who are living dead; people who are lifeless, listless, and nerveless, without will, and with life meaning nothing to them, because, although they are living dead, they cannot die. It takes weeks and weeks and weeks to die of hunger, and that is the horror and ghastly tragedy of it. That is the present situation in Belgium.

The milk ration for babies in Belgium today is 1 pint. Ask any mother how much milk her baby needs in order to be a healthy baby, not to speak of being an alive baby. There is no adequate food for children in Belgium today, and schools are closing because Belgian boys and girls are too weak from hunger to attend them. Breadstuffs—and Belgium is a bread-eating nation—are practically exhausted. Because the blockade cut off the importation of cattle fodder there was no food for animals. Large numbers of them have been consumed, with the result that in Belgium there is an alarming shortage of fats. No one—American, British, or Belgian—can exist without the life-giving foods, which are meats, fats, vegetable oils, dairy products, and breadstuffs. There just are not enough of any of these foods in Belgium.

It has therefore been proposed by the National Committee on Food for the Small Democracies that soup kitchens be set up in Belgium to feed 2,000,000 children and 1,000,000 mothers and aged, dependent men and women. The soup kitchen method is practical for city dwelling Belgians, with the added advantage that it can be set up in a minimum of time—and the present emergency demands that any feeding operation be set up quickly if people are not to starve to death. There are also added advantages to this plan, since by the soup kitchen method, the feeding operation can be completely safeguarded. The Belgians would be required to come to the kitchens for their meals, with the representatives of food administration, checking to see that the proper individuals and they, alone, get the food. The imported soup materials would be escorted by other food administrators, directly from ship and frontier to the kitchens. There would be no question of feeding anyone who was working for Germany, and there would be no question that by food importing, native supplies would be available to Germany for munition making or other purposes. Under the proposed agreement, no foodstuffs may be taken out of Belgium, and the entire stock of Belgian food would be in the charge of the food administration, and it alone. That was the way it was done in the first World War, during the German occupation of Belgium. Then the eating off of conquered lands by the Germans was stopped completely. In this war nothing has been done to prevent German armies from robbing their conquered victims. One of the major premises of the committee's proposals from the first has been that Germany must not have the entire larder of Europe at her unchecked disposal. Another major premise is that imported food be handled in such small quantities that were Germany to seize it, after having pledged herself not to do so, the quantity stolen would be entirely unimportant. In the soup kitchen plan, it is proposed to import only 10,000 tons of soup stocks into Belgium at any one time, less than a day's food supply for Germany were Germany to seize it.

The German Government has pledged itself to agree to the Belgian test, and to all of the conditions set down in the proposals. It has agreed to contribute food equivalent to any amounts that were taken from Belgium or used by the armies of occupation, with the present contribution agreed to be 25,000 tons of wheat or rye monthly. The German Government has agreed to take no food whatever from Belgium in the future, either native stocks or food imported from overseas, and agreed not to attack the mercy food ships as they are admitted one at a time through the blockade. And the German Government has agreed finally that a neutral commission shall supervise the Belgian relief program and see that all agreements are kept.

A further feature of the plan for feeding Belgium is that only ships not available to the British shall be used, and that the cost of imported foods from overseas be paid for by the exiled Belgian Government, which is amply supplied with funds, and eager to alleviate the desperate condition of its people. But the feature of the plan upon which the National Committee on Food for the Small Democracies lays its greatest emphasis, is that if the Belgian trial is agreed to, and Germany violates any single article of her sworn pledges, the feeding of Belgium stops then and there, and it will be conceded that the impossible has been attempted.

But until the attempt has been made, the committee is absolutely unwilling to make any such concessions, and will continue its fight to save millions of innocent lives. For it points out that should the Belgian test be tried and proved to be successful, then a working formula would have been found. Then it would be possible to extend the feeding program to Belgium's other hungry millions, and the hungry millions of Norway, Holland, Poland, and Finland. The committee argues that the saving of 37,000,000 lives of people who are as liberty-loving as we and who fought for liberty and bled for liberty warrants taking the trial that millions of Americans want to see taken, in the name of mercy and justice and in order that the democratic ideal—which is also the Christian ideal—may continue to prevail in the only lands in Europe that uphold that ideal today.

This is the position of the National Committee on Food for the Small Democracies, which as I have previously stated is leading in a movement joined by millions of Americans, and which is in its membership as representative a cross section of the America you and I have the honor to represent as I have ever seen. I have examined the roster of this committee's membership in detail. I see here names that are great names that command our admiration, affection, and respect; names in which America has pride because they are the lifeblood of America. I want to read to you some of these distinguished and honorable names in order that you may know the caliber of the National Committee on Food for the Small Democracies.

Among past members United States Foreign Service: F. Larimot Belin, former Ambassador to Poland; J. Reuben Clark, Jr., former Under Secretary of State; Gen. Charles G. Dawes, former Vice President of the United States, former Ambassador to Great Britain; W. Cameron Forbes, former Governor General, Philippine Islands; Dave Hennen Morris, former Ambassador to Belgium; Col. Theodore Roosevelt, Jr., former Governor General, Philippine Islands, now returned to military service; Laurits S. Swenson, former Minister to Norway; Richard M. Tobin, former Minister to Holland.

Among public men and women: Charles Francis Adams, former Secretary of the Navy; Lewis O. Barrows, former Governor of Maine; John J. Bennett, Jr., attorney general of the State of New York; Admiral Richard E. Byrd, explorer, naval officer; Edward A. Hayes, past national commander of the American Legion; Herbert Hoover, former President of the United States; Walter Ewing Hope, former Assistant Secretary of the Treasury; Frank C. Love, former commander New York State American Legion; Hanford MacNider, former national commander, American Legion, former Assistant Secretary of War; Ray Murphy, former national commander, American Legion; Gen. John J. Pershing, commander in chief, American Expeditionary Forces; Admiral William V. Pratt, former commander in chief, United States Fleet; Leverett Saltonstall, Governor of Massachusetts; Thomas D. Thacher, former Solicitor General of the United States.

Among the 201 religious leaders: Dr. Albert W. Beaven, Rochester, N. Y., president, Colgate-Rochester Divinity School, former president, Northern Baptist Convention; Dr. Harry Emerson Fosdick, pastor, the Riverside Church, New York City; Dr. Charles W. Gilkey, the University of Chicago; Dr. P. H. J. Lerrigo, executive secretary, World Relief Committee, Northern Baptist Convention; Dr. W. O. Lewis, general secretary, Baptist World Alliance; Rev. Quentin T. Lightner, pastor, Baptist Church of the Redeemer, chairman, World Relief Committee of the Northern Baptist Convention; Dr. Daniel A. Poling, president, International Society of Christian Endeavor; Dr. Abdel Ross Wentz, president, Gettysburg Theological Seminary; Dr. Sidney Lovett, chaplain, Yale University; Dr. Albert W. Palmer, president, Chicago Theological Seminary; Dr. John C. Schroeder, Yale University Divinity School; the Right Reverend George Allen Beecher, D. D., bishop, Missionary district of western Nebraska; the Right Reverend Walter Mitchell, Episcopal bishop of Arizona; the Right Reverend James E. Freeman, D. D., bishop of Washington, D. C.; Rt. Rev. Edwin J. Randall, S. T. D., suffragan bishop of Chicago; Rev. L. W. Goebel, D. D., LL. D., president, Evangelical and Reformed Church; Bishop Elmer W. Praetorius, the northwestern area of the Evangelical Church; Dr. Samuel P. Spreng, bishop emeritus of the Evangelical Church; Dr. Edward N. Calisch, past president, Central Conference of American Rabbis; Dr. Samuel M. Gup, rabbi, Temple Israel, Columbus, Ohio; Dr. Nathan A. Perilman, rabbi, Congregation Emanu-El Temple, New York City; Dr. Samuel Schulman, rabbi emeritus, Temple Emanuel, New York City; Dr. J. A. Aasgaard, president, the Norwegian Lutheran Church of America; Dr. P. O. Carlsen, president, the United Danish Evangelical Lutheran; Dr. A. Haapanen, president, Suomi (Finnish) Synod of the Lutheran Church; Dr. Frederick H. Knubel, president, United Lutheran Church in America; Bishop Ralph Spaulding Cushman, resident bishop, the Methodist Church; Dr. Albert Edward Day, vice president, Federal Council of Churches of Christ in America, pastor, First Methodist Church; Dr. Willsie Martin, pastor, Wilshire Methodist Church; Dr. John R. Mott, president, World Alliance of Y. M. C. A.'s; Dr. Ernest F. Tittle, pastor, First Methodist Church; Bishop Herbert Welch, chairman, Methodist Committee for Overseas Relief; Dr. George A. Buttrick, pastor, Madison Avenue Presbyterian Church; Dr. William Chalmers Covert, former moderator of general assembly of the Presbyterian Church, United States of America; Dr. William Hiram Foulkes, pastor, the Old First Church; Dr. Ray Freeman Jenney, pastor, Park Central Presbyterian Church, vice moderator of the Presbyterian Church, United States of America; Dr. Lewis S. Mudge, stated clerk emeritus, Presbyterian Church, United States of America; Dr. William Lindsay Young, moderator, Presbyterian Church; His Eminence William Cardinal O'Connell, dean of the Catholic hierarchy; six archbishops and 21 bishops of the Roman Catholic Church; Dr. Rufus M. Jones, chairman, American Friends Service Committee; A. R. Clippinger, bishop, the United Brethren in Christ; Harriet Harmon Dexter, editor, the Church Woman; John Calvin Slemp, editor and business manager, Biblical Recorder; Clifford P. Morehouse, editor, the Living Church; Dr. Paul S. Leinbach, editor, the Messenger; Rev. Nathan R. Melhorn, editor, the Lutheran; Very Rev. James M. Gillis, C. S. P., editor, the Catholic World; Rev. Charles Clayton Morrison, editor, the Christian Century.

Among the 204 college and university presidents and other prominent educators: Dr. Lars W. Boe, president, St. Olaf College; Dr.

Thurston J. Davies, president, Colorado College; Dr. H. M. Gage, president, Coe College; Dr. F. S. Harris, president, Brigham Young University; Dr. A. D. Henderson, president, Antioch College; Dr. R. D. Hetzel, president, the Pennsylvania State College; Dr. Franklin W. Johnson, president, Colby College; Dr. Cloyd H. Marvin, president, George Washington University; Dr. Felix Morley, president, Haverford College; Dr. Aurelia Henry Reinhardt, president, Mills College, moderator of the American Unitarian Association; and Dr. G. T. Vander Lugt, president, Carroll College.

Among the 21 editors and publishers: R. B. Howard, general manager, Madison Press Co., vice president, National Editorial Association; Gertrude B. Lane, editor, Woman's Home Companion; Richard W. Lawrence, publisher, Printers' Ink; John Callan O'Laughlin, publisher, Army and Navy Journal; and Robert Romack, managing editor, American Farm Youth.

Among the 37 authors and writers: Temple Bailey, Faith Baldwin, Mary Hastings Bradley, Irvin S. Cobb, Margaret Deland, Dorothy Canfield Fisher, Will and Inez Haynes Irwin, Rose Wilder Lane, Charles and Kathleen Norris and Ida Tarbell.

Among the nine representatives of relief organizations: Hendrik Willem Van Loon, the Queen Wilhelmina Fund, Inc., author, and Roy A. Young, president and national chairman, the Norwegian Relief Fund, Inc.

Among the 34 agricultural leaders: Louis J. Taber, master, National Grange, Columbus, Ohio.

Among the 171 professional, business, and civic leaders: Roy M. Brewer, president, Nebraska State Federation of Labor; Mrs. Cleveland E. Dodge; Mrs. Lillian K. Dykstra, wife of Chairman of Board of Labor Mediation, president of University of Wisconsin; Geraldine Farrar, operatic artiste; Walter W. Head, St. Louis, Mo., president, Boy Scouts of America; Mrs. Roy Howard, wife of the owner and publisher of the Scripps-Howard newspapers; Casimir J. Koszarski, president, Central of Polish-American Societies; Dr. Charles N. Leach, international health division, the Rockefeller Foundation; Dr. Henry N. MacCracken, president, Kosciuszko Foundation and president of Vassar College; Eddie V. Rickenbacker, president and general manager, Eastern Air Lines; Branch Rickey, vice president, St. Louis National Baseball Club; D. B. Robertson, president, Brotherhood of Locomotive Firemen and Enginemen; Igor I. Sikorsky, airplane manufacturer; Mrs. F. Louis Slade; Lewis L. Strauss, banker, now in active naval service; Gladys Swarthout, operatic and concert artiste; Mrs. Charles P. Taft; Allen Wardwell, lawyer, of the firm Davis, Polk, Wardwell, Gardiner & Reed; and Mrs. Honorato B. Wolowski, president, Polish Women's Alliance of America.

Mr. THOMAS of Oklahoma. There is being circulated among Senators a resolution which sooner or later will be presented to the Senate for its consideration. The resolution recites some whereases, and later asks the Senate, at the proper time in the future, to pass upon the following text:

Resolved, That the Senate of the United States does express the conviction that immediate steps should be taken to formulate some plan to prevent this impending tragedy of mass starvation in the various countries heretofore named, by the institution of a system of complete guardianship of relief guaranties through some neutral agency or government; and be it further

Resolved, That the Senate of the United States respectfully urges that the Government of the United States, through the Secretary of State, endeavor as quickly as possible to work out, in cooperation with the British Government and the accredited representatives of the other governments concerned, the setting up of systematic and definite relief for all stricken and hungry countries, beginning with Belgium where the need is now the most acute; this relief to be based on agreements by the belligerents for the protection of the native and imported food supplies, with rigid safeguarding of such relief so that no military advantage whatever may accrue to the civil populations or armed forces of the invading nations.

Mr. President, the resolution has already been signed by 40 Senators. As I understand, when the supporters of the resolution secure the signatures of a majority of Senators it will be presented to the Senate for consideration. I ask that the complete resolution be printed in the RECORD at this point in connection with my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the small democratic countries of Belgium, Norway, Poland, and the Netherlands have been invaded and occupied; and

Whereas these small countries, which are allied with Great Britain in the cause of democracy, resisted to the limit of their strength the onrush of invading forces; and

Whereas the usual economic processes of these small countries have been completely dislocated as a result of being occupied by invading forces for a year; and

Whereas Yugoslavia and Greece have been invaded recently and their lands occupied by invading armies, and France, Finland, Spain, and Denmark are admittedly facing increasingly serious food shortages; and

Whereas the food supplies of all these nations will be dangerously exhausted before the next harvest, particularly in the countries first invaded, due to domestic usage during the war, to requisition of native food supplies by the Germans, and inability to secure their usual imports; and

Whereas no relief can be brought to them unless there be international action through which their native supplies can be protected and imports be made through the blockade; and

Whereas starvation has already begun in Belgium; and

Whereas the American Committee on Food for the Small Democracies recently made a proposal of a trial feeding in Belgium by which 3,000,000 children, women, and unemployed men should be fed on the spot by soup kitchens requiring monthly 25,000 tons of breadstuffs and 20,000 tons of meat, fats, beans, peas, and rice for soup materials, and milk and cocoa for children; and

Whereas the Germans agreed to furnish the soup kitchens 25,000 tons of breadstuffs monthly, to refrain from requisitioning imported and native food supplies, and not to attack mercy ships; and

Whereas 20,000 tons per month of soup materials and special food for children is not available on the Continent of Europe and must be imported through the food blockade; and

Whereas there are enormous food surpluses available in the United States and elsewhere in the Western Hemisphere; and

Whereas most of the small invaded countries have money with which to purchase the food needed to keep their peoples alive until the next harvest and have signified their desire to use funds for that purpose; and

Whereas the trial feeding proposed for Belgium was to be administered and the guaranties safeguarded by a neutral commission; and

Whereas it was proposed there should be no large supply of imported foodstuffs on hand at any one time so that if the Germans violated their agreement the German Nation could not benefit from a military standpoint, and the experiment could be abandoned on an hour's notice if it were violated; and

Whereas the exiled Belgium Government strongly urged the British Government to agree to this trial feeding and was willing to finance it; and

Whereas the British Government has not as yet agreed to the proposed Belgium trial feeding; and

Whereas the nature of this proposal offers hope that international agreement may be obtained for the relief of these stricken nations; and

Whereas the specter of mass starvation among friendly and noncombatant women and children is a tragedy that the compassionate heart of America wants to avert; and

Whereas Belgium, Norway, Poland, and the Netherlands, and most of the other nations facing starvation have lived at friendship with the United States during our entire national existence, and have sent us millions of our most useful and helpful American citizens, and now have no means whatever of securing the necessary agreements by which this disaster can be averted: Now, therefore, be it

Resolved, That the Senate of the United States does express the conviction that immediate steps should be taken to formulate some plan to prevent this impending tragedy of mass starvation in the various countries heretofore named, by the institution of a system of complete guardianship of relief guaranties through some neutral agency or government; and be it further

Resolved, That the Senate of the United States respectfully urges that the Government of the United States, through the Secretary of State, endeavor as quickly as possible to work out, in cooperation with the British Government and the accredited representatives of the other governments concerned, the setting up of systematic and definite relief for all stricken and hungry countries, beginning with Belgium where the need is now the most acute; this relief to be based on agreements by the belligerents for the protection of the native and imported food supplies, with rigid safeguarding of such relief so that no military advantage whatever may accrue to the civil populations or armed forces of the invading nations.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report on House bill 3205.

Mr. LEE. Mr. President, I understand the conference report is debatable. I wish to speak on it.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McNARY. Has the routine morning business been concluded?

The ACTING PRESIDENT pro tempore. It has been.

Mr. McNARY. Under what order is the Senate now proceeding?

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report on the Treasury and Post Office appropriation bill.

Mr. DANAHER. Mr. President, will the Senator from Oklahoma yield for a moment?

Mr. LEE. I yield for a question, or to have something put in the RECORD.

Mr. DANAHER. Mr. President, I ask unanimous consent for the reconsideration of the vote by which the conference

report on House bill 4534 was agreed to. I do not wish to debate it.

Mr. LEE. I decline to yield for that purpose.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma declines to yield.

LIBERTY OR SLAVERY

Mr. LEE. Mr. President, I wish to speak concerning the news at home and abroad, which to me is very alarming.

Democracy's virtue is at times its weakness. If the Peace Mobilization organization is communistic, why, in times like these, should we be compelled to submit to the humiliation of having representatives of that organization picket the White House, where the President of the United States resides?

For the third time I wish to speak on the floor of the Senate in support of the Dies committee. I think it is doing a good job in peeling the mask from subversive activities in this country.

This morning I heard a radio commentator, in whose words I have confidence, say that recently there was published in Japan a large book that had in it a map which showed the location of every air field in the United States, and which carried much important data concerning military preparation in this country.

The other day I asked that we set up and finance adequately and generously an organization to combat Axis agents and ideologies in this country. I desire to read from a circular which was sent to me from Tulsa, Okla., a little less than a year ago. The date of the circular is June 8, 1940. The heading is "The people's voice." It has the sickle and hammer, the symbol of the Communist Third International:

Issued free semimonthly by the Communist Party of Tulsa.

We must prevent a capitalistic war.

I am quoting.

The Communist Party urges upon Congress a real united front on the basis of a fighting program against war—a revolutionary working-class program. Serious systematic work must be undertaken in every factory, on every deck, on every ship, arousing these workers against war, exposing every detail of the war preparation for them, setting up antiwar committees, hampering and working to prevent the manufacture and shipment of war material and munitions.

This is the fourth paragraph:

Our task today is to bring class consciousness to Negro workers. We must crystallize in this class vigorous action against the capitalistic class; we must point out to them every opportunity which will tend to develop race feeling and stir up race antagonism.

* * * * *

Our objective goal: Organize strife and combat groups; obtain arms in foreign countries; manufacture grenades, bombs, and other explosives; formulate plans for disarming police and loyal troops; break up groups of loyal fighting workmen; destroy, when unable to capture, all tanks, cannon, machine guns, and other weapons which the loyal proletariats might use; instruct the mopping-up squad to put to death certain individuals; seize all barracks, public buildings, newspapers, and radio stations; to seize and occupy roads, bridges, and transportation systems.

Then the last paragraph says:

Double duty has been ordered by Comrade Wood.

Some Senators may remember that Comrade Wood was the one who was prosecuted and convicted in Oklahoma County by the fearless, courageous act of Oklahoma County officers acting under a State law.

This is happening in Oklahoma, away out in the interior of this country, making preparation for strikes, organizing industrial confusion in this country.

Yet now we hear from the Dies committee that many Communists are on the public pay roll. Whether they are or not, I do not know, but certainly it can be determined If a single person who has been proved to be a Communist is on a public pay roll, he ought to be fired; and if the head of his department defends him, the head of the department ought to be fired. The time has come for us to quit financing our own destruction in this country.

Mr. President, indeed it is alarming that now, at a time when the very world is falling, and when we are calling upon our factories for defense weapons, when ships are the most critically needed of anything, every newspaper carries stories of industrial strikes, walk-outs, and strife in our defense factories and shipyards; and yet, in spite of that, many American people show a lack of interest, an apathy with respect to the results. Why do they do that? Because they hear on the radio the voice of the isolationist, "There is no danger; there is no emergency." They hear the ridicule that is heaped upon the suggestion that we might be invaded. Mr. President, the so-called America First Committee—which ought to be called the Committee to Aid Hitler—and those who represent that committee have shot the deadly cocaine of appeasement into the muscles of our national defense today. Our people are asleep They sleep on. Why? Because they are drugged—drugged by the deadly cocaine of appeasement while the world falls.

And then the news abroad. We read in every newspaper, we hear on the radio, until we almost become immune to the threat of danger, we hear now that the British line holds hard There the adversaries battle over Crete for one more stronghold of democracy, the fiercest battle of all times. We see the Nazis surround the Mediterranean. Today the Nazis hold the Mediterranean basin in their grasp; and, one after another they take various strongholds. Then we hear the parlor strategists say: "The British are smart. They are just stalling to get the United States to pull their chestnuts out of the fire"; or "The British are just retreating down through Africa to draw out and lengthen the Nazi lifeline"; or "It is just a matter of strategy." We hear these parlor strategists criticize Roosevelt here and Churchill there, make an appeasement talk here and a critical one there; and all the time the Nazi machine is growing stronger and marching on. Today the great British lifeline that holds back the greatest horde of Nazi barbarians that has ever been assembled or organized is strained; it is cracking. The British are calling for help; and yet we sleep on, drugged, drugged with the cocaine of appeasement shot into the muscles of our national defense.

There the British strongholds are, one after another. They are losing them; and it seems now that the Nazis are about to cut the jugular vein of the British Empire. If they can close the Suez Canal, one place will be left—only one long route to keep that empire together—and that is around Africa by Dakar. Look at the map and you will see that the Atlantic Ocean at that point between the nearest place in South America and the nearest place in Africa comes together in a throat; and already we see the Nazi hand reached out to grasp that throat, to choke the Atlantic in two.

Our fleet is in the Pacific. One bomb will disable the Panama Canal. Then, with the Nazis holding a submarine base at Dakar and an air base at Dakar, they can stop the passage there; they can harass traffic until they can close the Atlantic; and we could not bring our own fleet around into the Atlantic to defend our Atlantic seaboard There they are, spilling over on Africa. The hordes are already spilling over the British lifeline. Already they have gone across into Africa. Already Nazi boots are "slogging, slogging, slogging over Africa; boots, boots, boots, marching up and down again." Dakar points like the point of a wedge. That wedge to be driven by Axis hands between North America and South America; and in all this dark hour then comes the shock of a betrayal—the betrayal by France, the dastardly betrayal by France.

I imagine that the boys who sleep in Flanders fields, where the poppies blow, are stirring in their graves today. I imagine the whispering winds that sweep through the poppies today are uneasy.

If I may use a line or two from H. I. Phillips' poem appearing in his column yesterday in the Washington Post—

FLANDERS FIELD, MAY 1941

The voices rise from Belleau Woods,
Where none today may rest,
"France signs to fight for Germany!
Is this some cruel jest?"

The legions of heroic dead
Who fell along the Meuse,
Are restless in their graves tonight
As spreads the evil news.

* * * * *

"We gave our lives," we hear them say,
With spirits crushed and low,
"To rescue France, and now she turns
To join our ruthless foe!"

* * * * *

Petain's foul pledge they hear about;
No sordid phrase they miss . . .
And 'cross the misty fields is heard,
"Did we, then, die for this?"

The mangled dead of Vimy Ridge,
And those of Cambrai, too,
Ask "What of days when faith was firm,
And hearts of men were true?"

* * * * *

The boy who came from Kansas farm,
The lad from Vermont glade,
The stripling from a Jersey shop
Gasp one harsh word, "Betrayed!"

Darlan said to the world, "Petain had a choice between life and death, and Petain chose life." Did he, or, rather, did he not choose slavery? I remember one American statesman who said on a simi-

lar occasion, "Give me liberty or give me death." Petain chose life and slavery. Is it warmongering to be so bold as to quote the words of Patrick Henry when he said, "Give me liberty or give me death"?

I think of another American who, just before death, said:

All I regret is that I have but one life to give to my country.

But perhaps that is warmongering; perhaps that is war hysteria; perhaps I should not mention it; perhaps in referring to our boys of 23 years ago, who exchanged their graduating academic costumes for uniforms and went out to battle for liberty, I am dealing in war hysteria; perhaps I am warmongering.

They said the Yanks would not fight; they said the Yanks would not hold. It may be, Mr. President, that you recall those days when the first contingent of American troops went into battle. The world waited breathlessly, and then was electrified by dispatch No. 1, "The Yanks are holding." The world waited and held its breath, and again dispatch No. 2, "The Yanks are holding"; and dispatch No. 3, "Germans bringing up reinforcements"; dispatch No. 4, "The Yanks are holding"; dispatch No. 5, "The Yanks advancing." And they did advance with cold steel, they drove the same Hun back across Alsace-Lorraine, back across Belgium to the very border of France, and they hung the banner of the Stars and Stripes on the highest castle on the Rhine. But perhaps that is warmongering. It may be that I am dealing in war hysteria to recite the deeds of men who were noble enough to live and fight and die for liberty. But they dared to challenge the power of the Hun instead of groveling on the earth under the booted heel of a dictator. Now we are told we were "suckers"; now we are told that all we witness in these days is because of the Versailles Treaty.

The only thing that was wrong with the Versailles Treaty was it was too ladylike. The only thing we did not do was what Jack Pershing wanted to do—carry the hell of war into the nesting place of war, the spawning ground of war, and blow it to kingdom come. That was all that was the matter with the Versailles Treaty. But we left the spawning ground intact, and Germany started breeding more millions of the locusts of war.

We fought and won a war "to make the world safe for democracy." We did just that. It was a great victory, a great success, and the world was saved for democracy for a period of time. Small countries such as Poland, Norway, Denmark, and Belgium could enjoy life, liberty, and the pursuit of happiness. There was no fear on earth, no fear that some great military power would invade and enslave them. But the victory we won on the battlefield was lost in the council chamber when we turned from the leadership of Woodrow Wilson, who was leading to the ideal of a free earth where men might live in freedom. We adopted the policy of isolation. We solved our conscience by saying that the only spot of ground to which we owed any military duty was that circumscribed by imaginary lines. Although wrong and injustice to human beings could exist everywhere it was none of our business. So we turned from the idealism of Woodrow Wilson to follow the isolationists, who held full sway then for 20 years. We pretended that the economic and military conditions of other countries did not affect us in this country.

We did "make the world safe for democracy" for a while. For 20 years American tourists visited a little railroad car in the forest of Compiègne, and there near that car, engraved on a granite stone, were these words:

Here on the 11th of November succumbed the criminal pride of the German Empire, vanquished by the free peoples which it tried to enslave.

But, by the irony of fate, that tablet is no longer there. Last year, in the same boxcar, France placed her neck under the same iron heel that the world had freed her from in 1918.

Today the British line is growing thin over there. The British are asking for help; they are appealing for it. Has America lost her soul and her spirit? Is it now wrong to speak of liberty and the noble deeds of men? If so, then I shall belong to the minority because I take my stand on the side of liberty.

I urge upon the President again today that he throw our defense preparation into high gear by declaring a full war emergency which will not allow industrial disputes to stop production. I call upon him to use the Navy and the air force in the most efficacious manner to safeguard America for the future, whatever move that may involve.

The President of the United States, acting upon the advice of the military and naval authorities, should take such steps now to secure strategic defense positions in order that we may be better able to defend America later.

The isolationists point out that we are not armed. There is no argument on that score. We are not armed. That is all the more reason why we should keep that British chain holding back the horde of Nazis while we do arm, and then to protect South America, lest the Nazis get bases there, and then we find ourselves driven to a last-ditch fight, making our stand at the Caribbean and the Panama Canal.

When England saw danger she evacuated her children to America. Where will America evacuate her children if we allow the only men who today are fighting liberty's battle to go down for the want of aid, for the want of weapons which we must deliver to them?

Therefore, I call upon the President of the United States today for bold and courageous action; for only by bold and swift action can the United States be saved from a long, bloody, and uphill war.

MEDDLING BY AMERICANS IN EUROPEAN AFFAIRS

Mr. NYE. Mr. President, one does not listen, as I have listened, to the address of the Senator from Oklahoma without having larger knowledge of the part which some are playing in a move to drive this country in a course wholly contrary to that which the country has been largely assured it would pursue.

Things have been said here today regarding appeasers and appeasement, isolationists and isolation. I shall not burden the Senate by undertaking to answer what has been said. I should like only that what has been said may be made to serve as warning to the American people, who, every hour there continues the challenge to go to war, grow more determined to stay out of the war.

Any American who dares to look ahead has a right to be frightened, not by what may be brought to America by reason of anything which may result from the pending war in Europe, but by reason of representations which have been made in the name of a country that was in no more position to fulfill the promises which have been made than there is chance to fulfill a desire for our participation in Europe's war to bring it to an end tomorrow morning.

My fear is not as to any probable or likely outcome of Europe's war. What concerns me is the knowledge that, whatever the outcome of that war, the United States will be the Nation most hated and most despised by all the warring nations and their peoples. It grows increasingly evident that men authorized and accepted as spokesmen for our Government have played "sic'em" in Europe, and have helped to lead countries to their death, first by promises of help which did not lie in our power to give, and, second, by threats of United States enmity toward one and all those nations if they did not go to war.

Mr. President, there is no pleasure in saying these things; but the evidence at hand is all too convincing to be ignored.

More than 2 years ago, on February 28, 1939, in debate on this floor, which will be found in volume 84, at page 2003 of the CONGRESSIONAL RECORD, I said:

I am more and more convinced that there will be no war in Europe this spring, this year, or next year, unless the United States encourages, urges, and eggs Europe on to it. There will be no war in Europe unless the United States shows a definite will to help out when war comes, and an inclination to finance it. There will surely be a war in Europe when the United States gives the word "go" and gives Europe reason to anticipate that the United States will be standing by and ready to go on when the hour comes.

Mr. President, this declaration by myself at that time brought a thorough boxing of my ears by several of my colleagues and by a part of the press, which "ribbed" me no end for it; but today I wonder if there is not increasing appreciation of the part we may have played in bringing eastern Europe into this devastating war.

Demaree Bess, in a cablegram to the Saturday Evening Post, published in late April, told how Col. "Wild Bill" Donovan, as the eyes and ears of Secretary Knox, had operated in the Balkans after Britain had abandoned hope of winning Balkan support in the British-Greek cause; that Donovan had given Balkan statesmen to understand that we would consider them our enemies if they did not stand up and fight; that the United States was going to be in the war until

Germany was destroyed; and that we would give them material help in their fight. Now, Mr. President, comes the same observer, Demaree Bess, with a more recent radio dispatch to the Saturday Evening Post, published only this week, revealing our meddling in the Balkans through the hands of Donovan and our Ambassador to Yugoslavia. These hands, it seems, drove Yugoslavia to a defiance that brought about her end, and brought her dreadful loss of life.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, the article to which I refer, entitled "Our Frontier on the Danube: The Appalling Story of Our Meddling in the Balkans," by Demaree Bess.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. NYE. Ambassador Bullitt no doubt will continue to deny that at the time of Munich, or at the time of the "push" in Poland, he gave Europe any cause to believe that the United States could be counted on to go to war or in anywise help them if they went to war against Germany; but it is already written by Quentin Reynolds that it was generally understood in France that Bullitt had promised Petain and the French Government that the United States would be in the war. There have been other moves of significance that add up to the same thing.

This is no time even to be trying to know in small part what has been going on behind the scenes that would give Europe, or any part of it, cause to believe that we did not mean what we said when, by law and otherwise, we declared it to be the purpose of the United States to have nothing to do with more of the wars of Europe. It will take time to know just what has been going on; but when the madness is over, in the light of what we are seeing thus early, we can properly anticipate revelations that will be more than embarrassing; and I fear it. I fear that the United States will be found to have had more than a finger in pushing Europe, beginning with the declaration of war by Britain and France which brought the war to western Europe. I fear that we shall be held guilty of having, in effect, given the word "go."

If any who could be understood as speaking for them in Europe have spoken out of turn, it would be to the health of our future if the President of the United States and Naval Secretary Knox would deny that the Bullitts and the Donovans were speaking for our Government or for the American people. Then could we hope to get off on a right foot in what must be a tremendous undertaking to win back the confidence of the peoples who have been misled.

Mr. President, if commitments have been made abroad by American agents, commitments which our Government feels are binding, calling for our further involvement in war, then let the President be reminded that he has made commitments also to the American people to keep out of it, and let the American people continue to give assurance to the President that they will stand by him if he will stand by his commitments to them.

EXHIBIT 1

[From the Saturday Evening Post of May 24, 1941]

OUR FRONTIER ON THE DANUBE—THE APPALLING STORY OF OUR MEDDLING IN THE BALKANS

(By Demaree Bess)

BERNE, SWITZERLAND (by adio).—March 27, 1941, is a date which has become part of American history. That was the day when a coup d'état overthrew the government of Yugoslavia, a Balkan country 4,000 miles from our shores.

Why was this remote event so important to Americans? Because the United States Government was directly involved in it. Because a small group of Americans became chiefly responsible for the setting off of this explosion which blew apart a country in less than 2 weeks. Because our representatives made commitments for us which virtually established a new American frontier on the Danube River

During last February and March, Belgrade, the capital of Yugoslavia, became the setting for a terrific struggle in war politics. The Americans who took part in that struggle accomplished everything which they set out to do. They blocked the German game in Yugoslavia which had aimed to win over the country without fighting. They persuaded the fiery Serbs to defy the Germans and thus invite martyrdom for their own country. But in order to accomplish this, our representatives gave pledges to the Yugoslavs which the latter interpreted as a guaranty that the American people would rescue their country from whatever fate might befall it as a consequence of their defiance of Germany. Some of the principal facts of our Balkan adventure already have been acknowledged by the Americans concerned. They are supplemented here by information which I personally obtained in southeastern Europe, where I was traveling all through this period.

Every carpenter and clerk in Belgrade knew about the American pledges given to Yugoslavia. On the day of the coup d'etat the American Legation in Belgrade was stormed by crowds of cheering Serbs who demanded that the American Minister, Arthur Bliss Lane, should bring out the American flag. When he finally yielded to their clamor they tore the banner from his hands, and men and women trampled one another in their efforts to touch our flag and even kiss it. The Stars and Stripes had become for them a symbol of an alliance such as they had never before pictured in their wildest dreams. Later that same day, when the American minister drove through the streets of the capital, he was lifted out of his automobile and carried on the shoulders of the Serb demonstrators.

Those excited Serbian crowds were no military strategists. They couldn't be expected to understand how puny was the immediate aid which the Americans could give them. They couldn't be expected to comprehend what it meant to challenge the German armies massed on their borders—those same armies which had smashed the combined armies of France, Britain, Belgium, and Holland in 39 days, and which had since been idle for months, with unlimited opportunities to prepare for another blitzkrieg.

But their leaders possessed all this information, and so did the Americans who urged them on. They had detailed reports on the power of the German military machine. They were fully cognizant of the ruthlessness of the German Nazis. They foresaw that Yugoslavia must be overrun and that thousands of its people must be slaughtered, but they were playing war politics, and those who play this game must put such things out of their minds.

The Yugoslav leaders who defied Germany were gambling upon Germany's eventual defeat. They sacrificed the present and staked the future of their country upon pledges given them by the American representatives that the American people would bring about that defeat. The Americans who gave those pledges were fully aware that thousands of sea miles separate the United States from the Balkans. They knew that we hadn't yet been able to make sufficient munitions for our own defense needs and the war needs of Britain. They knew that we hadn't yet built sufficient ships in which to carry munitions, but they knew also that the Serbs possessed an almost mystical faith in the power and benevolence of the American people. They used that faith to persuade the Serbian leaders to transform their country into a battleground in the Anglo-German war. The Yugoslav coup d'état was enthusiastically applauded by many American politicians and political commentators. These Americans boasted of our share in turning Yugoslavia into a battleground. They hailed it as a great American triumph and a great German defeat. They spoke of the new anti-German front which we had helped create in the Balkans. They told of munitions which we would send to Yugoslavia across the Atlantic and around South Africa and through the Red Sea to the Suez Cana where they could be transshipped across the Mediterranean to Adriatic ports. It never seemed to occur to these enthusiasts that the Yugoslavs might not be able to hold off the German war machine until this help arrived. Was it possible that these Americans still clung to the delusion that Hitler could be bluffed? Was it possible that they believed Hitler would be so taken aback by this upset in his plans that he would ignore this challenge in the Balkans? Unfortunately, there is evidence that some Americans did believe these things.

Ten days after the Belgrade coup d'état, when German mechanized divisions hurled themselves upon Jugoslavia and Greece, several American political leaders announced they were "profoundly shocked," but nobody in southeastern Europe was shocked by anything the Germans did then. The shock for these citizens in the Balkans had come when the Serbs defied Germany, because they realized then that this action made the German attack inevitable. The only question which remained was how far the Americans could and would carry out the commitments which our Government had made for us. There is more general agreement in Europe about the events which preceded the Balkan outbreak than there is about most happenings in the Anglo-German war. For once, the Germans had made their intentions crystal clear. They were trying to isolate the Italo-Greek war, to force an immediate settlement in that war before British troops could get any foothold upon the European Continent. To accomplish that, the Germans wanted to come to terms with Jugoslavia. They wanted to prevent the Balkan war from spreading, because widespread war in this region, no matter how it might result, would interrupt the flow of food and other raw materials needed for the new German empire.

British strategists naturally attempted to create a diversion in the Balkans in order to upset this German program. Last February the Germans suspected that the British were planning to send troops into Greece. The Germans thereupon issued an ultimatum to the Greek Government just before the arrival in Athens of British Foreign Secretary Anthony Eden and British Chief of Staff Sir John Dill. The Germans warned the Greeks that if they permitted British troops to land

anywhere on their territory they must expect a German attack. They told the Greeks they must choose without further delay between accepting additional British assistance or accepting German mediation in the Italo-Greek conflict. This German ultimatum caused the Greeks to hesitate.

A tug of war then developed in the Balkans, with the Germans pulling in one direction and the British in another. That tug of war was decided by American intervention. It was our official representatives who broke the deadlock and upset the uneasy equilibrium which had been maintained in this region since the outbreak of the European war. The American efforts were concentrated at Belgrade, where the British proposals had been persistently rejected. The Yugoslav Government, headed by Regent Prince Paul, had decided to make a deal with Germany in order to prevent their country from becoming a battleground. This administration had even refused to permit the British envoys to visit their capital. The British consequently washed their hands of Yugoslavia and shifted their entire attention to Greece and Turkey, but the Americans continued their efforts to swing Yugoslavia against Germany. Our representatives began their activity at Belgrade last January, when Col. William Donovan stopped off with autographed letters of introduction from President Roosevelt. Donovan is the hard-boiled type who enjoys playing war politics. In the capital of Turkey, Ankara, I ran across an example of his technique. At a large reception in Ankara, Donovan met the French Ambassador. In the presence of several persons the Ambassador said to him, "We Frenchmen hope your country will send food to save France from starvation."

Donovan retorted, "The American people are prepared to starve every Frenchman if that's necessary to defeat Hitler." Shortly thereafter, Donovan's visa for French Syria was revoked. In Belgrade, Donovan told the Yugoslav leaders there was no "halfway house" in this war. He told them they must make a flat choice between the British-American combination and the Axis. He warned them that if they made any sort of deal with Germany the United States would regard Yugoslavia as our enemy both during and after the war. On the other hand, he assured them that if they refused to cooperate with Germany, the American people would see to it that they came out on the winning side. Donovan made a profound impression upon some Serbian leaders, although not upon those who then controlled the government. He wasn't able to show those hard-headed men how their country could defy Germany and avoid complete annihilation. But the American Under Secretary of State, Sumner Welles, took up the task of stiffening Yugoslav resistance where Donovan left off In our minister at Belgrade, Arthur Bliss Lane, Welles had an effective agent. Lane worked tirelessly to undermine the decision of Prince Paul and his supporters to come to terms with Germany.

Nevertheless, the agreement with the Axis went through and was formally signed at Vienna. That agreement gave the Germans what they wanted without risks of military action and incorporated Yugoslavia in Germany's "new order in Europe." It was interpreted everywhere as a resounding diplomatic victory for Germany.

But that victory endured less than 2 days. Before dawn on the morning of March 27, the American activities at Belgrade bore their fruit. The Serbian leaders who had yielded to American persuasion dramatically and definitely defied Hitler by overthrowing Prince Paul and arresting the ministers who had signed the Vienna pact.

For the first time in our history the American Government thus assumed a leading role in Balkan politics. It had succeeded where the British Government had failed, but in achieving its objective it made American commitments in the Balkans the consequences of which are unpredictable.

The sensational move at Belgrade undoubtedly was popular with the Serbian people, although not so popular with the other races who constituted Jugoslavia. The enthusiastic demonstrations at Belgrade were not duplicated at Zagreb, the capital of Croatia. While the exuberant Serbs shouted defiance of Germany, the Croats awaited events in sober silence.

Meanwhile the Greek leaders had also made their decision. Influenced by vigorous American representations at Athens, they rejected German proposals for a negotiated settlement of their Italian war and accepted British offers to land troops at Greek ports. The Greek military attaché in Berlin had warned his government that the German armies could shatter Greek resistance in 3 weeks, but his superiors at Athens were persuaded that with British and American help they could withstand Germany as they had withstood Italy during the previous 5 months. In any case, they had pledges from both the British and the American Governments that they would share generously in the victory when Germany was eventually defeated.

Repercussions from Belgrade and Athens extended immediately far beyond the Balkans, reaching out to all German-occupied countries, where restless peoples had been subjected to Nazi rule. All these peoples watched breathlessly to see what would happen in Jugoslavia and Greece, what Americans and Britons would do to support their open challenge to the German dictatorship. This was a showdown, and every European knew it. The United States Government has openly acknowledged its responsibility for forcing this showdown in the Balkans.

If our officials expected that showdown would be delayed, then they badly miscalculated. The German blitzkrieg upon Yugoslavia and Greece was more than war. It was a punitive expedition. It was designed to show not only the Yugoslavs and Greeks but also every other people in Europe that swift punishment inevitably follows any defiance of Germany and any complicity with Germany's enemies. It was designed to show that Britain and the United States are powerless at present to back up any promises which they make to any country on the European continent. The German destruction of Belgrade was a purely punitive measure, comparable to the French destruction of Damascus in 1926. There was no military necessity for the excessive bombing of Belgrade; the German armies could have occupied this capital as easily as they occupied Zagreb. But Belgrade was the capital of the Serbs, who had yielded to British and American inducements. Its destruction was a demonstration of Germany's ruthless intention to strike down revolts wherever they may appear in Europe. It was an object lesson not only to the Yugoslavs but to all the subject peoples in Germany's new empire. Since last June I have been traveling continuously in that empire. I have learned what the Germans mean by their "New Order." They mean that the European continent—all of it—is regarded as an imperial system under German domination. They mean that every country in Europe, as long as that system endures, must choose between becoming a German satellite or a Germany colony.

The Yugoslavs were given that choice. Some of their leaders were willing to accept the satellite status as the price of peace, and signified that willingness when they signed the Vienna pact. When those leaders were overthrown and defiant leaders replaced them, the Germans embarked upon the task of breaking up Yugoslavia and transforming it into a group of colonies.

When the German armies struck at Yugoslavia and Greece the German leaders believed they were entering upon the final phase of erecting their "new order in Europe." When they had smashed these two defiant countries they believed that their new empire—constructed at such unprecedented speed—could easily bring into line every country on the continent as ally, satellite, or colony.

Since this war began the Germans have been carrying out two tremendous tasks simultaneously. They have been fighting their war and they have been building their empire. Because the war is more dramatic it has monopolized world attention, but Germany's empire building is no less important.

From June 1940 until April 1941 Germany's land armies did no fighting, but millions of German soldiers were unceasingly busy during all that period. What were they doing? Some of them were practicing for future campaigns, but others were helping consolidate their new empire. They were building fortifications in a dozen European countries, designed to withstand internal as well as external assaults. They were swiftly disarming the peoples of occupied countries. They were helping to create colonial conditions in Europe.

The fate of this new empire depends upon the outcome of the war, but the outcome of the war also is likely to be influenced by the success of the empire building. To this end Germany has enlisted the work not only of all civilian Germans but also the labor of millions of non-Germans who are toiling under German supervision. Many of these workers are engaged in supplying the German war machine, but many others are devoting their whole time to imperial projects. Ever since the fall of France thousands of German experts have been making and applying plans for the coordinated exploitation of European labor and production. They have been figuring out how to grow crops everywhere in Europe which will make the Continent as self-sufficient as possible. They have been classifying the food reserves of all countries and allocating them where they may best serve the German interest.

They are unifying transportation systems by building new links. They are arranging barter-trade agreements between all European countries, with Berlin as the central clearinghouse. They are reorganizing financial systems to disregard gold backing.

German political experts also have been working day and night. They have redrawn the map of Europe, taking territory from some countries and giving it to others. They have created entirely new countries, such as Slovakia and Croatia. They have partitioned France and Rumania and Yugoslavia. They have obliterated Poland. Unlike the winners of the last World War, they are making territorial, economic, and political adjustments while they are still waging war—and thus they have given large European groups a vested interest in ultimate German victory

Of course, this empire building has also aroused hostilities as bitter as any created by German warfare itself. Millions of Europeans have been dispossessed and other millions have been placed under native governments which they despise and hate. But the Germans have taken harsh measures to paralyze these hostile millions. They have organized elaborate police and espionage systems in every country and they have used their native converts to ferret out potential revolds. They have struck ruthlessly wherever and whenever sabotage or opposition appeared.

The very ruthlessness of these police methods also has unified the German people as nothing else could have done. The Germans

are too intelligent not to know that whole races are in a mood to massacre the Germans if ever they get the chance. Many German citizens have never favored nazi-ism and many early supporters of the party were repelled by some of its later excesses, but fear of what defeat would mean for every German has united them all today, steeling them to fight on inexorably and desperately for victory.

That was the condition in Europe last March when Yugoslavia and Greece defied Germany. The Germans had turned Europe into an empire at breakneck speed and with utter ruthlessness. That empire was so new it was still very shaky. It was full of hatred and potential rebellions, and it was subject to all the strains imposed by a desperate war. The German empire builders could keep their new colonies in line only by convincing their peoples that revolts were hopeless and sure to prove fatal. That was the situation when our American representatives undertook to stage our first direct challenge to Hitler's new empire. By selecting the Balkans as the place for doing this, they carried the war into a region which Hitler considered his own sphere of influence. The German dictator was compelled, whether he desired it or not, to meet this challenge. We had forced a showdown and we got it without delay.

As far as the Anglo-German war was concerned, the conquest of Yugoslavia was merely one small episode, but as far as Americans were concerned, the happenings in Yugoslavia were of first-class importance. Our intervention in the Balkans has carried our foreign policy another long step forward. Commitments made for us there swept far beyond "measures short of war." They exceeded the limits of mere aid to Britain. They pledged us to save Yugoslavia and Greece from incorporation in Germany's new order.

How can we possibly carry out pledges made for us in the Balkans? According to the unanimous testimony of American observers on the spot, we can do so by nothing less than all-out war against Germany. The American people have traveled a long road since they abandoned neutrality. We have permitted our Government to take one belligerent step after another, while most of us have persistently clung to the hope that Germany's imperial schemes could be thwarted by such half measures as food blockades, aerial warfare, and the encouragement of revolts inside Germany's new empire.

We have even credulously accepted so-called expert opinions that insurrections against the Nazi regime would explode within Germany itself. We have naively watched for indications that Soviet Russia would stab Germany in the back.

But if we have underestimated the velocity of the German hurricane, we have not done so for lack of storm signals. Because of the peculiarities of modern undeclared warfare, hundreds of Americans have been permitted to remain inside the new German Empire long after the United States reached the stage of undisguised hostility to Germany. Most of these Americans are specialists who were sent to Europe for the purpose of getting specific information which we needed. They include diplomats, military attachés, journalists, oil technicians, and businessmen. In the course of my travels I have met most of these American specialists and have discovered that they have had one common experience which has bewildered them: When they sent warnings to their home offices that Germany was successfully consolidating its new empire, they have found themselves in the unhappy role of the couriers of ancient kings. In older days, it will be remembered, when the king's messenger brought him unwelcome news, the king cried, "Off with his head."

In our country, where the people are king, they, too, have demanded to hear only what they wanted to hear and have shouted for the annihilation of their own messengers who brought them unwelcome reports. And many of our political leaders in Washington have followed the same procedure.

One of the ablest American journalists in Washington recently paid a brief visit to Berlin. I met him there and asked him what kind of news the Americans were interested in getting from Europe.

"That's easy," he informed me. "Any story which suggests that Germany is on the verge of falling on its face gets a big play. Any story which intimates that Germany is still formidable gets short shrift, both from the editors and the public."

Another of my friends, who served in Berlin for several years as a representative of our Government, told me he was delighted when he was transferred to another post this spring. His chances for promotion, he explained, were gravely retarded as long as he remained in Germany.

"How's that?" I asked in surprise. "Isn't Berlin the most important post in Europe today?"

"Yes," he replied, "but my work requires me to make political reports, and that means that my curve is more likely to move down than up. When I predict another German success my curve goes down, because my superiors don't want to believe such predictions. But if I were to take the opposite line and predict German failures, my curve would go down anyway, because events would prove me wrong."

I have repeated that conversation to American Government representatives in several European countries, and in almost every instance they have told me, "We are up against the same problem. Too many of our Washington chiefs have made up their minds about Europe and resent being confronted with reports which disturb their theories."

One favorite theory in Washington has been that the German empire can be overthrown by half measures. Our American specialists in Europe have attempted, in the face of repeated rebuffs, to reveal the fallacies in that comfortable theory. They have insisted that Germany was steadily consolidating her European empire until it had reached a point where it was not likely to be shattered by anything less than all-out war. And what does all-out war mean? It means an expeditionary force landed somewhere on the European continent. It means an expeditionary force vaster, more costly and more dangerous than any known in the past. Will American soldiers be called upon to take part in such an expeditionary force? The answer seems to be implicit in recent events. We have permitted ourselves to be transformed into an "arsenal of democracy," and we've tried to gloss over the fact that our arsenal includes men as well as machines and money. We have committed ourselves more and more deeply in Europe. Last March our representatives pledged us to rescue Yugoslavia and Greece. There is little evidence in Europe that such a rescue will be possible without American soldiers.

APPROPRIATIONS FOR TREASURY AND POST OFFICE DEPARTMENTS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3205) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

ORDER FOR CONSIDERATION OF CALENDAR

Mr. BYRNES. I ask unanimous consent that the calendar be called for the consideration of uncontested measures.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. BYRNES. I make the point that there is not a quorum present.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Nye
Aiken	George	O'Mahoney
Andrews	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Hayden	Rosier
Bone	Herring	Russell
Brewster	Holman	Schwartz
Bridges	Hughes	Shipstead
Brooks	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Stewart
Bulow	La Follette	Thomas, Idaho
Bunker	Lee	Thomas, Okla.
Burton	Lodge	Thomas, Utah
Butler	Lucas	Vandenberg
Byrd	McCarran	Van Nuys
Byrnes	McFarland	Walsh
Capper	McNary	Wheeler
Caraway	Maloney	White
Clark, Idaho	Mead	Wiley
Clark, Mo.	Murdock	Willis
Connally	Murray	
Danaher	Norris	

The ACTING PRESIDENT pro tempore. Seventy Senators having answered to their names, a quorum is present.

DEFENSE PRIORITIES AND ALLOCATION OF MATERIAL—CONFERENCE REPORT

Mr. DANAHER. Mr. President, I ask unanimous consent that the vote by which the conference report on House bill 4534 was agreed to be reconsidered.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the vote is reconsidered.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4534) to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. DANAHER. Mr. President, the Senator from North Carolina [Mr. REYNOLDS] presented a report in behalf of the conferees, but at the time he gained the floor several other Senators were seeking recognition, and we on this side could not hear the distinguished Senator. I did not then know that the Senator was referring to that particular measure. I generally do hear the Senator, and I usually pay close attention to him, so that my remarks now are not to be taken in disparagement of anything he said or did.

Mr. President, I am informed that the Senate conferees receded on an amendment which the Senate adopted which would have provided that no such inspection, that is, as contemplated by the bill, should be made of any private dwell-

ing, occupied as such, without a warrant directing the search issued in accordance with the requirements of title XI of the Espionage Act of June 15, 1917. Does the Senator from North Carolina recall the Senate amendment?

Mr. REYNOLDS. I do recall it.

Mr. DANAHER. Does the Senator from North Carolina feel free to explain to us exactly what view was urged by the House conferees in opposition to the amendment?

Mr. REYNOLDS. Mr. President, it is my understanding that as a rule the members of a conference are not permitted to give any information with regard to their various discussions in reference to matters in controversy; but in particular reference to this matter, I am confident that I would be warranted in revealing to the Senator the fact that we did have the amendment under consideration. The chairman of the Senate Naval Affairs Committee [Mr. WALSH] and three members of that committee who were with him at the time of these discussions, according to my recollection, stated they would not insist upon the retention of the amendment, for the reason that they, like the members of the Senate Military Affairs Committee, a number of whom were designated as conferees on the part of the Senate, were of the opinion that the American people were amply protected by the Constitution itself, which provides that there shall be no entry or search or seizure of one's premises or dwelling without due process of law. During the course of that discussion, according to my present recollection, all those in conference were unanimously of the opinion that due and proper protection was given by the Constitution of the United States, and therefore Representative VINSON and the other House conferees insisted that the amendment was not necessary

Mr. DANAHER. Mr. President, I presume the Senate conferees were not unanimous in their opinion that the Senate should recede from its amendment.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. DANAHER. I am glad to yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. I do not want to interrupt the argument which the Senator from Connecticut is making, but I think it should be stated, in justice to the conferees on the part of the Senate, that the conferees on the part of the House presented a strong argument why the amendment in which the Senator from Connecticut is interested, should be dropped from the bill. They indicated that the Constitution made ample provision for taking care of the rights of the people, and they furthermore stated that it was quite ridiculous to weaken the bill by putting into it limitations of this kind; that the rights of no person were going to be violated, but that by putting into the bill limitations of this kind loopholes might be made available to persons desiring to escape from the provisions of this measure. The House conferees made a strong argument in behalf of their position, both on the amendment offered by the Senator from Connecticut and in behalf of the amendment for which they contended, and a compromise was finally reached. The House conferees agreed to two amendments of the Senate, and the Senate conferees receded in the case of one amendment.

Mr. DANAHER. Mr. President, I thank the Senator from Colorado and the Senator from North Carolina for their courtesy. I wish to be heard briefly in opposition to the report of the conferees.

Mr. President, there is no one who can recall the events of the last war who will not also remember the injustices and the indignity that were heaped upon good, loyal citizens of this country, simply because some hysterical group somewhere suspected those citizens of former foreign activities, or alien sympathies, or something of that sort.

So far as I know, there is nowhere on the books of the United States a statute which says that authorities of the Federal Government have a right to inspect the dwellings or private homes of the citizens of this country. Quite the contrary, if there is any one principle that is ingrained and fundamental in the American law it is that every man's home is his castle. For some 12 years it was my privilege to be an assistant United States attorney. In the course of that time I certainly met every kind of Federal agent enforcing every kind of law there was on the books. I know, and many cases in our courts, from the Supreme Court down will show, that overzealous officers relying upon an implied authority, had searched homes illegally. Not only does the Constitution not give adequate protection per se in that particular, but we now purport in this language of the pending bill, if the conference report is accepted, to justify the very inspection against which I seek to provide protection.

Mr. President, the language of the bill now provides that the President—of course, through his officers—may "inspect the premises of any person." "Inspect the premises of any person." All that the amendment would say, as I offered it, and as it was accepted on the Senate floor, is, that before the inspection shall be had of any person's dwelling, occupied by him as such, there must issue a search warrant under the terms of the Espionage Act of June 15, 1917.

Mr. President, in the last war, right in the midst of the war, with the United States a belligerent, we saw fit to protect and safeguard the interests of our American citizens by writing into the espionage law a set of provisions under which a search warrant could issue. We then said that no search of premises shall be valid unless the search warrant is issued in accordance with those provisions.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. JOHNSON of Colorado. The Senator from Connecticut realizes how important this measure is, does he not?

Mr. DANAHER. I do.

Mr. JOHNSON of Colorado. It is a very vital measure. In fact, it was impressed upon us during the conference that there was immediate need for the passage of this measure; and while, of course, we understood the desire on the part of the Senate to have the amendment of the Senator from Connecticut kept in the bill, we did not think we were justified in delaying action on the bill. The conference, I may say, lasted for several hours, and there was considerable debate, but we thought the importance of the bill and its early passage made it necessary for the conferees on the part of the Senate to give way and reach an agreement with the House conferees.

Mr. DANAHER. Mr. President, will the Senator yield for a few questions?

Mr. JOHNSON of Colorado. The Senator from Connecticut has the floor.

Mr. DANAHER. Yes; but will the Senator cooperate with me in that particular?

Mr. JOHNSON of Colorado. I will be very glad to try to answer the Senator.

Mr. DANAHER. Very well. Let me ask the Senator if he thinks that the allocation of any orders is more important than to protect the right of an American cititzen against an unreasonable search and seizure in his home?

Mr. JOHNSON of Colorado. I do not think it is reasonable to expect that a private citizen of this country is going to hide minerals or strategic materials in his home. I do not think we have any right to expect, for instance, that a private citizen is going to store away large supplies of aluminum, and I do not think any private citizen is going to be suspected of doing so. But if the door is opened, if we place limitations in the bill, persons will thereby be given an opportunity to seize upon the limitations and perhaps evade the law. The Senator's amendment is an invitation to persons who might desire to hide certain materials which are badly needed to do so.

Mr. DANAHER. Mr President, the Senator has already stated that it is not at all likely that a private citizen will conceal strategic materials in his home. Then why do we give officers the right to search private homes? Why do we say in the bill that they may inspect the premises of any person?

Mr. JOHNSON of Colorado. Mr. President, the Senator misrepresents my statement. I say that under the present language of the bill as accepted by the conferees it is not likely that any citizen would be suspected of hiding materials which were needed; but if the Senator's amendment places limitations upon the authority, the limitations themselves become an invitation to those who would evade the law.

Mr. DANAHER. The Senator says that an amendment which merely provides that an officer shall proceed in a legal, orderly, authorized way is an invitation to evade the law. The Senator would have us believe that if officers—overzealous, as they frequently are—are going to invade private homes, they should not be bound to comply with the terms of the Constitution and the law of the United States.

Mr. President, it is a preposterous doctrine. The Senator contends that if we say the officers of the United States shall

be bound by our law and shall be bound to regard the constitutional rights of our citizens that is an invitation to some private citizen somewhere to evade the law. Merely to state the proposition is to expose its fallacy.

I submit that in these days of mounting fever and growing hysteria, with an emotional impulse to go to war being led by certain persons from one end of this country to the other, the very least we can do is to protect individual citizens in their private homes against unlawful and unreasonable searches. All that I asked to be done, and all I sought to do in the first place, was to say that if anyone is violating the priorities law, and his premises ought to be searched, then let the officer conform to the law, obtain a search warrant, and search the premises. What could be more fair than that? What would more amply protect the rights of the individual to be secure in his own house against unreasonable and unlawful searches and seizures?

The books are full of thousands of cases, just during the past 20 years, in which the homes of citizens of this country have been unlawfully invaded.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WILEY. I am very much interested in the debate. I wish to gain an accurate understanding of the effect of the report, as explained by the Senator from Colorado [Mr. JOHNSON]. I wish to be set right in that particular if my understanding is not correct. As the Senator knows, the fourth amendment to the Constitution provides:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

As I understand the position of the distinguished Senator, it is that the amendment which he proposes is declaratory of the fourth amendment to the Constitution.

Mr. DANAHER. It is that, and more.

Mr. WILEY. In what respect is it more?

Mr. DANAHER. The fourth amendment to the Constitution, which the Senator has just read, says that the right of the people to be secure in their persons, houses, and effects, against unreasonable searches and seizures, shall not be violated. The pending bill authorizes inspection and search of dwellings. That would make the search reasonable, and consequently the so-called protection of the fourth amendment would not apply, because all the officer would do would be to come into court and say, "This was not an unreasonable search within the meaning of the fourth amendment, because the priorities law says I may inspect the premises. Therefore, it is a reasonable search." Many courts would sustain him. The net result would be that thousands upon thousands of our citizens might be—I am not saying they would be—rendered insecure, their constitutional rights might be rendered naked, and they would be without protection if the bill should remain in its present form.

Mr. President, the moment an overzealous officer seeks to gain access to anyone's home, he is going to say, "I am inspecting for aluminum," if I may borrow the Senator's term, or, "I am inspecting for magnesium," or some other critical material or mineral, as the Senator describes it. That is all he has to do, and it is no longer an unreasonable search. Why? Because, as explained by the Senator from Colorado, the bill authorizes the inspection of the premises of the individual. That is the explanation with which we would be met.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. JOHNSON of Colorado. I must object to the Senator's statement, because I said no such thing.

Mr. DANAHER. If I have misconstrued the purport, intendment, or exact language of the Senator from Colorado, let it be noted now that I most certainly do not wish to do so. I will let the record speak for what the Senator really said. If the Senator has some other interpretation to place upon his own language, I shall be glad to hear it.

Mr. JOHNSON of Colorado. The true statement is that I said that the bill would operate under the Constitution, and that the safeguards provided by the Constitution would hold. The Senator from Wisconsin [Mr. WILEY] has just read the fourth amendment to the Constitution.

Mr. BONE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Connecticut yield to the Senator from Washington?

Mr. DANAHER. I yield.

Mr. BONE. Is it the view of the Senator from Connecticut that the language in the bill would constitute probable cause for a search without a search warrant?

Mr. DANAHER. I think the effect would be to remove from the fourth amendment to the Constitution the protection which safeguards a citizen against unreasonable searches. I am emphasizing the word "unreasonable." The bill, by its very terms, would make reasonable the right to inspect the premises of any person; and if anyone will look at the bill he will see that those words are in it.

Mr. BONE. The ordinary basis of a search warrant in a criminal case is probable cause.

Mr. DANAHER. That is correct.

Mr. BONE. Is it the view of the Senator that the bill would set up, in a statutory way, a statutory form of probable cause?

Mr. DANAHER. That is the effect which would be given to it.

Mr. BONE. It would be a most unfortunate thing if that were true, because it would lead to an intolerable espionage system against homes. I do not know whether or not a court would so view it.

Mr. DANAHER. Let me say to the Senator from Washington that that is precisely what happened in the last war. That is why Congress included in the Espionage Act protecting language which would safeguard the individual. That is why Congress found it necessary to use language which says that a search warrant shall issue only under the circumstances delineated in the act.

Mr. President, all I have asked Congress to do—and the Senate agreed to the amendment the other day—is to amend the pending bill in such fashion as to say that the search warrant provisions of the Espionage Act of 1917 shall be written into this law—to protect whom? The factory? No. The firm or corporation? No. The dwelling of an American citizen, occupied by him as such. Those are the words of the amendment to which the Senate agreed the other day; that is all that I think need be done; but that much is the very least we ought to do.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. WILEY. I think I can agree with the statement of the distinguished Senator from Connecticut as to the probable effect of eliminating his amendment. Nevertheless, in the stricter legal sense, I cannot agree, because I believe the law is pretty well settled that whether search or seizure is unreasonable under the language of the Constitution is a judicial and not a legislative question. Consequently the point I would make is that in a constitutional sense the amendment only defines a right of our citizens, which cannot be abridged. But we know, from our past experience back in the days of 1917 and 1918, how such matters were handled. I had considerable experience in the Federal courts, and I know how Government agents went into action. I feel that the language of the amendment of the Senator from Connecticut would be at least a pointer in the right direction, which might save us from losing our heads again. I am sorry the amendment has been deleted from the bill; but on the strictly legal phase of the matter, I repeat that I cannot agree with the Senator from Connecticut in his statement that the bill would in any way operate to take away from any individual his constitutional rights—it being a judicial question, and not a legislative question, as to what is unreasonable search or seizure.

Mr. DANAHER. Mr. President, will the Senator respond to an inquiry or two from me?

Mr. WILEY. I shall be happy to do so.

Mr. DANAHER. The Senator has before him the language of the fourth amendment to the Constitution. I ask him to read the first clause of it:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated——

Is there anything in that clause about a search warrant? Obviously there is not. Is not that the fact?

Mr. WILEY. Of course, it is possible to divide a sentence in two, as the Senator has done. The next provision is:

> And no Warrants shall issue, but upon probable cause, * * *.

Mr. DANAHER. Will the Senator take the inquiries in order? If he is willing to do so, I shall be glad to demonstrate the matter, and I hope, conclusively to his mind.

Mr. WILEY. I shall be very glad to.

Mr. DANAHER. Taking the very first clause, certainly there is no requirement for the issuance of a search warrant. There is nothing said about it, is there?

Mr. WILEY. I think I know what the Senator is driving at.

Mr. DANAHER. Then I ask the Senator to let me finish. The point is that since there is no requirement in the first clause for the issuance of a search warrant, it becomes perfectly apparent that officers may make reasonable searches and seizures, even in houses, and may arrest persons, may seize their papers, may seize their effects. The only test there is, as the Senator says, a judicial one: Was the search reasonable? If it was, then the Constitution does not militate against it in any way. So, there is no question as to search warrant involved in that clause at all.

However, if we pass on to the second clause, we get into the question of when a warrant shall issue. Then it will be seen that the Constitution provides:

> And no Warrants shall issue, but upon probable cause, supported by Oath or affirmation.

The net result is that the article is divisible. The section was intended to be divisible. The courts have construed it to be devisible. Officers right here in the District of Columbia, operating under Federal law every day are searching houses and are arresting people, provided the searches and seizures are reasonable; and if they are reasonable, no warrant is needed. But if the searches and seizures are unreasonable, then the first clause of the fourth amendment to the Constitution controls and protects against such searches and seizures. Then the officer must appear in court to justify the arrest and seizure, and the test is whether or not it was reasonable.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield first to the Senator from Wisconsin with whom I was enjoying a colloquy.

Mr. WILEY. Mr. President, in its final analysis the matter of a search being reasonable or unreasonable is one which the court would have to decide. In other words, if in connection with the searching of a dwelling a question should arise as to the admissibility of evidence there obtained, the court would have to go into the question of whether under the provisions of the fourth amendment to the Constitution the search and seizure were reasonable.

If we suppose there were no search warrant—and I assume that is the situation the Senator from Connecticut has in mind—then the second provision applies. If there were no search warrant, and there had been a violation, and the violation were such that it violated the fourth amendment, then the officer himself would have no semblance of authority to justify his acts.

I see we are going far afield, and I wanted the Senator from Connecticut to develop further his thought; because he asked me only the one question, and I wanted to see if I could get his viewpoint that it was not exactly a judicial question, but that some legislative question is involved.

Mr. DANAHER. Mr. President, the legality of a search will not depend upon what it brings to light. Evidence obtained as a result of an unlawful search or as a result of an unlawful inspection will not make the unlawful search or inspection a lawful one.

Consequently, Mr. President, when in the pending bill, which is the priorities bill, the officer is given the right—it says so right in it—to inspect the premises of any person, he has been given authority in pursuit of which he could claim the right lawfully to enter the premises of the junior Senator from Wisconsin. The clause complained of in the priorities bill will not be used as authority for searching homes for aluminum or magnesium, but it will be relied upon by some officers on the pretext of searching for aluminum, on the pretense of searching for magnesium; and, having once gained access, thereafter they will go the full limit in any search. The books are full of cases which bear that out. I have known such things to happen.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. REYNOLDS. I desire to state to the Senator from Connecticut that in conference we presented the views of the Senate. We recognized that it was the consensus of opinion of this body that the Senator's amendment should be adopted by the conferees. The amendment had been adopted here. The conferees presented the views of the Senator from Connecticut and presented the amendment, and insisted upon the amendment. But, as in all conferences, there were disagreements and arguments; and the conferees upon the part of the House insisted, particularly through their chairman [Mr. VINSON] of the Naval Affairs Committee, that the amendment be stricken out.

The viewpoint we took, and which I now take, is that the elimination of the amendment would not destroy the fourth amendment to the Constitution of the United States of America. That amendment requires that warrants be issued where there is reasonable cause to believe that the law is being violated, that goods are in the house unlawfully. This bill, I contend, does not in any sense destroy or weaken the fourth amendment to the Constitution of the United States.

For instance, if under this act an officer of the law should go to the home, residence, or factory of an individual, let us say, and demand that he be privileged to see what was housed therein, if the owner of the premises demanded of the person a search warrant before his entry, it would be incumbent upon the officer of the law forthwith to secure a search warrant in order to be able to investigate the premises.

In the conference we insisted upon the amendment of the Senator, but we could not have our way. On the other hand, the conferees upon the part of the House insisted that the amendment be eliminated; and as a result, as my able colleague from Colorado has just stated, being desirous of facilitating this matter, which we felt was necessary, we yielded. The Senator from Connecticut stated that if there were materials in the House, in the case assumed, the officers could go there without any reason whatsoever on the pretext of searching for aluminum or something else. As a matter of fact, I do not believe that the officers of the law will use this bill as a pretext to make a search of anyone's premises.

Mr. DANAHER. The Senator does not believe so?

Mr. REYNOLDS. But even if they should, the Constitution would still stand. The fourth amendment still is there; and the owner of the dwelling could insist that before the officer entered and made his search it would be necessary for him to secure a warrant based upon probable cause.

Mr. DANAHER. Mr. President, the other day, when the priorities bill was before us, I asked the Senator from Alabama [Mr. HILL] if he had any objection to the acceptance of the proposed amendment. He said he would like to consider it. Then, while someone else was speaking, I went around to where the Senator from Alabama was sitting and showed him the language of the proposed amendment. He turned it over to the counsel from the Department, who was assisting him in the consideration of the pending measure; and, together, all of us read the proposed amendment.

The Senator from Alabama said, "I see no objection whatever to the acceptance of that amendment." The counsel advised him that it was in good form, in his judgment, and that he saw no objection to it. In due course I got the floor and said, "I call up the amendment which I have sent to the desk." The Senator from Alabama said, "I accept the amendment." Mr. President, you can read the RECORD in vain for an expression of any views from the Senator from Connecticut. So if the conferees were expressing the views of the Senator from Connecticut on anything that is based on the RECORD all that they could find was a singular unanimity of expression upon which the Senator from Alabama and the Senator from Connecticut were in perfect accord, namely, that the amendment should be accepted. That is all there was in the RECORD.

These presently stated views were not in the RECORD the other day. It is a matter of regret now that I did not explain further at that time the basis and the need for this particular proposed language.

Mr. REYNOLDS. Mr. President, will the Senator yield at that point?

Mr. DANAHER. Yes.

Mr. REYNOLDS. In reference to the fourth amendment to the Constitution, I wish to invite the particular attention of the Senator to a matter which has just been called to my attention by the

able senior Senator from South Carolina [Mr. SMITH], that is to say in reference to mention of the fact that this bill could be used as a pretext for searching for something else and obtaining additional information. The Constitution states:

and particularly describing the place to be searched, and the persons or things to be seized.

Any search warrant would have to specifically state and describe what was being looked for; otherwise, the search warrant would not be good. In other words, if an officer went to a place with a search warrant seeking aluminum and found some other metals that search warrant would not apply.

Mr. DANAHER. That is just not the law. If the Senator from North Carolina is relying upon the word——

Mr. REYNOLDS. I know that in the issuance of search warrants, which must be made up on oath, it is necessary to give the reason for searching the place.

Mr. DANAHER. That is right; that is what I want to have done; that is why this amendment ought to be in the bill, and that is exactly why the public needs the protection of the amendment.

Mr. REYNOLDS. I ask the Senator if the Constitution of the United States does not actually protect the citizen?

Mr. DANAHER. The basis upon which our existing law rests is the Constitution.

Mr. REYNOLDS. Then why the necessity for the amendment which would not affect the constitutional provision in anywise?

Mr. DANAHER. Because people are frail, because officers are human, because they went to do the job; they want to show results; and they, therefore, will resort as they have resorted in the past to illegal methods. The records are full of such instances. I would wager, if it should come to that, that at this minute there are literally dozens and dozens of cases pending in United States district courts of this country in which there have been unlawful searches and seizures. I will say to the Senator from North Carolina, that because of the existence of that situation we have on the books a statute, namely, the Espionage Act of June 15, 1917, which, as I recall—do not hold me to it exactly—from sections 4 to 10, inclusive, specifically outlines all the steps necessary to ground the issuance of a valid search warrant.

Mr. President, if the answer of the Senator from North Carolina were controlling, if the Constitution itself were sufficient, why would we have that law on the books at this minute? Obviously, Mr. President, because the fourth amendment is separable. There are two clauses in amendment IV, the first of which protects against unreasonable searches and seizures, and the second of which deals with the issuance of search warrants.

I am talking specifically to the first clause when I say that when it is proposed to rely on the priorities bill to search some individual's private premises, then the Constitution gives no adequate protection; the priorities law itself would be the answer.

Consequently there is only one way we can protect against unreasonable searches and seizures, and that is by a definition of requirements here. I am not saying that this search-warrant requirement ought to apply in favor of a factory; I am not saying it ought to apply in favor of a junk yard; I am not saying it ought to apply in favor of some hoarder of strategic and critical materials; no; but I do say and all I say—and the language of the amendment shows it—is that the right of an individual citizen of this country to be protected in his dwelling, occupied as such, ought to be secure, and the way to do it is to see to it that Federal officers shall not go around overzealously searching private premises or private dwellings of American citizens and using the priorities bill as a pretext. That is exactly what they will do if we do not provide against it.

Mr. President, in those words and on this basis, I am opposed to the acceptance of the conference report. I, therefore, move, Mr. President, that the Senate insist on the amendment which it adopted the other day, if, as a matter of the parliamentary situation, such a motion is in order.

The PRESIDING OFFICER. The question is on agreeing to the conference report. In case the conference report were rejected and a further conference authorized, the Senator would then be in a position to move to instruct the conferees if he should act before they were appointed.

Mr. DANAHER. I thank the Chair.

Mr. BONE. Mr. President, may I inquire of the Senator from North Carolina what justification the House conferees presented for rejecting this amendment?

Mr. REYNOLDS. The House conferees insisted that citizens of the United States were amply and well protected because of the provision of the Constitution of the United States.

Mr. BONE. The amendment attempts to provide one of the safeguards set up by the Constitution. Why should they object to having it restated in a statutory way?

Mr. REYNOLDS. They felt the amendment was not necessary. There was an argument over the matter, and, although the Senate conferees insisted upon the amendment of the Senator from Connecticut, they finally receded because they realized that otherwise an agreement could not be reached.

Mr. BONE. I raised the question only because there was so much intolerable witch burning and heresy hunting during the war and perfectly asinine and stupid acts by overzealous law officers. I happened to be rather intimately tied in with the law officers, and, like the Senator from Connecticut, I have some grave doubts about the discretion and judgment always of law-enforcement officers. They become overzealous. Of course, I know we are going to abandon the landmarks, the good, old, solid bench marks, as we go along further toward war, and we will probably find ourselves being stripped of a great many of the fundamental safeguards. That, perhaps, will be the inevitable price we will have to pay; but I have great reluctance, as a lawyer, to see them clipped away. I think we could not very well sustain our view as to the preservation of the ordinary ideals of democracy if we permit ourselves the luxury of chipping away the foundation stone. That is what impelled me to ask why the House Members who, it seems to me, ought to be zealous in guarding the common, ordinary garden variety of civil rights, to take the view they did.

It may be that the misgivings which I have expressed are unfounded; but I am constrained to believe that the courts, especially in view of this kind of argument, might hold that this proposed law in no way impinged upon the constitutional guaranties, and that we could not upset the Constitution if we wanted to. I realize that; and I also realize that no lawyer would make that sort of argument to the court, and, for the purpose of the record, I should like to say that it would be a most peculiar court that would ever permit itself to become an instrument for overthrowing a constitutional guaranty. It would be unworthy to be a court, and such a court ought to be impeached; but many queer things crept into some of the court decisions during the war. It seems to me the courts went pretty far in sustaining the invasion of personal rights; and it seems to me sometimes without justification. I have that fear in my own heart. It may be it is not well grounded, but I have the fear. We do not want to see democratic principles immediately crucified at a time when we are trying to impress upon our people the need of loyalty to those principles.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. REYNOLDS. Mr. President, I understand that the conference report was adopted in the House yesterday, and a motion to reconsider its adoption was laid on the table.

Mr. DANAHER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Ellender	Nye
Aiken	George	O'Mahoney
Andrews	Gillette	Overton
Bailey	Glass	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Reynolds
Barbour	Hayden	Rosier
Bone	Herring	Russell
Brewster	Holman	Schwartz
Bridges	Hughes	Shipstead
Brooks	Johnson, Calif.	Smith
Brown	Johnson, Colo.	Stewart
Bulow	La Follette	Thomas, Idaho
Bunker	Lee	Thomas, Okla.
Burton	Lodge	Thomas, Utah
Butler	Lucas	Vandenberg
Byrd	McCarran	Van Nuys
Byrnes	McFarland	Walsh
Capper	McNary	Wheeler
Caraway	Maloney	White
Clark, Idaho	Mead	Wiley
Clark, Mo.	Murdock	Willis
Connally	Murray	
Danaher	Norris	

The PRESIDING OFFICER. Seventy Senators have answered to their names. A quorum is present.

The question is on agreeing to the conference report.

Mr. DANAHER. Mr. President, briefly to recapitulate, the priorities bill authorizes officers to inspect any premises,

including a home. The amendment the Senate adopted the other day would require the issuance of a search warrant before there could be a search of the dwelling of any person occupied as such. The conferees have dropped that amendment from the bill. The question before us is on accepting the report of the conferees.

I ask for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I transfer that pair to the junior Senator from Kansas [Mr. REED], and will vote. I vote "nay."

The roll call was concluded.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that he would vote as I intend to vote. Therefore I am at liberty to vote. I vote "yea."

Mr. BYRNES. I announce that the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from South Dakota [Mr. BULOW], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Alabama [Mr. HILL], the Senators from Delaware [Mr. HUGHES and Mr. TUNNELL], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Arkansas [Mr. SPENCER], the Senator from Washington [Mr. WALLGREN], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are detained on important business. I am advised that if present and voting, the Senator from Alabama, the Senators from Delaware, and the Senator from Arkansas would vote "yea."

The Senator from North Carolina [Mr. BAILEY], the Senator from Kentucky [Mr. BARKLEY], the Senator from Virginia [Mr. BYRD], the Senator from Rhode Island [Mr. GERRY], the Senator from New Mexico [Mr. HATCH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

I am advised that, if present and voting, the Senator from Kentucky [Mr. BARKLEY] would vote "yea."

The Senator from Florida [Mr. PEPPER] is detained on business in one of the Government departments. If present and voting, I am advised he would vote "yea."

Mr. McNARY. I announce the following general pairs:

The Senator from Vermont [Mr. AUSTIN] with the Senator from Illinois [Mr. LUCAS], the Senator from Pennsylvania [Mr. DAVIS] with the Senator from Kentucky [Mr. CHANDLER], the Senator from South Dakota [Mr. GURNEY] with the Senator from Virginia [Mr. BYRD], the Senator from North Dakota [Mr. LANGER] with the Senator from West Virginia [Mr. KILGORE], the Senator from Ohio [Mr. TAFT] with the Senator from New Jersey [Mr. SMATHERS], and the Senator from New Hampshire [Mr. TOBEY] with the Senator from Mississippi [Mr. BILBO].

I am not advised how any of these Senators would vote if present.

The Senator from Vermont [Mr. AUSTIN] is absent because of the illness of his mother. The Senator from Pennsylvania [Mr. DAVIS] is absent on official business. The Senator from North Dakota [Mr. LANGER] is absent because of the serious illness of his mother. The Senator from Ohio [Mr. TAFT], the Senator from Kansas [Mr. REED], and the Senator from South Dakota [Mr. GURNEY] are necessarily absent.

The result was announced—yeas 35, nays 25, as follows:

YEAS—35

Adams	Green	Overton
Andrews	Guffey	Reynolds
Bankhead	Hayden	Rosier
Brown	Herring	Russell
Bunker	Johnson, Colo.	Schwartz
Byrnes	Lee	Smith
Caraway	McFarland	Stewart
Connally	Maloney	Thomas, Okla.
Ellender	Mead	Thomas, Utah
George	Murdock	Truman
Gillette	Murray	Van Nuys
Glass	O'Mahoney	

NAYS—25

Aiken	Clark, Idaho	Nye
Ball	Danaher	Shipstead
Barbour	Holman	Thomas, Idaho
Bone	Johnson, Calif.	Vandenberg
Brewster	La Follette	White
Brooks	Lodge	Wiley
Burton	McCarran	Willis
Butler	McNary	
Capper	Norris	

NOT VOTING—35

Austin	Gerry	Reed
Bailey	Gurney	Smathers
Barkley	Harrison	Spencer
Bilbo	Hatch	Taft
Bridges	Hill	Tobey
Bulow	Hughes	Tunnell
Byrd	Kilgore	Tydings
Chandler	Langer	Wagner
Chavez	Lucas	Wallgren
Clark, Mo.	McKellar	Walsh
Davis	Pepper	Wheeler
Downey	Radcliffe	

So the report was agreed to.

CONSIDERATION OF MEASURES ON THE CALENDAR

The PRESIDING OFFICER. Under the unanimous consent agreement previously entered into the calendar is in order, and the clerk will state the first order of business on the calendar.

RESOLUTION PASSED OVER

The first order of business was the resolution (S. Res. 30) amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration.

Mr. McNARY. Over.

The PRESIDING OFFICER. The resolution will be passed over.

WITHHOLDING OF COTTON FROM COMMERCE

The Senate proceeded to consider the bill (S. 1250) to provide for withholding from the normal channels of trade and commerce cotton of the 1940 and previous crops which is owned by the Government or which is pledged as security for Government loans, which was read, as follows:

Be it enacted, etc., That the Commodity Credit Corporation is authorized and directed to acquire title to all cotton of the 1940 and previous crops on which loans have been made or arranged for by such Corporation, as soon as it has the right to do so in accordance with the terms and conditions on which such loans were made.

SEC. 2. During the continuation of the present European war, and thereafter until the Congress shall otherwise provide, no cotton of the 1940 crop, or any previous crop, title to which is now held or hereafter acquired by the Commodity Credit Corporation shall be sold or otherwise disposed of by such Corporation; except that—

(a) Such cotton may be disposed of for use for relief purposes (pursuant to authority contained in other provisions of law) in any case in which the Secretary of Agriculture determines that the use of such cotton for such purposes will not interfere with the sale or distribution of cotton or cotton products in the normal channels of trade and commerce;

(b) Such cotton may be disposed of for use by other departments or agencies of the Government for purposes important to the national defense in any case in which the Secretary of Agriculture determines that the use of such cotton for such purposes will not interfere with the sale or distribution of cotton or cotton products in the normal channels of trade and commerce; and

(c) Such cotton may be exchanged for other cotton in any case in which the Secretary of Agriculture finds that such exchange is necessary in order that sufficient quantities of cotton of particular grades, types, or staples may be made available to meet the needs of trade and commerce for such particular grades, types, or staples.

Mr. SMITH. Mr. President, I wish to offer an amendment to the bill. It does not make any material change in the bill; it merely makes it clearer.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The CHIEF CLERK. It is proposed, on page 1, line 8, before the period, to insert a colon and the following: "*Provided*, That upon acquiring title to any such cotton in which the producer has an equity the Commodity Credit Corporation shall pay to the producer a sum equal to the amount by which the market price of such cotton (determined on the basis of the place where it is located and as of the date the Corporation acquires title) exceeds the amount of the loan on such cotton, including accrued interest and accrued carrying charges."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL AND RESOLUTION PASSED OVER

The bill (S. 1290) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. DANAHER. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The resolution (S. Res. 96) making rule XVI applicable to amendments to

relief and work-relief bills, was announced as next in order.

The PRESIDING OFFICER. The resolution will be passed over.

APPOINTMENT OF FRANK T. HINES AS A BRIGADIER GENERAL

The bill (S. 875) to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is hereby authorized to appoint Frank T. Hines a brigadier general in the Army of the United States, and immediately thereafter place him on the retired list of the Army with the rank, pay, and allowances of that grade: *Provided*, That during the period that he is occupying civil office under the Federal Government as Administrator of Veterans' Affairs, or otherwise, he shall not be entitled to other pay or compensation than the salary attached to such civil office.

USE OF OLD NAVAL VESSELS

The Senate proceeded to consider the bill (S. 346) to authorize the President of the United States to dispose of certain public vessels, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments, on page 1, line 4, after the word "use", to strike out "as targets"; in line 5, after the word "experimental", to strike out "firings" and to insert "purposes", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy, with the approval of the President, be, and he is hereby, authorized to use for experimental purposes vessels of the United States Navy stricken from the Navy Register pursuant to the act of August 5, 1882 (22 Stat. 296; 34 U. S. C., sec. 491): *Provided*, That the Secretary of the Navy shall first determine that the interests of the Government would be best served thereby: *Provided further*, That the Secretary of the Navy shall make an annual report to the Congress of all vessels disposed of under the provisions of this act.

The amendments were agreed to.

Mr. McNARY. I should like to have an explanation of the bill.

Mr. GILLETTE. Mr. President, the distinguished chairman of the Committee on Naval Affairs the senior Senator from Massachusetts [Mr. WALSH] is absent, and he asked me to answer any questions which might be asked, so far as my limited ability would permit.

Under the present law, vessels belonging to the Navy are surveyed on their return from foreign ports, and, in any event, every 3 years. If they are found to be unseaworthy and unusable, under the present law they must be appraised and put up for sale. There is no other alternative to going through that procedure.

The Navy Department has requested the enactment of the measure before the Senate for the reason that it feels that many vessels bring very small amounts in the way of return when they are sold, and that they can be utilized as targets, not only affording target practice, but experience in repair and certain fire control and fire effect.

Under the bill the Secretary of the Navy would have to determine whether the vessels would be of greater use employed in the way suggested than by being appraised and put up for sale as junk.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL FUEL DEPOT AT MIDDLE AND ORCHARD POINTS, WASH.

The bill (S. 1468) to authorize the Secretary of the Navy to establish a fuel depot at Middle and Orchard Points, Wash., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to establish a fuel depot at Middle and Orchard Points, Wash., to be designated as the "Naval Fuel Depot, Puget Sound, Wash.," for the storage of fuel oil, Diesel oil, gasoline, and other fuels. He is further authorized to utilize, for the purposes of such depot, the fuel-storage facilities existing, under construction or projected at Middle and Orchard Points, Wash., together with the utilities, accessories, and appurtenances pertaining thereto.

CAPTURED AIRCRAFT AS PRIZES OF WAR

The bill (S. 992) to amend sections 4613 and 4614 of the Revised Statutes of the United States to include captures of aircraft as prizes of war was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 4613 and 4614 of the Revised Statutes of the United States (U. S. C., title 34, secs. 1131 and 1132) be amended to read, respectively, as follows:

"SEC. 4613. The provisions of this title (title LIV) shall apply to all captures of vessels, including aircraft, made as prize by authority of the United States or adopted and ratified by the President of the United States: *Provided*, That the terms 'vessel' and 'ship' as used in this title (title LIV) shall include aircraft, and that the term 'master' as used in this title (title LIV) shall include the pilot or other person in command of such aircraft: *Provided further*, That nothing herein contained shall be construed as affecting, or in any way impairing, the legal right of the Army of the United States or any component part thereof, while engaged in hostilities, to capture any enemy property or neutral property used or transported in violation of the obligations of neutrals under international law, wherever found, and without prize procedure.

"SEC. 4614. The term 'vessels of the Navy' as used in this title (title LIV) shall include all armed vessels, including aircraft, officered and manned by the United States and under the control of the Department of the Navy."

NAVY EXPEDITIONARY MEDAL FOR SERVICES ON OCCASION OF BOMBING OF U. S. S. "PANAY"

The bill (S. 347) authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to issue the Navy Expeditionary Medal to George Atcheson, Jr.; John Hall Paxton; Emile Gassie; Capt. Frank N. Roberts, United States Army; Carl Harry Carlson; Norman Alley; Weldon James; Norman T. F. Soong; James Marshall; Roy Squires; H. Ros; Luigi Barzini; Sandro Sandri; Eric Mayell; C. Malcolm McDonald; Birger Jorgensen; James Vance Pockhring; Mario Blasina; David Smith Goldie; Carl Harry Cerisot; Frank Hayden Vines; John Bing Hamsherwood; and Peter G. A. Mendar in commemoration of the service and assistance rendered by them on the occasion of the bombing and loss of the U. S. S. *Panay* on December 12, 1937.

BILL PASSED OVER

The bill (S. 1074) for the relief of Austin L. Tierney, was announced as next in order.

Mr. GILLETTE. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

NAVAL ASSISTANCE TO THE PHILIPPINE ISLANDS

The bill (H. R. 2107) to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4105) to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character, was announced as next in order.

Mr. GILLETTE. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

FRANK E. NICHOLS

The bill (H. R. 179) for the relief of Frank E. Nichols was considered, ordered to a third reading, read the third time, and passed.

OTTO MEYER AND LEIGH KELLY

The bill (H. R. 250) for the relief of Otto Meyer and Leigh Kelly was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT OF FORMER MEMBERS OF THE COAST GUARD

The bill (H. R. 816) to provide for the reimbursement of former members of the United States Coast Guard was considered, ordered to a third reading, read the third time, and passed.

MAJOR R. LEE

The Senate proceeded to consider the bill (H. R. 188) for the relief of Major R. Lee which had been reported from the Committee on Claims with an amendment, on page 1, line 7, to strike out "$740.94" and to insert "$790.44."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM E. THOMAS

The Senate proceeded to consider the bill (H. R. 768) for the relief of William E. Thomas, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "$830.75" and to insert "$330.75."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ELIZABETH HESSMAN

The bill (H. R. 713) for the relief of Elizabeth Hessman was considered, ordered to a third reading, read the third time, and passed.

MARIJO McMILLAN WILLIAMS

The bill (H. R. 4073) for the relief of Marijo McMillan Williams was considered, ordered to a third reading, read the third time, and passed.

EDSON E. DOWNS

The bill (S. 851) for the relief of Edson E. Downs was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Edson E. Downs, of Portland, Oreg., the sum of $172, in full satisfaction of his claim against the United States for compensation for personal injuries and property damage sustained by him as a result of the collision between his automobile and a Civilian Conservation Corps automobile at the intersection of Fremont Street and North Missouri Avenue, Portland, Oreg., on May 16, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

HAZEN G CHAMBERLAIN

The bill (H. R. 926) for the relief of Hazen G. Chamberlain was considered, ordered to a third reading, read the third time, and passed.

BEULAH BELL NOLTE AND GEORGE C. NOLTE

The bill (H. R. 1731) for the relief of Beulah Bell Nolte and George C. Nolte was considered, ordered to a third reading, read the third time, and passed.

CLAIMS OF BEN WHITE AND OTHERS

The bill (H. R. 2054) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen was considered, ordered to a third reading, read the third time, and passed.

J. MAE CHAMBERS AND RETTA E. HULTGREN

The bill (S. 1142) for the relief of J. Mae Chambers and Retta E. Hultgren was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Mae Chambers and Retta E. Hultgren, of Roy, Wash., the sum of $3,500, in full satisfaction of their claim against the United States for compensation for the loss by fire of their house and certain other property, located on land leased by them to the United States for use as a camp site during the Fourth Army maneuvers, on August 17, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

JESS W. HARMON

The Senate proceeded to consider the bill (S. 1156) for the relief of Jess W. Harmon, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "$4,500" and insert "$1,372.20", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jess W. Harmon, the sum of $1,372.20, in full settlement of all claims against the United States for permanent personal injuries sustained as a result of an accident in which his car was struck by a truck driven by an employee of the Civilian Conservation Corps who was acting in the scope of his employment on July 7, 1939, near Muskogee, Okla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMILIANO LOPEZ AND ELIZA R. LOPEZ

The bill (S. 820) for the relief of Emiliano Lopez and Eliza R. Lopez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emiliano Lopez and Eliza R. Lopez, Santa Fe, N. Mex., the sum of $615.30. Payment of such sum shall be in full settlement of all claims against the United States by the said Emiliano and Eliza R. Lopez for damages arising out of an accident in which Patricio Lopez, minor son of the said Emiliano and Eliza R. Lopez, suffered personal injuries when the truck which he was driving collided with a truck owned by the United States and used in connection with Indian Service operations in the Pueblo Nambe, Santa Fe County, N. Mex., on August 12, 1939.

LOUIS J. BANDERET

The bill (H. R. 3309) for the relief of Louis J. Banderet was considered, ordered to a third reading, read the third time, and passed.

INSTRUCTION AT NAVAL ACADEMY FOR CITIZENS OF AMERICAN REPUBLICS

The Senate proceeded to consider the bill (S. 207) to authorize the course of instruction at the United States Naval Academy to be given to 1 person from each American republic, which had been reported from the Committee on Naval Affairs, with an amendment, after the enacting clause, to strike out "That the Secretary of the Navy is hereby authorized to permit persons, to be designated by the President of the United States, from each of the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis. Not more than 1 person from any one of such republics shall receive instruction under authority of this act at the same time," and to insert: "That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than 3 persons from any of such republics shall receive instruction under authority of this act at the same time."

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than 3 persons from any of such republics shall receive instruction under authority of this act at the same time. The persons receiving instruction under authority of this act shall receive the same pay, allowances, and emoluments, to be paid from the same appropriations, and, subject to such exceptions as may be determined by the Secretary of the Navy, shall be subject to the same rules and regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as midshipmen at the Naval Academy appointed from the United States; but such persons shall not be entitled to appointment to any office or position in the United States Navy by reason of their graduation from the Naval Academy.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States."

Mr. DANAHER. Mr. President, I ask unanimous consent that the report accompanying Senate bill 207 be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report, No. 313, is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 207) to authorize the course of instruction at the United States Naval Academy to be given to one person from each American republic, having considered the same, report favorably thereon with an amendment and, as amended, recommend that the bill do pass.

Amend the bill as follows:

Page 1, lines 3 to 9, inclusive, strike out the following:

"That the Secretary of the Navy is hereby authorized to permit persons, to be designated by the President of the United States from each of the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis. Not more than one person from any one of such republics shall receive instruction under authority of this act at the same time."

And insert in lieu thereof the following:

"That the Secretary of the Navy is hereby authorized to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis, Md. Not more than 3 persons from any of such republics shall receive instruction under authority of this act at the same time."

Amend the title of the bill so as to read:

"A bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States."

The purpose of the bill is to authorize the Secretary of the Navy to permit, upon designation of the President of the United States, not exceeding 20 persons at a time from the American republics (other than the United States) to receive instruction at the United States Naval Academy at Annapolis, Md.

The bill gives the President considerable discretion in choosing the countries from which the persons to receive this instruction would come. It should be possible to designate several persons for instruction from those American republics having important naval strength.

The cost incident to such instruction would be paid from the appropriation provided for the payment of such cost in the case of midshipmen appointed from the United States. Assuming that 20 midshipmen are appointed in 1942 and that all will be continued at the Naval Academy until graduation in 1946, the estimated cost should be as follows:

First year	$28,075
Second year	21,075
Third year	21,075
Fourth year	21,075

The bill meets with the approval of the Navy Department and has been cleared by the Bureau of the Budget.

The committee is of the opinion that the enactment of the bill would promote the efficiency of hemispheric defense and cultivate good relations with the American republics.

HARRIET B. RICKARDS

The bill (S. 1027) for the relief of Harriet B. Rickards was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay, out of any funds available for payments of adjusted-service credits and the installments due to dependents of deceased veterans, as provided in the act of May 19, 1924, as amended, the sum of $385.80, to Harriet B. Rickards, of Seattle, Wash., in full satisfaction of her claim against the United States for the proceeds of seven checks drawn during the fiscal years 1937 and 1938 to the order of Mary Ellen Butler, the deceased mother of the said Harriet B. Rickards, such checks not having been presented for payment by the said Mary Ellen Butler prior to her death on August 28, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemd guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

MAYNARD GOSS

The Senate proceeded to consider the bill (S. 1155) for the relief of Maynard Goss which had been reported from the Committee on Claims with an amendment on page 1, line 6, after the words "sum of", to strike out "$2,285.60" and insert "$650.25", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maynard Goss the sum of $650.25, in full settlement of all claims against the United States for personal injuries sustained as a result of an accident in which his car was struck by a car driven by an employee of the Farm Security Administration who was acting in the scope of his employment on July 3, 1939, near Mulhall, Okla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES E. ALLISON

The bill (H. R. 1684) for the relief of Charles E. Allison was considered, ordered to a third reading, read the third time, and passed.

HERMAN E. SCHORR

The bill (H. R. 1688) for the relief of Herman E. Schorr was considered, ordered to a third reading, read the third time, and passed.

FLOYD WILDAY, VERA WILDAY, AND JAMES M. WELLS

The bill (H. R. 1732) for the relief of Floyd Wilday, Vera Wilday, and James M. Wells was considered, ordered to a third reading, read the third time, and passed.

HUGH C. RUSSELL

The bill (H. R. 3084) for the relief of Hugh C. Russell was considered, ordered to a third reading, read the third time, and passed.

ARUTHUR GOSE

The Senate proceeded to consider the bill (H. R. 859) for the relief of Arthur Gose, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "Treasury", to strike out "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and to insert "not otherwise appropriated", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Arthur Gose, Bean Station, Tenn., the sum of $500, in full settlement of all claims against the United States for damages sustained when the car of Arthur Gose was demolished when it was struck by a Civilian Conservation Corps truck driven by Michael Felotoirch, a member of the Civilian Conservation Corps, at Arthur, Tenn., on April 27, 1935: *Provided*, That the above sum shall be in full satisfaction of all judgments obtained by Arthur Gose, against Michael Felotoirch, driver of the Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EBEN VAUGHN CLEAVES

The bill (S. 849) for the relief of Eben Vaughn Cleaves was considered, ordered to be engrossed for a third reading, read the third time and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eben Vaughn Cleaves, of Bar Harbor, Maine, the sum of $668.32, in full satisfaction of his claim against the United States for reimbursement of the sums paid by him to Inez L. Wood and Olin Wood in satisfaction of their claims against him arising out of a collision in Bar Harbor, Maine, on September 1, 1935, between an automobile in which the said Inez L. Wood was riding as a passenger and a United States Customs Service vehicle operated by the said Eben Vaughn Cleaves in the performance of his duty as a deputy collector of customs: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

JOSEPH PETRIN AND OTHERS

The Senate proceeded to consider the bill (S. 127) for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe, which had been reported from the Committee on Claims with amendments on page 1, line 8, after the name "LaPointe," to insert "in full settlement of all their claims against the United States," and at the end of the bill, to add a proviso, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,639 to Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, and Angus LeBlanc; $1,001 to William J. Demelle; and $1,456 to Samuel Fishman and Hector LaPointe, in full settlement of all their claims

against the United States on account of damages and losses sustained by them at the hands of representatives of the United States Government through and by delaying each of them in performing their respective contracts, as subcontractors, with the prime contractor, V. & M. Construction Corporation, under its contract, T1sa–3223, for the building of the United States Post Office, Sanford, Maine, the United States Court of Claims, in its Numbers 43480, 43481, and 43482, having heretofore made special findings of fact that the persons above named so suffered such damages and losses: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

E. A. WAILES, RECEIVER

The Senate proceeded to consider the bill (S. 416) for the relief of E. A. Wailes, receiver of Delta Oil Co., and the Tupelo Oil & Ice Co., which had been reported from the Committee on Claims with amendments, on page 1, line 7, after "$13,539.60", to strike out "and to the Tupelo Oil & Ice Co., of Mississippi, the sum of $4,302.09", and in line 9, before the word "claims", to strike out "their" and insert "all", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. A. Wailes, receiver of Delta Oil Co., of Mississippi, the sum of $13,539.60, in full satisfaction of all claims against the United States for the balance due on cotton linters in accordance with the findings of fact made by the Court of Claims under date of June 3, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of E. A. Wailes, receiver of Delta Oil Co."

AMENDMENT OF LAW RELATING TO CERTAIN DISBURSEMENT OFFICERS

The bill (S. 1251) to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of Private Act No. 446 approved July 2, 1940, be, and the same is hereby, amended to read as follows:

"SEC. 3. No provision of this act shall relieve any payee from any indebtedness to the United States of America resulting from the disallowances by the Comptroller General of the United States included in the above set forth sums and which are charged against disbursing officers named therein except that there shall be credited in the accounts of Hugh S. Johnson, Administrator of the National Recovery Administration, any amount charged against him on account of alleged overpayment for transportation and actual expenses of subsistence or per diem in lieu of actual expenses for subsistence."

BILL PASSED OVER

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments, was announced as next in order.

The PRESIDING OFFICER. At the request of the present occupant of the chair the bill will be passed over.

PROSTITUTION NEAR MILITARY AND NAVAL ESTABLISHMENTS

The Senate proceeded to consider the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military and/or naval establishments as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy.

Mr. JOHNSON of Colorado. Mr. President, I desire to submit an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause, and to substitute therefor the text of Senate bill 860, as follows:

Be it enacted, etc., That in the interest of the common defense no person, corporation, partnership or association shall sell, supply, give, or have in his or its possession any alcoholic liquors, including beer, ale, or wine at or within any military camp, station, fort, post, yard, base, cantonment, training or mobilization place which is being used at the time for military purposes, but the Secretary of War may make regulations permitting the sale and use of alcoholic liquors for medicinal purposes. Any person, corporation, partnership, or association violating the provisions of this section or any orders, rules, or regulations made by proper authority thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not less than $100 nor more than $1,000 and/or imprisonment for not less than 30 days nor more than 12 months.

SEC. 2. That in the interest of the common defense it shall be unlawful within such reasonable distance of any military camp, station, fort, post, yard, base, cantonment, training or mobilization place as the Secretary of War shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy and shall designate in general orders or bulletins for any person, corporation, partnership, or association to sell, supply, give, or have in his or its possession any alcoholic liquors, including beer, ale, or wine. Any person, corporation, partnership, or association violating the provisions of this section or any orders, rules, or regulations made by proper authority thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not less than $100 nor more than $1,000 and/or imprisonment for not less than 30 days nor more than 12 months.

SEC. 3. In construing the foregoing sections of this act the word "Army" shall extend to and include "Navy", the word "military" shall include "naval", "Article of War" shall include "Articles for the government of the Navy", the words "military camp, station, fort, post, yard, base, cantonment, training or mobilization place" shall include such places under naval jurisdiction as may correspond to the aforenamed places under military jurisdiction. The powers conferred under this act upon the Secretary of War are hereby conferred upon the Secretary of the Navy with regard to the naval service. The words "Navy" and "naval" shall include the Marine Corps. The aviation units of both the military and naval service shall be subject to the provisions of this act.

SEC 4. That in the interest of the common defense it shall be unlawful within such reasonable distance of any military or naval camp, station, fort, post, yard, base, cantonment, training or mobilization place as the Secretaries of War and/or Navy shall determine to be needful to the efficiency, health, and welfare of the Army and/or Navy, and shall designate and publish in general orders or bulletins to engage in prostitution or to aid or abet prostitution, or to procure or solicit for purposes of prostitution, or to keep or set up a house of ill fame, brothel, or bawdy house, or to receive any person for purposes of lewdness, assignation, or prostitution in any vehicle, conveyance, place, structure, or building; and any person, corporation, partnership, or association violating the provisions of this section shall, unless otherwise punishable under the Articles of War or the Articles for the government of the Navy be deemed guilty of a misdemeanor and be punished by a fine of not less than $100 nor more than $1,000, or by imprisonment for not less than 30 days nor more than 12 months and any person subject to military or naval law violating the provisions of this act shall be punished as provided by the Articles of War or the Articles for the government of the Navy and the Secretaries of War and of the Navy are hereby authorized and directed to do everything by them deemed necessary to suppress and prevent the violation of such provisions and to accept the cooperation of the authorities of States and counties, districts, and other political subdivisions in carrying out the purposes of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

The PRESIDING OFFICER. On objection of the present occupant of the chair, the bill will be passed over.

Mr. LA FOLLETTE subsequently said: Mr. President, I have absolutely no objection to House bill 2475 as it passed the House. However, I have strenuous objection to Senate bill 860 as reported from the Senate Military Affairs Committee without recommendation. It not only attempts to deal with prostitution, but it also attempts to prohibit the sale of 3.2 percent beer at posts and canteens of both the Army and the Navy.

TRANSPORTATION HOME OF PERSONS ARRESTED AND SUBSEQUENTLY RELEASED

The Senate proceeded to consider the bill (H. R. 2844) to provide for the transportation home of persons who have been arrested and subsequently released without conviction or convicted and placed on probation, which had been reported from the Committee on the Judiciary, with an

amendment, on page 1, line 10, after the word "court", to insert, "having jurisdiction of the trial of the case, including cases where arrests have been made and no indictment returned, in its discretion"; so as to make the bill read:

Be it enacted, etc., That the act of July 3, 1926 (ch. 795, 44 Stat. 901 (U. S. C., title 18, sec. 746)), be, and the same is hereby, amended by adding thereto the following sections:

"SEC. 2. On the release from custody of any person who has been arrested on a charge of violating any law of the United States or of the Territory of Alaska, and who has not been convicted of such charge, other than a person admitted to bail, the court having jurisdiction of the trial of the case, including cases where arrests have been made and no indictment returned, in its discretion may direct the United States marshal for the district wherein he is released, pursuant to regulations that may be promulgated by the Attorney General, to furnish the person so released with transportation and subsistence to the place of his arrest or, at his election, to the place of his bona fide residence if the cost of transportation and subsistence to such place of residence is not greater than to the place of arrest.

"SEC. 3. When a court of the United States places a defendant on probation, the court may direct the United States marshal to furnish the defendant with transportation to the place to which the defendant is required to proceed under the terms of his probation and, in addition, may also direct the marshal to furnish the defendant with an amount of money, not to exceed $20, for subsistence expense to his destination. In such event, such expenses shall be paid by the marshal."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ORGAN PIPE CACTUS NATIONAL MONUMENT, ARIZONA

The bill (S. 260) to permit mining within the Organ Pipe Cactus National Monument in Arizona was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That within the Organ Pipe Cactus National Monument in Arizona all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

CONVEYANCE OF CERTAIN PROPERTY TO WASHINGTON COUNTY, UTAH

The bill (H. R. 1771) to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

LEASE OF CERTAIN MINERAL LANDS

The Senate proceeded to consider the bill (S. 1331) to authorize the Secretary of the Interior to lease, for the exploitation of silica sand and other nonmetallic minerals, lands withdrawn by Executive Order No. 5105, dated May 3, 1929, which had been reported from the Committee on Public Lands and Surveys with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized, under the rules and regulations adopted pursuant to the provisions of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, as amended, so far as applicable, to lease for the exploitation of the deposits of silica sand and other nonmetallic minerals found thereon, the lands withdrawn by Executive Order No. 5105, dated May 3, 1929.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF TENNESSEE VALLEY AUTHORITY ACT

The Senate proceeded to consider the bill (H. R. 2097) to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k), which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 4, after the words "as follows", to strike out:

By striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k) to read as follows:

"(k) Shall have power in the name of the United States to convey by warranty deed or otherwise lands, easements, and rights-of-way to States, counties, municipalities, railroad companies, telephone, telegraph, water and power companies where any such conveyance is necessary in order to replace any such lands, easement, or right-of-way to be flooded or destroyed as the result of the construction of any dam or reservoir now under construction by the Corporation or subsequently authorized by the Congress, and easements and rights-of-way upon which are located transmission or distribution lines carrying not in excess of 44,000 volts, together with the power to convey or lease to the Ingalls Shipbuilding Corporation, of Decatur, Ala., a tract of land to be used by said company for the construction of facilities necessary to enable it to fulfill defense contracts entered into prior to January 1, 1946. The Corporation shall also have power to convey or lease Nitrate Plant No. 1 at Muscle Shoals, Ala., and Waco Quarry with the approval of the War Department and the President."

And to insert:

By striking therefrom subsection (k) of section 4 and inserting in lieu thereof a new subsection (k), to read as follows:

"(k) Shall have power in the name of the United States—

"(a) to convey by deed, lease, or otherwise, any real property in the possession of or under the control of the Corporation to any person or persons, for the purpose of recreation or use as a summer residence, or for the operation on such premises of pleasure resorts for boating, fishing, bathing, or any similar purpose;

"(b) to convey by deed, lease, or otherwise, the possession and control of any such real property to any corporation, partnership, person, or persons for the purpose of erecting thereon docks and buildings for shipping purposes or the manufacture or storage thereon of products for the purpose of trading or shipping in transportation;

"(c) to transfer any part of the possession and control of the real estate now in possession of and under the control of said Corporation to any other department, agency, or instrumentality of the United States: *Provided, however,* That no land shall be conveyed, leased, or transferred, upon which there is located any permanent dam, hydroelectric power plant, or munitions plant heretofore or hereafter built by or for the United States or for the Authority, except that this prohibition shall not apply to the transfer of Nitrate Plant No. 1, at Muscle Shoals, Ala., or to Waco Quarry: *And provided further,* That no transfer authorized herein in (a), (b), or (c), except leases for terms of less than 20 years, shall be made without the approval of the President of the United States, if the property to be conveyed exceeds $500 in value; and

"(d) to convey by warranty deed, or otherwise, lands, easements, and rights-of-way to States, counties, municipalities, school districts, railroad companies, telephone, telegraph, water, and power companies, where any such conveyance is necessary in order to replace any such lands, easements, or rights-of-way to be flooded or destroyed as the result of the construction of any dam or reservoir now under construction by the Corporation, or subsequently authorized by Congress, and easements and rights-of-way upon which are located transmission or distribution lines. The Corporation shall also have power to convey or lease Nitrate Plant No. 1, at Muscle Shoals, Ala., and Waco Quarry, with the approval of the War Department and the President."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. NORRIS. Mr. President, I move that the Senate insist on its amendment, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SMITH, Mr. WHEELER, Mr. THOMAS of Oklahoma, Mr. NORRIS, and Mr. MCNARY conferees on the part of the Senate.

AMENDMENT OF SUGAR ACT OF 1937—BILL PASSED OVER

The bill (S. 937) to amend section 204 of the Sugar Act of 1937, was announced as next in order.

Mr. ADAMS. Mr. President, the suggestion is that that bill, under the understanding, which is not a matter of record, go over, with the expectation that it be taken up on Wednesday next. The matter was discussed with the senior Senator from Georgia [Mr. GEORGE] and it is the intention of working out the situation so that the bill will be taken up on Wednesday.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. CONNALLY. It has not been settled whether the bill is to be taken up on Wednesday? It is merely the intention of the Senator to move that it be taken up on that day?

Mr. ADAMS. It is my intention to do so. I discussed the matter with the Senator from Georgia, and it seemed that matters could be worked out so that the bill could be taken up for consideration on Wednesday. I had endeavored earlier

today to have an earlier date set. What I have now stated rather meets the different views held by Senators with respect to the matter.

Mr. McNARY. Mr. President, I have no choice in the matter but to make the folowing statement: A few days ago, when the question of the work for the next week was discussed, and when it was said that today the Senate would consider unobjected-to bills on the calendar, the able Senator from Kentucky [Mr. BARKLEY] said it was his purpose that the Senate meet on Monday of next week and then go over to Thursday. I so advised Members on this side of the Chamber, so that they would not expect any sessions to be held other than on Monday and Thursday of next week. The suggestion which is now made that the matter be taken up on Wednesday next presents a rather awkward situation. Why cannot the suggestion be made that it be taken up on Monday or on Thursday of next week? What is wrong with taking it up on Monday?

Mr. ADAMS. As the Senator from Oregon knows, Monday would be most agreeable to me, but some other Senators who are not in favor of the bill thought we should wait a little longer, and as I said, I discussed the matter with other Senators who were in opposition and they suggested that they would be quite willing to have it taken up on Wednesday next. It is, as the Senator knows, a matter of great importance. Every day's delay is of real consequence.

Mr. NORRIS. Mr. President, I should like to ask the Senator from Colorado whether he has tried to have an agreement reached that the bill be taken up for consideration on Monday? I think all Senators recognize the fact that every day's delay in taking up this bill means serious loss. It is late now.

Mr. ADAMS. I made that emphasis earlier in the day, I will say to the Senator.

Mr. GEORGE. Mr. President, I do not know of any statement made by the leader that we are to have only two sessions next week.

Mr. McNARY. Mr. President, I am sure the RECORD will sustain what I have said. Members of the Senate who were present a few days ago would naturally fashion their next week's work on the basis of the statement made by the Senator from Kentucky that we are to have but two sessions next week, on Monday and Thursday. I think we should adhere to the statement which was made.

Mr. BYRNES. Mr. President, I can confirm the statement of the Senator from Oregon. The Senator from Kentucky [Mr. BARKLEY] did say to me that it was his intention to have only two sessions next week, and I think he has so advised other Senators.

I know the position of the Senator from Colorado in that connection; but if any weight is to be given to the wishes of the Senator from Kentucky in the matter, he did make the statement to some Members of the Senate who I think may have left the city relying upon his statement.

Mr. GEORGE. Mr. President, I stated to the Senator from Colorado [Mr. ADAMS] and the Senator from Wyoming [Mr. O'MAHONEY], the authors of the bill, that on Monday—assuming that the leader will be back in his place—I shall be pleased to join in their request that the matter be made the unfinished business for Wednesday. I did not know that the leadership had decided to have only two sessions next week. I will still abide by that agreement; but in view of what the Senator from Oregon has said I suggest that perhaps we had better agree on Thursday. I should not oppose consideration of the bill on Monday, but certain Senators are absent who have gone away with the rather definite understanding that this measure would not be taken up on Monday. For that reason I thought we might consider it on Wednesday. I do not suppose that a difference of 1 day will materially delay matters. I still stand ready, so far as I am concerned as acting chairman of the committee, to request consideration of the bill on Thursday, or the next legislative session following Monday.

Mr. McNARY. Mr. President, my only desire is that we all may rely upon the statement of the Senator from Kentucky. I know that would be his wish. If the bill cannot be considered on Monday, then I prefer that we go through with the understanding suggested and have it considered on Thursday.

Mr. GEORGE. That is entirely agreeable to me, and I hope it is agreeable to the proponents of the bill.

Mr. O'MAHONEY. Mr. President, if I may add a word, Thursday is very close to Decoration Day, Friday the 30th; and it is not at all unlikely that many Senators will desire to be absent, in the belief that on Thursday the Senate will merely meet and adjourn over until the following week.

Let me ask Senators present if there is any insuperable obstacle to an agreement to make this bill the unfinished business on Monday? Then we should know that we should have ample time between Monday and Thursday to dispose of it.

Mr. GEORGE. Mr. President, I should have to object very vigorously, because I have stated that certain Senators are absent on the assurance that the bill will not be taken up on Monday.

Mr. O'MAHONEY. Mr. President, let me ask the Senator from Colorado if he feels disposed to ask unanimous consent at this time that the bill be made the unfinished business for Thursday next?

Mr. ADAMS. If that can be done, I am willing to acquiesce, so far as I have any voice in the matter.

Mr. O'MAHONEY. Let me suggest to the Senator that he make such a request.

Mr. NORRIS. Mr. President, I do not believe it is possible to do it in the way the Senator has suggested. However, it would be in order for the Senator to ask unanimous consent that the bill be taken up at a certain hour on Thursday, or immediately after the convening of the Senate. Would not such an arrangement meet the desires of the Senator?

Mr. O'MAHONEY. Such an arrangement is agreeable to me, in whatever way it is presented.

Mr. NORRIS. A bill becomes the unfinished business of the Senate by reason of certain procedure and action.

Mr. GEORGE. Mr. President, I can see no reason why we cannot agree to call up the bill on Monday for assignment, or for such order as may be agreed upon by unanimous consent, or as the result of a motion. I have expressed willingness, so far as I am concerned, to join in the request that it be made the unfinished business for the next legislative day following Monday, whether that day be Thursday or any other day.

Mr. NORRIS. Mr. President, does the Senator from Georgia mean that in effect we would take up the bill on Monday and make it the unfinished business with the understanding that we would not consider it until Thursday?

Mr. GEORGE. The effect would be the same. It think it would be in order to agree that the bill be taken up on Monday for determination as to its subsequent consideration.

Mr. NORRIS. I should be very glad to take it up and dispose of it; but in view of what the understanding has been, we cannot do so.

Mr. GEORGE. I do not think there would be any difficulty in assigning a time for consideration of the bill.

Mr. NORRIS. I do not see why we could not take it up on Monday to the extent of making it the unfinished business for Thursday.

Mr. McNARY. Mr. President we could do that. However, the able Senator from Colorado may move that the bill be set down for consideration on Thursday of next week. It would then become the unfinished business. Such a motion is always in order.

Mr. GEORGE. Mr. President, for the reasons already stated, I very much hope that the Senator will not make such a motion. In the absence of the majority leader I do not know what his commitments may be. I do not feel like consenting to the arrangement.

Mr. McNARY. I thought the Senator said he was willing to agree.

Mr. GEORGE. I am willing to join in the request Monday for the consideration of the bill at the very earliest opportunity after that date.

Mr. McNARY. Mr. President, I will assume the responsibility of saying that such an arrangement would meet with the favor of the distinguished leader on the Democratic side.

Mr. GEORGE. Mr. President, I object to any consideration of the bill at this time.

The PRESIDING OFFICER. The bill will be passed over.

RESEARCH BY PUBLIC HEALTH SERVICE RELATING TO DENTAL DISEASES

The Senate proceeded to consider the bill (S. 194) to authorize research by the Public Health Service relating to the cause, diagnosis, and treatment of dental diseases, which had been reported from the Committee on Education and Labor with an amendment, on page 2, line 5, after the word "appropriated", to strike out "to carry out the provisions of this act, the sum of $75,000 for the fiscal year ending June 30, 1942, and for the 5 succeeding fiscal years such sum shall be

increased $10,000 each year", and insert in lieu thereof "such sums as may be necessary to carry out the purposes of this act", so as to make the bill read:

Be it enacted, etc., That the Surgeon General of the Public Health Service is authorized and directed to conduct researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of dental diseases; to assist and foster similar research activities by other agencies, public and private; and to promote the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of such diseases.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLAIMS OF WESTERN BANDS OF SHOSHONE INDIANS

The bill (S. 12) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims to hear, determine, adjudicate, and render judgment on any and all legal or equitable claims of whatsoever nature which the Western Bands of the Shoshone Nation of Indians may have against the United States arising under or growing out of any treaties, agreements, acts of Congress, Executive orders, the improper or wrongful handling of any of the funds or property of said Indians, the failure of the United States to pay any money or deliver any property or perform any obligation, due said Indians, or otherwise; including, in particular, but without limiting the generality of the foregoing, claims arising out of the loss of the lands of said Indians described in article 5 of the treaty of October 1, 1863 (18 Stat. L. 689), with said Western Bands of the Shoshone Nation of Indians.

SEC. 2. The Western Bands of the Shoshone Nation of Indians are hereby empowered, acting through their attorneys, to prosecute any and all of their claims by filing in the Court of Claims, at their election, one or more petitions as parties plaintiff against the United States as party defendant. Such petition or petitions shall set forth the facts on which the claims for recovery are based and shall be verified by the attorney or attorneys employed by said Western Bands of the Shoshone Nation of Indians, under contracts approved in accordance with existing law, to prosecute such claims. Such petition or petitions may be made upon information and belief and no other verification shall be necessary. Such petition or petitions shall be filed within 5 years from the date of enactment hereof, but at any time prior to entry of final judgment any pleading may be amended so as to include all claims said Indians may have against the United States and any defense the United States may have thereto.

SEC. 3. At the trial of any suit instituted hereunder the court shall apply as respects the United States the same principles of law as would be applied to an ordinary fiduciary and shall settle and determine the rights thereunder, both legal and equitable, of said Western Bands of the Shoshone Nation of Indians against the United States, notwithstanding lapse of time or statute of limitation. In hearing, determining, adjudicating, and rendering judgment on any claim asserted or any defense interposed hereunder, the court shall have the full power and authority of a court of equity.

SEC. 4. The court shall have authority, by proper orders and process, to make parties to any suit or suits instituted hereunder any other tribe, band, or group of Indians deemed by it necessary or proper to a final determination of the matters in controversy.

SEC. 5. No payment or payments which have been made by the United States upon or in satisfaction of any claim or claims asserted in any suit brought hereunder, or expended for any of the aforesaid Western Bands of the Shoshone Nation of Indians, shall apply as an estoppel against any suit brought hereunder, but there shall be set off against any recovery obtained by said Western Bands of the Shoshone Nation of Indians hereunder, any payment made by the United States on any claim asserted by said Indians and such gratuity expenditures made by the United States for the benefit of said Indians as are directed to be set off by the Second Deficiency Appropriation Act, fiscal year 1935 (Public, No. 270, 74th Cong.).

SEC. 6. In any suit instituted hereunder, any letter, paper, document, map, testimony, or record relating to the claims asserted, in the possession of any officer, department, or congressional committee of the United States, may be used by either party as competent evidence, and all departments of the Government of the United States shall give full and free access to the attorneys for any of said Indians to such letters, papers, documents, maps, testimony, or records as may be requested by said attorneys in the preparation and trial of said suits, and shall afford facilities for the examination of the same and the making of copies thereof.

SEC. 7. In the event the court shall find that the land described in article 5 of the said treaty of October 1, 1863, with said Western Bands of the Shoshone Nation of Indians was taken from said Indians and that they have not been paid just compensation therefor, the court shall determine and fix as accurately as possible the boundaries and acreage of said land, and shall award just compensation for the taking thereof; for this purpose the court shall compute the principal value of said land at $1.25 per acre less the expenses of surveying and sale.

SEC. 8. Either party shall have the absolute right of appeal (not by writ of certiorari) from any final judgment rendered by the Court of Claims to the Supreme Court of the United States, and the Supreme Court of the United States is hereby invested with jurisdiction over such appeals.

SEC. 9. Upon the final determination of any suit, cause, or action instituted hereunder, whether by judgment, compromise, or otherwise, the Court of Claims, in the event of success by said Indians or in the event any claim asserted by any of said Indians shall be compromised or settled without the institution of any suit hereunder, the Secretary of the Interior shall decree that there shall be paid to the attorney or attorneys employed therein by said Indians under contracts negotiated or entered into as provided by existing law, as compensation for their services, including representation of said Indians before the committees of Congress, the departments of the Government and the courts, such fees as, based upon a quantum meruit, it or he shall find reasonable, and in addition such expenses incurred by said attorneys, to pay. In no case shall the fees decreed by said Court of Claims or the Secretary of the Interior be in excess of the amount stipulated in the contracts approved by the Commissioner of Indian Affairs and the Secretary of the Interior, and in no event to exceed 10 percent of the amount of the recovery, and shall be paid upon money being appropriated by Congress for the benefit of said Indians pursuant to any judgment or settlement hereunder whether distributable to said Indians or not.

SEC. 10. The net amount of any judgment recovered shall be placed in the Treasury of the United States to the credit of said Indians and shall draw interest at the rate of 4 percent per annum from the date of judgment or settlement and shall, thereafter, be subject to appropriation by Congress for the benefit of said Indians, including the purchase of lands and the building of homes, and no part of said judgment, without further legislation, shall be paid out in per capita payments to said Indians.

SEC. 11. A copy of the petition in any suit instituted under this act shall, as provided by the rules of the Court of Claims, be served upon the Attorney General of the United States and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States. Said Attorney General, or any attorney so designated by him, shall have authority at any time after the enactment of this act to compromise and settle any claim asserted by the Western Bands of the Shoshone Nation of Indians.

INDIANS OF THE FORT BERTHOLD RESERVATION IN NORTH DAKOTA

The bill (S. 584) for the relief of the Indians of the Fort Berthold Reservation in North Dakota was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $400,000, in full and final settlement of all claims and demands of the Indians of the Fort Berthold Indian Reservation in North Dakota, composed of the Arickarees, Gros Ventres, and Mandans, which claims are based upon stipulations of an unratified treaty dated July 27, 1866 (Kappler's Laws and Treaties, vol. 2, p. 1052): *Provided*, That the amount when appropriated shall be deposited in the Treasury of the United States to the Credit of the Indians of the Fort Berthold Reservation and shall draw interest in accordance with existing laws: *Provided further*, That not to exceed 5 percent of the amount herein authorized may be used by the Secretary of the Interior for payment of fees and expenses of attorneys employed under contract approved in accordance with existing law.

HULAH DAM AND RESERVOIR PROJECT, OKLAHOMA

The bill (S. 1115) in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in aid of the construction, maintenance, and operation of the Hulah Dam and Reservoir project on the Caney River, Oklahoma and Kansas, authorized by the act of June 22, 1936 (49 Stat. 1571), as amended, for the control of floods in the Verdigris River Valley, the Osage Tribal Council be, and it hereby is, authorized, upon payment of just compensation therefor, and with the approval of the Secretary of the Interior, to release and relinquish to the United States of America such right, interest, and control in and over the minerals reserved to the Osage Tribe by the act of June 28, 1906 (34 Stat. 539), as amended, as may be found by the Secretary of War to be necessary for the construction, maintenance, and

operation of said Hulah Dam and Reservoir project.

SEC. 2. Construction of said project may be undertaken when the amount of money to be paid to the Osage Tribe as just compensation for the release and relinquishment herein authorized has been agreed upon by the Secretary of War, the Secretary of the Interior, and the Osage Tribal Council.

SEC. 3. The amount agreed upon as just compensation for the release and relinquishment herein authorized shall be paid by the Secretary of War out of appropriations made for flood control, general, to the Secretary of the Interior for disbursement in the manner provided by section 4 of the Act of June 28, 1906 (34 Stat. 539), as amended, for the disbursement of royalties received from the leasing of minerals owned by the Osage Tribe.

The PRESIDING OFFICER. That completes the calendar.

TRANSPORTATION OF IRON ORE ON THE GREAT LAKES BY VESSELS OF CANADIAN REGISTRY

Mr. BROWN. Mr. President, earlier in the day I reported favorably from the Committee on Commerce House bill 4632, which relates to a subject which should be disposed of at once.

By the provisions of the bill the coastwise shipping laws are suspended for the period of the year 1941. The bill would permit the carriage of iron ore—and no other commodity—from American ports to American ports by vessels of Canadian registry. The need for the bill is set forth in the report from the Office of Production Management. We will be short about 3,600,000 tons of iron ore if we do not permit Canadian bottoms to carry it. The various Government departments that have been consulted—the State Department, the Commerce Department, the Maritime Commission, and the O. P. M.—all agree that there is great necessity for the enactment of this bill. It was passed unanimously by the House and was reported unanimously by both the subcommittee and the full committee of the Senate Committee on Commerce. If there is any objection to the bill, or if there is anything about it that any Senator desires to know, I shall be very glad to answer any questions. My request is that the Senate now proceed to consider House bill 4632.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Michigan?

There being no objection, the bill (H. R. 4632) authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941 was considered, ordered to a third reading, read the third time, and passed.

Mr. BROWN. Mr. President, I ask unanimous consent that the committee report on the bill be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The report (No. 362) is as follows:

The Committee on Commerce, to whom was referred the bill (H. R. 4632), a companion bill to S. 1448, authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF BILL

The purpose of the bill is to provide the necessary means of transporting on the Great Lakes the tonnage of iron ore essential for the manufacture of steel. The urgent need for this legislation was amply shown by the evidence before your committee. Testifying before your committee were Mr. R. C. Allen, consultant in the Office of Production Management, and Mr. Karl W. Fischer, deputy commissioner in the Transportation Division of the Advisory Commission to the Council of National Defense, as well as representatives of industry and labor.

Consumption of iron ore now exceeds all previous records. As new furnaces which are either in the construction or planning stage are placed in operation, even greater quantities of iron ore will be required in the manufacture of steel.

Approximately 85 percent of the iron ore used by the steel industry is mined in the Lake Superior region. This iron ore must be moved during the season of navigation in lake ships which form an indispensable link in the transportation of this commodity from the mines to the consuming steel districts. At present, facilities are inadequate for an all-rail movement of any considerable tonnage. The American lake fleet has been built to carry the maximum quantities of iron ore required in peacetime for the making of steel. To transport the difference between the quantity needed in the making of steel in 1941 and the quantity which can be moved in American ships will require the use of other ships on the Great Lakes which are under Canadian registry. Canadian bulk cargo vessels, similar in size and construction to the American ships, were permitted to assist in the ore movement in the World War under special act of Congress approved October 6, 1917 (40 Stat., ch. 88, p. 392).

We are faced again with extraordinary expansion in the steel industry, and although plans are under way for the construction of five new American ships, the entire lake fleet of American and Canadian ships capable of transporting iron ore will be required to meet the needs of the American steel industry.

The President's steel survey (report to the President of the United States on the Adequacy of the Steel Industry for National Defense by Gano Dunn, February 22, 1941) has computed that the steel industry will require at least 74,600,000 gross tons of Lake Superior iron ore in the 12-month period commencing April 1, 1941. Mr. A. T. Wood, who is both president of the Lake Carriers' Association and adviser to Mr. Ralph Budd, Commissioner of Transportation of the Advisory Commission to the Council of National Defense, estimated that the American fleet will be able to move 71,000,000 gross tons. Heretofore, the maximum quantity of iron ore transported in American ships during one season was just short of 65,000,000 gross tons. This year, however, navigation was opened earlier than usual with ice breaking by the Coast Guard, and it is expected that about 6,000,000 tons will be moved in April. There will be several months during which the American ships will transport not less than 10,000,000 tons. However, cold and stormy weather frequently commences in October. Cold weather slows loading of iron ore and storms delay ships. Taking all of these factors into consideration, it is apparent that the only certain way to transport the minimum quantity of iron ore which will be required is to enlist the assistance of the Canadian fleet.

The Canadian fleet is now engaged in the transportation of grain, coal, and iron ore, which is either wholly domestic commerce of Canada or international commerce. The grain movement will ease about June 1, and it is expected that thereafter for a period of several months some 40 Canadian ships could be used in the transportation of iron ore from the Lake Superior region to lower lake ports. It is estimated that about 20 of these ships could take care of the extraordinary additional need. By combining the efforts of the American and Canadian fleets, and with favorable weather conditions, there is good prospect that the minimum quantity of iron ore which will be needed by the steel industry may be moved during the present season of navigation.

The testimony before the committee reveals that there is no possibility of loss to either American labor or American carriers by reason of this 1-year suspension of existing law. Representatives of the Office of Production Management testified that the present American ore fleet is booked to capacity and there is no possible chance to get any additional tonnage in the American fleet, and likewise the shippers of ore are committed to use American bottoms to their fullest capacity. Therefore, the Canadian ships will move only that ore which could not possibly be carried by American ships.

Your committee can see no injury to shippers or sailors. Some apprehension was expressed to the effect that the temporary suspension might become permanent. Your committee has no such intention and confines the suspension of the statute to the current year. Your committee wish to go affirmatively on record with the statement that action taken on this bill is not to be considered in any way as indicating any intent on the part of the committee to relax or modify the coastwise laws or to permit an invasion of American shipping on the Great Lakes. Your committee affirmatively declare that it is the intent of your committee to exert every effort to protect the Great Lakes from any intrusion by foreign ships. Your committee also declare that the proposed legislation is not to be considered as indicating any intent to permit any infringement or any modification or relaxation of the existing laws pertaining to wages, hours, working conditions, or any other labor or safety laws, or other laws enacted with reference to vessels operated on the Great Lakes and documented, registered, enrolled, or licensed under the flag of the United States, or under the jurisdiction of the laws of the United States.

As shown above, the proposed bill is similar in scope and effect to the special act of Congress approved October 6 1917, insofar as the Great Lakes are concerned except that this bill is not as broad in scope and is specifically limited in time, for this bill permits only the transportation of iron ore for the 1941 season The bill adopted during the World War was much more extensive, as will be seen from a copy thereof which is appended below:

"An act giving the United States Shipping Board power to suspend present provisions of law and permit vessels of foreign registry and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade during the present war and for a period of 120 days thereafter, except the coastwise trade with Alaska

"*Be it enacted, etc.*, That during the present war with Germany and for a period of 120 days thereafter the United States Shipping Board may, if in its judgment the interests of the United States require, suspend the present provisions of law and permit vessels of foreign registry, and foreign-built vessels admitted to American registry under the act of August 18, 1914, to engage in the coastwise trade of the United States: *Provided*, That no such vessel shall engage in the coastwise trade except upon a permit issued by the United States Shipping Board, which permit shall limit or define the scope of the trade and the time of such employment: *Provided further*, That in issuing permits the board shall give preference to vessels of foreign registry owned, leased, or chartered by citizens

of the United States or corporations thereof: *And provided further*, That the provisions of this act shall not apply to the coastwise trade with Alaska or between Alaskan ports.

"Approved, October 6, 1917."

Communications from the State Department, the Department of Commerce, and the Office of Production Management show no opposition to the bill. The reports are hereto appended. Your committee approved the bill unanimously.

DEPARTMENT OF STATE,
Washington, May 15, 1941.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate.

MY DEAR SENATOR BAILEY: I have reference to your letter of May 6, 1941, enclosing a copy of S. 1448, entitled "A bill permitting vessels of Canadian and British registry to transport iron ore between United States ports on the Great Lakes during 1941," and requesting that the Committee on Commerce be furnished with such suggestions as I might deem proper touching the merits of the bill and the propriety of its passage.

A similar bill, H. R. 4632, has been reported with amendment to the House of Representatives by the Committee on the Merchant Marine and Fisheries. The House committee amended H. R. 4632 by omitting the words "and British" which appear in both the title and the body of the bill. This amendment would appear to be desirable, as it is understood that there are no British vessels on the Great Lakes which are suitable for carrying iron ore. It is believed that the language of H. R. 4632 as reported is preferable to that of S. 1448.

So far as the interests entrusted to this Department are concerned, no objection is perceived to the enactment of emergency legislation to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the 1941 season of navigation on the Great Lakes.

Sincerely yours,

CORDELL HULL.

DEPARTMENT OF COMMERCE,
Washington, May 16, 1941.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: In your letter of May 6, 1941, you requested the views of the Department with respect to S. 1448, a bill permitting vessels of Canadian and British registry to transport iron ore between United States ports on the Great Lakes during 1941.

The effect of this legislation would be to suspend the laws reserving the coastwise trade to vessels of the United States for the purpose of permitting the carrying by vessels of Canadian and British registry of iron ore between ports of the United States on the Great Lakes during the 1941 season of navigation

The need for additional cargo space for Lake Superior iron ore during the present year is indicated by the report of February 22, 1941, by Mr. Gano Dunn to the President, which states that the steel industry will require, during the 12 months commencing April 1, 1941, at least 74,600,000 tons of Lake Superior iron ore. Heretofore, American vessels have never carried more than 65,000,000 tons of such ore. Although, due to the earlier opening of navigation on the Great Lakes, American vessels, this year, will be able to carry approximately 71,000,000 tons of ore, there still remains 3,600,000 tons of ore which must be moved. It appears advisable and necessary, therefore, to arrange for the participation in this trade by the Canadian fleet. Of course, it would be possible to divert some of this traffic to the railroads, but, apart from the resultant increase in the cost of transportation, it seems advisable to avoid burdening the railroads unduly at this time when they are being required to assume abnormal traffic loads, due to the withdrawal of vessels from the intercoastal and other routes, to form the President's announced pool of 2,000,000 tons of shipping to aid Britain and other democracies.

In view of these considerations, therefore, the Department recommends the enactment of legislation to permit the use of Canadian vessels in the transportatior of iron ore during the 1941 season. However, it is the opinion that the language of the House companion bill, H. R. 4632, as passed on May 15, 1941, is an improvement over the language of S. 1448, and recommends, therefore, that S. 1448 be amended to conform with the House bill.

Sincerely yours,

WAYNE C. TAYLOR,
Acting Secretary of Commerce.

OFFICE OF PRODUCTION MANAGEMENT,
OFFICE OF THE DIRECTOR GENERAL,
Washington, D. C., May 16, 1941.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in response to your request of May 6 for our views on S. 1448, a bill permitting vessels o. Canadian and British registry to transport iron ore between United States ports on the Great Lakes during 1941.

The Office of Production Management favors the enactment of legislation to accomplish the purpose of this measure. Approximately 85 percent of the iron ore used by the steel industry is mined in the Lake Superior region. This ore must be moved in lake ships during the season of navigation which extends roughly from about the middle of April through November. At present this traffic between United States ports is limited by law to vessels of United States registry, and we understand that there are insufficient American bottoms to move the necessary tonnage. Consequently, this Office recommends that the employment of Canadian vessels in the ore traffic should be authorized in order to make additional shipping available. This recommendation is made on the basis of our understanding that all available American ships will actually be engaged in service up to capacity and that therefore, as a practical matter, there is no danger of Canadian vessels taking traffic at the expense of our shipping.

Sincerely yours,

WILLIAM S. KNUDSEN.

EXECUTIVE SESSION

Mr. BYRNES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations and a convention were submitted:

By Mr. HAYDEN, from the Committee on Appropriations:

Wilbur E. Harkness, of Florida, to be Work Projects administrator for Florida; and

Roy Schroder, of Florida, to be regional director, region III, Works Projects Administration, effective May 1, 1941.

By Mr. GEORGE, from the Committee on Foreign Relations:

Edward M. Groth, of New York, now a Foreign Service officer of class 3 and a secretary in the Diplomatic Service, to be also a consul general.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Executive B, Seventy-seventh Congress, first session, a convention providing for the creation of an Inter-American Indian Institute, signed at Mexico City, November 29, 1940, by representatives of this Government and the governments of seven other American republics; without amendment (Executive Rept. No. 7).

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The ACTING PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

ADJOURNMENT TO MONDAY

Mr. BYRNES. As in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 2 o'clock and 52 minutes p. m.) the Senate adjourned until Monday, May 26, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 23, 1941:

COAST GUARD OF THE UNITED STATES

Machinist Michael J. Hoosick to be a chief machinist in the Coast Guard of the United States, to rank as such from June 1, 1941.

The following-named doctors to be assistant surgeons in the United States Public Health Service, to take effect from date of oath:

W. Clark Cooper
David E. Price
Charles L. Williams, Jr.
William S. Hotchkiss
Harold J. Magnuson
Charles C. Shepard
Llewellyn E. Kling
James L. Baker
Richard K. Winston
Wayne W. Carpenter
William D. King
Jack C. Haldeman

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

To be second lieutenant, Coast Artillery Corps, with rank from date of appointment

Second Lt. John Farley Splain, Coast Artillery Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO AIR CORPS

First Lt. Perry Bruce Griffith, Cavalry (captain, Army of the United States), with rank from June 12, 1937.

Second Lt. John Patrick Dwyer, Coast Artillery Corps, with rank from June 11, 1940.

Second Lt. Edward Aloysius Murphy, Jr., Coast Artillery Corps, with rank from June 11, 1940.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

To be major generals

Maj. Gen. William Bryden (brigadier general, U. S. Army), Army of the United States, from February 1, 1941, vice Maj. Gen. Stanley D. Embick, United States Army, retired January 31, 1941.

Maj. Gen. Richard Curtis Moore (brigadier general, U. S. Army), Army of the United States, from February 2, 1941, vice Maj. Gen. Stanley H. Ford, United States Army, retired January 31, 1941.

Maj. Gen. Henry Harley Arnold (colonel, Air Corps), Chief of the Air Corps, from February 3, 1941, vice Maj. Gen. Frank W. Rowell, United States Army, retired January 31, 1941.

Maj. Gen. Henry Conger Pratt (brigadier general, U. S. Army), Army of the United States, from March 1, 1941, vice Maj. Gen. James K. Parsons, United States Army, retired February 28, 1941.

Maj. Gen. Walter King Wilson (brigadier general, U. S. Army), Army of the United States, from April 1, 1941, vice Maj. Gen. Charles D. Herron, United States Army, retired March 31, 1941.

Maj. Gen. Ernest Dichmann Peek (brigadier general, U. S. Army), Army of the United States, from June 1, 1941, vice Maj. Gen. Percy P. Bishop, United States Army, to be retired May 31, 1941.

Maj. Gen. Frederic Harrison Smith (brigadier general, U. S. Army), Army of the United States, from July 1, 1941, vice Maj. Gen. James A. Woodruff, United States Army, to be retired June 30, 1941.

Maj. Gen. Philip Bradley Peyton (brigadier general, U. S. Army), Army of the United States, from July 1, 1941, vice Maj. Gen. Herbert J. Brees, United States Army, to be retired June 30, 1941.

To be brigadier general

Maj. Gen. Henry Harley Arnold (colonel, Air Corps), Chief of the Air Corps, vice Brig. Gen. Francis W. Honeycutt, United States Army, with rank from December 2, 1940.

To be Chief of the Air Corps, with the rank of major general, for a period of 4 years from date of acceptance

Maj. Gen. George Howard Brett (colonel, Air Corps), Army of the United States, vice Maj. Gen. Henry H. Arnold, Chief of the Air Corps, nominated for appointment as major general, Regular Army.

To be Chief of Infantry, with the rank of major general, for a period of 4 years from date of acceptance, with rank from May 1, 1941

Brig. Gen. Courtney Hicks Hodges, United States Army, vice Maj. Gen. George A. Lynch, Chief of Infantry, retired April 30, 1941.

To be Chief of the Chemical Warfare Service, with the rank of major general, for a period of 4 years from date of acceptance, with rank from May 1, 1941.

Col. William Nichols Porter, Chemical Warfare Service, vice Maj. Gen. Walter C. Baker, Chief of the Chemical Warfare Service, retired April 30, 1941.

To be assistants to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance

Col. Addison Dimmitt Davis, Medical Corps, vice Brig. Gen. Roger Brooke, assistant to the Surgeon General, died December 18, 1940, with rank from December 19, 1940.

Col. Larry Benjamin McAfee, Medical Corps, vice Brig. Gen. Raymond F. Metcalfe, assistant to the Surgeon General, whose term of office expired February 28, 1941, with rank from March 1, 1941.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(Those officers whose names are preceded by the symbol (×) have been examined and found qualified for promotion. All others are subject to the examination required by law.)

TO BE LIEUTENANT COLONELS WITH RANK FROM JUNE 4, 1941

Maj. Warren Hayford 3d, Field Artillery (lieutenant colonel, Army of the United States).

×Maj. Charles Weess Hanna, Infantry (lieutenant colonel, Army of the United States).

×Maj. William Lawrence Kay, Jr., Field Artillery (lieutenant colonel, Army of the United States).

Maj. Harry Marten Schwarze, Field Artillery (lieutenant colonel, Army of the United States).

Maj. Philip Wallace Ricamore, Infantry (lieutenant colonel, Army of the United States).

Maj. Benjamin Kenney Erdman, Infantry (lieutenant colonel, Army of the United States).

TO BE LIEUTENANT COLONELS WITH RANK FROM JUNE 21, 1941

Maj. David Marshall Ney Ross, Infantry (lieutenant colonel, Army of the United States).

Maj. Robert Battey McClure, Infantry (lieutenant colonel, Army of the United States).

TO BE MAJORS WITH RANK FROM JUNE 12, 1941

(All officers listed below now hold rank as temporary major, Army of the United States, except those otherwise indicated.)

Capt. Wallace Howard Hastings, Corps of Engineers.

Capt. Emerson Leroy Cummings, Ordnance Department.

×Capt. Earle Everard Partridge, Air Corps (also temporary major, Air Corps).

×Capt. Fisher Shinholt Blinn, Corps of Engineers.

×Capt. Donald Charles Hill, Corps of Engineers.

Capt. Benjamin Schultz Mesick, Ordnance Department.

Capt. Reginald Langworthy Dean, Corps of Engineers.

×Capt. Merrow Egerton Sorley, Corps of Engineers.

×Capt. Philip Robison Garges, Corps of Engineers.

×Capt. George Dakin Crosby, Field Artillery.

Capt. Arthur Gilbert Trudeau, Corps of Engineers.

×Capt. John Held Riepe, Cavalry.

×Capt. Emerson Charles Itschner, Corps of Engineers.

×Capt. Ernest Orrin Lee, Field Artillery.

Capt. Howard Ker, Corps of Engineers.

×Capt. Charles Day Palmer, Field Artillery.

×Capt. Herbert Davis Vogel, Corps of Engineers.

×Capt. Fremont Swift Tandy, Corps of Engineers.

×Capt. Emil John Peterson, Corps of Engineers.

×Capt. Gordon Edmund Textor, Corps of Engineers.

×Capt. Everett Chalmers Wallace, Coast Artillery Corps.

×Capt. Vernum Charles Stevens, Coast Artillery Corps.

Capt. Otis McCormick, Infantry.

×Capt. Wendell Blanchard, Cavalry.

×Capt. Thomas Du Val Roberts, Cavalry.

Capt. Clinton Frederick Robinson, Corps of Engineers.

Capt. Frederic Allison Henney, Corps of Engineers.

×Capt. David Jerome Ellinger, Air Corps (also temporary major, Air Corps).

×Capt. Leonard Lawrence Bingham, Corps of Engineers.

×Capt. Floyd Allen Mitchell, Coast Artillery Corps.

×Capt. Samuel Vance Krauthoff, Field Artillery.

×Capt. Joseph Peter Shumate, Coast Artillery Corps.

×Capt. John Ismert Hincke, Coast Artillery Corps.

Capt. Raymond Thomas Beurket, Chemical Warfare Service.

×Capt. Heyward Bradford Roberts, Infantry.

×Capt. Charles George Meehan, Cavalry.

×Capt. Victor Allen Conrad, Signal Corps.

Capt. Robin Bernard Pape, Coast Artillery Corps.

×Capt. John Franklin Williams, Field Artillery.

×Capt. Harry Jordan Theis, Cavalry.

×Capt. Amel Thomas Leonard, Field Artillery.

×Capt. Clyde Massey, Cavalry.

Capt. Bruce Woodward Bidwell, Infantry.

Capt. Robert Ward Berry, Coast Artillery Corps.

×Capt. Harry Van Wyk, Field Artillery.

×Capt. Glenn Bruce McConnell, Field Artillery.

Capt. William Howard Arnold, Infantry.

Capt. Raymond Hendley Coombs, Ordnance Department.

×Capt. Wellington Alexander Samouce, Field Artillery.

×Capt. Francis Elmer Kidwell, Signal Corps.

Capt. Eugene Barber Ely, Field Artillery.

Capt. Grayson Schmidt, Coast Artillery Corps.

×Capt. Leslie Earl Simon, Ordnance Department.

×Capt. Frank Finley Taylor, Jr., Quartermaster Corps.

Capt. Charles Trueman Lanham, Infantry.

×Capt. Richard Warburton Stephens, Infantry.

×Capt. Robert Clement Lawes, Field Artillery.

Capt. Richard Longworth Baughman, Infantry.

×Capt. Edwin Henry Harrison, Ordnance Department.

Capt. Cary Judson King, Jr., Signal Corps.

×Capt. Lawrence Russell Dewey, Cavalry.

×Capt. Ralph Irvin Glasgow, Coast Artillery Corps.

×Capt. Wilbur Kincaid Noel, Judge Advocate General's Department.

×Capt. Jesse Bernard Wells, Cavalry.

×Capt. Cecil Ernest Henry, Air Corps (temp. major, Air Corps, also).

×Capt. George Anthony Bicher, Signal Corps.

×Capt. James Thomas Loome, Field Artillery.

Capt. Harold Phineas Gard, Coast Artillery Corps.

×Capt. William Lloyd Richardson, Coast Artillery Corps.

×Capt. Andrew Allison Frierson, Cavalry.

×Capt. Craig Alderman, Infantry.

×Capt. Ovid Thomason Forman, Coast Artillery Corps.

×Capt. Leslie Seekell Fletcher, Ordnance Department.

×Capt. Charles Raeburne Landon, Adjutant General's Department.

×Capt. George Wesley Palmer, Coast Artillery Corps.

×Capt. Thomas Edwin Binford, Field Artillery.

×Capt. Ernest August Merkle, Coast Artillery Corps.

×Capt. Carl William Albert Raguse, Cavalry.

×Capt. George Arthur Hadsell, Infantry.

×Capt. Earl Mattice, Infantry.

×Capt. Herbert Theodore Benz, Coast Artillery Corps.

Capt. Uzal Girard Ent, Air Corps (temp. lieutenant colonel, Army of the United States, and temp. major, Air Corps, only).

×Capt. Henry Sterling Jernigan, Cavalry.

×Capt. James Stewart Willis, Signal Corps.

×Capt. Frank Jay Thompson, Cavalry.

×Capt. Augustine Davis Dugan, Cavalry.

×Capt. Clarence Everett Rothgeb, Coast Artillery Corps.

×Capt. Marcus Butler Stokes, Jr., Field Artillery.

×Capt. Francis Marion Day, Field Artillery.

×Capt. William Herbert Schaefer, Infantry.
Capt. Clarence William Bennett, Cavalry (temporary lieutenant colonel, Army of the United States, only).
×Capt. Gordon Byrom Rogers, Cavalry.
×Capt. Bernard Francis Luebbermann, Field Artillery.
Capt. Peter Wesley Shunk, Coast Artillery Corps.
×Capt. James Frederick Howell, Jr., Coast Artillery Corps.
×Capt. Russell Layton Mabie, Field Artillery.
×Capt. Ewing Hill France, Quartermaster Corps.
×Capt. William John Eyerly, Field Artillery.
×Capt. George Dunbar Pence, Field Artillery.
×Capt. Murray Bradshaw Crandall, Cavalry.
Capt. William Joseph Reardon, Cavalry.
×Capt. John Henry Brewer, Signal Corps.
×Capt. Lester Joseph Tacy, Field Artillery.
Capt. Charles Lanier Dasher, Jr., Field Artillery.
×Capt. Sanford Joseph Goodman, Coast Artillery Corps.
×Capt. Gerald Goodwin Gibbs, Coast Artillery Corps.
×Capt. George William Busbey, Cavalry.
×Capt. Haydon Lemaire Boatner, Infantry.
×Capt. Cary Brown Hutchinson, Cavalry.
Capt. Clarence Keith Darling, Cavalry.
Capt. Joe L. Loutzenheiser, Air Corps (also temporary major, Air Corps).
×Capt. Zachery Winfield Moores, Cavalry.
×Capt. Perry William Brown, Field Artillery.
×Capt. James Edward Moore, Infantry.
×Capt. Silas Woodson Hosea, Infantry.
×Capt. Stephen Stanley Koszewski, Field Artillery.
×Capt. John Clair Smith, Coast Artillery Corps.
×Capt. Peter Conover Hains 3d, Cavalry.
×Capt. George Edmund Young, Coast Artillery Corps.
×Capt. Ricardo Poblete, Philippine Scouts.
×Capt. Richard Emmel Nugent, Air Corps (also temporary major, Air Corps)
×Capt. Walter Allen Buck, Infantry.
Capt. John Phillips Kirkendall, Air Corps (also temporary major, Air Corps).
Capt. Vonna Fernleigh Burger, Field Artillery.
×Capt. Charles Dwelle Daniel, Field Artillery.
×Capt. Joseph Aloysius Kielty, Infantry.
×Capt. Albert Delmar Miller, Coast Artillery Corps.
×Capt. Cleland Charles Sibley, Infantry
Capt. James Edward McGraw, Coast Artillery Corps.
×Capt. Robert Roy Selway, Jr., Air Corps (also temporary major, Air Corps).
Capt. John Gilbert Moore, Air Corps (also temporary major, Air Corps)
Capt. Edward Lynn Andrews, Field Artillery.
×Capt. James Grafton Anding, Field Artillery.
×Capt. Darwin Denison Martin, Coast Artillery Corps.
×Capt. George Avery Tucker, Coast Artillery Corps.
×Capt. Joseph Rogers Burrill, Field Artillery.
Capt. Leslie Alfred Skinner, Ordnance Department.
Capt. Nathaniel Clay Cureton, Jr., Field Artillery.
×Capt. John Alfred McComsey, Coast Artillery Corps.
Capt. James Edwards Poore, Jr., Infantry.
×Capt. Maxwell Wood Tracy, Coast Artillery Corps.
×Capt. Howard Everett Kessinger, Field Artillery.
×Capt. Francis Edwin Gillette, Infantry.
×Capt. Albert Kellogg Stebbins, Jr., Infantry.
×Capt. Washington Mackey Ives, Jr., Infantry.
×Capt. William Lewis Johnson, Coast Artillery Corps.
×Capt. Richard Givens Prather, Infantry.
×Capt. Douglas Byron Smith, Infantry.
Capt. Robert Edward Cullen, Infantry.
×Capt. Merton Goodfellow Wallington, Signal Corps.
×Capt. Eleazar Parmly 3d, Field Artillery.
×Capt. Luther Stevens Smith, Air Corps (also temporary major, Air Corps).
×Capt. Samuel Glenn Conley, Infantry.
Capt. Stephen Wilson Ackerman, Infantry.
×Capt. Lewis Spencer Kirkpatrick, Coast Artillery Corps
Capt. Charles Hunter Coates, Infantry.
Capt. Frank Glover Trew, Cavalry.
Capt. Otto Lauren Nelson, Jr., Infantry.
×Capt. William Henry Kendall, Coast Artillery Corps.
×Capt. John Curtis LaFayette Adams, Infantry.
×Capt. Robert Wells Harper, Air Corps (also temporary major, Air Corps).
×Capt. Augustus Jerome Regnier, Infantry.
×Capt. Howard McMath Turner, Air Corps (also temporary major, Air Corps).
×Capt. Willard Koehler Liebel, Infantry.
×Capt. Oliver Malcolm Barton, Field Artillery.
×Capt. Bjarne Furunolmen, Field Artillery.
×Capt. Charles Pelot Summerall, Jr., Field Artillery.
Capt. Thomas George McCulloch, Finance Department.
×Capt. Leonard Henry Rodieck, Air Corps (also temporary major, Air Corps).
×Capt. John Harry Stadler, Jr., Cavalry.
×Capt. Louis Chadwick Friedersdorff, Field Artillery.
×Capt. Lewis Curtis Barkes, Infantry.
×Capt. John Lyman Hitchings, Cavalry.
×Capt. Kenneth Crawford Strother, Infantry.
×Capt. George Alvin Millener, Infantry.
Capt. Daniel Francis Healy, Jr., Field Artillery
×Capt. George Hinkle Steel, Air Corps (also temporary major, Air Corps).
×Capt. Russell Andrew Baker, Infantry.
×Capt. Frank Smith Kirkpatrick, Field Artillery.
×Capt. George Walter Vaughn, Quartermaster Corps.
×Capt. Paul Cooper, Infantry.
×Capt. Laurence Knight Ladue, Cavalry.
Capt. Ralph Pulsifer, Adjutant General's Department.
×Capt. Logan Carroll Berry, Cavalry.
×Capt. Onto Price Bragan, Infantry.
×Capt. Robert Joseph McBride, Infantry.
×Capt. Charles Ward Van Way, Jr., Infantry.
×Capt. Harry Dillon McHugh, Infantry.
Capt. William Harry Bertsch, Jr., Field Artillery.
×Capt. Gerald Jay Reid, Field Artillery.
×Capt. Edward Higgins White, Air Corps (also temporary major, Air Corps).
Capt. James William Clyburn, Field Artillery.
×Capt. David Griffith Erskine, Field Artillery.
×Capt. Armistead Davis Mead, Jr., Infantry.
×Capt. Albert Newton Stubblebine, Jr., Quartermaster Corps.
×Capt. Charles Harold Royce, Infantry.
×Capt. Paul Albert Pickhardt, Infantry.
×Capt. Oswaldo de la Rosa, Infantry.
×Capt. William Olmstead Eareckson, Air Corps (also temporary major, Air Corps).
×Capt. William Leo Coughlin, Field Artillery.
Capt. William Thaddeus Sexton, Field Artillery.
×Capt. Henry Coates Burgess, Infantry.
×Capt. Francis Robert Stevens, Infantry.
×Capt. Robert Augustus Ellsworth, Field Artillery.
×Capt. George Edmund Wrockloff, Jr., Field Artillery.
×Capt. James Edgar Macklin, Quartermaster Corps.
×Capt. Richard Weigand Gibson, Air Corps (also temporary major, Air Corps).
×Capt. Frederick Raymond Keeler, Adjutant General's Department.
×Capt. Charles Edward Hart, Field Artillery.
×Capt. Kenneth Negley Decker, Field Artillery.
×Capt. George Almond Ford, Coast Artillery Corps.
Capt. Edward Amedee Chazal, Infantry.
×Capt. Thomas Allen Jennings, Field Artillery.
×Capt. Rupert Davidson Graves, Infantry.
×Capt. Reed Graves, Infantry.
Capt. Mark Edward Smith, Jr., Infantry.
×Capt. John Gillespie Hill, Infantry.
×Capt. Joseph Massaro, Field Artillery.
×Capt. Wolcott Kent Dudley, Infantry.
Capt. James Barry Kraft, Field Artillery.
×Capt. Andrew Suter Gamble, Coast Artillery Corps.
×Capt. Howard Jehu John, Field Artillery.
×Capt. John Reynolds Hawkins, Air Corps (also temporary major, Air Corps).
×Capt. Earl Lynwood Scott, Infantry.
Capt. Charles Loomis Booth, Field Artillery
×Capt. Andrew Paul Foster, Jr., Infantry.
×Capt. Emil Lenzner, Signal Corps.
×Capt. Hobart Amory Murphy, Infantry.
×Capt. William Henry Maglin, Infantry.
×Capt. Ralph Emanuel Fisher, Air Corps (also temporary major, Air Corps).
Capt. William Samuel Triplet, Infantry.
×Capt. George Winfered Smythe, Infantry.
Capt. John Harold Claybrook, Cavalry.
×Capt. Jesse Thomas Traywick, Jr., Infantry.
×Capt. Philip McCaffrey Kernan, Infantry
×Capt. Howard Alexander Malin, Infantry.
×Capt. James Earl Purcell, Infantry.
×Capt. John Archer Elmore, Infantry.
Capt. John Wesley Ramsey, Jr., Infantry.
×Capt. Francis John Graling, Infantry.
×Capt. Nye Kirwan Elward, Signal Corps.
×Capt. James Pierce Hulley, Infantry.
×Capt. Samuel Waynne Smithers, Quartermaster Corps.
×Capt. Ralph Arthur Koch, Infantry.
×Capt. Kenneth Rector Bailey, Infantry.
×Capt. Lucien Francis Wells, Jr., Infantry.
×Capt. George Patrick O'Neill, Infantry.
×Capt. Richard Tonkin Mitchell, Quartermaster Corps.
Capt. George Edward Lightcap, Infantry.
×Capt. John Archer Stewart, Quartermaster Corps.
×Capt. Samuel Henry Fisher, Field Artillery
×Capt. Dennis Milton Moore, Infantry.
×Capt. Clark Norace Bailey, Infantry.
Capt. Victor Emmanuel Phasey, Infantry.
×Capt. Clyde Davis Eddleman, Infantry.
×Capt. Russell Leonard Moses, Infantry.
×Capt. John O'Day Murtaugh, Cavalry.
×Capt. Sarratt Thaddeus Hames, Infantry.
×Capt. Virgil Rasmuss Miller, Infantry.
×Capt. James Somers Stowell, Air Corps (also temporary major, Air Corps).
×Capt. Arthur LeRoy Bump, Air Corps (also temporary major, Air Corps).
×Capt. Reeve Douglas Keller, Infantry.
×Capt. George Emmert Elliott, Infantry.
×Capt. William Wallace Cornog, Jr., Infantry.
Capt. Demas Thurlow Craw, Air Corps (also temporary major, Air Corps).
×Capt. Henry Isaac Kiel, Infantry.
Capt. Daniel Harrison Hundley, Infantry.
Capt. William Walrath Lloyd, Infantry.
×Capt. Jacob Robert Moon, Infantry.
×Capt. Thomas Harrison Allen, Infantry.
×Capt. Raymond Rodney Robins, Infantry.
×Capt. Peter Sather, Jr., Field Artillery.
Capt. Richard Garner Thomas, Jr., Infantry.
×Capt. Frank Faron Carpenter, Jr., Field Artillery.
×Capt. Ralph Parker Eaton, Infantry.
×Capt. Henry Dahnke, Infantry.
×Capt. Robert Carlyle Andrews, Infantry.
×Capt. Herbert Frank McGuire Matthews, Infantry.
×Capt. Noah Mathew Brinson, Infantry.
×Capt. Albert John Dombrowsky, Infantry.
Capt. Jean Dorbant Scott, Infantry.
×Capt. Robert Walter Stika, Infantry.
×Capt. Ovid Oscar Wilson, Infantry.
Capt. Martin Frank Hass, Infantry.

Capt. Cornelius Walter Cousland, Air Corps (also temporary major, Air Corps).

TO BE MAJORS WITH RANK FROM JUNE 14, 1941

(All officers listed below now hold rank as temporary major, Army of the United States, except those otherwise indicated.)

×Capt. William Frederick Kellotat, Quartermaster Corps.

×Capt. Raleigh Raymond Hendrix, Coast Artillery Corps.

TO BE MAJORS WITH RANK FROM JUNE 15, 1941

(All officers listed below now hold rank as temporary major, Army of the United States, except those otherwise indicated.)

×Capt. Howard Donald Criswell, Infantry.

×Capt. Robert Douglas McLeod, Jr., Chemical Warfare Service.

×Capt Glenn Newman, Coast Artillery Corps.

×Capt William George Devens, Ordnance Department.

×Capt. Charles Edward Shepherd, Coast Artillery Corps.

×Capt. Walker Wesley Holler, Ordnance Department.

Capt. Daniel Jerome Martin, Ordnance Department.

×Capt. Malin Craig, Jr., Field Artillery.

×Capt Forrest James French, Coast Artillery Corps.

Capt. Samuel Howard Morrow, Coast Artillery Corps.

×Capt. Norman Blakesley Simmonds, Coast Artillery Corps.

×Capt Vern Walbridge, Coast Artillery Corps.

×Capt. Winfield Wayne Scott, Field Artillery.

×Capt. Sylvan Berliner, Coast Artillery Corps.

×Captain Joris Bliss Rasbach, Field Artillery.

Captain Leonard Marion Johnson, Chemical Warfare Service.

×Captain Chester Archibald Rowland, Corps of Engineers.

×Captain John Sterling Taylor, Infantry.

×Captain Louis Bernard Rutte, Infantry.

×Captain Nunez Christian Pilet, Infantry.

Captain Arthur Willink, Ordnance Department.

Captain Stephen Smith Hamilton, Infantry.

×Captain Farris Newton Latimer, Infantry.

×Captain Carl Joseph Crane, Air Corps (also temporary major, Air Corps).

×Captain John Douglas Salmon, Field Artillery.

Captain James Peurifoy Hill, Infantry.

×Captain Raymond Dishmann Palmer, Cavalry.

Captain Murray Eberhart McGowan, Infantry.

Captain Thomas Clagett Wood, Jr., Field Artillery.

×Captain George Henry Decker, Infantry.

×Captain Conrad Lewis Boyle, Field Artillery.

×Captain Edward Joseph O'Neill, Infantry.

×Captain Robert Reinhold Martin, Infantry.

×Captain John Perry Willey, Cavalry.

×Captain John Vogler Tower, Signal Corps.

Captain George Edward Isaacs, Infantry.

×Captain Harold Francis Chrisman, Finance Department.

×Captain George Cooper Reinhardt, Corps of Engineers.

×Captain William Crowell Saffarrans, Infantry.

×Captain William Joseph Bradley, Cavalry.

×Captain Clark Louis Ruffner, Cavalry.

Captain Ridgely Gaither, Jr., Infantry.

×Captain Earl William Aldrup, Quartermaster Corps.

×Captain Conrad Gordon Follansbee, Field Artillery.

×Captain John Henry Sampson, Jr., Field Artillery.

Captain George August Zeller, Ordnance Department.

Captain August Edward Schanze, Infantry.

×Captain Howard Eugene Engler, Air Corps (also temporary major, Air Corps).

×Captain Thomas Adams Doxey, Jr., Chemical Warfare Service.

×Capt. William Donald Old, Air Corps (also temporary major, Air Corps).

×Capt. Grovener Cecil Charles, Infantry.

Capt. Andral Bratton, Quartermaster Corps.

×Capt. Harold Mills Manderbach, Quartermaster Corps.

×Capt. James Regan, Jr., Infantry.

×Capt. George Laurence Holsinger, Field Artillery.

Capt. Harold Witte Uhrbrock, Infantry.

×Capt. Elmer Theodore Rundquist, Air Corps (also temporary major, Air Corps).

×Capt. Raymond Charles Lane, Infantry.

×Capt. Sheldon Perkins McNickle, Infantry.

×Capt. Will Knox Stennis, Coast Artillery Corps.

×Capt. Harold George Peterson, Air Corps (also temporary major, Air Corps).

×Capt. George Francis Schulgen, Air Corps (also temporary major, Air Corps).

×Capt. Otto Paul Weyland, Air Corps (also temporary major, Air Corps)

×Capt. Kirtley Jameson Gregg, Air Corps (also temporary major, Air Corps).

×Capt. George Aldridge Whatley, Air Corps (also temporary major, Air Corps).

×Capt. Frank Riley Loyd, Infantry.

Capt. Harry William Miller, Cavalry.

×Capt. Sheldon Brightwell Edwards, Air Corps (also temporary major, Air Corps).

×Capt. Clarence Steven Thorpe, Air Corps (also temporary major, Air Corps).

×Capt. Howard Hunt Couch, Air Corps (also temporary major, Air Corps).

×Capt. Wilfred Joseph Paul, Air Corps (also temporary major, Air Corps).

×Capt. Glenn L. Davasher, Air Corps (also temporary major, Air Corps).

Capt. Charles Stowe Stodter, Signal Corps.

TO BE CAPTAINS WITH RANK FROM JUNE 11, 1941

(All officers listed below now hold rank as temporary captains, Army of the United States, except those otherwise indicated.)

First Lt. Kenneth Adelbert McCrimmon, Corps of Engineers.

First Lt. Walter Henry Esdorn, Corps of Engineers.

First Lt. Chester William Ott, Corps of Engineers.

First Lt. Richard Lee Jewett, Corps of Engineers.

First Lt. Frederick Gilman Saint, Corps of Engineers.

First Lt. Charles Hartwell Bonesteel 3d, Corps of Engineers.

First Lt. Louis Russell Wirak, Corps of Engineers.

First Lt. William White Ragland, Corps of Engineers.

First Lt. Marvin Lyle Thomas, Corps of Engineers.

×First Lt. Edward John Cotter, Corps of Engineers.

×First Lt. Gunnard William Carlson, Corps of Engineers.

First Lt. Stephen Read Hanmer, Corps of Engineers.

First Lt. Edward Minter Parker, Corps of Engineers.

First Lt. Rufo Caingat Romero, Philippine Scouts.

First Lt. Walter Krueger, Jr., Corps of Engineers.

×First Lt. Champlin Fletcher Buck, Jr., Field Artillery.

First Lt. Chester Lavaughn Landaker, Corps of Engineers.

×First Lt. William Frederick Cassidy, Corps of Engineers.

×First Lt. Edward Aloysius Brown, Jr., Corps of Engineers.

First Lt. Walker Wilson Milner, Corps of Engineers.

First Lt. George N. Wertz, Jr., Field Artillery.

First Lt. John Phillips Daley, Field Artillery.

×First Lt. Marshall Sylvester Carter, Coast Artillery Corps.

×First Lt. Clarence Jonathan Hauck, Jr., Coast Artillery Corps.

First Lt. Angelo Ralph Del Campo, Jr., Ordnance Department.

First Lt. Jergen Bernhardt Olson, Air Corps.

First Lt. John Barclay Sullivan, Infantry.

First Lt. Elwin Herklas Eddy, Field Artillery.

First Lt. Glenn Frederick Rogers, Cavalry.

First Lt. Clifton Lee MacLachlan, Coast Artillery Corps.

×First Lt. Daniel Francis Callahan, Air Corps.

×First Lt. Theodore William Parker, Field Artillery.

First Lt. Roger Willard Moore, Coast Artillery Corps.

First Lt. Cornelius Ardalion Lichirie, Cavalry.

First Lt. Marcellus Duffy, Air Corps.

First Lt. Jesse Huckett Veal, Quartermaster Corps.

First Lt. James Francis Stroker, Field Artillery.

First Lt. John William Hansborough, Field Artillery.

First Lt. Alfred Christian Gay, Coast Artillery Corps.

First Lt. Walter Ferris Ellis, Coast Artillery Corps.

First Lt. Robert Alan, Air Corps.

First Lt. Robert Hackett, Field Artillery.

First Lt. James Donald Sams, Ordnance Department.

First Lt. Grosvenor Francis Powell, Ordnance Department.

First Lt. Charles Frederick McNair, Field Artillery.

First Lt. William White Dick, Jr., Field Artillery.

First Lt. Donald Cubbison Little, Field Artillery.

First Lt. Howard William Hunter, Coast Artillery Corps.

First Lt. John William Cave, Ordnance Department.

First Lt. Gordon Aylesworth Blake, Air Corps.

First Lt. Joseph Francis Carroll, Air Corps.

×First Lt. William Charles Hall, Corps of Engineers.

First Lt. Donald Bowie Webber, Coast Artillery Corps.

First Lt. Sidney Glenn Brown, Jr., Infantry.

First Lt. Peter Schmick, Coast Artillery Corps.

First Lt. John Larimer Inskeep, Cavalry.

First Lt. Milton Hughes Pressley, Jr., Infantry.

First Lt. Philip Bessom Stiness, Coast Artillery Corps.

First Lt. Alphonse Alfred Greene, Field Artillery.

First Lt. A. J. McVea, Air Corps.

First Lt. Frank Pickering Corbin, Jr., Coast Artillery Corps.

First Lt. Charles Walker Raymond, Field Artillery.

First Lt. Michael Martin Irvine, Coast Artillery Corps.

×First Lt. Gaspare Frank Blunda, Coast Artillery Corps.

First Lt. George Sebastian Speidel, Jr., Field Artillery.

First Lt. Julian Merritt Chappell, Air Corps.

First Lt. Norman Ernest Tipton, Infantry.

First Lt. Richard Holmes Harrison, Field Artillery.

First Lt. James William Park, Corps of Engineers.

First Lt. Lucius Nash Cron, Coast Artillery Corps.

×First Lt. Frederick Theodore Berg, Coast Artillery Corps.

First Lt. Arthur Deane Gough, Coast Artillery Corps.

First Lt. Gordon King Cusack, Field Artillery.

First Lt. William Frew Train, Infantry.

First Lt. Loren Fletcher Cole, Cavalry.

First Lt. Tom Victor Stayton, Coast Artillery Corps.
First Lt. Warren Harlan Hoover, Field Artillery.
First Lt. Donald Norton Yates, Air Corps.
×First Lt. John Archibald Barclay, Jr., Ordnance Department.
First Lt. Merillat Moses, Field Artillery.
First Lt. August Schomburg, Ordnance Department.
First Lt. James Bertram Corbett, Cavalry.
First Lt. Clyde Robinson McBride, Field Artillery.
First Lt. Elmo Clark Mitchell, Coast Artillery Corps.
First Lt. Miller Osborne Perry, Field Artillery.
First Lt. Herbert Walter Mansfield, Coast Artillery Corps.
First Lt. Fielder Price Greer, Infantry.
First Lt. William Eaton Chandler, Cavalry.
First Lt. Frank Arthur Bogart, Coast Artillery Corps.
First Lt. Harold Lucas Bays, Infantry.
First Lt Charles Coburn Smith, Jr., Field Artillery.
First Lt. Charles Robert Bard, Coast Artillery Corps.
Firt Lt. Camden William McConnell, Field Artillery.
First Lt. Charles Breckinridge Duff, Coast Artillery Corps.
First Lt. Samuel Smellow, Ordnance Department.
First Lt. Wilbur Manly Skidmore, Coast Artillery Corps.
First Lt. William John Bell, Air Corps.
First Lt. James Chester Blanning, Cavalry.
First Lt. Harry James Fleeger, Cavalry.
First Lt. Milan George Weber, Coast Artillery Corps.
First Lt. Ernest Moore, Air Corps.
×First Lt. William Arthur Davis, Jr., Quartermaster Corps.
First Lt. Royden Eugene Beebe, Jr., Air Corps.
First Lt. Chester Joseph Diestel, Coast Artillery Corps.
×First Lt. Philip Higley Bethune, Cavalry.
×First Lt. Earle Fremont Cook, Signal Corps.
First Lt. Johnson Hagood, Jr., Field Artillery.
First Lt. John Maurice Brown, Infantry.
First Lt. Earle William Hockenberry, Air Corps.
First Lt. Frederick Richard Redden, Field Artillery.
First Lt. Albert Frederick Cassevant, Coast Artillery Corps.
First Lt. Richard Sylvester Spangler, Coast Artillery Corps.
First Lt. Percy Hotspur Lash, Jr., Field Artillery.
First Lt. John Edwin Barr, Air Corps.
First Lt. Carl Edward Green, Coast Artillery Corps.
First Lt. Hamilton Murray Peyton, Field Artillery.
First Lt. Louis Augustine Guenther, Air Corps.
First Lt. Milton Wylie Arnold, Air Corps.
First Lt. Forrest Caraway, Infantry.
First Lt. David Northup Motherwell, Air Corps.
First Lt. Harry Bryant Cooper, Jr., Coast Artillery Corps.
First Lt. Jermain Ferdinand Rodenhauser, Ordnance Department.
First Lt. Addison Vincent Dishman, Ordnance Department.
First Lt. Millard Chester Young, Air Corps.
First Lt. John Anderson Berry, Jr., Field Artillery.
First Lt. William Harris Isbell, Jr., Field Artillery.
First Lt. Norton Bailey Wilson, Coast Artillery Corps.
First Lt. Mervyn MacKay Magee, Field Artillery.
First Lt. Henry Keppler Mooney, Air Corps.
First Lt. Eugene William Hiddleston, Coast Artillery Corps.
First Lt. John Knight Waters, Cavalry.
First Lt. William Ayres Hampton, Coast Artillery Corps.
First Lt. Robert Merrill Lee, Air Corps.
First Lt. Robert Freeman Fulton, Air Corps.
First Lt. Pasquale Francis Passarella, Coast Artillery Corps.
First Lt. Donald Donaldson, Infantry.
First Lt. Orlando Collette Troxel, Jr., Field Artillery.
First Lt. Francis Thomas Pachler, Infantry.
First Lt. Charles Roger Urban, Infantry.
First Lt. Donald Rosser Patterson, Infantry.
First Lt. John Thomas Westermeier, Infantry.
First Lt. Glenn Aloysius Farris, Infantry.
First Lt. Dean Coldwell Strother, Air Corps.
First Lt. Clifford Christopher Wagner, Quartermaster Corps.
First Lt. Robert Daniel Johnston, Infantry.
First Lt. George Edwin Dietz, Field Artillery.
First Lt. George Frederick Hartman, Air Corps.
First Lt. Louis Victor Hightower, Field Artillery.
First Lt. Edwin John Messinger, Infantry.
First Lt. Carl Wilbert Carlmark, Air Corps.
First Lt. Robert Leander Cardell, Field Artillery.
First Lt. Charles North Howze, Infantry.
First Lt. Richard Hungerford Wise, Air Corps.
First Lt. Charles Francis Densford, Air Corps.
First Lt. John Robert Skeldon, Air Corps.
First Lt. Leo Wilbur Cather, Field Artillery.
First Lt. Orville Zelotes Tyler, Jr., Infantry.
First Lt. Raymond Silas Pratt, Jr., Field Artillery.
First Lt. Walter Foster Gallup, Field Artillery.
First Lt. Maynard Norwood Levenick, Infantry.
×First Lt. Gunnar Carl Carlson, Infantry.
First Lt. Jacob Edward Smart, Air Corps.
First Lt. George Edward Fletcher, Infantry.
First Lt. Hugh Pate Harris, Infantry.
First Lt. Irving William Jackson, Field Artillery.
First Lt. Robert Quinney Brown, Field Artillery.
First Lt. Charles Edward Nason Howard, Jr., Field Artillery.
First Lt. Gordon Singles, Infantry.
×First Lt. John Robert Beishline, Field Artillery.
First Lt. Richard Hunter Lawson, Infantry.
First Lt. John William Mackay Read, Field Artillery.
First Lt. Lester Le Roy Hilman Kunish, Air Corps.
First Lt. Robert Edward Lee Eaton, Air Corps.
First Lt. John Joseph Davis, Field Artillery.
First Lt. Carl Fillmore Damberg, Air Corps.
×First Lt. Wendell Washington Bowman, Air Corps.
First Lt. Charles Pence Westpheling, Field Artillery.
First Lt. James Irvine King, Infantry.
First Lt. Thomas Joseph Marnane, Infantry.
First Lt. Ernest Fred Easterbrook, Infantry.
First Lt. Curtis James Herrick, Infantry.
First Lt. Edward Kenly Purnell, Infantry.
First Lt. Howard Max Pahl, Infantry.
First Lt. Howard Harrison Dudley, Infantry.
First Lt. Richard Spencer Carter, Field Artillery.
First Lt. Hilbert Fred Muenter, Air Corps.
First Lt. Elmer Lee Thompson, Field Artillery.
First Lt. Ashton Miller Haynes, Field Artillery.
First Lt. John Autrey Feagin, Air Corps.
First Lt. Blair Arthur Ford, Infantry.
First Lt. Richard Klemm Boyd, Infantry.
×First Lt. Charles Lowman Decker, Infantry.
First Lt. Merle Lucius Fisher, Field Artillery.
First Lt. Arthur Hamilton Hogan, Field Artillery.
First Lt. Edwin Anderson Walker, Field Artillery.
First Lt. Orrin Charles Krueger, Infantry.
First Lt. William Potter Turpin 3d, Signal Corps.
First Lt. Raymond Taylor Lester, Air Corps.
First Lt. Charles Edward Hoy, Infantry.
First Lt. Richard Francis Reidy, Infantry.
First Lt. William Leonard Hardick, Infantry.
First Lt. Richard Steinbach, Infantry.
×First Lt. Loren Albert Ayers, Infantry.
First Lt. Harry Winston Candler, Cavalry.
First Lt. Dean Ambrose Herman, Field Artillery.
First Lt. William Taylor, Jr., Field Artillery.
First Lt. Arthur Raster Hercz, Field Artillery.
First Lt. Terrence Robert Joseph Hickey, Quartermaster Corps.
First Lt. Earle Bradford Leeper, Infantry.
First Lt. Seiss Ertel Wagner, Infantry.
First Lt. Joseph Barlow Coolidge, Infantry.
First Lt. John Clarence Gordon, Air Corps.
First Lt. John Hugh McAleer, Infantry.
First Lt. Peter Otey Ward, Infantry.
First Lt. Carl William Kohls, Quartermaster Corps.
First Lt. John Thomas Malloy, Infantry.
First Lt. Donald Knox Armstrong, Infantry.
First Lt. Andrew Joseph Adams, Infantry.
First Lt. Victor James MacLaughlin, Infantry.
First Lt. Charles Bowman Dougher, Air Corps.
First Lt. William Rogers Woodward, Infantry.
First Lt. Charles Ingram Humber, Jr., Infantry.
First Lt. David William Hutchison, Air Corps.
First Lt. Irving Lehrfeld, Infantry.
First Lt. Roy Luttrell Leinster, Infantry.
First Lt. Robert Everett Quackenbush, Infantry.
First Lt. Charles Elder Frederick, Infantry.
First Lt. Samuel Edward Jones, Infantry.
First Lt. Howard Hart Reed, Quartermaster Corps.
First Lt. Gustave Marinius Heiss, Infantry.
First Lt. Joseph Kingsley Dickey, Infantry.
First Lt. John Frank Ruggles, Infantry.
First Lt. Harry George Roller, Infantry.
First Lt. Roy Kay Kauffman, Coast Artillery Corps.
First Lt. Donald Frank Buchwald, Field Artillery.
First Lt. John Hugh McGee, Infantry.
First Lt. Van Hugo Bond, Infantry.
First Lt. Marvin James Coyle, Infantry.
First Lt. Ernest Clyde Peters, Infantry.
First Lt. Gerald Evan Williams, Air Corps.
First Lt. Clarence David McGowen, Quartermaster Corps.
First Lt. Eugene Lewis Brown, Infantry.
First Lt. John Edward Leary, Infantry.
First Lt. Daniel Turner Workizer, Field Artillery.
First Lt. Alexander Johnston Sutherland, Coast Artillery Corps.
First Lt. James Edward Maloney, Jr., Infantry.
First Lt. Alfred Cookman Marshall, Jr., Infantry.
First Lt. James Thomas McClellan, Infantry.
First Lt. Robert Moorman Cheal, Infantry.
First Lt. Merrick Hector Truly, Infantry.
First Lt. Houston Parks Houser, Jr., Infantry.
First Lt. William James Mahoney, Infantry.
First Lt. Richard Robert Danek, Chemical Warfare Service.
First Lt. Edward Julius Timberlake, Jr., Air Corps.
First Lt. Dexter Lowry, Infantry.
First Lt. Paul Arthur Mayo, Infantry.

First Lt. Theodor Jacob Beck, Infantry.
First Lt. Charles Pugh Baldwin, Infantry.
First Lt. Augustus George Elegar, Infantry.
First Lt. John Hubert Mathews, Infantry.
First Lt. John Walter Brady, Infantry.
First Lt. Oral Grant Willis, Infantry.

TO BE FIRST LIEUTENANTS WITH RANK FROM JUNE 14, 1941

(All officers listed below now hold rank as temporary first lieutenant, Army of the United States, except those otherwise indicated.)

Second Lt. John Robert Jannarone, Corps of Engineers.
Second Lt. Matthew John Altenhofen, Corps of Engineers.
Second Lt. Robert Allen Breitweiser, Air Corps.
Second Lt. George Willard Bixby, Corps of Engineers.
Second Lt. Desloge Brown, Corps of Engineers.
×Second Lt. James Burney Chubbuck, Corps of Engineers.
Second Lt. Alexander John Frolich, Corps of Engineers.
Second Lt. Paul Theodore Preuss, Air Corps.
Second Lt. John Eugene Kelsey, Signal Corps.
Second Lt. Robert Worrell Love, Corps of Engineers.
Second Lt. Morris Frederick Taber, Air Corps.
Second Lt. William Allen Orr, Corps of Engineers.
Second Lt. Richard Giles Stilwell, Corps of Engineers.
Second Lt. Irwin Miles Parry, Corps of Engineers.
Second Lt. John William Thompson, Corps of Engineers.
Second Lt. Harold Killian Kelley, Corps of Engineers.
Second Lt. James Linn Lewis, Corps of Engineers.
Second Lt. William Atha Gay, Corps of Engineers.
Second Lt. Donald Glazier Williams, Corps of Engineers.
Second Lt. Charles Howard Anderson, Field Artillery.
Second Lt. Kenneth Gregory Wickham, Coast Artillery Corps.
Second Lt. William Stoddard Crocker, Jr., Corps of Engineers.
Second Lt. William Brett Kieffer, Air Corps.
Second Lt. Clarence Clinton Harvey, Jr., Field Artillery.
Second Lt. Leo Vernon Harman, Corps of Engineers.
Second Lt. William Ward Smith, Jr., Corps of Engineers.
Second Lt. Clarence Alan Langford, Coast Artillery Corps.
Second Lt. Andrew Carl Dapprich, Signal Corps.
Second Lt. Benjamin Marcus Tarver, Jr., Air Corps.
Second Lt. Robert Marshall Batterson, Jr., Air Corps.
Second Lt. Edward Alfred Bailey, Field Artillery.
Second Lt. Robert Joseph Kasper, Corps of Engineers.
Second Lt. Milton Paul Barschdorf, Corps of Engineers.
Second Lt. Vincent Martin Elmore, Jr., Field Artillery.
Second Lt. Francis Woodworth Jenkins, Field Artillery.
Second Lt. George Gray O'Connor, Field Artillery.
Second Lt. Robert Claude McCabe, Field Artillery.
Second Lt. Walter Edward Lotz, Jr., Signal Corps.
Second Lt. William Kenneth Skaer, Air Corps.
Second Lt. Claire Elwood Hutchin, Jr., Infantry.
Second Lt. Prescott Miner Spicer, Air Corps.
Second Lt. Samuel Mason Hogan, Cavalry.
Second Lt. Harold Nelson Moorman, Infantry.
Second Lt. Rolf Olaf Wulfsberg, Signal Corps.
Second Lt. Melvin Rhodes Russell, Coast Artillery Corps.
Second Lt. Trevor Nevitt Dupuy, Field Artillery.
Second Lt. Barry Duran Browne, Field Artillery.
Second Lt. Henry Leland Crouch, Jr., Cavalry.
Second Lt. Glenn Preston Anderson, Jr., Air Corps.
Second Lt. Dallas Fernald Haynes, Coast Artillery Corps.
Second Lt. Glenn Craddock Coleman, Signal Corps.
Second Lt. Iver Arthur Peterson, Coast Artillery Corps.
Second Lt. Fillmore Kennady Mearns, Field Artillery.
Second Lt. William Welby Beverley, Field Artillery.
Second Lt. Roland Bennett Anderson, Field Artillery.
Second Lt. Alfred John D'Arezzo, Coast Artillery Corps.
Second Lt. Frank Wade Norris, Field Artillery.
Second Lt. John Fouché Brownlow, Jr., Field Artillery.
Second Lt. Roy Cleveland Heflebower, Jr., Field Artillery.
Second Lt. Burton Robert Brown, Coast Artillery Corps.
Second Lt. George Arthur Bosch, Air Corps.
Second Lt. Sherwood Ernest Buckland, Air Corps.
Second Lt. Richard Gay Ivey, Coast Artillery Corps.
Second Lt. John Dale Ryan, Air Corps.
Second Lt. Frederick Charles Lough, Signal Corps.
Second Lt. William Braden Latta, Signal Corps.
Second Lt. William McGregor Lynn, Jr., Field Artillery.
Second Lt. Joseph Conigliaro, Coast Artillery Corps.
Second Lt. Charles Joseph Blake, Jr., Field Artillery.
Second Lt. Albert Peterson Sights, Jr., Air Corps.
Second Lt. George Kappes, Coast Artillery Corps.
Second Lt. Omar Ellsworth Knox, Air Corps.
Second Lt. Frederick Adam Miller, Coast Artillery Corps.
Second Lt. Walter Stephen Gray, Cavalry.
Second Lt. Alvar Bertil Sundin, Field Artillery.
×Second Lt. Gregory Hoisington, Jr., Air Corps.
Second Lt. Ole Willis Danielson, Infantry.
Second Lt. Howard Edward Michelet, Coast Artillery Corps.
Second Lt. Samuel Knox Eaton, Field Artillery.
Second Lt. Ted Irving Sawyer, Field Artillery.
Second Lt. Milton Edward Lipps, Air Corps.
Second Lt. Jesse Fuller Thomas, Signal Corps.
×Second Lt. John Robert Bailey, Jr., Coast Artillery Corps.
Second Lt. Tracy Bovard Harrington, Cavalry.
Second Lt. Martin Lockwood Webb, Field Artillery.
Second Lt. Albert Joseph Weinnig, Coast Artillery Corps.
Second Lt. Frank Pleasants Sturdivant, Air Corps.
Second Lt. Paul Canning Davis, Coast Artillery Corps.
Second Lt. Philip Yeager Browning, Corps of Engineers.
Second Lt. John Harland Swenson, Cavalry.
Second Lt. Norman Lester Tittle, Signal Corps.
Second Lt. William Hollis Vail, Jr., Coast Artillery Corps.
Second Lt. Lloyd Earl Johnson, Jr., Air Corps.
Second Lt. Francis Burnett Harrison, Field Artillery.
Second Lt. Alvin Lee Burke, Signal Corps.
Second Lt. Howard Doan Kenzie, Air Corps.
×Second Lt. William Henry Corbett, Field Artillery
Second Lt. Edward Joseph York, Air Corps.
Second Lt. Bertram Cowgill Harrison, Air Corps.
Second Lt. Elliott Woodrow Amick, Infantry.
Second Lt. William Thomas Weissinger 3d, Field Artillery.
Second Lt. Joseph Rhett Barker 2d, Cavalry.
Second Lt. Paul Revere Cornwall, Coast Artillery Corps.
Second Lt. William Keith Kincaid, Air Corps.
Second Lt. Clifford Field Macomber, Air Corps.
Second Lt. Edgar Stanton Rosenstock, Coast Artillery Corps.
Second Lt. Frederick John Gerlich, Coast Artillery Corps.
Second Lt. Harvey Pettibone Barnard, Jr., Air Corps.
Second Lt. Arthur Joseph Smith, Jr., Infantry.
Second Lt. Douglas Clinton Polhamus, Air Corps.
Second Lt. William Anthony Sussmann, Cavalry.
Second Lt. Louis Edward Coira, Jr., Air Corps.
Second Lt. Arpad Arthur Kopcsak, Coast Artillery Corps.
Second Lt. Robert Lee Snider, Air Corps.
Second Lt. Ashley Burdett Packard, Air Corps.
Second Lt. John Charles Nickerson, Jr., Field Artillery.
Second Lt. Lawrence Chandler Baldwin, Coast Artillery Corps.
Second Lt. Donald Ward Saunders, Air Corps.
Second Lt. Simon Rudel Sinnreich, Infantry.
Second Lt. William Peek Brett, Air Corps.
Second Lt. Richard Joseph Long, Field Artillery.
Second Lt. Robert Alan Zaiser, Air Corps.
Second Lt. Ferdinand Joseph Chesarek, Field Artillery.
Second Lt. John Dean Moorman, Air Corps.
Second Lt. Gailon Myers McHaney, Cavalry.
×Second Lt. Jack Lee Grubb, Cavalry.
Second Lt. Kenneth Glade, Coast Artillery Corps.
Second Lt. Edgar Stanton McKee, Infantry.
Second Lt. John Herbert Spangler, Air Corps.
Second Lt. James Taylor, Jr., Field Artillery.
Second Lt. Ralph Burton Praeger, Cavalry.
Second Lt. Charles Winfield Sherburne, Air Corps.
Second Lt. Nicholas Horace Chavasse, Air Corps.
Second Lt. Henry Charles Huglin, Air Corps.
Second Lt. Alan Seff, Coast Artillery Corps.
Second Lt. William Emmett Ekman, Infantry.
Second Lt. Harry Cornelius Morrison, Air Corps.
Second Lt. John Barkley Pattison, Jr., Coast Artillery Corps.
Second Lt. Jaroslav Folda, Jr., Field Artillery.
Second Lt. Edwin Nevin Howell, Infantry.
Second Lt. James Russell Holmes, Coast Artillery Corps.

Second Lt. John Charles Fremont Tillson 3d, Cavalry.
Second Lt. John Burns Hamilton, Field Artillery.
Second Lt. John Bennet Herboth, Jr., Air Corps.
Second Lt. Richard Franklin Bromiley, Air Corps.
Second Lt. Henry Brooks Wilson, Cavalry.
Second Lt. Maurice Raymond Lemon, Air Corps.
Second Lt. James Albert Bassett, Infantry.
Second Lt. Lorenzo Dow Adams, Field Artillery.
Second Lt. Virgil Lee Zoller, Air Corps.
Second Lt. Robert Carleton McBride, Air Corps.
Second Lt. Charles Loyd Jackson, Infantry.
Second Lt. John Charles Damon, Field Artillery.
Second Lt. Neil David Van Sickle, Air Corps.
Second Lt. John Cozart Pitchford, Air Corps.
Second Lt. Harlan Keith Holman, Field Artillery.
Second Lt. Elmer Ellsworth Hallinger, Coast Artillery Corps.
Second Lt. Donald Roy Matheson, Infantry.
Second Lt. David Wallace Hayes, Field Artillery.
Second Lt. Merton Singer, Quartermaster Corps.
Second Lt. Edwin Lee Clarke, Infantry.
Second Lt. Jefferson Johnson Irvin, Infantry.
Second Lt. Samuel Llewellyn Barbour, Jr., Field Artillery.
Second Lt. George William Rhyne, Infantry.
Second Lt. Philip Robert Hawes, Air Corps.
Second Lt. Robert Chilton Works, Infantry.
Second Lt. Gordon Madison Clarkson, Infantry.
Second Lt. William Hugh Blanchard, Air Corps.
Second Lt. Castex Paul Conner, Air Corps.
Second Lt. Edward Francis Gillivan, Cavalry.
Second Lt. Charles Little Haley 3d, Field Artillery.
Second Lt. Joseph Gray Duncan 3d, Infantry.
Second Lt. William Albert Johnson, Jr., Infantry.
Second Lt. Wilbur Charles Strand, Cavalry.
Second Lt. Robert Carl Erlenbusch, Cavalry.
Second Lt. Hubert Emmet Strange, Infantry.
Second Lt. Hugh Douglas Wallace, Air Corps.
Second Lt. Robert Davis Offer, Field Artillery
Second Lt. Earle Metzger Shiley, Coast Artillery Corps.
Second Lt. Francis Henry Patrick, Field Artillery.
Second Lt. William Adolph Sundlof, Field Artillery.
Second Lt. James Henry Lynch, Infantry.
Second Lt. Allen Douglas Huise, Cavalry.
Second Lt. Clarence Earle Beck, Infantry.
Second Lt. James Rhea Luper, Air Corps.
Second Lt. William Patrick Wansboro, Infantry.
Second Lt. Carter Eugene Duncan, Air Corps.
Second Lt. Rudolph Laskowsky, Field Artillery.
Second Lt. Rollin Benedict Durbin, Infantry.
Second Lt. Fred Murray Dean, Air Corps.
Second Lt. Alexander Bruce Pendleton, Air Corps.
Second Lt. Joseph Benedict Missal, Jr., Infantry.
Second Lt. James Terry Craig, Infantry.
Second Lt. Arthur Fulbrook Gorham, Infantry.
Second Lt. Warren Rand Williams, Jr., Infantry.
Second Lt. John Milton Finn, Infantry.
Second Lt. Harvey Lloyd Brown, Jr., Quartermaster Corps.
Second Lt. Eugene Joseph Sweeney, Quartermaster Corps.
Second Lt. Melvin Charles Brown, Infantry.
Second Lt. Robert William Rulkoetter, Air Corps.
Second Lt. Thomas Lauten McCrary, Cavalry.
Second Lt. Roberts Sherwood Demitz, Cavalry.
Second Lt. Arthur Sylvester Collins, Jr., Infantry.
Second Lt. Willard Gregory Walsh, Jr., Infantry.
Second Lt. William Henry Frederick, Jr., Air Corps.
Second Lt. Frank Milton Izenour, Infantry.
Second Lt. Vincent Morgan Miles, Jr., Air Corps.
Second Lt. Donald Walker Thackeray, Cavalry.
Second Lt. Joseph Breece Wells, Air Corps.
Second Lt. Charles William Walson, Cavalry.
Second Lt. James Edward Mrazek, Infantry.
Second Lt. Harris Edward Rogner, Air Corps.
Second Lt. Frank Dickson Miller, Infantry.
Second Lt. William Henry Jaynes, Infantry.
×Second Lt. Richard Augustine Broberg, Field Artillery.
Second Lt. David Owen Byars, Jr., Infantry.
Second Lt. Leland Oscar Krug, Air Corps.
Second Lt. Robert Lee Wolverton, Infantry.
Second Lt. Joseph Stephen Kujawski, Infantry.
Second Lt. Thomas Nelson Sibley, Infantry.
Second Lt. Roy Ray Brischetto, Air Corps.
×Second Lt. Mark Francis Brennan, Infantry.
Second Lt. Philip Charles Feffer, Infantry.
Second Lt. Gibson Emerson Sisco, Jr., Air Corps.
Second Lt. Richard Elam Sims, Infantry.
Second Lt. Vincent Keator, Infantry.
Second Lt. Edwin Arthur Machen, Jr., Infantry.
Second Lt. Ben Sternberg, Infantry.
Second Lt. Ralph Allen Jones, Jr., Infantry.
Second Lt. Frederic Charles Teich, Jr., Infantry.
Second Lt. Richard Carl Thomas, Infantry.
Second Lt. Louis Nathaniel Dosh, Infantry.
Second Lt. Robert John Bruton, Air Corps.
Second Lt. Charles Mathes Young, Air Corps.
Second Lt. Charles Joseph Denholm, Infantry.
Second Lt. Merrick Bayer, Air Corps.
Second Lt. John Joseph Carusone, Cavalry.
Second Lt. John Thomas English, Infantry.
Second Lt. Arthur Anthony Maloney, Infantry.
Second Lt. Robert Alois Barker, Infantry.
Second Lt. John Alexander Norris, Jr., Infantry.
Second Lt. Littleton James Pardue, Air Corps.
Second Lt. Franklin Henrie Hartline, Infantry.
Second Lt. Edward George DeHart, Air Corps.
Second Lt. Arthur Maxwell Murray, Infantry.
Second Lt. John Eliason Boyt, Infantry.
Second Lt. Henry Sylvanus McDonald, Jr., Infantry.
Second Lt. Vincent Wallace Siren, Infantry.
Second Lt. Robert Belden Kuhn, Infantry.
Second Lt. Robert Leaning Ashworth, Infantry.
Second Lt. Walter Nicholas Guletsky, Infantry.
Second Lt. Victor Charles Warren, Signal Corps.
Second Lt. Myrl Fay Smith, Infantry.
×Second Lt. Wallace Stafford Ford, Air Corps.
Second Lt. Coral Max Talbott, Infantry.
Second Lt. Edgar Hayden Dale, Infantry.
Second Lt. Joseph Claude Reddoch, Jr., Air Corps.
Second Lt. Warren Thomas Hannum, Jr., Infantry.
Second Lt. Robert Hodson Rhine, Infantry.
×Second Lt. Clifford Thomas Riordan, Infantry.
Second Lt. John Winthrop White, Infantry.
Second Lt. Gabriel Caldwell Russell, Air Corps.
Second Lt. Edward Henry Lahti, Infantry.
Second Lt. John Harlan Chambers, Infantry.
Second Lt. Birdsey Lee Learman, Infantry.
×Second Lt. John Thomas Corley, Infantry.
Second Lt. John Thomas Ewing, Infantry.
Second Lt. James Eugene Henderson, Infantry.
Second Lt. Frederick Starr Wright, Jr., Infantry.
Second Lt. William Clark Jackson, Jr., Infantry.
Second Lt. Edward Raymond Skinner, Infantry.
Second Lt. William Conyers Fite 2d, Infantry.
Second Lt. Stephen Radford Batson, Jr., Infantry.
Second Lt. Andy Archer Lipscomb, Infantry.
Second Lt. Edward Walter Jacunski, Infantry.
Second Lt. James Kent Schmidt, Infantry.
Second Lt. Joe Reese Brabson, Jr., Air Corps.
Second Lt. George Cornell Abert, Infantry.
Second Lt. Ward Sanford Ryan, Infantry.
Second Lt. Edward Stephenson, Infantry.
Second Lt. Robert Howard York, Infantry.
Second Lt. George Artman, Infantry.
Second Lt. Ralph Brown Lister, Air Corps.
Second Lt. George Rapp Zohrlaut, Infantry.
Second Lt. David Gibson Sherrard 2d, Infantry.
Second Lt. Frank Edward Hartman, Infantry.
Second Lt. William Folwell Neff, Air Corps.
Second Lt. Samuel Salvatore Campanella, Infantry
Second Lt. Edward Chalgren, Jr., Infantry.
Second Lt. James Horace Isbell, Air Corps.
Second Lt. Collin Batson Whitehurst, Jr., Infantry.
Second Lt. John Boddie Coleman, Air Corps.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 1941:

POSTMASTERS

ILLINOIS

Audre A. Beggin, Apple River.
Daniel W. Waller, Durand.
Pearle J. Bergland, Galva.
Bertha E. Sayre, Orion.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 23, 1941:

WORK PROJECTS ADMINISTRATOR

Frank Upman, Jr., of Virginia, to be Work Projects Administrator for Connecticut, effective as of February 1, 1941, which was sent to the Senate March 5, 1941.

SENATE

MONDAY, MAY 26, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God and Heavenly Father, infinite source of all that is and is to be, who alone art just and merciful, upon whose will we may ever rest in childlike

trust, for Thou dost ever move towards Thy great purposes unthwarted by the evil everywhere: Grant that, in this world of sinning, suffering men, we may never be drawn aside from the path of rectitude by unholy desires or the pride of life.

Help us as never before to realize that the fight that each man has is with himself, the fight for mastery over the contending forces of the kingdom that is within, where one must never merely be content with being free to do the wrong, but where faith is in holy freedom which makes us true and righteous altogether. As we behold men bound when they should conquer, slaves when they should be free, grant that none of us shall be driven at the mercy of events, but, as sons of God, may lead our lives according to the freedom wherewith Christ has made us free. In His own dear name we ask it. Amen.

THE JOURNAL

On request of Mr. BYRNES, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 23, 1941, was dispensed with, and the Journal was approved.

DEATH OF FORMER REPRESENTATIVE CLAUDE V. PARSONS

Mr. LUCAS. Mr. President, Friday night last the Honorable Claude V. Parsons, First Assistant Administrator of the United States Housing Authority, passed away at the Continental Hotel in this city. Mr. Parsons was a former Member of Congress, having served 10 years, and having been defeated last November. He had many friends in the Senate who had served with him in the House of Representatives. A short funeral service will be held at Lee's Funeral Home, located at Fourth and Massachusetts Avenue NE., at 4 o'clock this afternoon, before his body is shipped back to Illinois. The Members of the Senate are invited to attend the services.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following act and joint resolution:

On May 22, 1941:

S. 916. An act authorizing the Secretary of War to grant a revocable license to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., and successors in interest, to maintain certain railroad trackage and station facilities on Jefferson Barracks Military Reservation.

On May 26, 1941:

S. J. Res. 60. Joint resolution relating to corn- and wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bailey	Barbour
Aiken	Ball	Bone
Andrews	Bankhead	Brewster
Brooks	Hatch	Radcliffe
Brown	Hayden	Reynolds
Bulow	Herring	Rosier
Bunker	Hill	Russell
Burton	Holman	Schwartz
Byrd	Hughes	Shipstead
Byrnes	Johnson, Calif.	Smith
Capper	Johnson, Colo.	Stewart
Caraway	Kilgore	Taft
Chavez	La Follette	Thomas, Idaho
Clark, Idaho	Lee	Thomas, Okla.
Clark, Mo.	Lucas	Thomas, Utah
Connally	McCarran	Truman
Danaher	McFarland	Tydings
Davis	McNary	Vandenberg
Ellender	Maloney	Van Nuys
George	Mead	Wallgren
Gillette	Murdock	Wheeler
Glass	Murray	White
Green	Norris	Wiley
Guffey	O'Mahoney	Willis
Gurney	Overton	

Mr. HILL. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from Delaware [Mr. TUNNELL], the Senator from Florida [Mr. PEPPER], the Senator from Arkansas [Mr. SPENCER], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business.

The Senator from New Jersey [Mr. SMATHERS] is necessarily absent.

Mr. MCNARY. The Senator from Vermont [Mr. AUSTIN] and the Senator from North Dakota [Mr. LANGER] are absent due to the serious illness of their mothers. The Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], the Senator from Nebraska [Mr. BUTLER], and the Senator from Massachusetts [Mr. LODGE] are necessarily absent.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

MEETING OF NATIONAL DIRECTORS OF METEOROLOGICAL SERVICES (H. DOC. NO. 224)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Foreign Relations:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942; to invite regional commissions III and IV of the International Meteorological Organization to meet concurrently therewith; and to authorize an appropriation of $14,500 for the expenses of organizing and holding such meetings.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 26, 1941.*

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

EMPLOYMENT, WAGES, ETC., OF REDCAPS

A letter from the Administrator of the Wage and Hour Division, Department of Labor, acknowledging receipt of Senate Resolution 105, to investigate the employment, wages, and working conditions of redcaps by railroad and terminal companies (agreed to May 15, 1941) and stating that the investigation is being undertaken immediately and a report will be made to the Senate at the conclusion of the investigation; to the Committee on Education and Labor.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Massachusetts, protesting against the enactment of proposed legislation curtailing the domestic-cane-sugar refining industry; to the Committee on Finance. (See resolution printed in full when presented by Mr. LODGE on the 23d instant, pp. 4458–4459, CONGRESSIONAL RECORD.)

A resolution of the Senate of the State of Texas; to the Committee on Foreign Relations.

"Senate Resolution 143

"Whereas it appears from present reports that a serious effort is now being made to induce the Congress of the United States to take the necessary steps toward completion of the Great Lakes-St. Lawrence seaway and power treaty; and

"Whereas the Senate of the State of Texas, although actuated by every desire to cooperate with the Government in its plans for our national defense, firmly believes that such a development would not be in the public interest in any manner, but would be hostile to the best interests of the State of Texas and of the United States, as it would disrupt and demoralize the transportation systems of the United States, land and water, and would disastrously affect the economic welfare of the country, and would particularly work a hardship on the Texas ports, and would cause irreparable injury to a large percentage of the public interests and labor of this State and Nation: Now, therefore, be it

"*Resolved by the Senate of the State of Texas*, That it go on record as being strongly opposed to this project; and be it further

"*Resolved*, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas, be memorialized and requested to use their utmost influence in opposition to said project; and be it further

"*Resolved*, That a copy of this resolution be immediately transmitted to the Secretary of the United States Senate, Col. Edwin A. Halsey; the Speaker of the House of Representatives, Hon. Sam Rayburn; and to each Senator and Representative elected from the State of Texas."

Papers in the nature of petitions from several citizens of Merced, Calif., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution of the recent convention of the Massachusetts Retail Grocers and Provision Dealers' Association, favoring a thorough investigation, conducted without fear or favor, of the food industry by the Antitrust Division of the Department of Justice; to the Committee on the Judiciary.

A resolution of the Methodist Federation for Social Service, Rock River Conference Branch, Chicago, Ill., favoring amendment of title I of the Social Security Act so as to

make a minimum of $30 per month available, as a matter of right, to every retired citizen 60 years of age or older who is not drawing annuity in that amount under any other Federal law; to the Committee on Finance.

A resolution of the Council of Bishops of the Methodist Church, in session at Nashville, Tenn., favoring the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A memorial of sundry citizens of the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition of sundry citizens of Hillsboro, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

Memorials, numerously signed, of sundry citizens of the State of Maryland, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Petitions of sundry citizens of the District of Columbia and the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

A resolution of the executive committee of the Maryland Pharmaceutical Association and the Baltimore (Md.) Retail Druggists' Association, favoring the enactment of House bill 3383, to amend section 2800, chapter 26, of the Internal Revenue Code of 1939 to reduce the tax on nonbeverage ethyl alcohol used exclusively in the manufacture of medicinal preparations, flavoring extracts, flavors, and for other nonbeverage purposes, and protesting against any increase in the tax on nonbeverage alcohol; to the Committee on Finance.

By Mr. JOHNSON of California:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 41

"Relative to memorializing Congress to investigate the feasibility of growing of guayule rubber in California, and, if found feasible, to subsidize the same

"Whereas guayule rubber, now grown in Mexico and adjacent Texas, is a substitute for natural rubber, vitally needed in the national-defense program, is a good soil reconditioner, and prevents erosion; and

"Whereas the demand for guayule rubber created by the national-defense program would make its production profitable, and consequently farmers could grow it in preference to other nonprofitable crops, thereby allowing a means for the rehabilitation of the small farmer: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California, jointly*, That the Congress of the United States be memorialized to authorize an investigation of the feasibility of growing guayule rubber in California, and if such investigation discloses that it is feasible, that Congress provide a subsidy to the farmers of California to enable them to grow the product at a fair profit for their work; and be it further

"*Resolved*, That the Senators and Congressmen from California in the Congress of the United States be, and they are hereby, urged to support the action by this resolution; and be it further

"*Resolved*, That copies of this resolution be sent by the chief clerk of the assembly to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, the Senators and Congressmen from California in the Congress of the United States, and to the Secretary of Agriculture of the United States."

By Mr. LA FOLLETTE:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Finance:

"Senate Joint Resolution 37

"Joint resolution memorializing Congress to defeat legislation designed to repeal the tax on retail outlets handling oleomargarine

"Whereas two bills, known as H. R. 3753 and H. R. 3754, designed to repeal the Federal tax of $6 per annum on retail dealers handling oleomargarine, have been introduced and are now pending in the Congress of the United States; and

"Whereas in 1940, when said tax was in effect, approximately only 162,720 retail establishments out of a possible 600,000 in the Nation were licensed to deal in oleomargarine; and

"Whereas, with the tax removed and every retail outlet free to handle oleomargarine without payment of any Federal license fee, it is probable that under the provisions of the proposed legislation outlets for sales of oleomargarine would increase about 73 percent and that the sale thereof would increase tremendously, with a corresponding decrease in the sale of butter; and

"Whereas these bills are of extreme importance to the dairy industry, and it is the sense of this legislature that the dairy industry of this and of other States of the union should continue to be protected by a tax on retail outlets handling oleomargarine, a cheaper and inferior product in competition with creamery butter: Now, therefore, be it

"*Resolved by the Senate (the assembly concurring)*. That this legislature respectfully memorializes the Congress of the United States to defeat bills H. R. 3753 and H. R. 3754, now pending before it, and urges the Wisconsin Members of Congress to do all in their power to bring about such defeat; and be it further

"*Resolved*, That properly attested copies of this resolution be sent to each House of the Congress of the United States and to each Wisconsin Members thereof."

(The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Finance.)

RESOLUTION OF HOUSE OF REPRESENTATIVES OF ILLINOIS

Mr. BROOKS. Mr. President, I present House Resolution 48, adopted by the House of Representatives of the sixty-second session, Illinois General Assembly, and I request that it be included in today's RECORD and appropriately referred.

This resolution refers to the assignment of persons under the Selective Service and Training Act of 1940 to camps away from their home territory and urges the passage of an act "which would permit or require common carriers of passengers to charge such persons special excursion and round-trip rates on a scale commensurate with the ability of such persons to pay for such services."

This resolution is for the accommodation of persons drawing small salaries who are not able at present to return to their homes on emergency calls.

The resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, under the rule, as follows:

"House Resolution 48

"Whereas in pursuance of the national-defense program and the Selective Service and Training Act of 1940, hundreds of thousands of persons have been inducted into the military and naval service of the United States; and

"Whereas such persons have been assigned to training bases located considerable distances from their respective homes and the pay allowed to such persons is insufficient to permit such persons to utilize common-carrier services of any nature on furloughs and vacations granted them; and

"Whereas as a result of this condition, thousands of such persons desirous of returning to their homes during such furloughs or vacations are unable to do so; and

"Whereas in order to remedy this unfortunate situation, laws should be enacted which would permit or require common carriers of passengers to charge such persons special excursion and round-trip rates on a scale commensurate with the ability of such persons to pay for such services: Therefore be it

"*Resolved, by the House of Representatives of the Sixty-second General Assembly of the State of Illinois*, That we respectfully importune the present Congress of the United States to enact such laws, or amendments to existing laws, as will accomplish the objectives stated in the preamble hereto; and be it further

"*Resolved*, That suitably engrossed copies of this preamble and resolution be forwarded immediately by the secretary of state to each Member of the House of Representatives and Senate of the present Congress from the State of Illinois.

"Adopted by the House, May 15, 1941."

REPORT OF A COMMITTEE

The following report of the Committee on the Judiciary was submitted:

By Mr. KILGORE:

S. 1050. A bill relating to the status of retired judges; with an amendment (Rept. No. 364).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 24, 1941, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 15. An act to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District;

S. 894. An act to appropriate the proceeds of sales or other disposition of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations

for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all Territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone, and the District of Columbia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of California:

S. 1556. A bill to adjust the pay and allowances of officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard in keeping with the increased cost of living and responsibilities in a national emergency; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

S. 1557. A bill to provide for reimbursement to the holders of cotton pool participation trust certificates, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HATCH (for himself and Mr. CHAVEZ):

S. 1558. A bill to authorize the Secretary of War to sell the Lincoln County Target Range, Lincoln County, N. Mex., and to acquire other land more suitably located for military purposes; to the Committee on Military Affairs.

By Mr. BULOW:

S. 1559. A bill granting an increase of pension to Mary C. Booth; to the Committee on Pensions.

S. 1560 (by request). A bill to extend certain benefits of the Canal Zone Retirement Act of March 2, 1931, as amended, to certain employees covered by the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Civil Service.

By Mr. BULOW (for himself and Mr. GURNEY):

S. 1561. A bill for the relief of A. T. Cole; to the Committee on Indian Affairs.

By Mr. JOHNSON of Colorado:

S. 1562. A bill for the relief of William D. Warren; to the Committee on Military Affairs.

By Mr. LUCAS:

S. 1563. A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of Albert M. Howard; to the Committee on Claims.

By Mr. KILGORE:

S. 1564. A bill for the relief of Pauline Caton Robertson; to the Committee on Claims.

S. 1565. A bill granting a pension to Joseph J. McNeal; to the Committee on Pensions.

By Mr. McCARRAN:

S. 1566. A bill to amend the act of June 19, 1934 (Public, No. 435, 73d Cong.); and

S. 1567. A bill to consolidate the Police and Municipal Courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. REYNOLDS:

S. 1568. A bill for the relief of the present leader of the Army band; and

S. 1569. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes; to the Committee on Military Affairs.

PRIORITIES IN TRANSPORTATION BY MERCHANT VESSELS—AMENDMENT

Mr. DAVIS submitted an amendment intended to be proposed by him to the bill (H. R. 4700) to provide for priorities in transportation by merchant vessels in the interests of national defense, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

SALE OF ALCOHOLIC LIQUORS AND PROHIBITION OF VICE NEAR MILITARY AND NAVAL ESTABLISHMENTS—MOTION TO RECONSIDER AN AMENDMENT

Mr. LA FOLLETTE. Mr. President, I enter a motion to reconsider the vote whereby the Senate at its last meeting adopted an amendment in the nature of a substitute to the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military or naval establishments as the Secretaries of War and Navy shall determine to be needful to the efficiency, health, and welfare of the Army and Navy, Calendar No. 340.

The VICE PRESIDENT. The motion will be entered.

OPERATIONS OF FARM SECURITY ADMINISTRATION IN WISCONSIN

Mr. LA FOLLETTE. Mr. President, I have been tremendously interested in the activities of the Farm Security Administration because I believe it has demonstrated that it is one approach to the problem of the underprivileged farm group in America. I have received under date of May 22, from Mr. C. B. Baldwin, Director of the Administration, a report of its progress in my own State. I read a paragraph from it:

> Since the beginning of the present emergency, it has been generally recognized that the health, welfare, and morale of our people are vitally important to national defense. Providing for these needs among low-income farm families has been one of the essential contributions of the Farm Security Administration to the Nation's defense efforts during the past year.

I ask that the remainder of the letter may be incorporated in the RECORD at this point as a part of my remarks.

There being no objection, the remainder of the letter was ordered to be printed in the RECORD, as follows:

We have just completed a special survey undertaken last winter to measure the progress being made by borrowers from the Farm Security Administration. It indicates the gains in terms of money, living standards, and capacity for self-support which have been made during 1940 by handicapped and low-income farm people all over the country. It occurred to me that you might be interested in seeing the figures for the State of Wisconsin.

In Wisconsin there were 9,501 active standard rehabilitation borrowers at the end of 1940. The survey showed that the average borrower earned a net income of $828 during the year, as compared with $595 in the year before he borrowed from Farm Security. In other words, the typical family increased its annual net income by 39 percent.

Also significant are the gains which these people made in net worth, since that is one of the best measures of permanent improvement in living standards. Borrowers in your State increased their average net worth—over and above all debts, including their obligations to the Government—from $1,137 before they came into the Farm Security program to $1,520 at the close of the 1940 crop year. This is a gain of 34 percent.

These figures mean that Farm Security borrowers in Wisconsin have added a total of $3,635,747 to the wealth of their communities, and have increased their total annual incomes by $2,215,918. Naturally this growth in prosperity and purchasing power has been reflected on the books of merchants and other businessmen of the State.

We were pleased to find that borrowers in your State are rapidly repaying their rehabilitation loans. Already $3,822,106 has been repaid on loans totaling $10,211,641, although much of the money does not fall due for 4 or 5 years. Throughout the entire country, rehabilitation loans totaling $420,865,050 had been made as of December 31, 1940, and $149,626,442 of this sum had been repaid. As you know, loan funds currently are advanced by the Reconstruction Finance Corporation, instead of coming from direct appropriations.

In view of the fact that none of the borrowers from Farm Security was able to get adequate credit anywhere else, and that many of them formerly were on relief, we feel that this repayment record is a tribute to the honesty and industry of these needy farm people. There is ample evidence that the great majority of them are getting back on their feet and becoming permanently self-supporting. In large measure this progress is due to the advice and technical guidance in sound farm and home management which accompanies each Farm Security loan.

For example, we encourage our borrowers to get away from one-crop farming—particularly of surplus crops, such as cotton, tobacco, and wheat—and to raise as much as possible of their own food and feed for their livestock. During 1940 the average Farm Security family in your State produced $208 worth of goods for home consumption, as compared with $130 before they came into the F. S. A. program. This produce for home use included 342 gallons of milk per family, 352 pounds of meat, and 273 quarts of vegetables and fruit canned for the winter. This increased production of food did not, of course, add to the supply in the commercial markets, since virtually none of it was offered for sale. It simply meant a better diet, better health, and a rising standard of living for these families.

Often it has been necessary to work out an adjustment of the family's old debts before rehabilitation could be successful. Local farm debt-adjustment committees have been set up for this purpose. They have no legal authority to compel adjustments, but by bringing the farmer and his creditors together for a friendly discussion they usually are able to arrange a scale-down of the obligations, reduced interest rates, or extension of the payment period. Such adjustments frequently save the farmer from foreclosure and at the same time enable the creditors to get substantial payments on what might otherwise have been bad debts.

This service is available to all farmers, whether or not they are rehabilitation borrowers. Altogether, debt reductions totaling $3,140,500 have been negotiated for the farmers in Wisconsin. This represents a scale-down of 35.1 percent. As a direct result of these adjustments $68,678 in back taxes has been paid to local governmental agencies.

In making this special survey our field employees reported that there are 14,302 families in Wisconsin who are eligible and in need of rehabilitation loans, but have been unable to get them because of the limited funds available.

In addition to the rehabilitation program, Farm Security is carrying out the Bankhead-Jones Farm Tenant Act, which provides a limited number of loans to competent tenants to enable them to buy family-type farms.

During the first 3 years of this program we made 128 such loans in your State, totaling $1,009,645. This year we expect to make about 90 Bankhead-Jones loans in Wisconsin, amounting to approximately $695,400. Throughout the country delinquencies of these loans have amounted so far to only 2.6 percent, or $23,658; and this has been more than offset by the fact that other borrowers have been able to make advance payments

totaling $196,765 as the result of good crops and management.

I am hopeful that this rather detailed report may be useful to you; and if you would like to have any further facts about our program, I shall, of course, be glad to supply them. Some time during the year I hope that you may find an opportunity to visit some of the borrowers from F. S. A. in your State and see for yourself the efforts they are making to get a new start as independent, taxpaying citizens.

Sincerely,

C. B. BALDWIN,
Administrator.

ADDRESS BY SENATOR GUFFEY ON CONVOYS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a radio address on the subject of convoys, delivered by Senator GUFFEY on May 24, 1941, which appears in the Appendix.]

TRIBUTE TO SENATOR BANKHEAD BY BIRMINGHAM NEWS

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial from the Birmingham (Ala.) News of May 20, 1941, entitled "John Bankhead's Leadership," which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY TO ST. GEORGE ASSOCIATION, NEW YORK POST OFFICE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address by Hon. James A. Farley entitled "Faith—the Cornerstone of the Republic," at the third annual communion of the St. George Association of the New York Post Office, at the Hotel Astor, New York City, on May 25, 1941, which appears in the Appendix.]

ADDRESS BY JOSEPH P. KENNEDY AT OGLETHORPE UNIVERSITY, ATLANTA, GA.

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an address by Joseph P. Kennedy at the commencement exercises of Oglethorpe University, Atlanta, Ga., on May 24, 1941, which appears in the Appendix.]

ADDRESS BY WILLIAM H. RICHARDSON ON PUBLIC HEALTH AND NATIONAL DEFENSE

[Mr. BAILEY asked and obtained leave to have printed in the RECORD a radio address on the subject of public health and national defense, delivered by William H. Richardson at Raleigh, N. C., on February 19, 1940, which appears in the Appendix.]

EDITORIAL FROM SIOUX CITY TRIBUNE ON EUROPEAN WAR

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an editorial from the Sioux City Tribune of May 21, 1941, which appears in the Appendix.]

NO ECONOMIC THREAT—EDITORIAL FROM COLORADO SPRINGS GAZETTE

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an editorial from the Colorado Springs Gazette of May 19, written by Robert H. Wardwell, which appears in the Appendix.]

BROOKLYN POSTAL EMPLOYEES' CREDIT UNION

[Mr. MEAD asked and obtained leave to have printed in the RECORD a table showing the progress record of the Brooklyn Postal Employees' Credit Union of Brooklyn, N. Y., which appears in the Appendix.]

QUESTION OF PERSONAL PRIVILEGE

Mr. OVERTON. Mr. President, I desire unanimous consent to address the Senate on a matter of personal privilege.

It is contrary to senatorial custom for a United States Senator to take notice of published criticisms of himself. Notwithstanding this custom, I shall ask the indulgence of the Senate while I depart from its traditions by making some observations in respect to a certain columnist who has recently made some comments not too flattering in respect to myself and others specifically, and in respect to all the Members of the Senate collectively. This writer was recently awarded one of the Pulitzer prizes; and, after all, he is, perhaps, entitled to the fleeting notice of the Senate.

On last Saturday, May 24, there appeared in a daily newspaper an article written by Westbrook Pegler under the long-used and long-abused caption of "Fair enough." I quote an excerpt from the article, as follows:

> So, obviously, the people of the United States are stuck with President Roosevelt and with the Congress which also was elected by popular vote in the manner prescribed by law, except one Louisiana Senator, who was elected by fraud but was accepted by the Senate, nevertheless.

The excerpt just read relates to another article previously published by the same writer to which my attention has been called, and which probably appeared in many of the three-hundred-odd newspapers that give publicity to the Pegler productions. I send to the desk the last-mentioned article and ask unanimous consent that the clerk may read it to the Senate.

The VICE PRESIDENT. Without objection, the article will be read.

The Chief Clerk read the article, as follows:

FAIR ENOUGH

(By Westbrook Pegler)

It is futile, of course, to propose that the statue of Huey Long, recently unveiled in the Capitol in Washington, be hurled down and smashed in solemn public ceremonies, as it should be. But every conscientious citizen who recalls the facts of Huey's evil career will regret that the Senate lacked the character and citizenship to prevent the dedication of this insult to the people of the United States and to the Senate in particular. A small delegation of Senators attended the rites, including the two present Members from Louisiana, one of whom obtained his seat by fraud, the other as dangerous a foe to all the rights of Americans as Adolf Hitler himself. JOHN H. OVERTON was elected by Huey's crooked machine by a process which a Senate committee denounced as fraud and a vicious and abhorrent political practice. He would have been thrown out if the Senate at that time had not lived in fear of the dictator. Although fraud was found, no Senator had the courage to follow up the report with an insistent demand for OVERTON's removal, and he remained to mock by his very presence not merely the dignity of the Senate but the security of the people.

The other Louisiana Senator who attended the political obscenities that recent day when Huey Long in stone was set up to leer at the body which quailed before him was ALLEN J. ELLENDER. Senator ELLENDER is as guilty as Huey was of every offense by Huey against the liberties of the citizen and the security of the American form of government. He was equally guilty, and the only difference between him and Huey was that ELLENDER lacked Huey's initiative in perfidy and ruthlessness.

He was a political straw boss for the dictator who sat in the lower house of the legislature during Huey's special sessions which wrote away the freedom of Louisiana's people and executed orders from Huey in plain sight of all present. He was a guilty party to every legislative and political atrocity of the corrupt Long dictatorship, and he and OVERTON were guilty of a grave offense against the character of the Federal courts in causing the appointment of Gaston Porterie, who had been Long's attorney general, to a seat in the district court in Louisiana.

Many of Huey's subordinate thieves and conspirators against the State and Nation have been sent or sentenced to prison, but the two Senators, OVERTON and ELLENDER, and Judge Porterie, who all ran with Huey as Goebbels, Goering, and Streicher ran with Hitler, continue to hold important office under the National Government.

OVERTON still could be thrown out of the Senate on the basis of the evidence obtained and the report made by the committee which investigated his election. ELLENDER's election was not investigated, so probably there is nothing that could be done to eliminate him, even if the Senate had the will and conscience to do so. As to Porterie's legal right to a place on the bench, there is probably no question, but his elevation was a shocking example of the abuse of senatorial courtesy.

In his case two active members of a machine so vicious that Senator CONNALLY, of Texas, the chairman of the Investigating Committee, said experts in machine politics elsewhere could take lessons in Louisiana, were allowed to place on the Federal bench a third member of the band no better than themselves.

Incidentally, although Senator CONNALLY's words were bold in that report and in his oral comments on the floor, he did not act on his discoveries or his principles. He ducked the wrath of Huey Long by presenting the facts and saying, "they are here, and if anybody wants to file a resolution to oust any Senator those facts are available for that action."

There has been too much sentimentalism about Huey, and too many public men and writers have condoned his brutal conquest of a State on the ground that he was clever and, when it pleased him, a wag. That only made him the more dangerous.

The statue of this dictator will threaten the liberties of all the American people as long as it is allowed to stand, for it is proof that the Senate was not on guard over those liberties and was afraid to fight their enemy when Huey was alive, and to this day prefers the easier way of dealing with his memory. He stands in marble sneering at a body which flinched before a dictator.

Mr. OVERTON. Mr. President, there are various kinds of prevaricators. There are the innocent, the malicious, the inadvertent, the deliberate, the occasional, the habitual, the half-truth falsifiers, and the unadulterated wholesale fabricators. The article read in full from the desk reveals Westbrook Pegler as the disgusting incarnation of all classes of prevaricators except the innocent. The making of awards, Mr. President, to Westbrook Pegler should not end; he is still to be knighted as the master of mendacity.

Pegler has been Pulitzerized. It is worthy of observation that Pulitzer in his early years suffered the hardships of ill-compensated toil, felt the pangs of want and hunger, knew the needs and longings of impoverished labor for a better life. Is it not a mockery that a Pulitzer award should be given to one whose syndicated columns, I am informed, have

been frequently of late devoted to undertaking to blast the hopes and aspirations of organized labor? I said advisedly that "I am informed," because I long ago ceased to read Westbrook Pegler; nausea, to say the least, is a disagreeable sensation.

Pegler has been Pulitzerized; but, alas, Mr. President, the process of Pulitzerization has served only to add to Pegler's chronic putrefaction. Not only are Senator ELLENDER, Judge Porterie, and I assailed in the quoted libel, the malice of which is exceeded only by its deliberate falsity, but Pulitzer Pegler brings within the orbit of his grandiose hallucinations the whole body of the United States Senate. The article portrays all who have been Members of the Senate from 1932 down to this very hour as a continuing body of men who are "lacking in character and citizenship," who have lived "in constant fear of a supposed dictator." while alive and even in death, a flinching Senate devoid of courage; in short, a cowering assembly of poltroons. And Senator CONNALLY, for whose courage and patriotism we all have the highest admiration, upon whom Pegler relies as my sole senatorial critic, is unceremoniously dismissed from further consideration as a ducking Tom, "ducking from the wrath of Huey Long."

While in part it may be true, it is, perhaps, too charitable to make the observation that Pulitzer Pegler's effusions are to be attributed chiefly to a gangrened liver and a diseased brain. It must be remembered, Mr. President, that libel is Pulitzer Pegler's stock in trade. Without the spice of slander, his wares would find no market. He is the garbage man of the columnists. His appetite grows with the filth upon which it feeds until, no longer appeased by the libel of the living, the garbage peddler turns jackal and digs into the grave. He is America's outstanding representative of the perverts whom Edgar Allan Poe once described:

> They are neither man nor woman,
> They are neither brute nor human,
> They are Ghouls—

Ghouls, ghouls.

Concerning my own tenure of office in this august body and the results of the investigation of the primary election of 1932, in which I was first nominated as a candidate for the United States Senate, Westbrook Pegler, master of mendacity, runs the whole gamut of falsification and shows in its full bloom the reputation for deceit and distortion which through years of indulgence he has so deservedly built for himself.

It would be going too far, Mr. President, to suggest that the master of mendacity might very properly have alluded to the fact that in September 1938 I was again nominated, and without opposition, as a candidate for the United States Senate by the Democrats of Louisiana, and that in the 1938 general election following my nomination I received 151,582 votes against only 250 votes cast for an opponent running as an independent candidate. I therefore hold my present tenure of office as the uncontested and the unopposed nominee of Louisiana's democracy and by virtue of an uncontested general election in which I had an opponent, but no opposition in fact. And this absence of opposition to my candidacy in 1938 is, and was by the good people of Louisiana intended to be, the complete and final answer to the suggestion that I was on March 4, 1933, or at any other time or now, unworthy of a seat in the United States Senate. Pulitzer Pegler did not and would not say any of these things. Nor would he point out that my renomination and reelection in 1938 occurred 3 full years after the death of Huey Long, to whose alleged dictatorship Pegler ascribes my first nomination and election in 1932.

None who understand and justly appraise the man Pegler are surprised that he failed to note the following facts, which the records of the investigation of my election in 1932 unmistakably show:

That out of approximately 306,000 votes cast in the nominating primary of 1932, I received a majority of 56,529 over my opponent; that my opponent admitted that I had been nominated, and contested neither the nomination nor the election; that while, under a long-established custom in Louisiana elections, dummy candidates were used on both sides, the Connally investigating committee exonerated both my opponent and myself from participating in the use of the dummy candidate device; that the Connally investigating committee declared in its report that there was neither charge nor proof that Senator OVERTON had participated in or instigated any fraud in the election; and, furthermore, the records of the 3 investigations show that the validity of less than 500 votes was challenged, and of these only 2 were shown to have been illegally cast, without any proof of whether the ballots were for me or for my opponent.

Common decency should suggest to Pegler that he might make some comment on the statement made by Senator Logan, a member of the investigating committee, toward the conclusion of the hearings, as follows:

> I have listened carefully and have never heard one man or woman say a word against the character, standing, or fitness of Senator OVERTON to sit in the United States Senate. Not a man has said it, not even Senator Broussard (OVERTON'S opponent) or anyone else.

With the deliberate intention of falsifying through concealment, putrid Pegler, M. M., fails to comment on the subsequent investigations of the 1932 election by the Committee on Privileges and Elections, and the unanimous report of this committee, submitted through its chairman, the senior Senator from Georgia [Mr. GEORGE], wherein the following conclusion was reached and the following recommendation was made:

> With the three hearings that have been held by the special committee and the report thereon, the study and report made by the Committee on the Judiciary, and the several hearings conducted by this committee, the Committee on Privileges and Elections is of the opinion that nothing has been presented in justifying it in proceeding further, and it so reports to the Senate a conclusion of its proceedings in this matter.

Neither does Pegler refer to the resolution submitted by the Committee on Privileges and Elections and unanimously agreed to by the Senate discharging the committee from any further consideration of the subject matter of my nomination and election.

Mr. President, for more than 8 years I have had the honor of being a Member of the United States Senate. My record, course of conduct, and character are known to my colleagues. I neither ask nor require any further vindication at their hands. But this I can truthfully say: That the only discreditable act that I have committed in those 8 years is the embalming of the name of Westbrook Pegler and of one of his infamous libels in the records of our National Congress.

Mr. MCNARY. Mr. President, the able Senator from Louisiana needs no testimonial from me. However, I desire to appear as a witness to his exemplary character and to the high standing he occupies in this body.

I think we are all too busy in the day's work to follow the writings of very many commentators. Indeed, I am not familiar with the article which was just read. It is news to me. But I know, Mr. President, from observation during a number of years in the Senate, and particularly as a member of the Commerce Committee of the Senate, serving with the senior Senator from Louisiana [Mr. OVERTON], that no one has been more jealous of the rights of the Senators with whom he has served, or has been more national in his viewpoint and less provincial.

It is a pleasure to me to pay this simple and brief tribute to the man with whom I have served, whom I respect, and who has the respect of all his colleagues on both sides of the aisle.

Mr. GEORGE. Mr. President, I should feel remiss if I did not say a word regarding this matter, and particularly regarding the senior Senator from Louisiana [Mr. OVERTON]. After Senator OVERTON'S election certain citizens of the State of Louisiana filed with the Committee on Privileges and Elections a long petition, containing charges full of lurid generalities, particularly against the late Senator Long. Nowhere in the petition, if it were reexamined today, could there be found any direct charge of fraud, or participation in, or initiation of fraud, or alleged fraud, by the senior Senator from Louisiana [Mr. OVERTON].

Based upon the general charges, all leveled at the then Senator Huey P. Long, there was the broad generalization made that Senator OVERTON had been the beneficiary of a corrupt political machine in the State of Louisiana.

The committee made a careful investigation into all the allegations contained in that petition. An extraordinary course was taken. A large number of witnesses furnished by the complaining citizens were brought up from Louisiana in person, and examined by the committee, of which at that time I had the honor to serve as chairman. By not a single word of testimony was there any charge of fraud, or participation in fraud, by Senator OVERTON, but again the witnesses indulged in general statements

with respect to the alleged corrupt practices of Senator Huey P. Long, and again it was reiterated that Senator OVERTON was simply the beneficiary of the Long machine in the State of Louisiana. After very careful investigation the committee concluded, without a dissenting vote, that nothing had been produced affecting the election or affecting the high character and fitness of Senator OVERTON to a seat in the Senate. The committee so reported, and, as the Senator himself has said, that report was unanimously adopted.

During these years I have had occasion to know Senator OVERTON intimately, as I have known his colleague, Senator ELLENDER, and I have found Senator OVERTON to be a man of the highest sense of honor. I know of no more honorable man now sitting in the Senate, or who has within my experience as a Member of the Senate occupied a seat in this body. He has the esteem and the confidence of his fellow Senators in a high and rare degree. He has gone about his work here diligently and unobtrusively. Never on this floor or in any of the committee rooms, or in the cloakrooms, has any one impunged the honor or the integrity or the high character of the senior Senator from Louisiana.

I take it the two Senators from Louisiana are too well known to the membership of the Senate, to those who are familiar with their work and their general conduct here as Senators and as men, to require any statement on my part, but I felt that I should make this statement, and I am very happy to make it because of the great respect, the sincere and genuine respect, in which Senator OVERTON and his colleague, Senator ELLENDER, are held by the Members of the Senate.

Mr. THOMAS of Utah. Mr. President, I think the very first task that was imposed upon me by the Vice President of the United States came about by reason of my appointment as a member of a committee which went to New Orleans to investigate what was called the Overton election. I was, of course, the least of the Senators who went down there, and modesty probably should make it incumbent upon me that I keep my seat during this discussion. I cannot in fairness do that, because during the 3 weeks we were holding open hearings, most of which time I presided over the meetings, we met with people on all sides after the hearings were over, and never once did anyone suggest that the senior Senator from Louisiana [Mr. OVERTON] was not in every way a gentleman. Never once did anyone pass a slighting remark about his character. The contest was in many ways one of the most severe, and probably one of the most wicked, ever carried on in the history of our country, because the factors which had to do with that contest were factors which did not have to do with the character of the senior Senator from Louisiana [Mr. OVERTON] or with his election.

We are all acquainted with the fact that the rule of germaneness cannot always be followed, even in an investigation, and that persons like to be heard who probably do not contribute much in a hearing so far as the vital question is concerned. I think it would be found that even if the committee had eliminated every ballot which was considered doubtful or improperly cast, the senior Senator from Louisiana [Mr. OVERTON] would have won the election anyway. Probably the committee could have acted in no other way, even though it found itself called upon to condemn, and did condemn, some of the practices which were followed in that primary election.

Since that time I have known intimately not only Senator OVERTON but also Senator ELLENDER. The State of Louisiana can be proud of its representatives in the United States Senate. Senator ELLENDER acted as counsel for Senator OVERTON during the hearings over which I presided. Never once, even in the heat of argument, did Senator ELLENDER show himself to be anything but a gentleman and an advocate for justice and right as he saw them.

In those hearings it became my task to rebuke counsel on both sides, and to rebuke some of the witnesses. I signed the report. I am sure the Senate did the right thing in seating Senator OVERTON; and I am positive that if there had been any occasion for the people of Louisiana to bring anything against Senator OVERTON, it would have been brought against him at the time of his reelection.

Mr. President, I wish to speak in a general way, not about this particular incident, but about our whole scheme of Government as it relates to the press. Students of history know that about 800 or 900 B. C., in ancient China, where a sort of popular opinion kept officers of government in curb, the Chinese followed the custom of appointing for each officer two individuals who were called historiographers. One of them kept track of the official acts of the officer, and the other kept track of his private acts. Both records were kept secret until after the death of the official, when they were made public. That was the early Chinese method of restraining the officers of the government by public opinion. It worked so tremendously well that outright injustices were rare.

There was one incident which showed that an officer, no matter how hard he tried, could never dodge the guardian angels who were around him. One historiographer wrote of an improper act which an official had committed. The official knew that the historian would write of the improper act, so he had his head cut off, thinking that he could purge the record. Another historiographer was appointed, and immediately he wrote the fact that the official had cut off the head of his predecessor because the predecessor had written the truth about the official. That process went on through two more historiographers, all of them losing their heads. The official thus had three unjust executions recorded against him instead of one. Finally the official realized that he could not catch up with history, and that no matter what he did, it would go down in writing. This experience, plus our own experience with democratic institutions in England and America, taught men in public life seldom to answer the things said about them.

The point that should be kept in mind above all other points when occasions of this kind arise is that Thomas Jefferson, who understood our own democracy quite as well as any one else who ever lived, realized that the American democracy would last and be preserved because of the ability of persons to write about the officers of government. Thomas Jefferson made the point that the press, together with public education, would always keep our country free and democratic.

A tremendous responsibility rests upon the educators of our country; and government sees to it that only those shall teach who are competent to teach. There is also a tremendous responsibility resting upon the press of the country, but there is no agency—not even public opinion—to interpose and see that the press remains competent in its judgment.

I am wondering if a person who writes so loosely as to say that the statue of former Senator Huey Long is in marble is a man who observes very closely. I doubt very much that Huey Long's statue is in marble, and I wonder if the writer took the trouble to verify even that little detail when he wrote. Can a person be scientific in any of the things he does if he does not pay attention to that which he sees? Is a person entitled to tell the whole country that Huey Long's statue is in marble when it is not in marble?

I cannot understand why someone along the line on the editorial desks did not catch this simple error. Such errors tend to shake the public's confidence in the exactness of the press, and the public is entitled to ordinary care in these matters.

In this case the question whether the statue is of marble or bronze is of little significance. I realize that the expression was probably rhetorical, and that poetic license justifies anyone in describing a statue as being in marble when it is not in marble. There is not much to the point; but when we analyze sentence after sentence and realize that that which has gone out to the country is the thing by which Senators OVERTON and ELLENDER are to be judged by people who do not know them, I believe that a tremendous responsibility rests upon the shoulders of the man who willfully and purposely writes the names of persons and connects them up with such nouns as "thieves." The United States Senate is no place for preachment. The United States Senate, though, should be a place for thoughtfulness and deliberation.

It seems to me the press of the country has here a challenge: Just how long can the press maintain the great responsibility of being united with the educational institutions of the country in the preservation of democracy if the press does not and will not pay attention to real facts, if the press feels it is entitled to do whatever it wishes to a man in public life merely because he is in public life, realizing that there is a certain immunity because men in public life do not

seek justice when they are wronged? They know it is impossible, just as impossible as it was ever to get rid of the record which the dishonest official had made in ancient China by trying to kill his historiographer.

Mr. President, I trust that my purpose in making these few remarks will be understood. Probably I should not have made them. The late Senator from Kentucky, Mr. Logan, is not here. The Senator from Texas [Mr. CONNALLY], who was my leader, is here. I have known Senator OVERTON and Senator ELLENDER since that time; and no two men in the United States Senate are more devoted to their duties and tasks or more alert to that which is of interest to the country and to their people, than are these two gentlemen.

Mr. CONNALLY. Mr. President, mention has been made of my membership on the subcommittee of the special committee appointed to investigate conditions in Louisiana in the primary election in 1932. I was not the original chairman of the subcommittee, as I recall. The late Senator Howell, of Nebraska, was the first chairman of the subcommittee and went to Louisiana and held hearings of considerable length. After Senator Howell's death I was designated to go to Louisiana, together with the Senator from Utah [Mr. THOMAS], the late Senator from Kentucky [Mr. Logan], and another Senator whose name escapes me for the moment.

Mr. THOMAS of Utah. Mr. President, there were just three of us—the Senator from Texas [Mr. CONNALLY], the Senator from Kentucky [Mr. Logan], and the Senator from Wyoming [Mr. Carey].

Mr. CONNALLY. In the meantime Senator Howell had died, and Senator Carey, the other member of the subcommittee, did not go to Louisiana with us. He attended the hearings held by Senator Howell, but he did not attend the hearings held by the Senator from Utah [Mr. THOMAS], the Senator from Kentucky [Mr. Logan], and the then junior Senator from Texas.

A great deal of misapprehension occurred in the public mind as to the scope and jurisdiction of that investigation. Most of the press and most of the people seemed to think we were in Louisiana investigating Senator Long. Senator Long had been elected 2 years earlier, as I recall. Senator OVERTON was a candidate for the Democratic nomination in 1932; so these charges were filed attacking Senator OVERTON and calling for an investigation. Pending the investigation, Senator OVERTON was elected in the general election without any opposition whatever.

There was also confusion in the public mind that the contest pending before the special committee was an election contest. It was not an election contest in any sense of the word, the Committee on Privileges and Elections having jurisdiction of any contest that might have been filed. So the special committee's jurisdiction really extended only to one point, and that was whether or not the committee should be able to develop facts showing that in the primary Senator OVERTON had been guilty of such acts of corruption or moral turpitude as would unfit him and make him unworthy to be a Senator of the United States. That really was the only competent question that the committee was appointed to investigate, because we could not investigate an election when nobody had yet been elected in a general election, and under the decisions of the courts and under the precedents of this body the Senate has no jurisdiction over a primary election, except that if in a primary election a candidate is shown to have committed some act of corruption or some illegal act which disqualifies him to be a Member of the Senate—just as he might be convicted in a court somewhere of an act of corruption or an act of moral turpitude—the Senate could find that that disqualified him as a Senator.

The Senate committee filed a very voluminous report. We filed 3,000 pages of printed hearings that were available for the use of the press and the Senate. On January 11, 1934, the report of the committee was filed in this body, and following that, beginning about the 15th of January, a very comprehensive and rather voluminous debate took place in the Senate with respect to the report of the committee, participated in by the present senior Senator from Louisiana [Mr. OVERTON], the then Senator from Louisiana, Mr. Long, the Senator from Texas, and quite a number of other Senators.

As to the conduct of Senator OVERTON, as revealed by the investigations and the hearings, the report of the committee on page 19 says this—and it is true, and was not challenged when the committee's report was submitted—

> There was no charge made by the complaint filed with the committee that Senator OVERTON personally participated in any fraud or with guilty knowledge approved any fraud.

In the primary of 1932. I quote further:

> There was no probative evidence produced before the committee that Senator OVERTON personally participated in or instigated any fraud, unless the inference were indulged that being the beneficiary of whatever frauds would result from the employment of the dummy candidate device by the organizations supporting his candidacy he was chargeable with knowledge thereof. We cannot indulge such an inference in the face of the fact that there was neither a charge nor evidence to that effect. All of these matters occurred in the primary. Thereafter Senator OVERTON was elected in the general election without opposition.

It appeared in the debates—quoting from the debates in the Senate—that Mr. Rightor was one of the leaders of the faction opposing Senator OVERTON, and I said on the floor of the Senate, as shown on page 701 of the RECORD of January 16, 1934, in answer to a suggestion by the Senator from Arkansas [Mr. ROBINSON]:

> Mr. CONNALLY. Exactly. I want to call the attention of the Senate to the fact that this first hearing in New Orleans in October 1932 took place a few days after the primary, but before the general election. No contest was filed with the committee by Senator Broussard for the seat in the Senate or for the nomination, and Mr. Rightor—

Mr. Rightor was a protagonist of the opposition faction—

> did not intend to say, "title to a seat" at that time, because the general election had not taken place. What he referred to, of course, was the question whether or not Senator OVERTON's title to the primary nomination was clean. After the committee had had the first hearing, the general election in November occurred, and Senator OVERTON was elected in the general election without any opposition whatever.

The statement was also made that Senator Broussard made no contest of the nomination in the State courts of Louisiana; and, as I recall, no contest was filed here against Senator OVERTON until after the general election, and no candidate ran against him. He was elected without opposition.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. It is a fact, is it not, that former Senator Broussard never even contended at any stage of the proceedings that he had been elected?

Mr. CONNALLY. He never contended at any stage of the proceedings that he had even been nominated.

Mr. CLARK of Missouri. I meant to say, "nominated"—or elected either.

Mr. CONNALLY. He specifically stated that he had not been nominated, and admitted that Senator OVERTON had been nominated. He was undertaking to show that there was fraud in the election, but Senator Broussard personally exculpated Senator OVERTON of any act of corruption or misconduct in that particular primary election.

In the RECORD of January 16, 1934, page 707, in a colloquy with the Senator from Louisiana [Mr. OVERTON] the Senator from Texas said:

> I may say to the Senator on that point that quite a number of witnesses testified, if he will recall, that they made no charge against him personally—

Many of the witnesses specifically went out of their way to say "We make no charge against Senator OVERTON"—

> that the only charge they made was that he was running with the Long crowd. That was the chief charge of some of the witnesses, that he was the Long candidate. I state that for the Senator's benefit, that there was some evidence by a number of witnesses who said, "We know Senator OVERTON, and we have no charge to make against him, but he is just running with Huey Long and the wrong gang."

I think the Senator from Utah will verify the statement that repeatedly, both on the stand and privately, those who were hostile to Senator OVERTON politically specifically stated that they had no complaint as to his character, his integrity, or his conduct. They made no charge of corruption or wrongdoing against him, but they said, "He is running with Huey Long; he is running with the wrong crowd." We were not investigating Senator Long, who had been elected 2 years previously, but we did investigate political conditions in Louisiana, and those who may care to do so will find that the committee excoriated many

of the political practices in Louisiana, including the use of so-called dummy candidates, but both groups did the same thing.

There were three political organizations in Louisiana. The committee found that all three of them were adopting practically the same methods and the same processes, and we condemned those methods and those processes. But there was not one group who could stand up and declare themselves clean and point the finger of scorn at the other group; and specifically there was no testimony, not even a hint, that Senator OVERTON personally had participated in any fraud or in any political chicanery or in any wrongdoing of any character whatever. Even those bringing the charges never intimated anything of that kind.

His antagonists, of course, were bitter against Senator Long and they were after Senator Long, but we were not investigating Senator Long; we were investigating the election of Senator OVERTON, particularly the primary election, because there was nothing to investigate in the general election, as Senator OVERTON had no opponent at the general election and was overwhelmingly elected. But even as to the primaries, as I now recall—I do not find the statement in my hasty examination of the report—we stated in the report that if all the ballots which had been objected to by the opponents of the Senator from Louisiana [Mr. OVERTON] had been thrown out and rejected, he would still have had a very substantial majority. I will ask the Senator from Utah if that is not true?

Mr. THOMAS of Utah. I think that is true.

Mr. CONNALLY. That is the way I recall it, that we reported that if we had had jurisdiction over the primary and had gone into that phase and had rejected and thrown out all the ballots which the opponents of Senator OVERTON said should be discarded Senator OVERTON would still have been nominated by a very substantial majority.

Mr. President, the report of the committee in this case covers all these aspects, and any Senators who are in the Senate now but who were not then in the Senate will find the report of the committee, I think, quite interesting, as well as the debate which took place in January 1934.

In the meantime, of course, Senator OVERTON has served in this body with distinction, and has, in the meantime been renominated and reelected by his constituents. I want to say that as a result of my association with Senator OVERTON in the investigation in Louisiana and here on the floor of the Senate, I have the highest regard for his probity, for his unimpeachable character, and his very unusual ability. I think he has rendered his State and his country a very high class of public service, and is now rendering a very high class of public service. Neither, in all the heat, in all the passion, and in all the bitterness of this interparty row, these factual quarrels in Louisiana, nor on the floor of the Senate, have I ever heard any man, even the bitterest witnesses in Louisiana, ever impute to Senator OVERTON any act of corruption or wrongdoing; but, on the other hand, his bitterest political enemies willingly and voluntarily testified to his high character and standing. The only complaint they had to make was "Well, he is running with Huey Long, and, therefore, the Senate ought to throw him out."

The present junior Senator from Louisiana [Mr. ELLENDER], who was not then a Member of the Senate, was counsel for Senator OVERTON in that investigation. A part of the time the Senator from Texas left the chair and became a sort of prosecutor on the other side of the table from Senator ELLENDER, not with any idea of becoming a partisan, but for the purpose of developing thoroughly the facts, since we had no attorneys representing the Senate, though we had a disloyal employee or one in whom we did not have confidence. So I took over the examination of the witnesses across the table from the junior Senator from Louisiana. I want to say for him that in his conduct of those investigations I know of no act lacking in ethics, no act of any wrongdoing. He conducted himself as any other capable and honest lawyer of character and standing would conduct himself.

So, for both the senior Senator from Louisiana and the junior Senator from Louisiana [Mr. ELLENDER], I want to say that I have the utmost confidence in their character and standing, and I think that this record will amply demonstrate that there is no ground whatever for attaching even a suspicion of corruption or wrongdoing to the senior Senator from Louisiana [Mr. OVERTON] in the election of 1932 in which he was first nominated as a candidate for United States Senator.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. CONNALLY. I yield.

Mr. BROWN. As I recall, this investigation took place in 1933.

Mr. CONNALLY. Beginning in the fall of 1932, and we wound it up in 1933.

Mr. BROWN. As I understand the press of New Orleans, where the investigation took place, very fully covered the hearings of the committee; the right of publicity was given to what was said.

Mr. CONNALLY. That is correct.

Mr. BROWN. And Senator ELLENDER appeared as counsel for Senator OVERTON. Senator ELLENDER was not then a United States Senator.

Mr. CONNALLY. He was not then a Member of the Senate.

Mr. BROWN. And after this full publicity had been given, Senator ELLENDER became a candidate for the United States Senate in 1936, was it not?

Mr. CONNALLY. That is my recollection.

Mr. BROWN. And was elected without any question.

Mr. CONNALLY. He was elected.

Mr. BROWN. Then, of course, as I think the Senator has very well pointed out, with all this publicity before the people of the State of Louisiana, who, after all, are the final judges in this matter, a subsequent election was held in 1938, in which the senior Senator from Louisiana [Mr. OVERTON] was overwhelmingly renominated and reelected.

Mr. CONNALLY. I thank the Senator from Michigan.

Mr. THOMAS of Utah. Mr. President, will the Senator yield at that point for just one statement?

Mr. CONNALLY. I yield.

Mr. THOMAS of Utah. Since the matter of publication of what the witnesses said and what was going on in the hearings has been mentioned, I think it should be pointed out that for 2 full weeks our hearings were conducted over the radio, and the people all over the South were able to hear every question that was put and every answer that was given. I believe that was probably the first time a Senate investigation has been conducted over the radio.

Mr. CONNALLY. That is correct.

Mr. BROWN. Mr. President, I wanted particularly to emphasize, in connection with the full knowledge the people of Louisiana had of this situation, that the press of New Orleans was anti-OVERTON during the time the hearing was going on.

Mr. CONNALLY. That is correct.

Mr. BROWN. And the reports of the proceedings of the committee which went out were probably pretty strongly against the Senator from Louisiana. Nevertheless, the people of the State, when they had an opportunity to express themselves, both in the election in 1936 of Senator ELLENDER, who belonged to the same political faction, and in the reelection in 1938 of Senator OVERTON, were able to penetrate and find out what the truth was.

Mr. CONNALLY. I thank the Senator from Michigan. That is quite true. I do not know that all the papers of New Orleans were anti-OVERTON, but I am sure all but one were, and possibly that one also was. At any rate, ample publicity was given to the hearings in the headlines in the newspapers almost daily, and the committee was raked over the coals and vilified and abused and denounced because it did not bring in a report ousting Senator Long, when we had nothing on earth to do with Senator Long except as he was connected with the primary of 1932.

Mr. President, in conclusion allow me to say that the committee investigating this affair at that time, as I briefly suggested a moment ago, did find a very bad set of political conditions in Louisiana; but we found that all factions were participating in them and doing the same thing. We did denounce the system which was then in vogue of levying assessments on State candidates for election purposes. We denounced the practice of having dummy candidates. Again, however, the practice of having dummy candidates was adopted and used by all factions and all groups.

I cannot go through the entire report at this time; but some Senators who were here at that time will remember that the matter was quite fully discussed on the floor by a number of Senators. The committee found that the only jurisdiction we had, since it was not an election contest, was to determine whether or not Senator OVERTON had been guilty of any fraud or corruption or moral turpitude which would disqualify him and make him unworthy to be a Senator of the United States. On the face of the record

there was no hint by anybody, not even by his bitterest opponents, that such was the case; so we submitted 3,000 pages of hearings and our report to the Senate for the Senate's consideration, and for the use of the Committee on Privileges and Elections in case a contest should be filed after Senator OVERTON's election in the general election. When that was over, as I now recall, the Senate's action was absolutely unanimous; not a single Senator challenged the findings of the committee or the action which the committee took with respect to the case.

It seems to me that to drag the matter out here now, after the expiration of 7 years, to try to resurrect and reenact things which have long since passed away, is unworthy; and I doubt the wisdom of paying even the attention which has been paid to them today by the Senate.

ACQUISITION AND USE OF MERCHANT VESSELS—CONFERENCE REPORT

Mr. BAILEY. Mr. President, I submit the conference report on House bill 4466. I will not make a motion for its adoption at this time, because the House has not acted upon the report.

The VICE PRESIDENT. The report will be received and lie on the table.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows:

On page 1 of the Senate engrossed amendments, line 8, strike out "that"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *"Provided further*, That such compensation hereunder shall be deposited with the Treasurer of the United States, and the fund so deposited shall be available for the payment of such compensation, and shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such requisition or taking of title or possession; the holder of any such claim may commence within 6 months after such deposit with the Treasurer and maintain in the United States District Court from whose custody such vessel has been or may be taken or in whose territorial jurisdiction the vessel was lying at the time of requisitioning or taking of title or possession, a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties; and such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing by registered mail to the Attorney General and the United States Maritime Commission and due notice shall under order of the court be given to all interested persons, and any decree shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction:"

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: *"Provided further*, That if the Maritime Commission, after consideration by it of evidence submitted to it within ten days after the approval of this Act, shall find that on September 3, 1939, and continuously thereafter, any vessel was exclusively owned, used and operated for its exclusive sovereign purposes by a sovereign nation making claim therefor, such vessel may be taken under this section only by purchase or charter; and in determining said ownership, use and operation the Commission shall disregard (1) all contributions made in whole or in part at any time to the construction, repair, reconditioning, equipping or operation of said vessel, (2) all such matters, in nature similar to or dissimilar from, the foregoing clause as in the opinion of the Commission are immaterial or irrelevant to the determination of such ownership. Use of such vessel at any time since September 3, 1939, in commercial trade shall be presumptively deemed to show that said vessel is not owned, used and operated by a sovereign nation for its sovereign purposes. The final determination by the Maritime Commission shall be conclusive: *Provided further*, That if any vessel shall be found under the proviso next preceding to be exclusively owned, used and operated by any sovereign nation so that it can only be chartered or purchased, and such vessel shall be chartered or purchased, then the cash to be paid for said charter or purchase, to the extent that may be necessary, after payment of existing claims and liens of creditors against said vessel, shall be held for application upon such debt, if any, as may be due to the United States from the sovereign nation so found to have exclusive ownership to said vessel: *Provided further*, That the Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this Act for employees displaced by the taking of any ship hereunder and report to the Congress their action within thirty days after the enactment of this Act."

And the Senate agree to the same.

J. W. BAILEY,
HATTIE W. CARAWAY,
BENNETT C. CLARK,
CHAS. L. MCNARY,
HIRAM W. JOHNSON,
Managers on the part of the Senate.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH (by J. W. BAILEY, by request),
FRANCIS D. CULLEN,
Managers on the part of the House.

PROTESTS AGAINST INVOLVEMENT IN EUROPEAN WAR

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a few letters and a telegram from well-known Kansans in opposition to the efforts being made to bring about intervention on the part of the United States in the European war. I wish to say that these letters are typical of thousands I have received along the same line in the past few months. Some of the letters today are urging mediation. Others stress opposition to convoys or any substitute that would send our Navy into action in an undeclared war. They are all alike in expressing opposition to the intervention of the United States.

These letters from home, Mr. President, all tell the same story: The plain, common people of the West, the people for, by, and of whom this Government of ours is supposed to be, are almost solidly against going into war with Europe, to say nothing of Asia and Africa and on the seven seas. These people want peace.

All of us are aware of the tremendous efforts now being made to inflame public sentiment in America to the point where the people themselves will be put in the light of forcing the administration to go to war, either by declaration or through an undeclared naval war such as was suggested by analogy from the White House a short time ago.

Desperate efforts are being made to start the use of convoys by our Navy. The use of convoys would be undeclared war. Actually to fight an undeclared naval war certainly would be going to war, ultimately with expeditionary forces to Europe, probably to Africa, and very likely also to Asia.

Mr. President, I am willing to offer Great Britain all she can take and all we can spare; but I am opposed to the United States becoming involved in the present European war by the convoy route or by any other route.

I believe that America's destiny does not lead to war overseas, whether in Europe, Asia, or Africa, or all three. Our destiny is to create and maintain in this hemisphere a strong, virile, democratic nation, living at peace wtih other nations, impregnable to attack by any so unwise as to attempt it. We can point and lead the way to a better world by following this program. We can make the destruction of civilization complete by following the other policy—the policy of perpetual involvement in Old World power politics and Old World wars.

Mr. President, I send to the desk a very few of the many communications I have received opposing our yielding to this war hysteria, and ask that they be printed as part of my remarks at this point.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Without objection, it is so ordered.

The letters and telegram are as follows:

THE KANSAS AVENUE
METHODIST CHURCH,
Topeka, Kans., May 14, 1941.

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR MR. CAPPER: We all feel that America is facing a world crisis at this time. We feel that we must take a part in world affairs—that we cannot be indifferent to the grave dangers and crying needs in the world. But the all-important question is, What form shall our aid take? Shall we add to the suffering, bloodshed, and destruction by participating with our ships, bombers, men, and munitions? I would answer with a very emphatic, "No." If we help England crush Germany, we will lay the foundation of another war.

Instead, let America take the part of a mediator. To do this we must stay out of the war. Our role in this crisis should be to offer to the people of the nations of Europe, at this present time, our willingness to help in uniting the best of all the peoples' government and way of living into a new brotherhood, a new cooperative order. True, it is difficult to do this and it is a big task, but to many Christian people it offers the only hopeful and sane plan today. To actually participate in the war will also be difficult and in the end may prove disastrous for all of us.

Surely America has a larger and finer role to play in this crisis than to merely furnish the ammunition for the rest of the world to destroy itself, and probably bankrupt our own Nation at the same time. Are we admitting that we lack the intelligence, the Christian statesmanship, the farsightedness of our forefathers, in that we know of no other way to help in this crisis than war? Are we admitting that the laws of the jungle where hate, lies, greed, and brute force hold sway, are the only laws we have faith in?

We must consider God in this crisis and seek his will. It is my conviction that a majority of the people are opposed to war. We hope convoys will not be used in protecting supplies sent to England. We believe that the plan of Dr. E. Stanley Jones, a missionary from India, is worth considering.

We are praying that you will be given divine guidance and strength in this hour.

Very sincerely,

G. C. MEYER.

FIRST METHODIST CHURCH,
Topeka, Kans., May 15, 1941.

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SENATOR CAPPER: I want you to know that many persons are watching with approval the splendid work that you are doing in seeking to stop the tragic march toward war. In my judgment, it is an insane course which is being followed, and should it be decided to supplement our present program with the sending of convoys or patrols, the result can only be an intensification of the problem.

It is my observation that the overwhelming majority of persons in this section of the country are opposed to any active participation in the war. That does not mean that we should withdraw in an attempt to set up an impossible isolation, but we should have a more creative program than war. I hope this country may take steps to mediate a sound peace, based on justice and international cooperation.

You may be sure that many of us at home will be giving active support to such sentiments. Best wishes to you as you continue your fine fight.

Sincerely yours,

ORMAL L. MILLER.

WOMEN'S REPUBLICAN CLUB,
Osawatomie, Kans., May 14, 1941.

To the Senate, in care of Hon. Arthur Capper.
To the House, in care of Hon. U. S. Guyer.

DEAR SIRS: In considering international relations, your representatives will eventually have to get around a conference table. Why not now? Is not the old legend, "Discretion is the best part of valor," still true?

Why bankrupt our country? The Du Ponts and their ilk have sold enough explosives.

We are told that we should avoid the appearance of evil. War is evil. Let us be strong and united at home and keep our defenses in readiness for the day when there is a threat against our own democracy. Our own worst enemy is the disgruntled at home.

Sincerely yours for our own America.

Respectfully yours,

D. A. and ANNA L. JANUARY.

TOPEKA, KANS., *May 14, 1941.*

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR CAPPER: I have been intending to write you for some time. I just want you to know that I concur with your stand in the present war mesmerism, and I sincerely hope that things will work out so that this country's active participation in the war can be avoided.

As I remember, the steps that were taken in the last World War I see that the present steps are very similar. I believe that most people in this part of the country are fully in accord with substantial help to Britain, but they are against actual involvement.

With all the organized activity on the east coast for war, you have a real job, but I assure you that I personally admire your stand and the fight that you are making.

Very truly yours,

O. T. CROPPER.

HERINGTON, KANS., *May 14, 1941.*

Senator ARTHUR CAPPER,
Washington, D. C.

MY DEAR SENATOR: No words can quite express our gratitude to you for the splendid and comforting talks you have given over the radio.

We have a son that was drafted into the Army against his wishes and we assure you that nothing could go more against the grain than to force a boy 5 feet 2 inches tall, weight about 130 pounds, to march for miles with a pack of about the same weight. The men of high position in our free land, who force this onto the youth of our land just to satisfy their own desires, are neither worthy of respect nor honor.

All of this could be bearable if we could trust our leaders of their assurance that our boys would not be sent to the slaughterhouse overseas. It is unbelievable that we, in our free country, have intrusted the lives of our youth in the hands of one man and his aid of warmongers.

You are truly deserving of high approval in a very commendable manner for your splendid talks, and may God give you strength in your fight for freedom and justice.

Sincerely yours.

Mrs. and Mr. C. A. HASS.

TOPEKA, KANS., *May 11, 1941.*

Senator ARTHUR CAPPER,
Washington, D. C.

In re America first.

DEAR SENATOR: Your continuous hammering to keep our boys out of European wars is thoroughly warranted, and the mothers of this Mother's Day, I believe, are grateful to you this day and should be for your valiant service to America. Mrs. Eldridge joins me heartily.

Sincerely yours,

Your fellow townsman,

CHAS. E. ELDRIDGE.

LYNDON, KANS., *May 15, 1941.*

Senator ARTHUR CAPPER,
Washington, D. C.:

We want to express ourselves as being 100 percent for the seven-steps' program advocated by E. Stanley Jones. We beg of those who express our wishes that the United States act as mediator in this crisis.

THE WOMEN'S SOCIETY OF
CHRISTIAN SCIENCE.

OF PLEDGES FOR PEACE

Mr. CLARK of Missouri. Mr. President, very recently the superannuated Secretary Stimson and the egregious Secretary Knox have been going up and down the country advocating convoys, the repeal of the Neutrality Act, and any other measure which they can suggest to get us into war. It is very interesting to know that in their advocacy of these measures they both make more glaring the complete lack of candor which they displayed at the time they were seeking confirmation by the United States Senate to their present positions. At that time they flatly denied that they were advocates of war. They are daily making it more indisputable that at that time they grossly misrepresented their position to the Senate and the country. It is also very interesting to know that in their present advocacy of the repeal of the Neutrality Act they are flying directly in the face of the pledges of the President of the United States to the Congress and of the pledges of the President of the United States to the American people when he was last seeking reelection.

I desire to read into the RECORD at this point, as part of my remarks, a very brief editorial appearing in the St. Louis Post-Dispatch of recent date entitled "A Conflict of Opinion":

Secretary of War Stimson has joined Secretary of the Navy Knox in urging the repeal of the Neutrality Act, which forbids American merchant ships to travel in war zones. Both men say they never believed in the Neutrality Act. Mr. Knox says he has always regarded it as a "terrible blunder." Mr. Stimson declares: "It was abhorrent to our principles to yield to our fears by this policy."

Both were careful to announce that they spoke in a personal capacity. This was wise, for their views are in direct conflict with those held by their chief at last public notice. President Roosevelt supported the neutrality laws of 1935 and 1937, and in urging Congress to pass the revised Neutrality Act of 1939 he said:

"I give you my deep and unalterable conviction * * * that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because, with the repeal of the embargo, this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict."

This was the solemn and eloquent ground advanced by the President and echoed on this floor by the supporters of the Neutrality Act of 1939 now so viciously and blatantly attacked by Secretaries Stimson and Knox.

The Post-Dispatch proceeds:

These were the words of Mr. Roosevelt's message to the special session of Congress. Did he later regret them? Not prior to October 28, 1940, when he made a campaign speech at Madison Square Garden. There he said:

"By the Neutrality Act of 1935, and by other steps * * * we made it clear that ships flying the American flag could not carry munitions to a belligerent; and that they must stay out of war zones. Was that right?"

Inquired the President. He proceeded:

"These were measures to keep us at peace. And through all the years of war since 1935, there has been no entanglement, and there will be no entanglement."

Mr. President, that was a specific pledge made to the American people as late as the 28th of October 1940, upon which the President appealed to the people and won the election, breaking a Nation-long third-term precedent of this Republic. In common with his other solemn pledges as to keeping the country

out of war it was responsible for his election. When they were uttered, I believed in them and I gloried in them.

It seems to me that Secretary Knox and Secretary Stimson, holding official positions in the President's family, are utterly at variance with the pledges made to the Congress at the time of the repeal of the arms embargo, and the pledges made to the American people when the President was a candidate for reelection, in the campaign of propaganda which they are carrying on.

The Post-Dispatch editorial concludes:

Obviously, Secretaries Stimson and Knox do not speak for the President in scoffing at the policy reflected in the Neutrality Act. Has the President changed his mind since last November? That is, of course, possible. However, in his letter to Admiral Land yesterday, it is worth noting that he said American ships will carry implements of war "through the open waters of the seven seas."

How can two men remain in the President's Cabinet continually and persistently to make mockery of the President's solemn promises to the American people and viciously attack the policies advocated and pledged by the President no later than a week before the last election?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CONNALLY. Does not the Senator from Missouri believe, however, that in justice to Secretary Stimson he should state that Secretary Stimson before the Committee on Foreign Relations opposed that portion of the Neutrality Act which prohibited free shipment by American vessels? He was not then Secretary of War.

Mr. CLARK of Missouri. So far as I know, Secretary Stimson has for 25 years consistently opposed every measure calculated to bring about peace and keep the United States out of war.

Mr. CONNALLY. I am not going back 25 years.

Mr. CLARK of Missouri. I should be glad to go back and read some of the speeches Secretary Stimson made before the last war.

Mr. CONNALLY. The question I asked the Senator was whether he did not believe it fair to Secretary Stimson, in connection with the editorial the Senator has read, to say that Secretary Stimson, before he was appointed Secretary of War, appeared before the Committee on Foreign Relations——

Mr. CLARK of Missouri. I say very frankly that I think Secretary Stimson has always been opposed to the Neutrality Act and the whole policy of the Neutrality Act and to any policy for keeping out of war. That is precisely what I am pointing out, that he is permitted to go out, as is also Secretary Knox, as members of the President's Cabinet, and utterly repudicate pledges the President has made to the Congress and to the American people. It certainly constitutes a serious reflection on the part of the two Secretaries upon either the statesmanship or the good faith of their Chief.

ORDER FOR CONSIDERATION OF MEASURES ON THE CALENDAR

Mr. BYRD obtained the floor.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BYRNES. I ask unanimous consent at this time that at the conclusion of the speech of the Senator from Virginia the calendar be called for the consideration of measures to which there is no objection.

Mr. McCARRAN. Before the request is agreed to, I ask the Senator whether he will not consent that I may have opportunity to make a short statement following the remarks of the Senator from Virginia.

Mr. BYRNES. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and it is so ordered.

STRIKES IN DEFENSE INDUSTRIES

Mr. BYRD. Mr. President, the time has come to call a spade a spade. Since the very beginning of the European war, our aid to England and preparations for our own essential national defense have been interrupted time and time again by strikes in vital defense industries too numerous to mention in my observations to the Senate today. I want all justice done to labor, but the fact remains that new and continuing strikes are dangerously retarding aid to England and our own defense preparations. No effective action has been taken, nor has any action been recommended to the Congress by the President of the United States and administration leaders, to curb this menace. Nor have efforts of Senators and Representatives to enact such legislation yet been successful.

Unless we admit that American democracy cannot effectively function in this hour of great national peril, some means must be found, and found quickly, to put an end to these dangerous interruptions in the production of defense and military equipment.

As our boys have been drafted under our democratic system of government to leave their homes and their businesses and to serve their country for $21 a month, certainly no injustice can be done either to the laboring man or to the industrialist in requiring each to submit all matters of dispute to an impartial mediation board with full power to arbitrate; providing that during the process of arbitration both parties shall continue to perform their respective functions without interruption, that any decision rendered be final for a given period of time. This would be fair both to labor and business and would avoid strikes and interruptions to regular and increasing aid to England, and in building up our own American-defense needs.

As to what extent aid to England and our military preparations have been retarded by the large number of strikes in military contracts, no accurate estimate can be made, but certainly this bottleneck has deprived England, as well as ourselves, of much vitally needed military equipment, and prevented us from giving a full measure of assistance to England in the period of her greatest peril.

As one who has been investigating the progress of our defense program, I can say upon my responsibility as a Senator that the country would be shocked to know how few dive bombers, heavy bombers, antiaircraft guns, medium and heavy tanks and other vital military equipment, are being produced or will be produced in the immediate months ahead. Certainly we should not add to this lag in production by permitting defense strikes to continue. We are witnessing a vast propaganda to influence the people to believe that our production of essential military equipment is far ahead of actual results.

We live in a democracy and the people should know the truth.

It cannot be successfully contradicted that much greater and more effective aid could have been rendered England in recent months if defense strikes had not occurred.

It is as futile as it is absurd to continue to talk about giving greater and quicker aid to Great Britain unless we are willing to do the things necessary to produce the military equipment Britain so urgently needs.

Our Government can no longer compromise in this vital issue without imperiling our national safety to a most dangerous degree. The disastrous effect of such strikes must not be minimized longer by the administration. No class of citizens, be they laborers or industrialists, has the right to jeopardize our Nation in this emergency. In fact, no greater service could be rendered the millions and the overwhelming majority of patriotic American workmen than to repudiate the leadership of a selfish minority which refuses to cooperate for national safety.

Mr. President, I have had occasion to send several telegrams to Miss Frances Perkins, the Secretary of Labor, with respect to her delay in certifying to the National Mediation Board strikes in defense industries which she has been unable to settle.

I was surprised to learn, Mr. President, that the strikes in the 11 San Francisco shipyards and in other sections on the west coast, which have been in existence more than 2 weeks, have not as yet been certified by Madam Perkins to the National Mediation Board, up to 10:55 a. m., Monday, May 26. These strikes are holding up $500,000,000 worth of defense orders and have become so serious that Admiral Land, testifying before the Truman investigating committee, stated that armed forces, if necessary, should be used to remove the picket lines thrown around these west coast plants. At the same time, Ralph A. Bard, the Assistant Secretary of the Navy, asserted that the strike of 1,700 machinists in the San Francisco Bay shipyards was undoubtedly "instigated by selfish and subversive elements."

Accordingly, I feel impelled to send another telegram to Madam Perkins, which is as follows:

Hon. FRANCES PERKINS,
Secretary of Labor, Washington, D. C.:

I am astonished to know that, according to information furnished me by Secretary Seward, of the National Defense Mediation Board, you have failed to certify the west coast shipyard strikes for mediation by this Board. What is the cause of your delay? The character of the defense contracts on which these yards are working makes it imperative that settlement of these strikes be

effected at once. Shall appreciate advice as to when you expect to certify these strikes for mediation.

Day by day strikes in defense industries become more serious and ominous to the security of our country. I am advised by Col. W. H. Sadler, of the labor section of the War Department that on May 23, 36 strikes were in existence, affecting important supplies under War Department contracts. This number does not include strikes in navy yards, strikes in shipyards, in connection with numerous contracts for the Navy Department, the Maritime Commission and other agencies of the Government engaged in defense work. Of the 36 strikes existing on May 23, only two have so far been certified by Miss Perkins to the National Mediation Board.

Colonel Sadler also reported under the head of "Most immediate danger" that 18 other strikes were threatened, some of most vital consequence.

Among the strikes regarded by the War Department as of the most immediate danger, we find the possibility of such serious interruptions as threatened strikes at the Bendix Aviation Corporation, South Bend, Ind., manufacturers of aviation carburetors and parts for the Air Corps.

A list of others follows:

Dow Chemical Co., Midland, Mich., which manufactures magnesium.

North American Aviation Corporation, Los Angeles, Calif., manufacturer of trainers and bombers for the Air Corps and for the British.

Schleuter Manufacturing Co., St. Louis, Mo., which manufactures antitank mines for Ordnance.

Sealed Power Corporation, Muskegon, Mich., manufacturer of pistons and rings for the Air Corps, Ordnance, and Quartermaster Corps.

Soft coal: John L. Lewis threatens to call out 300,000 to 400,000 soft-coal miners again unless current negotiations with southern operators culminate in a satisfactory wage agreement.

Aluminum Co. of America, three plants: St. Louis, Mo.; Massena, N. Y.; and Mobile, Ala., vital ore plant.

American Aluminum Co., Los Angeles, Calif., aluminum metal for the Air Corps.

E. W. Bliss Co., Brooklyn, N. Y., prime contractor for ordnance for presses, $217,000, and for small-arms ammunition machinery, $10,000,000, for Lake City, Denver, and St. Louis ordnance plants; the Navy and the British also have contracts.

Busch-Sulzer Diesel Engineering Co., St. Louis, Mo., company is prime contractor for ordnance, manufacturing Diesel-driven generating units.

Caterpillar Tractor Co., Peoria, Ill., which manufactures tractors for Ordnance.

That the strike situation has assumed ominous proportions and has seriously retarded aid to England, as well as our own defense efforts, no fair-minded person can deny.

It is also disturbing to me to receive a letter from a patriotic citizen of my State who writes me that these strikes are having an undesirable reaction in the purchase of defense bonds. This letter, which I shall read to the Senate, without the name of the sender, is as follows:

It has come to my attention that the attitude of the administration toward strikes, which are affecting national defense, is having a very undesirable reaction toward the unity of our American people, and I firmly believe it has retarded the purchase of defense bonds.

It is indeed humiliating that our country should be conscripting some of our finest fellows from important positions and excellent salaries for Army duty at $1 per day and at the same time be tolerating strikes on the part of union men who are already receiving from $1 to $1.50 per hour.

I feel that it is the duty of every citizen to express his or her views to our Government representatives, and I sincerely trust you will accept my criticisms in the spirit in which they are intended.

May those who are in authority move hastily to correct these un-American conditions.

Again, Mr. President, I want to renew my suggestion that the resignation of Miss Perkins as Secretary of Labor be requested by the President of the United States. I am convinced that an overwhelming proportion of our citizens believe that the best interests of our national defense would be promoted by her resignation. Numerous patriotic organizations, headed by the American Legion, have adopted resolutions urging that she resign. Nearly without exception, the newspaper comment throughout the country has been that her resignation would remove a serious obstacle which now exists in the defense program. Her failure for more than 2 weeks to certify the serious strikes in the west coast shipyards is but another evidence of her inefficiency and ineptness in the position she holds.

The coal strike was bungled by Miss Perkins, after 23 days of effort, before certification was made to the Mediation Board, and this unwarranted delay was due, it was said, to the desire of Miss Perkins not to offend the powerful John L. Lewis.

It is imminent again, as John L. Lewis, with his characteristic arrogance, has just announced that he would refuse to arbitrate any further coal disputes.

Today the strike situation is analagous to that in the period in 1937 when a wave of sit-down strikes swept over our country. The failure then of our Government to deal firmly and strongly with such unlawful and disorderly actions is reflected in the strikes now. During the sit-down strike epidemic the Secretary of Labor, Madam Perkins, declined to utter one word of disapproval of the disorderly and unlawful possession of industrial plants by sit-down strikers, and even the United States Government declined to deliver mail to factories picketed by sit-down strikers. The President of the United States was likewise silent.

On April 7, 1937, the Senate took the extraordinary action of adopting a resolution declaring that—

It is the sense of the Congress that the so-called sit-down strike is illegal and contrary to sound public policy.

As every Senator knows, this action was taken because no official of the executive branch of the Government had spoken in condemnation of sit-down strikes. It was felt essential that the Senate should declare by resolution that sit-down strikes should be condemned. As evidence of the great power of an aroused public sentiment, immediately after the passage by the Senate of this resolution sit-down strikes subsided.

Faced as we are today with the colossal task of rendering aid to England and preparing for our own military defenses, strikes are preventing those things we must do to protect our national security. Again we find, as in the case of the wave of sit-down strikes, that Madam Perkins as Secretary of Labor has been a totally ineffective instrument to prevent strikes. She has demonstrated neither the capacity nor the inclination in this hour of great crisis. Under the proclamation of the President she is the only authority that can certify strikes to the National Mediation Board for action, a Board established without power to enforce its own decisions.

In recent weeks the President himself has minimized the effect of defense strikes when he said on March 4 in his press conference that strikes were affecting only one-fourth of one percent of defense industries. This may have been true at that time, but the percentage is much larger now. In fact, the President's illustration means nothing, because a strike in a defense industry, such as the one which occurred in the Allis-Chalmers plant, which had under production vital equipment essential to the manufacture of airplanes and destroyers, may hold up equipment most urgently needed, even though such industry represents only a fraction of 1 percent.

On April 8 Mrs. Roosevelt said at a press conference:

Strikes in defense industries should not be looked upon as indicating a lack of patriotism on the part of labor. We should not behave as though this were a case of patriotism. Labor disputes should still be looked upon as disagreements between two groups trying to get just returns for what they are doing.

If the President and the Secretary of Labor fail to act firmly in this crisis confronting us, then it is more imperative for Congress unequivocally to assert its condemnation. Using as a precedent the passage by the Senate 3 years ago of the resolution condemning sit-down strikes, I shall introduce today a concurrent resolution which I shall ask to go over under rules for later consideration, condemning strikes in industries that affect the national-defense effort. The resolution reads as follows:

Whereas the unsettled condition of the world today and the uncertainties of the future necessitate complete cooperation between Government, management, and labor; and

Whereas numerous strikes are taking place in national defense industries throughout the United States; and

Whereas such strikes are retarding and greatly impeding our efforts to build an adequate Army and Navy and to render effective aid to other democracies: Therefore be it

Resolved, etc., That it is the sense of Congress that strikes in industries that affect the national-defense effort are contrary to sound public policy and they are hereby condemned.

Mr. President, I am, of course, aware of the fact that passage of this resolution is merely the assertion of a public policy on the part of the Congress of the United States, and that legislative action must follow. However, I believe it is essential that this statement of public policy be immediately asserted, by the President of the United States or by the Congress of the United States, or both.

As a realist I am fully aware that no legislation not having the support of the President and the administration stands any chance of passage without delay and prolonged debate.

I recall that the so-called Smith amendments to the Wagner Act were passed by the House of Representatives on June 7, 1940, by a substantial majority. Those amendments were referred to the Senate Committee on Education and Labor on June 10, 1940. There the amendments peacefully slumbered for for more than 6 months, and the Senate was denied an opportunity to pass upon the changes in the National Labor Relations Act.

On January 31, 1941, the Senator from Minnesota [Mr. BALL] introduced certain amendments which are still pending in the Committee on Education and Labor with no immediate prospect, I am told, of being presented to the Senate.

It is customary for concurrent resolutions such as I proposed to be acted upon by the Senate at its pleasure without reference to a committee, thus avoiding the possibility of delay in considering the legislation in committee. As time is of the essence, and some declaration of policy for the security of America should be immediately announced by the President and by the Congress, I intend to ask for consideration of this resolution by the Senate at the earliest possible time.

As a Senator I have supported all defense measures of our own and for aid to England. I am unwilling to remain silent and permit strikes in vital defense industries to continue A clear-cut, definite, and positive statement from our Government is imperative.

Is Madam Perkins to be retained in the face of her proven inadequacy? Is the Mediation Board to have power to enforce its decisions? Are foreign and subversive elements, as described by the Assistant Secretary of the Navy, to be permitted to continue to sabotage our preparedness efforts? Is John L. Lewis bigger and more powerful than the United States Government?

I hope and urge that tomorrow in his important broadcast on the state of the Nation President Roosevelt will speak with firmness and with crystal clarity to the effect that this Government will not tolerate further interference by strikes or from any source whatsoever in our own defense efforts and our aid to England. If he does this he will speak in the majesty of our Republic, and with the support of an overwhelming majority of our citizens. If he says, 'Strikes in defense industries must stop," I predict that such strikes will stop.

If our Nation is to be united in this crisis in our history we must first be united at home, and united to control, by whatever strong measures may be necessary, those who would wilfully obstruct our program of preparedness to preserve our security.

Mr. President, I ask unanimous consent to submit the concurrent resolution which I have read, and to have it lie over under the rule.

The PRESIDING OFFICER. Without objection, the concurrent resolution (S. Con. Res. 12) will be received and will lie over under the rule.

Mr. BYRD. I ask unanimous consent to insert in the RECORD at the conclusion of my remarks a statement from the War Department as to existing strikes with respect to War Department contracts. This statement refers only to War Department contracts, and not to the contracts of the Navy or other agencies of the Government.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE UNDER SECRETARY,
LABOR SECTION,
May 24, 1941.

Subject: Strikes and labor disputes affecting War Department procurement.

Memorandum for the Under Secretary of War.

Friday, May 23, 1941: Number of strikes, 36; number of men idle, 31,900.

Allis-Chalmers Manufacturing Co., La-Porte, Ind.:

Strike: May 7, 1941, of 1,200 F. E. W. O. C. (C. I. O.).

Issues: Wages, closed shop, new contract.

Status: Two or three grievances not settled by arbitration. Newspaper reports men returned to work; not yet confirmed.

Interest: Ordnance prime contract for $2,000,000 worth of gun mounts for Watertown Arsenal.

American Potash & Chemical Co., Trona, Calif.:

Strike: March 19, 1941, of 1,000 mine, mill, and smelter workers (C. I. O.).

Issues: Close shop and wage increases.

Status: Certified to N. D. M. B. April 23, 1941. Commissioner Malcolm continuing negotiations at Board's request.

Interest: Borax and boric acid for Kimball Glass Co. and Corning Glass Works. Medical Corps contracts behind schedule.

Amos Hosiery Mills, High Point, N. C.:

Strike: May 19, 1941, of 45 unaffiliated boarders.

Issues: Wage increases.

Status: No report of meeting held May 22, 1941.

Interest: One and one-half million pairs socks for Quartermaster Corps.

Apollo Steel Corporation, Apollo, Pa.:

Strike: May 19, 1941, of 950 (C. I. O.).

Issues: Closed shop and wage increases.

Status: Commissioner Ward assigned. Negotiations continuing.

Interest: Subcontractor for ordnance, supplying hot rolled steel to Motor Generator Co.

Armbruster Manufacturing Co., Springfield, Ill.:

Strike: May 16, 1941, of 86 (C. I. O.).

Issues: Union shop and wage increases.

Status: Commissioner White on the case.

Interest: 5,000 tents for Quartermaster Corps.

Arrow Tool & Reamer Co., Detroit, Mich.:

Strike: May 1, 1941, of 60 United Automobile Workers (C. I. O.).

Issues: Wage increases.

Status: Commissioner Rye and O. P. M. labor consultant on case; conference May 26, 1941.

Interest: Cutting tools for Springfield Armory and Watervliet Arsenal.

Auto Specialties Manufacturing Co., St. Joseph, Mich.:

Strike: May 22, 1941, of 1,700 (U. A. W.) (C. I. O.).

Issues: Discharge of union members and right to collect dues on plant property.

Status: All men called out after discharge of nine members of the union.

Interest: Manufactures shells for Ordnance and British.

Black Hosiery Mills, York, Pa.:

Strike: April 11, 1941, of 100 (C. I. O.).

Issue: Wage increases.

Status: National Labor Relations Board holding hearings in Philadelphia. One shift is working at the plant; one-third normal production has been resumed. Situation deadlocked May 21, 1941; conciliation does not appear possible at present.

Interest: Socks for Quartermaster Corps—not immediately vital as these are for winter season. Some shipments of socks have been made since strike began.

Continental Can Co., Jersey City, N. J.:

Strike: April 4, 1941, of 600 A. F. of L. and Independent.

Issue: Jurisdictional.

Status: Office of Production Management Labor Consultant Blumberg on the case. Tentative agreement reached; men expected to return to work Monday, May 26, 1941.

Interest: $98,667 contract for combat gas-mask canisters for Chemical Warfare.

Crescent Tool Co., Jamestown, N. Y.:

Strike: May 12, 1941, of 500 machinists (A. F. of L.).

Issue: Alleged discriminatory discharge of one union employee.

Status: Commissioner Goldsmith on case. Some progress reported at meetings.

Interest: Pliers and wrenches for Air Corps, Quartermaster Corps, and Signal Corps.

Curtiss Manufacturing Co., St. Louis, Mo.:

Strike: April 8, 1941, of 300 Steel Workers Organizing Committee (C. I. O.).

Issues: Wages, vacations with pay, signed agreement.

Status: Certified to National Defense Mediation Board May 3, 1941. Meeting set for Monday May 26, 1941.

Interest: Portable air compressors and car washers for use by Diamond T for Quartermaster Corps—emergency stock from Holabird exhausted. Diamond T assembly line will be forced to shut down. Hoists for General Steel Castings Co. for Canadian contracts used in production of tank top hulls. General Steel Castings Co. unsuccessful so far in locating alternate source of these hoists. Delaying clutch discs for Spicer, who supplies White Motor Co., who in turn manufactures half-tracks for Ordnance.

Detroit Steel Products Co., Detroit, Mich.:

Strike: May 7, 1941, of 750 C. I. O. United Auto Workers.

Issue: Union recognition.

Status: Commissioner and Office of Production Management labor consultant on case. Union at meeting, May 22, 1941, threatened to strike their Springfield plant May 26, 1941, unless company negotiates before then.

Interest: Steel screens for Lake City Ordnance plant—urgently needed. Also supplies machine-tool plants at Springfield and Windsor, in Vermont, and Fort Ethan Allen and Plattsburg Barracks.

Eagle Iron Works, St. Louis, Mo.:

Strike: May 19, 1941, of 28 American Federation of Labor iron workers, shopmen.

Issue: Closed shop.

Status: Unauthorized strike just received. No further report at present.

Interest: Manufacturers of structural steel used in the sulfuric acid concentration building at Weldon Springs Ordnance Plant, Missouri.

Feiner & Sons, Inc., New York City:

Strike: May 2, 1941, of 60 United Construction Workers (C. I. O.).

Issues: Closed shop and wage increases.

Status: Commissioner reports deadlock in negotiations.

Interest: Subcontractor for Signal Corps supplying mountings and antenna brackets for radio equipment.

General Tire & Rubber Co., Wabash, Ind.:

Strike: May 20, 1941, of 50 rubber workers (A. F. of L.).

Issue: Union recognition.

Status: Settlement imminent.

Interest: Contracts for gas masks substantially completed.

Griess-Pfleger Tanning Co., Waukegan, Ill.:

Strike: April 16, 1941, of 600 leather workers (C. I. O.).

Issue: Wage increases.

Status: Commissioner Holmes on case. Deadlock continues.

Interest: Leather to five companies having Q. M. C. shoe contracts.

Hall Sheet Metal Co., Cleveland, Ohio:

Strike: May 14, 1941, of 236 U. A. W. (C. I. O.)

Issues: Wages and job classifications.

Status: Commissioner holding conferences.

Interest: Indirect source of supply for ordnance. Supplies Cleveland Hobbing Machine Co.; now holding up shipment of shell machines and gear cutters for that company.

Hercules Powder Co., Radford, Va.

Strike: May 22, 1941, of 225 electricians.

Issue: Wage increase.

Status: Conference, May 23, 1941.

Interest: Construction of explosives plant.

C G. Hussey & Co., Pittsburgh, Pa.:

Strike: May 20, 1941, of 700 American Federation of Labor and independent copper workers.

Issues: Union recognition and grievances.

Status: Commissioner Moffett assigned to the case.

Interest: Important supplier of copper. Seventy-five percent of all material manufactured is for facilities holding defense contracts.

LaFayette Worsted and Spinning Co., Woonsocket R. I.:

Strike: May 9, 1941 of 315 independent textile workers

Issue: Contract terms.

Status: Commissioner Weinstock on case, all points agreed on but closed shop, meetings continue

Interest: Subcontractor for Princeton Worsted Mills and for Verdun Manufacturing Co. LaFayette produces yarn for cloth manufactured by these companies for Q. M. C. contracts.

Louisville Tin & Stove Co., Louisville, Ky.:

Strike: May 21, 1941 of 225 A. F. of L. workers

Issues: Wages and closed shop.

Status: Company firm in opposing closed shop, has offered wage increase.

Interest: Quartermaster Corps miscellaneous cooking equipment.

Madison Woolen Co., Madison, Maine:

Strike: May 12. 1941 of 410 textile workers (C. I. O.).

Issue: Contract terms.

Status: Negotiations continuing.

Interest: Subcontractor for suiting cloth on large Quartermaster Corps contracts.

Maisel Co., Brooklyn, N. Y.:

Strike: May 9, 1941 of 33 textile workers (C. I. O.).

Issues: Wages and improved working conditions.

Status: Commissioner went on case May 17, 1941.

Interest: Quartermaster Corps contract for 65,000 pillows.

Minneapolis Honeywell Regulator Co., Minneapolis, Minn.:

Strike: May 21, 1941, of 200 United Electrical, Radio, and Machine Workers of America (C. I. O.) out of 2,000.

Issue: Suspension of one worker for disciplinary measures. (Union voted to return to work May 22, 1941, company says it will not open plant until assured no further trouble will result.)

Status: See parenthesis above.

Interest: Company is important contractor for Air Corps and ordnance, manufacturing telescopes, mounts, and sights. (Checking report that this walk-out does not affect above contracts.)

Monsanto Chemical Co., Monsanto, Ill.:

Strike: April 16, 1941 of 900 chemical workers (A. F. of L.).

Issues: Union status and wage increases.

Status: Union refused maintenance men admittance into plant. Steps being taken to insure safety of plant and materials.

Interest: 56,000 pounds phosphorus for Chemical Warfare Service.

Phoenixville Iron Works, Phoenixville, Pa.:

Strike: May 14, 1941 of 1,000 Steel Workers Organizing Committee (C. I. O.).

Issues: Union recognition and wages.

Status: Company and union have agreed to release large quantities of fabricated steel. No immediate danger of shortage for St. George Bridge.

Interest: Structural steel. Supplies material for St. George bridge in Delaware being built by Army engineers at cost of $1,350,000. Watervliet Arsenal contract with J. C. Moyer & Co., for structural steel and crane-ways being delayed; Phoenixville is subcontractor for Moyer.

Ravenna Ordnance Plant, Ravenna, Ohio:

Strike: May 21, 1941 of 6,800 American Federation of Labor laborers.

Issues: Wages.

Status: Contractor dismissing men who refused to discontinue unauthorized strike; is now rehiring qualified workers at a fast rate; complete operations expected by May 26 1941

Interest: Construction of explosives plant for Ordnance.

Reliance Manufacturing Co., Michigan City, Columbus, and Washington, Ind.:

Strike: April 28. 1941 of 1,200 Amalgamated Clothing Workers (C. I. O.) and United Garment Workers (A. F. of L.).

Issues: Union status.

Status: Commissioner Cofer holding conferences. No details of progress.

Interest: 100,000 pairs cotton drawers for Quartermaster Corps at Michigan City plant; 90,000 cotton duck trousers at Columbus plant.

Shampaine Co., St. Louis, Mo.:

Strike: May 20, 1941 of 131 Steel Workers Organizing Committee (C. I. O.).

Issues: New contract.

Status: Commissioner to enter case on the weekend; company offering proposal and union membership to vote May 23, 1941

Interest: Manufactures hospital equipment for Medical Corps

Sivyer Steel Casting Co., Chicago, Ill.:

Strike: May 23, 1941 of 250 United Automobile Workers (C. I. O.).

Issues: Wages, closed shop, and vacations.

Status: Commissioner arranging conferences.

Interest: Manufacturing castings for International Harvester for limber and gun carriages 155 mm. high-speed adapters; also castings for Allis-Chalmers who is making crawler tractors for Ordnance. Important subcontractor for Navy.

Stevens Walden Inc., Wooster, Mass.

Strike: Date unascertained of 80 out of 175 employees (all out at first but one-half are reported back to work).

Issues: Discharge of 5 employees.

Status: Sympathy strike; no detailed report as yet.

Interest: Manufactures rifle barrels and cartridge holders for Ordnance; also miscellaneous orders for Frankford Arsenal and Newport Naval Torpedo Station.

Tide Water Boom Operators, Tacoma, Wash.:

Strike: May 18, 1941, of 500 woodworkers (C. I. O.).

Issues: Wages, union status.

Status: Commissioner on case; subcommittees of each group meeting jointly to submit proposal May 23, 1941.

Interest: Lumber.

Twin District Council, Seattle, Wash.:

Strike: May 10, 1941, of 8,000 woodworkers (C. I. O.).

Issues: Wages, union status.

Status: Certified to National Defense Mediation Board May 9, 1941. Meeting held May 19, 1941.

Interest: Lumber.

Vulcan Proofing Co., Brooklyn, N. Y.:

Strike: May 7, 1941, of 350 U. M. W. A. (C. I. O.).

Issues: Wages and recognition.

Status: O. P. M. industry and labor consultants on case. Meeting to be held May 23, 1941.

Interest: Subcontractor manufacturing rubber cement and rubberized material for Monarch Coat Co. and Sigmund Eisner Co., having Quartermaster Corps contracts for raincoats. Fifty percent of plant was devoted to Government orders.

Willipa Harbor Lumber Mills, Raymond, Wash.:

Strike: May 16, 1941, of 1,700 woodworkers (C. I. O.)

Issues: Wages, contract terms.

Status: No details since report of strike.

Interest: Lumber.

Youngstown Sheet & Tube Co., Indiana Harbor, Ind.:

Strike: May 20, 1941, of 625 S. W. O. C. (C. I. O.).

Issues: Grievances.

Status: Commissioner Cofer on the case. Joint conferences May 23, 1941; company to submit proposal. O. P. M. industrial consultant on the case.

OTHER STRIKES NOT INCLUDED IN TODAY'S FIGURES

California packers:

Strike May 8, 1941, and May 9, 1941, of packers and canners in California. Strike is delaying shipments of foodstuffs ordered by the Quartermaster Corps, but delay is not considered serious at this time.

National Carloading Co., Pittsburgh, Pa.:

Strike May 15, 1941, of 125 railway clerks for wages. Strike is interfering with shipment of fans for Tru-flow to be used by National Tube Co. in the manufacture of shells. Arrangements being made for release of these fans. Wood patterns for Oilwell Supply Co., Oil City, Pa., also being held up. This material carries an A-1-a preference rating for machine parts and equipment on ordnance contracts.

Phillips Petroleum Co., Kansas City, Kans.:

Strike May 19, 1941, of operating engineers (A. F. of L.). Company reported making gas and oil products for defense industries. War Department interest not yet ascertained.

Rock Island Sash & Door Workers, Rock Island, Ill.:

Strike May 8, 1941, of 595 A. F. of L. carpenters. Report of $100,000 defense orders to be filled as yet unverified in this office.

Titan Valve & Manufacturing Co., Cleveland, Ohio:

Strike May 20, 1941, of 60 machinists over piece work. War Department interest not yet ascertained.

NEW STRIKES REPORTED MAY 23, 1941

Auto Specialties, St. Joseph, Mich.
Eagle Iron Works, St. Louis, Mo.
C. G. Hussey, Pittsburgh, Pa.
Shampaine Co., St. Louis, Mo.
Sivyer Steel Castings, Chicago, Ill.
Stevens Walden, Inc., Worcester, Mass.

SETTLED CASES REPORTED MAY 23, 1941

Midwest Glove Co., Chicago, Ill.
Star Metal Manufacturing Co., Philadelphia, Pa.

MOST IMMEDIATE DANGER (THREATENED STRIKES)

Bendix Aviation Corporation, South Bend, Ind.: Manufactures aviation carburetors and

parts for Air Corps. Union met May 20, 1941, to act on terms of settlement. Negotiations proceeding before the Board. Dead line set for May 29, 1941. (This case certified before N. D. M. B. May 7, 1941.)

Dow Chemical Co., Midland, Mich.: Manufactures magnesium; leading manufacturer in the country of this critical item. Strike threatened on issue of union recognition. Commissioner Rye on the case and O. P. M. industry consultant; N. L. R. B. to start hearings May 26, 1941; election probably will be held in June; little likelihood of a strike prior to that time.

North American Aviation Corporation, Los Angeles, Calif.: Manufacturers for trainers and bombers for Air Corps and British. C. I. O. demanding wage increase. Case certified to N. D M. B. May 22, 1941. May 23, 1941, C. I. O. voted all day, beginning at 2:30 a. m., to decide whether to call a strike Wednesday, May 28, 1941.

Schleuter Manufacturing Co., St. Louis, Mo.: Manufactures antitank mines for Ordnance. This plant struck April 25 and went back to work April 30, 1941. Negotiations under way since close of strike have now resulted in a deadlock on issue of wages. A strike here prior to June 5, 1941, would not seriously affect Ordnance contracts. However, after June 5 production would be affected, insofar as material for the contract will be available at that time.

Sealed Power Corporation, Muskegon, Mich.: Manufactures pistons and rings for Air Corps, Ordnance, and Q. M. C. Strike vote taken; no date set. Keenan, of O. P. M., investigating. Joint conference for May 29.

Soft coal: John L. Lewis threatens to call out 300,000 to 400,000 soft-coal miners again unless current negotiations with southern operators culminate in a satisfactory wage agreement. Parties returned to N. D. M. B. May 23, 1941

OTHER SERIOUS THREATS

Aluminum Co. of America (three plants—St. Louis, Mo., Massena, N. Y., and Mobile, Ala.): Vital ore plant. Federal conciliators and international president of union on the case. Company to answer union proposals.

American Aluminum Co. Los Angeles, Calif.: Aluminum metal for Air Corps. Awaiting outcome of N. L. R. B. election, held April 30, 1941.

E. W. Bliss Co., Brooklyn, N. Y.. Prime contractor for Ordnance for presses ($217,000) and for small-arms ammunition machinery ($10,000,000) for Lake City, Denver, and St. Louis Ordnance plants; Navy and British also have contracts. Certified to N. D. M. B. May 22, 1941. O. P. M.'s Carey met May 22, 1941, with union leaders to defer strike action pending Board decision.

Busch-Sulzer Diesel Engineering Co., St. Louis, Mo.: Company is prime contractor for ordnance, manufacturing Diesel-driven generating units. Strike not affecting Ordnance Department at this time, but Navy contracts are seriously affected. It was certified on May 3, 1941, but the Board (N. D. M. B.) refused it on the ground that it was a jurisdictional dispute involving two unions and not employer versus employees. Attempts are being made to have machinists perform the work in dispute and thus end the strike.

Caterpillar Tractor Co., Peoria, Ill.: Manufactures tractors for ordnance. F. E. W. O. C. planning to take strike vote this week; main issue of dispute is union recognition and wages. Special Commissioner Haas returning to case May 21, 1941.

Electro Metallurgical Co., Alloy, W. Va.: Supplies steel companies with ferro-manganese, manufactures 75 percent of total tonnage of alloys for the entire country. A. F. of L. is contesting N. L. R. B. decision which named C. I. O. as sole bargaining agent. If A. F. of L. can submit evidence, N. L. R. B. will hold hearing; C. I. O. asking for conference with company May 23, 1941. If agreement is not reached at conferences, C. I. O. threatens to strike.

Gager Lime Co., Sherwood, Tenn.: Important source of supply for lime to large defense contractors; also Wolf Creek Ordnance Plant, Milan, Tenn. Threatening to strike on May 25, 1941.

Kilby Steel, Anniston, Ala.: Company is prime contractor for ordnance, manufacturing .90 mm. M58 shell; and for Navy, manufacturing star mine sweepers. Union demanding wage increases. Probable strike, May 27.

McQuay-Norris, Connersville, Ind.: Manufactures engine compressor rings for Air Corps. The union ratified company proposal and accepted wage increase. Case is settled, May 21, 1941.

Joseph Stokes Rubber Co., Trenton, N. J.: Subcontractor for ordnance; manufactures 8,000 containers for MS tanks and half-track carriers; prime contractor, American Car & Foundry Co., urgently in need of these containers. Wage controversy. Union has called a strike vote.

Western Cartridge, St. Louis, Mo.: Supplies cartridges to Frankford Arsenal; dispute centers in the powder mill, involving 400 chemical workers (A. F. of L.). N. L. R. B. decision provides for election in 30 days. Probable strike on Monday. May 22, 1941: Company refused to provide pay roll, thus delaying N. L. R. B. election. Union claims discriminatory discharge of two members.

J. H. Williams Co., Buffalo, N. Y.: Very important contractor for drop forgings and tools. Union considering wage offer. Agreement subject to ratification May 23, 1941.

SETTLED DISPUTES

Combustion Engineering Co., Chattanooga, Tenn.

McQuary, Norris Co., Connersville, Ind.

W. H. SADLER,
Lieutenant Colonel, United States Army; Chief, Labor Section.

MILITARY USE OF GLIDERS

Mr. McCARRAN. Mr. President, I ask to have printed in the RECORD at this point, in connection with some remarks I now propose to make, an editorial from the Washington Post of May 26, 1941, entitled "Ready for Gliders."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of May 26, 1941]

READY FOR GLIDERS

Had the late Frank Hawks, holder of many air-speed records, been around last week, he would have found one of his pet theories translated into dramatic, terrifying action. For the Nazi use of transport-drawn gliders in Crete as an accompaniment of "vertical envelopment," or attack from the skies, is the adaptation of a technique which the American ace, among others, advocated 11 years ago. In the spring of 1930 Hawks crossed the country in a glider towed by a Waco plane. He was bent on showing the military possibilities of gliding, both in training airmen and in transporting troops and material. Nothing much came of the stunt, though it may have boosted interest in gliding for sport, and doubtless was followed with interest in Berlin. At any rate, the German glider attack on Crete shows that for years the Germans must have been indulging in the most intense experimentation with gliders.

It is plain from what is happening in Crete that Britain's home defenders must be prepared to meet and repel Germany's latest scheme for getting the necessary men and equipment on the ground as quickly as possible. The glider has a distinct advantage over the troop transport in that it lands on skids and requires only 6 to 10 yards to come to a stop. Obviously this increases the difficulty of defense, since the glider can swoop down upon terrain impossible for troop planes, which require a level landing space of some 300 yards. The threat of "strings" of gliders, each carrying at least six or eight men, fully armed, each landing almost at will in pastures or backyards, must of necessity spread out the defense. Under these conditions, indeed, defense must literally cover the entire countryside.

This is not to say that Britain is not prepared for glider attack. After the fall of Holland and Belgium the British press was full of conjectures about a glider invasion, and a defense system was rearranged in the light of such a contingency. Presumably, the home defense is confident that if an invasion attempt is made and Nazi gliders sift past the R. A. F., Britons on the ground will take care of the invaders before they have a chance to consolidate their positions. But Britain, like Crete, possesses sparsely settled areas. Though it should be a good deal easier to isolate invaders there than in Crete, where the resisting force is less well organized, the job calls for extraordinary integration of defense, not merely sheer bravery on the part of the few who may happen to be within firing distance. No doubt the instructions which have been dispensed among the people of Britain since the invasion of Crete have such an integration in view.

Mr. McCARRAN. Mr. President, on May 10, 1940, Hitler's legions invaded Belgium, the Netherlands, and Luxemburg without warning, using every weapon at his command, including gliders. This was the first use of gliders in warfare, and gliders are probably the secret weapon the Germans referred to as having been used in that campaign. The gliders used were capable of carrying, and did carry, six fully-equipped German soldiers, ammunition, tommy guns, and a supply of hand grenades. They were towed in trains of eight by an old transport airplane, and upon reaching the vicinity of their respective objectives they detached themselves one by one, circled while dropping hand grenades to make sure that there was no resistance, dispersed any resistance not already driven away with the tommy guns each carried, and landed—groups of six fully armed men. It was by means of gliders that the Albert Canal, the Eben Emael forts, and certain bridgeheads were taken in Belgium.

Last week the Germans attacked the island of Crete, using every means at their disposal, and again using gliders. The gliders used in this attack, according to information available, are giants, each capable of carrying eight fully armed soldiers, machine guns and/or light cannon, hand grenades, and so forth, and each weighing approximately 1,800 pounds. The wingspread of these gliders is reported as approximately 85 feet, length of fuselage 39 feet, wing loading about 7 pounds per square foot, stalling speed 42 miles per hour, sinking speed 4 feet per second, landing speed 25–30 miles per hour, and landing run about 18 to 25 feet. Each glider has two wheels, one on each side of the fuselage, and these wheels are retractable. Wheels are used for take-off only, the landing being made on a center skid. Such gliders, towed to a height of 20,000 feet, could make a free glide of from 70 to 100 miles without trying to take

advantage of rising air currents. This means that such gliders could be towed to a height of only 10,000 feet and halfway between Greece and Crete before being released, and they could finish the journey safely and soundlessly with their deadly load. Such loads would be even more deadly if dispatched in the darkness of night, as some of them were.

Mr. President, I send to the desk a bill introduced by me on January 10, 1941, entitled "A bill to establish a Civilian Glider Pilot Training Division in the Civil Aeronautics Authority, and for other purposes," and I ask unanimous consent that the bill be printed in the RECORD at this point in my remarks.

There being no objection, the bill (S. 290) to establish a Civilian Glider Pilot Training Division in the Civil Aeronautics Authority, and for other purposes, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created and established within the Civil Aeronautics Authority a Glider Pilot Training Division, the functions of which shall be as follows: (a) To sponsor the formation of glider clubs in high schools, colleges, and universities in the United States by furnishing information with respect to the organization, financing, and operation of such clubs; (b) to furnish to such clubs, at cost, plans, specifications, and directions for the construction of gliders and sailplanes of various types; (c) to inspect and license airworthy gliders and sailplanes, for a nominal fee; (d) to furnish gliding and soaring instruction to at least two members of each glider club applying for such assistance, on the pledge of such members that they in turn will instruct the other members of the club gratis; (e) to examine and license proficient glider and sailplane pilots for the various types of license, at a nominal fee; (f) to conduct research and make studies and investigations with respect to means and methods of promoting and carrying on education in aviation in the United States; (g) to furnish information and assistance to organizations seeking to promote such education; (h) to cooperate with public educational institutions in providing plans and material for instruction in aeronautics, including such subjects as aerodynamics, the theory of flight, the airplane and its engine, meteorology, and map reading; (i) to stimulate interest in aviation among the youth of the Nation; (j) to assemble, compile, and maintain for reference and distribution records and statistical and other data on occupational opportunities in the field of aviation and the availability of training in aviation; (k) to prepare and distribute material for extension courses; and (l) such other functions as are necessarily incident to promoting education in aviation or related thereto.

SEC. 2. (a) The chief administrative official of such Division shall be known as the Director, and shall be appointed by the Administrator of Civil Aeronautics. The salary of the Director of such Division shall be $9,000 per annum. There shall be in such Division an Assistant Director, to be appointed by the Administrator of Civil Aeronautics, who shall possess the power and perform the duties of the Director during a vacancy in the office of Director or during the absence or inability of the Director. The salary of the Assistant Director shall be $8,000 per annum.

(b) The Director is authorized to appoint, subject to the civil-service laws, such other officers and employees as are deemed necessary and to fix their salaries in accordance with the Classification Act of 1924, as amended. With the consent of the Administrator of Civil Aeronautics the Director is authorized to accept and utilize voluntary and uncompensated services of any person and to utilize, without additional compensation, the services of such consultants and research assistants as may be, at the request of the Administrator of Civil Aeronautics assigned for that purpose by any department or establishment of the United States.

(c) The Director is authorized to make such expenditures as may be necessary for the exercise and performance of the duties and functions provided for by this act, including expenditures for (1) rent and personal services at the seat of government and elsewhere; (2) travel expenses for officers and employees of the Glider Pilot Training Division; (3) office furniture, equipment, supplies, newspapers, periodicals, and books of reference; and (4) printing and binding.

SEC. 3. There is hereby authorized to be appropriated for the fiscal year 1942 the sum of $500,000, and annually thereafter such sums as may be necessary, to carry out the provisions of this act.

Mr. McCARRAN. In connection with that bill, Mr. President, I send forward, and ask unanimous consent to have inserted in the RECORD, a communication, dated April 8, 1941, addressed to the chairman of the Commerce Committe, by Mr. Jesse Jones, Secretary of Commerce. The letter pertains to Senate bill 290, which has just been ordered printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, April 8, 1941.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: In your letter of January 13, 1941, you requested the views of the Department with respect to S. 290, a bill to establish a Civilian Glider Pilot Training Division in the Civil Aeronautics Authority, and for other purposes.

This bill provides for the establishment within the Civil Aeronautics Authority of a Civilian Glider Pilot Training Division, whose chief functions would be to sponsor and promote glider flying. The bill would authorize an appropriation of $500,000 for the fiscal year 1942 and such sums thereafter as might be necessary to carry out the provisions of the act.

As the Civilian Pilot Training Act of 1939 would appear to provide all of the requisite authority to carry out the purposes of this proposed legislation, the Department perceives no necessity for the enactment of the bill.

The Bureau of the Budget has advised that there would be no objection to the submission of this letter to the committee.

Sincerely yours,
JESSE H. JONES,
Secretary of Commerce.

Mr. McCARRAN. Mr. President, I now send to the desk a copy of a letter on the same subject from the Honorable Henry L. Stimson, Secretary of War, of date April 15, 1941, and ask unanimous consent that it be printed in the RECORD at this point in my remarks.

There being no objection, the letter referred to was ordered to be printed in the RECORD, as follows:

APRIL 15, 1941.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate.

DEAR SENATOR BAILEY: The War Department does not look with favor on the enactment of S. 290, a bill which would establish a Civilian Glider Pilot Training Division in the Civil Aeronautics Authority, the functions of which would be to sponsor formation of glider clubs in high schools, colleges, and universities; furnish specifications and directions for construction of gliders and sailplanes; inspect, license, and furnish gliding and soaring instruction to at least two members of each club; examine and license glider and sailplane pilots; conduct research and investigations with respect to means and methods of promoting aviation; furnish information and assistance and provide plans and material for instruction in aeronautics; stimulate interest in aviation; collect statistical data on occupational opportunities in the field of aviation; prepare and distribute material for extension courses, and such other functions as are necessary incident to promoting education in aviation or related thereto.

This bill would provide for the creation of a new division within an existing agency outside the jurisdiction of the War Department.

Flight training in gliders or sailplanes as a preliminary step in power-plane training is of doubtful value and it is believed the cost is not commensurate with the results obtained.

A considerable amount of aviation education is being carried on at present through the extensive pilot-training course being conducted by the Civil Aeronautics Authority.

The effect of the enactment of this legislation on the national defense would appear to be a secondary consideration.

The fiscal effect of the bill would be to authorize an appropriation of $500,000 for the fiscal year 1942 and annually thereafter such sums as may be necessary to carry out the provisions of the bill. There is no indication as to just what part of the $500,000 authorized for the fiscal year 1942 would be expended in connection with the civilian glider pilot training program except that the Director of the Division would receive $9,000 per annum and the Assistant Director $8,000 per annum.

In view of the foreging the War Department does not look with favor on the enactment of this legislation.

This proposed legislation has been submitted to the Bureau of the Budget, which reports that there would be no objection to the submission of this report to the committee.

Sincerely yours,
HENRY L. STIMSON,
Secretary of War.

Mr. McCARRAN. Also I send to the desk, and ask unanimous consent that it be printed in the RECORD at this point in my remarks, a copy of a letter on the same subject, of date April 10, 1941, over the signature of Ralph A. Bard, Acting Secretary of the Navy.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY,
Washington, April 10, 1941.

The CHAIRMAN,
Committee on Commerce, United States
Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: The bill (S. 290) to establish a Civilian Glider Pilot Training Division in the Civil Aeronautics Authority, and for other purposes was referred to the Navy Department by your committee with a request for a report.

The purpose of the bill is to foster civilian glider-pilot training by the establishment in the Civil Aeronautics Authority of a division having cognizance of such activity.

The Navy Department has made an extensive investigation of the value of glider training by conducting a series of experiments with students at the Naval Air Station, Pensacola, Fla. In these experiments the efficiency of students who had been trained in

gliders was compared with that of other students trained in the normal manner. It was definitely determined that the inclusion of glider training in the flight training syllabus was not worth while.

The bill S. 290 would probably encourage aeronautical thought and activities among the young men and women of the country and thus provide a large group from which our future pilots and aeronautical engineers could be selected. The Navy Department, however, is of the opinion that encouragement such as is envisioned by this bill is not necessary. It is considered that this is accomplished by the many aeronautical clubs and schools throughout the country without the necessity of Government expenditure or direction.

In view of the above the Navy Department does not consider that the proposed legislation has sufficient merit to warrant its support

The Navy Department has been advised by the Bureau of the Budget that there would be no objection to the submission of this report

Sincerely yours,

RALPH A. BARD,
Acting.

Mr. McCARRAN. As I have said, and as the RECORD will show, on January 10, 1941, I introduced a bill to establish a civilian glider-pilot-training division in the Civil Aeronautics Authority, and for other purposes, which now is known as S. 290, and which was properly referred to the Committee on Commerce. This bill provides that the Civil Aeronautics Authority shall sponsor the formation of glider clubs in educational and other groups; furnish at cost such clubs with plans, specifications, and full instructions for the construction of gliders; and furnish gliding and soaring instruction to at least two members of each glider club requesting it, on the pledge of such members that they in turn will instruct the other members of the club, gratis.

Glider clubs average about 20 members each; therefore, the bill in question provides, in effect, that for each student trained by the Civil Aeronautics Authority, 9 students shall be trained at their own expense. Using approximately the same method, Russia and Germany trained hundreds of thousands of expert glider pilots, creating immense reserves of pilots who, with little additional training, could become war pilots.

On April 8, 1941, Secretary of Commerce Jones advised the chairman of the Commerce Committee that the civilian pilot-training bill of 1939 contained sufficient authority for the carrying out of the provisions of the glider-pilot-training bill, and that, therefore, S. 290 need not be enacted into law. He failed to state why, if this was true, the Civil Aeronautics Authority never had undertaken a program similar to that outlined in the aforesaid glider-pilot-training bill.

On April 16, 1941, the Acting Secretary of the Navy, acting in the absence of Secretary Knox, wrote the chairman of the Senate Commerce Committee recommending against passage of the glider-pilot-training bill on the ground that such training was no good, the Navy having tried it about 10 years ago and failed. I have been informed that the equipment, facilities, and personnel used in the experiment referred to by Acting Secretary Bard were inadequate and, in some cases, obsolete; yet the Navy Department, apparently unaware of the fact that gliders ar being used in warfare, and that they had been so used in the Belgian campaign of May 1940 with great success, recommends against the passage of a bill which would create an immense pool of glider pilots from which the Navy, in time of need, might draw. The saddest part of this situation is that, as I am advised, the Bureau of Aeronautics was actively considering the purchase or building of troop-carrying gliders at the very time the Acting Secretary wrote the recommendation that no glider pilots be trained by the United States.

On April 15, 1941, Secretary of War Stimson advised the chairman of the Senate Commerce Committee that the War Department did not look with favor upon the glider-pilot-training bill; that flight training in gliders or sailplanes as a preliminary step in power-plain training was of doubtful value; that it believed that the cost of glider-pilot training was not commensurate with the results obtained; that the effect of the enactment of the glider-pilot-training bill on the national defense would appear to be a secondary consideration; and last but, manifestly, not least, passage of the glider-pilot-training bill would—

provide for the creation of a new division within an existing agency outside the jurisdiction of the War Department.

In view of the fact that Ernst Udet, a German World War ace, now a high German Air Force official, is said to have stated in 1938 that the best pilots in the German Army came from the 250,000 or 300,000 glider-trained German pilots, Secretary Stimson's statement that glider training is of doubtful value seems to be a hasty expression of his personal opinion, uttered without thought of the consequences. With respect to the Assistant Secretary's statement that the cost of glider-pilot training would not be commensurate with the results obtained, I have already pointed out that for each pilot trained at Government expense there would be nine pilots trained on their own time, on their own equipment, and at their own expense. I wish that the civilian, Army, or Navy pilot-training programs were but half as economical. Concerning the Secretary's statement that the value of the glider-pilot-training program to our national-defense program would be secondary, I should like to point out that if we had a pool of from 250,000 to 300,000 expert glider pilots, as Germany is reported to have, we would not need to worry when we are told that the production of airplanes exceeds the training of pilots.

With respect to Secretary Stimson's statement that passage of the glider-training bill would provide for the creation of a new division within an existing agency outside the jurisdiction of the War Department, I can only say that the War Department does not yet have a monopoly on the creation of new divisions. Apparently Secretary Stimson does not know what is going on in the War Department, because during the period the War Department had this bill under consideration, that is, from January 30 to April 15, the United States Army Air Corps was very much exercised about troop-carrying gliders and how they should be built, and it asked several experienced glider designers and manufacturers to draw up plans and specifications for such gliders, and to estimate their cost. I feel certain that if Secretary Stimson had consulted the Air Corps before making his recommendation to the chairman of the Commerce Committee, the recomendation would have been different.

The recommendations of the Secretaries of Commerce, Navy, and Army all dealt with the subject of glider-pilot training from the viewpoint of its use as preliminary training for power-plane pilots. Did not these Cabinet members know that gliders have a military use? Did not they know that, whereas it costs about $25,000 to turn out a completely finished military pilot, it costs only from $300 to $500 a turn out a completely finished glider pilot? Do they not know that it would be poor economy to use a $25,000 pilot on a job that a $500 pilot can do better?

I am reliably informed that a certain lieutenant commander in the Naval Reserve who was called to active duty in August 1940 spent several months trying his best to convince his superiors that glider training was an economic necessity; and I am likewise informed that a certain colonel in the Air Corps, Regular Army, has spent much time trying to convince his superiors of the same thing.

When hearings are called on this bill—and I intend to press for them soon—I hope that a complete investigation may be conducted by the Committee on Commerce.

Mr. President, I wish that I could have inserted in the RECORD at this point a diagram of the gliders used by Germany for its invasion of Crete, showing enormous giants of the air which are transported by being towed from the mainland of Greece to the island of Crete, each carrying eight German soldiers and full equipment, including cannon, tommy guns, and other implements of warfare.

I desire at this point, and in connection with my remarks, Mr. President, to have inserted in the RECORD an article from the New York World-Telegram of May 23, 1941, entitled "Army-Navy Opposition to Gliders Revealed."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York World-Telegram of May 23, 1941]

ARMY-NAVY OPPOSITION TO GLIDERS REVEALED—LETTER SHOWS STIMSON DOUBTED VALUE OF TRAINING PROVIDED IN SENATE BILL

(By Charles T. Lucey, World-Telegram staff writer)

WASHINGTON, May 23.—As reports from Crete today continued to show extensive use of gliders for German troop landings, it became known that the War and Navy Departments recently have questioned their value and have opposed legislation for a national glider-training program.

This opposition has been voiced in letters written to the Senate committee by Secretary of War Stimson and Assistant Secretary of the Navy Bard, in commenting on a glider-training bill sponsored by Senator McCARRAN (Democrat, Nevada).

Senator McCARRAN and Charles T. Malone, veteran of France's Lafayette Flying Corps in the World War and now president of the American Glider Association, pointed out today that gliders had been used by the Germans prior to Crete—that they were employed in landing troops for the taking of the Albert Canal in Belgium a year ago.

The Germans, according to European reports, have in the past towed trains of eight gliders behind bombers, each capable of carrying six men fully equipped. They can be released many miles from an objective and glide silently to the ground, or they can be towed directly over the objective and released.

Secretary Stimson wrote Chairman BAILEY (Democrat, North Carolina), of the Senate Commerce Committee, that the War Department "does not look with favor" on the glider-training bill. He said, in part:

"Flight training in gliders or sailplanes as a preliminary step in power-plane training is of doubtful value, and it is believed the cost is not commensurate with the results obtained.

"The effect of the enactment of this legislation on the national defense would appear to be a secondary consideration."

Mr. Stimson also commented that the McCarran bill would "provide for creation of a new division within an existing agency outside the jurisdiction of the War Department."

TRAINING "NOT WORTH WHILE"

Mr. Bard wrote:

"The Navy Department has made an extensive investigation of the value of glider training by conducting a series of experiments with students at the naval air station, Pensacola, Fla. In these experiments the efficiency of the students who had been trained in gliders was compared to that of other students trained in the normal manner.

"It was definitely determined that the inclusion of glider training in the flight syllabus was not worth while."

There have been reports, however, that both the Army and Navy air branches have been interested in military possibilities of the glider and have been fostering research.

Assistant Secretary of Commerce Hinckley agreed that authority for a glider program exists, but added that funds would be needed to provide such a program.

Senator McCARRAN pointed out today that Germany had trained 250,000 to 300,000 young Germans in glider flying, and asserted that "it is pitiful that we should not take hold of this valuable adjunct to aviation. It is time for us to wake up." The Senator said gliders such as Germany has been using can be built for $250 to $500.

Mr. McCARRAN. Mr. President, I also ask unanimous consent to have inserted in the RECORD, in connection with my remarks, an article appearing in the Philadelphia Inquirer of May 22, entitled "It's Safe and Cheap and Quickly Learned."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer of May 22, 1941]

GLIDING IS EASY—IT'S SAFE AND CHEAP AND QUICKLY LEARNED

American glider planes, operated purely for sport and not for military purposes, have set these records to date:

Distance: 290 miles, set last July by John Robinson, of San Diego, Calif., from Elmira, N. Y., to Mineral, Va.

Altitude: 16,300 feet, set in July 1939 by Lt. Robert M. Stanley, of Pensacola Naval Air Station at Elmira, N. Y.

Endurance: 8 hours in the air, set by Robinson on his long-distance flight.

Advantages of a glider's simplicity were emphasized last night by Richard C. du Pont, of Wilmington, a sailplane pioneer and one-time holder of the world's soaring record. Developed primarily for sport, du Pont said, modern sailplanes are—

Safe: They land slower than airplanes, stop quickly, and present no fire hazards, since they have no engines. They need no runways for landing, have even been landed in a tree without injury to the pilot.

Cheap: Gliders can be built in any woodworking shop out of ordinary pine, as they were in Germany, by 10-year-old boys, when du Pont visited that country in 1936.

Accurate: They can be landed in a much more restricted area than an airplane, thus are better for spot landings. It is simple to steer a glider to any point selected for landing.

Easy to handle: Germany produces glider pilots in 10 hours of instruction. If the glider is to be towed in a train, the pilot needs far less knowledge and skill than the sailplane pilot who depends on thermal waves alone for altitude.

The principles of glider-troop attack have long been known in the United States, Du Pont said, but since the sailplane was purely an instrument of sport, its military implications were ignored.

He pointed out that airplane-towed gliders are commonplace, trains of as many as five gliders having been towed here years ago. In one instance, he recalled, a train of gliders was towed across open water from Miami to Habana.

The possibilities of crashing in a glider are much smaller than in an airplane, Du Pont said, "and if you do crash there's no danger of burning, since there's no motor and no fire hazard." What's more, he pointed out, a pilot can "sit down" in a distance of 6 to 8 yards.

"All a pilot has to do to handle a sailplane in tow is to follow the airplane and keep slightly above it, so he won't get in the slipstream," Du Pont observed.

Since United States glider enthusiasts have been essentially sportsmen, Du Pont said, the largest American glider he had even seen was a four-place ship developed about 8 years ago. Even at that time, he said, soarers gossiped that Russia was developing very large gliders, "apparently for military use."

CONSIDERATION OF MEASURES ON THE CALENDAR

The PRESIDING OFFICER. Under the order previously entered, the Senate will now proceed to the consideration of measures on the calendar to which there is no objection.

RESOLUTION PASSED OVER

The resolution (S. Res. 30) submitted by Mr. ADAMS proposing to amend rule VIII so as to prohibit action by unanimouse consent on bills in cases where a Senator has given written notice of his objection to their consideration was announced as first in order.

Mr. McNARY. I ask that the resolution go over.

The PRESIDING OFFICER. The resolution will be passed over.

BLOOD TRANSFUSION

The bill (S. 1290) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment," was announced as next in order.

Mr. McNARY. I ask that the bill go over.

Mr. SCHWARTZ. Mr. President, I think the Senator from Connecticut [Mr. DANAHER] desires to be heard on this bill. I see he is not present. He said he thought he would be prepared to speak on the bill today. I should like to have the bill passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over temporarily.

RESOLUTION PASSED OVER

The resolution (S. Res. 96) submitted by Mr. ADAMS, proposing to make rule XVI applicable to amendments to relief and work-relief bills, was announced as next in order.

Mr. McNARY. I ask that the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1074) for the relief of Austin L. Tierney was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That Private Law No. 99, Seventy-fourth Congress, an act for the relief of Austin L. Tierney, is amended as follows: ": *Provided*, That compensation, retirement pay, back pay, or other benefits shall be held to have accrued and that this man will be entitled to the benefits, privileges, and rights conferred upon an honorably discharged sailor by reason of the passage of this act."

EXCHANGE OF CERTAIN EQUIPMENT

The bill (H. R. 4105) to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character, was considered, ordered to a third reading, read the third time, and passed.

SALE OF ALCOHOLIC LIQUORS AND PROHIBITION OF VICE NEAR MILITARY AND NAVAL ESTABLISHMENTS

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments was announced as next in order.

Mr. LA FOLLETTE. Mr. President, I desire to make a brief statement again in relation to Order of Business 339, Senate bill 860, and Order of Business 340, House bill 2475.

Senate bill 860 was reported from the Committee on Military Affairs without recommendation. It not only grants authority to suppress vice within areas to be prescribed by the Secretaries of War and Navy around Army camps and naval establishments but it also prohibits the sale of light wines and beer at the canteens both of the Army and the Navy. Calendar No. 340, House bill 2475, as passed by the House and as reported from the Committee on Military Affairs, relates only to the suppression of vice.

Mr. President, it is well known that since the repeal of prohibition it has been common practice, as it was prior to prohibition, for the canteens of the Army

and Navy to sell beer to enlisted men. I doubt very much whether a prohibition of the sale of beer would contribute to the morale or the morals of the men in the camps and on the ships. They are all over 21 years of age, and, if this beverage should be taken away from them in their canteens, my fear is that the tendency would be for them to leave the camps and go to places where the environment is much less conducive to their health and well-being.

When the bill came up on call of the calendar last Friday, I was in the chair, the Senator from Colorado [Mr. JOHNSON] offered the Senate bill as a substitute for the House bill, and I, at that stage of the proceedings, asked that the measures go over under objection.

I have today given notice of a motion to reconsider the vote whereby Senate bill 860 was substituted for House bill 2475.

In view of the meager attendance in the Senate today, and the fact that the Senator from Colorado is not on the floor at the moment, I do not desire to have the motion considered and acted upon now, but, at the first time we have a call of the calendar, when there is a better attendance, I shall ask that action be taken, because I do not want to delay the measure conferring upon the heads of the War and Navy Departments the authority to establish areas in which vice shall be suppressed, but, at the same time, I think it would be a mistake to go so far as to prohibit the sale of beer at the canteens of the respective services.

The PRESIDING OFFICER. The bills referred to by the Senator from Wisconsin will be passed over.

BILL ASSED OVER

The bill (S. 937) to amend section 204 of the Sugar Act of 1937 was announced as next in order.

Mr. BYRNES. I ask that the bill be passed over temporarily.

The PRESIDING OFFICER. The bill will be passed over temporarily.

NAVAL AIR STATION, LAKEHURST, N. J.

The bill (S. 1530) to amend the act approved June 6, 1940, entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.," was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved June 6, 1940 (54 Stat. 234), is hereby amended by deleting the numerals "$1,500" in line 6 and inserting in lieu thereof the numerals "$5,000."

SHARK RIVER COAST GUARD STATION, NEW JERSEY

The bill (S. 578) authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to convey by quitclaim deed, to the estate of James A. Bradley, deceased, all the right, title, and interest of the United States in and to property owned by the estate of James A. Bradley, deceased, which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J.

NAUTICAL SCHOOL AT SAN FRANCISCO, CALIF.

The bill (S. 1311) to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, is amended by adding at the end thereof the following new paragraph:

"The port of San Francisco specified in the first paragraph of this section shall be construed as embracing, in addition to the city of San Francisco, any city, town, municipality, or other locality on the San Francisco Bay or the San Pablo Bay or waters tributary thereto."

CHARLES R. WOODS

The bill (H. R. 2569) for the relief of Charles R. Woods was considered, ordered to a third reading, read the third time, and passed.

EVERETT A. ALDEN AND OTHERS

The bill (S. 1387) for the relief of Everett A. Alden, Robert Bruce, Edgar C. Faris, Jr., Kathryn W. Ross, Charles L. Rust, and Frederick C. Wright was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there are hereby canceled the claims of the United States against Everett A. Alden (formerly chief, Duplicating Section, National Bituminous Coal Commission, and now chief, Duplicating Unit, Bituminous Coal Division, Department of the Interior) in the amount of $218.51, against Robert Bruce (former chief, Machine Tabulatio' Section, National Bituminous Coal Commission, and formerly chief, Machine Tabulation Unit, Bituminous Coal Division, Department of the Interior) in the amount of $427.74, against Edgar C. Faris, Jr. (formerly assistant secretary, National Bituminous Coal Commission, and now chief, Records Section, Bituminous Coal Division, Department of the Interior) in the amount of $669.73; against Kathryn W. Ross (formerly senior clerk-stenographer, National Bituminous Coal Commission, and now senior clerk-stenographer, Bituminous Coal Division, Department of the Interior) in the amount of $218.51, against Charles L. Rust (formerly assistant chief, Voucher Audit Section, National Bituminous Coal Commission, and now assistant chief, Voucher Audit Unit, Bituminous Coal Division, Department of the Interior) in the amount of $109.25, and against Frederick C. Wright (formerly assistant chief, Central Graphic Section, National Bituminous Coal Commission, and now assistant chief, Central Graphic Unit, Bituminous Coal Division, Department of the Interior) in the amount of $109.25, arising from the fact that the rate of compensation for personal services to each abovenamed person authorized by the National Bituminous Coal Commission was, during all or part of the period from June 28, 1939, to February 28, 1941, both dates included, in excess of the average of the compensation rates specified by the Classification Act of 1923, as amended, for the grade under which the position of such person was classified, contrary to the provisions of the Interior Department Appropriation Act, 1939, the Interior Department Appropriation Act, 1940, and the Interior Department Appropriation Act, 1941, whereby each such person became and was liable to make restitution to the United States in the amount by which the compensation paid to him or her exceeded the amount lawfully payable; and the Comptroller General is hereby directed to allow credit in the accounts of the disbursing officer for such payments of compensation so made.

H. B. WILSON

The bill (H. R. 2426) for the relief of H. B. Wilson was considered, ordered to a third reading, read the third time, and passed.

J. W. AND ROBERT W. GILLESPIE

The Senate proceeded to consider the bill (H. R. 1976) for the relief of J. W. and Robert W. Gillespie, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of" where they first occur to strike out "$1,000" and insert "$500", and in the same line, after the words "sum of", where they occur for the second time, to strike out "$1,200" and insert "$500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. W. Gillespie, the sum of $500, and to Robert W. Gillespie, the sum of $500, in full settlement of all claims against the United States for personal injuries sustained on October 6, 1939, by the negligent erection of detour signs by employees of the Works Progress Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

IRENE TRAUERNICHT

The bill (H. R. 3629) for the relief of Irene Trauernicht was considered, ordered to a third reading, read the third time, and passed.

BERT AND MARIE FREEMAN

The Senate proceeded to consider the bill (H. R. 1933) for the relief of Bert and Marie Freeman, which had been reported from the Committee on Claims with an amendment, on page 1, line 7, after the words "sum of", to strike out "$3,500" and insert "$2,500."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

MARGARET M. CUTTS

The Senate proceeded to consider the bill (H. R. 4270) for the relief of Margaret M. Cutts, which had been reported from the Committee on Claims with an amendment, on page 1, line 7, after the words "sum of", to strike out "$14,149.-06" and insert "$2,500."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PAYMENT OF GOVERNMENT EMPLOYEES FOR ACCRUED LEAVE WHEN ORDERED TO MILITARY OR NAVAL DUTY

The Senate proceeded to consider the bill (S. 505) making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States, which had been reported from the Committee on Military Affairs, with an amendment, to strike out all after the enacting clause and insert:

That employees of the United States Government, its Territories or possessions, or the District of Columbia (including employees of any corporation created under authority of an act of Congress which is either wholly controlled or wholly owned by the United States Government, or any corporation, all the stock of which is owned or controlled by the United States Government, or any department, agency, or establishment thereof, whether or not the employees thereof are paid from funds appropriated by Congress), ordered to active duty with the military or naval forces of the United States since the declaration of the present emergency by the President, shall be entitled to receive, in addition to their military pay, compensation in their civilian positions covering their accumulated or current accrued leave or to elect to have such leave remain to their credit until their return from active military or naval service.

The amendment was agreed to.

Mr. DANAHER. Mr. President, may the RECORD show an explanation of this bill, please?

Mr. SCHWARTZ. Mr. President, this is a simple bill. It merely proposes that a civilian employee who has earned leave at the time he is inducted into the military or naval service may receive the amount of money due him under his earned leave, or he may let it stand and avail himself of the money when he comes out of the service. The bill does not involve any additional expense to the Government.

Mr. DANAHER. Does it mean that his salary runs on while he is in the service?

Mr. SCHWARTZ. Oh, no. At the time he goes into the service he may have 30 days' earned leave. The bill simply provides that he may receive the compensation for that earned leave, or he may let it stand until he gets back into the civilian service and then have the benefit of it.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The question is the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN OAHU, TERRITORY OF HAWAII

The Senate proceeded to consider the bill (S. 1346) to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, Territory of Hawaii which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of War be, and he is hereby, authorized to convey to the Territory of Hawaii all right, title, and interest of the United States in and to that portion of the military reservation known as Hickam Field, island of Oahu, Territory of Hawaii, containing about ninety-seven and thirteen one-hundredths acres, described in subsection (a) of this act, in consideration of the Governor of Hawaii having transferred to the United States five tracts of land containing about seven hundred and fifty and four hundred and ninety-five one-thousandths acres in the Hawaiian Islands described in subsection (b) of this act:

(a) Beginning at an iron pin marking the most easterly corner of Hickam Field Military Reservation, said point is located thirteen thousand six hundred and twenty-one and twenty-six one-hundredths feet south and three thousand two hundred and seventy-two and fifty one-hundredths feet west from United States Coast and Geodetic Survey triangulation station "Salt Lake"; thence from said point of beginning by azimuths (measured clockwise from true south) and distances as follows: Fifteen degrees twenty-six minutes thirty seconds, one hundred and seventy-four and fifty one-hundredths feet to a pipe; thence fifty-seven degrees fifty-three minutes and no seconds, six hundred and forty and thirty one-hundredths feet along Kaihikapu Pond to concrete post; thence sixty degrees forty-three minutes thirty seconds, eight hundred and thirty-six and sixty one-hundredths feet along the same to pipe; thence sixty-four degrees thirty-eight minutes thirty seconds, one hundred and ninety and ten one-hundredths feet along the same to pipe; thence sixty-six degrees forty-one minutes and no seconds, three hundred and forty-one and ninety one-hundredths feet along the same to pipe; thence three hundred and forty-six degrees twelve minutes and no seconds, fifty-two and twenty one hundredths feet along the same to pipe; thence two hundred and eighty-four degrees twenty-four minutes and no seconds, one hundred and fifty-four and seventy one-hundredths feet along the same to pipe; thence two degrees three minutes and no seconds, two hundred and sixteen and ninety one-hundredths feet along the same to pipe; thence eight degrees twelve minutes and no seconds, one hundred and eighty-seven and forty one-hundredths feet along the same to pipe; thence thirteen degrees thirty-four minutes thirty seconds, two hundred and sixty-one and sixty one-hundredths feet along the same to pipe; thence eleven degrees twenty-nine minutes thirty seconds, one hundred and eighty-four and ten one-hundredths feet along the same to pipe; thence sixteen degrees seven minutes thirty seconds, two hundred and twelve and ten one-hundredths feet along the same to pipe; thence one hundred and sixty-nine degrees nineteen minutes twenty-four seconds, four thousand two hundred and forty-three and thirty-five one-hundredths feet along the remainder of Hickam Field Military Reservation to the boundary of Land Court Application 1074; thence two hundred and seventy degrees no minutes and no seconds, one thousand and forty-nine and fifteen one-hundredths feet along Land Court Application 1074 to a spike; thence three hundred and forty-six degrees forty-five minutes and no seconds, one thousand five hundred and seventy-seven and thirty one-hundredths feet along John Rodgers Airport to iron pin; thence two hundred and seventy-five degrees thirty-five minutes and no seconds, six hundred and seventy-four and no one-hundredths feet along the same to a point; thence two hundred and ninety-nine degrees thirty-one minutes and no seconds, six hundred and eighteen and forty one-hundredths feet along the same to the point of beginning. Containing an area of ninety-seven and thirteen one-hundredths acres.

(b) (1) Mana Airport, Mana, Waimea, Kauai (being portion of the Government (Crown) land of Waimea):

Beginning at a pipe at the northeast corner of this tract of land and about one hundred twenty feet west of a drainage canal (twenty feet wide), the coordinates of said point of beginning referred to Government Survey Triangulation Station "Nohili" being four thousand seven hundred fifty-five and fifty one-hundredths feet south and one thousand nine hundred fifty-five and fifty one-hundredths feet east, as shown on Government Survey Registered Map 2679, and running by azimuths measured clockwise from true south: Twelve degrees and no minutes, five hundred thirty feet along Government land; thence twenty-six degrees and no minutes, nine hundred feet along same; thence six degrees and no minutes, one thousand two hundred feet along same to a pipe; thence ten degrees thirty-four minutes and no seconds, nine hundred fifty-six and sixty one-hundredths feet along same; thence twenty-five degrees and no minutes, eight hundred fifty feet along same; thence one degree and no minutes, six hundred seventy feet along same; thence thirteen degrees and no minutes, two hundred ninety-four and eighty-five one-hundredths feet along same; thence one hundred six degrees eighteen minutes and twenty seconds, three hundred twenty-six and eight one-hundredths feet along the same to a pipe; thence one hundred one degrees twenty-eight minutes and thirty seconds, one hundred twenty and fifty one-hundredths feet along cemetery to a pipe; thence seven degrees twenty-eight minutes and thirty seconds, one hundred eighty-six and twenty one-hundredths feet along cemetery to a pipe; thence two hundred eighty-two degrees fifty-eight minutes and thirty seconds, ninety-one and twenty one-hundredths feet along cemetery to a pipe; thence two hundred eighty-six degrees eighteen minutes and twenty seconds, three hundred thirty-seven and thirty-nine one-hundredths feet along Government land to a pipe; thence thirteen degrees and no minutes, two hundred fifteen and ninety-six one-hundredths feet along same to a pipe; thence three hundred thirty-three degrees and no minutes, six hundred sixty feet along same to a pipe; thence three hundred fifty-seven degrees and no minutes, five hundred fifty feet along same to a pipe; thence seventeen degrees and no minutes, nine hundred fifty feet along same to a pipe; thence twenty-two degrees forty minutes and no seconds, one thousand one hundred thirty feet along same to a pipe; thence eleven degrees and no minutes, one thousand seven hundred thirty feet along same to a pipe; thence twenty-two degrees and no minutes, six hundred seventy feet along same to a pipe; thence three hundred forty-one degrees and no minutes, one thousand six hundred eighty feet along same to a pipe; thence twenty-five degrees ten minutes and no seconds, six hundred thirty feet along same to a pipe; thence eighty degrees and no minutes, five hundred forty feet along same to the seashore at highwater mark, passing over a pipe at four hundred eighty feet; thence along the seashore at highwater mark in a general northerly direction to the southwest corner of Mana Park (Executive Order 148), the direct azimuths and distances between points at seashore being: One hundred sixty-two degrees twenty minutes and no seconds, three thousand three hundred feet; thence one

hundred seventy-four degrees and no minutes, one thousand eight hundred feet; thence one hundred ninety degrees forty minutes and no seconds, two thousand nine hundred forty-seven and forty one-hundredths feet; thence one hundred eighty-six degrees thirty minutes and thirty seconds, two thousand four hundred sixty-one and ten one-hundredths feet; thence two hundred degrees and no minutes, two thousand feet; thence one hundred sixty degrees and no minutes, one thousand feet to the southwest corner of Mana Park (Executive Order 148); thence two hundred sixty-six degrees forty-two minutes and no seconds, one thousand two hundred ninety-one and ninety one-hundredths feet along Mana Park (Executive Order 148) to a pipe, passing over a pipe at ninety feet; thence two hundred sixty-six degrees forty-two minutes and no seconds, one thousand two hundred eighty-eight and ten one-hundredths feet along Government land to the point of beginning. Containing an area of five hundred forty-eight and fifty-seven one-hundredths acres.

(2) Molokai Airport Military Reservation, Palaau, Molokai (being portions of the Government (Crown) land of Palaau):

Beginning at the west corner of this parcel of land and on the south side of Keonelele Avenue, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Middle Hill" being two thousand five hundred and thirty-nine and twenty-nine one-hundredths feet north and fourteen thousand one hundred and seventy-two and sixty-eight one-hundredths feet west, as shown on Government Survey Registered Map 1288, and running by azimuths measured clockwise from true south: Two hundred and seventy-nine degrees fifty-five minutes and thirty seconds, seven hundred and six and nine one-hundredths feet along the south side of Keonelele Avenue; thence sixty degrees twenty-five minutes and no seconds, five hundred and twenty-nine and nine one-hundredths feet along the remainder of Molokai Airport; thence one hundred and forty-eight degrees twenty-five minutes and no seconds, four hundred and forty-nine and forty-nine one-hundredths feet along same to the point of beginning. Containing an area of two and seven hundred and twenty-eight one-thousandths acres.

(3) Upolu Point Airport, Upolu Point, North Kohala, Hawaii (being a portion of the Government land of Opihipau):

Beginning at the northeast corner of this piece of land, and the northwest corner of part 2 of Presidential Executive Order Numbered 7893, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being twenty-two thousand nine hundred and eighty-two and eighty-seven one-hundredths feet north and six thousand three hundred and seventy-eight and seventy-nine one-hundredths feet west; thence running by azimuths measured clockwise from true south: Three hundred and forty-seven degrees thirty minutes and no seconds, two hundred feet along part 2 of Presidential Executive Order Numbered 7893; thence two hundred and fifty-seven degrees thirty minutes and no seconds, four hundred and ninety-four and thirty-three one-hundredths feet along same; thence three hundred and twenty-two degrees fifteen minutes and no seconds, fifty-five and twenty-eight one-hundredths feet along lot 11 of land court application 1120; thence seventy-seven degrees thirty minutes and no seconds, five hundred and sixty-seven and ninety-one one-hundredths feet along the remainder of Upolu Airport; thence one hundred and sixty-seven degrees thirty minutes and no seconds, two hundred and fifty feet along same; thence two hundred and fifty-seven degrees thirty minutes and no seconds, fifty feet along same to the point of beginning. Containing an area of eight hundred and sixty-eight one-thousandths acre.

(4) Hilo Airport Military Reservation, Waiakea, Hilo City, South Hilo, Hawaii (being portion of the Government (Crown) land of Waiakea):

Beginning at the northeast corner of this parcel of land and on the east boundary of the Hilo Airport, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being one thousand two hundred seventeen feet north and fifteen thousand five hundred eight and fifty-three one-hundredths feet east, as shown on Government Survey Registered Map 2540, and running by azimuths measured clockwise from true south: Three hundred sixty degrees and no minutes, five hundred ninety-nine and seventy-four one-hundredths feet along the west side of a fifty-foot road; thence ninety degrees and no minutes, one thousand two hundred eighty-two and fifty one-hundredths feet along the Hawaii National Guard Rifle Range (Governor's Executive Order 286); thence one hundred seventy-two degrees fifty-five minutes and no seconds, one hundred sixty and seventy-five one-hundredths feet along Hilo Airport; thence two hundred twenty degrees forty-five minutes and no seconds, five hundred eighty-one and nine one-hundredths feet along same; thence two hundred seventy degrees and no minutes, nine hundred and twenty-three and one one-hundredth feet along same to the point of beginning. Containing an area of fifteen and ninety-eight one-hundredths acres.

(5) Kalae Military Reservation, known as "Morse Field," Kamaoa, Kau, Hawaii (being a portion of the Government land of Kamaoa, set aside for the use of the Hawaiian Homes Commission (sec. 1662, Revised Laws of Hawaii, 1935), and returned to the Commissioner of Public Lands by the Hawaiian Homes Commission by its resolution numbered 65, dated November 16, 1939, for the purpose of which this Executive order is issued):

Beginning at point "B" on the east boundary of Kalae Lighthouse Reservation, said point "B" marked by a drilled hole in solid rock is situated seven hundred and twenty-four and seventy-two one-hundredths feet south, and one hundred and seventy-four and forty-one one-hundredths feet east of United States Coast and Geodetic Survey Triangulation Station "Ka Lae"; thence from the said point of beginning by azimuths (measured clockwise from true south) and distances as follows: One hundred and seventy-four degrees forty-nine minutes and no seconds, one thousand and twenty-eight feet along Kalae Lighthouse Reservation; thence one hundred and thirty-four degrees seventeen minutes and no seconds, five hundred and ninety-nine feet along the same to point "A" marked by a drilled hole in the center of a square cut in solid rock; thence one hundred and thirty-four degrees seventeen minutes and no seconds, seventy-one and thirty-eight one hundredths feet along the same to a point marking the southwest corner of existing Kalae Military Reservation; thence two hundred and seventy degrees and no minutes, three thousand two hundred and eleven and five one-hundredths feet along the south boundary of Kalae Military Reservation to a one-inch pipe in concrete; thence two hundred and twenty-eight degrees four minutes and no seconds, one thousand seven hundred and seventy and twenty-two one-hundredths feet along the same to a one-inch pipe in concrete; thence two hundred and sixty-five degrees forty-seven minutes and no seconds, one thousand two hundred and seventy-three and fifty-three one-hundredths feet along the same to a one-inch pipe in concrete; thence two hundred and three degrees and no minutes, one thousand one hundred and thirty-seven feet along the same to a one-inch pipe in concrete; thence two hundred and fifty-nine degrees forty-three minutes and no seconds, one thousand eight hundred and seventy-two feet along the same to a one-inch pipe in concrete marking the southeast corner of existing Kalae Military Reservation; thence three hundred and sixty degrees and no minutes, five hundred and seventy feet to a point on the seacoast at high-water line; thence along the seacoast at high-water line in a southwesterly direction to a point at the southeast corner of Kalae Lighthouse Reservation, the direct azimuth and distance is: Sixty-four degrees eight minutes and six seconds, eight thousand three hundred and forty-one and sixty one-hundredths feet; thence one hundred and seventy-four degrees forty-nine minutes and no seconds, sixty feet along Kalae Lighthouse Reservation to the point of beginning. Containing an area of one hundred and eighty-two and thirty-eight one-hundredths acres, more or less.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, Territory of Hawaii, in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands."

TRAVEL BY A SHIP OF CANADIAN REGISTRY BETWEEN AMERICAN PORTS

The joint resolution (S. J. Res 65) to permit travel by a ship of Canadian registry between American ports was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That notwithstanding the provisions of any other law or regulation, one passenger ship of Canadian registry shall be permitted to travel between Cleveland, Ohio, and Milwaukee, Wis., for the purpose of transporting members of the American Legion and their guests to and from that organization's twenty-third annual national convention to be held at Milwaukee, Wis., September 15 to 18, 1941, inclusive; and such passenger ship shall be further permitted to remain at Milwaukee, Wis., during the period of such national convention of the American Legion.

CORPS OF CADETS OF MILITARY ACADEMY

The Senate proceeded to consider the bill (S. 1447) making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That section 1317 of the Revised Statutes is amended to read as follows:

"SEC. 1317. (a) Cadets shall be appointed during the year prior to the time of their admission to the academy, except in cases where, by reason of death or other cause, a vacancy occurs which cannot be provided for by such appointment in advance: *Provided*, That all appointments of cadets for any class, except appointments made under subsection (b) of this section, shall be made prior to the thirtieth day preceding the prescribed time for the admission of such class to the academy.

"(b) After such thirtieth day, appointments may be made by the Secretary of War from among eligible applicants recommended by the Academic Board, to fill any vacancy in the number of cadets authorized at the academy by other provisions of law which has not been filed by an appointment made prior to such thirtieth day, subject to the following limitations:

"(1) Any appointment made under this subsection in any year to fill a vacancy in the number of cadets allowed at the academy for a Member of Congress from any State may be filled only by the appointment of a person who is a qualified alternate candidate from such State. Persons selected for appointment under this paragraph shall be those considered best qualified by the Academic Board

"(2) The total number of cadets appointed under this subsection for admission in any class shall not exceed that number which the Academic Board determines will result in the admission of the desirable number of cadets in such class.

"(3) Appointments made under subsection (b) shall be as fairly apportioned as is practicable, from year to year, among the States from which such appointments may be made.

"(c) For the purposes of subsection (b) of this section—

"(1) The term 'Member of Congress' means Senator, Representative, Delegate in Congress, or Resident Commissioner from Puerto Rico.

"(2) The term 'State' includes the District of Columbia, Alaska, Hawaii, and Puerto.

"(d) No pay or other allowances shall be given to any appointee to the academy until he shall have been regularly admitted; and all appointments shall be conditional until the provisions relating to admission shall have been complied with."

SEC. 2. Any Senator, Representative, Delegate in Congress, or Resident Commissioner may designate a principal candidate and not more than three alternate candidates for any appointment allowed for him at the United States Military Academy

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF INTER-AMERICAN HIGHWAY

The bill (S. 1544) to provide for cooperation with Central American republics in the construction of the Inter-American Highway was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated the sum not to exceed $20,000,000 to enable the United States to cooperate with the governments of the American republics situated in Central America—that is, with the Governments of the Republics of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama—in the survey and construction of the proposed Inter-American Highway within the borders of the aforesaid republics. Expenditures of such sums in any such country shall be subject to the receipt of a request therefor and of satisfactory assurances from the government of that country that appropriate commitments have been made by such government to assume at least one-third of the expenditures proposed to be incurred henceforth by that country and by the United States in the survey and construction of such highway within the borders of such country. In no such country shall the expenditures of this Government from the appropriations herein authorized exceed two-thirds of the total expenses henceforth incurred for said survey and construction in that country. No expenditures shall be made hereunder for the construction of said highway until the government of each of the above-named countries shall have given satisfactory assurance to the United States that it will assume at least one-third of the expenditures proposed to be incurred henceforth by that government and by the United States in the survey and construction of such highway within the borders of such country, or has given other assurances satisfactory to the President that it has made appropriate arrangements to complete such survey and construction within a reasonable period. All expenditures by the United States under the provisions of this act for material, equipment, and supplies shall, whenever practicable, be made for products of the United States or of the country in which such survey or construction work is being carried on.

SEC. 2. The survey and construction work authorized by this act shall be under the administration of the Public Roads Administration, Federal Works Agency, which shall consult with the appropriate officials of the Department of State with respect to matters involving the foreign relations of this Government and such negotiations with the governments of the American republics named in section 1 as may be required to carry out the purposes of this act shall be conducted through, or as authorized by, the Department of State.

SEC. 3. The provisions of this act shall not create or authorize the creation of any obligations on the part of the Government of the United States with respect to any expenditures for highway construction or survey heretofore or hereafter undertaken in any of the countries enumerated in section 1, other than the expenditures authorized by the provisions of this act.

DONATION OF LAND FOR MILITARY PURPOSES

The Senate proceeded to consider the bill (S. 878) to authorize the Secretary of War to acquire by donation land, or to accept donation of the cost of acquiring same, for military or other public purposes, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and to insert:

That whenever any State or political subdivision thereof, person, association, company, or corporation, municipal or private, shall undertake to procure, for the purpose of conveying the same to the United States free of cost, any land or interests therein, which the War Department may be authorized by law to acquire, and shall be unable for any reason to obtain the same by purchase and acquire a valid title thereto, the Secretary of War may, in his discretion, cause proceedings to be instituted in the name of the United States for the acquisition by condemnation of said land or interests therein, and it shall be the duty of the Attorney General of the United States to institute and conduct such proceedings upon the request of the Secretary of War: *Provided*, That all expenses of said proceedings and any award that may be made thereunder shall be paid by the said State or political subdivision thereof, person, association, company, or corporation, to secure which payment the Secretary of War may require the said State or political subdivision thereof, person, association, company, or corporation to execute a proper bond in such amount as he may deem necessary before said proceedings are commenced.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed

The title was amended so as to read: "A bill to authorize the condemnation of lands or interests therein, which the War Department may be authorized by law to acquire, at the expense of States or political subdivisions thereof, persons, associations, companies, or corporations."

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

The Senate proceeded to consider the bill (S. 1133) to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States, which had been reported from the Committee on Naval Affairs with amendments, on page 2, line 8, after the word "Naval", to insert "Medical", and on page 4, line 12, after the word "Yards" to insert "and Docks", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer and convey to the Maryland-National Capital Park and Planning Commission, a body corporate, created by chapter 448 of the acts of the General Assembly of Maryland of 1927, as amended, under such conditions as may be approved by the said Secretary, without cost to the United States, all right, title, and interest of the United States in and to the following parcels of land, situated in Montgomery County, Md., metes and bounds, descriptions of which are on file in the Navy Department and with the said Maryland-National Capital Park and Planning Commission:

Parcels designated "A" and "B" of a plat entitled "Plan Showing Park Lands To Be Required For Rock Creek Park, Unit No. 3, Montgomery County, Md. (Part of U. S. Naval Medical Center)" as filed among the records of said Maryland-National Capital Park and Planning Commission, plan 2217-R 2, said parcels being more particularly described as follows:

Parcel "A": Eighteen and three hundred and eighty-seven thousandths acres, more or less, acquired by the United States of America from Paul Henderson and wife by deed dated November 8, 1938, recorded among the land records of Montgomery County, Md., in liber 719, folio 49.

Parcel "B": One thousand two hundred and seventy-four ten-thousandths of an acre, more or less, being part of a tract containing 42 5 acres, conveyed to the United States of America by the Columbia Park Co. by deed dated December 14, 1938, recorded among the land records of Montgomery County, Md., in liber 721, folio 331.

Parcels designated "A," "B," and "C" as shown on plan 2269-1, entitled "Right-of-Way Plan of Jones Bridge Road (United States Naval Medical Center, Montgomery County, Md.)" of the records of said commission, said parcels being more particularly described as follows:

Parcel A: Three and five one-thousandths acres, more or less, being a strip of land fifty feet wide at the southern edge of the parcel acquired by the United States of America from George E. Hamilton and wife by deed dated November 9, 1938, recorded among the land records of Montgomery County, Maryland, in liber 719, folio 53.

Parcel B: One and five hundred and twenty-seven one-thousandths acres, more or less, being a strip of land comprising the southern edges of the parcels acquired by the United States of America from the Columbia Park Company and Ellen MacPherson Legg by deeds dated December 14, 1938, and January 27, 1939, recorded among the land records of Montgomery County, Maryland, in liber 721, folio 331, and liber 723, folio 477, respectively.

Parcel C: Nine hundred and ninety-five one-thousandths of an acre, more or less, being an irregular strip of land near the southern edges of the lands acquired by the United States of America from George E. Hamilton and wife, Margaret Coolidge, and

Ellen MacPherson Legg by deeds dated November 9, 1938, December 8, 1938, and January 27, 1939, recorded among the land records of Montgomery County, Maryland, in liber 719, folio 53, liber 724, folio 404, and liber 723, folio 477, respectively:

Provided, That when and in the event the aforesaid parcels "A," "B," and "C," as shown on said plan 2269–1, are no longer used as a roadway the title to said parcels shall revert to the United States: *Provided further*, That in consideration of the foregoing transfer by the Secretary of the Navy, the Maryland-National Capital Park and Planning Commission shall construct and maintain an adequate roadway leading from the proposed Beach Drive to a road to be constructed by the United States Government on the Naval Medical Center site at a suitable point on the Maryland-National Capital Park and Planning Commission taking line as shown on Bureau of Yards and Docks drawing No. 130349, dated December 6, 1938: *And provided further*, That the Maryland-National Capital Park and Planning Commission shall, upon completion of the relocation of the Jones Bridge Road, cause the necessary action to be taken to vest title to the old right-of-way of the Jones Bridge Road within the boundaries of the Naval Medical Center in the United States of America. The Secretary of the Navy is further authorized to accept on behalf of the United States, without cost to the United States, all right, title, and interest in and to said right-of-way.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUNISHMENT FOR UNAUTHORIZED ENTRY UPON MILITARY OR NAVAL RESERVATIONS, ETC.

The bill (S. 373) to amend section 45 of the act of March 4, 1909, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 45 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. 1097; U. S. C., title 18, sec. 97), as amended, is hereby amended to read as follows:

"Whoever shall go upon any military or naval reservation, public vessel, Army post, fort, or arsenal, for any purpose prohibited by law or military or naval regulation made in pursuance of law, or whoever shall reenter or be found within any such reservation, vessel, post, fort, or arsenal, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof, shall be fined not more than $500, or imprisoned not more than 6 months, or both. The provisions of this section shall apply to all places either temporarily or permanently under the jurisdiction of the United States."

POSTGRADUATE INSTRUCTION FOR CIVILIAN EMPLOYEES OF THE NAVAL ESTABLISHMENT

The bill (S. 375) authorizing postgraduate instruction for civilian employees of the Naval Establishment was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy, under such rules and regulations as he may prescribe, may detail annually not to exceed 15 civilian employees of the Naval Establishment for engineering, technical, or other scientific education and training at Government expense at institutions for scientific education and research, to enable such persons to acquire advanced and specialized knowledge or training of particular advantage to the Navy in carrying out its functions: *Provided*, That the expense to the Federal Government hereby authorized to be incurred shall be limited to the salaries, transportation expenses, and tuition (including laboratory fees, materials, and necessary textbooks) of the employees so detailed.

ATTENDANCE OF MARINE BAND AT CONVENTION OF G. A. R., COLUMBUS, OHIO

The bill (H. R. 4305) to authorize the attendance of the Marine Band at the diamond-anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4263) to further amend the act of February 9, 1927, entitled "An act relating to the transfusion of blood by members of the Military Establishment" was announced as next in order.

SEVERAL SENATORS. Let the bill go over.

Mr. DANAHER. Mr. President, I understand it has already been asked that Senate bill 1290, which apparently is a companion bill to this bill, go over pending my return to the floor. I ask that both bills go over in order that I may have an opportunity to correlate their language.

The PRESIDING OFFICER. The bills will be passed over.

BIG SANDY RIVER BRIDGE, NOLAN, W. VA.

The bill (S. 1304) granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Norfolk & Western Railway Co., a corporation organized under the laws of the State of Virginia, and authorized to do business in the States of West Virginia and Kentucky, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Tug Fork of Big Sandy River at a point suitable to the interests of navigation near Nolan, W. Va., where the said Tug Fork forms the boundary line between the States of West Virginia and Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Norfolk & Western Railway Co., its successors and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

SUSQUEHANNA RIVER BRIDGE, MILLERSBURG, PA.

The bill (H. R. 2828) to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pennsylvania Authority, was considered, ordered to a third reading, read the third time, and passed.

CORONADO INTERNATIONAL MEMORIAL, ARIZONA

The Senate proceeded to consider the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona, which had been reported from the Committee on Public Lands and Surveys with amendments, on page 2, line 23, after the word "the", to strike out "monument" and insert "designated memorial area"; on page 3, line 9, after the word "the", to strike out "monument" and insert memorial"; in line 13, after the word "the", to strike out "monument" and insert "memorial"; in line 20, after the word "the", to strike out "monument" and insert "memorial"; in line 22, after the word "beside", to strike out "monument" and insert "memorial"; in line 23, after the word "around", to strike out "monument" and insert "memorial"; on page 4, line 1, after the word "the", to strike out "monument" and insert "memorial"; in line 7, after the word "the", to strike out "monument" and insert "memorial"; in line 10, after the word "purposes", to insert: "*And provided further*, That nothing in this act shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters:"; and in line 19, after the word "the", to strike out "monument" and insert "memorial", so as to make the bill read:

Be it enacted, etc., That for the purpose of permanently commemorating the explorations of Francisco Vásquez de Coronado, the President of the United States is authorized to declare, by proclamation, any lands within the following-described area, subject to all valid existing rights, to be established as the "Coronado International Memorial":

Gila and Salt River meridian: Township 24 south, range 20 east, section 10, south half southwest quarter, south half southeast quarter; section 11, south half southwest quarter; section 13, southwest quarter northwest quarter, south half; section 14, northwest quarter, south half, northwest quarter northeast quarter, south half northeast quarter; section 15, all; section 22, all; section 23, all; section 24, all; township 24 south, range 21 east, section 17, south half southwest quarter; section 18, southwest quarter, south half southeast quarter; section 19, all; section 20, west half; aggregating approximately two thousand eight hundred and eighty acres: *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein.

SEC. 2. The National Park Service, under the direction of the Secretary of the Interior, shall promote and regulate the use of the Coronado International Memorial for the benefit and enjoyment of the people of the United States. Insofar as applicable and not in conflict with this act, the act of August 25, 1916 (39 Stat. 535), providing for the establishment of a National Park Service, as amended and supplemented, shall govern the promotion and regulation of the designated

memorial area: *Provided*, That nothing in this act shall be construed to authorize any recreational or other development by the National Park Service within the 60-foot strip north of the international boundary between the United States and Mexico withdrawn by proclamation of the President dated May 27, 1907 (35 Stat., part II, p. 2136), unless such development has received the prior approval of the Secretary of State.

SEC. 3. The Secretary of the Interior, under such regulations as shall be prescribed by him, which regulations shall be substantially similar to those now in effect, shall permit—

(a) Grazing of livestock within the memorial area to the extent now permitted within the said area when such grazing will not interfere with recreational development authorized by this act; and

(b) Prospecting and mining within the memorial area, when not inconsistent with the public uses thereof. Rights to minerals in the area shall not extend to the lands containing such minerals, but the Secretary of the Interior shall grant rights to use so much of the surface of the lands as may be required for all purposes reasonably incident to the mining and removal of the minerals.

SEC. 4. In the administration of the memorial area the Secretary shall not permit the construction of fences except (a) along the international boundary, (b) beside memorial roads or approach roads, and (c) around memorial areas within which improvements have been located by the National Park Service: *Provided*, That any roads constructed within the memorial area by the National Park Service shall include necessary cattle underpasses properly located for the passage of cattle across such roads: *And provided further*, That the right to the exclusive beneficial consumptive use for stock-watering purposes of any water heretofore developed or used for such purposes within the memorial area shall remain in the present holders thereof, their heirs, assigns, successors, and administrators, so long as such water continues to be used exclusively for such purposes: *And provided further*, That nothing in this act shall be construed to alter or affect any water right in the State of Arizona or the jurisdiction of said State over its waters: *And provided further*, That neither roads nor public campgrounds shall be constructed by the National Park Service within the south half southwest quarter of said section 10.

SEC. 5. Upon submission of title satisfactory to him, the Secretary of the Interior, on behalf of the United States, may accept lands and interests in lands which are within the memorial area but are not in Federal ownership and which are offered to the United States without cost.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. That concludes the calendar.

SUGAR QUOTAS

Mr. BYRNES. Mr. President, I move that the Senate proceed to the consideration of Senate bill 937, to amend section 204 of the Sugar Act of 1937. In connection with that motion I wish to make a statement, largely for the benefit of Members of the Senate who were not present at the last session of the Senate.

The Senator from Kentucky [Mr. BARKLEY] had advised many Members of the Senate that because of Decoration Day falling on Friday, and because there appeared to him last week to be no controversial measure ready for consideration this week, he did not believe it would be essential for them to be in Washington this week. As a result of that statement, many Members interested in the sugar bill absented themselves from the city. In view of that fact, the acting chairman of the Finance Committee did not wish to proceed with the bill at the last session, nor to do so today.

Since the adjournment of the Senate last Friday I have discussed the matter with the Senator from Georgia [Mr. GEORGE], the Senator from Colorado [Mr. ADAMS], and the Senator from Wyoming [Mr. O'MAHONEY], who discussed it with the Senator from Michigan [Mr. VANDENBERG] and others, also the Senator from Oregon [Mr. MCNARY]; and if the motion I have made to take up the sugar bill is agreed to, I propose to move that the Senate recess until Thursday, when debate upon the bill will be commenced.

Mr. MCNARY. Mr. President——

Mr. BYRNES. I yield to the Senator from Oregon.

Mr. MCNARY. I thought we were to take one additional step—that there would be an agreement that no vote should be taken on final passage of the bill until Tuesday of next week.

Mr. BYRNES. I was about to make that statement.

Mr. MCNARY. Very well. I beg the Senator's pardon.

Mr. BYRNES. In view of the statement I have heretofore made as to the absence from the city of a number of Senators who are interested in this particular bill, Senators who are among the proponents of the bill as well as the acting chairman of the Finance Committee agreed that on Thursday no vote should be taken; but if this motion is carried I propose, after a point of no quorum is made, to ask unanimous consent that the Senate agree to vote upon the bill not later than 2 o'clock p. m. on Tuesday, June 3, so that the Members will be assured of a vote upon the bill, and be certain of the time at which it will be voted upon.

I therefore now move that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Carolina.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 937) to amend section 204 of the Sugar Act of 1937, which had been adversely reported from the Committee on Finance, with amendments.

Mr. MCNARY. Mr. President, I am not particularly interested, but I thought we had considered the question of the discussion of the bill on Thursday, and that we were to adjourn until the following Tuesday, and at that time dispose of the measure.

Mr. BYRNES. Mr. President, that would be entirely satisfactory to me, and I would much prefer it; and unless the proponents of the bill should desire to proceed on Monday in order to debate the measure, I should be entirely satisfied. We could not adjourn to Tuesday, but we could agree that we would adjourn on Thursday until Monday.

The PRESIDING OFFICER. The Chair was about to state that the Senate could not adjourn from Thursday until Tuesday.

Mr. MCNARY. Of course, that is true, but I had understood there would not be any discussion of the proposed legislation on Monday, that we would convene and then promptly recess until Tuesday. I have notified some of the Members of the Senate that I thought it would not be necessary for them to be here until Tuesday. That is why I raised the point.

Mr. BYRNES. If we can have the same understanding as to Monday that we have as to Thursday, that no vote will be taken, that would answer the purpose of the Senator from Oregon.

Mr. ADAMS. We will want some time for discussion of the measure. It is entirely agreeable to have the vote go over as the Senator from South Carolina is asking.

Mr. BYRNES. The Senator from Colorado agrees, then, that the same agreement we have made as to Thursday shall apply to Monday?

Mr. ADAMS. Yes.

Mr. BYRNES. That we will then have to recess until Tuesday when the vote shall be taken.

Mr. ADAMS. Yes.

Mr. BYRNES. I ask unanimous consent that the rule requiring that a quorum be present when a time for a final vote is fixed be waived, and that the Senate agree that the bill now under consideration, and all amendments thereto, shall be voted on at not later than 2 o'clock p. m. on Tuesday next, the 3d of June.

The PRESIDING OFFICER. Is there objection to waiving the rule requiring that a quorum shall be called? The Chair hears none.

Is there objection to the agreement proposed by the Senator from South Carolina?

Mr. GEORGE. Mr. President—so that I may understand—no vote will be taken before 2 o'clock on Tuesday?

Mr. BYRNES. That is correct.

Mr. GEORGE. And there will be debate on the bill on Thursday, if it is desired?

Mr. BYRNES. That is the understanding.

Mr. GEORGE. Very well.

The PRESIDING OFFICER. Without objection, the agreement proposed by the Senator from South Carolina will be entered.

EXECUTIVE SESSION

Mr. BYRNES. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. KILGORE, from the Committee on the Judiciary:

Joseph H. Young, of Georgia, to be United States marshal for the southern district of Georgia, vice Henry Clayton Walthour, deceased.

By Mr. O'MAHONEY, from the Committee on the Judiciary:

Samuel B. Kemp, of Hawaii, to be chief justice of the supreme court, Territory of Hawaii, vice James L. Cooke, resigned.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the first nomination on the executive calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Edward M. Groth to be consul general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

WORK PROJECTS ADMINISTRATION

The legislative clerk read the nomination of Roy Schroder to be regional director of region III.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. GEORGE. Mr. President, I wish to make a statement as to the nomination just confirmed. For some days I did not approve the appointment of Mr. Schroder, of Florida, to be regional director of region III, which embraces the State of Georgia, because an investigation was under way by both a Senate committee and a House committee. Notice of certain facts having reached me last Saturday, I advised the distinguished senior Senator from Florida [Mr. ANDREWS] that I would not interpose any objection, and Mr. Schroder's name has been reported to the Senate. I desired merely to give for the RECORD, the explanation why my approval had been withheld.

The PRESIDING OFFICER. The clerk will state the next nomination under the Work Projects Administration.

The legislative clerk read the nomination of Wilbur E. Harkness to be work projects administrator for Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PROTOCOL CONCERNING FOREIGN COMPANIES IN THE COUNTRIES OF AMERICA

Mr. GEORGE. Mr. President, I desire to have considered at this time the two treaties on the Executive Calendar. I do not think their consideration will lead to any debate. In fact, the treaty first listed on the Executive Calendar was brought up at a previous meeting of the Senate, and the request was made to have it go over in order that some one of the Senators, I have forgotten who, might look into it. It is merely a protocol concerning recognition of the juridical personality of foreign corporations in the courts of the countries of America, signatory to the agreement.

In substance, the treaty gives to corporations in such countries where a like privilege is granted to corporations of this country, the right to sue and be sued, to come into court and be recognized and assert the rights of a litigant within the courts of each of the states to the agreement. I believe there will be no objection to the agreement.

The second treaty is an agreement or convention providing for the creation of an inter-American Indian Institute by the United States and seven other American Republics having Indian populations. It provides merely for an institute for the collection of information regarding the Indians, and an exchange of information. The only obligation resting upon the United States would be to make a contribution of $4,800 a year to maintain the institute itself.

I may say in that connection that the Vice President himself has been very much interested in, and probably may be properly said to have inspired, the convention.

The PRESIDING OFFICER. Is there objection to the Senate proceeding to consider the first treaty on the calendar?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive E, Seventy-seventh Congress, first session, A Protocol Concerning Recognition of the Juridical Personality of Foreign Companies in the Countries of America, which was opened for signature at the Pan American Union on June 25, 1936, and was signed for the United States on June 23, 1939, subject to two understandings, which was read the second time, as follows:

DECLARATION ON THE JURIDICAL PERSONALITY OF FOREIGN COMPANIES

The Seventh International Conference of American States approved the following resolution (Number XLVIII):

"The Seventh International Conference of American States, Resolves:

"1. That the Governing Board of the Pan American Union shall appoint a Commission of five experts, to draft a project for simplification and uniformity of powers of attorney, and the juridical personality of foreign companies, if such uniformity is possible. If such uniformity is not possible, the Commission shall suggest the most adequate procedure for reducing to a minimum both the number of different systems of legislation on these subjects and the reservations made to the several conventions.

"2. The report should be issued in 1934, and be given to the Governing Board of the Pan American Union in order that it may submit it to the consideration of all the Governments, members of the Pan American Union, for the purposes indicated."

In compliance with the foregoing resolution, the Governing Board at its session of November 7, 1934, appointed a Committee of Experts composed of the Ministers of Venezuela, Panama, and Haiti, and Mr. David E. Grant and Dr. E. Gil Borges. This Committee submitted to the Governing Board at the session of December 5, 1934, a report on the juridical personality of foreign companies in the countries of America. The conclusion of the report of the Committee was presented in the form of the following recommendation:

"Companies constituted in accordance with the laws of one of the Contracting States, and which have their seats in its territory, shall be able to exercise in the territories of the other Contracting States, notwithstanding that they do not have a permanent establishment, branch or agency in such territories, any commercial activity which is not contrary to the laws of such States and to enter all appearances in the courts as plaintiffs or defendants, provided they comply with the laws of the country in question."

The undersigned, being properly authorized by their respective Governments, declare that the principle formulated by the Committee of Experts in the foregoing conclusion to the report mentioned above, is in harmony with the doctrine established in the laws of their respective countries.

The present protocol, in Spanish, Portuguese, English and French, under the present date, shall be deposited in the Pan American Union and remain open for the signature of States which desire to make an analogous declaration.

The representatives of the States which desire to adhere with modifications to the principle enunciated in this declaration, may insert before their signatures the formula which they desire to sign.

IN WITNESS WHEREOF, the undersigned representatives sign this protocol on behalf of their respective governments, and affix thereto their seals, on the dates appearing opposite their signatures.

For Chile:

(S.) M. TRUCCO, June 25, 1936 [SEAL]

[Translation]

On signing the present Protocol, the Representative of Chile formulates as follows the principle of the above-inserted Declaration on the Juridical Personality of Foreign Companies:

Mercantile companies constituted under the laws of one of the signatory States with domicile in the territory thereof, not having any company office, branch or representation in any other of the signatory States may, nevertheless, appear in court in the territory of these latter as plaintiffs or as defendants, subject to the laws of the country, and execute civil and commercial acts which are not contrary to its laws, except that, for the continued realization of the said acts so that they amount to a fulfilling of the function of the company the mercantile company must have special authorization from the competent authorities according to the laws of the country where such acts are to be carried out.

For Ecuador:

(S.) C. E. ALFARO, July 22, 1936 [SEAL]

For El Salvador:

(S.) HÉCTOR DAVID CASTRO, July 22, 1936 [SEAL]

For Nicaragua:

(S.) HENRI DE BAYLE, July 22, 1936 [SEAL]

For Peru:

(S.) M. DE FREYRE Y S., July 22, 1936 [SEAL]

For Venezuela:

(S.) JACINTO FOMBONA PACHANO, June 30, 1936 [SEAL]

For the United States of America:

(S.) CORDELL HULL, June 23, 1939 [SEAL]

The Secretary of State of the United States of America signs the foregoing Declaration on the Juridical Personality of Foreign Companies with the following understandings:

1. It is understood that the companies described in the Declaration shall be permitted to sue or defend suits of any kind, without the requirement of registration or domestication.

2. It is further understood that the Government of the United States of America may terminate the obligations arising under the Declaration at any time after twelve months' notice given in advance.

For the Dominican Republic:

(S.) A. PASTORIZA, November 7, 1939 [SEAL]

[Translation]

On signing the present Protocol, the Representative of the Dominican Republic formulates as follows the principle of the Declaration inserted above:

Companies established under the laws of one of the Contracting States with domicile in the territory thereof, not having any company office, branch or representation in any

other of the Contracting States, may, nevertheless, execute in the territory of the said States juridical acts which are not contrary to their laws and may appear in court as plaintiffs or defendants, subject to the laws of the country.

I hereby certify that the foregoing document is a true and faithful copy of the original, with the signatures affixed thereto up to the present date, of the Declaration on the Juridical Personality of Foreign Companies, which was deposited in the Pan American Union and opened for signature by the States, members of the Union, on the twenty-fifth day of June 1936.

Washington, D. C., March 3, 1941.

[SEAL] PEDRO DE ALBA,
Secretary of the Governing Board of the Pan American Union.

Mr. DANAHER. Mr. President, I wish to ask the Senator from Georgia whether companies which are created in accordance with the laws, let us say, of some South American republic, would be, by virtue of this protocol, unable to do business in an American State without qualifying further under the laws of that State.

Mr. GEORGE. It would give them the right to bring action in court and receive the same treatment accorded other corporations in the courts of this country.

Mr. DANAHER. Are the corporations created by a South American country, let us say, given a better standing than one created under the laws of one of our States?

Mr. GEORGE. I do not think so. That is not the intention. As I understand, the purpose is to waive the requirement that the corporation become domiciled, appoint an agent on whom service of process might be made, and to register. So far as their rights are concerned, the rights are not extended, except the right to assert a cause of action in the courts. It is entirely reciprocal, not extended to the corporations created by any foreign state unless such state recognizes the like right of a corporation created here.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The protocol is before the Senate and open to amendment. If there be no amendment to be proposed, the protocol will be reported to the Senate.

The protocol was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification with the understandings will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of executive E, Seventy-seventh Congress, first session, a protocol concerning recognition of the juridical personality of foreign companies in the countries of America, which was opened for signature at the Pan American Union on June 25, 1936, and was signed for the United States on June 23, 1939, subject to two understandings, as follows:

"1. It is understood that the companies described in the declaration shall be permitted to sue or defend suits of any kind, without the requirement of registration or domestication.

"2. It is further understood that the Government of the United States of America may terminate the obligations arising under the declaration at any time after 12 months' notice given in advance."

Mr. GEORGE. I should have stated that this is a reservation or understanding made by way of amendment to the protocol, which should be acted upon.

Mr. O'MAHONEY. Mr. President, I regret that I was not in position to hear the explanation of the Senator from Georgia when the protocol was discussed. May I ask, What is the need of the protocol at this time, and what is it designed to effect?

Mr. GEORGE. Primarily it is designed to give to the corporations of the several countries which are parties to it the right to sue and defend in the court of the countries parties to the treaty, without becoming domiciled, without registering, and without setting up, as in many instances is required, an agency on which service could be perfected, but the right is entirely reciprocal, and runs only to the corporations of a Central or South American country where a like right is given to the corporations created in the United States.

Mr. O'MAHONEY. Does that then give the right to such corporation to bring suit in any State of the United States, without compliance with the laws of the State as to domicile?

Mr. GEORGE. Yes; it gives that right when the corporation is created by a country which grants a like right to all corporations created in the United States.

Mr. O'MAHONEY. The Senator is aware that under the present state of the law in the United States an American corporation created, let us say, by the State of Delaware, could not ordinarily sue in any other State of the Union without becoming domiciled in that State and complying with the laws of the State with respect to the acceptance, for example, of the constitution of that State; but if I understand the Senator correctly, the ratification of this protocol would give a corporation of a foreign country a right in each of the several States of the Union which domestic corporations would not have.

Mr. GEORGE. Of course, the Senator is taking into consideration that the jurisdiction of the Federal courts extends into all the States. I do not recall whether the protocol specifically refers to State courts, but we could not, of course, require a foreign country to accept the constitution of any State. The only practical thing involved is that a corporation created under the laws of Guatemala might bring suit in any of the courts of the United States, although it had not become domiciled in the United States, it had not set up an agent on whom service could be perfected, provided Guatemala gave to American created corporations a like or reciprocal right.

Mr. O'MAHONEY. I understand the Senator to say that he does not know whether this protocol gives the right to such a corporation to sue in the State courts?

Mr. GEORGE. I do not recall. I assume it does, but I have not the protocol before me. The distinguished Senator from Indiana [Mr. VAN NUYS], I believe, reported it, but he is not now present.

Mr. O'MAHONEY. Mr. President, I feel that in the circumstances this matter should go over so that Senators may have an opportunity to examine it. I should like very much to do so.

Mr. GEORGE. I may say to the Senator that the matter has gone over before in order that Senators might examine it. I do not think there is any pressing necessity for it to be acted upon immediately, but I should like to have the reservations, which have been read, adopted.

Mr. AIKEN. Mr. President, I wish to ask the Senator from Georgia a question. Under this protocol would it be possible for a group of people who had been denied the right to incorporate in this country, to organize a company in a Central or South American republic, and then be entitled to privileges, as a foreign corporation, which would be denied them here otherwise?

Mr. GEORGE. I should think so. I should think that any duly authorized corporation under the laws of any country, party to the protocol, granting the same rights to our corporations, could come into our courts and sue and be sued.

Mr. AIKEN. Even though they had been denied the right to organize as American corporations?

Mr. GEORGE. Yes; if the Senator wants to put the case in that way, I would think so.

Mr. AIKEN. I think that would have an important bearing on the matter.

Mr. GEORGE. Yes; I would think so.

Mr. NORRIS. It would follow, then, would it not, I may ask the Senator from Georgia, that a group of people in the United States could organize a corporation, let us say, in Panama, and then come back into the United States and do business?

Mr. GEORGE. It is not a question of doing business, I may say to the Senator from Nebraska; it is a question of opening the courts to the corporation, and giving a juridical capacity to the corporation, the capacity to sue and be sued, to assert a right, and to have that right and capacity recognized by our courts, if the country in which the corporation is created grants the same right and capacity to our corporations.

Mr. NORRIS. Yes, I understand; but would it not be a dangerous thing for us to permit our people to go into a foreign country and organize a corporation for the purpose of doing business in this country?

Mr. GEORGE. The Senator has asked something which is not within contemplation of the protocol, but the jurisdiction of any State over applicants or petitioners for incorporation is, of course, within that State. If Mexico, let us say, would permit American citizens to take out a Mexican charter and in that way organize a Mexican corporation, then that corporation, under this protocol, would have the right to proceed in the courts of the United States.

Mr. BONE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. BONE. As I understand from the discussion, the protocol sets up the right of a foreign corporation to enter our courts and bring suit in our courts, and probably to be sued there. That is purely a jurisdictional question.

Mr. GEORGE. That is my understanding.

Mr. BONE. It does not include the right to do business, which I suspect is something we might not be able to impose on the States, for they have their own laws.

Mr. GEORGE. I do not think it is intended by the protocol to do that. Whether any corporation is permitted to do business in a State is, of course, subject to State regulation, as long as the regulation is valid under the Constitution.

I understand the Senator from Wyoming wishes to have the matter go over. I was simply interested at this time in seeing if the reservations or understandings offered in the form of amendment to the protocol could be acted upon. I should like to have them acted upon.

The PRESIDING OFFICER. The question is on agreeing to the understandings to the resolution of ratification.

Mr. O'MAHONEY. Mr. President, may the understandings be stated again?

The PRESIDING OFFICER. The understandings will be read.

The legislative clerk read as follows:

1. It is understood that the companies described in the declaration shall be permitted to sue or defend suits of any kind, without the requirement of registration or domestication.

2. It is further understood that the Government of the United States of America may terminate the obligations arising under the Declaration at any time after 12 months' notice given in advance.

The PRESIDING OFFICER. The question is on agreeing to the understandings.

Mr. O'MAHONEY. Mr. President, it seems to me the understandings read by the clerk constitute a concession to the foreign corporation and are not in any degree a reservation of American rights.

Mr. GEORGE. Mr. President, if the Senator would read the protocol I think all his fears might be dispelled. I am not asking for the adoption of the protocol. I am merely asking that the understandings be agreed to, so the whole matter may be before the Senate when the protocol comes up for consideration again.

Mr. O'MAHONEY. If I correctly understand the reading, the reservation weakens the position of the United States as it now stands. In other words, it is a further concession by the Senate.

Mr. GEORGE. I do not think so. Mr. President, may the first reservation be repeated?

The PRESIDING OFFICER. The reservation will be read.

The legislative clerk read as follows:

It is understood that the companies described in the declaration shall be permitted to sue or defend suits of any kind, without the requirement of registration or domestication.

Mr. O'MAHONEY. In other words, the committee is now saying to the Senate——

Mr. GEORGE. It is not the committee. This is a reservation made by this country at the time the protocol was signed for the United States.

Mr. O'MAHONEY. The reservation was made by the United States?

Mr. GEORGE. Yes; on the part of the United States.

Mr. O'MAHONEY. Then our representatives are asking us to approve a reservation which merely says, "We want it clearly understood that these foreign corporations may sue or be sued without complying with State laws."

Mr. GEORGE. Without registering.

Mr. O'MAHONEY. Registration is a requirement of State law.

Mr. GEORGE. The reservation is limited to registration.

Mr. O'MAHONEY. Under the circumstances, since it is clear that there is not very much understanding with respect to the meaning and effect of the protocol, I feel that the whole matter should go over.

Mr. GEORGE. Very well, Mr. President. I shall move to take it up at the next executive session and proceed with it until we dispose of it.

Mr. O'MAHONEY. I shall have no objection at that time.

Mr. GEORGE. The Senator from Indiana [Mr. VAN NUYS] has now returned to the Chamber. However, I ask that the whole matter go over again, giving notice that at the next executive session I shall move to proceed to consider it.

The PRESIDING OFFICER. Without objection, the protocol will be passed over.

THE INTER-AMERICAN INDIAN INSTITUTE

The Senate, as in Committee of the Whole, proceeded to consider the Convention, Executive B, Seventy-seventh Congress, first session, providing for the creation of an Inter-American Indian Institute, signed at Mexico City, November 29, 1940, by representatives of this Government and the governments of seven other American republics, which was read the second time, as follows:

CONVENTION PROVIDING FOR CREATION OF THE INTER-AMERICAN INDIAN INSTITUTE

The Governments of the American Republics, inspired by the desire to create efficient instruments for collaboration in the solution of their common problems, and recognizing the fact that the Indian problem is a question of interest to all America; that it is desirable clearly to state and solve said problem; that in many of the American nations it offers similar and comparable aspects; the Governments of said republics further recognize the fact that it is highly desirable to clarify, stimulate and coordinate the Indian policies of the various nations, said policies being construed as the aggregation of desiderata, standards and measures that should be applied for integral improvement of the living standards of the Indian groups of the Americas; and whereas establishment of an Inter-American Indian Institute was recommended for study, by the Eighth International Conference of the American Nations, assembled at Lima in 1938, in the following resolution: *That the Continental Conference on Indian Life study the advisability of establishing an Inter-American Indian Institute and, if the occasion arises, set forth the basis for its organization and take the necessary steps for its immediate installation and organization;* and whereas the First Inter-American Indian Conference that was held at Patzcuaro in April 1940, passed a resolution creating the Inter-American Indian Institute and recommended the conclusion of a Convention to that end:

Now therefore, the Governments of the American Republics have decided to conclude the present Convention, which will be signed in the manner provided by article XVI, in order to give form to said recommendations and purposes, and have agreed to the following:

The contracting Governments hereby agree to elucidate the problems affecting the Indian groups within their respective jurisdictions, and to cooperate with one another, on a basis of mutual respect for the inherent rights of each to exercise absolute liberty in solving the "Indian Problem" in America, by means of periodical meetings, by means of an Inter-American Indian Institute and of National Indian Institutes, whose organization and functioning shall be governed by this Convention in accordance with the following articles:

ARTICLE I

Organizations

The Contracting States shall seek to achieve performance of the aims and purposes set out in the preamble hereof, by means of the following organizations:

1. An Inter-American Indian Conference.
2. An Inter-American Indian Institute, managed by a Governing Board.
3. National Indian Institutes.

In its own right, every State may be represented at the Conference and on the Governing Board of the Institute.

ARTICLE II

Inter-American Indian Conference

1. The General Conference shall be held at intervals not exceeding four years. The seat of the Conference and the date at which each Congress is to meet shall be determined by the preceding Conference. However, the date scheduled for a meeting may be advanced or postponed by the Organizing Government, at the request of five or more of the participating governments.

2. The government of the nation constituting the seat of the Conference, hereinafter referred to as the "Organizing Government", shall fix the place and final date of the meeting; said Government shall likewise extend invitations to the Conference through the proper diplomatic channels at least six months in advance, sending therewith the respective Agenda.

3. The Conference shall be composed of delegates appointed by the member governments and by a representative of the Pan American Union. An effort shall be made to include members of the National Institutes and Indian members among the staff of the delegations. Each member State shall have one vote.

4. Persons of recognized interest in Indian Affairs may also attend as observers, provided they are invited by the Organizing Government and authorized by their respective governments. Such persons shall not be entitled either to speak or to vote at plenary sessions and shall only be entitled to express their opinions through the official delegations of their respective countries, but may participate in discussion at technical committee sessions.

5. The expenses of organizing and carrying out the Conference shall be paid by the Organizing Government.

ARTICLE III

Inter-American Indian Institute

1. The first seat of the Institute shall be the capital of any American State chosen by the Governing Board of the Institute. The Government of the nation accepting establishment of the Institute shall furnish premises suitable for the functioning and activities of the Institute.

2. The Office of the Inter-American Indian Institute is temporarily placed under the auspices of the Government of Mexico, with headquarters in the City of Mexico.

ARTICLE IV

Functions of the Institute

The Institute shall have the following duties and obligations, except that it shall not have functions of a political character.

1. It shall act as a Standing Committee for the Inter-American Indian Conferences, and shall be the custodian of the reports, papers and archives thereof. It shall cooperate in the execution and contribute towards the fulfilment of the resolutions adopted by Inter-American Indian Conferences, as well as those arising from this Convention, within the sphere of its duties. It shall further cooperate with the Organizing Government in the preparation and holding of the Indian Conference.

2. It shall solicit, collect, arrange and distribute reports on the following:

a) Scientific investigations in regard to Indian problems;

b) Legislation, jurisprudence and administration of Indian communities;

c) Activities of any institutions interested in such groups;

d) Material of all kinds utilizable by the Governments as a basis for development of policies looking to economic and social improvement of living standards among Indian communities;

e) Recommendations made by the Indians themselves in regard to any matters of concern to their people.

3. It shall initiate, direct and coordinate any scientific investigations and inquiries immediately applicable to the solution of Indian problems; or such investigations and inquiries as may, even though not immediately applicable, contribute to better knowledge of Indian life.

4. Publish periodically any magazines or such other material as it may from time to time think fit, and carry on publicity work by means of films, phonograph records and other adequate means.

5. Manage the funds provided by the American nations and accept any other contributions of whatever nature they may be, from public or private sources including personal services.

6. Cooperate in an advisory capacity with the Bureaus of Indian Affairs of the American Nations.

7. Cooperate with the Pan American Union and seek its cooperation for the realization of these aims common to both.

8. Create and authorize the establishment of advisory technical committees, in agreement with the respective Governments.

9. To promote, foster and coordinate the training of men and women experts devoted to the problems of the Indian.

10. To encourage the exchange of technicians, experts or advisers in matters affecting Indians.

11. Discharge such other functions as may be allotted to it by Inter-American Indian Conferences, or by the Governing Board, in the exercise of the powers conferred upon the latter by this Convention.

ARTICLE V

Maintenance and resources of the Institute

1. The patrimony and the resources of the Inter-American Indian Institute for its maintenance shall consist of the annual quotas paid by the member countries; as well as of funds and contributions of any kind that the Institute may receive from American persons or institutions and of funds derived from its publications.

2. The annual budget of the Institute is fixed at $30,600 (U. S Currency). This budget is divided into 102 units of 300 dollars each. The annual quota of each contributor is determined by assigning to each a certain number of units, according to the total population, as indicated in the attached table, but to no country having an Indian population of less than 50,000 shall there be assigned more than one unit. On the other hand, to the countries having the largest Indian population, namely, Bolivia, Ecuador, Guatemala, Mexico and Peru, there shall be assigned additional units equivalent to fifty per cent of those allotted to them on the basis of their total population, as indicated in the attached schedule. When the seat of the Institute is to be in one of these five countries, the country chosen shall be assigned a surcharge of only twenty-five per cent of the units.

a) To apply the table of quotas, the most recent official data in possession of the Inter-American Indian Institute as of July first of every year shall be taken.

b) The Governing Board of the Inter-American Indian Institute shall change the number of units to correspond to changes in the census figures. The Governing Board shall also, when it deems it necessary, change the amount of each of the 102 equal units into which the budget is divided to correspond to any change in the total amount of the budget of the Institute. The Governing Board is also authorized to modify the distribution of units among the participating nations.

c) The quota of each country shall be communicated before the 1st of August of each year to the member Governments, and should be paid by them before the 1st of July of the following year. The quota of each country corresponding to the first year shall be paid within the six months following the date of ratification of this Convention.

ARTICLE VI

Administration

The Administration of the Institute shall be entrusted to a Governing Board, an Executive Committee and a Director, in accordance with the terms set out in the following articles.

ARTICLE VII

Governing Board

1. The Governing Board shall exercise supreme control over the Inter-American Indian Institute. The Governing Board shall be composed of one representative—preferably an expert—, and by a substitute from each of the member nations.

2 When any five nations shall have ratified this Convention and shall have appointed representatives on the Governing Board, the Minister of Foreign Affairs of the Government of Mexico shall call the first meeting of said body, which shall thereupon proceed to elect its own Chairman and the Director of the Institute.

3. One year after the Governing Board has thus been organized, it shall hold a Special Meeting for the purpose of electing the permanent Executive Committee, in the manner set forth in paragraph 2, Article VIII. The members of the Executive Committee during the aforesaid one year period as well as those of the permanent Executive Committee shall be ex officio members of the Governing Board. The Director of the Institute shall serve as Secretary of the Governing Board.

4. Votes in the Governing Board and Executive Committee shall be by countries, Each country shall have a single vote.

5. Delegates representing a simple majority of the member States shall constitute a quorum at meetings of the Governing Board.

6. The Governing B ard shall hold ordinary general meetings every two years and such extraordinary general meetings as may be convened by the Executive Committee, with the consent of the simple majority of the member States.

7. The Governing Board shall have the following functions and duties, in addition to those mentioned above:

a) Appoint the Director of the Institute in accordance with the conditions set forth in paragraph 1 of article IX.

b) It shall study and approve the plan for organization and operation of the Institute submitted to it by the Executive Committee.

c) It shall approve its own by-laws and regulations and those for the Committee and the Institute.

d) It shall submit to the consideration of the member Governments, through diplomatic channels, any modifications it may be desired to introduce in the functions of the Institute.

e) It shall determine the general financial basis of the Institute and audit its accounts, directly or through its representatives or representatives.

f) It shall promote the assembly of International Conferences of experts for the study of technical problems of common interest to member States; to this end it may request of the respective Governments that they appoint experts to represent it at said Conferences, which shall meet at such places and dates as the Governing Board may determine.

ARTICLE VIII

Executive Committee

1. The Executive Committee shall be composed of 5 regular members. They shall be citizens of different countries participating and must be preferably persons well acquainted with the "Indian Problem" or well informed in sociological matters. Each one of the five states represented in the Executive Committee shall appoint a substitute to act in the absence of the respective member.

2. Regular members shall be elected for a period of five years, and the election shall be so arranged that their number shall be renewed to the extent of two fifths on one occasion, and three fifths on the succeeding one; to this end, of the first members so elected, three shall hold office for five years and the other two or three years. Both the permanent and the alternate members can be re-elected.

3. The Director of the Inter-American Indian Institute shall *ex officio* be a member of the Executive Committee, and act as the Secretary of this Committee with the right to be heard but without the right to vote.

4. The Executive Powers of the Institute are vested in the Executive Committee, under the control and direction of the Governing Board, and will, as a general rule, be exercised through the instrumentality of the Director.

5. The Executive Committee shall have the following functions and duties to perform:

a) To decide on the general plan or program for the work of the Institute.

b) To draw up the Institute's annual budget, to determine the remuneration for the staff and the terms of retirement and pensions for the latter.

c) To appoint special commissions that shall be charged with the study of any matters coming within their purview.

d) To authorize the publications of the Institute.

e) To submit an annual report to the participating States, on the progress of the work and on the revenue and expenditures of any kind of the Institute; a similar report shall be laid before every ordinary meeting of the Governing Board.

f) To call extraordinary meetings of the Governing Board, with the consent of a simple majority of the member States; to organize and hold in agreement with the Governments or entities concerned, any meetings, conferences and international assemblies that the Governing Board may promote.

6. When the Governing Board is integrated as set forth by this Convention, the provisional Executive Committee appointed by the Patzcuaro Inter-American Conference on Indian life shall submit to it a report and it shall continue in office for a period of one

year, as established by Article VII, paragraph 3, but subject to the provisions of this Convention. The Standing Committee of the aforementioned Conference shall cease to exist when the Governing Board is integrated and the functions thereof shall be vested in the Executive Committee.

ARTICLE IX

The Director

1. The Director of the Institute must be a person admittedly competent in Indian Affairs and possess a comparative knowledge of Indian problems in the various American States. He shall retain office for 6 years. He shall be the Head of the Institute, and shall answer to the Executive Committee for its satisfactory progress and operation.

2. The Director shall decide upon the plans, work and activities of the Institute, within the general program marked out by the Executive Committee and the By-laws referred to in Article VII, paragraph 7, section (*c*), and besides, the following powers and duties shall be vested in him:

a) He shall, with the approval of the Executive Committee, appoint the personnel of the Institute. He shall endeavor, in so far as possible, applicants being equally competent, to distribute positions among nationals of the various member States

b) To manage the funds and property of the Institute and to administer the budget, provided that any special expenditures in excess of 150 dollars, United States currency, be submitted to the Chairman of the Executive Committee for prior approval, and those exceeding 300 dollars be submitted to the Executive Committee.

3. The Director of the Institute may communicate directly with any Governments and public or private institutions, in the name of the Institute, for the execution of any orders issued by the Executive Committee and by the Governing Board.

4. The Director shall attend, as a Consultant, the meeting of the Governing Board, of the committees appointed by the same and of the Inter-American Indian Conferences, for the purpose of furnishing the information that may be necessary. The expenses thereof shall be borne by the Institute.

ARTICLE X

National Indian Institutes

1. The nations subscribing to this Convention shall, on such date as they may deem advisable, and within their respective jurisdictions, organize National Indian Institutes. The functions of said Institutes shall, by and large, consist in stimulating interest in and furnishing information about Indian matters to any persons and to public and private institutions. Such National Institutes shall further carry out any studies on these questions that may be of particular interest to the Nation concerned.

2. National Indian Institutes shall be affiliated to the Inter-American Indian Institute, to which they shall submit an annual report.

3. The financing, organization and regulations of said National Indian Institutes shall be matters falling exclusively within the purview of the respective Governments.

ARTICLE XI

Languages

The official languages shall be English, Spanish, Portuguese and French. The Executive Committee shall authorize special translations into these and into American Indian languages when it may ceem fit.

ARTICLE XII

Documents

Governments participating shall send to the Inter-American Indian Institute two copies of any official documents and publications in any way connected with the functions and aims of the Institute, to the extent allowed by the domestic legislation and practices of each country.

ARTICLE XIII

Mail and postal privileges

The High Contracting Parties agree to extend to the Inter-American Indian Institute forthwith, the domestic and international postal privilege established by the Postal Union of the Americas concluded in the city of Panama on December 22 1936, and to ask the members of the Union who have not subscribed to the present Convention to grant to it the same privilege.

ARTICLE XIV

Special studies

The expense of any studies or investigations especially agreed upon by one or two of the participating nations shall be borne by the countries involved.

ARTICLE XV

Each of the High Contracting Parties recognizes the legal entity of the Inter-American Indian Institute.

ARTICLE XVI

Signature and ratification

1. The Government of the United States of Mexico shall send to the American Nations a copy of the present Convention, so that they may, if it meets with their approval, express their adherence thereto To this end any Governments so adhering shall furnish their respective diplomatic or special representatives with the necessary powers to sign the Convention. As and when the Convention is signed by each of the States, they will submit said Convention to necessary ratification.

2. The original of the present Convention in English, Spanish, Portuguese and French,* shall be deposited with the Ministry of Foreign Affairs of the Government of Mexico and shall be open to signature by the American Governments from November 1, to December 31, 1940. The American Governments that after the 31st of December 1940, shall wish to subscribe to the present Convention shall make notification thereof to the Minister of Foreign Relations of the Government of Mexico.

3 The instruments of ratification shall be deposited with the Ministry for Foreign Affairs of the Government of Mexico, which shall inform all the American Governments of the deposit of each ratification and the date thereof, forwarding to them the text of any declaration or reservation which may accompany them.

4 Any ratification which may be received after the present Convention becomes effective shall have effect one month from the date of the deposit of such ratification.

ARTICLE XVII

Denunciation

1. Any of the Participating Governments may denounce the present Convention at any time by notifying the Government of Mexico in writing to that effect. Such denunciations shall have effect, including the matter of quotas, one year after the receipt of the respective notification by the Government of Mexico.

2. If, as a result of simultaneous or subsequent denunciations, the number of Contracting Governments should be reduced to three, the Convention shall cease to be effective as of the date on which, in accordance with the preceding paragraph, the last of said denunciations becomes effective.

3. The Government of the United Mexican States shall inform all the American Governments of such denunciations and of the dates on which they become effective.

4. If the Convention should cease to be effective according to the terms of paragraph two of the present article, the Government of the United Mexican States shall notify all the American Governments of the date on which it ceases to be effective.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, after having deposited their full powers found to be in due and proper form, sign this Convention on behalf of their respective governments, and affix thereto the seals, at Mexico, D. F., on the dates appearing opposite their sign tures.

Costa Rica:
(L. S.) CARLOS MANUEL ESCALANTE. November 29, 1940.

Cuba:
(L. S.) JOSÉ MANUEL CARBONELL. November 29, 1940.

Ecuador:
(L. S.) CÉSAR COLOMA SILVA. November 29, 1940

El Salvador:
(L. S.) HÉCTOR ESCOBAR SERRANO. November 29, 1940.

United States:
(L. S.) JOSEPHUS DANIELS. November 29, 1940.

Honduras:
(L. S.) EDGARDO VALENZUELA. November 29, 1940.

Mexico:
(L. S.) EDUARDO HAY. November 29, 1940.

Peru:
(L. S.) LUIS FERNÁN CISNEROS. November 29, 1940.

Annex

Population	Units	Additional units	Total units	Budget in dollars
Less than 1 million:				
Costa Rica	1		1	300
Panama	1		1	300
1 to 4 millions:				
Bolivia	2	1	3	900
Dominican Republic	2		2	600
Ecuador	2	1	3	900
Guatemala	2	1	3	900
Haiti	1		1	300
Honduras	2		2	600
Nicaragua	2		2	600
Paraguay	1		1	300
Salvador	1		1	300
Uruguay	1		1	300
Venezuela	2		2	600
4 to 8 millions:				
Chile	4		4	1,200
Cuba	1		1	300
Peru	4	2	6	1,800
8 to 16 millions:				
Argentina	8		8	2,400
Colombia	8		8	2,400
More than 16 millions:				
Brazil	16		16	4,800
Mexico [1]	16	[1] 4	20	6,000
United States	16		16	4,800
	93	9	102	30,600

[1] Provisional seat of the Institute.

[Translation]

Licenciado Ezequiel Padilla, Secretary of Foreign Relations of the United Mexican States CERTIFIES: that this is a true copy of the original text of the Convention on the Inter-American Indian Institute, open to the signature of the United States of America at the City of Mexico, D. F., as agreed upon at the First Inter-American Indian Congress held at the City of Pátzcuaro, Mexican Republic, in April 1940. And so that it may be sent to the Government of the United States of America, I issue the present certificate at the City of Mexico, D. F., on the twelfth of December, one thousand nine hundred and forty.

[SEAL] E. PADILLA.

The PRESIDING OFFICER. The convention is before the Senate and open

* Spanish, Portuguese, and French texts not printed.

to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive B, Seventy-seventh Congress, first session, a convention providing for the creation of an Inter-American Indian Institute, signed at Mexico City, November 29, 1940, by representatives of this Government and the government of seven other American republics.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

RECESS TO THURSDAY

Mr. BYRNES. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 2 o'clock and 43 minutes p. m.) the Senate took a recess until Thursday, May 29,

Wilder DuP. Baker, May 1, 1941.

NOMINATIONS

Executive nominations received by the Senate May 26, 1941:

FOREIGN SERVICE

Jay Dixon Edwards, of Oregon, now a Foreign Service officer, unclassified, to be a Foreign Service officer of class 8, effective as of May 16, 1941.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

The following-named captains to be rear admirals in the Navy, to rank from the date stated opposite their names:

John S. McCain, February 1, 1941.
Randall Jacobs, April 1, 1941.
Richard S. Edwards, May 1, 1941.

The following-named commanders to be captains in the Navy, to rank from the 1st day of April 1941:

Charles D Swain
Edwin T. Short
William A. Teesley
Charles F. Martin
Allan W. Ashbrook
Benjamin S. Killmaster
Robert A. Dyer, Jr.

The following-named ensigns to be lieutenants (junior grade) in the Navy, to rank from the 3d day of June 1940:

Clifton M. Hocker
William Gregg

The following-named medical inspectors to be medical directors in the Navy, with the rank of captain, to rank from the 1st day of July 1940:

Thomas A. Fortescue
Louis H. Roddis
Robert L. Nattkemper
Alma C. Smith

Assistant Dental Surgeon Aloysius C. Grosspietsch to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1940.

The following-named paymasters to be pay inspectors in the Navy, with the rank of commander, to rank from the 1st day of July, 1940:

Charles E. Sandgren
James E. Sanner
Cyrus D. Bishop
Russell D. Calkins
Hugh A. Phares
Ellsworth F. Sparks
Charles Schaaf
Charles E. Leavitt
Samuel E. McCarty
Melbourne N. Gilbert

The following-named assistant paymasters to be passed assistant paymasters, with the rank of lieutenant, to rank from the date stated opposite their names:

Hugie L. Foote, Jr., July 1, 1940.
Donald W. Twigg, December 16, 1940.

The following-named lieutenants to be lieutenants in the Navy, from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Enrique D. Haskins, July 1, 1940.
Theodore R. Vogeley, August 1, 1940.
James H. Campbell, September 1, 1940.
Charles L. Moore, Jr., October 1, 1940.
Dale Mayberry, December 1, 1940.

The following-named commanders to be captains in the Navy, to rank from the date stated opposite their names:

William A. Heard, January 1, 1941.
Charlie P. McFeaters, January 1, 1941.
Elroy L. Vanderkloot, January 1, 1941.
Alexander R. Early, December 1, 1940.
John R. Palmer, January 1, 1941.
Donald Royce, March 1, 1941.
Alfred H. Balsley, April 1, 1941.
William E. Malloy, April 1, 1941.
Wilder DuP. Baker, May 1, 1941.

The following-named paymasters to be pay inspectors in the Navy, with the rank of commander, to rank from the 1st day of July, 1940:

Roark Montgomery
Paul K. Coons
John Ball

The following-named lieutenant commanders to be commanders in the Navy, from the 1st day of April, 1941:

Gordon B. Parks
Stuart H. Ingersoll

Lt. (Jr. Gr.) Clinton J. Heath to be a lieutenant in the Navy, from the 1st day of February, 1941.

Passed Assistant Paymaster Norman A. Helfrich to be a paymaster in the Navy, with the rank of lieutenant commander, to rank from the 23d day of November, 1940.

The following-named captains to be captains in the Navy, from the dates stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Albert H. Rooks, July 1, 1940.
Charles E. Rosendahl, July 13, 1940.
John G. Moyer, August 1, 1940.
Richard L. Conolly, September 1, 1940.
William A. Corn, October 1, 1940.
John B. W. Waller, November 1, 1940.
William I. Causey, January 1, 1941.
Roy Dudley, January 1, 1941.
Herbert K. Fenn, January 1, 1941.
Henry M. Briggs, January 1, 1941.
Paul Cassard, January 1, 1941.
William W. Meek, January 1, 1941.

The following-named lieutenant commanders to be lieutenant commanders in the Navy to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

William C. Sprenger, June 26, 1940.
Henry C. Bruton, June 26, 1940.
William R. Smedberg 3d, July 1, 1940.
John H. Simpson, August 1, 1940.
Roy A. Gano, September 1, 1940.
Edward L. B. Weimer, October 1, 1940.
Fondville L. Tedder, November 23, 1940.
Robert G. Armstrong, December 1, 1940.
Joseph H. Willingham, Jr., December 16, 1940.

Paymaster William A. Gerth to be a paymaster in the Navy with the rank of lieutenant commander, to rank from the 1st day of January 1941, to correct the date of rank as previously nominated and confirmed.

Lt. (jr. gr.) Lemuel M. Stevens, Jr., to be a lieutenant in the Navy, to rank from the 1st day of February 1941.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Paul L. Dudley, March 1, 1941.
Eugene S. Karpe, April 1, 1941.
Olin P. Thomas, Jr., April 1, 1941.
Charles J. Whiting, May 1, 1941.
Harold J. Pohl, May 1, 1941.

Passed Assistant Paymaster Mark W. Clay to be a paymaster in the Navy with the rank of lieutenant commander, to rank from the 1st day of March 1941.

The following assistant paymasters to be passed assistant paymasters in the Navy with the rank of lieutenant, to rank from the 1st day of April 1941:

Leland P. Kimball, Jr.
Lamar Lee, Jr.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 26, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Edward M. Groth to be a consul general of the United States of America.

WORK PROJECTS ADMINISTRATION

Roy Schroder to be a regional director, region III, Work Projects Administration, effective May 1, 1941.

Wilbur E. Harkness to be work projects administrator for Florida.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 26, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord and Master of mankind, we pray that Thy kingdom may come on earth in word and deed. Thou who art wisdom from on high, come and order all things and bid our hearts and minds to be responsive to the urgent duties of the day. In the midst of current iniquity and mad-world calamity, grant that our protests may not be with bated breath nor in the whispering humbleness of fear, but as harsh as truth and as uncompromising as justice. As the tragic life of the earth goes on, lift the veil of deepening mystery and make the dark valleys of man's inhumanity to man to blossom with peace and good will. Our hearts are not right if they fail to pulsate with human sorrow, and no virtue is safe if it is not enthusiastic and not hostile to the wickedness heaped upon human helplessness. We pray that we may be custodians of that which is dear to every American heart—being men with a message, men with a spirit, and men with a purpose, pouring redemptive energy into the heart of humanity the world over. We humbly beseech Thee to inspire our fellow citizens to be held together by the laws of wondrous unity, clean and as unyielding as eternal truth. Grant that the spirit of the offending eye of aggression may be plucked out, the grasping hand of plunder cut off, and the steel foot of invasion stumble over the abyss of certain death. O Lord God, let Thy kingdom come and man be saved in a world of Christian brotherhood. Through Christ. Amen.

The Journal of the proceedings of Thursday, May 22, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 23, 1941:

H. R. 513. An act for the relief of Paul T. Ward;

H. R. 1267. An act for the relief of Russell H. Gauslin;

H. R. 1355. An act for the relief of Adam M. Garmon; and

H. R. 4183. An act making appropriations for the fiscal year ending June 30, 1942, for civil functions administered by the War Department, and for other purposes.

On May 24, 1941:

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes; and

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 926. An act for the relief of Hazen G. Chamberlain, doctor of medicine, and Cuba Memorial Hospital;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1688. An act for the relief of Herman E. Schorr;

H. R. 1731. An act for the relief of Beulah Bell Nolte and George C. Nolte;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1771. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen;

H. R. 2107. An act to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3309. An act for the relief of Louis J. Banderet;

H. R. 4073. An act for the relief of Marijo McMillan Williams; and

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 12. An act authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims;

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe;

S. 194. An act to authorize research by the Public Health Service relating to the cause, diagnosis, and treatment of dental diseases;

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States;

S. 260. An act to permit mining within the Organ Pipe Cactus National Monument in Arizona;

S. 346. An act to authorize the President of the United States to dispose of certain public vessels, and for other purposes;

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel;

S. 416. An act for the relief of E. A. Wailes, receiver of Delta Oil Co.;

S. 584. An act for the relief of the Indians of the Fort Berthold Reservation in North Dakota;

S. 820. An act for the relief of Emiliano Lopez and Eliza R. Lopez;

S. 849. An act for the relief of Eben Vaughn Cleaves;

S. 851. An act for the relief of Edson E. Downs;

S. 875. An act to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States;

S. 992. An act to amend sections 4613 and 4614 of the Revised Statutes of the United States to include captures of aircraft as prizes of war;

S. 1027. An act for the relief of Harriet B. Rickards;

S. 1115. An act in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma;

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren;

S. 1155. An act for the relief of Maynard Goss;

S. 1156. An act for the relief of Jess W. Harmon;

S. 1250. An act to provide for withholding from the normal channels of trade and commerce cotton of the 1940 and previous crops which is owned by the Government or which is pledged as security for Government loans;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1331. An act to authorize the Secretary of the Interior to lease for the exploitation of silica sand and other nonmetallic minerals, lands withdrawn by Executive Order No. 5105, dated May 3, 1929; and

S. 1468. An act to authorize the Secretary of the Navy to establish a fuel depot at Middle and Orchard Pointe, Wash.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 188. An act for the relief of Major R. Lee;

H. R. 768. An act for the relief of William E. Thomas;

H. R. 859. An act for the relief of Arthur Gose; and

H. R. 2844. An act to provide for the transportation home of persons who have been arrested and subsequently released without conviction or convicted and placed on probation.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2097. An act to amend the Tennessee Valley Authority Act, as amended, by striking therefrom subsection (k) of section 4 and substituting therefor a new subsection (k).

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH, Mr. WHEELER, Mr. THOMAS of Oklahoma, Mr. NORRIS, and Mr. MCNARY to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes; and

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material.

THE LATE CLAUDE V. PARSONS

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. HEIDINGER].

Mr. HEIDINGER. Mr. Speaker, it is my sad duty to announce the death of my predecessor in office, the Honorable Claude V. Parsons, who so ably served the Twenty-fourth Congressional District of Illinois in this body from December 1930 to January 3, 1941.

Mr. Parsons was born and reared on a farm in Pope County, Ill. He was educated in the rural schools of that county and in the Southern Illinois Normal University at Carbondale. He was a successful teacher in the rural schools of his community for a number of years. In 1922 he was elected county superintendent of schools of Pope County and was reelected in 1926. His outstanding record in this office made him the logical candidate of his party for Congress in 1930. He was first elected to Congress in November 1930 to fill the unexpired term caused by the resignation of the late Congressman T. S. Williams, who had been elevated to the United States Court of Claims. At the same time Mr. Parsons was also elected to the Seventy-first Congress. He was reelected to each succeeding Congress until the Seventy-seventh.

During his membership in the Congress he was chairman of the Committee on Enrolled Bills. In addition, he served on the Committee on Coinage, Weights, and Measures, the Committee on Rivers and Harbors, the Committee on Territories, and was also on two select committees of the House dealing with conservation of wildlife resources and the investigation of interstate migration of destitute citizens.

After he retired from Congress he was appointed first assistant administrator of the United States Housing Authority, a position he held at the time of his death.

It was my pleasure to have known Mr. Parsons intimately for a number of years; in fact, he and I were opposing candidates in three campaigns, 1930, 1934, and again in 1940. He was successful in the first two, I in the latter. He was a shrewd political observer, an able speaker, a hard fighter, but he always fought fairly, and when the election was over the campaign was forgotten. He was a true political sportsman, a gentleman in the fullest sense of the term.

When I was elected to Congress last November he was the first to congratulate me, and when I came to Washington to take over the duties of this office succeeding him he was the first to come to me and tender me his services. Since that time he has extended me every courtesy and has rendered me all possible assistance. Mr. Parsons was ever willing to place his country above his party.

Mr. Speaker, in the passing of Claude Parsons the Members of this House have lost a friend. The people of Pope County have lost a good neighbor. The country has lost a devoted public servant, a true American. I join with his many friends in mourning the passing of an outstanding citizen.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I, like my colleague the gentleman from Illinois [Mr. HEIDINGER], and I am sure all of us greatly deplore the untimely death of our former colleague, Claude V. Parsons, who served in this House since the Seventy-first Congress to January of this year.

We knew him as an energetic and useful Member of this body, as a man of strong convictions, beloved by all who knew him and with whom he came in contact. I knew of no man who had more loyal and devoted friends, and he richly deserved them.

I do not have to relate to all of us who served with him as to how active and energetic his services were in this body.

It deserves to be recorded here, however, that even at sacrifice to his health he worked ceaselessly for the benefit of his State and the Nation, but that he was constantly on the alert to promote real, beneficial legislation.

All of us loved and respected him and during his lifetime we knew him to be what his congressional services clearly indicated in every act and deed—a sincere American, a fine friend, a capable and fair opponent, true to the principles upon which our democracy was founded.

He served his people and country faithfully up to the end, and while it is not my purpose to eulogize in a long recital of the many contributions he made to the history of this great legislative body at this time, I want to say that I believe his untimely passing is not only a great and distinct loss to all of us who knew him as a friend, but his sudden death represents a great loss to our great State and the people of our country.

I know my fellow Members join with me in saying rest peacefully, thou good and faithful servant.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Speaker, it was a distinct shock to all of us to learn of the sudden passing of our beloved former colleague the Honorable Claude V. Parsons. Only the latter part of last week had he visited the Capitol and mingled with many of us. He had appeared to be in excellent health.

We of the Illinois delegation in the House and Senate met on Saturday noon and decided, in view of the numerous friendships Mr. Parsons had enjoyed on Capitol Hill and in the official life of the Capital City, that, if possible, a short funeral service should be held in Washington. This has been arranged for at 4 o'clock this afternoon at the Lee Funeral Home, Fourth and Massachusetts Avenue NE., to be conducted by the Reverend James Shera Montgomery, Chaplain of the House of Representatives. Following this, his remains will be taken to his home town of Golconda, Ill., accompanied by his brother, Mr. J. T. Parsons, of Aurora, Ill., and the gentleman from Illinois, the Honorable J. V. HEIDINGER, and myself, representing the Illinois delegation.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Speaker, every Member of this House appreciates a colleague who possesses a generous portion of what we call the American spirit of good sportsmanship.

Shortly after the election of 1940 Claude Parsons called at my office in the House Office Building stating that he wished to make a request of me. Although keenly disappointed at the reversal of his political fortunes in the election, his request was that, as a member of the minority party, I do all in my power with the leaders of my party and with the committee on committees to the end that the man who defeated him might be assigned to responsible committees and given every courtesy and assistance when he arrived in Washington to assume his congressional duties.

I was not disappointed nor was I surprised at what Claude Parsons said to me on that occasion. Like all of you who knew him, I recognized that it was one of the traits of his character. That is one of the reasons why Members on both sides of the aisle today mourn his loss and appear before this House to tell us that while his passing constitutes one of the calamities that ever so often befall the membership of this House, it has been a satisfaction to have known, associated, and labored with him during the past years of his useful life.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. Mr. Speaker, the gentleman who just preceded me, demonstrated by concrete illustration, more eloquently than words can express, the character and personality of our late colleague, Claude V. Parsons.

Sympathetic, kind, industrious, alert at all times for the interest of his constituency, he established a reputation for honesty and integrity during his service in the House of Representatives, which time cannot efface or diminish.

He was an ideal American, an outstanding man. He possessed a sense of justice, and entertained at all times a sympathetic understanding of all with whom he came in contact.

We who were privileged to serve with him in the last 10 years in the Congress of the United States can well appreciate his ability, his nobility of character, his genuine, loyal, sincere friendship.

I am sure I bespeak the sentiments of all in the Chamber when I say that America has lost a noble and faithful public servant; the people of his native State of Illinois have lost one of the outstanding legislators of the past decade.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, I would be false to the impulse of this hour if I did not take this opportunity to add my word of sincere regret upon the passing of a good friend and a fine colleague of this House, Claude V. Parsons. We lived at the same place in this city at the time of his passing and for a number of years before that. During that time it was my privilege to become intimately and closely acquainted with him. More than that, I had the opportunity of serving a number of years with him on the Committee on Rivers and Harbors. In all of that time I found him to be a loyal and devoted servant to his trust.

Since the election last November my admiration and respect for Claude Parsons rose to devotion, when he spoke in terms of commendation and high praise of the man who succeeded him, the gentleman from Illinois [Mr. HEIDINGER] and requesting me, as has already been stated, to exert every effort I could to see to it that his successor was given every opportunity to serve the congressional district he once served in the best and most unselfish manner.

We have lost a devoted and good friend, a man of generous impulses, courteous and amiable always. His State has lost a devoted servant and our country has lost a splendid American.

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the passing of our late colleague and beloved friend, Claude V. Parsons, leaves a vacant spot in the minds and the hearts of his many friends, among whom are included those of us who had the pleasure and the honor of serving with him in this body.

It was my pleasure to be very close to him and to know him in a very intimate manner. As indicative of the friendship that existed between us, when the Democratic caucus met at which I was elected majority leader, as chairman of the caucus I was of necessity ethically bound to select someone else to preside over the caucus. Not only because of my friendship for him but because of his fairness and his knowledge of parliamentary law, I selected our late friend to preside over that caucus which resulted in my election as majority leader. I did this because of his profound ability, his eminent fairness, and his close friendship with me.

I am shocked at his untimely and sudden passing. His death is a great loss

to Nation and State. It is a personal loss to me.

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, in the passing of Claude V. Parsons, I have lost a real, good friend. I did not have the privilege of knowing Mr. Parsons intimately until we were both appointed to the Select Committee to Investigate the Interstate Migration of Destitute Citizens. In the hearings of that committee we heard the testimony of many witnesses who had felt the ill effects of life's hardships and maladjustments. After our meetings were closed and we would talk these things over, I had an opportunity to know something about the philosophy Claude Parsons had. I know what he believed in reference to personal integrity, hard work, real Americanism, property rights, and other questions. I found him to be not only a splendid friend but a great American, a man of great integrity.

CLAUDE V. PARSONS AND JOHN PHILLIP HILL

The SPEAKER. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN of Mississippi. Mr. Speaker, Shakespeare said:

When sorrows come, they come not single spies, but in battalions.

Almost in the same issue of the press, I learned of the passing of two former distinguished colleagues, both of whom were my warm personal friends: Claude V. Parsons, of Illinois, and John Phillip Hill, of Maryland.

I felt like one
Who treads alone
Some banquet hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed.

They were both patriotic Americans. One of them was a Democrat and the other was a Republican, but they were both imbued with and put first the interest of our common country.

As I said, they were both my personal friends, on whose fidelity I could always rely. They are gone, but not forgotten.

May those winged winds that 'round our pathway roar
Waft them to some pleasant spot where mortals weep no more,
Some lone and pleasant dell, some valley in the West,
Where free from toil and pain the weary soul may rest.
Or may the roaring of the mighty deep, whose billows 'round us play,
Bear them to some sacred place, some heaven far away,
Where the weary soul may find the bliss for which it sighs,
Where sorrow never lives, and friendship never dies.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, the eloquent tributes already paid this morning to the memory of our late departed colleague, Claude Parsons, show the love and respect the Members of this body had for him. I cannot let the occasion pass without myself rising to voice the grief and the sorrow I feel at his passing. I considered Claude Parsons one of my best personal friends. I considered him among the Members of the House one of the most conscientious in the discharge of his duties.

He worked long and arduously in his office and spent much time on the floor of the House. He was very familiar with all important legislation that was up for consideration. He had exceptional vitality and great strength of character. His untimely death is a personal loss to me and his State and the Nation have lost a valuable, loyal, and patriotic citizen.

COURSE OF INSTRUCTION AT THE NAVAL ACADEMY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4368) authorizing a reduction in the course of instruction at the Naval Academy, with Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 3, after "authorized", insert "to reduce, in his discretion."

Line 4, strike out "to reduce, in his discretion."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this does not change the bill in the slightest.

Mr. VINSON of Georgia. Not at all; the Senate merely amended the bill by transposing the words "to reduce, in his discretion," from the fourth line to the third line.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF ACT OF FEBRUARY 27, 1936 (49 STAT. 1144)

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1801) amending the act of February 27, 1936 (49 Stat. 1144), with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, after "and", insert "from among."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. ENGEL] be allowed to address the House on Thursday for 40 minutes after the legislative business of the day and following any previous special order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, in the first place, I ask unanimous consent that on Wednesday afternoon, immediately after the reading of the Journal and the disposition of business on the Speaker's table and all legislative business of the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Now, I want to give everybody notice that I am going to talk on that day and on that occasion, and at the suggestion of some people who have picked me to do it, and I do not know why, but I am going to make, with mental reservations, a prememorial address, meaning a Decoration Day address before the date. I very well know not many of you are going to be here Thursday, but on Wednesday afternoon so many of you as are here and are interested in saving the Nation may take notice and govern yourselves accordingly. [Laughter and applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—MEETING OF NATIONAL DIRECTORS OF METEOROLOGICAL SERVICES (H. DOC NO. 224)

The SPEAKER laid before the House the following message from the President of the United States, which was referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States of America:

I commend to the favorable consideration of the Congress the enclosed report from the Secretary of State to the end that legislation may be enacted authorizing the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942; to invite regional commissions III and IV of the international meteorological organization to meet concurrently therewith; and to authorize an appropriation of $14,500 for the expenses of organizing and holding such meetings.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 26, 1941.*

GEORGE H. ADAMS

Mr. NORRELL. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H. R. 4764) for the relief of George H. Adams, and that the same be referred to the

Committee on Claims. It is a Claims Committee bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF REMARKS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial entitled "An Unfounded Attack," from the Shreveport Times of Thursday, May 22, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by Hon. Henry T. Lummus, associate justice of the Supreme Judicial Court of Massachusetts.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TALLE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to insert at the end of my remarks a proclamation issued by the Governor of Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

[Mr. TALLE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HARRIS of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech delivered by the gentleman from Virginia, Hon. S. O. BLAND.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, on behalf of my colleague from Michigan [Mr. HOFFMAN] I ask unanimous consent that he be permitted to extend his remarks in the RECORD and include a telegram from the president of a coal company and an advertisement of the Southern Coal Operators Wage Conference.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Mr. Albert J. Nock, which appears in the Scribner's Commentator for May.

The SPEAKER. Is there objection?

There was no objection.

THE WAR SITUATION

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, according to the morning's newspapers the Nazis have landed the most fierce and dangerous equipment they have by airplane on the island of Crete. I have felt that if the threat of the democracies should creep close enough, then that the leaders of isolationism and appeasement as true Americans, either would withdraw or remain silent, but here, when the battleship *Hood* has been sunk, within a comparative few miles of New York City they are shouting harder than ever. It is alarming.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. No. Such undisguised cowardice is disgraceful abroad and dangerous at home, and I think the time has come when we should quit so much talking in this Nation and double our efforts to supply aid, real aid, that will sustain and support the Nation. It is as patriotic to act in time as it is to fight after it is too late, and much more intelligent.

The SPEAKER. The time of the gentleman from Alabama has expired.

STRIKES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOGGS. Mr. Speaker, several days ago the conference of Gulf shipbuilding workers and managers agreed to ban strikes during the period of emergency and to provide adequate machinery for arbitration. While this was happening one of the vast shipbuilding programs was tied up in another part of the Nation because of a strike.

Throughout the entire Southeast and Southwest there has not been a single strike of any consequence either in defense or nondefense industries. The record achieved could well be studied by obstinate and short-sighted leaders of industry and labor throughout the Nation.

Despite this record, the latest figures show that approximately 3 percent of the total defense contracts have been awarded to firms in this area. Apparently the area of the Nation which has shown the greatest appreciation of the seriousness and urgency of the emergency has been given the least consideration by those directing the defense program.

UNION TRUST CO., CLEVELAND

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, in 1933 the President of the United States declared a banking holiday. Banks closed down by the hundreds throughout the Nation. Some of them never reopened. One of the most important banks that closed down in this banking holiday was the Union Trust Co. at Cleveland, Ohio. When the Union Trust Co. was not permitted to reopen literally dozens of important and intelligent public figures in the city of Cleveland denounced the closing as a political move. Today the Union Trust Co. has paid off 90 percent on its deposits. There is every likelihood that it will pay a complete 100 percent. The men and women who paid double liability on their stock holdings in the Union Trust Co. have reason to believe that they will be reimbursed for their losses.

The point of the matter, however, is not the amount of the dividends paid by the bank in liquidation. Rather it is the demonstration through the bank's ability to pay even under the adverse conditions of a liquidation that the bank should never have been closed in the first place. There are many people in Cleveland who still regard this entire episode as a political gesture. Its effects upon the community were almost unbelievable. It caused the destruction of confidence of thousands of Cleveland citizens. It led to suicides and suffering. Taken together, the tangible and intangible results of this act were important factors in postponing the recovery of the entire city of Cleveland from the depression.

I am calling this matter to the attention of the American people because I believe that it warrants their careful consideration. We should not tolerate the vesting of power in the hands of any small group of individuals where that power may be abused beyond remedy. This was one of the first acts of the New Deal. I do not believe that its principles have changed in any favorable direction since that time.

EMPLOYMENT OF AMERICAN CITIZENS

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BISHOP. Mr. Speaker, in the May 20 issue of the Information Digest, issued by the Executive Office, it is stated that the President was going to ask the Congress to reduce the amount of money for relief by $109,000,000, and that he also wanted the Congress to enact legislation which would "permit employment of aliens on W. P. A. jobs."

I think that this is a very unfair request and is unsound public policy.

In my district there are more American citizens in need of relief than last year. This is not their fault. No national-defense industry has been established in that part of Illinois to take care of a portion of the unemployment.

To cut down the amount of help to our fellow countrymen is bad enough, but to insist that aliens be taken care of before citizens of our own country are provided for just does not make sense.

Mr. Speaker, I hope to see the day come once again when we will look out for the welfare of our own American citizens and provide for them in place of spending so much time and money in behalf of non-Americans.

I hold that our first duty is to see to it that the needs of the citizens of the

United States are taken care of first, and then we can consider the wants of aliens next. We hear a lot about "I am an American." Let us give those who are unemployed the faith and the courage to be proud of it. Let us not make them fear that someone who is not a citizen will get the bread and butter that rightfully should go to Americans first.

Let no one deceive you. The first line of national defense of this country is the welfare of the unemployed. [Applause.]

EXTENSION OF REMARKS

Mr. SCRUGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a very important statement by Hon. Ross A. COLLINS, of this House, entitled "Do We Want a Mass Army?"

The SPEAKER. Is there objection?

There was no objection.

Mr. BATES of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution passed by the Eighteenth District of the American Legion of Texas.

The SPEAKER. Is there objection?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, events foreshadow an important decision by the President and some people are fearful. Let them be calm. October 30, last, speaking in Boston, the President said:

> And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, and I say it again and again and again, your boys are not going to be sent into any foreign wars.

And two days earlier in New York City, referring to the Neutrality Act, the President said:

> We made it clear that ships flying the American flag could not carry munitions to a billigerent, and that they must stay out of war zones.

Now it is true that in March, speaking to the White House correspondents in Washington, the President did say that America would see that certain countries would get our aid. He may have made implied promises to them.

Mr. Speaker, it is hoped that both promises can be kept. But, if it comes to keeping one promise or the other, his pledge to the American people, or an implied promise to foreign peoples, there can be only one decision by the President of the United States. He will not let the American people down. We hope he can keep both promises, but if a choice must be made, if the President must choose between keeping his pledge to the mothers and fathers of America, and an implied promise to peoples of other countries, there can be only one answer. He will be true to his own people, whose President he is by virtue of the promises he gave them. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a copy of a petition addressed to the President of the United States with respect to keeping our boys out of Europe.

The SPEAKER. Is there objection?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address made by Mr. John L. Zurbrick, district director of immigration and naturalization, United States Department of Justice, on responsibilities of new citizens.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution of the Missouri House of Representatives.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Florida ship canal and also to include in the RECORD a radio address delivered by Col. J. E. Meyers, of the United States Army.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article on the franking privilege and prisoners of war.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects and in one to include a copy of a letter and in the other two short excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein two newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent that I may insert in my remarks a few statements made by former Ambassador Kennedy at Oglethorpe University commencement exercises, when he said it was nonsense to say that an Axis victory spelled ruin.

The SPEAKER. Is there objection?

There was no objection.

KEEPING OUT OF WAR

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, Joseph P. Kennedy, former Ambassador to Great Britain, in his address prepared for the Oglethorpe University commencement exercises, said, "The crusaders' argument for war is the silliest of all," and "Democracy cannot be imposed by force or otherwise," and "In our very attempt at this colossal crusade we would end in failure and disgrace abroad, in disillusionment at home."

The President of the United States, tomorrow, I understand from the press, is going to issue a statement. I hope that that statement of the President is going to be to the effect that he is going to keep America out of war; that he is going to fulfill his promise to the American people. I hope that the President of the United States will use his good office and that of the Secretary of State to try now to get the people of this country into a frame of mind to get people all over the world into a frame of mind that we do not want war. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution on the St. Lawrence seaway.

The SPEAKER. Is there objection?

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter I received this morning with an enclosure.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HONORABLE JOHN BOYNTON PHILIP CLAYTON HILL

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, it is my sad duty to announce to the House the sudden death of a former Member of the House of Representatives from the Third Congressional District of Maryland, John Boynton Philip Clayton Hill. Mr. Hill was born in Annapolis, Md., on May 2, 1879, a descendant of one of Maryland's oldest families.

He attended the common schools, was graduated from Johns Hopkins University in 1900 and from the law department of Harvard University in 1903. He was admitted to the bar the same year and commenced practice in Boston, Mass.; returned to Baltimore in 1904 and continued the practice of law.

He enlisted in the National Guard in 1904, served as lieutenant and captain of the Fourth Maryland Infantry 1905–10 and as major 1910–18. He became United States Attorney for the District of Maryland 1910–15, military observer Eleventh German Army Corps maneuvers in 1911, and observer with the Tenth Cavalry, Connecticut maneuvers in 1911.

Mr. Hill served as judge advocate for the Fifteenth Division, and was attached to the Fourteenth Cavalry, Mexican border service, from August 26 to December 15, 1916. During the World War he was major and lieutenant colonel in the United States Army in 1918 and 1919, judge advocate and acting division inspector of the Twenty-ninth Division, American Expeditionary Forces, liaison officer to Fifth United States Corps during the Meuse-Argonne offensive and to Seventeenth French Army Corps during offensive north of Verdun in October 1918, and was promoted to lieutenant colonel on October 22, 1918.

He received a Distinguished Service Medal, Mexican Border Service Medal, and Victory Medal from the United States Government, Croix de Guerre and Legion of Honor from the Republic of France, and the Medal of la Solidaridad, and was recommended for the Distinguished Service Cross. He was honorably discharged from the Army on May 9, 1919.

Although a member of the Republican Party, he was successful in three campaigns in a strong Democratic district and served in the Sixty-seventh, Sixty-eighth, and Sixty-ninth Congresses, after which he resumed the practice of law.

After his appointment, during the administration of the late Governor Nice, as brigadier general, he was known as General Hill.

General Hill was a distinguished soldier, lawyer, and an active Member of Congress, and the State of Maryland mourns his loss.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, following the remarks of the gentleman from South Dakota [Mr. CASE], I want to call the attention of the House to the speech that the gentleman from California [Mr. BUCK] made on the floor last Thursday. Scarcely anyone was present. It was an important speech. It was one of the first courageous speeches and it was probably approved by those in high authority before it was made.

I call to your attention also an editorial in the New York Herald Tribune this morning. The editorial thought of the last 2 or 3 days preceding the important announcement we are to have tomorrow night, is most disquieting. The people are bewildered. Congressmen are bewildered. Lack of courageous leadership is appalling. I feel that the people of the United States are only waiting for leadership. They are ready to follow.

[Here the gavel fell.]

GREENLAND VITAL TO DEFENSE OF THE UNITED STATES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on Sunday the big battleship *Hood* was sunk near Greenland. A year ago I told the House and the administration that the United States should go into Greenland. It is vital to our own national defense. I believe that had we done so a year ago the battleship *Hood* would not have been sunk there.

I earnestly hope, Mr. Speaker, that before it is too late certain islands will be occupied by the United States. We must watch our own defenses, we must be sure that America and the Western Hemisphere are properly defended. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks in the Appendix of the RECORD and to include therein an address by Dr. Oscar F. Blackwelder and also an excerpt from the speech of Cordell Hull, Secretary of State.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair intends next to recognize the gentleman from Missouri. The gentleman from New York will proceed.

ANNOUNCEMENT OF MEETING OF THE WHEELER COMMITTEE

Mr. FISH. Mr. Speaker, I take this opportunity to make an announcement to the House, to those noninterventionists on both sides of the House who want to keep America out of war unless attacked: There will be a meeting in the caucus room of the Senate Office Building of the Wheeler committee this afternoon at 4 o'clock.

Mr. Speaker, at this meeting I believe some very vital and important action will be taken. I am not at liberty to say exactly what it will be, but I may say it will be very pleasing to the friends of democracy in America.

Mr. BEITER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Briefly.

Mr. BEITER. It has been announced that the funeral of our late colleague, Mr. Parsons, will be held this afternoon at 4 o'clock.

Mr. FISH. Senator Wheeler had already called this meeting before the announcement of the funeral, and I do not think the hour can be changed. I am sorry.

[Here the gavel fell.]

THE LATE JOHN PHILIP HILL

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the house for 1 minute on the death of our former colleague, John Philip Hill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, Gen. John Philip Hill, a former distinguished Member of this House, who represented the city of Baltimore for a number of years in the House, died a few days ago.

John Philip Hill had a brilliant war record and held a high office in the National Guard of the great State of Maryland. Although a Republican, he represented a Democratic district for many years in the House. To those of you who did not serve with him, he was the leader of the wet bloc in the House at a time when it was highly unpopular to be on that side of the issue.

John Philip Hill was a credit to his district, a credit to the city of Baltimore and the State of Maryland, and to the Republican Party to which he belonged. He had a most distinguished service in the House and he was a real patriotic American citizen in both time of peace and war.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I delivered on yesterday, Mississippi Day, at Valley Forge.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. COCHRAN. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. WORLEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 55]

Barnes	Gossett	O'Leary
Bell	Hall,	Osmers
Bolton	Leonard W.	Pearson
Boren	Harness	Peterson, Fla.
Boykin	Hartley	Pfeifer,
Bradley, Mich.	Heffernan	Joseph L.
Bradley, Pa.	Hess	Plauché
Brown, Ohio	Hinshaw	Randolph
Buck	Hobbs	Rizley
Buckler, Minn.	Hoffman	Robertson, Va.
Buckley, N. Y.	Holmes	Rodgers, Pa.
Cannon, Fla.	Hook	Rogers, Okla.
Capozzoli	Jacobsen	Rolph
Carter	Jarrett	Romjue
Cartwright	Jenks, N. H.	Sanders
Celler	Johnson, Calif.	Sasscer
Clark	Johnson, Ind.	Scanlon
Collins	Johnson,	Schuetz
Cooley	Lyndon B.	Sheridan
Crawford	Kee	Short
Crosser	Kelley, Pa.	Smith, Pa.
Cullen	Kilday	Smith, Va.
Cunningham	Kirwan	Somers, N. Y.
Dickstein	Kocialkowski	Sullivan
Dies	Kunkel	Sumner, Ill.
Dirksen	McArdle	Sumners, Tex.
Domengeaux	McGranery	Sweeney
Douglas	McGregor	Taber
Downs	McLean	Terry
Duncan	Maciejewski	Tolan
Edmiston	Maciora	Wasielewski
Eliot, Mass.	Marcantonio	Weiss
Elliott, Calif.	Mason	Wene
Ellis	May	White
Englebright	Merritt	Wickersham
Flannery	Michener	Winter
Ford, Leland M.	Mundt	Wolcott
Gathings	Myers, Pa.	Wright
Gerlach	O'Day	Young
Gilchrist	O'Hara	Zimmerman

The SPEAKER. On this roll call 312 Members have answered to their names. A quorum is present.

On motion of Mr. COCHRAN, further proceedings under the call were dispensed with.

ACQUISITION BY UNITED STATES OF DOMESTIC AND FOREIGN MERCHANT VESSELS

Mr. BLAND submitted a conference report and statement on the bill (H. R. 4466) to authorize the acquisition by the United States of title to the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

EXTENSION OF REMARKS

Mr. DISNEY and Mr. DAVIS of Tennessee asked and were given permission to extend their own remarks in the RECORD.

EXTENDING TIME WITHIN WHICH POWERS RELATING TO STABILIZATION FUND AND ALTERATION OF THE WEIGHT OF THE DOLLAR MAY BE EXERCISED

Mr. SABATH. Mr. Speaker, I call up House Resolution 211, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill H. R. 4646, a bill to extend the time within which the powers relating to the stabilization fund and alteration of the dollar may be exercised, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 4 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Coinage, Weights, and Measures, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, as usual, I shall later on yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, this rule is a broad and liberal rule, providing for 4 hours' general debate, after which the bill will be read under the 5-minute rule. The bill that this rule makes in order, H. R. 4646, extends the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised for 2 additional years.

In 1933 and 1934 this authority was granted to the President and it has been extended in 1935, again in 1937, and again in 1939. I am pleased that the minority report that has been filed does not oppose the principles of this bill. It only seeks to restrict the President in two particulars, one being that the gold content shall not be lowered below 35 and the other that the stabilization fund of $2,000,000,000 shall be reduced to $200,000,000. As to the latter, it claims that since only $200,000,000 has been used by the Secretary of the Treasury up to the present time they see no reason for allocating more than that amount to this fund.

The minority relies upon the report of the Federal Reserve Advisory Board which maintains that the fund of $2,000,000,000 is unnecessary. In 1937 and again in 1939 the minority assailed and attacked the bill and the authority that was being granted and extended to the President. They claimed that by giving the President this unnecessary, broad power it might be abused and could be abused.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. SABATH. No; I cannot yield now. I will later on.

The minority must concede and admit now that the power has not been abused, that the gold content has not been changed and that the $2,000,000,000 has not been misused. As I stated, in 1937 and again in 1939, several gentlemen who assailed the power that was being extended to the President and who questioned the sincerity of the President and the Secretary of the Treasury are not with us in this Congress, and I refer to the gentleman from Montana and the gentleman from Wisconsin who viciously assailed and attacked the legislation and questioned the wisdom and even the integrity of the President and the Secretary of the Treasury. Consequently, the minority has been obliged to look for some other aid and have succeeded in obtaining extracts from the report of the so-called Federal Reserve Advisory Committee, which committee in its report stated that this legislation was responsible for the Government obtaining money at a much lower rate than it should pay. Naturally, since they are bankers, they are desirous of getting as much and as high a rate of interest for the benefit of a few but to the detriment of all taxpayers. They do not seem to be interested in the Government and it seems to me it is selfishness and avariciousness on their part.

Mr. Speaker, this legislation has enabled the Treasury to obtain money for the Government at a much lower rate of interest than ever before in the history of our country. The average interest rate that the Government now pays is about 2½ percent, whereas formerly it was nearly 4 percent. But the minority report states that of the $2,000,000,000 now allocated to this fund, $1,800,000,000 is not being used and that it therefore costs the Government about $45,000,000 a year in interest; for this reason the minority feel that the $1,800,000,000 should be released and used for other purposes. However, they do not realize that this stabilization fund is an insurance fund. It is a fund that makes it possible for the Government to obtain its needed funds at the lowest rate. Even though the interest on the additional $1,800,000,000 may cost the Government $45,000,000, yet by reason of the maintenance of this added fund a sum far exceeding the $45,000,000 interest charge is saved because of the ability to obtain lower interest rates which could never exist if the fund were decreased as suggested by the minority. In view of that fact, I maintain that the position of the minority is not sound and is not entitled to a great deal of consideration.

Since those of the minority who appeared before the Committee on Rules were satisfied that the rule be granted, and the only thing they desired was sufficient time for debate, which was granted, I do not expect any opposition to the adoption of this broad and liberal rule.

By this time the Members of the House and the country are satisfied that the President will continue as he has in the past to protect the Nation's interest, and that he will not do anything in regard to the alteration of the gold content of the dollar that might bring about inflation, as has been charged in years gone by, and which the minority also fears may be brought about through the exercise of this power by him.

Mr. Speaker, I read the evidence of the Secretary of the Treasury, and I am satisfied with the assurance he has given to the committee that no change is contemplated. Personally, I know this House and the country have the utmost confidence in the Secretary of the Treasury, and they should have, because I believe that no man holding that important position before him has served the Nation more sincerely, more efficiently, and more honestly than he has. In view of his assurance and in view of the testimony, I believe that the country and all of us can be satisfied that no change will take place.

As I have stated, there being no opposition to the rule, I shall not take up any more time on the rule. I reserve the balance of the time so that I may yield it to certain gentlemen who have requested time to speak on the rule.

Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, it is a matter of regret to me that in the consideration of this highly important measure, perhaps as far reaching as any measure could be except a declaration of war, there are but a handful of Members on the floor of the House and practically no one in the gallery. This bill, dealing with the extension of the stabilization fund, which carries with it $2,000,000,000 and permits the President to further devalue the dollar, from 59 cents to 50 cents, comes in almost as a routine measure, as if it were not big enough for the Congress, yet it is the most vital domestic bill that could possibly come before us.

I say to the chairman, as long as that is the condition, that I am going to oppose the rule. If the Congress will not pay any attention to this kind of legislation, I propose to oppose this rule in every possible way and see if I cannot stir up some interest in legislation of this kind, that so vitally affects the destiny of America. This bill is so incredible and so fantastic that no matter what I may say in the way of telling the truth and presenting the facts the public would say I was exaggerating. The legislation and what it has already done is utterly fantastic, yet we are told there will be no opposition to the rule. Therefore, let us decide right now that we will have plenty of opposition to the rule and the bill.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. Does not the gentleman believe that the fact that the same arguments were made in 1937 and 1939, and that the Members have the utmost confidence in the President and the Secretary of the Treasury, is the reason they feel this legislation should be passed without a great deal of opposition?

Mr. FISH. I am quite sure the President and probably the gentleman from Illinois would be very glad to have no discussion and no debate whatever on this question. Why?

Mr. SABATH. No; I voted for the 4 hours of debate.

Mr. FISH. I will tell you why. It is because this is the most gigantic failure, the greatest folly of all the New Deal follies combined. I say this in all seriousness. Naturally they want to cover it up. They do not want the public to know about what has happened, that America has been mulcted, that it has been robbed, that we have been turned into a milch cow to be milked by every foreign nation, that these nations have made out of the devaluation of the dollar and the arbitrary fixing of the value of gold at $35 an ounce, about $6,000,000,000 or $7,000,000,000.

Perhaps the intentions of the administration were good, but hell is paved with good intentions. I am willing to admit that the original intentions of the administration were good. They wanted to raise agricultural prices, but they did not succeed in raising them one bit; in fact, for a number of years afterward prices went down and down.

I use mild terms when I say that this is the most gigantic failure in all the New Deal. That is why they do not want any discussion under the rule. They have a bear by the tail, and the administration does not dare let go and does not know how to let go.

I am going to present some facts. They set the price of gold at the arbitrary figure of $35 an ounce. As soon as they set that price, what happened? An avalanche of gold poured into America. Today we have $23,000,000,000 worth of gold, or between $22,500,000,000 and $23,000,000,000 worth of gold out of a total world gold supply of $28,000,000,000. We have bought up practically all the gold in the world at this artificial price.

If we should reduce the price of gold today from $35 an ounce to $30 an ounce, what would happen? We would get all the rest of the gold in the world. We would get the remaining $5,000,000,000 almost over night. Why? Because the owners of gold in other countries would be afraid we might reduce the price again.

This is what happened: We fixed an arbitrary and artificial price of $35 an ounce. This gold is produced largely in South Africa, and Great Britain has a monopoly of gold production and produces about 60 percent of all the gold in the world. They produce it there at a cost of $18 to $19 an ounce and we pay them $35 an ounce, a profit of about 100 percent on every ounce. They dig that gold out of the ground in South Africa, transport it over here, and we pay them twice the cost of production for it and bury it back in the ground in the State of Kentucky, where it draws no interest, feeds nobody, clothes nobody, houses nobody, and puts nobody to work; and worse than that, far worse, it hampers world trade.

Gold is nothing but foreign exchange. It has been the medium for foreign exchange for a century or more. That is why these nations that have no more gold have gone off the gold standard. Germany has none, Japan has none, and Italy and a great many others; in fact, most of them outside of Great Britain, have very little gold. Therefore they must go on the barter system. They do not want the barter system. They are forced to the barter system against their will because they have no more gold and gold is nothing but foreign exchange. We have most of the gold. We have paid twice the cost of production for this gold, brought it over here, with the net result that if we reduce the price of gold to what it was before we raised it to $35 an ounce from $20 an ounce, nobody could buy it from us, although we are buying it from the world today at $35. I do not believe they could buy gold from us at $10 an ounce. Why? Because they have not the money to buy it with. The only thing they could do would be to buy it for goods, and we produce almost everything we need here, and you, certainly, are not going to take agricultural products, for instance, in return for the gold, and therefore if you reduced it to $10 an ounce there would still be no takers.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. AUGUST H. ANDRESEN. I would like to make the observation that for every dollar we reduce the price of gold the Treasury and the American people stand a loss of $644,000,000. So if we reduce it down to $20 an ounce from $35 an ounce, we will have wiped out pretty nearly everything we have paid out and the gold will be valueless at the end.

Mr. FISH. I am not sure the gold is not almost valueless today. I do not think anybody could buy the gold at all. After this war is over—and, of course, this war will conclude like all others eventually—then there is nothing for us to do with this gold except to give it away. We will have to give a billion dollars or $2,000,000,000 of surplus gold to England and credit her with that gold. We will have to do the same thing with France, and we will have to do the same with Germany. We will have to establish a $2,000,000,000 credit here for various foreign nations so as to put that gold in use. We could now, if we wanted to do it, as suggested by Winthrop Aldrich, the head of one of our greatest banks, the Chase National Bank, and a real student and expert on this gold situation, put the gold to work by circulating it and have the Government make $5 gold pieces, $10 gold pieces, and $20 gold pieces, and distribute the gold now hoarded by the Government. I am in favor of that. He has written a pamphlet on it, and it seems very sound to me.

It would not accomplish very much, however, at the present time, but it is a step in the right direction and I would like to see that done, but, of course, I know the administration is not going to do anything because they know they have this bear by the tail, and they do not want the public to know the facts. The facts are so incredible the public would not believe them anyway. We have actually been mulcted and robbed out of billions and billions of dollars. I imagine from 1934 to 1941, 7 years, it must be between six and seven billion dollars, or as much as the lend-lease bill proposes to give in articles to Great Britain. We have already given away a great deal to these foreign nations.

Mr. THOMAS F. FORD. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. THOMAS F. FORD. The gentleman talks as though we went out and bought gold with money. As a matter of fact, 75 percent of the gold that has come to this country has come in exchange for goods that we shipped abroad.

Mr. FISH. That is not so at all.

Mr. THOMAS F. FORD. Of course it is so.

Mr. FISH. And the gentleman ought not to make a statement like that. It is not so because we make a few hundred million in exchange each year. The balance may run as high as $500,000,000, or let us say a total of $5,000,000,000 out of the $23,000,000,000. Where do you think that came from—the difference between $5,000,000,000 and $23,000,000,000, which it is today, or $18,000,000,000? That was not the balance of trade in the last 6 years. Twelve billions of dollars or more was purchased at $35 per ounce.

I know the figures involved in this matter pretty well and I do not want anybody to inject that kind of talk into my speech because it is not true.

Mr. Speaker, I now ask unanimous consent to speak out of order in order to make an important announcement to the House.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to speak out of order. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, this is an announcement about a baseball game, of the Statesmen versus Lowell Thomas' Nine Old Men, to be played at Griffith Stadium, Washington, D. C., June 7, 1941, at 2 o'clock p. m.

Lowell Thomas will bring his famous team of softball players, known as the Nine Old Men, to Washington to play a team composed of Senators and Representatives, at Griffith Stadium, on Saturday, June 7, 1941, at 2 p. m.

Last year Lowell Thomas' team played at the Madison Square Garden in New York, and drew a crowd of 15,000, netting $12,000 for charity. Among the well-known personages on the Nine Old Men are Babe Ruth, Gene Tunney, Jack Dempsey, Jim Farley, Believe It or Not Bob Ripley, Colonel Stoopnagle, Lanny Ross, Graham McNamee, Lou Lehr, Ted Shane, Frank Buck, Father Flanagan,

Eddie Eagan, James Melton, Gene Sarazen, John Kieran, and Prosper Buranelli.

The game on June 7 will be played promptly at 2 o'clock for American charities, including the Home for Incurables and Emergency Hospital at Washington. Grandstand tickets will cost $1 for adults and 50 cents for children. Bleacher tickets will be 50 cents for adults and 25 cents for children. Tickets are tax exempt, and will be placed on sale on Monday at the leading hotels, Peoples Drug Stores, and at the Sergeant at Arms of the House of Representatives, and other places to be announced later.

I play on the Lowell Thomas team during the summer recess of Congress, and have had a difficult time selecting the starting line-up for the Statesmen, as there are 30 candidates among the Senators and Representatives. Every Member of Congress who can swing a bat qualifies, and will be given a chance to play part of the time.

Lowell Thomas claims the right to play Walter Johnson, but I have objected on the double ground that Walter Johnson hails from Washington, and having lost a recent election for Congress he qualifies for the Statesmen, because a statesman is a dead politician.

Clark Griffith threatens to pitch for the Nine Old Men if Walter Johnson goes to the mound for the Statesmen. This controversy is still raging, and will require Senatorial diplomacy to settle it.

Pitcher LEO ALLEN, Republican from Illinois, has already gone into training, and promises to fan the former Postmaster General on three fast ones.

The Statesmen include a number of professionals and semiprofessionals, such as Senator JIM MEAD, of New York, and Senator WALLGREN, of Washington, and a number of former college players.

There is some uncertainty whether Speaker RAYBURN or JOE MARTIN will be given the call at shortstop.

The list of umpires, coaches, base-line coaches, trainers, official scorers, and bat boys is practically completed, and will be announced in a few days, although it is no secret that the gentleman from Massachusetts [Mr. TINKHAM] will coach when the statesmen get on the bases. A number of prominent women are being invited to act as patronesses.

Although this soft-ball game is not for any national championship, it is for charity, and for the enjoyment of the players and the public. There are no free tickets and no rain checks. Some Members of Congress from nearby districts have complained because they wanted to fill the stadium with their constituents.

Everyone who has the price of admission is welcomed, and the more the better for American charities. The audience is asked to refrain from partisan applause and not to bring any fresh fruit with them. The United States Marine Band will provide the usual musical entertainment. [Applause.]

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes; I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I am very much interested in the gentleman's observation that this is for the enjoyment of the players and the public, and I am wondering if the gentleman will elaborate and tell us how the public will enjoy it.

Mr. FISH. Oh, the public would see one of the most expert soft-ball games ever played in America.

Mr. McCORMACK. In what way? Will the gentleman define what he means by the word "expert."

Mr. FISH. Mr. Speaker, I am surprised to have the gentleman from Massachusetts ask me these questions, because he is the coach of the team. [Laughter.]

Mr. McCORMACK. The coach is trying to work up an audience.

Mr. FISH. Oh, the gentleman need not worry about an audience, because we are going to fill the stadium, and the gentleman well knows you cannot find a better shortstop than the Speaker or minority leader the gentleman from Massachusetts [Mr. MARTIN].

Mr. McCORMACK. Oh, none could be better; but I wish the gentleman would tell me what he means by the expert part of it, so that the public will know just what to expect.

Mr. FISH. Then, to assure the gentleman, I shall read to him the line-up of the team, which, of course, is as yet but tentative. For the statesmen I have the following line-up, all of whom are experts, if not professionals:

STATESMEN

Senator MEAD, New York, third base.
Speaker RAYBURN or JOE MARTIN, shortstop.
Senator WALLGREN, Washington, second base.
Representative FISH, New York, first base.
Representative ALLEN, Illinois, Pitcher.
Representative SHANLEY, Connecticut, or THOMAS, of Texas, catcher.
Senator TAFT, Ohio, left field.
Senator DAVIS, Pennsylvania, center field.
Senator LA FOLLETTE, Wisconsin, right field.
Senator O'MAHONEY, Wyoming, shortstop.

Substitutes

Pitchers: RICHARDS, MUNDT, HILL, WILSON.
Catchers: O'TOOLE, KEFAUVER, PHEIFFER.
Shortstop: LAMBERTSON, HANCOCK, KEHOE.
First Base: WADSWORTH, WORLEY, HOWELL.
Second Base: O'NEAL, VAN ZANDT, ARENDS.
Third Base: MAGNUSON, MERRITT, BISHOP.
Outfielders: BARNES, HARRINGTON, GAMBLE, LEONARD W. HALL, EDWIN ARTHUR HALL, WRIGHT, CANFIELD, CONNERY, SCANLON, FOGARTY, BOGGS, McGREGOR.

LOWELL THOMAS' NINE OLD MEN

Lowell Thomas, Lanny Ross, Father Flanagan, Babe Ruth, Eddie Eagan, Ted Shane, Les Kramer, Colonel Stoopnagle, Homer Croy, Graham McNamee, Jim Farley, Bob Ripley, Prosper Buranelli, John Kieran, Gene Tunney, Frank Buck, Jack Dempsey, Paul Webb, James Melton, Gene Sarazen.

Mr. Speaker, I now yield 3 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Speaker, the first vote that I ever cast in this House, if I remember correctly, was against the devaluation of the dollar by an act of Congress which undertook to delegate a nondelegable power to the President of the United States, for, by the provisions of the Constitution, Congress reserves the right in article I, section 8, to coin its own money and to establish the value thereof. I was against it then and I have been against every attempt of this Congress to delegate this nondelegable power to anybody. I would be opposed to it under any circumstances, under any political, partisan conditions, or any administration.

Mr. Speaker, Congress as a branch of the Government will survive or it will sink into that innocuous desuetude of which Grover Cleveland spoke by virtue of what it does or fails to do to preserve its integrities and to conserve its prerogatives; and every time we undertake to get rid of a responsibility and let somebody else carry the load we are going down the road that leads where France and the other democracies have found themselves. So I am opposed to this bill on constitutional grounds if for no other. I shall vote against it.

Mr. Speaker, I wish to emphasize the fact that in many senses this is one of the most vital and important measures we will have to consider. In it are the germs of potential inflation, repudiation, and bankruptcy. Beside it a lot of measures to which we devote hours of consideration are unimportant.

The value of our dollar is a matter of importance to millions.

The sacredness of a contract to pay, in days gone by meant something. Under the New Deal concept a contract is something to be broken.

The proposition is dangerous, because it gives the President the power to determine the gold content of the dollar. It is dangerous because it is a degradation of Congress to a point where it gives up, unlawfully, a power constitutionally reserved to it.

You, who through misunderstanding and lack of comprehension of what you are doing, are voting in contravention of your oath of office, and against the best interests of your country and your constituents. That you would do this understandingly, I do not suggest. That you are doing it under a misapprehension is just as true and certain as the fact that the sun rises and sets.

This bill helps, assists, and aids this Government to submit to the temptation to repudiate the national debt by further devaluation of the dollar. You are not for that and I know it.

The larger the gold stock the greater the paper profit that can be made by devaluing the dollar; and as our national debt continues to expand the greater the incentive to repudiate it. You are not for repudiation, but are going to vote for it.

Who knows how often this and succeeding administrations will seek to devalue the dollar. This power of the purse should be wholly controlled by Congress, as those wise boys who wrote the Constitution provided. We know a lot, but they forgot more about some things than we will ever know.

I am against this bill, was, and I still am, and for a lot of reasons that somebody else will, or should state, but that time does not permit me to enumerate.

It is not only a vicious, and I mean "vicious," but an unconstitutional measure. What a few patriotic Republicans and loyal Jeffersonian Democrats can do to stop this program under the circumstances nobody knows, but we can go on

record, and I do, and they will, as against this atrocious measure.

Sooner or later the painful alternative between devaluing the dollar a la Roosevelt, or balancing the Budget will be faced. Just now we face bigger and bigger debts and deficits.

Through the use of fully guaranteed contingent liabilities the New Deal has circumvented the statutory debt limit. The interest on the Federal debt for the fiscal year of 1941 will be over a billion and one hundred million, or three hundred million in excess of total expenditures for any peacetime year prior to 1916; while the total Federal expenditures increased by 141 percent from 1933 to 1939, largely through expansion of boards, commissions, personnel and their functions, the ordinary expenditures were increased 56 percent, while total emergency and relief expenditures were increased by 374 percent from 1933 to 1939.

Go ahead you folks who have the votes and can run, and are running this country into inflation, repudiation, and bankruptcy by devaluing the dollar. You do not realize what you are doing.

Most of you are awfully good fellows. The trouble with you is, that some of you do not use the brains God gave you, as I see it, or else you would not vote so ill advisedly for something that was going to wreck you and your posterity, not to say your country, with your eyes shut.

This is one of the most important and vital measures, domestically and internally that has been before us, and nobody seems to care, or do they? and where are they, if so?—and I mean it.

You know I am not mean-minded, but I say to you the indifference shown to this measure is, or should be, a revelation to those who will eventually suffer because of it. I hope you see the light while it shines. It is going to be awful dark. I do not propose to contribute my vote to a black-out of America and our ideals, even if measured on the value of an honest to God dollar.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from Alabama [Mr. STARNES], 6 minutes.

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, once more I feel the solemn responsibility of bringing to the attention of this House a case of sabotage of our national defense program. This time the union involved is the International Union of Mine, Mill, and Smelter Workers, a C. I. O. affiliate headed by Reid Robinson.

The record of Reid Robinson's connection with Communist Party front organizations is a very long one. It is enough, at this point, to say that he is vice president of the American Peace Mobilization. The evidence our committee has received thus far and that to be heard will leave no doubt whatever about the thoroughly subversive nature of the American Peace Mobilization.

There is a strike at the American Potash & Chemical Corporation, Trona, Calif., which has been in progress since March 14, 1941. The leader of the strike is William R. Gately, an international representative of the Mine, Mill, and Smelter Workers Union, which called the strike. I hold in my hand a photostatic copy of the 1938 Communist Party registration blank and the 1937 Communist Party membership book of Gately, showing that his book number in 1937 was 82,699 and in 1938, 60,100, and also that his function in the union at that time was organizer for the Mine, Mill, and Smelter Workers Union. A copy of the registration blank and the membership book has been previously submitted to the Dies committee. In addition to this evidence of Gately's connection with the Communist Party, witnesses before the committee have identified him as a member of the party.

In connection with this strike, which has received much publicity in the People's World—west coast organ of the Communist Party—our investigator interviewed Mr. Stuart Neary, a member of the law firm of Gibson, Dunn, and Crutcher, attorneys for American Potash & Chemical Corporation. Mr. Neary stated that it is a Delaware corporation, owned by a syndicate of Dutch and English bankers, and that at the present time the stock is impounded due to the war.

The strike has been certified as a defense strike by the Secretary of Labor to the Defense Mediation Board since two of the minerals produced at the plant—borax and boric acid—are important constituents in the making of glass. The larger portion of the output of this plant is sold to the Corning Glass Works, in the State of New York, which makes certain critical and essential items for both the Army and Navy. The Corning Glass Works has advised the Defense Mediation Board that continuance of the Trona strike would seriously impair the work at their plant since there are only four borax-producing mines in the United States. Firms with national-defense contracts in Pennsylvania and Ohio are also affected. These plants are making searchlight batteries for defense against aircraft, periscopes for the Navy, and other optical products. The American Potash & Chemical Co. is the principal producer of lithium salts, indispensable to the manufacture of submarine storage batteries.

Robert Lamson and Reid Robinson were among the representatives appearing before the Defense Mediation Board on behalf of the union. Gately has taken a prominent part in the negotiations at various times and stages. Lamson has been identified by reputable labor leaders and others as a member of the Communist Party according to the report of our committee investigator. The United States Conciliation Service, Mr. Hillman of the O. P. M., and the Mediation Board have used their efforts and influence to settle this strike because of its effect upon our defense program, but to no avail. Lamson's attitude toward efforts to settle the Trona strike through the machinery of the Mediation Board is clearly reflected in a radio broadcast which he made on May 6, 1941. In this broadcast, Lamson said:

> When they set up the Mediation Board the word went out to the various manufacturing associations that this was it. That they now have a set-up at Washington that they could take all their trouble to. All they had to do, according to the tip-off, was to get their particular dispute certified to the Mediation Board and automatically there was a union crusher in Washington who would go to work on the unions and smash them. The result was that all over the country we found that employers were making a concerted effort to get their particular dispute before the Mediation Board.

Again I pay tribute to the loyalty and courage of the rank and file of labor, including the C. I. O. Again I reiterate my faith in the desire of the rank and file to win the battle of production. Again, however, I call attention to the fact that Communist leaders in the C. I. O. are continuing a campaign of sabotage which endangers our security and gives aid and comfort to Adolf Hitler. I warn the Congress and the people of this country that we are confronted with organized treason masquerading under the guise of certain C. I. O. unions. These efforts against our Government are on the increase. The responsibility rests upon John L. Lewis. The people rightfully demand we take action to stop these sabotage efforts which aid Hitler, once and for all. [Applause.]

Mr. Speaker, I have here a photostatic copy of the 1938 Communist Party registration blank; the 1937 Communist Party membership book of Gately, showing that his book number in 1937 was 82699; in 1938, 60100. Also, that his function in the union at that time was organizer for the Mine, Mill, and Smelter Workers Union.

Mr. BECKWORTH. Will the gentleman yield?

Mr. STARNES of Alabama. I yield.

Mr. BECKWORTH. In regard to the proposition of stopping these delays I want to again call the attention of the Congress to this excerpt from a memorandum written to me on May 8, 1941, by Mr. Gerard D. Reilly, Solicitor of the Department of Labor—

> and finally for the occasional situation in which both prevention and impartial mediation are unsuccessful, the Government has authority to step in and act directly to assure resumption of production or an adequate alternative source of supply.

Mr. STARNES of Alabama. I thank the gentleman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including this Communist registration blank and also the preamble of the constitution of the International Mine, Mill, and Smelter Workers Union.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The registration blank is as follows:

1938 REGISTRATION BLANK

(Please write in ink)

Section: Industrial. Unit: No unit. Branch: ..... Real name: Bill Gately. Party name: Same. Correct address: Northern Hotel, Second and Hill. Year joined: 1937. Book number 1937: 82699; 1938: 60100. Nationality: American. Country of birth: U. S. A. Age: 43.

Male: ✓. Female: ------ Negro: ------ White: ✓. Present occupation: Organizer. Housewife: ------ W. P. A. (project No.): ------ Employed: ✓ Unemployed: ------ Place of employment: M. M. & S. W. U. No. workers in shop: ------ What union: Mine, Mill & Smelter Workers Union. Functionary in union: Organizer. What unemp. mass org.: ------ Other mass orgs.: ------ What function: ------ Veteran: ✓ What veterans' organization: —— What function in party: —— Full time: ------ Section: ------ Br.-unit: ------ Party schooling: County: ✓ State: ------ National: ------ Workers' school: ------ How many children? None. What are their ages? ------

[On reverse side]

COMMUNIST PARTY OF THE U. S. A.
(Section of the Communist International)
1937 Membership book for 82699

Name: William Gately. State: Calif. County: L. A. City: ------ Dist.: 13. Section: ------ This book was issued on July 3, 1937.

[SEAL] ------
Signature of District Organizer and Party Seal.

No party membership book valid unless it has party seal stamped on. Issued by the Central Committee, C. P. U. S. A.

The preamble is as follows:

PREAMBLE

1. We hold that there is a class struggle in society, and that this struggle is caused by economic conditions.

2. We affirm the economic condition of the producer to be that he is exploited of the wealth which he produces, being allowed to retain barely sufficient for his elementary necessities.

3. We hold that the class struggle will continue until the producer is recognized as the sole master of his product.

4. We assert that the working class, and it alone, can and must achieve its own emancipation

5. We hold that an industrial union and the concerted political action of all wage workers is the only method of attaining this end.

6. An injury to one is an injury to all.

7. Therefore, we, the wage workers employed in and around the mines, mills and smelters, tunnels, open pits, open cuts, and dredges of the Western Hemisphere unite under the following constitution:

(By unanimous consent, Mr. THOMASON was granted permission to revise and extend his own remarks.)

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin, [Mr. JOHNS].

Mr. JOHNS. Mr. Speaker, I was much interested in reading the testimony of the Secretary of the Treasury, Mr. Morgenthau when this bill was up for hearing.

He found himself in the same difficulty when he testified before the same committee on February 28, 1939. At that time he said, among other things, that—

The fact that we have kept the gold value of the dollar stable through the international monetary disturbances and alarms of the past 5 years should be adequate assurance that there is neither desire nor intent on the part of this administration to alter the gold value of the dollar except under circumstances which clearly demand such action.

The Secretary repeated this statement on May 8, 1941, and went on to say:

Obviously the administration has no present intent whatsoever to devalue the gold content of the dollar. But certainly this is not the time to remove flexible powers from the Executive when executives of all other nations possess virtually complete powers over the domestic and external monetary affairs of their countries.

If some circumstances should arise which would warrant a further devaluation of our dollar, why should not Congress, rather than the President, fix the weight of our dollar? The Constitution of the United States of America specifically provides in article I, section 8, paragraph 5, that Congress, not the President, shall have this power. If the division of powers between the legislative and executive branches of our Government, as provided for in the Constitution, has any meaning at all, it would seem to be stated as clearly here as it is possible for language to state anything. And if there are any constitutional limitations to the delegation of legislative authority and responsibility, they would seem to be found here.

On what ground does the Secretary of the Treasury suggest that, because dictators in foreign countries possess virtually complete powers over the domestic and external monetary affairs in their countries, the President of the United States, in the face of the provisions of our Constitution which say that Congress shall have these powers, should exercise an unconstitutional power? Is this not both irrelevant and a dangerous doctrine? Does it not suggest two things: (1) That what European dictators do our President should do, and (2) that the operations of European rulers outside the limits of democratic constitutions should set the standards of operation with respect to money of the President of the United States despite the fact that our Constitution has not yet been suspended or overthrown? If the Secretary's statement does not imply these things, just what does it mean?

He concluded:

I feel very strongly that for Congress to remove this power at the present time because there is no immediate use for it would be an unwise step in the face of an uncertain future.

To argue that the President should retain this power because of an "uncertain future" is to provide no legitimate excuse whatever, since the future is always "uncertain."

In his testimony before the Committee on Coinage, Weights, and Measures on February 28, 1939, perhaps Secretary Morgenthau's most pertinent sentence was this:

The existence of this power to devalue the dollar has been a warning to the world that we stand ready and able to defend the position of this country in world trade and to protect American goods from intensified competition in the American market.

That statement may sound well to those who do not analyze it. But, in reality, this "defense of our position," of which the Secretary spoke, means nothing other than this: If foreign currencies depreciate, we shall join those nations in their misery; if their currencies, because of depreciation, have less purchasing power here and our currency more purchasing power there, we shall see to it that our currency has less purchasing power there and theirs more purchasing power here.

We would all question the intelligence of an individual who set about to improve his economic position by making his purchasing power buy less of the other fellow's goods, and the other fellow's purchasing power buy more; yet that is precisely the economic doctrine which we, as a Nation, have in recent years been employing on the ground that we thus increase our national well-being.

It is most important for Congress and the public to understand that if Congress were exercising this power, and if the question of further devaluation arose, there would be debate and at least some deliberation in which the public could participate, as a consequence of which there should be better-informed opinion regarding the various considerations involved.

As matters stand today, the President can act when, as, and if he pleases, and his reasons may be good, bad, or indifferent. There need be no reasons, no deliberations, no understanding of the possible and probable consequences of his act. This is not a characteristic of careful and responsible government. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. AUGUST H ANDRESEN. Mr. Speaker, the costly and unwise monetary policies of the New Deal in more than 7 years has provided American dollars and huge quantities of war materials for potential enemies of our country. In this period the United States Treasury has purchased more than $14,000,000,000 in foreign gold at a premium price of $35 per ounce, as against the old world price of $20.67 an ounce.

Dictator countries like Japan, Germany, Italy, and Russia profited most by our foolhardy and expensive foreign gold buying program. These countries needed raw materials for war purposes. Under the devaluation and gold-buying program, the President fixed and maintained the world price of gold at the inflated figure of $35 an ounce. These countries got the raw materials from us and built up their armies and navies at our expense. We got the gold—nearly 85 percent of the world's supply—which is now buried in the ground at Fort Knox. Our total supply of gold now exceeds $22,500,000,000

Our Government is still financing Japan and other dictator countries in providing war materials by the foreign gold purchase program. In the past 4 years we have purchased more than $700,000,000 in gold from Japan at $35 an ounce, and today we are selling that country approximately 75 percent of her essential requirements of war materials. Large quantities of this material is finding its way into Russia, Germany, and Italy.

Our chickens have come home to roost. War stands at our very door. We are now forced to spend more than $50,000,000,000 to rearm for national defense.

The President now asks that the power to devalue the dollar and to continue buying foreign gold be extended in him for another 2 years. This request should be denied, and the authority to fix the value of money should be returned to Congress.

In the name of national defense and for the future welfare of our country, I ask the Congress to join with the minority in our effort to end the monetary

power which the President seeks to have continued in himself. [Applause.]

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Minnesota yields back 1 minute.

Mr. FISH. Mr. Speaker, I yield myself 1 minute and ask unanimous consent that the last half minute I may speak out of order.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I should like to see this $2,000,000,000 in the stabilization fund which has not been used since the beginning put to some useful purpose. I should like to see the $200,000,000 which has been used constitute a continuing fund for use by the Treasury Department, and the balance, $1,800,000,000 go for purposes of national defense instead of taxing the American people to death.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. FISH. I cannot yield, I am sorry.

Mr. Speaker, I want to reiterate what I said early today because there are now more Members present. There will be a meeting in the caucus room of the Senate Office Building at 4 o'clock of the so-called Wheeler committee. Democrats and Republicans alike, noninterventionists, who are opposed to our going to war unless attacked, are all invited. It will be a very important meeting and the results, I am sure, will be highly pleasing to the friends of democracy in America.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Illinois has 11 minutes remaining.

Mr. SABATH. Mr. Speaker, I fully agree with the gentleman from Minnesota that we should stop the exportation of war materials to Japan and certain other countries. That has been my policy; that is what I have advocated for 2 years; but I disagree with the deductions he has made on the bill, and I regret that I find myself again obliged to differ with my colleague the gentleman from New York. I do not agree with him that there should be $1,800,000,000 of this fund used for national defense. That is what the bankers of this Nation would like to see so that again they could mulct the Government and the public to increased interest rates. As between the bankers who advocate this on the one side and the President and Secretary of the Treasury on the other, I am with the latter, because they believe this $2,000,000,000 can be used to the very great advantage of the Government. It was charged in 1937 and 1939 that this money would be dissipated. It is intact. Not only is it intact, but it shows a profit of $25,000,000 through the working of the $200,000,000 fund.

This fund of $1,800,000,000 is a guaranty, an insurance, that the bankers and the moneyed people of this country cannot mulct the Government whenever the Government is in the market for additional funds. I am therefore satisfied that those familiar with the general conditions in the financial world will not permit themselves to be misled into believing that $200,000,000 will suffice.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. AUGUST H. ANDRESEN. Did I understand the distinguished gentleman from Illinois to say he favored discontinuing buying foreign gold so it could be used to buy war material in this country?

Mr. SABATH. I said I was in favor of prohibiting the exportation of war materials to the countries that generally have been mentioned.

Mr. AUGUST H. ANDRESEN. Why cannot the gentleman do something about that?

Mr. SABATH. Some day I will explain to the gentleman why it was impossible for the administration to bring that about. It has many ramifications. The President, the Secretary of the Treasury, and other men in high position know a little more about what is transpiring in the international situation than do we. They could not comply with the suggestions of a Member of Congress like myself who knows so little of international affairs compared with their vast knowledge of the subject.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield further?

Mr. SABATH. I cannot yield further, for I would like to answer my friend, the gentleman from New York [Mr. FISH]. Our colleague is afraid we shall have too much gold. I wonder if he would go still further and say that none of these countries would accept any of it? He said it was valueless, that it did not mean anything; but then he went on to say we should coin it into $5, $10, and $20 gold pieces. I wonder whether he believes the people would refuse to accept such money in payment of their bills and obligations?

I believe we are indeed fortunate to have this gold, that we are not at the mercy of the international bankers, or of our own bankers.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I cannot yield. The gentleman from Pennsylvania and others told us back in 1937 and 1939, here on this floor, that the action we then took in extending this power meant cheap money that would not be worth anything, that it was a dangerous thing to do. Today, however, these very same men admit that the American dollar is sounder than any other money in the world, that you can buy more with it than you can with any other currency. In view of this fact nobody is deceived when the gentleman from Pennsylvania or anyone else propounds questions that have no bearing on the issue. I like to speak on the things that are before us, and knowing the gentleman from Pennsylvania as well as I do I am obliged for the time being to refuse to yield to him.

It was stated by the gentleman from New York that this legislation was intended to increase prices but that instead of that effect, prices decreased. That is an unfair statement and such is not the case. Those are not the facts.

The prices of commodities, including agricultural commodities, has increased, perhaps not to the extent that the administration desired and wished and that we had hoped for, but, nevertheless, they have increased.

Mr. Speaker, I believe this legislation is a step in the right direction and that all the fears expressed by Members in 1937 and 1939 were not justified. The President and the Secretary of the Treasury have demonstrated their sincerity and their ability to handle the matter in the best interests of our Nation. Therefore I feel that the rule making this bill in order should be agreed to.

Mr. Speaker, I move the previous question, and I ask unanimous consent to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. COCHRAN), there were—ayes 70, noes 65.

Mr. FISH. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 179, nays 120, answered "present" 2, not voting 130, as follows:

[Roll No. 56]

YEAS—179

Allen, La.	Faddis	Lesinski
Anderson, N. Mex.	Fitzgerald	Lewis
	Fitzpatrick	Ludlow
Arnold	Flaherty	McCormack
Baldwin	Flannagan	McGehee
Barden	Fogarty	McIntyre
Bates, Ky.	Forand	McKeough
Beam	Ford, Miss.	McMillan
Beckworth	Ford, Thomas F.	Magnuson
Beiter	Fulmer	Mahon
Bland	Gathings	Merritt
Bloom	Gehrmann	Meyer, Md.
Boehne	Geyer, Calif.	Mills, Ark.
Boggs	Gibson	Mills, La.
Bonner	Gilchrist	Mitchell
Brooks	Gore	Monroney
Brown, Ga.	Gossett	Moser
Bryson	Granger	Murdock
Bulwinkle	Grant, Ala.	Nelson
Burch	Green	Nichols
Burgin	Gregory	Norrell
Byrne	Haines	Norton
Camp	Hare	O'Brien, Mich.
Casey, Mass.	Harrington	O'Connor
Chapman	Harris, Ark.	O'Neal
Claypool	Hart	Pace
Cochran	Healey	Patman
Coffee, Wash	Hébert	Patrick
Cole, Md.	Hendricks	Patton
Collins	Hill, Wash.	Peterson, Fla.
Connery	Hobbs	Peterson, Ga.
Cooper	Holbrock	Pierce
Costello	Hook	Plauché
Courtney	Houston	Poage
Cox	Hunter	Priest
Cravens	Imhoff	Rabaut
Creal	Jackson	Ramsay
D'Alesandro	Johnson, Luther A.	Ramspeck
Davis, Ohio		Rankin, Miss.
Davis, Tenn.	Johnson, Okla.	Richards
Delaney	Johnson, W. Va.	Rivers
Dingell	Kelly, Ill.	Robinson, Utah
Disney	Kerr	Rogers, Okla.
Doughton	Kleberg	Russell
Doxey	Kopplemann	Sabath
Drewry	Kramer	Sacks
Duncan	Lanham	Satterfield
Durham	Lea	Sauthoff
Eberharter	Leavy	Schaefer, Ill.

Scrugham	Sullivan	Ward
Secrest	Sumners, Tex.	Weaver
Shannon	Sutphin	West
Sikes	Tarver	Whelchel
Smith, Conn.	Taylor	White
Smith, Wash.	Tenerowicz	Whittington
Snyder	Thom	Williams
South	Thomas, Tex.	Woodrum, Va.
Sparkman	Thomason	Worley
Spence	Traynor	Zimmerman
Starnes, Ala.	Vincent, Ky.	
Steagall	Voorhis, Calif.	

NAYS—120

Allen, Ill.	Gifford	Plumley
Andersen, H. Carl	Gillie	Powers
	Graham	Rankin, Mont.
Anderson, Calif.	Guyer, Kans.	Reece, Tenn.
Andresen, August H.	Gwynne	Reed, Ill.
	Hall, Edwin Arthur	Reed, N. Y.
Andrews		Rees, Kans.
Angell	Halleck	Rich
Bates, Mass.	Hancock	Robertson, N. Dak.
Baumhart	Hill, Colo.	
Bender	Hope	Robsion, Ky.
Bennett	Howell	Rockefeller
Bishop	Hull	Rogers, Mass.
Blackney	Jenkins, Ohio	Rolph
Bolles	Jenks, N. H.	Rutherford
Butler	Jennings	Scott
Canfield	Jensen	Shafer, Mich.
Carlson	Johns	Simpson
Case, S. Dak.	Johnson, Calif.	Smith, Maine
Chenoweth	Johnson, Ill.	Smith, Ohio
Chiperfield	Jones	Springer
Clason	Jonkman	Stearns, N. H.
Clevenger	Kean	Stevenson
Cluett	Keefe	Stratton
Coffee, Nebr.	Kilburn	Talle
Copeland	Kinzer	Thill
Curtis	Knutson	Thomas, N. J.
Day	Lambertson	Tibbott
Dewey	LeCompte	Tinkham
Ditter	Maas	Treadway
Dondero	Martin, Iowa	Van Zandt
Dworshak	Martin, Mass.	Vorys, Ohio
Eaton	Michener	Vreeland
Elston	Mott	Wadsworth
Engel	Murray	Wheat
Englebright	O'Brien, N. Y.	Wigglesworth
Fellows	Oliver	Wilson
Fenton	Paddock	Wolfenden, Pa.
Fish	Pheiffer, William T.	Wolverton, N. J.
Gale		Woodruff, Mich.
Gamble	Pittenger	Youngdahl
Gearhart	Ploeser	

ANSWERED "PRESENT"—2

Cole, N. Y.	Stefan

NOT VOTING—130

Arends	Grant, Ind.	May
Barnes	Hall, Leonard W.	Mundt
Barry		Myers, Pa.
Bell	Harness	O'Day
Boland	Harris, Va.	O'Hara
Bolton	Harter	O'Leary
Boren	Hartley	Osmers
Boykin	Heffernan	O'Toole
Bradley, Mich.	Heidinger	Pearson
Bradley, Pa.	Hess	Pfeifer, Joseph L.
Brown, Ohio	Hinshaw	
Buck	Hoffman	Randolph
Buckler, Minn.	Holmes	Rizley
Buckley, N. Y.	Izac	Robertson, Va.
Burdick	Jacobsen	Rodgers, Pa.
Cannon, Fla.	Jarman	Romjue
Cannon, Mo.	Jarrett	Sanders
Capozzoli	Johnson, Ind.	Sasscer
Carter	Johnson, Lyndon B.	Scanlon
Cartwright		Schuetz
Celler	Kee	Schulte
Clark	Kefauver	Shanley
Colmer	Kelley, Pa.	Sheppard
Cooley	Kennedy, Martin J.	Sheridan
Crawford		Short
Crosser	Kennedy, Michael J.	Smith, Pa.
Crowther		Smith, Va.
Culkin	Keogh	Smith, W. Va.
Cullen	Kilday	Somers, N. Y.
Cunningham	Kirwan	Sumner, Ill.
Dickstein	Kocialkowski	Sweeney
Dies	Kunkel	Taber
Dirksen	Landis	Terry
Domengeaux	Larrabee	Tolan
Douglas	Lynch	Vinson, Ga.
Downs	McArdle	Walter
Edelstein	McGranery	Wasielewski
Edmiston	McGregor	Weiss
Eliot, Mass.	McLaughlin	Welch
Elliott, Calif.	McLean	Wene
Ellis	Maciejewski	Wickersham
Flannery	Maciora	Winter
Ford, Leland M.	Mansfield	Wolcott
Gavagan	Marcantonio	Wright
Gerlach	Mason	Young

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Smith of West Virginia for, with Mr. Stefan against.

Mr. Larrabee for, with Mr. Cole of New York against.

Mr. Somers of New York for, with Mr. Arends against.

Mr. Cullen for, with Mr. O'Hara against.

Mr. Ellis for, with Mr. Hess against.

Mr. Terry for, with Mr. Winter against.

Mr. Romjue for, with Mr. Holmes against.

Mr. Kilday for, with Mr. Kunkel against.

Mr. Gavagan for, with Mr. Osmers against.

Mr. Harter for, with Mr. McGregor against.

Mr. Martin J. Kennedy for, with Mrs. Bolton against.

Mr. Tolan for, with Mr. Dirksen against.

Mr. Keogh for, with Mr. Rodgers of Pennsylvania against.

Mr. Weiss for, with Mr. Grant of Indiana against.

Mr. Schuetz for, with Mr. Jarrett against.

Mr. Maciora for, with Mr. Taber against.

Mr. Joseph L. Pfeifer for, with Mr. Short against.

Mr. Kocialkowski for, with Mr. Mason against.

Mr. Cannon of Missouri for, with Mr. Brown of Ohio against.

Mr. Schulte for, with Mr. Douglas against.

Mr. Cooley for, with Mr. Gerlach against.

Mr. Boland for, with Mr. Hoffman against.

Mr. Smith of Virginia for, with Mr. Rizley against.

Mr. Michael J. Kennedy for, with Mr. Hartley against.

Mr. Harris of Virginia for, with Mr. McLean against.

Mr. O'Leary for, with Mr. Harness against.

Mr. Colmer for, with Mr. Hinshaw against.

Mr. Lynch for, with Mr. Mundt against.

Mr. Jarman for, with Mr. Landis against.

Mr. Capozzoli for, with Mr. Bradley of Michigan against.

Mr. Heffernan for, with Mr. Crawford against.

Mr. Kefauver for, with Mr. Leland M. Ford against.

Mr. Barry for, with Mr. Crowther against.

Mr. May for, with Mr. Carter against.

Mr. Edelstein for, with Mr. Leonard W. Hall against.

Mr. O'Toole for, with Mr. Culkin against.

Mr. Buckley of New York for, with Mr. Cunningham against.

Mr. Robertson of Virginia for, with Mr. Wolcott against.

General pairs:

Mr. Randolph with Mr. Heidinger.

Mr. Cartwright with Mr. Burdick.

Mr. Barnes with Miss Sumner of Illinois.

Mr. Clark with Mr. Welch.

Mr. Dies with Mr. Buckler of Minnesota.

Mr. Mansfield with Mr. Marcantonio.

Mr. McLaughlin with Mr. Pearson.

Mr. Lyndon B. Johnson with Mr. Celler.

Mrs. O'Day with Mr. Izac.

Mr. Sanders with Mr. Downs.

Mr. Wright with Mr. McArdle.

Mr. Bell with Mr. Shanley.

Mr. Kee with Mr. Bradley of Pennsylvania.

Mr. Wickersham with Mr. Flannery.

Mr. Crosser with Mr. Sheppard.

Mr. Vinson of Georgia with Mr. Edmiston.

Mr. Sweeney with Mr. Maciejewski.

Mr. Kirwan with Mr. Jacobsen.

Mr. Boren with Mr. Elliott of California.

Mr. Wene with Mr. Young.

Mr. Buck with Mr. Walter.

Mr. COLE of New York. Mr. Speaker, I have a pair with the gentleman from Indiana, Mr. LARRABEE. If present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. STEFAN. Mr. Speaker, I have a live pair with the gentleman from West Virginia, Mr. SMITH. Had he been here he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4646) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4646), with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. COCHRAN. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, when the conference report on the lend-lease bill was pending before the House I listened with a great deal of pleasure to the appeal of the minority leader, the gentleman from Massachusetts [Mr. MARTIN], for unity. Where, I ask, is it today? The gentleman from New York [Mr. FISH] rose on this floor and characterized this proposed legislation as second only to a declaration of war. He said that it affects the destiny of America, that it is utterly fantastic, and he further said that the stabilization fund is a gigantic failure. Then he leaves the subject and spends the rest of his time advertising a ball game.

I wish the gentleman from New York [Mr. FISH], who I believe is as patriotic an American as ever sat in this body, would read the testimony of the Secretary of the Treasury before the Committee on Coinage, Weights, and Measures; then he would realize the mistake he made when he uttered those words today.

The gentleman from New York had but one purpose in making the speech he did here today, and that was to make this a political issue—a fight upon the President of the United States. It is not the first time he has adopted such a course. I had hoped that some day I would be able to have something to do with a bill during the consideration of which some minority Member would not make it a political issue.

The Secretary of the Treasury told your committee that instead of this bill being one that might destroy this country, it is just as necessary from the standpoint of the financial system of this Government to have this legislation as is the Navy in connection with national defense.

This legislation has been in effect a number of years. The gentleman from New York said it was a gigantic failure. All you have to do is to take the report of the Secretary of the Treasury made to the Congress on December 31, 1940, and in that you will find that the $2,000,000,000 stabilization fund is not only intact but there is a profit of over $26,000,000, and that is a net profit, all the expenses for the operation having been paid.

The Secretary of the Treasury was extremely frank before your committee. He did not hesitate to answer any question on or off the record that was asked. He made an impressive statement. I cannot conceive, in view of that statement, why the minority members of this committee should oppose the passage of this measure.

Mr. Chairman, this is a simple bill of two short sections. Its purpose is merely to extend for 2 additional years powers which the President and the Secretary of the Treasury have had for over 7 years. These powers have already extended on three occasions and, I might say, in less trying times, namely, in January 1936, in January 1937, and in July 1939. The powers which will be extended are (1) those relating to the Stabilization Fund and (2) those relating to the adjustment of the gold content of the dollar. In the absence of this bill these powers would terminate automatically on June 30 of this year. This bill, if enacted, will advance the date of their expiration to June 30, 1943. H. R. 4646 will carry out recommendations which the President of the United States made in a letter addressed to the Speaker of the House of Representatives on April 28, 1941. The Secretary of the Treasury appeared before the Committee on Coinage, Weights, and Measures in support of the bill. That committee reported the bill back to this House favorably and recommended that it pass without amendment.

Section 1 of the bill would extend the life of the Stabilization Fund for 2 years. This fund, which was established by section 10 of the Gold Reserve Act of 1934, was set up for the purpose of stabilizing the exchange value of the American dollar. The act appropriated $2,000,000,000 and authorized the Secretary of the Treasury, with the approval of the President, to deal in gold and foreign exchange and other instruments of credit to carry out its purposes. As originally established, the fund was to continue for a period of 2 years with power in the President to extend it for an additional year. As I have said, it has been extended three times—once by the President for 1 year and twice by Congress for 2 years.

The work of the stabilization fund has consisted in the maintenance of exchange stability through stabilization arrangements with other countries, through the purchase and sale of gold, and through international monetary cooperation.

Typical of the stabilization arrangements of the stabilization fund is the recent agreement with China. On December 2, 1940, the Secretary of State and the Secretary of the Treasury appeared before a joint session of the House Committee on Coinage, Weights, and Measures and the Senate Committee on Banking and Currency to seek advice on a proposed stabilization arrangement with China. This was in fulfillment of a promise of the Secretary of the Treasury that he would not consent to the use of the stabilization fund to assist any foreign country in prosecuting a war without first consulting with these Congressional committees. The arrangement with China was for currency stabilization purposes. The Secretary of the Treasury, together with the Secretary of State, nevertheless presented the facts and discussed the question with the House and Senate committees. The two committees gave a unanimous vote of confidence to the Secretary of State and the Secretary of the Treasury in connection with the proposed stabilization arrangement.

An agreement was signed on April 25, 1941, making available $50,000,000 to China for the purpose of stabilizing the dollar-yuan rate of exchange. The agreement provides for the establishment by China of the United States dollar-Chinese yuan stabilization fund. Included in the fund's resources will be the dollars acquired from the United States through the purchase of Chinese yuan and an additional sum of at least $20,000,000 contributed by Chinese governmental banks. This fund is under the control of a five-man board appointed by the Chinese Government, one member of which is an American recommended by the Secretary of the Treasury.

The very announcement of this arrangement had a beneficial effect on the economy of China. New strength was given to the money of China in the struggle with the currency of the puppet government established by the invader. It is to our interest, as well as to that of China, that the value of her currency in relation to the dollar should be supported in this way. The Chinese Government has faithfully met its obligations to the United States, and through this stabilization arrangement we expect to maintain and foster our traditional friendly relations with China.

A stabilization arrangement was recently made with Argentina. On December 27, 1940, the United States and Argentina completed an arrangement by which the stabilization fund will purchase $50,000,000 of Argentine pesos and Argentina will use the dollars to stabilize the dollar-peso rate of exchange. The agreement also provides for the exchange of information on the monetary relations of these two countries. Before the Treasury actually pays any dollars to Argentina under this arrangement it will be necessary for Argentina to take certain action confirming the authority of the Argentine Government in guaranteeing the performance of all obligations undertaken by it and by the Argentine Central Bank.

This is a cooperative arrangement between two American republics, and it represents a practical application of the good-neighbor policy. The stabilization agreement has been discussed and formulated in this spirit by representatives of the Argentine Government and the Central Bank of Argentina and by the officials of the United States Treasury. The monetary authorities of the two countries expect to hold further discussions in the same friendly spirit during the year, and it is hoped that these conversations will enable both countries to reap much benefit from the workings of the present arrangement.

The stabilization fund has also been actively engaged recently in operations with Brazil. On October 18, 1940, the stabilization fund purchased $10,000,000 of milreis from Brazil under an agreement entered into in 1937. With the improvement of its foreign-exchange position, Brazil repurchased $5,000,000 of these milreis on December 13, 1940, and the remainder on February 13, 1941. Under another part of the same agreement with Brazil, the stabilization fund sold $24,000,000 of gold to Brazil for dollars.

These stabilization arrangements with China, Argentina, and Brazil are indicative of the manner in which a mutually advantageous policy of monetary stabilization can be established through cooperative agreements among free countries.

Another important aspect of the stabilization fund's operations is the purchase and sale of gold. In the period from July 1, 1939, to April 30, 1941, the stabilization fund, as announced by the Secretary of the Treasury, purchased approximately $4,000,000,000 of gold from 23 different countries. In the same period there were sales of approximately $400,000,000 of gold to 18 different countries. The operations of the stabilization fund facilitated the holding of gold as monetary reserves and the continued use of gold in the settlement of international balances among many countries. In recent months the existence of the stabilization fund has made it possible to carry out speedily and with temporary but essential secrecy three large purchases of gold from hard-pressed friendly countries.

A third method by which the stabilization fund contributed to the stabilization of the exchange value of the dollar was through monetary cooperation with other countries. In 1936 it became necessary for France to adjust the exchange value of its currency. In order to prevent the revaluation of the franc from initiating widespread competitive depreciation of currencies, the United States, Great Britain, and France joined in a cooperative attempt to deal with international monetary problems. On September 25, 1936, the treasuries of the three countries issued a declaration of policy on international monetary matters. Shortly thereafter, Belgium, the Netherlands, and Switzerland announced their adherence to the principles of the declaration.

Between the initiation of the declaration and the outbreak of war, there was relatively little fluctuation in the dollar exchange rates on the currencies of Belgium, the Netherlands, and Switzerland. Fluctuations in the dollar-sterling rate of exchange were kept within a range of 6 percent. Although France found it necessary to revalue the franc on later occasions, these changes were made after consultation with the adherents of the tripartite declaration, and without injury to the international economic position of the United States. In a world in which extreme monetary and exchange control was spreading, the tripartite declaration remained the basis for a policy of monetary and economic freedom among the democratic countries.

The war has rendered inactive the machinery for maintaining currency stability under the tripartite declaration.

The stabilization fund has not acquired any of the currencies of the adhering countries since September 1939, and it now holds less than $4,000 worth of British pound sterling, Belgian belgas, and French francs, all acquired before the war.

The experience in international monetary cooperation gained through the tripartite declaration will prove of permanent value. We hope that when military and economic aggression has been finally subdued it will be possible to resume international cooperation for monetary stability among the democratic nations of the world. For ultimately there can be no assurance of monetary stability without cooperation among those countries affirming faith in political and economic freedom.

With the intensification of the war, normal trade relations of neutral and belligerent countries have been profoundly disturbed. As was to be expected, this disturbance has imposed a severe strain on the exchange resources of many countries with which we have close ties of commerce and friendship, particularly in Latin America and in the Far East. Our own relations with these countries would be gravely disturbed if exchange depreciation were permitted to follow its course in response to present abnormal conditions.

Wartime developments are certain to lead to violent changes in the post-war international economic position of many countries, though the extent of these changes will depend on the duration of the war and on the nature of the peace. The early post-war period is certain to be marked by monetary instability. Historical experience is conclusive in this respect. In some countries inflation may occur on such a scale as to induce a severe decline in the foreign-exchange value of their currency. Others may deliberately depreciate their currencies in order to hasten the recovery of lost markets. We can promote post-war reconstruction at home and abroad more effectively if we have the necessary means for preventing temporary extreme currency fluctuations, which, if not curbed, tend to be more and more difficult.

It is in precisely such a period that the stabilization fund can make its greatest contribution. By appropriate action it can help to prevent international currency relationships from becoming unsettled, and it can help to reduce such instabilities as do emerge. In this way it can perform a signal service in the restoration of international trade and in the promotion of the general economic recovery of the post-war world. There is little need to stress the value of such an instrument in facilitating the solution of the complex economic problems with which we are now and shall be later confronted.

In the performance of its duties the stabilization fund has cost the United States taxpayer not one cent. Actually, it has earned a profit of more than $25,000,000. Although the day-to-day transactions of the stabilization fund have been conducted with the necessary secrecy, annual reports are made to the President and to the Congress. The balance sheet of the exchange stabilization fund and supporting schedules are published at quarterly intervals.

Although the stabilization fund holds assets of $2,000,000,000, only $200,000,000 has been used in its current operations. Time and again it has been suggested that the $1,800,000,000 of the stabilization fund now held in gold with the Treasurer of the United States should be used to pay the current expenses or the deficit of the Government. It is said that the use of the fund in this way will save the Treasury $45,000,000 a year in interest charges.

This is an illusion. The Secretary of the Treasury, in his testimony before the House Committee on Coinage, Weights, and Measures has said that he regards this fund as a nest egg for the people. In these uncertain times there may be a period when it will be difficult to borrow large sums except at exorbitant rates of interest. The maintenance of this fund intact permits the Treasury to borrow with the assurance that it need accept no onerous terms. A rise of as little as one-tenth of 1 percent in the average rate of interest on the national debt would more than wipe out the entire interest savings that might result from the use of the stabilization fund to retire a small part of the national debt. It would be the height of folly to deprive ourselves of the greater part of the stabilization fund in this way.

POWER TO ALTER THE GOLD CONTENT OF THE DOLLAR

The second section of H. R. 4646 extends to June 30, 1943, the power granted to the President by paragraph (b) (2) of section 43 of the act of May 12, 1933, as amended by section 12 of the Gold Reserve Act of 1934. Under the terms of this act, the President is authorized to fix the gold content of the dollar at not less than 50 percent and not more than 60 percent of its former weight. The President's power to determine the gold content of the dollar within this range has been twice extended by the Congress, and under this bill it will be again extended until June 30, 1943.

In accordance with the Gold Reserve Act of 1934, the President, by proclamation, fixed the gold content of the dollar at 15 5/21 grains of gold nine-tenths fine, which was 59.06 percent of its former weight. For more than 7 years the gold content of the dollar has remained unaltered, despite the groundless fears of critics who said that this provision would undermine the strength of the dollar and would lead to a further decrease in its gold content. The Secretary of the Treasury has assured your committee that there is no present desire or intention on the part of the administration to alter the gold content of the dollar.

This does not mean, however, that the power to revalue the dollar should be permitted to terminate, or that the United States should surrender any of its instruments for dealing adequately and promptly with international economic and monetary problems. We are in the midst of a world at war. Even the restoration of peace will not result in the reestablishment of stable currencies. Countries exhausted by their war effort may succumb to runaway inflation. Other countries may depreciate their currencies in order to place their exports at a competitive advantage. No one can say when the currency and exchange controls imposed under war conditions will be relaxed.

One thing certain in this uncertain world is that these problems will be graver and more complex than any that we have yet been called upon to face. We cannot tell the kind or intensity of economic warfare which may be waged against us. We cannot tell how severe the post-war maladjustments will be. We cannot tell to what extent countries will seek escape from their own internal problems by aggressive economic measures abroad.

Under these conditions it is essential to preserve the President's monetary powers.

We cannot afford to undertake unilateral monetary disarmament in a world at war.

This Government must be able to act quickly and effectively in defense of our economic interests.

The minority report expresses a willingness to support this measure if an amendment is adopted fixing the price that may be paid for foreign gold at $35 an ounce. Such an amendment would deprive the President of the very means of protecting our economic interests that this bill is intended to provide. To fix the price of gold in dollars is to fix the gold content of the dollar. This is so because the dollar price of gold and the gold content of the dollar are alternative ways of stating precisely the same thing. When the dollar price of gold is determined, the gold content of the dollar is also determined. You cannot fix a specified price for foreign gold without terminating the power granted to the President by the second section of this bill. This was clearly recognized by the sponsor of the amendment when he said that for all practical purposes the amendment nullifies the President's power of devaluation.

The power to alter the gold content of the dollar has been unjustly pictured as a dangerous step on the road to inflation. The power of the President to alter the gold content of the dollar under this bill is limited to the range specified by the bill—50 to 60 percent of the former gold content, and it is limited to the period specified by the bill—until June 30, 1943. For more than 7 years the President has had this power without using it. The extension of this power for 2 more years is not asked with any present expectation of using it. It is to be held in reserve as a preventive measure—a weapon to discourage the initiation of a disastrous currency war.

The administration is fully conscious of the importance of the power that Congress has entrusted to it. It is fully conscious of the necessity of preventing inflation. But it is likewise conscious of the importance of preparing fully to combat any possible post-war deflation. This bill provides the President with the means necessary to prevent inflation and to avoid deflation.

The minority members of this committee have presented two arguments in opposition to continuation of the President's revaluation power. In the first place, they say that the decrease of 40.94 percent in the gold content of the dollar has had no effect on prices and, in the second place, they say that a further decrease of 9.06 percent in the gold content of the dollar would lead to a dangerous rise in prices. Obviously, there is confusion in these views.

What are the facts? Between March 1933 and January 31, 1934, the wholesale price level of all commodities, as measured by the Bureau of Labor Statistics index, rose by nearly 25 percent. The price level of all farm products, as measured by the same index, rose by nearly 50 percent. There can be no doubt that the change in the gold content of the dollar was a primary factor contributing to the rise in prices. But more important than the mere rise in prices was its favorable effect on production, employment, and the national income.

To say that the reduction in the gold content of the dollar failed to raise the general price level is to misunderstand completely what has happened. It is no criticism of the effectiveness of this policy to say that prices have not risen since January 31, 1934. On the contrary, the purpose of this legislation was to raise prices and then to stabilize them.

In his radio address of October 22, 1933, President Roosevelt stated:

> I repeat what I have said on many occasions, that ever since last March the definite policy of the Government has been to restore commodity price levels.
>
> The object has been the attainment of such a level as will enable agriculture and industry once more to give work to the unemployed.
>
> It has been to make possible the payment of public and private debts more nearly at the price level at which they were incurred.
>
> It has been gradually to restore a balance in the price structure so that farmers may exchange their products for the products of industry on a fairer exchange basis.
>
> It has been and is also the purpose to prevent prices from rising beyond the point necessary to attain these ends. The permanent welfare and security of every class of our people ultimately depends on our attainment of these purposes.

By January 31, 1934, when the present gold content of the dollar was fixed by Presidential proclamation, the first step in this policy had been successfully completed. Prices had risen. The fact that they have remained stable since 1934 is proof that the second step in this policy has also been successful. We have restored commodity price levels, and we have prevented them from rising beyond the point necessary to enable agriculture and industry to give work to the unemployed.

No responsible member of this administration ever expected a rise in prices proportionate to the decrease in the gold content of the dollar. No responsible member of this administration ever wanted a rise in prices proportionate to the decrease in the gold content of the dollar. The sole purpose of the revaluation of the dollar was to induce recovery by providing our agricultural and industrial producers with a remunerative level of prices. To this extent it was an important part of the monetary and economic program that broke the back of the disastrous depression.

But if the minority so confidently assert that a decrease of 40.94 percent in the gold content of the dollar had no effect on prices, by what logic do they now predict that an extension of the President's power to determine the gold content of the dollar involving a maximum decrease of 9.06 percent of its former weight will lead to a dangerous rise in prices? I venture to say that they were wrong in the argument that the gold policy of 1933 and 1934 had no effect on prices, and they are wrong in the argument that the extension for 2 more years of a permissive power to determine the gold content of the dollar within narrow limits will result in a large rise in prices.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield? The gentleman should be correct on his facts.

Mr. COCHRAN. I am correct in my facts, but wait until I get through with this statement. I am not going to let the gentleman interrupt a good speech that took a long time to prepare by injecting his views.

I have been on this committee for nearly 15 years. I have listened to all the so-called monetary experts in the United States. They came from Yale, from Harvard, from Princeton, from other colleges from New York, from Detroit, and from every place else. Still I have never yet found two so-called experts who agreed upon the money question. The more I hear about it, the more confused I am about it. I tell the gentleman that I am not going to let him or anyone else confuse me by interposing his views in this statement at this time. We do not agree. There is no doubt about that. The gentleman has control of time and can challenge my view if he desires when he takes the floor.

I am speaking not from a political standpoint but making an honest effort to explain this legislation and the necessity as pointed out by the President and the Secretary of the Treasury for continuing the law in the interest of the people of this country for 2 more years.

The minority also represents this bill as being a dangerous step on the road to inflation. They say that to extend for 2 years the power the President now has to alter the gold content of the dollar within a limited range of 50 to 60 percent of its former weight is to invite inflation. They have been saying the same thing about every piece of monetary legislation since 1933. They say it now of this bill despite the fact that the President has had this power for more than 7 years without once using it, despite the fact that the Secretary of the Treasury has stated that there is no present intention or desire to use this power, and despite the fact that the purpose of this bill is to prevent the emergence of a situation that will compel a belated use by Congress of this very power to alter the gold content of the dollar.

Although the minority have set themselves up as defenders of the dollar against inflation, they nevertheless propose an amendment to this bill that may have highly inflationary consequences. They propose to reduce the amount of the stabilization fund from $2,000,000,000 to $200,000,000, and to use $1,800,000,000, now held by the Stabilization Fund as a gold deposit with the Treasurer of the United States, to purchase Government bonds or to meet current expenses of the Government. This seemingly innocuous amendment may have far-reaching effects on the reserves of the banking system and on the volume of deposits.

The minority members of this committee cite with approval a statement of the Board of Governors of the Federal Reserve System, the presidents of the Federal Reserve banks, and the advisory council of the Federal Reserve System, pointing out the large volume of demand deposits and the huge volume of excess reserves. Can they reconcile their approval of this statement with the amendment they propose?

If this amendment were adopted and the assets of the Stabilization Fund were used in this way, the immediate effect would be to increase demand deposits and excess reserves. If the present volume of excess reserves is already a danger to the country, would we be justified in increasing these excess reserves still further by more than 30 percent? If the present volume of demand deposits is too large, should we risk a multiple expansion of deposits to the extent of eight to ten billion dollars on the basis of these additional excess reserves?

This administration is fully alert to the dangers of inflation. We may well ask: Which is more indicative of a thorough understanding of the problem and of a genuine desire to avoid inflation—the action of the Secretary of the Treasury in going to the people to borrow their savings for defense, or the amendment proposed by the minority members of this committee to increase demand deposits and the excess reserves of the banking system by spending the $1,800,000,000 now held as a nest egg for the public?

Apparently the sponsors of this amendment are either ignorant of the effects of their proposal or indifferent to the fundamental merits of their proposal. It is a mark of our respect for their intelligence that we prefer to believe they are working at the same old job of making political capital out of essential legislation.

In conclusion, Mr. Chairman, I should like to emphasize that none of us are prophets and we cannot see what will happen in the future. We do know, however, that we are entering a period of crisis unparalleled in the history of our country. Economic warfare, as well as military warfare is now being waged on all sides of us. These battles will continue for an indefinite time to come. Nobody can forsee the kind of international economy which will emerge from this war.

In the light of the chaotic conditions which face us it would be foolhardy to permit these powers to lapse. To do so would strengthen our adversaries and

weaken our own defenses. This bill should be enacted without amendment.

I am just as anxious as anyone else to return to the Congress the power to devalue the dollar, but when the Secretary of the Treasury and the President of the United States tell me that this proposed legislation is just as necessary to protect the financial system of this Government as the United States Navy is to national defense, I am willing to go along with them. I appeal to the Members of the House to support this bill. [Applause.]

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I trust I may have more than 5 minutes tomorrow.

I do like to follow the gentleman from Missouri [Mr. COCHRAN] who says that no two people agree about money. Whom is he following today? It would be extremely interesting to know. I want to give you a text, however, for this debate. We consider taking away a power from the President of the United States. I want to read from one of the saints of the Democratic Party, Woodrow Wilson:

> The way to stop financial joy riding is to arrest the chauffeur, not the automobile.

Some of us are trying to arrest the chauffeur today. How would the gentleman from Missouri [Mr. COCHRAN] like to give me a blank check when I am supposed to do some things for him simply because I might possibly need it. How many years would he like for me to keep his blank check with the idea that I might possibly need it at some indefinite time?

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I gladly yield to the gentleman.

Mr. WHITE. If the gentleman was going to South America or to any other part of the world and had to take some money with him, what kind of money would he take?

Mr. GIFFORD. I would want real money but when I came back I would give you your check back.

Mr. WHITE. Cannot the gentleman answer the question?

Mr. GIFFORD. Yes; I just answered it.

Now, why do they not give this gold back to the people, twenty-odd-billion dollars of it? Are they afraid to show a gold piece only half as large as before? I think there would be a come-back on that, but that is not why this administration will not do it. The only answer is they may desire to devalue it again and wipe out some $4,000,000,000 more of public debt. There is no other possible answer than that. They might want to do it, and probably would do it. There can be no other sensible answer. That is at least sensible. Read the record and read what Morgenthau says. I admire him greatly because he is honest and says he knows very little about it. But did you read what he said when he was asked would the President devalue? He replied, "Would the President stand on his head?" That is the answer the committee received. However, they want the power to devalue for some reason that is probably more definite. We might want to stand someone on his head if he did again devalue.

In this brief time I want you to consider the terrible failure of devaluation already made. They say ours is the best currency in the world, but they want to fix it so they can pull it down on a par with the weakest currency in the world. They wish to make it cost more for us to buy in order to make it cheaper for the foreigner to buy from us. We have have been on a peculiar road and let us not follow it farther. Do not let them mark off $4,000,000,000 of debts by this legerdemain method.

I have quotations from some more of your Democratic saints on finance and I will quote from Grover Cleveland and Thomas Jefferson, and others tomorrow, although I do not expect it to be very persuasive because all you use your old saintly leaders for nowadays is to sell tickets on them.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. WHITE. Speaking of money, can the gentleman tell me the three functions of money?

Mr. GIFFORD. Oh, Hitler can make anything pass for money. He can make any money function as a measure of value. You ask about the functions of money, but there is good money that people think they are getting for their labors that is really backed by something. We really would like to think there is something back of our money. If our President was a Hitler, he could take clam shells or anything else for money and it would work just as well, if we were forced to accept it as a measure of value. But the function of silver money is to have our mined silver receive an outrageous price for the benefit of the silver States. That is now the function of silver money.

Mr. WHITE. The gentleman is willing to accept these silver certificates at face value.

Mr. GIFFORD. As long as we cannot suffer any loss and it could be exchanged for real money. Even Mexico complained that she had lost plenty when we devalued the dollar. We did cheat the foreigner by making him accept cheap dollars on the sale of his investments here, but we made Mexico and others happy by buying their silver and paying two or three times its value.

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield myself 27 minutes.

Mr. Chairman, once again the Congress is asked to continue a grant of extraordinary powers to the President, which, we are told, the President has no intention of using. I for one, as a Member of this House, am getting a little bit weary of granting powers to those who say they do not intend to use them. I do not know of a single power that has been granted to the Chief Executive that has not been used in one way or another, directly or indirectly, to achieve by direct use of such power or by the threat of the use of such power some end sought by the New Deal administration.

Therefore I should like to say to this House and to the citizens of this country that it is a misstatement, it is subterfuge, it amounts to false pretense, when administration officials come to committees of this Congress to request or demand powers which they assure us will not be used, at a very time when they are using the powers that they want validated or extended by this Congress.

I think we must, in considering the extension or the granting of any new powers to the Chief Executive, do so with our eyes open and with the distinct understanding that those powers will be used.

The bill we are now considering has two major purposes: First, it seeks to extend the power granted to the President by paragraph (b) (2) of section 43 of the act of May 12, 1933, as amended by the act of January 30, 1934, under which the metallic content of the dollar may be altered; and, secondly, to extend the power established by section 10 of the Gold Reserve Act of 1934, dealing with the stabilization fund. This is the third time the House has been asked to extend these powers. Secretary Morgenthau has testified that these powers are separable—page 14, hearings. In other words, restricting the power of the President further to reduce the gold content of the dollar would in no way affect the operation of the stabilization fund as presently carried on. Since these are separable powers, I wish to discuss them separately.

On January 31, 1934, President Roosevelt reduced the gold content of the dollar by 41 percent and fixed the official price of gold at $35 an ounce. Those who supported the devaluation scheme declared that the increase in the price paid for gold would stimulate a rise in commodity prices. The President's action completely failed to achieve this objective. In August 1939, the last month before the outbreak of World War II, wholesale commodity prices (Bureau of Labor Statistics) were only 75 percent of the 1926 level, compared with the January 1934 figure of 72.2 percent. This was an increase of but 3.9 percent in nearly 6 years. Although the American farmer was to have been a major beneficiary of this program, in August 1939 the wholesale price of farm products was only 61 percent of the 1926 price level, compared with 58.7 percent in January 1934. As a matter of fact prices of some farm products were lower in August 1939 prior to the outbreak of the present war than they were in January 1934 when the President acted to cut the gold content of the dollar. The farm price of wheat declined from 69.4 cents a bushel in January 1934 to 54.5 cents a bushel in August 1939; cotton declined from 10.36 cents a pound to 8.70 cents a pound.

In view of this complete failure of the scheme to raise prices, the administration was forced to base its argument for extending this grant of power both in 1937 and again in 1939 on different grounds. For example, when the administration sought to have this power continued in 1939 it argued that the President needed this power as "a club behind the door" to prevent other countries from engaging in a currency war.

In fact the Secretary of the Treasury went so far as to declare—

this power is a weapon * * * in the monetary field * * * as important as a powerful navy in the field of defense against armed attack.

Thus the administration argued that the mere existence of the power would discourage other countries from depreciating their currency to gain competitive advantage. In this connection I would like to quote from the report by the majority of this committee on similar legislation 2 years ago:

The mere existence of this power serves to discourage other countries from further depreciating their currencies in order to acquire a competitive advantage in the world markets, and has given added protection to our world trade.

I need not tax your patience at this time by reciting in detail how this "club behind the door" failed to prevent currency depreciation in other countries, and a further decline in exports of leading farm products. I do, however, wish to call your attention to Secretary Morgenthau's admission before this committee that—

during the last 2 years the international exchange markets have been more disrupted than they have been in the last 20 years (p. 2, hearings).

I conclude, therefore, that the objective for extending this power in 1939 has not been realized and, therefore, that the further extension of this power cannot be justified on the basis of past performance.

Today the administration presents two arguments in favor of once again extending the President's power to alter the gold content of the dollar. Secretary Morgenthau, who was the only sponsor to appear in support of this proposal, asserts, first, that the—

power is a weapon in reserve (p. 5, hearings).

And, second, that there is no reason why the power should not be granted the President for another 2 years, because he has no—

present intention whatsoever to devalue the gold content of the dollar.

Note that phrase, "present intention."

I have already called attention to the weakness of the first argument. The mere existence of the power failed to prevent what Secretary Morgenthau has described as the most disrupted international exchange markets in the past 20 years. Nor does the fact that the President does not contemplate using this power support the administration's case. Secretary Morgenthau has observed that he sees no—

immediate use for * * * the right to devalue the dollar (p. 18, hearings).

In other words, this power has nothing to do with defense or with the war, for, as Secretary Morgenthau has further observed—

it is a weapon which the President * * * might use * * * when this fighting stops (p. 18, hearings).

I submit that no man can predict how many years distant that will be, or what conditions will prevail at that time. Congress cannot determine now whether or not the President should have this power to use on some future occasion, under conditions utterly impossible for us at this time to foresee.

To argue that the Chief Executive should be given such enormous and far-reaching power to be used at a time and under conditions which we cannot foresee, is to argue that he should be entrusted with all of the governmental powers now residing in the Congress, the courts, the States, or the people, on the ground that at some time in the future, some conditions might arise which would make it necessary or desirable for the President to have such powers. Such an argument, Mr. Chairman, strikes unerringly at the heart of all constitutional government.

Mr. Chairman, the very essence of the whole philosophy and doctrine of a constitutional representative form of government is involved herein. I could say to you that at any moment in which any of these powers should be exercised the Congress could meet and exercise the power, or, again, the Congress could meet at any moment as the necessity arose and grant the brief, temporary power to the Chief Executive to act for it. The answer the administration would make—has made—is that the processes of representative government are too slow and cumbersome in times when events are moving with such rapidity. My answer to such an argument is that it is an excuse for a dictatorship and against the processes of a democracy. If we are to admit that a representative form of government can function only in fair weather and that the moment a storm threatens we must abandon it and vest all of these congressional powers in the Chief Executive, then, of course, there is no argument against the extension of this power. If, on the other hand, we are to cling to the doctrine that has obtained in this Nation since its birth, that the Congress can from time to time delegate such special and temporary powers as may be wise and necessary to meet changing conditions, then the argument for the extension of this power falls to the ground.

Indeed, Mr. Chairman, the very question came up in the hearings before the Committee on Coinage, Weights, and Measures. The Secretary of the Treasury was asked why, if this power vested in the Chief Executive temporarily is a good thing, it would not be just as good to vest him permanently with such power. Mr. Morgenthau did not answer the question, but observed that he thought it was—

perfectly healthy and normal and good democracy for me to come up here and for you to have me report (p. 19, hearings).

My answer to such an argument as that, Mr. Chairman, is that if the President were vested with all of the powers residing in all three branches of the Government, the States, and the people, he could still send somebody up to report to the Congress. That would be an empty, meaningless pro forma procedure which would not lend one atom of protection to free constitutional government.

The Constitution imposes upon Congress the responsibility of fixing the value of money. Congress should meet its responsibility instead of granting this power to the President over an ever-increasing period of time.

The second previously mentioned objective of this bill is to continue until June 30, 1943, the exchange stabilization fund. This fund of $2,000,000,000 was established by section 10 of the Gold Reserve Act of 1934, and the money was obtained from the increment accruing to the Treasury from the decrease of the weight of the gold dollar and the consequent increase in the dollar value of gold held by the United States. Although there is $2,000,000,000 in this fund, only $200,000,000 ever has been actually used by the Treasury (p. 9, hearings). Nor has the administration presented any evidence showing that more than $200,000,000 will ever be needed. Furthermore, $200,000,000 has been sufficient for all purposes since the fund was established. Events in Europe have greatly limited the possible scope of the fund's activities or influence. For example, 2 years ago it was argued that the main reason for extending the stabilization fund was to make possible the continuation of the tripartite monetary agreement between Great Britain, France, and the United States. Secretary of the Treasury Morgenthau, however, has asserted in the hearings just held by this committee that—

since the outbreak of war the machinery set up by the tripartite accord has been inactive. We have not acquired any currency of a belligerent nation since September 1939, and at the present time we are holding less than $4,000 worth of British pounds sterling, Belgian belgas, and French francs, acquired before the outbreak of the war (p. 4, hearings).

As a consequence of events in Europe, exchange-stabilization activities today are limited to operations with China and certain South American countries. I also call attention to the action taken last summer whereby Congress increased the lending power of the Export-Import Bank by $500,000,000 to accomplish similar objectives. Loans by the Export-Import Bank to foreign countries allegedly serve to bolster the internal economies of these countries. I mention this to support my contention that the $200,000,000 is a sufficient amount to carry out all contemplated purposes of the stabilization fund without in any way impairing the effectiveness of its operations.

Since $200,000,000 is sufficient, it is obvious that $1,800,000,000 is lying idle in the Treasury at a time when we are confronted with tremendous borrowing operations and despite the fact that taxes on the American people are being greatly increased. The interest on this sum at current rates is more than $45,000,000 a year. This sizable sum could be saved if the $1,800,000,000 were used to reduce the amount of borrowing that otherwise will have to be done through the banks. We recognize, of course, that this action would tend to be inflationary if not offset by compensatory steps. In other words, we realize that using this $1,800,000,000 worth of gold would increase excess re-

serves of the banking system by a like amount. We also recognize that excess reserves are dangerously high at the present time. In order to prevent such an inflationary tendency it would be necessary for Congress to provide means for sterilizing "inflationary" excess reserves. Indeed, the Board of Governors of the Federal Reserve System, the presidents of the Federal Reserve banks, and the Federal Reserve Advisory Council, in a special report to the Congress dated December 31, 1940, specifically recommended that Congress—

(a) Increase the statutory reserve requirements for demand deposits in banks in central reserve cities to 26 percent; for demand deposits in banks in reserve cities to 20 percent; for demand deposits in country banks to 14 percent; and for time deposits in all banks to 6 percent.

(b) Empower the Federal Open Market Committee to make further increases of reserve requirements sufficient to absorb excess reserves, subject to the limitation that reserve requirements shall not be increased to more than double the respective percentages specified in paragraph (a). (The power to change reserve requirements, now vested in the Board of Governors, and the control of open-market operations, now vested in the Federal Open Market Committee, should be placed in the same body.)

(c) Authorize the Federal Open Market Committee to change reserve requirements for central reserve city banks, or for reserve city banks, or for country banks, or for any combination of these three classes.

(d) Make reserve requirements applicable to all banks receiving demand deposits regardless of whether or not they are members of the Federal Reserve System.

To recommend the enactment of these proposals is, however, not the function of this committee. Consideration of such legislation is in the hands of our colleagues on the Committee on Banking and Currency.

In concluding my remarks, I wish to discuss a subject which has never been raised on any previous occasion when similar legislation was before us for consideration. I feel I am not unduly critical of the administration when I point out that it appears as though these powers have been used during the past years to achieve purposes other than those which were openly and officially declared. These powers have been used by the Treasury to facilitate its borrowing operations and thus to make possible the spending program of the New Deal. That there may be no mistake about this I wish to quote from Secretary Morgenthau's testimony on this bill before the Committee on Coinage, Weights, and Measures. Secretary Morgenthau stated (p. 10, hearings):

The very fact that I have this reserve is a kind of cap on the market to keep the people who own the money from running the rates up on me because they know I have it. We have gradually gotten the rates on our public debt down until it costs only about 2.5 percent, and it is these various instruments which Congress has given the President and the President has passed on to me which has made it possible to keep money so cheap.

I do not wish to take up too much of your time in discussing this particular wish to call your attention to the fact that we are in effect voting today, in aspect of the present legislation, but I do view of the Secretary's testimony, on a cheap-money program for financing national defense. Concerning the seriousness of this step I wish to call your attention to the following statement of the Board of Governors of the Federal Reserve System, the Presidents of the Federal Reserve Banks, and the Federal Reserve Advisorf Council in the aforementioned report to the Congress:

The volume of demand deposits and currency is 50 percent greater than in any other period in our history. Excess reserves are huge and are increasing. They provide a base for more than doubling the existing supply of bank credit. Since the early part of 1934, $14,000,000,000 of gold, the principal cause of excess reserves, has flowed into the country, and the stream of incoming gold is continuing. The necessarily large defense program of the Government will have still further expansive effects. Government securities have become the chief asset of the banking system, and purchases by banks have created additional deposits. Because of the excess reserves, interest rates have fallen to unprecedentedly low levels. Some of them are well below the reasonable requirements of an easy-money policy, and are raising serious, long-term problems for the future well-being of our charitable and educational institutions, for the holders of insurance policies and savings-bank accounts, and for the national economy as a whole.

Thus the agency which was created to be and is primarily responsible for the maintenance of a sound monetary system has pointed with alarm to this aspect of the administration's policy. The Federal Reserve System has called attention to what this policy has done to the charitable and educational institutions, and to every holder of an insurance policy and savings account. But more than that it asserts that it constitutes a real and active danger to "the national economy as a whole."

Thus it appears Secretary Morgenthau has been right when he described these powers as a "weapon behind the door." We did not know, however, that the club behind the door was being used against our charitable and educational institutions, the holders of insurance policies, and savings accounts—that is, against American citizens. We had been led to believe that this was a club that was only to be used against foreign powers for our own protection.

In view of conditions as they are, in view of the dangerous possibilities inherent in the extension of extraordinary powers to the Chief Executive, in view of the inability of this Congress to foresee what conditions may be from time to time in the future, I urge, Mr. Chairman, and colleagues, that this extension of power be not granted; that the Congress permit to revert to itself the constitutional function of fixing the value of our money.

I hope the bill will not pass. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

STABILIZATION ACT

Mr. SAUTHOFF. Mr. Chairman, the bill now before us for consideration extends to June 30, 1943, the powers relating to the stabilization fund and of the power to alter the gold content of the dollar, which powers, under the present law, will expire on June 30, 1941.

I listened carefully to the statement of Secretary Morgenthau before the Committee on Coinage, Weights, and Measures and have read and discussed his remarks several times since the hearing. I also took part in the questioning of the Secretary after his formal statement. I was impressed with the sincerity and simplicity of Mr. Morgenthau. He was frank and open and made a very favorable impression upon all of us.

STABILIZATION FUND

The idea of a stabilization fund is to enable the administration to restore a fairer price level, to arrive eventually at a less variable dollar and to improve our financial and monetary system. Since all commodities are measured in gold, the first steps in monetary control must be the acquisition of gold. Hence the transfer of the gold to the United States. This is an effective way of preventing the hoarding of gold, its concentration in a few hands, and last but not least, speculation in gold.

There is nothing new about this legislation. Other countries have done the same thing, the only difference being that in other countries the effort to stabilize took place after the currency had fallen, while in this country such action was taken before that happened. Some objection has been made to any legislation on this subject, but it must be remembered that in every national crisis the Federal Government has found it necessary to step in and take action, and that such action had to be commensurate with the need.

History is full of cases of Government action. Solon, the Greek lawgiver, was drafted for service during a particularly severe depression, 500 years before Christ. To solve this problem, he undertook a program of public works to take care of unemployment, liberalized the bankruptcy laws, and cheapened money. That formula has been followed during hard times all over the world for 2,500 years. When Rome sent her legions all over the then known world and was hard pressed for money, she cheapened her money. Europe has had repeated examples of the same thing. After the collapse in 1929 and everything was going to pot, President Roosevelt adopted Solon's formula and stopped the rush to universal bankruptcy and chaos. However, the New Deal went further than the three elementary principles of Solon, for the New Deal sought to implement that program with social legislation having for its goal security for the worker and his dependents and a more equitable distribution of the fruits of the great mass of our people. This legislation I believe to be in line with our program.

ITS PAST OPERATION

In his monetary message to the Congress in 1934 President Roosevelt made three major recommendations—that all monetary gold be taken over by the Treasury; that the limits of revaluation be fixed between 50 and 60 percent of the old dollar; and that a large part of the profit due to revaluation be set aside

as a fund to stabilize the dollar and the national credit. He stated in his own words that our objective was—

a medium of exchange which will have over the years less variable purchasing and debt-paying power for our people than that of the past.

These things have all been done. There has been no national disaster, as was freely predicted by its opponents, and it has done much good.

To begin with, the very first benefit was the $2,000,000,000 profit that resulted from the change in the gold content, which profit went to the people instead of the Federal Reserve banks. This alone should justify it, but in addition thereto, the devaluing of the gold dollar gave us a far more advantageous position in dealing with foreign peoples, because they could buy more from us and sell more to us, because foreign monetary systems were placed more nearly in line with our own, and commerce with other countries was thereby facilitated. And during the past 2 years our country has been able to render some valuable assistance to other countries, whose friendship is desirable. Among these countries were China and Argentina. Fifty million dollars was made available to China for the purpose of stabilizing the dollar-yuan rate of exchange. The stabilization arrangements with China should be of great aid to China in her monetary problems and also in the struggle with the puppet currencies. China's fight against Japan's aggression is aided by this arrangement.

The second arrangement of importance is the one with the Argentine Government and the Central Bank of Argentina. Under the arrangement we have agreed to buy $50,000,000 of Argentine pesos and Argentina will use the dollars to stabilize the dollar-peso rate of exchange. The representatives of these countries agree to exchange views and to discuss further the relations existing between them. This is highly desirable because it bears out our good-neighbor policy with sister republics, but it also helps to offset the efforts of Axis agents to turn the people of Latin America against us.

In the past 2 years the stabilization fund purchased about $3,920,000,000 of gold from 23 different countries. We sold $320,000,000 of gold during the same period. We cooperated with countries as far distant as Java, Uruguay, and Afghanistan. We have aided friendly countries with purchases from them when they needed our monetary assistance.

Secretary Morgenthau pointed out that the—

stabilization fund has proved its value during years of unparalleled crisis in international trade and finance. Long ago we made the dollar the strongest currency in the world. Foreign nations and foreign individuals have preferred the dollar to all other currencies.

With that statement I fully agree. Our Secretary has made no overstatement and no misrepresentation. Mr. Morgenthau adds:

Now we are going forward into times of even greater peril. We are in the midst of many systems of currency and exchange controls. Some are operated with no friendly intent toward the United States. Our stabilization fund is a potent weapon of defense in our international economic relations. This is hardly the time to abandon the machinery of control which we have built up to protect the dollar and the American economy.

Economic warfare, as well as military warfare, is now being waged on all sides of us. There is no certainty that even with peace these aggressive economic instruments will be abandoned by other countries. Nobody can say what kind of international economy will emerge from this war. But it would surely be unwise if we chose this time to let private speculators and foreign governments determine the exchange value of the dollar.

POWER TO ALTER GOLD CONTENT

The second section of this bill continues the power of the President to alter the gold content of the dollar to not less than 50 percent of its former weight. On January 31, 1934, President Roosevelt proclaimed that the gold content of the dollar shall be 15 5/21 grains of gold nine-tenths fine. It has been maintained at that standard during 5 years of international disturbance and collapse.

Critics of the administration stated that the granting of such powers would result in a squandering of the stabilization fund and would be used to bring about inflation. Neither of these things has happened. Since the President was not guilty of these things in the past 5 years, why should he be suspected of them in the next 2 years? Such suspicions are not justifiable from the facts.

There are powerful foreign governments that are bitterly hostile to us. They will resort to every type of warfare against us, if they can—physical warfare, economic warfare, and monetary warfare. We are now preparing for the first. Let us not neglect the other two.

Congress moves too slowly to be entrusted with this job. Events move with startling swiftness in this mechanized age. New and unforeseen methods burst upon us with lightning swiftness. We must trust someone to handle this problem and meet conditions as they arise. We could confer that power upon the Secretary of the Treasury, but I am convinced that he would not want it; and, secondly, that if he had this power, he would not exercise it without the sanction of the President.

Someone may say, "Give it to the Federal Reserve Board." My objection to such a delegation of this power is that the Federal Reserve Board was weighed in the balance and found wanting. Back in the "easy-money era" the late Robert M. La Follette repeatedly warned the country about the disaster that would result from unlimited speculation, but the Federal Reserve Board paid no heed. It lacked either the courage or the foresight to clamp down on the orgy of easy money. Why, then, should we trust a body that has failed in the past?

To my mind, President Roosevelt has done a good job with this authority during the past 5 years; he has had the experience and has the knowledge of its many problems; he can and should be trusted with the same authority in the next 2 years.

The President is as anxious as Congress to prevent inflation and in addition thereto must be granted flexible powers for protection of the country against possible trade wars which may follow the current stage of military belligerency. We do not know what the future holds. While hoping for the best, we should prepare for the worst.

I sincerely believe that we should pass this bill. [Applause.]

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. GALE].

Mr. GALE. Mr. Chairman, H. R. 4646 provides for the extension of the stabilization fund and the extension of the President's authority to change the gold content of the dollar. Both are extraordinary grants of power to the Executive. Acquired as a paper profit from the first devaluation in 1934, the stabilization fund amounted to $2,000,000,000 which could be used for almost any purpose by the Secretary of the Treasury with the approval of the President. Asked for originally as an emergency economic measure, renewed twice by act of Congress, the administration now asks for a third renewal. Seven years of emergency may well mean an established and permanent transfer of power from Congress to the administration.

The idle stabilization fund has not been used except in a few ineffectual attempts to stabilize foreign exchange. The power to devalue the dollar has only been used once by the President, for better or for worse. What resulted we know. What would have resulted if the price of gold were still $20.67 nobody knows—we can guess, but we cannot do more than guess. What we do know is that the stabilization fund, $1,800,000,000, is in the hands of two people, the Secretary of the Treasury and the President. What we also know is that the fate of the dollar, the power to really inflate, the age-old custom of coin clipping, which can mean untold disturbance to our economic system and which can mean untold hardship for the common people, is in the hands of the Secretary of the Treasury and his superior, the President.

Not whether to inflate, not what to do with the stabilization fund, but who shall decide whether or not to inflate and who shall decide what to do with the $1,800,000,000. That is the real issue in this bill. Not the choice of a monetary policy, but who shall make this choice.

The Constitution, in article I, section 8, states that—

The Congress shall have the power to coin money, regulate the value thereof and of foreign coin.

Congress gave up temporarily this power under the stress of an emergency. Congress also gave up its right to control the purse strings in temporarily authorizing the stabilization fund. The grounds for this surrender were that unusual circumstances called for unusual methods. The economic crisis demanded the power for quick action or the threat of quick action. If not for immediate use, these extraordinary powers were a club behind the door, just in case.

Financial defense is not military defense, and the need for quick or secret action is not so pressing. During the so-called economic emergency there would

have been ample time for Congress to act in an orderly way on all the measures adopted by the President and his Secretary under the powers the continuation of which is asked in this act. In fact, neither the President nor the Secretary of the Treasury advocate any immediate measures. They ask for these powers under the guise of quick, effective action, and yet at the same instance we are informed by Secretary Morgenthau that the stabilization fund is a nest egg for which he has no immediate use. We are also assured by Mr. Morgenthau that the President has no intention of further changing the content of the dollar; that is to say, of inflating. In this case if there is no need for quick Executive action, where is this financial emergency? What reason for continuing this extraordinary power?

If we are going to be logical, consistent, and practical, why not turn all of our congressional prerogatives over to the Executive? Why not, for the sake of efficiency, quick action, and results, surrender completely our right to control the purse strings? Why not give up the obligation and duty to make any important decisions at all?

Not with bitterness, not with a desire to bite at the heels of the administration, not with a spirit of petty criticism, should we consider this bill, but rather in the light of a fundamental principle of our Government. In the name of a 9-year emergency, we, the Congress, have already gone a long way toward complete, unconditional surrender of our normal functions. It is most unpleasant and humiliating to think how far we have already gone toward becoming a mere debating society. Following the present trend, it is not hard to foresee a Congress with the same power as the German Reichstag, if we continue to renew "temporary" grants of authority to the Executive. Continued usage will soon make these grants a matter of habit and custom.

Therefore, ladies and gentlemen, in this instance where there is no urgent demand for national defense, where there is no urge for immediate Executive action, and yet, where there is involved the financial stability of the Nation, the control and use of $1,800,000,000 and the vital issue of inflation which can and will affect each and every one of us, Congress should make these decisions. Congress should not shirk its responsibility. Let us not sign this ignominious treaty of surrender, under the terms of which we must say, "Yes, Mr. Under Secretary Sullivan. Yes, Mr. Secretary Morgenthau. Yes, Mr. President. Yes." [Applause.]

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, in the brief period at my disposal I shall not attempt to do more than to put up a few warning signs denoting danger ahead that my colleagues may care to take note of. These warning signs refer specifically to the proposal that the powers of the President to further devalue the gold dollar as provided in section 12 of the Gold Reserve Act of 1934 be continued for an additional period of 2 years until June 30, 1943. I do not question or bring up as a point of argument what has already transpired and suppose that the Congress had adequate reason for temporarily surrendering its powers as provided in article I, section 8, paragraph 5, of the Constitution, which reads, in part:

> The Congress shall have the power * * * (5) to coin money, regulate the value thereof, and of foreign coil, and fix the standard of weights and measures.

Since passage of the Gold Reserve Act and the policy of the purchase of gold at a price of $35 an ounce our gold stocks have increased from eight billion, two hundred and thirty-eight million, six hundred thousand in 1934 to twenty-two billion, five hundred and thirty-eight million as of May 14, 1941. It is estimated that the Government of the United States holds among its assets three-fourths of the total world's monetary supply.

It is almost a daily question among manufacturers, merchants, and taxpayers who give any consideration to such subjects, what will become and what will be the use of this great gold stock in the future? At the present moment, it is generally supposed that gold to settle international balances will be little used by foreign nations in the future for the simple reason that they are not possessed of any appreciable amount. Hence any continuation of the Treasury's policy of purchasing newly mined gold from foreign sources puts the American people in the light of being very poor businessmen who are willing to purchase an unwanted commodity at a fancy price. The only real beneficiaries are foreign mining interests.

Mr. WHITE. Mr. Chairman, will the gentleman yield to me?

Mr. DEWEY. I yield to the gentleman from Idaho.

Mr. WHITE. The gentleman comes from the State of Illinois. There are great industries, great manufacturing institutions there producing material for export. What would the gentleman like to sell that export for? Gold dollars?

Mr. DEWEY. My statement would pretty clearly cover that, but probably the payment will come out of the $7,000,000,000 that have been already appropriated under the lease-lend bill—$500,000,000 from the Export-Import Bank, $1,800,000,000 from the Stabilization fund, which may be enough for present necessity.

Mr. WHITE. That represents a credit operation—a borrowing from the American people. Would the gentleman rather do that than to take cash in the form of gold?

Mr. DEWEY. The credit policy is one that has been followed continually for the last 2 years by the majority party. It is their duty to find money.

Mr. WHITE. The gentleman believes in protection, does he not?

Mr. DEWEY. I believe in the protective tariff.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. Yes.

Mr. AUGUST H. ANDRESEN. The gentleman's time is quite limited. I know that the gentleman from Idaho would like to make a speech, but I would like to hear the speech of the gentleman from Illinois.

Mr. DEWEY. I was interested in answering a few of the questions that might come up.

Mr. WHITE. It goes to the national policy of whether we accept the gold or not.

Mr. DEWEY. If this thought is carried further what possible purpose can be served or what benefit derived by the American taxpayer by paying even a higher price for gold as is permitted by further devaluation of the gold dollar and increasing the price of gold from its present value of $35 an ounce to $41.34 an ounce, as permitted under section 12 of the said Gold Reserve Act of 1934? This is merely a common-sense view. I cannot believe that any Member of Congress will wish to defend a policy which will run up the price on his own countrymen to the benefit of foreign capital. I now refer to certain future potentialities which I believe should be given serious consideration. The value of a nation's currency is something that touches each and every one of us very closely. Any change in its value which will in due course reflect itself in purchasing power is a matter which should be given great study and open public debate in the Congress which is charged with the responsibility for its regulation and value by the Constitution.

As I have said, the brief period that I have at my disposal does not permit a fully comprehensive statement, but there are one or two points that are fundamental. The gold assets of this Government are its property. By writing up its assets as provided under the Gold Reserve Act of 1934 when the gold stock of the Treasury was but eight billions of dollars the Government made a gold profit of over two billions of dollars. Today, with the Treasury's gold stock at over twenty-two and one-half billions of dollars, if the price of gold should be increased as permitted under the existing act from $35 an ounce to $41.34 an ounce, a total increase of 100 percent above the pre-1933 price, the Government would make an additional profit of four billion seventy-one millions of dollars, but let us suppose that once having had a taste of writing up its assets by this fictitious, even if legal, method it continues such a policy from time to time. Let us further suppose that the public debt of the United States should reach the astronomical figure of one hundred billions—and I believe that figure was mentioned as being possible by Secretary Jesse Jones—the Government by pursuing its policy of devaluation could reduce the gold content of the dollar to about three grains of gold from its present content of 13.714 (fine) grains. This would increase the total face value of the present gold holdings of the Government to about one hundred and ten billions of dollars, against which gold certificates might be issued and the public debt paid off therewith.

It is needless for me to mention to my colleagues what might occur to the price structure within the United States if such a ruinous policy were considered. It cannot be supposed that it would be,

however, a distressed country and burdened taxpayers may resort to any expedient to solve an immediate difficulty. Hence I earnestly suggest that the danger be removed by permitting the powers to further devalue the gold dollar or to increase the value of gold as permitted in section 12 of the Gold Reserve Act of 1934, be permitted to lapse.

The Secretary of the Treasury has stated in his testimony that "obviously the administration has no present intent whatsoever to devalue the gold content of the dollar." Such a position is a very sound one to take, particularly, as it is no longer a question of competing for exports by decreasing the international purchasing power of our currency. Practically all the countries of the world are only too glad to take all they can receive from us, but for which in most cases payment is made by credit extended through the Export-Import Bank or the use of the stabilization fund. The question therefore of devaluation for trade purposes can be eliminated. Any other unforeseen emergency must be domestic in its character in which case it is my belief the Congress should, in open debate, discuss all its merits and dangers. We owe that to every citizen who has voted to send us here to represent this interest. [Applause.]

Mr. WORLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I have listened with a great deal of interest to the debate this afternoon. I think I can detect certain inconsistencies. I have heard it said that there was no change in the price level when the President did exercise his power under the law and devalued the gold dollar to the extent of 40 percent. In the same breath I have heard speakers say if we continue this power the President would have an opportunity to devalue the gold dollar to the extent of 10 percent and that that would lead to wild and extravagant inflation. It is a queer bit of mathematics to my mind that when he devalued the gold dollar to the extent of 40 percent, there was no inflation, but if he devalues it to the extent of 10 percent there will be enormous inflation.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. MURDOCK. I am sorry. I have so little time that I cannot yield. I am just remarking on what I have heard gentlemen say in the Well of the House this afternoon. I do not follow their logic. I have heard gentlemen say, "You are putting this vast power in the hands of the President who will run wild in the exercise of it." Yet I want to call attention to the fact that the President has had this power for nearly 8 years and has exercised it only to a slight extent.

Let me remind you that about 7 or 8 years ago an act was passed which gave the President four great monetary powers. Let me enumerate them to refresh your memory. The President was given the power to direct the issue of $3,000,000,000 in greenbacks. The President was further given the power, second, to bring about the issue of $3,000,000,000 in Federal Reserve notes. The President was also given the power to bring about the remonetization of silver, not at the ratio of 16 to 1, but at any ratio he might see fit to establish. Fourth, the President was given the power to devalue the gold dollar to the extent of 50 percent.

That was 7 or 8 years ago. What has the President done, following out the power placed in his hands? Certainly he has not caused the issue of $3,000,000,000 of greenbacks, although there was a great demand and there is a demand in certain quarters to this day for that sort of thing. Has he caused the issue of $3,000,000,000 in Federal Reserve notes? He has not. Has he remonetized silver at any given ratio? No. Only a slight bit of that power has been used. If the President had been bent on inflation, he might have inflated to the extent of $10,000,000,000 on those three points alone during the past 7 years.

So that of the four great powers which might have been used in the inflationary process, only has he devalued the gold dollar to the extent of 40 percent. I do not believe that anybody can rightfully stand in this House and consistently say that Franklin D. Roosevelt is a rank inflationist. I do not feel that it can truthfully be said in view of the power that he has left in his hands unused.

I am not an inflationist, but I have seen times when I thought a proper amount of inflation would be beneficial. I want this country to have a sound monetary system. I want the right kind of a dollar—not one of rubber to hurt the long-time creditor and certainly not one shrinking by act of creditors to hurt long-time debtors. I have given thought to America's monetary history; and what a unique and checkered history it has been with many features in it which ought not to be repeated.

One gentleman who has just preceded me said that the Constitution gives the power to Congress. Yes; it does. Article I, section 1, clause 5, "The Congress shall have the power to coin money and regulate the value thereof." It is a public function of sovereign power and ought to be carried on by Government officials and not by private businessmen with a view to their own interests. I have heard gentlemen crying out, "Do not give the President this power. It is power vested by the Constitution in the Congress alone. It is a dangerous power." There is some danger in a misuse of that power, but shall it be lodged in public administrative officers or continuously handled by Congress? I am satisfied to have such power lodged in the Executive.

Now, gentlemen, would you say that since strychnine has killed so many humans and animals that no doctor should be permitted the power to use strychnine? I understand it is used in medical practice in a wholesome, curative way. Yet there is vast power of destruction in the use of strychnine. So it is with this vast monetary power. It is vast power, but we know very well that Congress cannot exercise this power from day to day, the power of the stabilization fund, to protect our foreign trade. Have we not years ago delegated certain powers that are inherent in the Congress to the administration agents? What about the War and Navy Departments? Shall we dispense with our admirals and generals and have each of the 531 Members of Congress take command of a battleship, or a squadron, or a division, or of a fort? We might do that, might we not, under the constitutional power to provide an army and a navy?

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I am sorry. I do not have the time.

Mr. DEWEY. I yielded to your side. I would like to ask the gentleman to yield for a question.

Mr. MURDOCK. I will be glad to yield to the gentleman from Illinois.

Mr. DEWEY. The gentleman seems to be so much interested in the foreign trade which has fallen off very much and forgets the currency of his own people back home, and the institutions. This Congress has regulated the value of the currency for over 150 years and gone through various crises and taken care of their duty very well.

Mr. MURDOCK. I am not so sure it has always been well done. If time permitted I could explain our sorry foreign trade not caused by New Deal action. As for our currency, if the gentleman prefers me to turn my attention to matters at home, I will be very glad to do that. More than 100 years ago the Government's power over paper money was transferred to banks, and it has been there ever since, so that most of our paper money has been issued by our private banks. They are controlling it. They can determine what is inflation and what is not, and when we shall have it and when we shall not have it. Banks as credit factories have caused more inflation than the Government has ever done. I have paid from 7 to 48 percent interest annually on money I have borrowed from banks. Years ago, in the Middle West, I paid at the rate of 48 percent interest at a bank, although the note I signed said 8 percent. The interest was collected in advance. I did it voluntarily, for I could take it or leave it. I have never borrowed a dollar from the United States Government at any rate, and never from a bank for less than 7 percent. Somebody in a group asked what was the greatest invention. One man said the printing press. Others said this or that. One fellow said, "the guy who invented compound interest was no slouch." He might have added that the guy who invented simple interest was no slouch either—as it is sometimes collected.

So long as we concentrate power over our money solely in the hands of bankers we shall pay an excessive rate of interest. This is exactly what Secretary Morgenthau was driving at in the quotation that was read a moment ago. I understand the justification for the institution of "interest on money" and would not do away with that institution. However, it can be and has been an institution of oppression.

The Constitution gives to Congress the power to coin money. We started out with gold and silver in our monetary

system, but after 1873 gold took first place and from about 1890 on for almost half a century gold was the standard of value monopolized in the hands of a few, giving a few men power to fix interest rates exorbitantly high; and the great farming and industrial classes of our country had to pay those exorbitant interest rates. No wonder the New Deal has been able to decrease interest rates. High interest rate may be well for a very few people. Alexander Hamilton thought we ought to have a bonded national debt so that in paying good rates of interest we would create a financial stake on the part of well-to-do citizens in our Government and its stability. I grant there is something to that, but I want to tell you that monetary patriotism is about the lowest degree of patriotism I know anything about. We want people to be interested in the stability of the United States of America, not according to the percentage of interest which they, as coupon clippers, get from their bonds, but for more ideal reasons.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I am sorry I cannot. My time is almost up.

This stabilization fund of $2,000,000,000 is necessary for the protection of our foreign trade. Our foreign trade will be more disrupted in the years to come in these unsettled times than it has been in the past. If it was wise—and I think it was—to create a stabilization fund several years ago, it is still wiser in the face of events to continue it. I hope the committee will see fit to do so and that this measure will pass. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4646) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Arkansas [Mr. MILLS] may extend his own remarks in the RECORD, and include therein a copy of a resolution adopted by the board of trustees of the University of Arkansas.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE CLAUDE V. PARSONS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, upon my return yesterday afternoon, having been out of the city for 2 or 3 days, I was greatly shocked and grieved to learn of the death of our former colleague, the Honorable Claude V. Parsons, of Illinois. I was unfortunately detained from the House today when it went into session at which time I understand a number of Members paid their respects to our deceased former colleague. I want, therefore, to take this opportunity to say that to me his passing was indeed a very great shock, and brings to me a feeling of personal loss. It was my privilege during the last year, or nearly a year, to serve with Claude Parsons as a member of the special committee investigating the migration of destitute citizens. I have never known a man who took greater interest, worked with more zeal and competence in ar undertaking than he did while a member of that committee. We are going to miss him. We have seen him around here since he ceased to be a Member of this body. He has held a responsible position in the United States Housing Authority here in Washington. It was always good to see him when he returned to the Hill, as he often did, for he was always smiling and had a good word for everyone. In his passing, I feel I have lost a very fine personal friend, and this Nation has lost a worthy citizen.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a resolution memorializing Congress to defeat legislation designed to repeal the tax on retail outlets handling oleomargarine.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. STEVENSON]?

There was no objection.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial which appeared in the San Francisco Examiner, entitled "Life Lines, Highway and Second Canal."

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter addressed to the President with the names of a number of petitioners. I have an estimate from the printer.

The SPEAKER. Is there objection to the request of the gentleman from Idaho [Mr. WHITE].

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COPELAND. Mr. Speaker, I have a special order for today which I do not desire to use at this time. I ask unanimous consent that after the reading of the Journal, disposition of business on the Speaker's table and the legislative business in order for the day I may be permitted to address the House on Thursday, May 29, for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. COPELAND]?

There was no objection.

EXTENSION OF REMARKS

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from an official of Orange County, Ind.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. WILSON]?

There was no objection.

The SPEAKER. Under a previous special order the gentleman from Alabama [Mr. PATRICK] is recognized for 10 minutes.

CHARLES LINDBERGH

Mr. PATRICK. Mr. Speaker, I know the entire group assembled here today is tired after the day's work and were I to get started all would feel impelled to come back in and remain during my speech.

Mr. Speaker, I will only say a few things. I ask unanimous consent to revise and extend my remarks and place them in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

Mr. PATRICK. Mr. Speaker, I do not think even the minority Members and the majority Members who have been opposed to some of the legislation passed here wish to be classified as in the field with Col. Charles Lindbergh.

I ask unanimous consent, Mr. Speaker, to have placed in the CONGRESSIONAL RECORD, independent of my other request, a report made by Mr. Lindbergh, and a subsequent report made by other officials sent to Greenland to see about aviation landing bases up there.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

Mr. PATRICK. Mr. Speaker, Colonel Lindbergh, then an official of the Government, it seems was sent into Greenland to determine the efficacy, the advantage, or lack of advantage, of defense aviation bases in Greenland, and reported it to his Government as not workable. Uncle Sam was not quite satisfied with his report and he sent others. They went to the same spot, the same scene, the same places, landed at the same points, and reported it to be a good place to expand and develop air bases, as is now being done.

I have been forgiving our erstwhile hero on the ground that while he is an excellent mechanic, that on certain things he has tried to lay hold of he is dumb. Now, I am afraid I am about to change my mind. I think Lindbergh has something even worse, worse than stupidity. Something appreciated in Germany, but not here. I cannot forgive him in this case, even on the broad ground of dumbness. You know I am not given to overstatement. Nevertheless, unless I can get something to recast what I have been forced to see and hear from the colonel, I shall be forced

to place him, wittingly or unwittingly, in the "fifth column."

EXTENSION OF REMARKS

Mr. HAINES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I delivered before the Ways and Means Committee relating to the tax on cheap cigars.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. HAINES]?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin [Mr. THILL] is recognized for 10 minutes.

KILL THE PROPOSED BEER TAX

Mr. THILL. Mr. Speaker, the proposed increase in beer taxes is harmful and will not bring the revenue the Government expects. Everyone is willing to pay such added taxes to pay for the national-defense program as the facts make necessary. But it is unwise to place a tax on beer which will drive breweries out of business, injure the tavern keeper, fall heavily on the workingman, and fail to bring the proceeds the Government wants.

THE TAVERN KEEPER WILL SUFFER

It is clear that when the tavern keeper must raise the price of a glass of beer or reduce the amount of beer per glass, the customer will object and sales fall off. Further if the tavern keeper pays more for the beer he serves, and keeps on selling the same amount of beer at the former price, the seller must absorb the added cost and take the loss. The tavern keeper is already severely burdened by local licenses and fees which must be paid so he can operate his business. We know that many owners and operators of taverns are now struggling to make ends meet and are doing their work to maintain themselves and their families and thus keep off the Government relief rolls. If a greater tax burden is now placed on them, it will drive many of them out of business. This will mean a loss to the community in fees as well as a direct loss in the payment of relief.

THE WORKINGMAN WILL SUFFER

We know that beer is the beverage of the common man or workingman. As such the tax on beer would fall most heavily on the laborers who can least afford to pay additional taxes. How will it be possible to serve a 5-cent glass of beer if you severely increase the tax? Whenever the price of an article goes beyond a wage earner's ability to pay, he cannot buy it. The figures on beer consumption show that sales of beer fell off 1,338,000 barrels in the first 6 months after the dollar additional beer tax went into effect last year. The Brewery Workers' Union of the American Federation of Labor is strongly opposed to the increased tax on beer, because it knows that loss of beer sales means loss of employment, and thousands of workers will lose their jobs.

THE GOVERNMENT WILL SUFFER

It is obvious that if sales fall off and consumption decreases, tax collections will also go down. When beer came back and the brewing industry was restored it is estimated that employment was created for over a million wage earners. Thousands of employees were added to industries such as the glass, printing, can, box, and malting industries which serviced and supplied the brewing industry. Farmers who produced barley, malt, corn, rice, and hops were greatly benefited. Brewery pay rolls totaled about $100,000,000 in 1940. Every day the brewing industry pays $1,000,000 in Federal taxes. Experts have testified that the brewing industry cannot take a further increased tax on beer without forcing many breweries to suspend operations; thousands of workers would be thrown out of work, the tavern keeper would lose customers, and in many instances be forced to quit business, the Government would get less revenue, so that under those conditions no one would get any benefit, least of all the Government. Mr. Speaker, Congress should kill the proposed beer tax.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CUNNINGHAM (at the request of Mr. GILCHRIST), on important business.

To Mr. MACIEJEWSKI, for 10 days, on account of illness.

To Mr. PEARSON (at the request of Mr. COOPER), for 3 days, on account of official business as a member of special select committee.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 12. An act authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims; to the Committee on Indian Affairs.

S. 127. An act for the relief of Joseph Petrin, Joseph A. Petrin, Rudolph Petrin, Angus LeBlanc, William J. Demelle, Samuel Fishman, and Hector LaPointe; to the Committee on Claims.

S. 194. An act to authorize research by the Public Health Service relating to the cause, diagnosis, and treatment of dental diseases; to the Committee on Interstate and Foreign Commerce.

S. 207. An act to authorize the course of instruction at the United States Naval Academy to be given to not exceeding 20 persons at a time from the American republics, other than the United States; to the Committee on Naval Affairs.

S. 346. An act to authorize the President of the United States to dispose of certain public vessels, and for other purposes; to the Committee on Naval Affairs.

S. 347. An act authorizing the Secretary of the Navy to issue the Navy Expeditionary Medal to certain Army and civilian personnel; to the Committee on Naval Affairs.

S. 416. An act for the relief of E. A. Wailes, receiver of Delta Oil Co.; to the Committee on Claims.

S. 584. An act for the relief of the Indians of the Fort Berthold Reservation in North Dakota; to the Committee on Indian Affairs.

S. 820. An act for the relief of Emiliano Lopez and Eliza R. Lopez; to the Committee on Claims.

S. 849. An act for the relief of Eben Vaughn Cleaves; to the Committee on Claims.

S. 851. An act for the relief of Edson E. Downs; to the Committee on Claims.

S. 875. An act to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States; to the Committee on Military Affairs.

S. 992. An act to amend sections 4613 and 4614 of the Revised Statutes of the United States to include captures of aircraft as prizes of war; to the Committee on Naval Affairs.

S. 1027. An act for the relief of Harriet B. Rickards; to the Committee on Claims.

S. 1115. An act in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma; to the Committee on Indian Affairs.

S. 1142. An act for the relief of J. Mae Chambers and Retta E. Hultgren; to the Committee on Claims.

S. 1156. An act for the relief of Jess W. Harmon; to the Committee on Claims.

S. 1250. An act to provide for withholding from the normal channels of trade and commerce cotton of the 1940 and previous crops which is owned by the Government or which is pledged as security for Government loans; to the Committee on Banking and Currency.

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes; to the Committee on Claims.

S. 1331. An act to authorize the Secretary of the Interior to lease for the exploitation of silica sand and other nonmetallic minerals, lands withdrawn by Executive Order No. 5105, dated May 3, 1929; to the Committee on the Public Lands.

S. 1468. An act to authorize the Secretary of the Navy to establish a fuel depot at Middle and Orchard Points, Wash.; to the Committee on Naval Affairs.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of following titles:

S. 166. An act to provide a right-of-way across Camp Wallace Military Reservation, Philippine Islands;

S. 167. An act to povide a right-of-way across Camp Wallace Military Reservation, Philippine Islands;

S. 840. An act to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes.

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students;

S. 1541. An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations; and

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Friday, May 23, 1941, present to the President, for his approval, bills of the House of the following titles:

H. R. 3783. An act authorizing the acquisition or construction of certain auxiliary vessels for the United States Navy, and for other purposes; and

H. R. 4669. An act making appropriations to supply additional urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1941, and for other purposes.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 27, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON LABOR

There will be a meeting of the Committee on Labor at 10:30 a. m., Tuesday, May 27, 1941, in room 429, House Office Building.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold public hearings on H. R. 1038, entitled "A bill to amend Public Law No. 257, Seventy-sixth Congress, approved August 4, 1939, so as to provide pensions to peacetime veterans of the Regular Army, Navy, Marine Corps, and Coast Guard suffering from arrested tuberculosis contracted while in the service." The hearings will be held Tuesday, May 27, 1941, at 10:30 a. m., in room 247, House Office Building.

IRRIGATION AND RECLAMATION COMMITTEE

The Committee on Irrigation and Reclamation will meet at 10 o'clock a. m., Wednesday, May 28, in room 353, Old House Office Building, for the consideration of S. 379 and H. R. 4854.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, May 28, 1941, for the consideration of private bills.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

There will be a meeting of the Committee on Expenditures in the Executive Departments Wednesday, May 28, 1941, room 304, House Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees), on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

554. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws; to the Committee on the Judiciary.

555. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to safeguard the naval vessels of the United States, and for other purposes; to the Committee on Naval Affairs.

556. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to prohibit payment of money allowances for subsistence and rental to retired officers of the Navy or Marine Corps for any period when not employed on active duty; to the Committee on Naval Affairs.

557. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to accept for the United States Naval Academy such gifts and bequests as he may see fit; to the Committee on Naval Affairs.

558. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the national-defense activities of the Federal Communications Commission, amounting to $674,414 for the fiscal year 1942 (H. Doc. No. 220); to the Committee on Appropriations and ordered to be printed.

559. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Labor for the fiscal year 1942 amounting to $250,000 (H. Doc. No. 221); to the Committee on Appropriations and ordered to be printed.

560. A letter from the Secretary of War, transmitting a draft of a proposed bill for the relief of the present leader of the Army Band; to the Committee on Military Affairs.

561. A letter from the Secretary of War, transmitting a draft of a bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes; to the Committee on Military Affairs.

562. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill to amend the act known as the "Perishable Agricultural Commodities Act, 1930" (46 Stat. 531) approved June 10, 1930, as amended; to the Committee on Agriculture.

563. A letter from the Chairman, Reconstruction Finance Corporation, transmitting the report of the activities and expenditures of the Reconstruction Finance Corporation for the month of March 1941 (H. Doc. No. 222); to the Committee on Banking and Currency and ordered to be printed.

564. A communication from the President of the United States, transmitting amendments to the estimates of appropriations included in the Budget for the fiscal year 1942 for the District of Columbia, involving a net increase of $1,448,345 (H. Doc. No. 223); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the clerk for printing and reference to the proper calendar, as follows:

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 4823. A bill providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat; with amendment (Rept. No. 617). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 4845. A bill to increase the rate of pension to World War veterans from $30 to $40 per month, to grant such rate at age 65, and for other purposes; without amendment (Rept. No. 618). Referred to the Committee of the Whole House on the state of the Union.

Mr. KRAMER: Committee on Patents. H. R. 4826. A bill to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes; without amendment (Rept. No. 619). Referred to the House Calendar.

Mr. BLAND: Committee of Conference on the disagreeing votes of the two Houses. H. R. 4466. A bill to authorize the acquisition by the United States of title to or the use of domestic merchant vessels, and for other purposes; without amendment (Rept. No 620). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROCKEFELLER: Committee on Immigration and Naturalization. H. R. 1656. A bill for the relief of Francesco P Mastrilli; without amendment (Rept. No. 621). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2616. A bill for the relief of Mateo Castellvi (Bartolomé), his wife Pilar Casal de Castellvi, his sister Carolina Castellvi (Bartolomé), his son John Castellvi (Casal), and his daughter Pilar Castellvi (Casal); without amendment (Rept. No. 622). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4860. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 623). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 4827) for the relief of Edward Hall; Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 4844) for the relief of Henry J. McCann; Committee on Claims discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 4861. A bill to promote the national defense and public welfare by providing for the reduction in quota immigration, the exclusion and deportation of certain classes of undesirable aliens, the detention of undesirable aliens, and for the creation of a board of deportation appeals and supervision of deportable aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. BLAND:

H. R. 4862. A bill to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties; to the Committee on the Merchant Marine and Fisheries.

By Mr. CURTIS:

H. R. 4863. A bill to make available to Members of the House of Representatives additional copies of the daily edition of the CONGRESSIONAL RECORD for distribution to certain libraries and schools; to the Committee on Printing.

By Mr. LELAND M. FORD:

H. R. 4864. A bill authorizing an appropriation for payment to the county of Los Angeles, Calif., for highways and bridges in aid of national defense; to the Committee on Flood Control.

By Mr. NICHOLS:

H. R. 4865. A bill to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SUMNERS of Texas:

H. R. 4866. A bill to extend the law relating to perjury to the willful giving of contradictory statements under oath; to the Committee on the Judiciary.

H. R. 4867. A bill to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards; to the Committee on the Judiciary.

By Mr. VINSON of Georgia:

H. R. 4868. A bill to amend section 3 of title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. MAAS:

H. R. 4869. A bill to provide for longevity credit for enlisted men of the Naval Marine Corps Reserve; to the Committee on Naval Affairs.

By Mr. ANDERSON of New Mexico:

H. R. 4870. A bill to authorize the Secretary of War to sell the Lincoln County target range, Lincoln County, N. Mex., and to acquire other land more suitably located for military affairs; to the Committee on Military Affairs.

By Mr. BLAND:

H. R. 4871. A bill to amend section 96, title 2, of the Canal Zone Code, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. PAGÁN:

H. R. 4872. A bill providing for the construction and administration of defense housing in Puerto Rico; to the Committee on Insular Affairs.

By Mr. ALLEN of Louisiana:

H. R. 4873. A bill to promote the national defense by limiting the entry of certain aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. O'BRIEN of Michigan:

H. R. 4874. A bill to provide for construction needed to strengthen national defense and to promote the economic security of the United States by complete and efficient employment of labor; to the Committee on Labor.

By Mr. SMITH of Washington:

H. J. Res. 190. Joint resolution authorizing the issuance of a special postage stamp in honor of the one hundred and fiftieth anniversary on May 11, 1942, of the discovery by Capt. Robert Gray of the Columbia River on May 11, 1792; to the Committee on the Post Office and Post Roads.

By Mr. VINSON of Georgia:

H. Res. 214. Resolution for the consideration of H. R. 4473, a bill authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes; to the Committee on Rules.

H. Res. 215. Resolution for the consideration of H. R. 4823, a bill providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider their Senate Joint Resolution, No. 37, with reference to legislation on taxes of oleomargarine; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HEIDINGER:

H. R. 4875. A bill granting a pension to James Harper; to the Committee on World War Veterans' Legislation.

By Mr. McGEHEE:

H. R. 4876. A bill for the relief of Fayette Jordan; to the Committee on War Claims.

By Mr. McMILLAN:

H. R. 4877. A bill granting an increase in pension to William E. McIntosh; to the Committee on Pensions.

By Mr. ROBSION of Kentucky:

H. R. 4878. A bill granting a pension to John W. Arnold; to the Committee on Invalid Pensions.

By Mr. SMITH of Washington:

H. R. 4879. A bill conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claims of J. A. Sandell and Frances Sandell, his wife; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1152. By Mr. BEITER: Petition of sundry citizens of Buffalo, N. Y., opposing Senate bill 860 and House bill 4000, to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States; to the Committee on Military Affairs.

1153. By Mr. BOLLES: Resolution of the Common Council of the city of Monroe, Green County, Wis., that the Congress of the United States, in enacting the 1941–42 relief bill relative to the Work Projects Administration, contain the following provisions: That the 18 months rule be eliminated; that the 95–5 percent rule be changed to 90–10; that the percent of sponsors' contributions be reduced appreciably since the present percent is very severe and taxing local resources; that small communities in nondefense areas not be penalized by reduction in quota of Work Projects Administration workers; that construction work not be curtailed in favor of community service-type projects; to the Committee on Ways and Means.

1154. By Mr. CULKIN: Petition opposing Senate bill 983 and House bill 3852, bills providing for compulsory observance of any religious day by barbers in the District of Columbia and urging that equal rights for barbers should be provided without designating day upon which District of Columbia barbers must close their shops; to the Committee on the District of Columbia.

1155. Also, resolution by Legislature of the State of New York, urging Congress to enact legislation to abolish Federal gasoline sales tax and give the States exclusive power to tax such sales in the future; to the Committee on Ways and Means.

1156. By Mr. ELSTON: Petition of 57 residents of Cincinnati, Ohio, protesting against the enactment of Senate bill 983 or House bill 3852 to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1157. By Mr. FULMER: House resolution submitted by J. E. Hunter, Jr., clerk of House of Representatives, Columbia, S. C., memorializing the Congress of the United States to eliminate the present provision requiring the Work Projects Administration to remove persons who have been continuously on the rolls for 18 months; to the Committee on Appropriations.

1158. Also, House resolution submitted by J. E. Hunter, Jr., clerk, House of Representatives, Columbia, S. C., requesting the Congress of the United States to amend the unemployment-compensation law so as to provide for the payment of benefits to sick employees; to the Committee on Ways and Means.

1159. By Mr. LUTHER A. JOHNSON: Petition of the Legislature of the State of Texas, designated as Senate Concurrent Resolution No. 59, favoring use of rail transportation for oil in the national-defense program; to the Committee on Interstate and Foreign Commerce.

1160. Also, petition of Frank A. Briggs, editor, Farm and Ranch, Dallas, Tex., opposing increase in postal rates on newspapers and magazines; to the Committee on Ways and Means.

1161. By Mr. KRAMER: Petition of the Assembly of the State of California, requesting Congress to pass House bill 3570 that would allocate funds for the building and operation of emergency schools necessitated by reason of the national defense; to the Committee on Public Buildings and Grounds.

1162. By Mr. McLAUGHLIN: Petition memorializing the Congress of the United States to locate national-defense-program projects in Nebraska; to the Committee on Ways and Means.

1163. By Mr. MOSES: Resolution of the Reading Automobile Trade Association, protesting against an alleged 20-percent tax on new and used automobiles; to the Committee on Ways and Means.

1164. By Mrs. ROGERS of Massachusetts: Petition of the General Court of Massachusetts, memorializing Congress in opposition to proposed legislation curtailing our cane-sugar-refining industry; to the Committee on Agriculture.

1165. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution 1, relative to the hunting season on migratory wild fowl; to the Committee on Agriculture.

1166. Also, memorial of the State of California, asking consideration of Assembly Joint Resolution 53, relative to allocating funds for the building and operation of emergency schools necessary by reason of national defense; to the Committee on Appropriations.

1167. By Mr. STEARNS of New Hampshire: Petition of sundry citizens of New Hampshire, protesting against the enactment of House bill 3852; to the Committee on the District of Columbia.

1168. By Mr. THOMASON: Petition of the Davis-Seaman Post, No. 812, Veterans of Foreign Wars, El Paso, Tex., urging that war materials be adequately protected and convoyed to their destination, and, if no other efficient means can be provided for such protection, that United States naval vessels be used for convoy duty; further resolved that should an American expeditionary force be found necessary to safeguard the interests of the United States that the members of this post be the first ones called for that duty; to the Committee on Military Affairs.

1169. By Mr. TINKHAM: Resolutions memorializing Congress in opposition to proposed legislation curtailing our cane-sugar refining industry; to the Committee on Agriculture.

1170. By Mr. TREADWAY: Resolution of the Hampshire Association of Congressional Churches and Ministers, Hampshire County, Mass., urging adoption of the proposal of former President Hoover for the importation, under agreement with England and Germany, and distribution by a neutral organization, of

food supplies for the suffering people of Finland, Norway, Holland, Belgium, central Poland, and other invaded countries; to the Committee on Foreign Affairs.

1171. By Mr. WADSWORTH: Petition of Earl G. Hoch and others of Rochester, N. Y., opposing the passage of House bill 4000; to the Committee on Military Affairs.

1172. By Mr. WEAVER: Petition of sundry residents of Asheville, N. C., regarding the sale of alcoholic beverages inside the Army and naval camps; to the Committee on Military Affairs.

1173. By Mr. WIGGLESWORTH: Petition of the General Court of Massachusetts, opposing proposed legislation curtailing our cane-sugar-refining industry; to the Committee on Agriculture.

1174. By the SPEAKER: Petition of the Student Defenders of Democracy, New York City, petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1175. Also, petition of the Methodist Federation for Social Service, Rock River Conference Branch, Chicago, Ill., petitioning consideration of their resolution with reference to House bill 1410, general welfare bill; to the Committee on Ways and Means.

1176. Also, petition of the Lake Superior Reagle Club, Hancock, Mich., petitioning consideration of their resolution with reference to House bill 3793 and Senate bill 1181, concerning virgin timber; to the Committee on Agriculture.

1177. Also, petition of the American Cotton Shippers Association, Memphis, Tenn., petitioning consideration of their resolution with reference to the cotton industry; to the Committee on Agriculture.

1178. Also, petition of the Bricklayers, Masons, and Plasterers' International Union of America, Washington, D. C., petitioning consideration of their resolution with reference to labor and the national-defense program; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 27, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, look upon us from Thy throne of grace, that with patience and calmness we may meet the conflicts which surge through the dark avenues of this stricken earth. Upon struggling and appealing humanity have accumulated the frightful sorrows of an outraged world. Grant that we may be consumed with the passion of a righteous and a just God when He spake through the mouths of His holy prophets. Regarding human life as a sacred trust, forbid that we should live, plan, or toil for ourselves while our brothers starve in sight of plenty. Remembering the sorrow, sickness, and death of human life, oh keep us mindful that the sun shines for all; the tides ebb and flow, the pastures on the hillsides and the fields stand in living green for all. The earth, the air, the sky are for all and Christ is ours and God is our everlasting Father. Blessed be the God and Father of our Lord Jesus Christ, the Father of mercies and the God of all comfort wherewith we are comforted of God. In the holy name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 2426. An act for the relief of H. B. Wilson;

H. R. 2569. An act for the relief of Charles R. Woods;

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., authority;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4105. An act to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character; and

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 373. An act to amend section 45 of the act of March 4, 1909, as amended;

S. 375. An act authorizing postgraduate instruction for civilian employees of the Naval Establishment;

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States;

S. 578. An act authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J.;

S. 752. An act to provide for the establishment of the Coronado International Memorial in the State of Arizona;

S. 878. An act to authorize the condemnation of lands or interests therein, which the War Department may be authorized by law to acquire, at the expense of States or political subdivisions thereof, persons, associations, companies, or corporations;

S. 1133. An act to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States;

S. 1304. An act granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River near Nolan, Mingo County, W. Va.;

S. 1311. An act to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco;

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1387. An act for the relief of Everett A. Alden; Robert Bruce; Edgar C. Faris, Jr.; Kathryn W. Ross; Charles L. Rust; and Frederick C. Wright;

S. 1447. An act making provision for maintaining the Corps of Cadets of the United States Military Academy at authorized strength;

S. 1530. An act to amend the act approved June 6, 1940, entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.;

S. 1544. An act to provide for cooperation with Central American republics in the construction of the Inter-American Highway; and

S. J. Res. 65. Joint resolution to permit travel by a ship of Canadian registry between American ports.

The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 1933. An act for the relief of Bert and Marie Freeman;

H. R. 1976. An act for the relief of J. W. and Robert W. Gillespie; and

H. R. 4270. An act for the relief of Margaret M. Cutts.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that on next Monday, June 2, 1941, following the reading of the Journal, the disposition of the business on the Speaker's table, and the legislative program of the day, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include an article by Mr. Richard L. Neuberger.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

"POWER TO TAX IS POWER TO KEEP ALIVE."—CHIEF JUSTICE MARSHALL

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, it is amazing how a disjointed quotation and half truth can gain currency. How often do we hear it repeated that Chief Justice Marshall said that "the power to tax is the power to destroy." Writers and speakers have vied with each other in repeating this statement until it has become a classic; and now that we are considering tax-revenue legislation, it is being worn threadbare. One of the latest uses of this half quotation is in the editorial columns of the usually accurate Liberty magazine, under the brilliant editorship of Mr. Fulton Oursler, in its issue of May 24, 1941.

What did Chief Justice Marshall really say? Let me quote, in the interests of

truth and historical accuracy, his exact words. In the celebrated case of McCulloch against Maryland, decided in 1819, Chief Justice Marshall said:

> That the power to tax involves the power to destroy; that the power to destroy may defeat and nullify the power to create—

But he also said, which is a part of the immediate context, but is strangely omitted from the quotation, and yet is the most significant part of his statement, to wit:

> The power to tax is the one great power on which the whole national fabric is based. It is not only the power to destroy but also the power to keep alive.

Mr. Speaker, I can conceive of no more appropriate time to make this correction and point out what Chief Justice Marshall really did say than at this present time. We are now considering a new tax-revenue measure to finance our national-defense program. We are levying taxes to defray the cost of protecting, maintaining, and preserving our Government and institutions against all enemies, foreign and domestic. Certainly there could be no more proper exercise of the taxing power vested in the Congress under the Constitution than this very power. This power Chief Justice Marshall declared to be "the power to keep alive," and clearly proves how true were his words, that—

> The power to tax is the one great power on which the whole national fabric is based. It is not only the power to destroy but also the power to keep alive.

The SPEAKER. The Chair recognizes the gentleman from Kansas [Mr. GUYER].

THE LATE PHILLIP PITT CAMPBELL

Mr. GUYER of Kansas. Mr. Speaker, yesterday, when Phillip Pitt Campbell closed his eyes on the scenes of this earthly life, there ended the career of one who more than a third of a century ago began his political career in the House of Representatives and rose to a place of power and influence in Washington exceeded only by Uncle Joe Cannon and James R. Mann. He represented the Third District from 1903 to 1923. At the height of his career he belonged to that potent group of statesmen which included President William McKinley, Theodore Roosevelt, Speaker Cannon, Thomas Brackett Reed, Charles R. Crisp, James R. Mann, Senators Henry Cabot Lodge, Jonathan P. Dolliver, and Mark Hanna.

Out in Kansas he belonged to a heroic group of men of a turbulent age in the stormy political history of Kansas which included Govs. Edward H. Hoch, Walter Roscoe Stubbs, Senators Joseph L. Bristow, William A. Harris, and Charles Curtis.

To say that Phil Campbell, as he was familiarly known both in Kansas and Washington, kept pace with the men of that heroic age and conquered and held a high place in the councils of the Nation in such a time is the highest encomium I could possibly pronounce respecting his intellectual prowess and the quality of his leadership here in the House of Representatives. No man of ordinary ability and sagacity could have weathered the storms that agitated the political world in what seems to us a far-off age. In Kansas his political career began in the twilight of the golden age of the superlatively brilliant John James Ingalls, and the dawn of the more practical and matter-of-fact age of Charles Curtis. For many years Mr. Campbell in the House and Mr. Curtis in the Senate dominated the political scene in Kansas and helped powerfully to color the political life of the Capital. The State of Kansas today reveres his memory and is proud of his great political career. His political life adds luster and color to the history of the political party which has dominated the life of the State of Kansas through all its turbulent political convulsions and revolutions. Today out over the prairies of Kansas old men will sigh as they recall the battles of those days when men like the late Jerry Simpson and Senator Peffer, and women like Mary Elizabeth Lease and Anna L. Diggs assailed the Republican Party in Kansas. Mr. Campbell belonged to the new generation of political leaders such as Charles Curtis and the rising Senator CAPPER.

Mr. Campbell, by reason of the illness of Speaker Gillette, served as Speaker, being Speaker pro tempore from January 1923 to March 4, 1923. He was chairman of the Rules Committee in the good old days of that benevolent old despot, Uncle Joe Cannon, when the Rules Committee had great power which was exercised by the chairman. It was often the habit of the chairman of the Rules Committee to carry a rule or rules around in his pocket until he desired to submit them to the House. There is a tradition that one such chairman went on a cruise to Europe with a pocket full of rules. However, before Mr. Campbell left the Congress, much of this power was shorn from the Rules Committee and its chairman in the parliamentary upheaval of 1910.

Mr. Campbell was a statesman and he possessed many of those good old Celtic qualities that have so powerfully conduced to stability in our Republic. Phil Campbell had opinions with the courage to defend them. When it came to a question of principle, he was adamant. It was Mr. Campbell who compared the Bull Moose policy of the recall of judicial decisions to appealing from the umpire to the bleachers. That apt characterization deflated the foolish idea of submitting the decisions of the Supreme Court to a vote of the people, and did more to relegate it to the ashcan than all the learned judicial dissertations on that subject. One of the most amusing stories of any political campaign in Kansas has to do with Mr. Campbell's last campaign in the Kansas primary—a story which Mr. Campbell enjoyed as much as anyone after time had softened its irony somewhat. Mr. Campbell had bought a home over in Arlington, so some of his political opponents chided him about it, intimating that he was getting out of touch with his Kansas constituency. There was a great Campbell rally in Pittsburgh, Mr. Campbell's home town, and Phil had a great band to furnish the music. Phil made a great speech, as he always did, in which he answered the charge that he was living in Virginia. So when he concluded, and amid the great applause, the band struck up the good old Virginia tune, Carry Me Back to Old Virginny. A good story, destined to live long in Kansas political history.

Phil Campbell was as fine a gentleman as ever Kansas sent to represent her at Washington, and I think the characterization which the great master of the English tongue put upon the lips of Marc Antony as he gazed upon the fallen body of Brutus is very appropriate as applied to Mr. Campbell:

> His life was gentle, and the elements
> So mix'd in him that Nature might stand up
> And say to all the world, "This was a man!"

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, the beautiful tribute paid to Phil Campbell was deserved. I had the pleasure and distinction of serving with him in this House. He was a very capable and exceptionally fine gentleman.

The gentleman who paid him that deserved tribute stated that it was the custom when Phil Campbell was the chairman of the Committee on Rules for the chairman to carry the rules in his pocket. I appreciated his ability, and I knew he was a sincere and well-meaning man, but after I became chairman of the Committee on Rules I could not follow his footsteps in regard to carrying rules in my pocket. It has been stated that sometimes I have delayed reporting a rule. I may have been a little slow, but I assure the House that I never carried a rule in my pocket and do not intend to do so in the future.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. The rules of the House were changed after the episode to which the gentleman refers, and that cannot be done now.

Mr. SABATH. Yes; I was present when the rules of the House were changed again through my introduction of a resolution amending the census law. It was the ensuing great struggle that brought about the curbing of the power of the great Speaker of this House, Uncle Joe Cannon.

However, Mr. Speaker, I do not wish to dwell on the subject of the rules of the House as we are now paying tribute to a former distinguished Member of this body. Philip P. Campbell was a gentleman of character and principle, kindly, and of humane understanding, and I greatly regret his passing.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that at the completion of the legislative program of the day I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

DECORUM IN THE HOUSE

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, on last Wednesday I propounded a parliamentary inquiry to the Speaker of the House and the Speaker answered that inquiry. I have just been granted permission to address the House for 20 minutes today to discuss the subject of decorum on the part of Members on the floor of the House. I appreciate at the very outset that it may be a thankless task, one which is self-imposed and one which may draw some comment from Members of the House. I assure the House now that I in no sense intend to lecture the House nor be hypercritical. It shall be impersonal. I simply want to present for the RECORD and spread upon the record of the House anew to refresh the memories of all of us what the rules of the House impose upon every Member in our daily appearance in this Chamber. I, like many of you, do not stand here guiltless of any infraction of the rules of the House. My purpose is to present the subject anew in the hope that it may better our conduct on this floor. [Applause.]

[Here the gavel fell.]

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on tomorrow at 11 o'clock a. m.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. RICH. Mr. Speaker, reserving the right to object, what is the program for tomorrow?

The SPEAKER. The Chair had announced that there was no objection.

Mr. McCORMACK. Mr. Speaker, I will answer the gentleman.

Mr. RICH. I would like to know what the program is for tomorrow.

Mr. McCORMACK. Tomorrow, the program will be the R. F. C. bill extending the powers of the Reconstruction Finance Corporation. A rule, I understand, has been reported out of the Rules Committee.

I want to announce that on Thursday the Committee on Invalid Pensions has four bills unanimously reported. It is expected there will be no controversy about them, and I may say that if there is any roll call there is a gentleman's agreement between my distinguished friend from Massachusetts and myself that we will do everything we can to have the roll call on Monday next. I doubt very much that there will be any roll call.

These bills are H. R. 1091, to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905, provided they are 60 years of age and have lived with the veteran 10 years or more. This bill passed the House unanimously.

The bill, H. R. 1094, grants pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and exclusive of the period of the World War.

The bill, H. R. 1095, relates to Indian war veterans and is the same bill that was passed by the House unanimously last year.

The bill, H. R. 2855, is a bill to provide for restoration of pension to certain dependent parents upon termination of remarriage.

I understand these bills have been unanimously reported and they are privileged measures under the rule. They will be called up Thursday and if there is any roll call the leadership will undertake to put them over until Monday next.

EXTENSION OF REMARKS

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a recent radio address by Fred Brenckman, Washington representative of the National Grange.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DEWEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a speech entitled "Prepare to Meet the Tax Collector," delivered by me to the Women's Finance Forum in Chicago on May 22.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that I may address the House for 20 minutes on Tuesday at the conclusion of the legislative program of the day and following any previous special order.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on yesterday the gentleman from Alabama [Mr. STARNES] discussed a strike that has been in progress in the State of California since the 14th day of March—the strike at the American Potash and Chemical Corporation. I want to make three comments about it.

In the first place, the labor record of the company is a very bad record. On three different occasions union organizations have been smashed at that plant. The company is British-owned, I am informed.

In the second place, I want to say that I am compelled to agree with the statement made by the gentleman from Alabama on the basis of the evidence I have seen to the effect that there is Communist influence, if not control, on the labor side, though, as we all know well, the rank and file of the men are as loyal and good Americans as anyone. These two facts, taken together, mean that a settlement is going to be very difficult. They mean that both the national-defense program and the welfare of the workers are going to suffer.

My third comment is that I hope the National Defense Mediation Board will take the matter up with the greatest vigor and all the power at its command. [Applause.]

[Here the gavel fell.]

REREFERENCE OF A BILL

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent that the Committee on World War Veterans' Legislation be discharged from further consideration of the bill H. R. 3208, to provide retirement benefits for certain emergency officers in the World War, and that the same be rereferred to the Committee on Military Affairs.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by myself appearing in the Philadelphia Inquirer of Sunday, May 25.

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter which I addressed to the Secretary of War.

The SPEAKER. Is there objection?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks by including an address delivered by Commander Derby, United States Coast Guard, on U. S. S. *American Seaman*

The SPEAKER. Is there objection?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ENGEL. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of business on the Speaker's table, and any other special orders, I be permitted to address the House for 40 minutes.

The SPEAKER Is there objection?

There was no objection.

Mr. ENGEL. Mr. Speaker, I therefore withdraw my request for time allotted to me for Thursday next.

EIGHT LONG YEARS

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, it is not for 3 long years as the President said in 1932, criticizing the deficit of Mr. Hoover, but it has been for 8 long years, yes, 8 long years, that I have been talking about economy in this administration. For 8 long years I have called that to the attention of the House, and for 8 long years we have had no disposition on the part of this administration to cut down on its enormous expenditures. The administration now in power is the most extravagant, the most careless, the most inefficient, the most incompetent administration this country or any other country in the world ever has had. Let me call attention to the fact that up to this time this year you have gone in the red over $4,700,000,000. That is the statement of Secretary Morgenthau today. That is twice over what Mr. Hoover did for those 3 long years that the President of the United States talked about in 1932. I wonder if it does not make the President feel kind of bad when he looked over his own record and found that in this year he has expended more than Mr. Hoover did in the 3 long years that he referred to. He ought to compare that with his own record very often, and it would make him feel terribly, terribly bad. It certainly is a travesty to justice for our children and our children's children for heaping a debt upon their heads of $33,000,000,000 in 8½ years until now our national debt is over $55,000,000,000. This administration is wrecking our financial structure very fast; in fact, I think it is about wrecked now. It will take the best brains of the country to get us out of the hole this administration has placed us in. This administration I am confident cannot do it; it has proven that beyond all doubt. America, wake up before it is too late. America, turn the money wasters out of the White House and out of Congress.

The American people will soon get an enormous tax bill to try to save the country from bankruptcy. America, pay up, so this administration now says, for national defense, but I say pay up for the democratic folly of the past 8 years.

Where will you get the money?

DISTRIBUTION OF BREAD COSTS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I have here a very interesting break-down of figures showing the division of the money received for $100 worth of bread in Washington, D. C. The baker gets $55.42, the retailer gets $19.28, the wheat grower gets $13.25, the miller $7.23, transportation $3.62, and the wheat broker $1.20 out of that $100 worth of bread. In other words, in round numbers, the baker gets 55 percent, the retailer 19 percent, the wheat grower 13 percent, the miller 7 percent, transportation 3 percent, the broker 1 percent. This shows full justification for the President's signature to the bill yesterday allowing the farmers wheat loans of 85 percent of parity.

That will mean that the increased return to the farmer will be only about one-half cent per loaf, or about $6.50 on $100 worth of bread, and that he will still get only about one-third as much as the baker. The farmer will get less than 2 cents for the wheat in a pound loaf of bread, even with the new prices which will prevail under 85 percent parity loans.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article on tree losses in the Northwest.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution adopted by an assembly of over 10,000 Americans of Polish extraction, which pledges support of President Roosevelt in the war crisis.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and include an article appearing in the Buffalo Courier Express, and a resolution adopted by the United Irish-American Society in opposition to the St. Lawrence seaway.

The SPEAKER. Is there objection?

There was no objection.

Mr. CREAL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

"SHADES OF BILLY MITCHELL"

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Speaker, oftimes these days we hear the expression "Shades of Billy Mitchell!" And for good cause.

I am thinking of him now for two reasons. Fourteen years ago today I visited him in Middleburg, Va., to arrange for him to deliver a Memorial Day address in Passaic, N. J., and last night, in going over some of his writings, I came across an article he wrote in June 1933, published in Liberty, having to do with parachute troops.

With your indulgence, I will read one paragraph from that article:

> A couple of months before the armistice in Europe, I proposed to General Pershing that if the war lasted until the spring of 1919 he assign the First Division to my command, and that we equip all the men with individual parachutes, supply them with rifles, machine guns, and ammunition, then fly them in a couple of thousand airplanes which would have been available by that time, and drop them behind the German lines. In that way we could have brought an attack against the Germans both from the front and rear and supported it by an attack from our other aircraft with bombs, machine guns, and cannon. This was a practical undertaking and would have been decisive in the area where it was used.

Shades of Billy Mitchell! [Applause.]

[Here the gavel fell.]

EUROPEAN WARS

Mr. JONES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

[Mr. JONES addressed the House. His remarks appear in the Appendix of the RECORD.]

DISABLED AMERICAN VETERANS' BENEFITS

Mrs. ROGERS of Massachusetts. Mr. Speaker I ask unanimous consent to address the House for 1 minute and to extend my remarks and include therein an article written by Mr. Millard W. Rice, national director of the Disabled American Veterans.

The SPEAKER. Is there objection?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks and include therein two letters from a constituent.

The SPEAKER. Is there objection?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include therein an editorial from the Sioux City (Iowa) Tribune, entitled "Must Clear Up Confusion About Money and Wealth."

The SPEAKER. Is there objection?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief

letter from the Farm Security Administration.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter sent to me by a former Congressman, Hon. Joseph A. Conry.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, it is noteworthy that Col. Charles A. Lindbergh is getting under the hide of the war crowd. An attempt is being made to overshadow his Philadelphia speech for Thursday night with a LaGuardia meeting for tomorrow—Wednesday—night.

Dr. Leon Levy, the president of WCAU, Philadelphia, denied time on the radio to Lindbergh. Samuel R. Rosenbaum, the head of WFIL, also denied him time. David Stern, of the Philadelphia Record, is one of the main sponsors of the LaGuardia meeting. Moe Annenberg, of the Philadelphia Inquirer, who is serving time in jail, is one of the promoters of the war crowd in Philadelphia.

The two men who have helped write the President's speech for tonight are Judge Rosenman and Editor Sulzburger.

[Here the gavel fell.]

EXTENSION OF REMARKS

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech by Lillian Gish against war.

The SPEAKER. Is there objection?

There was no objection.

MOVES IN OUR FOREIGN POLICY

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEEFE. Mr. Speaker, we are all aware that the President is to speak to the Nation and to the world tonight. I do not know what he intends to say, but Dame Rumor has it that on yesterday a substantial portion of the Pacific Fleet passed through the Panama Canal into the Atlantic. If this rumor be true we may expect that the President will tell the Nation tonight that this fleet is to be used, and we may expect a speech advocating and promising to Great Britain the use of the Pacific Fleet and the Atlantic Fleet for convoy purposes.

Rumor also has it that the Democratic Governors throughout the Nation are already provided with telegrams to send to the President commending him upon the speech which he is to make tonight.

EXTENSION OF REMARKS

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter under date of May 13, 1941, from Judge I. R. Kelso, of Cape Girardeau, Mo., together with certain exhibits attached thereto in explanation of a war resolution adopted by the International Convention of Disciples of Christ at St. Louis, Mo., on May 7. Judge Kelso is an outstanding citizen and businessman of southeast Missouri and was a member of the committee on recommendations at their convention. His explanation of the circumstances under which their resolution was adopted should be of great interest not only to the membership of this great Christian organization but to the country at large.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TOLERANCE NEEDED NOW

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WILSON. Mr. Speaker, it is my prayer and my hope that every Member of this body continues to keep in mind the thought of peace, prosperity, and the perpetuation of our form of government. To do this, we must become united. To become united, we must be tolerant toward the views of others. Intolerance in my opinion is a germ that breeds communism, fascism, and nazi-ism.

I was very much grieved to have had the experience, in the late hours of the session yesterday, of hearing one of the Members of this House place that great American hero, Colonel Lindbergh, in the "fifth column." I wish that Member would further elaborate and state his reasons for placing Lindbergh in the "fifth column." He has done much for aviation, which has been proven essential to defense. Oh, but how we need his services now. It is too bad that our President saw fit to invite him to leave the position which needs him so much at this time. Especially, because of intolerance to views contrary to his own. We could expect such a move by Hitler, Stalin, or Mussolini.

ONE SOBER NATION NEEDED IN WORLD

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

Mr. BENDER. Mr. Speaker, Whittier tells of a tribe of Indians who, whenever the tribe went on a debauch, chose one man to stay sober. The tribe reasoned that when they were all out of their heads they would need the services of one sober man. So I think the world is going to need the services of one sober nation. I hope and pray that America may be the nation which stays sober in a reeling world, not for its own sake merely, but for the sake of civilization.

Tonight the President of the United States will have the largest audience any man ever had in the history of the world when he makes his address. He appeared before Congress early this year and advocated the "four freedoms" for the world. I pray to God that he will use this opportunity to spread the "four freedoms," not by making a belligerent speech and advocating this country's entrance into the war but will rather make a point of our staying out of the war thereby bringing this conflict to an end and saving the lives, not only of millions of Americans but human beings everywhere throughout the world.

Let us not admit to America the aspect of nazi-ism which we most deplore. [Applause.]

ACQUISITION OF IDLE FOREIGN MERCHANT VESSELS

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I call up the conference report on the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, and ask that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: On page 1 of the Senate engrossed amendments, line 8, strike out "that"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "*Provided further*, That such compensation hereunder shall be deposited with the Treasurer of the United States, and the fund so deposited shall be available for the payment of such compensation, and shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such requisition or taking of title or possession; the holder of any such claim may commence within 6 months after such deposit with the Treasurer and maintain in the

United States District Court from whose custody such vessel has been or may be taken or in whose territorial jurisdiction the vessel was lying at the time of requisitioning or taking of title or possession, a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties; and such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing by registered mail to the Attorney General and the United States Maritime Commission and due notice shall under order of the court be given to all interested persons, and any decree shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction:"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "*Provided further*, That if the Maritime Commission, after consideration by it of evidence submitted to it within ten days after the approval of this Act, shall find that on September 3, 1939, and continuously thereafter, any vessel was exclusively owned, used and operated for its exclusive sovereign purposes by a sovereign nation making claim therefor, such vessel may be taken under this section only by purchase or charter; and in determining said ownership, use and operation the Commission shall disregard (1) all contributions made in whole or in part at any time to the construction, repair, reconditioning, equipping or operation of said vessel, (2) all such matters, in nature similar to or dissimilar from, the foregoing clause as in the opinion of the Commission are immaterial or irrelevant to the determination of such ownership. Use of such vessel at any time since September 3, 1939, in commercial trade shall be presumptively deemed to show that said vessel is not owned, used and operated by a sovereign nation for its sovereign purposes. The final determination by the Maritime Commission shall be conclusive: *Provided further*, That if any vessel shall be found under the proviso next preceding to be exclusively owned, used and operated by any sovereign nation so that it can only be chartered or purchased, and such vessel shall be chartered or purchased, then the cash to be paid for said charter or purchase, to the extent that may be necessary, after payment of existing claims and liens of creditors against said vessel, shall be held for application upon such debt, if any, as may be due to the United States from the sovereign nation so found to have exclusive ownership to said vessel: *Provided further*, That the Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this Act for employees displaced by the taking of any ship hereunder and report to the Congress their action within thirty days after the enactment of this Act"; and the Senate agree to the same.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH,
FRANCIS D. CULKIN,
Managers on the part of the House.

J. W. BAILEY,
HATTIE W. CARAWAY,
BENNETT C. CLARK,
CHAS. L. MCNARY,
HIRAM W. JOHNSON,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Section 1 of the House bill, for the purposes of national defense, during the emergency declared on September 8, 1939, but not after June 30, 1942, authorized the President to purchase, requisition, charter or requisition the use of, or take over the title to, or the possession of, any foreign merchant vessel lying idle in waters of the United States and necessary to the national defense.

The Senate amendment inserted a preamble or declaration of policy on the part of Congress which states that Congress has the power to provide for the common defense and general welfare and to regulate commerce with foreign nations, and that the commerce of the United States is interrupted, the general welfare of its citizens is threatened, and an emergency has been declared. The House recedes with an amendment striking out the superfluous word "that."

Amendment No. 2: Section 1 of the House bill provided that the authority thereby vested in the President would be applicable to foreign merchant vessels lying idle in waters within the jurisdiction of the United States.

The Senate amendment would include as parts of the United States for the purposes of the section the Canal Zone and the Philippine Islands. The House recedes.

Amendment No. 3: Section 1 of the House bill provided that just compensation be determined and made to the owners of any vessel purchased or taken over in accordance with section 902 of the Merchant Marine Act, 1936.

The Senate amendment would require that such compensation be made by payment into the Treasury of the United States, subject to be applied to the payment of any valid claim by way of mortgage or lien, and would allow the holder of the claim to maintain in the Court of Claims of the United States a suit in admiralty according to the principles of libels in rem against the fund.

The House recedes with an amendment which would provide that the compensation shall be deposited with the Treasurer of the United States, the deposit shall be available for the payment of such compensation, the suit provided for shall be maintained in a United States district court, process shall be mailed to the Maritime Commission (omitting notice to the Secretary of the Treasury), and that due notice under order of court shall be given to all interested parties.

Amendment No. 4: A proviso in section 1 of the House bill provided that compensation to be paid for any vessel belonging to a government indebted to the United States to be paid by crediting the same upon the existing debt and not by payment of cash.

The Senate amendment struck out this proviso and substituted two provisos. The first proviso provides that no vessel owned by any government shall be requisitioned, seized, or taken other than by purchase, and that transfers of vessels in contemplation of the measure by persons or corporations to governments, or transfers by persons or corporations within 60 days of the introduction of the bill and the President's message to Congress, shall be disregarded.

The second proviso of the Senate amendment would authorize the Maritime Commission and the Department of Justice to make just provisions out of funds provided in section 2 of the act for seamen displaced by the taking of ships under the act, and to report to Congress thereon with 30 days after the enactment of the act.

The conference substitute for the Senate amendment retains the second proviso relating to displaced seamen, but in lieu of the first, provides that no vessel of a strictly public character found by the Commission to be exclusively owned, used and operated, on and after September 3, 1939, for its exclusive sovereign purposes by a sovereign nation, shall be taken under the section except by purchase or charter, and further provides in lieu of the House provision as to credits against any government debts that if any such vessel of a sovereign nation is purchased or chartered, the payment therefor shall, after payment of claims and liens, be held for application upon the debt, if any, of such nation to the United States.

Amendments Nos. 5 and 6: Section 5 (c) and section 5 (d) of the House bill made certain provisions in respect of vessels chartered to Government agencies or to private operators. The Senate amendments would include cases of charter to Departments in conformity with section 3 language. The House recedes.

Amendment No. 7: Section 5 (f) of the House bill authorized the Commission to repair, reconstruct, or recondition vessels without regard to the provisions of section 3709 of the Revised Statutes.

The Senate amendment would authorize any Government department or agency to do similar work on vessels made available under the Act, with the aid of any available funds and without regard to the provisions of said section 3709. The House recedes.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH,
FRANCIS D. CULKIN,
Managers on the part of the House.

Mr. BLAND. Mr. Speaker, I yield myself such time as I may use within the hour.

Mr. Speaker, the report very clearly sets out the provisions that were in disagreement. As a matter of fact there are only two amendments that gave any concern. One was as to the proper place for the deposit of money and the settlement of liens against the vessel. The Senate amendment provided for litigation in the court of claims. The House amendment instead of requiring the money to be deposited in the Treasury where it would take an appropriation to get it out provided for its deposit in a special account to the order of the Treasurer of the United States. Jurisdiction over litigation arising on these matters is transferred to the United States district court where the vessel was taken. This was done as a greater convenience to the creditors and to the owners, operators, and everyone concerned, and also this places jurisdiction in an institution that is more familiar with the problems of admiralty law and the administration of admiralty law than is the Court of Claims.

The next amendment that gave some concern was the Senate amendment known as No. 4. It was provided that if a vessel belonged to a government the vessel should not be taken except by purchase. There was no means of determining rights as between de jure governments and de facto governments, no yardstick by which that could be deter-

mined; so the House submitted an amendment whereby provision was made that the Maritime Commission should be the agency to determine the ownership of a vessel by a sovereign nation, that it should make its determination within 10 days so as to avoid delay and make it upon such evidence as was submitted.

If it was found to be exclusively owned, used, and operated on September 3, 1939, and continuously thereafter for its exclusive sovereign purposes by a sovereign nation, then it could only be by purchase or charter. This did away with the word "government" and substituted "sovereign nation." The information came to us that probably there might be two vessels involved, one the *Denmark*, which was a training ship. This Government has been trying to purchase that vessel as a training ship for the Coast Guard; the other was a vessel that was damaged beyond repair, as I recall. I think that was a tanker.

Provision was also made that the use of any vessel at any time since September 3, 1939, in commercial trade should be presumptively deemed to show that said vessel is not owned, used, and operated by a sovereign nation for its sovereign purposes.

There was written in also the substance of the Pearson amendment to the effect that if it was found that the vessel belonged to a sovereign nation, and was purchased or chartered, then after the adjustment of claims, the balance of the money would be applied to any debt that the sovereign nation might owe the United States.

Mr. CULKIN. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from New York, either for a question, or I shall be pleased to yield such time as the gentleman may desire.

Mr. CULKIN. I do not care for any time. This bill as reported back here now provides that government-owned vessels shall not be taken except by charter or purchase?

Mr. BLAND. That is right—owned by sovereign nations.

Mr. CULKIN. Owned by sovereign nations?

Mr. BLAND. Yes.

Mr. CULKIN. I do not know what mental reservation the gentleman has in that description, but it does exempt from requisition ships that are owned by governments?

Mr. BLAND. Yes; for sovereign purposes, and so found by the Maritime Commission.

Mr. CULKIN. May I say in that respect I think that it strengthens the bill from the standpoint of those who opposed it here. We are not satisfied with the result, but I bow to the result of the conference of the House and Senate, and we are glad it came back here with that strengthening amendment.

Mr. BLAND. I may say that the bill has the unanimous support of all the conferees.

Mr. Speaker, I move the adoption of the conference report, and on that I move the previous question.

The previous question was ordered.

The conference report was agreed to.

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EXTENDING TIME WITHIN WHICH POWERS RELATING TO STABILIZATION FUND AND ALTERATION OF THE WEIGHT OF THE DOLLAR MAY BE EXERCISED

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4646, to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4646, with Mr. RAMSPECK in the chair.

The Clerk read the title of the bill.

Mr. REED of Illinois. Mr. Chairman, I yield 14 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, 2 years ago, as a member of the Coinage, Weights, and Measures Committee, I opposed before that committee and on the floor of the House the continuation of the stabilization fund and also the President's power to further debase the coin. Since that time my convictions have been strengthened on the need of abolishing these extraordinary and dictatorial powers.

I know of no evidence to substantiate any claim that any of the alleged purposes for which these powers were ostensibly created has been achieved in whole or in part. It should now be needless to discuss this point. On the other hand, the evidence is conclusive that the use of these powers has already caused incalculable damage to our monetary and financial processes. This point it is vital that we consider and discuss most seriously.

Section 10 (a) of the Gold Reserve Act of 1934 states the only purpose for which the stabilization fund was created, namely, "for the purpose of stabilizing the exchange value of the dollar." I know of nothing to indicate that even a single dime of the total $2,000,000,000 composing the stabilization fund was ever used for this purpose. The fact is that none of it was ever so used and never could have been. The gold-buying program at the fixed high price of $35 an ounce obviated that possibility. The high fixed premium on gold offered by the Treasury quickly brought on the gold rush into the United States. More than a billion dollars was imported in 1934. The rest of the story of the gold avalanche is too well known to require repetition.

The point is, the rate of gold imports, immediately upon the adoption of the gold-buying program, which provided for the buying of foreign and domestic gold at a permanently fixed premium of $14.33 an ounce, rose sufficiently to restore full confidence among foreign countries in the ability of the United States to fully meet any gold-payment demand that might have been made upon us. This made the stabilization fund wholly useless and unnecessary, so far as the statute which created it was concerned.

The truth is that the stabilization fund has been used for ulterior purposes and utterly in violation of the act which created this fund. Instead of using this fund for the only purpose the law presumably directs it shall be used, namely, "to stabilize the exchange value of the dollar," to give strength to our own economy, it has been used exclusively to bolster and support foreign paper currencies, French paper francs, Belgian paper belgas, British paper pounds, Argentine paper pesos, Brazilian paper milreis, Chinese paper yuans, and so forth, to bolster and support the economies of other nations.

In purpose, spirit, and letter, the stabilization fund has been operated in complete violation of the law. The real purpose for which this fund has been used is, in my opinion, now too evident to be concealed any longer. We shall see as we go along what this is.

Before the Coinage, Weights, and Measures Committee, March 3, 1939, the Secretary of the Treasury, Mr. Morgenthau, was asked the following question by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], member of this committee.

In connection with the stabilization fund, has any of the stabilization fund been used in any manner to finance a foreign government in the purchase of armaments or any other war supplies?

Mr. Morgenthau raised his right hand as is done in taking an oath and said—

I can answer that under oath to that question. No. And I will answer further. As long as I am Secretary of the Treasury and as long as Congress gives me that responsibility, the answer is, "No."

Now consider this statement in connection with a news item appearing in the Washington Herald, May 5, 1938, which reads in part as follows:

United States and Britain back Paris in devaluation of franc; new dollar slash denied; tripartite agreement stands first test; move aids French armament drive. United States consent to a steep devaluation of the franc and the promise to support it at a new lower level were announced last night by Secretary of the Treasury Henry Morgenthau.

Morgenthau's announcement came at a press conference conducted jointly by him and French Ambassador Rene de St. Quentin. The French Ambassador, his beaming face expressing pleasure and gratitude, said he was "not a monetary technician and am thus unable to give the details." He added: "I am only a diplomat, but the principle of diplomacy, statesmanship, and business is frankness. The principle did not fail in our negotiations. I want to convey the thanks of the French treasury to the United States Treasury and its able leader Mr. Morgenthau." Other officials declared the Roosevelt administration considered the agreement essential for the success of the 15,000,000,000-franc loan the French Government will float for additional armaments against its dictator neighbors.

Also note May 5, 1938, Washington Post Associated Press dispatch with a Paris date line in which the British Chancelor of the Exchequer, Sir John Simon, is quoted as having said before the House of Commons the following:

A major factor in the swift British and American approval of the proposal of France to devaluate its currency was the desire to

present a semblance of economic unity among the world's three democratic powers to the dictators—Premier Benito Mussolini of Italy and Chancelor Hitler of Germany—it was stated in informed official quarters yesterday. The critical status of the French franc coincided with the Mussolini-Hitler conversations which began last Tuesday in Rome.

If these news items are correct, and there is no reason to believe that they are not, Mr. Morgenthau's denial to the contrary notwithstanding, the stabilization fund had already been used by him when he made the above statement—

To finance a foreign government in the purchase of armaments or any other war supplies—

And—

as part of the foreign policy of this Government with reference to supplying war supplies to any other country.

In this connection let us consider the operation of the stabilization fund in Latin America. There can be no question that the $700,000,000 made available as loans to the states south of the Rio Grande through the Export-Import Bank is designed specifically to aline these states, both economically and militarily, on the side of the United States and England against the Axis Powers; likewise, there can be no doubt that the stabilization fund is being used in those countries for the same purpose.

Fifty million dollars of the stabilization fund was made available December 27, 1940, to the Argentine Government; October 18, 1940, $10,000,000 was made available to Brazil.

May 8, 1941, Secretary of the Treasury, Mr. Morgenthau, in his testimony before the Committee on Coinage, Weights, and Measures of the House, where he was advocating the continuation of the stabilization fund and the power to debase the dollar, said:

The first arrangement is with China. You will recall that on December 2, 1940, I appeared before a joint session of the Senate Committee on Banking and Currency and the House Committee on Coinage, Weights, and Measures to make a statement about the proposed stabilization arrangement with China.

Then note particularly he added the following revealing statement, which shows that 3 years after he had used the fund to aid France militarily he still had in mind using it as a means to interfere in foreign wars on the side of one of the belligerents as against the other. Mr. Morgenthau said:

I had previously stated to this committee that I would not consent to the use of the stabilization fund to assist any foreign country in prosecuting a war without first consulting with the congressional committees.

July 14, 1937, $48,000,000 was made available from the stabilization fund to China; April 25, 1941, $50,000,000 more was made available to China. As everyone knows, the Government of the United States is openly and avowedly giving military aid to China against Japan. Therefore, it is apparent that the stabilization fund is being used to aid China in making war.

Recently before the Coinage, Weights, and Measures Committee Mr. Morgenthau stated further:

Our stabilization fund is a potent weapon of defense in our international economic relations. This is hardly the time to abandon the machinery of control which we have built up to protect the dollar and the American economy.

When all these transactions and circumstances are considered together, can there be any question that the stabilization fund has been illegally used and is now being so used as a means of aiding certain nations in their war efforts, instead of for the legal purpose that is provided in the statutes, namely, to "stabilize the exchange value of the dollar," in the interest of our own economy?

Does it not appear that we have here revealed at last the true answer to the big question that has been confounding the whole Nation, namely, Why is the Government buying all this gold and paying such a high price for it? Is this great American riddle, the program of buying up all the gold of the world, at last unfolding itself to our understanding? Did the authors of this monstrous scheme have as their secret and sinister purpose the cornering of the world's monetary gold stock solely as a weapon of war?

Said the Secretary of the Treasury further recently before the Committee on Coinage, Weights, and Measures:

Totaling the balance from July 1, 1939, to April 30, 1941, the stabilization fund purchased approximately $3,920,000,000 of gold. This gold was bought from 23 different countries. Incidentally, the existence of the stabilization fund made it possible to carry out, with the essential speed and secrecy, three large acquisitions of gold from hard-pressed friendly countries.

Why secret transactions in the purchase of gold by the stabilization fund agency? If these transactions were on the square, was secrecy necessary?—

secrecy, to carry out three large acquisitions of gold from hard-pressed friendly countries.

Was France one of these hard-pressed countries—France, which may now soon be our mortal enemy? Is this not additional evidence that the whole gold-manipulating process had from the beginning for its purpose the making of war?

This transaction of the stabilization fund agency needs some careful examination from another standpoint. Here, as in the gold purchased by the Federal Reserve banks for the Treasury, is one of the darkest chapters in all the history of governments' monetary policies.

In reality, no gold purchased by the stabilization fund agency is actually finally paid for with any money from the stabilization fund. Only $200,000,000 are used by the stabilization fund agency in its operations. The remaining $1,800,000,000 of the fund has been lying idle ever since its creation.

How could $3,920,000,000 of gold be purchased with $200,000,000? It is, of course, impossible to buy three billion, nine hundred twenty million gold dollars, each weighing 13.71 grains of fine gold with $200,000,000 of the same weight and fineness.

So far as the mere transaction of purchasing gold is concerned the Stabilization Fund Agency merely acts as buyer for the Treasury. The awful truth is the Treasury pays for the gold purchased by this agency, as it does for all the other gold it purchases, with fiat currency, so-called gold certificates, and by the most devious and sinister trickery, in complete violation of the statutes, shifts the cost of all the gold to the bank depositors of the United States.

This group of people, bank depositors, is now carrying the cost of the roundly $14,000,000,000 of gold that has been bought under the gold-purchase program.

This means nothing other than the creation of $14,000,000,000 of the purest kind of inflation in the banking system. It means that the remaining bank deposits are diluted in value by $14,000,000,000, which make the total bank deposits, as a whole, worth no more than about 75 cents to the dollar.

Is it any wonder the Federal Reserve authorities and other informed bankers and persons are worried? Is it not high time that this deplorable condition in the banking system be given serious consideration by Congress and that steps be promptly taken to correct it?

Mr. Morgenthau tried to make out, as the following shows, that he needs the stabilization fund and the powers to further debase the dollar to hold down interest rates on Government obligations:

Mr. MORGENTHAU. I feel about both of them in the same way. Under conditions as they are today there is not very much use for them on a day-to-day basis. In the case of the stabilization fund, as I said, earlier this morning, it is that reserve power which we have which I believe is one of the factors which makes it possible for us to carry a public debt at an average rate of 2.5 percent. I think that is very important. I do not say it would happen, but if Congress should take those various emergency powers away from the President, such as the stabilization fund, I think there is a fair chance that we would have to pay more for money because I should find myself in the position that the owners of the money, the people who own the money would, so to speak, "have me."

Mr. WORLEY. You would just have to pay more interest?

Mr. MORGENTHAU. Yes; I think the rate would go up. That is just my belief.

Certainly the possession by the administration of the stabilization fund of 2,000,000,000 gold dollars and the power to further debase the gold dollar is a most powerful means for holding interest rates down. But not in the way Mr. Morgenthau would have us believe. If I interpret his position correctly, he means to indicate that the $2,000,000,000 he already has, and the additional $4,000,000,000 he would have if the content of the dollar were reduced to the limit allowed by the present law, could be used by him to finance a part of the deficit instead of having to borrow this amount.

In this connection it should be noted that an additional amount of about $5,000,000,000 of so-called profits is available to the Treasury through the use of the power of debasing the silver dollar. Were this power to reduce the content of the silver dollar exercised, Mr. Morgenthau would have in all about $11,000,000,000 of clippings.

If this amount were used to finance the deficit instead of resorting to borrowing, we are supposed to believe, it would so

glut the money market as to force interest rates down.

In the first place, if the administration undertook to use this political windfall to finance the deficit, it would collide head-on with its claim that it does not intend to use the powers of debasement to produce inflation. For every dollar of this windfall that is spent to pay Government costs, current or past, a dollar of inflation is produced. There is no escape from this.

It is, of course, the strangest and most anomalous position for the administration to take, to say out of one corner of its mouth, "You can trust me fully that I will not produce any inflation if you let me keep the power to debase the dollar," and out of the other corner says, "But I must have this power continued so that I can use it is a club over the heads of the people, and say to them, buy my bonds in the amount I tell you to buy and on my own terms, or I will give you a big dose of inflation."

The important cause for low interest rates is lack of demand by private industry for loans and new capital, which is dependent upon the more basic cause, the destruction of the standard unit of value and the free contract process.

Some of the other less important factors in holding interest rates at a low level are the large volume of Government loans at low interest rates arbitrarily fixed by the Government; forced bond deposits, falsely called loans, in the banking system by the Government bearing rates of interest arbitrarily fixed by the administration.

Therefore, the present low interest rate is mostly a symptom of a gravely diseased monetary process. Nor is the low rate necessarily helpful to the Government. The Treasury is now losing more in taxes because of the destruction of the free contract process than it is gaining in reduced interest rates. If the standard unit of value were restored so as to again permit the operation of the free contract process, private industry would go again and unemployment would end, which would in turn relieve the Government of the need of much deficit financing, while at the same time this would also yield more taxes.

Should anything more than the foregoing be required to convince the American people of the destructive nature of the stabilization fund and the desperate need for its prompt abolishment?

The power to further clip the coin or debase the gold dollar should forthwith be abolished.

Why is the President asking that the power which he now has to further clip the coin be continued?

It is remarkable that this request should be made at the present time, when the whole country is becoming apprehensive of the dangers of inflation, when the Federal Reserve authorities see these dangers and are asking for legislation to cope with them, and when the administration itself openly recognizes the dangers of inflation and is trying to head them off by instituting the most drastic and far-reaching measures ever adopted in this country, some of which are:

First. A tax bill to increase our annual taxes three and a half billion dollars, the largest increase in our history.

Second. A price-control agency with totalitarian powers to be found only in dictator nations.

And to avert inflation the administration has also inaugurated a program to raise a huge amount of money by selling bonds directly to the public.

At this very time, perhaps more than ever before, supreme confidence is needed in money and Government bonds. Yet here is the Secretary of the Treasury asking Congress to extend the most dangerous power to further clip the coin and destroy the future value of our currency and Government securities.

Consider the experience of some of the nations whose political authorities have had the power to clip their coin—devaluation is a term used to deceive the people and to hide from them what is really being done.

In Italy there is this power. At a single stroke, in one instance, her politicians clipped three and five-tenths billion dollars off the lira—Italian money—and thereby destroyed that much value of the currency and Government securities.

The Russian dictator has the power to clip the coin. In one instance he clipped more than $9,000,000,000 off the ruble—Russian money—and thereby destroyed that much value of the currency and Government securities.

The political authority of France had the power to clip the franc (French money). Three times it used this power. During the World War the franc was worth nearly 20 cents. By 1938 the French politicians had it clipped down to where it was worth less than 3 cents. That meant a bond which was worth about $20 during the World War was worth, in 1938, about $3. The peasants of France who had given freely of their savings for Government bonds lost by these clippings about $17 on every $20 worth of bonds they purchased. The United States Government authorities condoned and actually promoted the French clipping of the coin in 1938. (See Washington Evening Star, May 5, 1938, and Washington Herald, May 5, 1938, as previously quoted.)

Is it right that the American middle and working classes should be subjected to even the possibility of such treatment?

The testimony given in support of this bill by Mr. Morgenthau, Secretary of the Treasury, and by Mr. Bell, Under Secretary of the Treasury, as shown in the hearings, should in itself be sufficient to convince any unbiased person of the need of refusing the request for a continuation of this power. Neither of these gentlemen gave the slightest reason for its continuation. Both made out the most damaging case against its continuation.

On page 5 of the hearings, Mr. Morgenthau says:

> There have been persistent critics who said that the President's power to devalue the gold content of the dollar would be used to bring about inflation. There is no basis for believing that we are going to have inflation in this country because the President possesses this emergency power. I am sure the President will be as zealous as Congress in taking the steps to prevent inflation.

Now, the reduction of the content of the gold dollar by 40 percent is the same thing as raising the paper currency price of gold 69 percent, or of raising the paper currency price of gold from $20.67 an ounce to $35 an ounce.

Since the increase in the price of gold is predicated on the clipping of the gold coin, any use which the President makes of his power to purchase gold at the increased price necessarily involves to the same degree the use of the power to clip the coin.

In other words, the purchasing of gold at a premium is merely the active process which puts into effect the coin-clipping decree of the President of January 31, 1934. Therefore, the use of the power to purchase gold at a premium is the use of the power to clip the coin.

Already, as previously stated, the gold-purchase program of the coin-clipping process has created in the banking system $14,000,000,000 of fiat credit; that is, inflation.

Therefore, the power to give effect to clip the coin has been used to bring about inflation, and in an amount many times greater than our banking system had ever experienced before. What is more, this power is being used now. Through its daily operation a constant stream of additional inflation is being pumped into the banking system.

To the extent that the content of the gold dollar is further reduced, additional inflation will be pumped into the banking system through further gold purchases.

It is, I think, advisable at this point to again call attention to the fact that there is no warrant in law for the payment with fiat currency by the Treasury for the gold it purchases, of finagling the cost of the gold to the bank depositors, and creating a dollar of inflation in the banking system for every dollar's worth of gold purchased.

The gold-purchase provision in the Gold Reserve Act of 1934 nowhere provides that the Treasury may print paper currency to pay for any gold. Section 8 of the act specifically provides that the gold purchased by the Treasury shall be paid for—

> with any direct obligations, coin, or currency of the United States, authorized by law, or with any funds in the Treasury not otherwise appropriated.

By no stretch of the imagination is it possible to read into this provision fiat currency or fiat payment of any kind. I believe the purchase of this great, useless, and menacing hoard of gold, and the payment therefor with fiat currency in direct and flagrant violation of the statutes, and finagling the actual cost to the bank depositors of the United States, is one of the worst breaches of public trust of which the world has any record.

Yet, in view of the glaring fact that the President has already produced the enormous amount of $14,000,000,000 inflation by the use of the power to clip the coin,

and that he is using this power now to produce more inflation, Mr. Morgenthau, Secretary of the Treasury, makes this unbelievably astounding statement:

> There is no basis for believing that we are going to have inflation in this country because the President possesses this emergency power.

With this picture of debasement and inflation before us, with a rapidly mounting public debt that is already well out of control, and the Treasury becoming increasingly hard pressed for funds, should it be expected or believed that the President will not, and in due time, use the power to further clip the coin, if he is permitted to retain it?

> Obviously—

Mr. Morgenthau says in the hearings on this bill—

> the administration has no present intent whatsoever to devalue the gold content of the dollar.

Obviously, I would say, if the power to clip the coin down to half of its original value is continued, it will be almost certainly used in the future.

The truth is that unless the nature of the Government's monetary and financing policies are, in the very near future, radically altered, repudiation by some means or other will be inevitable. In that event, the administration in power, regardless of party label, will most likely pursue the course of least effort and minimum loss of political prestige and resort to debasement to cancel out the public debt.

The political authorities of Italy, France, Russia, and other states have, in recent years, taken this tempting course to repudiate their public debts.

In this connection it should be pointed out that the administration has already used the power of debasement to repudiate $675,000,000 of the public debt. This was done by using a part of the clippings from the 40 percent debasement that it has already produced.

So that our political rulers have already "stolen the first apple." Would it not be a miracle if they should voluntarily resist the temptation to use the mountain of gold now in their possession to steal the remainder of our apples?

> But the shepherds know how hot the midday sun shall glow from the mist of morning sky.

Some students of our diseased money and finances assume it would be necessary to enact additional legislation to give the President the power that would be required to clip the coin sufficiently to wipe the debt out completely. The law now in operation, and which he is asking to have continued, permits him to debase only to the extent where no more than about $4,000,000,000 of clippings from the gold dollar and about $5,000,000,000 from the silver dollar will result. This, of course, would be but a drop in the bucket.

To provide enough political windfall to repudiate all of the present and assumed Federal debt would require sufficient debasement to produce a total gold stock of no less than $90,000,000,000 instead of the twenty-two and five-tenths billions which our political rulers now have. The present pygmy gold dollar, containing only 13.71 grains of gold, would have to at least be quartered and made into midget gold dollars containing only about 3.5 grains of gold.

I do not believe new legislation would be required. I think the President can, with the power which he has under section 8 of the Gold Reserve Act to raise the price of gold to any figure he may determine, achieve precisely the same thing as he could with an amendment that would give him specific authority to reduce, without limit, the content of the gold dollar.

Section 8 reads in part as follows:

> With the approval of the President, the Secretary of the Treasury may purchase gold, in such amounts, at home or abroad. * * * at such rates and upon such terms and conditions as he may deem most advantageous to the public interest; any provision of law relating to the maintenance of parity * * * to the contrary notwithstanding.

Certainly if we consider the common practice of our political rulers in circumventing and twisting the laws to suit their fancies and to serve their own political fortunes, especially with respect to their handling of the gold transactions, I know of nothing in any law that would prevent the President from using his powers under section 8 of the Gold Reserve Act to repudiate a part or all of the Federal debt.

Would this require anything more than to raise the price of gold and change in the figures in the books of the Treasury?

The following colloquy between the gentleman from Idaho, Congressman WHITE, and Under Secretary of the Treasury, Mr. Bell, as given on page 12 of the hearings on this bill, should be most helpful in answering this question.

> Mr. WHITE. In the event of that proceeding (reduction of the content of the gold dollar from its present weight of 13.71 grains to 11.61 grains), what happens to our gold certificates held in the Federal Reserve Banks? * * * How by a stroke of the pen can this $4,000,000,000 by devaluing the dollar be added when certificates are out against the dollar?
>
> Mr. BELL. As I look at it, title in the gold is in the United States Government. If gold were devalued, the profit out of the devaluation would go to the Government and the Federal Reserve banks would be paid in dollars available at that time for the face amount of the certificates they hold.
>
> Mr. WHITE. * * * I am just wondering, with those gold certificates out, and you say by a stroke of the pen that Mr. Morgenthau could increase the Treasury to the tune of $4,000,000,000, just how that can be done with all this gold obligated to the Federal Reserve in the form of gold certificates. I cannot understand, unless we went through the mechanics of acquiring title to those certificates and reissued them.
>
> Mr. BELL. A gold certificate calls for $100 in gold. It would just call for $100 of the new value; that is all. It calls for $100 in gold at the new value.
>
> Mr. WHITE. Then the gold certificates handled by the Federal Reserve are a very insecure thing if it is just on the value which is determined to a large degree by the President with the power to devaluate gold.
>
> Mr. BELL. They can change the books, could they not?
>
> Mr. WHITE. They could not change their books but it would change the security.
>
> Mr. BELL. They would still have $17,000,000,000 of gold certificates in their possession (about this amount of gold certificates Mr. White had previously stated was held by the Board of Governors of the Federal Reserve).

They could change the books, indeed.

So this is the security back of the dollar—the simple matter of bookkeeping.

By means of Treasury bookkeeping the number of dollars can be increased at the whim and caprice of the President.

But everybody is secure in the possession of his dollars, because no matter how many times the President might halve or quarter the dollar, that you and I possess, or have contracted for, we are always left with the same number of dollars as we had before they were halved or quartered.

The dollars we have invested in life insurance, in social security, in savings accounts, Government bonds, and so forth, are all perfectly secure, because dollars will still be dollars, though each dollar might be cut into two or four at every full moon. Just a change in the books does the trick.

According to Mr. Bell's proposition it was the same ruble and nobody was cheated after the Bolsheviks halved, quartered, and made it into mincemeat, so that in 1920 it took 1,700 rubles to buy the same amount of the necessaries of life as 1 ruble bought in 1917. Though the people in Soviet Russia starved by the millions it was still the same ruble because the Communist rulers could change their books.

Mr. Bell would have us believe the Italian lira, which has been more than quartered—as valued against our own debased coin—since the World War is the same lira that it was before that war; that values and property were kept secure by just "changing their books," though all industry and property in Italy was communized to a great extent.

According to Mr. Bell's formula, the clipping of the French franc from about 20 cents to less than 3 cents still left the French people with the same franc, notwithstanding that after the debasement it took more than six francs to purchase the same amount of the necesaries of life than were required to buy them before the debasement. By some mysterious act in "changing their books" it was the same franc when it had been cut to less than 3 cents, as it was before its value was tampered with. It was the same franc, though a bond for which the faithful peasants had paid $20 finally fetched less than $3, because "they could change their books."

If Mr. Bell is correct, then no one in Germany was hurt when her political rulers had clipped the mark to a trillionth part of its original content. Although it took a basketful of paper marks to buy a loaf of bread where before 1 mark would buy several loaves, it was still the same mark. Nobody lost, and everybody was secured, because "they can change their books" in Germany, too.

It is highly important that we examine somewhat in detail Mr. Bell's magic formula, for it is the heart and core of every monetary fallacy of the past, and it is precisely the same devise that every corrupt government which has tinkered

with its money has used to secretly tax its people.

At the present time the gold dollar is defined in the law as being 13.71 grains of gold.

At present, according to law, every silver dollar, and every kind of paper dollar, including the gold-certificate dollar, is supposed to have a value equal to the value of 13.71 grains of fine gold. Note I did not say has this value, but is supposed to have it.

Mr. White says a $100 gold certificate "calls" for $100 in gold when the legal content of the gold dollar is 13.71 fine grains of gold. He says the same $100 gold certificate will still "call" for $100 in gold should the legal content of the gold dollar be reduced to 11.61 fine grains of gold.

There is no question that Mr. Bell wants us to believe that the $100 gold certicate would be the same in value should the content of the gold dollar be reduced to 11.61 grains as it now is when the gold content is 13.71 grains.

What Mr. Bell really asks us to believe is that 11.61 fine grains of gold are equal in value to 13.71 fine grains of gold; that 11.61 grains of gold will do the same amount and kind of money work as 13.71 grains. He asks us to believe this because of some kind of change the Secretary of the Treasury can make in the Treasury's books.

How is it possible to otherwise construe his testimony than that he is asking us to believe this astounding proposition?

Referring again to the $17,000,000,000 of gold certificates which Mr. White had stated the Federal Reserve banks hold, note carefully again in this connection Mr. Bell's statement:

Mr. WHITE. Then the gold certificates handled by the Federal Reserve are a very insecure thing if it is just on the value which is determined to a large degree by the President with the power to devaluate gold.

Mr. BELL. They can change their books, could they not?

Mr. WHITE. They could not change their books but it would change the security.

Mr. BELL. They would still have $17,000,000,000 of gold certificates.

Excelsior! Excelsior! Then why wait? Why not cut the content of the gold dollar down to, say, about 3.5 grains? This would produce $90,000,000,000. Gold so-called liabilities twenty-three billion, leaving sixty-seven billions of political windfall, enough to pay off the present direct public debt as given on the Treasury books and twenty billions for additional obligations.

But why bother with a little political windfall of sixty-seven billions when it is just as easy and just as honest to get twice that amount and have one hundred and thirty-four billions, or 6 times that amount and have four hundred billions, or 25 times that amount and have more than a trillion? The fact that these last dollars would become microscopic in size would not need to bother us, because gold dollars have now become imaginary things anyway, wholly imperceptible to the senses. According to Mr. Bell, a gold dollar is something created on the books of the Treasury by some occult process of the hand and brain and which can be divided and subdivided any number of times, and each subdivided part always retain the same quality and perform precisely the same amount of work as the very first lump of gold before any division whatsoever was made.

If there is a trick in Treasury bookkeeping, that can clip the coin a little but without lowering the purchasing power of the domestic dollar, without lowering any values, then with that same trick it ought also to be possible to clip and clip the coin in a never-ending clipping process and always maintain the same security and values.

Carried to this stage, of course, the fallacy of the proposition becomes evident and ridiculous on its face.

But why? Upon what ground could the Secretary of the Treasury say this is fantastic and impracticable? On ground of principle? Surely he would not wish to be understood as advocating his formula on any other premise. The Secretary of the Treasury, fiscal agent of the United States Government, would not wish to defend his formula for giving potency to the hoard of stored gold by diluting and attenuating it with a little sleight-of-hand performance in "changing the books."

If it is a principle that some peculiar change can be made on the books of the Treasury that will reduce the legal weight of the gold dollar by 2.1 grains, and at the same time keep the purchasing power of the domestic dollar and values in general at the same level as before the reduction, it should be possible to use the same formula for changing the Treasury books to maintain the same level of purchasing power and values if the content of the gold dollar were reduced by 3 grains, 5 grains, 10 grains, to one-tenth grain, or to any fractional part thereof.

Of course, Mr. Morgenthau would not claim for his Treasury bookkeeping formula any such extreme application as this—for the simple reason that it is not based on any principle, or on anything remotely related to principle. This being true his formula is no more applicable where the content of the gold dollar is reduced by 1 grain than if it were reduced to one-millionth part of a grain.

In other words, Mr. Morgenthau and Mr. Bell have no trick by which they can change the books of the Treasury so as to debase the gold dollar in any amount and at the same time maintain the purchasing power of the dollar and all values at their former level.

Of course, there is a trick in this so-called devaluation scheme. It is, however, not a new trick. It is as old as coinage itself, and perhaps older. It is the trick that has been played by dishonest and corrupt rulers and governments since barter has been replaced by the exchange of commodities through the use of money. That trick is to lay a secret and deeply hidden tax on the great masses of people. Being afraid to tax the people outright, the political rulers in some devious way clip our coins. Then they give these clippings back to us either in payment of present purchases of our goods, services, and labor, or to pay off bonds we previously purchased from them.

As heretofore pointed out, the Treasury has already used $675,000,000 of clippings to pay off bonds.

Now, what has the whole gold and monetary policy of this administration done to our Nation? What has been its effect upon our economy?

It has destroyed our standard unit of value. Nothing that their political rulers could visit upon them could be more fatal to the happiness and welfare of any people.

It has destroyed the free and voluntary contract process and replaced it with political coercion and regimentation. The objective evidence of this is manifest everywhere. We see it in the moribund condition of new long-term contracts and the new capital market. Long-term private contracts in the last 10 or 11 years have averaged annually less than 20 percent of what they were in the 10 preceding years.

We see it in the huge volume of idle funds in the banking system, the like of which our country never before experienced. It should be noted, however, that the vast bulk of the idle funds in the banking system does not represent real savings or material assets, but represents the inflation created by the gold-buying policy.

The destruction of the free-contract process is even more manifest in the deterioration of old capital, capital already invested in industry. The National Industrial Conference Board shows there was a shrinkage in net capital in manufactuing industry of about $14,000,000,000 during the period from 1929 to 1937.

We see it in the wholesale taking over of private industry by our political rulers. We see it in the rapidly progressive regimentation of all groups—business, labor, and agriculture.

The free contract process is the wellspring of human and property rights. It is the source of the highest wages for labor and the fullest employment. It is man's basic protection to keep what he produces and to maintain the most equitable distribution of wealth. It is through and by means of this process that man's higher value sense is developed. The free contract process is the foundation of human liberty and civilization itself.

The gold policy of this administration, having destroyed the free-contract process, has ipso facto destroyed all these great sources of human achievement and happiness.

The debasement of money, in whatever form, always involves the destruction of the free-contract process. All the great thinkers of the world who have given consideration to this important subject have recognized this and the vital role the free-contract process has played in the development of the individual and civilization.

All of them have recognized the evil effects which debasement has had upon the lives of men—the destruction of productive industry, the oppression and tyranny, and the deterioration of the morals of the people. But, more particularly, all of them have recognized that the evil effects of debasement fall

more cruelly upon the poorer and more industrious classes, that they press less seriously upon the rich, and that they always inure to the benefit of the more dishonest and cunning of the race.

Said the great Mr. Horner in the House of Commons in his famous speech on the need of his country returning to specie payment, or the free circulation of gold:

With respect to the word "coin," what is it? Does it make any difference as to the standard? The coin is the King's assurance to his subjects that their property shall be protected, that the coin shall be of that fineness and weight necessary to give to all in their dealings an equal security and an equal participation of justice.

The bullion report of the select committee of the House of Commons, which I regard as the most profound study ever made of money, and which I think is so regarded generally by students of money, in referring to the evil effect of the debasement which was then afflicting England, says:

By far the most important portion of this effect it appears to your committee to be that which is communicated to the wages of common country labor, the rate of which, it is well known, adapts itself more slowly to the changes which happen in the value of money than the price of any other species of labor or commodity.

Pelatiah Webster, who, as I recall, was a merchant in Philadelphia during colonial days, and who experienced the evil effects of debasement, which was in the form of inconvertible paper currency known as bills of credit, had this to say of it:

We have suffered more from this cause than from every other cause or calamity. It has killed more men, pervaded and corrupted the choicest interests of our country more, and done more injustice than even the arms and artifices of our enemy.

Daniel Webster was no more sparing in his condemnation of debasement. Said he:

A disordered currency is one of the greatest political evils. It undermines the virtues necessary for the support of the social system and encourages propensities destructive to its happiness. It wars against industry, frugality, and economy, and it fosters the evil spirits of extravagance and speculation. Of all the contrivances for cheating the laboring classes of mankind, none has been more effectual than that which deludes them with paper money. This is the most effectual of inventions to fertilize the rich man's field by the sweat of the poor man's brow. Ordinary tyranny, oppression, excessive taxation, these bear lightly on the happiness of the mass of the community, compared with fraudulent currencies and the robberies committed by depreciated paper. Our own history has recorded for our instruction enough, and more than enough, of the demoralizing tendency, the injustice, and the intolerable oppression on the virtuous and well disposed, of a degraded paper currency, authorized by law, or any way countenanced by government.

President Cleveland, who by his brilliant and noble leadership in repealing the Silver Purchase Act, which caused a serious debasement of the money, in his message to Congress urging its repeal said:

There is one important aspect of the subject which especially should never be overlooked. At times like the present, when the evils of unsound finance threaten us, the speculator may anticipate a harvest gathered from the misfortune of others, the capitalist may protect himself by hoarding or may even find profit in the fluctuations of values; but the wage earner—the first to be injured by a depreciated currency and the last to receive the benefit of its correction—is practically defenseless. He relies for work upon the ventures of confident and contented capital. This failing him, his condition is without alleviation, for he can neither prey on the misfortunes of others, nor hoard his labor.

In referring to previous debasements of the coin, the Earl of Lauderdale said, in a speech during the debate on resumption in 1811:

Every such instance of reduction was a fraud on the people; and it was remarkable in looking back to those periods, when such deteriorations were established, that they were uniform periods of discontent and turbulence.

Said Joseph Harris, one of the great money prophets, in his Essay Upon Money and Coins:

The measures in a kingdom ought to be constant: It is the justice and honor of the King; for if they be altered, all men at that instance are deceived in their precedent contracts, either for lands or money, and the King most of all; for no man knoweth then, either what he hath, or what he oweth.

Then, referring to an attempt which had been made by some in Queen Elizabeth's time to debase the coin, Harris said further:

This made Lord Treasurer Burleigh, in 1573, when some projectors had set on foot a matter of this nature, to tell them that they were worthy to suffer death, for attempting to put so great a dishonor on the Queen, and detriment and discontent upon the people. For, to alter this public measure is to leave all the markets of the kingdom unfurnished.

Queen Elizabeth, in considering the reforming of the debased coin of England, referred to it as "Conquering all that monster."

On the monument of that illustrious Queen are inscribed these prophetic words:

Moneta in justum valorem reducta.
Money restored to its just value.

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, it would take a lot more than 10 minutes to try to make this matter really clear, especially in view of some of the things that have been said.

In the first place, I wish to say that inflation does not take place just because an expansion of the money supply of the country takes place. You might have a very marked expansion of the money supply of a nation and, if the production of wealth of that nation were expanding as fast as that in proportion, you would get no inflation at all. The sign of inflation is when you begin to get a sharp rise in the general over-all price level. Let us nail that down first.

In the second place, it ought to be made plain that the stabilization fund is not used to purchase gold, that what the stabilization fund resulted from was the profit that accrued to the American people from the first and original devaluation of the gold content of the dollar, a measure which at the time met with universal approval and which certainly added to the general over-all economic health of the United States.

Another thing I wish to say is that I, for one, am going to be against—I am against it now and I am going to keep on being against it—seeing this country at any point in the procedure pay the kind of rates of interest that had to be paid on some of the Liberty loans during the World War. I know, and so does every other thoughtful gentleman in this House, that some of the monetary powers that have been vested in the President are an effective means of preventing the financial interests of this country from causing a sufficient restriction of available credit to compel those rates of interest to rise. When we view the matter from the standpoint of the general well-being of the American Nation as a whole, it seems to me the case is very clear and plain as to where the national interest lies. Of course, at this very present moment, the Federal Reserve Board has the power to go into the open market and purchase with the national credit which it has been empowered to use, any amount of Government obligations that it wants to.

If you want to know what the real possibility of inflation is in this country, I could tell you in a few words. It is the possibility of an inflation of private bank credit on the basis of fractional reserves. If you want to control it, it is very simple to see how that can be done. It has to be done by means of a real program of dollar-for-dollar reserves behind those deposits.

A number of gentlemen have gotten up here and opposed this bill on the ground that Congress ought to retain its constitutional powers and that by passing this bill we give to the President certain powers that belong to the Congress. As a matter of fact, I think that is true, but the gentlemen who make that argument have no more intention of having Congress exercise these powers than they have of making an alliance with the Eskimos.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes. May I say that I am the first gentleman who has spoken on this bill, so far as I know, who has yet yielded.

Mr. AUGUST H. ANDRESEN. I am very glad that the gentleman has yielded, but I believe the gentleman is very unkind in his remarks in impugning the motives of the Members who want to have this power returned to the Congress so that Congress can legislate.

Mr. VOORHIS of California. If I appeared to impugn the motives of any gentleman, I am very sorry and I apologize, because that was not my intention at all.

Mr. AUGUST H. ANDRESEN. I thank the gentleman.

Mr. VOORHIS of California. Perhaps I might have meant to question their understanding of the situation a little bit.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I should like to make my point clear, then maybe it will not be so necessary.

What I want to make clear is this: If these powers are taken away from the President and not renewed, we have presently no machinery in the hands of Congress or in the hands of any agency of Congress whereby an effective control over any of these matters can be exercised. We could, it is true, set up such a control; and we could, it is true, set up such a monetary agency of the Congress; and I should like to see that done, but we do not have that under consideration today and until we do, my position is that I vastly prefer to see the power over the gold content of the dollar or any other similar power in the hands of the President of the United States, who at least represents the people of the Nation, rather than to see the power go back into the mercy of the manipulation of private and, in many cases, international banking houses, which is precisely where it would go if you take this power away from the Government official.

Now I yield to the gentleman from Illinois.

Mr. DEWEY. May I ask the gentleman if he does not believe that the Congress of the United States also represents the people, and, also, if the writing up of assets, gold, is not liable to raise interest rates? It always has, if you cheapened the currency.

Mr. VOORHIS of California. Is not the gentleman asking me two questions? My answer to the first one is that I believe the Constitution charges Congress with the responsibility of coining money and regulating its value. I should like to see Congress exercise that power, but Congress is not exercising it. Until it takes the steps I have outlined briefly, it will not be exercising that power. As long as Congress does not propose to do that job, I would rather have the President do it than have it in the hands of private financial institutions.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. MASON. I just want to know when it was in the gentleman's opinion that the Congress really relinquished its power over the coining and the valuing of money.

Mr. VOORHIS of California. I think it has been on three major occasions in our history. The first time when Congress set up the so-called United States Bank that Alexander Hamilton had chartered, and the second time it did it was when it passed the National Bank Act of 1863, which empowered the national banks to create banknote money on the basis of Government bonds, thus enabling them to literally buy the interest-bearing debt of the Nation with the Nation's power to create money. The third time Congress did it was when it passed the Federal Reserve Act and gave to the privately owned central Federal Reserve banks the power to create money and left in the hands of all private banks the power to create bank credit, which is a substitute for money, on the basis of fractional reserves.

Now, we have in this legislation and in certain other types of legislation a very partial recognition of the fact that the sovereign people of a great nation have a right and a duty and an economic responsibility to be the agency that controls their money. I want to preserve that right just as much as I can. I think that to take away those powers from the President now would be decidedly a step in a backward direction rather than forward.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Missouri.

Mr. COCHRAN. I have just at this moment read a letter, dated in April 1939, signed by Mr. Edward A. O'Neal, president of the American Farm Bureau Federation, where he used almost identically the same words that the gentleman just used in reference to taking this power away from the President at that time, and this period is more critical than it was then.

Mr. VOORHIS of California. It is, and I hope to get to that before I get through, and now I would like to ask to be permitted to proceed for a few moments without interruption.

Throughout the years the most inexcusable economic power that has ever been exercised by private individuals has been the power of the international bankers to purchase and sell gold and to ship that gold from country to country where the currency of those various countries was directly dependent upon, and in many cases redeemable in, gold, thus either expanding or contracting the monetary bases of those countries, depreciating or appreciating the value of their currency and making millions of dollars of profit out of such transactions to the economic loss of the people of the nations.

No one knows what the situation might have been in the United States if those powers had not been in the hands of some agent of the Government. As long as the money of any nation bears any relationship whatsoever to gold, there will be this danger, and therefore my belief is that never should the money of the United States be made redeemable in gold.

But gold is important in the settlement of international balances, and unless you are going to go to the barter system, it is going to continue to be useful in the settlement of international balances.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VOORHIS of California. After all, when we come right down to it, the real reason why so much gold has come into the United States is one and a very simple reason, and Congress is largely responsible for the situation. It is because we have insisted upon exporting more than we wanted to import. I am not going into the question of whether that has been a good or a bad policy, but I do say that the imports of gold have represented the excess of exports over imports to a very large degree. The question is whether you want to start importing more than you export or whether you want to loan money or give more money to the British to assist them, as our policy indicates we want to do, or whether you want to continue to buy gold. Unless we do one of these three things aid to England is impossible and so are any American exports.

I could make a criticism of considerable force here on what we ought to do with this metal once we get it into the country, and I would say that I believe if you are going to spend what really is the substance of America—that is, the production of America—to pay for this gold, once you get it here you ought to use it as a base for Government credit instead of using interest-bearing bonds for that purpose, but I am not going into that today.

So this whole matter has to do with whether you want the control of the international exchange value of the American dollar under the control of a Government official, like the President of the United States, or whether you want it to be subject to the manipulation of private financial interests. That they will speculate in dollars the minute they believe it is opportune to do so goes without saying. To refuse a continuance of these powers means, in effect, to freeze the gold content of the dollar where it is, and once that has been done every nation in the world will know that by depreciating its currency it can put the American producers in the position of paying their cost of production in money of greater value in international exchange, that is, than foreign currency. Clearly such action would put the producers in foreign countries in a favorable position not only in the world market but in the American market itself. Should this war come to a close, there is every chance that real devaluation of currencies will take place in many parts of the world, and any person interested in the welfare of American farmers or hopeful that our trade can be revived will not want our people to be caught where they have no protection against such a situation.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. WILLIAM T. PHEIFFER. I would like to know whether it is the gentleman's idea, in following out his line of reasoning, with regard to the hazard of removing these powers from the hands of the President and leaving it to the manipulation of speculators, that the gentleman means to imply by that, that that great grant of power should remain permanently vested in the President and taken away from the Congress.

Mr. VOORHIS of California. I think I made myself clear in the beginning of my speech. Was the gentleman present then?

Mr. WILLIAM T. PHEIFFER. I was.

Mr. VOORHIS of California. Then I shall say it again. My belief is that this Congress should consider a piece of over-all legislation which would set up as an agent of the Congress operating under direct mandate of the Congress, a monetary agency charged with all of

these powers, concentrated in the hands of that agency, and exercising exclusively the right to create money. That is my position, and I would hope that very many of the advocates of the present bill would support such a proposition. But I am by no means convinced that they would. I have been appealing for such legislation regularly ever since I came here.

Mr. WILLIAM T. PHEIFFER. Then do I understand that the gentleman favors the present bill?

Mr. VOORHIS of California. My position is that this bill is vastly better than what would otherwise result in financial chaos. In other words, it is vastly better, if I cannot get all I want, to at least have an official responsible to the American people exercise these powers, rather than leave the power of manipulation in the hands of private financiers.

If gold is to be used at all and undoubtedly it will be to settle international balances, then the only way in which our domestic currency can be protected against international gold manipulation is by control over that gold to be exercised by a representative of the people, responsible to them and I would add to have ownership of it vest absolutely in the people as a whole.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. VOORHIS of California. I yield to the gentleman, my good colleague from California.

Mr. THOMAS F. FORD. Is not the stabilization fund, brought down to brass tacks, just a shotgun in the corner?

Mr. VOORHIS of California. I think most of these things are that; yes.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. COCHRAN. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. VOORHIS of California. I hope I shall not use all of that time. I want to make a couple of observations about some things that have been said concerning the purchase of gold. First of all let me say this: We hear a great deal about the downfall of France. I do not know how many Members of the House realize the fact that the Bank of France was controlled by a board of directors, one-third of whom had to do with the Government of France, and the other two-thirds being private individuals. The Bank of France was responsible and was in a position to be responsible for refusing credit to the nation, and indeed, when the Prime Minister of France at that time, Mr. Blum, against whom so many charges have been made, proposed a sharp increase in the national-defense budget in 1936, I believe what happened was a vast export of gold out of France so that it was not possible to get that bill through.

I do not want our United States left in a position like that. That is another reason why I am in favor of this bill.

When the Treasury makes gold purchases, as a matter of fact, when that gold comes into the country it comes into some bank some place. According to law, it must be delivered to the Treasury. The Treasury takes the gold, pays for the gold with a check on its balance with the Federal Reserve bank of the district in question, then replenishes its account with that Federal Reserve bank by delivering to that Federal Reserve bank gold certificates. In my view, such payments should be made in United States currency and not in gold certificates, for I believe that gold ought to actually be in the hands of the American people. If that were true, I think we would be in a clearer position and would understand the whole thing better. But what we are paying for the gold, as I have pointed out already, is not the bank deposits of America, but America's power to produce wealth which we send out of the country in greater quantity than we import. As long as we want to do that you will have a situation where gold will flow into the United States. If you want to change that, you might as well understand that, in the long run, the only way we can do it is by importing more than we export.

I could make a long speech about how that might be made possible and still economically desirable for the American people, but I shall not do it.

I close by saying that, as I have already suggested, I think we could vastly improve the use to which we put these metals once we have acquired them. I think they belong to the American people. I think they should be used as a base for Government credit instead of interest-bearing bonds. I think we need to think thoroughly about some of these matters. As a matter of fact, today we have $3,781,000,000 of entirely free silver seigniorage and gold in the Treasury which can be used for any of these purposes, if necessary. It is a good idea that the American people find themselves in as independent a position as they do with regard to dependence upon private manufacturers of credit. I would wish they were in a still more independent position, but I am going to vote for this bill because I certainly do not want them to be in a more dependent position than they are now. This is no time to remove these powers. It will be no time, especially should this war come to a close, for at that time the welfare of any American producer who has anything to do with foreign trade is going to depend on our Nation being in a position to protect its currency against the devaluation of other foreign currencies. To my mind, these powers should not only be kept in the hands of a governmental official but I hope that one of these days, when the time is ripe, some of them will be used in a constructive fashion to be sure that our agricultural price level, for example, goes up to where it belongs. [Applause.]

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, with reference first to the extension of powers dealing with the stabilization fund, I heard no reason advanced by the Treasury Department for the continuance of these powers other than the statement that the fund constitutes a so-called reserve against the time when the Secretary of the Treasury may be unable to borrow money, except at what the Secretary called "exorbitant interest rates."

The Treasury argument, being based upon fears of possibly higher interest rates in the future, must rest upon the assumption that the holders of money, big and little, will at some point in the future cease to have as much confidence in the credit of their Government; at which point "the shotgun in the corner" can be used on unwilling lenders. More than that, the Treasury presupposes that a very low interest rate is altogether good. There are two sides to that question, however, as the Federal Reserve Bulletin for January 1941 points out:

> Interest rates have fallen to unprecedentedly low levels. Some of them are well below the reasonable requirements of an easy-money policy, and are raising serious, long-term problems for the future well-being of our charitable and educational institutions, for the holders of insurance policies and savings-bank accounts, and for the national economy as a whole.

The argument in favor of the continuance of the stabilization fund was stated to the committee in most general terms. No more than 10 percent of the stabilization fund has ever been actually used. No use was projected for the remainder except as a threat with which to get interest rates down. Therefore, while it appears that the power to use the remainder of the fund will probably never be resorted to, the Treasury asserts that it may be needed at some time in the unforeseeable future. This is, of course, only an argument for indefinite continuance of the power; for final abrogation of the constitutional power of the Congress to regulate the value of money.

None of the money in the stabilization fund is drawing interest. The Secretary of the Treasury, using an average interest rate of 2.5 percent, admitted in the hearings before the committee that the use of that part of the fund lying dormant, namely, $1,800,000,000, would yield between forty and fifty milion dollars annually. The Government can save about $45,000,000 annually by reducing the stabilization fund to the $200,000,000 actually used by the Treasury; and this would be increased if the interest rate were to go higher. The Treasury Department says, "Give us the power and trust us not to use it unless some change in the world situation compels us to do so." But it is well known that Congress is likely to remain in continuous session during the period of emergency, and the Congress can surely be trusted promptly to vest in the Secretary of the Treasury necessary controls to protect it from having to pay excessive rates for the use of money. As so well stated by the secretary of the Economists' National Committee on Monetary Policy:

> It is most important for Congress and the public to understand that if Congress were exercising this power, and if the question of further devaluation arose, there would be debate and at least some deliberation in which the public could participate, as a consequence of which there should be better informed opinion regarding the various considerations involved.
>
> As matters stand today, the President can act when, as, and if, he pleases, and his reasons may be good, bad, or indifferent. There need be no reasons, no deliberations, no understanding of the possible and prob-

able consequences of his act. This is not a characteristic of careful and responsible government.

Why should we not save these $45,000,000 annually on a fund which has lain dormant since 1934, and which the Treasury disavows any present intention to use hereafter?

In other words, we are asked to trust the Treasury and lose $45,000,000 a year; why can we not trust the Congress, where the administration has a large majority to work its will, to provide the controls which would be needed and save the $45,000,000 a year during the period when the controls are not needed? We throw away annually more than it would cost us to build a battleship as big as the *Hood* or the *Washington;* more than it would cost us to build two large army cantonments, even when construction costs are tripled over the original estimates.

Already, taking Mr. Morgenthau's average interest rate of 2½ percent, we have lost, in earnings on this fund, the colossal sum of $337,500,000, more than a third of a billion dollars. At this rate we have thrown away enough for eight capital ships in the last 7½ years. Are we going to sink in the same fashion two more battleships in the next 2 years?

Can we afford such lavish catering simply because the Secretary of the Treasury might some day find use for a power which he has not used for nearly 8 years, and which unanimous opinion of the country's leading experts, both in and out of the Federal Reserve System, hold should not be used at all?

The continuance of the stabilization fund deprives us of money with which to build our sorely needed weapons for defense. But the other power contained in H. R. 4646, the power to devalue the dollar, subsidizes our enemies and sometimes more than neutralizes aid to our friends.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I am sorry; I cannot yield at this point.

We belatedly discover that China is a democracy, and we lend her $50,000,000 to support her currency, but since 1936 we have given Japan a profit of $240,000,000 on gold purchases from her in excess of $700,000,000. It is well known that Japan has used this profit to buy gasoline, fuel oil, and other materials with which to wage war against the Chinese, who can hardly be expected to understand or to appreciate this kind of American dollar diplomacy. Who are we helping, anyway? We are worse than the "fillyloo" bird, which flies with its beak underneath its wing; who does not care where he is going, but who likes to know where he has been. We do not seem to care where we are going, as we toss forty-five millions a year down the rat hole; but we are not even interested in where we have been, when we were tossing away over a third of a billion dollars over the last 7½ years.

Who advised the Treasury that these powers any longer serve a useful purpose? These advisers could not have been the most responsible monetary officials of the Nation—the men who manage and control our great Federal Reserve System—because on January 1 of this year all 26 of those officials issued an unprecedented joint report to Congress explicitly recommending that the Congress should not renew the power previously given to the President to devalue the dollar. The report says, and I quote:

> In view of the completely changed international situation during the past year, the power further to devalue the dollar in terms of gold is no longer necessary or desirable and should be permitted to lapse.

The same advice has repeatedly been given to Congress by the Economists National Committee on Monetary Policy, a group of 81 outstanding monetary specialists.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I yield.

Mr. AUGUST H. ANDRESEN. Japan has not only used this dollar exchange to fight its war against China, but it has also used it to build up a huge fleet which now threatens our very doors and which compels us to arm to defend ourselves from that source.

Mr. SCOTT. The gentleman is quite right, and I thank him for his contribution.

A vote for the dollar devaluation powers contained in this bill is a vote to put in the hands of the Treasury the power, and to subject it to the temptation to embark upon a policy of inflation as an easy means of financing the defense program. When inflation comes, with its train of public ills and private woes, the people whose life-insurance policies and savings have been lost will want to know how the inflation began, what led up to it, and whose votes made it possible. There will be explaining to do, and political heads will roll.

On the other hand, what benefits will result if the bill is amended as recommended in the minority report?

First, by prohibiting purchases of foreign gold at more than $35 an ounce, further inflation of the currency is prevented; a return is then possible to specie payments, that is to say, to the full conversion standard which permits convertibility of all currency into gold, or vice versa, at the option of the holder.

Second, as to the proposed limitation of the stabilization fund to the highest amount actually used by the Treasury Department, that is $200,000,000, the Treasury said that amount was sufficient for all such operations the Treasury was contemplating.

Last summer's increase of the lending power of the Export-Import Bank by $500,000,000 accomplishes identical objectives, namely, the support of the currencies of friendly countries.

It is submitted that not only will the proposed amendment limiting the fund to $200,000,000 curb dangerous tendencies toward inflation, but it will save forty to fifty millions per year by releasing dormant funds which the Treasury would otherwise be required either to borrow from the pockets of the people, or to tax from their hides. Is that much money worth saving? The Treasury does not think so. We think the American people believe otherwise, and we want that money put to work building planes and tanks and battleships, now. [Applause.]

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, about 7 years ago two college professors got an idea that if Uncle Sam would raise the price of all foreign gold from $20.67 to $35 an ounce our export market would revive, farm prices would increase, and agriculture would become prosperous, and the millions of our unemployed would be put back to work. These professors convinced the President their idea would work, and thereupon Uncle Sam began the impossible trick of trying to pull himself out of the depression by his boot straps.

That was in 1934. We then had about $4,000,000,000 in gold in this country, and the world price of gold was $20.67 an ounce. The President demanded and secured from Congress the authority to devalue the dollar and to fix the price of gold. This right, up to that time and according to our Constitution, was vested solely in Congress. The President reduced the value of the dollar to 59 cents and raised the price of all foreign gold and newly mined gold in this country to $35 an ounce. Since then we have bought over $18,000,000,000 worth of foreign gold and buried it in a hole in the ground at Fort Knox, Ky., and foreign countries have profited to the extent of six billions on "Uncle Sap." Great Britain also made two and one-half billion.

You all recall how you were commanded to bring any and all gold that you possessed to the banks, and you were paid for it at the rate of $20.67 an ounce, but any foreigner who had any gold in his possession at that time was paid $35 an ounce for his gold. In other words, all of us American citizens who possessed a $20 gold piece at the time, which contained about 1 ounce of gold, were paid $20 for it. At the same time any citizen of any foreign country was paid $34.33 for his $20 gold piece. This financial legerdemain on the part of Uncle Sam at the expense of American taxpayers resulted in such a gold rush from foreign countries to the United States as had never before been experienced.

Communistic Russia, by the use of convict and exile labor, has produced over a billion dollars in gold at a cost of about $10 an ounce and has sold this gold to the United States for $35 an ounce—a total of over a billion dollars to Russia. Instead of investing the profit of $25 an ounce in American agricultural products, machinery, and other American products, Russia took her profits home and financed her war against little Finland, one of the best friends the United States has among the nations of the world. Japan did the same thing and invested the profits from the sale of $700,000,000 of her gold to Uncle Sam in the purchase of war supplies to carry on her war with our good friend the Republic of China, and to enlarge the Japanese Navy, which may be used against us in the near future, if our warmongers continue their devastating propaganda. I am leaving it to you whether the idea of these gold

purchases by the New Deal, the devaluation of the dollar, and the increase in the price of foreign gold has revived our export market, restored agricultural prosperity, or put our unemployed to work.

Instead of stimulating agricultural exports, burdensome farm surpluses have increased by virtue of the devaluation of the dollar.

What was formerly the Republic of France made about a billion dollars' profit on the sale of her gold to the United States; Belgium made a profit of one hundred and fifteen millions; the Netherlands almost four hundred millions. And now these countries and their wealth have been swallowed up by Hitler and the Axis Powers. This is another case where Santa Claus put our gifts in his bag and took them down the other fellow's chimney. These are some of the reasons why someone has suggested that Uncle Sam should change his name to "Uncle Sap."

Our Government now owns more than $22,000,000,000 of gold. With the power and authority given the President to control the value of the dollar and the price of gold, should the President exercise this authority and devalue the dollar to the limit allowed him, our hoard of gold could be increased to more than $26,000,000,000 by the mere gesture of the pen. And thus $4,000,000,000 of Federal indebtedness could be wiped out overnight.

Suppose the administration had asked Congress for authority to print $4,000,000,000 worth of greenbacks to pay off part of our indebtedness without the necessity of providing any assets to secure the payment of the $4,000,000,000 worth of greenbacks. This would be the start of inflation.

The members of the Federal Reserve System, in their report of January 1 of this year, advised against renewing the authority to devalue the dollar now requested by the President and the Secretary of the Treasury, because, in their opinion, this would lead to inflation. And this recommendation was also given to Congress by the Economists' National Committee on Monetary Policy.

One of the earmarks of inflation is a growing and ever-increasing overexpansion of bank credit due to the influx of some $18,000,000,000 of gold from foreign countries, brought about by our gold-buying spree at the rate of $35 an ounce. These excessive reserves are raising grave problems in long-term securities, and thus a serious impediment to the future well-being of all religious and charitable institutions, as well as to the owners of insurance policies and bank accounts.

Inflation can ruin the entire efficiency of our defense program. A major objective of our Government should be to prevent inflation. Inflation will burden those who are least able to carry the burden. It will make the rich richer and the poor poorer. The prices of the necessities of life will rise, and thus the poor will have to use all their income to pay for food, clothing, and rents. And the rich, who sell them the food and clothing and who own real estate, will profit thereby. Unscrupulous speculators will profit through the unstable financial situation at the expense of careful and thrifty investors who will find the buying power of their investments gradually declining.

For these reasons the Board of Governors of the Federal Reserve System, in their report to Congress, stated that it was no longer necessary to further devalue the dollar or to increase the price of gold; that this was not desirable and should not be permitted by Congress.

The United States Constitution, article I, section 8, states:

> Congress shall have power: to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

The danger of inflation is becoming more actual and imminent because of conditions which have developed, and the temptation for the administration to take the easy road to inflation should be removed for the safety of the Nation.

The administration says that it has no present intentions whatever of devaluing the gold content of the dollar, but that the President needs this power because he cannot predict the future. By the same logic the President might be entrusted with all the powers vested in Congress and the Supreme Court by our Constitution, but such a course would surrender constitutional government and establish totalitarianism. [Applause.]

Mr. WHITE. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 1 minute to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, will the gentleman answer one question?

Mr. STEVENSON. My time has expired.

Mr. WHITE. Mr. Chairman, I yield back the balance of my time.

Mr. COCHRAN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PATMAN].

STABILIZATION FUND

Mr. PATMAN. Mr. Chairman, this power is needed by the Executive now more than ever before. I cannot see any good reason, not even an excuse, why any member of the Democratic Party should vote against this particular bill. It merely extends a needed power that has been extended heretofore.

It is true that we have a reservoir of gold amounting to approximately 75 or 80 percent of all the gold that is in monetary use in all the world. This gold, it is true, is buried in the hills of Kentucky and is not used now domestically, but by having a reservoir of gold the time will come when it will place our country in a position of great advantage. This war is not going to last all the time and when this war is over, regardless of who loses the war, they will be dealing with the United States and the United States will be dealing with all the countries in the world and good, safe, secure loans can still be made with certain countries. Not all countries will pay their loans off for they will not be able to, but there are countries in this world that will be able to provide good and adequate security for any loan that is made. By the redistribution of this gold when peace comes to the world our country will be at a great advantage over the other countries of the entire world.

HIGH INTEREST OR LOW INTEREST

I notice the minority report filed with this bill indicates that the major objection urged to the stabilization fund is that interest rates have been forced down. Let us analyze this question for a moment. Is it in the interest of the people of the country and the general welfare to have low interest rates or high interest rates? I think it is in the interest of the country that we have low interest rates. One of the main objections to this proposal by the minority Members I therefore consider is in the interest of the people

I happen to know, having dealt with housing legislation before the committee of which I am a member, that the average home owner today, when he purchases a $5,000 home, paying for it over a period of 20 years, like he used to pay for it, under our present plan saves $1,600 by reason of lower interest rates. Our friends on the minority say this law which is to be extended has been one of the principal reasons for forcing down tax rates. The objection they have to this bill therefore is that it helps the average home owner in this country who buys a $5,000 home to the extent of $1,600. That is a lot of money. I do not consider that a great sin has been committed by this administration in helping the average home owner save $1,600 on a $5,000 home over a period of 20 years. I think it has been a good thing. Not only have the home owners been saved an enormous amount in the purchase of their homes, but the farmers have been saved an enormous amount of money in interest. In fact, the farmers of today, by reason of low interest rates that have been forced, I will admit, by this administration, are paying less interest than the farmers of any country on earth have ever paid in the history of the entire world. Is that criminal? Is that wrong? Do you want the farmers to pay more interest than that? Do you think it is in the interest of the general welfare for everybody to pay high interest rates? If you do, you should vote against this bill because it has a tendency to keep interest rates low, as they have been in the past.

I know that there is a group of college professors, I believe, who call themselves the economists committee, and they have been advocating the changes that have been advocated by the Federal Reserve Board. I am not willing to follow the Federal Reserve Board, and I have good and sufficient reasons why I will not follow the Federal Reserve Board. Originally the Federal Reserve banking system was pretty obnoxious to the banks of the country. They opposed it, they fought it, they did not want it, but they had to take it anyway. When they got it, they commenced getting a little amendment here and there and finally they got about 40 amendments to the Federal Reserve Act. The big banks got charge of it again. Now they are perfectly satis-

fied with it because it is their own. They handle it, they control it, they own it, they run it like they want to run it.

The Federal Reserve Board proposal has no more weight with me than if a group of Wall Street bankers were to get together, pass a resolution, and ask Congress to adopt their proposal. I consider it just the same as a Wall Street bankers' proposition, because it is in the interest of the big bankers of the country and against the interest of the general welfare of the people.

The fact that the Federal Reserve Board, assisted by the advisory council and the directors of the local Federal Reserve regional banks, have advocated a change is no reason in the world why we should grant it. In fact, it is a reason to many of us why it should be carefully investigated.

These economists are college professors. Let us see what they have in mind. Many of our great colleges and universities are endowed. These endowment funds are invested in securities of different kinds and types, drawing as much interest as possible, of course consistent with sound investment. If interest rates go down low, or if they are decreased, these endowment funds cannot be invested to such good advantage and if instead of receiving an average of 4 percent per year a bill like this or a law like this forces interest rates down generally and they only get 2½ percent or 3 percent per year, they complain. Why? They say that it cuts down the amount of money available for the university and "we will probably have to discharge some professors" or "we cannot grant the increases in salaries and expenses that we would like to grant; therefore we are against any policy that would force down interest rates. We believe in high interest rates."

If you will read the arguments that are made, one of the main reasons suggested in this minority report filed by the minority members, our friends, the Republicans, states that this bill is bad because it forces down interest rates. I say for that reason it is a good bill, it should be enacted, and it should be extended. If we were to kill this bill or to defeat this law or the extension of it, we would be encouraging high interest rates again. It is true that would be very favorable to the big banks, it would be very favorable to the college professors who believe that the interest of the country is in granting higher interest rates so they will get more on their investments and thereby have more money to spend, including the payment of higher salaries. When their endowments receive more interest, they have more money to spend at each college and university, and, having more money to spend, they can get bigger salaries, better salaries, greater and larger expense accounts, and things like that. I consider that a very selfish view, but that view is taken, although I do not impugn the motives of those who accept that view. They are just as honest in their opinion, doubtless, as I am, but I believe they are absolutely wrong.

Mr. Chairman, I think it is against the interest of the people of this country to have high interest rates. Low interest rates are more favorable to the country than high interest rates, and for that reason, among others, I think this power should be extended. I see no reason in the world why any Democrat should vote against this bill, and I can see many reasons why I believe the Republicans should also vote for it. [Applause.]

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I rise to make a few brief observations in stating my opposition to the bill now under consideration. No one sitting in this House day after day, voting on some of the astounding measures which we are called upon to consider, can escape the analogy between his own acts and the story which I am about to tell.

It seems that within the confines of a certain asylum for the insane, a farmer drove an old broken-down wagon bearing a load of fertilizer. Suddenly, he was accosted by an inmate of that hospital. The patient hailed the farmer and said to him: "What have you got in that wagon?" The farmer answered, "Manure." The inmate then asked, "What are you going to do with it?" The farmer replied, "I am going to put it on my strawberries." Whereupon the inmate made answer, "I put sugar and cream on mine and they call me crazy."

I cannot help but feel, Mr. Chairman, that with many of the measures which we vote for or against day after day that we are following the same astounding course that has been here described.

When the Congress of the United States was first called to consider the gold-stabilization fund and to surrender its authority to the President over this matter, it marked one of the early steps that led to giving up our privileges to the Executive branch of the Government. In every speech that I have ever made, I have continually deplored the tendency of the majority to scrap constitutional government and supplant it in this country with dictatorial, totalitarian methods.

I am going to make the following observation and quote a Biblical passage which I think applies in this instance. I believe it was Moses who made the statement 5,000 years ago: "Cursed is he who destroys his nation's landmark." There is no greater landmark in this free country of ours than the Constitution of the United States. There is no symbol in the entire world which means as much to you and to me as that blessed instrument of liberty which spells freedom for the American people and guarantees continuance of this Congress as a free body.

Mr. Chairman, I hope that the bill now under consideration will be defeated. [Applause.]

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. COCHRAN. Mr. Chairman, I likewise yield 5 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I am indeed grateful to the distinguished acting chairman of the committee for yielding me an additional 5 minutes, particularly in view of the fact that I am rising in opposition to this measure, and some of the things I am going to say may not be exactly pleasing to my friends on the other side of the aisle.

How can we, the Congress of the United States, ever hope to get this country back on an even keel and back to that normalcy which obtained for the first 150 years of its history, so long as a saber-rattling, money-meddling, spendthrift administration keeps the people in mortal fear and panic, fear for their lives and pocketbooks, by the perennial cry of trumped-up emergencies?

This bill, H. R. 4646, is a classic example of the penchant of the third New Deal to perpetuate and make permanent the vast emergency powers vested in the first New Deal, despite the oft-repeated assurance of the administration that these powers would be exercised only temporarily and would be returned to the people long ere this.

The minority report on this bill is one of the finest and sanest documents I have ever read. Its arguments are incontrovertible. The only fault I have to find with it is that it does not go far enough and it temporizes with an unconstitutional and dangerous grant of power that should be completely erased from our statute books. No President should have the right to meddle with the value of the American dollar, and particularly a President whose administration has been characterized by profligacy and waste and whose respect for the value of the dollar was epitomized in his statement of December 17, 1940, referring to the "silly old dollar sign." As to the stabilization fund, it is significant that for the first time the Secretary of the Treasury has condescended to inform the people who own these $2,000,000,000 as to how it has been and is being used; and it is shocking that in these days, when every available dollar should be used for building an unassailable defense for our country, that the gentlemen on the other side of the aisle should urge that the unexpended balance of $1,800,000,000 of this fund should lie fallow in the Treasury. This money belongs to the people and to no one else, and it is rank injustice to exact the last pound of flesh from the people in the form of vastly increased taxes so long as the huge sum of $1,800,000,000 is on deposit to their account in the Treasury of the United States.

Let us go back to 1935 when the act of May 12, 1933, under which the President altered the metallic content of the dollar was tested as to constitutionality in the Supreme Court of the United States in four cases, two of these arising out of corporate obligations containing gold clauses, one based on a United States Fourth Liberty Loan bond of 1918, calling for payment April 15, 1934, and another involving a gold certificate of the series of 1928. Let me read to you a few brief excerpts from the dissenting opinion in those cases of Mr. Justice J. C.

McReynolds, one of the greatest jurists ever to serve on the Supreme Court of the United States, and a man who will be honored and acclaimed by posterity for his devotion to American principles of government which was the foundation for his constant unyielding opposition to the seizure by the Roosevelt administration of unconstitutional powers. You will recall that Justice McReynolds was joined in his dissenting opinion by those three other stalwart jurists, Van Devanter, Sutherland, and Butler. Here briefly is what the four of them said in the dissenting opinion. I quote from Two Hundred and Ninety-fourth United States Reports, pages 361–362:

> Acquiescence in the decisions just announced is impossible; the circumstances demand statement of our views. "To let one's self slide down the easy slope offered by the course of events and to dull one's mind against the extent of the danger, * * * that is precisely to fail in one's obligation of responsibility."
>
> Just men regard repudiation and spoliation of citizens by their sovereign with abhorrence, but we are asked to affirm that the Constitution has granted power to accomplish both. No definite delegation of such a power exists, and we cannot believe the far-seeing framers, who labored with hope of establishing justice and securing the blessings of liberty, intended that the expected government should have authority to annihilate its own obligations and destroy the very rights which they were endeavoring to protect. Not only is there no permission for such actions; they are inhibited. And no plenitude of words can conform them to our charter.

You all recall the sensation caused throughout the country by the headlines the next day telling of the off-the-record comments of Mr. Justice McReynolds, delivered from the bench. This is what he said, and it is just as true today as when he said it then:

> It seems impossible to overestimate the result of what has been done here this day. * * * God knows I do not want to talk about such matters, but it is my duty. The Constitution is gone. * * * This is Nero in his worst form. We are confronted with a dollar which has been reduced to 60 cents, which may be 30 cents tomorrow, 10 cents the next day, and 1 cent the following day. We have tried to prevent its entrance into our legal system, but have tried in vain.

It is no doubt true that we of the minority are trying in vain here today to prevent a continuance of that system, fraught with all its dangers. This measure before us now is just as important to the country and just as important to every citizen of our land as was the bill of May 12, 1933, yet it is a sad commentary on the proceedings of this House that we find only a portion of the membership present to decide and pass on such a far-reaching measure.

The proponents of this bill—my friend the gentleman from Texas and my friend the gentleman from Illinois—on yesterday lightly dismissed the recommendations of the Board of Governors of the Federal Reserve System which warns against the effects of this measure, despite the fact that the Board maintains a great research and statistical staff of experts. It is far larger—and many persons believe far better informed—than the Treasury's. Its findings have been found extremely accurate over many years and are accepted generally by the public and by business as gospel. But the gentlemen on the other side of the aisle say, in effect, that because they are bankers their recommendations should be discounted 100 percent. But let us get down to the grass roots on this thing and quit talking in generalities. I believe it is safe to assert that the opinions voiced by the Governors and Advisory Council of the Federal Reserve Board would be echoed and reechoed by 90 percent of the rank and file of the bankers of this country, and I do not refer alone to the bankers who are in charge of the great financial institutions of my home city of New York, but I specifically include the small country-town bankers who own and operate the modest little banks on the Main Street corners with a capitalization of between $25,000 and $100,000. I have practiced law in country towns and have represented country-town banks. Hence I speak advisedly when I say that the existing law, which it is now proposed to extend for 2 long years, has played havoc with the business of those banks and the business affairs of their customers. Not only has it dried up the business and earnings of every bank in the country but it has given rise to thousands of cases such as this:

The widow Jones or the widow Smith comes in to see her small-town banker, who has always been regarded as the financial oracle of the community. She has fallen heir to a small estate, let us say, $2,000 in cash. She says, "Mr. Banker, how am I going to invest this money where No. 1, it will be safe, and, No. 2, it will provide for me a modest income?" In former years, prior to the act of May 12, 1933, the small-town banker could accurately advise her, but no, not now. If he tells her to put her mony in bonds or mortgages there is no assurance that the dollar will not again be devalued to the point where her bond or mortgage will have no fixed value; likewise, the threat of confiscatory taxation and the possibility of Government price fixing makes an investment in real estate equally hazardous. Thus the poor widow knows not where she may safely invest her mite.

I appeal to you, my fellow Members, to consider carefully your decision on this subject. Forget about the center aisle and realize and weigh the consequences of your vote. Let us restore to the Congress its rightful prerogatives and constitutional control over the monetary system of our country. And, for one, I assure the country that Congress will exercise those prerogatives and that control fairly and squarely. [Applause.]

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am not an expert on money. I leave that title for my distinguished friend the gentleman from Missouri [Mr. COCHRAN], who has received his instructions from his collaborators down at the other end of the Avenue. I approach this problem and the money question from the viewpoint of a layman trying to use good, common horse sense in analyzing what should be done for the best interests of our country.

Many of the experts who were in favor of this present monetary scheme which has operated for the past 7 years and 4 months are no longer for it. The only remaining ones of the so-called monetary experts who are supporting the program are the ones who are on the Government pay roll. They could not very well do otherwise and maintain their positions. So we cannot help but appreciate that they are biased in their opinion when they recommend that Congress continue this authority in the President of the United States for another 2 years. I am going to give you just a little history of this legislation and why and who put it on the statute books.

In 1932 Candidate Franklin Delano Roosevelt, who was then running for President, said he wanted sound money in this country. He ran on the famous Democratic platform and most of the people subscribed to that platform. They wanted scund money. Mr. Roosevelt was elected and took office on March 4, 1933. He and his associates began searching around for ideas to give the people action. In the search for ideas they discovered there was a noted English economist who had come to the United States and who had certain brilliant ideas about money. His name is John Maynard Keynes, a recognized authority in England on the money question; and, by the way, he is now in the United States advising the administration on what kind of a tax bill we ought to put through. At that time he thought it would be a good idea if we would adopt a new monetary policy in this country, particularly with reference to the purchase of foreign gold, for England or the British Empire produces two-thirds of the world's supply of gold. So he sold his ideas to Professor Warren and another distinguished monetary professor of Cornell, who in turn sold the idea to the President of the United States, and that idea we are being asked here today to continue until June 30, 1943.

Mr. WHITE. Mr. Chairman, will the gentleman yield for a correction?

Mr. AUGUST H. ANDRESEN. I am sorry; I cannot yield.

I will discuss a little more of the policy as I go along, and what has been done.

The hearings before our committee were very brief. The only one permitted to testify before the committee was Secretary Morgenthau. I wanted to have Mr. Eccles, the Chairman of the Federal Reserve Board, one of the greatest monetary experts in the United States, as claimed by some, to come before the committee, but he refused. I asked that other witnesses might appear, but a majority of the committee decided against any continuation of the hearings. Therefore the only record you have before you today as to the working out of the monetary policy and what the administration expects to do is found solely in the testimony of Secretary Morgenthau. The advisory committee of the Federal Reserve Board recommended

that the power now lodged in the President to further devalue the dollar should be discontinued and allowed to lapse on June 30 of this year.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to my colleague.

Mr. DEWEY. Is it not true that all the monetary gold in the United States is under the control of the Federal Government, and not being in circulation this authority might permit the Treasury Department, the President or the person in power, to write up that asset to any amount he might think well, and having started and having had a taste of such writing up of an asset, might it not be possible for that asset to be written up where it could cover the entire public debt of the United States and gold certificates issued against the gold and the public debt paid off in that way?

Mr. AUGUST H. ANDRESEN. It might be possible to do that if Congress would give the President the additional authority to reduce the number of grains of gold in the dollar below 50 cents. Under the existing law or the bill we have before us, the President can devalue the amount of gold in the dollar an additional 9 cents so as to give us a 50-cent dollar instead of a 59-cent dollar, which we have today.

There is $22,568,000,000 worth of gold in the ownership of the United States Treasury, a large portion of which is pledged to the Federal Reserve System. Should the President take advantage of the authority given in this bill to further devalue the dollar an additional 9 cents, it would mean that the Treasury would be able to take a profit of $4,100,000,000 from the American people on that gold. Now, originally the Treasury took a profit of $2,800,000,000 on the $4,000,000,000 worth of gold we had on February 1, 1934, after devaluation. Approximately $800,000,000 of the profit went to the general revenue fund, and $2,000,000,000 was retained in the stabilization fund which is also being considered here today for renewal.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman uses the phrase, "make a profit off of issuing gold securities."

Mr. AUGUST H. ANDRESEN. By that I mean that if you have 100 horses that cost you $50 apiece, and you decided that those horses are worth $100 apiece and raised the price $50, that is, you mark them up, then you will have in your own mind a paper profit on your own books of $50 for each horse, and that is about the way this has happened, because we cannot sell the gold to anyone in the world, and we are buying all the gold of the world. In fact, we now have between 80 and 85 percent of the supply of gold in the world.

Mr. VORYS of Ohio. I do not understand this monetary theory very well, but when you mark it up, when you give yourself a profit, all you do is to inflate, is it not? You simply issue more money for the same value than there was before, so that if everybody was smart and the thing worked perfectly, prices would change accordingly, because there is no more value behind the money than there was before.

Mr. AUGUST H. ANDRESEN. I shall go into the details of that in a little while, and I believe that I can explain it to the satisfaction of the gentleman.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I shall yield in a few moments. I am going to refer now to the $2,000,000,000 of profit taken in 1934 and used as a stabilization fund. Some of my colleagues have already pointed out that only $200,000,000 of the $2,000,000,000 has been used as capital for the stabilization fund. One billion eight hundred million dollars has been lying dormant. During all this time we have sold billions of dollars of interest-bearing bonds to the American people, and each year we have lost $45,000,000 of interest on that dormant fund in the stabilization fund held by the Secretary of the Treasury. The Secretary of the Treasury does not propose to use that $1,800,000,000 for any other purpose. He says that $200,000,000 is sufficient capital for all the operations of the fund. The fund ceased to operate at the beginning of World War No. 2, so that there is no reason at all for the stabilization fund in any manner whatsoever. Originally the purpose of the fund was to equalize foreign exchange in relationship to the American dollar. We depreciated our money to meet the British pound and the French franc in 1934—to meet their devaluation, so that our money in America would be on a par with the French franc and the British pound and other currencies where they had devalued in 1932 and 1933.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. In a moment. Since that time these same countries like England and France and every other country in the world have again devalued their currency and their money is now out of line with the American dollar. If we are to be consistent here and make our theories work, we should have another devaluation in the United States, but, after all, when we have another devaluation just as we had the first one, we are letting the bankrupt countries of the world dictate the monetary policy of the United States and such action should not be again tolerated.

Mr. MAAS. And does not the gentleman fear that that will prove to be the fact that there will be a devaluation to meet the depreciated currency of the other countries?

Mr. AUGUST H. ANDRESEN. That has already taken place. Take, for instance, the Canadian dollar. There is a 10-percent premium on the American dollar in Canada. An ounce of gold is now worth, as fixed by the President and the Treasury, $35 in the United States, and an ounce of gold in Canada is worth $38.50. Why? Because $35 in American money will buy $38.50 worth of Canadian money, and so we have caused a boost in the prices in Canada and given them the benefit of our monetary policy without a return benefit to the American people. If we want to get even with Canada, we should have another 10-percent devaluation on our gold, and so it would go on.

Mr. MAAS. What would happen if we attempted to restore the original price, if this Government ever attempts to do that?

Mr. AUGUST H. ANDRESEN. If we would go back to the original amount of gold in the dollar, which was around 23 grains, the price of gold would be brought back to $20.67 an ounce, as against $35 an ounce at the present time. We have 644,000,000 ounces of gold. For every dollar you reduce the value of gold we lose $644,000,000. So you can figure it out. Take 14.33 cents and multiply that by 644,000,000 ounces and you will see the tremendous loss the Treasury would have to take.

Mr. GIFFORD. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. GIFFORD. Following all the reading I could find from the beginning of this stabilization fund, it was to stabilize the currencies of the world.

Mr. AUGUST H. ANDRESEN. That is right.

Mr. GIFFORD. For the first time at your recent hearings we find it is to be used entirely for another purpose. Morgenthau says that this $1,800,000,000 is sort of a nest egg. "When we have to borrow money and pay too high interest, I will buy bonds with it." It is entirely apart from the original thought and it is held as a nest egg to buy bonds if he has trouble buying from the public and he has had that four times already. Does the public know he has had trouble four times already?

Mr. AUGUST H. ANDRESEN. No. The public knows very little about money or what the Treasury is doing. In fact, most of the Members of Congress, unfortunately, rather feel that the money problem is so complicated that they would rather leave it to experts like the gentleman from Missouri [Mr. COCHRAN] and those down in the Treasury to dictate just what should be done.

That nest egg to which the gentleman referred represents simply clipping the dollars held by the American people to the tune of $1,800,000,000. The Secretary said he was holding that in trust for the American people, that it was not drawing interest, and that some day he was probably going to do something with it. I called to his attention the dire need for money to pay for our national defense and I asked him who this national defense was for; if that was not for all the American people; and I suggested to him that we use this $1,800,000,000 to help pay for the national defense of all the American people. He said we would not do that; that he wanted to keep this for a nest egg. Maybe, later, it will come in handy some day when we figure that our national debt will soon reach $100,000,000,000, if it is not there already. Perhaps it is there today. But I say if we are in danger in this country, particularly when we are spending about $50,000,000,000 for national defense to protect all the American people, then we should use

available money, without continuing to pay interest and raise exorbitant taxes. I strongly favor complete defense for our country, but I want to get full value for every dollar spent for this purpose.

Mr. GIFFORD. Did the gentleman hear the gentleman from Texas when he said this means that a householder could save $1,600 on a $5,000 mortgage in 20 years, and connected this with it? Can you connect it with this?

Mr. AUGUST H. ANDRESEN. Not at all, because, after all, the agencies of the Federal Government during the past 7½ years have really taken over the function of loaning money to the people on all investments, as most of you know, so that it is impossible for an individual or a bank or an insurance company to go out in the market and compete with the Government.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. CURTIS. Does this bill carry a continuation of the authority for the purchase of foreign gold?

Mr. AUGUST H. ANDRESEN. It does, and I am coming to that in just a moment.

Mr. CURTIS. Will the gentleman tell us what the effect of that has been upon the Japanese-Chinese situation, when he reaches that?

Mr. AUGUST H. ANDRESEN. I hope to discuss that in just a moment.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. Yes; I yield.

Mr. PLUMLEY. I was surprised to find, Mr. Chairman, that on the 7th day of October 1940, I said in this Congress that a subservient Congress granted the Secretary of Agriculture the right to impose taxes. That is up your alley. "They gave to the President authority to fix the value of money, a power so great over the lives of men as never heretofore to have been enjoyed save by a complete despot." I said it then, and I say it now.

Mr. AUGUST H. ANDRESEN. I thank the gentleman for his contribution.

Mr. YOUNGDAHL. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. YOUNGDAHL. Was it brought out in the hearings or does the gentleman know how much is lost each year, based upon the average interest rates of today, as a result of the nonuse of the $1,800,000,000?

Mr. AUGUST H. ANDRESEN. Forty-five million dollars a year, or a total over the 7 years of over $337,000,000, has been lost to the American people and has been paid out in interest by the United States Treasury on bonds.

Now I want to discuss the devaluation proposition, in which you are all interested.

[Here the gavel fell.]

Mr. REED of Illinois. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota [Mr. ANDRESEN].

The CHAIRMAN. The gentleman is recognized for 11 additional minutes.

Mr. AUGUST H. ANDRESEN. One of the main reasons for the devaluation program of the dollar was to bring about an increase in the price levels of farm products in this country, and the other reason was to stimulate exports. The theory back of all of it was this: That if we would raise the price of foreign gold from $20.67 an ounce to $35 an ounce, the foreigners would sell us their gold and that the money we gave them would be used to buy our farm and manufactured products. In that way we would get recovery in the United States. We would dispose of our surplus farm products, we would dispose of our manufactured products, start the unemployed men back to work, and we would again have good old American prosperity. That was the theory on paper as advocated by money experts and the men in the administration who sponsored the idea in 1933. It did not work that way. We got the gold, yes; we purchased nearly $15,000,000,000 worth of gold from foreign countries at $35 an ounce. What did they do with it up to the time the war started?

Mr. Keynes, the noted English economist, was, of course, interested in the idea. Great Britain produced two-thirds of the gold of the world The British Empire sold us between $10,000,000,000 and $11,000,000,000 worth of gold during the last 7½ years. And how much did we pay them as a premium? The difference between $20 67 and $35 an ounce. We gave them a premium of around $4,400,000,000. It was an outright gift from the American people. They owed us from the last World War $4,200,000,000, without interest. So, in fact, we canceled the debt; not only canceled the debt but gave them, on top of that, $4,400,000,000, a gift from the American people. No wonder Mr. Keynes was over here to recommend the passage of this type of legislation.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. REED of New York. We also have lent them $7,000,000,000 recently.

Mr. AUGUST H. ANDRESEN. That is on top of this.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry; I cannot yield. I have but 7 minutes left.

Mr. Chairman, I will name some of the other countries that benefited by our generosity. At the time we started this New Deal scheme, Japan was not armed and did not have an adequate army and navy. They had to get their raw war materials from other countries. Before World War No. 2 started we sold Japan 65 percent of her supplies of war materials, England sold her 15 percent of her supplies, and the balance of her war supplies came from other countries in the world; but now we are selling Japan pretty nearly 80 percent of her war supplies. In the last 4 years Japan has sold us $700,000,000 worth of gold, and we have given them a premium of $280,000,000 just to take that gold off their hands; and right today they are buying increasing quantities of gasoline, steel products, and scrap iron, all things she needs to carry on her war.

I listened to the radio the other night and heard Col. "Wild Bill" Donovan, the man the administration sent overseas to induce the Yugoslav Government to get into the war. Somebody asked him the question in the "round table," Why does the United States continue to sell war materials to Japan? He said, "I do not know." He said, "I cannot understand it."

I asked Mr. Morgenthau the same question when he was before our committee. He said, "You will have to ask Mr. Hull." Here we have Japan, a recognized potential enemy of the United States, and we are cooperators in the partnership to bring destruction to America by furnishing her with the war materials that may be used to shoot down our boys and destroy our own ships. [Applause.]

I should like to have some man on the majority side answer the question why the United States is buying Japanese gold at a premium and selling our essential war supplies to them. I should like to know the reason for helping Japan build up a navy big enough to some day attack us.

Mr. WHITE. Mr. Chairman, would the gentleman care to answer a question?

Mr. AUGUST H. ANDRESEN. I cannot yield, Mr. Chairman; I am sorry. The gentleman can answer in his own time.

We are friends of China, and God knows we want her to win. At last we are going to give her some credit, $50,000,000 out of the stabilization fund but we did not sell her war materials or give it to them. During the last year alone we sold Japan more than $54,000,000 in gasoline and lubricating oils and more than $247,000,000 worth of war supplies they are getting ready to use against us.

It is high time we stopped this policy of giving aid to a potential enemy.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. REED of New York. I hope the gentleman will not forget the supplies we furnished Russia at the time Finland was making her gallant fight for life.

Mr. AUGUST H. ANDRESEN. No. I was coming to that.

Russia has produced $1,250,000,000 worth of gold since we inaugurated this policy—$1,250,000,000. Much of it found its way into the United States Treasury. Russia benefited for all of her gold production, because our Treasury fixed and maintained the world price at $35 per ounce.

So every country in the world, including Japan, Germany, Italy, and England, have been parties to selling the United States $15 000,000,000 worth of gold. They have enjoyed our bounty and the profit on their gold. This profit alone amounts to a gift of over $6,000,000,000, a gift from the American people.

Our duty as Members of Congress is to stop such a program. We should take this power away from the President, and we can take it away from him if we adopt amendments that will be offered here today.

Mr. JONKMAN. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. JONKMAN. Is it not possible that some of these war materials furnished to Japan during the last few years might have found their way to some of the other Axis powers?

Mr. AUGUST H. ANDRESEN. There is no question about that, because once those materials land in Japan, the record shows they are finding their way into Russia, Germany, and even down to Italy, where they are now using those materials against friendly democracies.

Mr. Chairman, for the benefit of my good friends from the South, I want to point out one more thing. I have stated that we purchased between fourteen and fifteen billion dollars' worth of foreign gold, most of which lies buried down here in the ground in Kentucky. Do you know how much that is? I am going to tell you how much it is.

All of the real estate, the personal property, the farms, the mines, the railroads, the furniture and everything else of any value in the following Southern States does not equal the value of the gold that we have purchased from these foreign countries under this fantastic New Deal monetary scheme: Alabama, Delaware, Florida, Georgia, South Carolina, North Carolina, Louisiana, Mississippi, Virginia, and West Virginia. The total value of everything in those States amounts to about $12,987,000,000; yet through our beneficence we have purchased $15,000,000,000 worth of foreign gold that now lies buried down in the ground in Kentucky. You can guess as to its real value.

We have given away the equivalent in value of 11 fine States in the United States. Who got it? People who were only interested in the United States for what they could get out of her.

Did this program increase prices in the United States or increase exports? It did not. Foreigners sold us $15,000,000,000 worth of gold. They put the money in the banks and bought war materials and American securities with it—an interest in American business. They took the stock back with them and they are now drawing dividends. We have to pay those dividends in gold. You will find, for instance, that as a result of the American securities these people purchased with that premium money we gave them for their gold, we will probably pay out close to $300,000,000 worth of American gold as interest and dividends.

We are again playing the "Uncle Sap," as one of my colleagues stated a short time ago.

I ask you to vote for the amendments that will be offered to the bill. I am sorry I have not more time to finish my argument. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the gentleman from Minnesota certainly has my sympathy. I realize that he cannot be an expert on too many questions. Naturally, when he gives so much of his time to the farm problem, he has little time to spend in studying monetary problems. I appreciate the gentleman's reference to my ability on this subject. He is extremely kind in his remarks. But I want to ask the gentleman from Minnesota if it is not true when he has great farm problems before him if he goes to the farm organizations to find out how they are going to look at the question, and then, when he determines how the great farm organizations feel, if he does not follow the leaders' advice in the interest of the farmers.

I call the gentleman's attention again to the letter the American Farm Bureau wrote to every Member of this House—and it has never been recalled or changed—in which that organization appealed to us in the interest of the farmers, and the merchants, to pass this very legislation 2 years ago, fearing grave results if we did not do so.

The gentleman is rather critical in his remarks of me because he said I go up to the other end of the Avenue to secure my information on this subject. I confess that when I am seeking information I go to the best available source, and I feel in this instance the best available source is the Secretary of the Treasury and the Treasury Department. Yes, I go there; yes, I secure my information there; and the information I secured is sound in this instance. Follow that advice with me and you cannot go wrong.

The gentleman spoke of Japan. Are we at war with Japan? Does the gentleman want to create a situation that might force Japan to declare war upon us? The gentleman says that we are selling our goods to Japan. So long as we are at peace with Japan, should we not sell our goods to Japan? Does the gentleman demand we stop all trade with Japan?

I do not know where the gentleman gets his information, but I want to know before I will admit what we are selling to Japan today is going through Russia and finding its way into Germany. I do not know whether that is true or not, and I venture the assertion that he does not know positively that it is.

So far as I am concerned, I am not a bit backward in telling the gentleman that the information I have given to the House upon this very delicate subject—upon a subject that concerns every man, woman, and child in this country—a subject which the Secretary of the Treasury told me and told you is just as essential to our financial program as our Navy is to our national defense—came from the Secretary of the Treasury, and I say the Secretary of the Treasury is the man to get this information from. I pass it along to you and hope at this critical period you will accept it and not try to make a political football of this bill.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I certainly would not cast any reflection on the distinguished gentleman from Missouri, because I recognize that he is a sincere, conscientious Member of the House, and that he is performing his duty and working with the majority. Naturally he must go down and have a talk with the Secretary of the Treasury and the other experts in the Treasury Department before advocating legislation.

Mr. COCHRAN. And the gentleman's duty is to work with the minority. He is going along with the minority leader, and I compliment him for going along with his leader. At the outset the gentleman from New York made this a political issue. You know how you are going to vote. The sooner we vote the better. [Applause.]

Mr. Chairman, I yield the balance of my time to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, it is very interesting to listen to the distinguished gentleman who preceded me, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]. It is also very interesting to hear so many statements in disregard of the mechanics of money. We are told that we must not do business with foreign countries because they may be potential enemies.

I tried to ask a question two or three times but no one would yield. Speaking of money, when a man is accused of a robbery and pays a lawyer a fee to defend him, I am wondering if that money should be retired and go out of circulation because it had been connected with some nefarious operation. We are dealing here with the function of money, the most important function that is supplied by the Government to the business of the country.

For the benefit of the members of the committee, I should like to read a few statements that were made at the time this legislation was first under consideration. May I remind the gentlemen who were speaking about gold that due to the shortage of gold at the time this legislation was under contemplation many of the currencies of Europe were unable to obtain the necessary gold reserves. I read from a statement by Mr. Benjamin Anderson, economist of the National City Bank of New York:

> There grew up a very wide practice of central banks in Europe holding dollars and sterling instead of holding gold in their own vaults. The Netherlands Bank had a lot of sterling and dollars, and the Bank of France had a tremendous lot of both dollars and sterling.
>
> In the collapse of sterling the Bank of France lost several times its capital, and the Government had to make good its capital. The Netherlands Bank lost its capital and the Government made good half of it.
>
> In the trouble that followed they could not trust sterling.

When they are talking about sterling they are talking about the notes of the Bank of England. Gold was so scarce as a result of the war, there had been such a strain placed upon gold, the law of supply and demand had made gold so increasingly high in terms of commodities or anything else with which you may measure gold, that its value had gone way past the price we finally legalized, $35 an ounce. If you followed the press reports of that day, you know that the French hoarders were paying $25 for one of our $20 gold pieces. So the fact that gold was increasing in value and everything

else was falling, that depression and distress were overtaking this country, was one of the reasons that some monetary legislation and some monetary plan had to be worked out.

Let me tell you something about the operations in gold and how they affected our business. Gold was so scarce that banks in other countries had very low gold reserves covering their currency. If an exporter in this country found a customer in another country, particularly in central Europe, for any of his products, and made a sale, the customer with the currency of his own country went to his bank and asked for exchange with which to remit to America for the goods we wanted to export and he wanted to import. The man at the bank simply shook his head and said, "No; we cannot issue you foreign exchange because it will come back here as a draft on our gold supply, and we are so short of gold we cannot permit any gold to flow out." That condition, due to the shortage of gold, just simply stopped business.

We have gone back a thousand years in international transactions. We are reduced to the expedient of barter. We are going through the clumsy process today of gathering up our cotton and our wheat and bartering them for tin and rubber, whereas if we had the proper system of international exchange we would pay cash and eliminate all those expenditures and chances for profiteering that exist in the barter system. I just call the attention of the Members to that situation, and ask for this legislation.

Let me read a little further. This is Mr. Vanderlip testifying. He was former Assistant Secretary of the Treasury, president of the National City Bank of New York, and chairman of the New York Clearing House. I am speaking now about the situation that made the stabilization fund a necessity in this country:

> But there came another influence of that international capital movement which was much more menacing than these more-or-less normal movements of capital. When England went off the gold basis, Parliament almost at once appropriated £150,000,000 as a stabilization fund. That sounds innocent, and Parliament had a perfect right to do it, undoubtedly. It was for the ostensible purpose of preventing violent fluctuations of the pound in foreign exchanges. How could they prevent it? Only by manipulating foreign exchanges, by throwing across frontiers capital without any relation to foreign trade. One hundred and fifty million pounds is a goodly sum, but that was soon found not to be enough. It was quickly increased by £200,000,000, so that the stabilization fund, amounting to one and three-fourths billion dollars, is dropped into the foreign exchanges, to be handled by a gentleman sitting in the chair as the governor of the Bank of England. It is a movement of capital across borders, that today is as dangerous as an armada of airplanes. It is moved for the one purpose of the welfare of English commerce. Now, you may say that is also for the welfare of the world. It may be or it may not be. It certainly was not moved with any design for our welfare, and has demonstrated that it is a force that the gold standard must be guarded against.

Quoting further from Mr. Vanderlip:

> It was an account that placed in the hands of the governor of the Bank of England the ability to buy exchange in one country or sell exchange in another and to bring an element into the foreign-exchange situation having, as I have repeatedly said, no relation at all to foreign trade movements.
>
> Now, there is another attack on the monetary gold stock that is fatal to it, if it is brought in large enough volume, as it was a little over a year ago. Hoarders may withdraw gold, if all currency is redeemable in gold, and do that without any question as to the purpose for which the gold is to be used. Hoarders may invade your monetary gold stocks in a way that would threaten or might actually put you forcibly off the gold standard. Hoarders withdrew in the neighborhood of six hundred million of gold a year ago.
>
> Now, remember that $1,000,000,000 of gold may be multiplied into 16 times that demand on your bank loans, and you must reduce your bank loans forcibly, if you are down without any surplus reserves, let us say, 16 times as much as the gold withdrawal. A withdrawal of six hundred millions by hoarders becomes an enormously important force under such a situation.
>
> So that I believe that if you do not want to set up an impermanent gold standard, you must insulate it against these two forces of hoarding and of an irresponsible international movement of capital that has no relation to foreign trade.
>
> Now, it has been estimated by as high an authority as the London Times that there is at the present time ten billions—again that would be on the old gold figure—ten billions of liquid capital that flows across the borders, actuated sometimes by fear, sometimes by astuteness, sometimes by Government policy
>
> That is as dangerous to the financial ship of state as a cargo of loose cannon balls that cannot be controlled, if you allow it to attack your monetary gold base. That makes this section of the bill, I believe, an absolutely essential one.
>
> Now, the gold standard worked for a century, but in that century we had no such movement of liquid capital. It did not exist. In the movement of liquid capital is also reflected the work of exchange speculators. We have not in this country any large speculation in foreign exchange In Europe that is a very favored form of speculation. Our speculators do not understand foreign exchange very well, and we have never developed that form of speculation. But in France, in Belgium, in Switzerland, in Holland, and to some extent in England, there are tremendous speculative forces that are engaged in just this thing of capital movements across frontiers that have no relation to foreign trade I keep repeating that phrase, but it is a thing that must be grasped. This movement of capital across frontiers, without regard to foreign trade, must be guarded against. You must insulate your standard against that.
>
> What does that mean? It means something that is obnoxious. It means a method of somehow separating a demand that is a legitimate demand against a debit or credit balance in foreign trade from the movements of capital that have no relation to foreign trade. It would mean the setting up of some machinery.
>
> Now, remember that it is just as dangerous to a country to have an inflow of capital, without any relation to foreign trade, as it is an outgo.

Mr. Chairman, that was the situation in that time of stress when this legislation was first put into operation. I am sure that every Member of the House and every Member of Congress will agree that times are far more critical, there is far greater danger of an unsettled world and of an unsettled financial situation to be guarded against, than was the case at the time this act was put into operation.

So much has been said about the power to devalue the dollar that I call the attention of the Members of the House for a moment to what happened about this time when Japan devalued its yen, and by that expedient was able to get its goods across our tariff barriers and come into this country and take our market. With the devalued yen they could pay our tariff and, in view of the high-priced dollars with which we paid for their goods, they could take away our foreign trade. It was by devaluing the dollar that we safeguarded the protectionist principle of the gentlemen on the other side that are standing for high protection. If they want protection, they have got to have protection in a way that will be effective and efficient, with power to regulate and adjust our monetary system with the systems of other countries.

Mr. Chairman, our money, the American dollar, is the best money in the world today.

In monetary management among the currency systems of the other nations, our Government has achieved that supremacy for stability, security, and recognized value of our money that has been the goal of every other nation.

When the manipulations of the financiers of other countries threatened to upset the value and stability of the United States currency, when our national economy was facing disaster after 4 years of strenuous efforts of the administration preceding President Roosevelt to revitalize our monetary system and stabilize business had met with failure, when our financial institutions were tottering on the brink of ruin, this administration came to the rescue of the business and the bankers of this country with constructive legislation and skillful monetary management, and the Treasury with the aid of Congress righted the financial ship of state and built one of the strongest monetary systems that the world has ever known, a system that made American money and American credit the best in the world, a system that brought to this country 80 percent of the world's gold.

When the banking system of this country failed to finance business and industry and investment capital dried up at a time when other nations were playing havoc with the exchange value of our currency by establishing and manipulating huge stabilization funds and dark depression brought disaster and threatened destruction to American business, it was not enough that we drew on the only stable thing we had remaining, the national credit, to set up the Reconstruction Finance Corporation to supply the desperate need of business for capital and credit, the new administration came in and by its constructive financial and monetary program strengthened and expanded this great Government financial agency to better finance business and industry.

But the banks and the R. F. C. were unavailing; without a stable monetary system, new legislation was imperatively needed. First we brought the monetary

value of gold into line with the value that an abnormal demand throughout the world placed upon it and further strengthened the base of our currency system by putting in use the money-metal, silver produced largely in our own country. Next to bulwark our national credit and our financial business structure at home and abroad, we matched the financial system of our competitors by setting up a stabilization fund of $2,000,000,000 created and placed in reserve without the cost of a penny to the American people by setting aside the increment of gold obtained by reducing the gold content of our dollars.

Thus, our Government in the time of financial stress evolved and put into operation one of the most ingenious and constructive programs of monetary management that it has been the good fortune of any government or people to have at any time.

How has this legislation, the Gold Reserve Act of 1934, worked? Look about you. Gold, the bulwark of money and credit in every nation, began to flow into our Treasury in an increasing tide; the national credit has grown stronger under every strain that has been put upon it. Our money, the American dollar, is the strongest currency in the world today.

And now to quote from the words of Secretary Morgenthau:

We are going forward into times of even greater peril. We are in the midst of many systems of currency and exchange control. Some are operated with no friendly intent toward the United States. Our stabilization fund is a potent weapon of defense in our international economic relations. This is hardly the time to abandon the machinery of control which we have built up to protect the dollar and the American economy.

Economic warfare, as well as military warfare, is now being waged on all sides of us. There is no certainty that even with peace these aggressive economic instruments will be abandoned by other countries. Nobody can say what kind of international economy will emerge from this war. But it would surely be unwise if we chose this time to let private speculators and foreign governments determine the exchange value of the dollar.

In these circumstances, I have no hesitation in making the strongest possible recommendation that Congress extend the stabilization fund powers.

Statement from the United States Monetary Commission of 1878:

No country, Mr. President, can keep more than its distributive share of what may be called international money. You might issue bonds until doomsday, and even if you got with them hundreds of millions of gold for your Treasury, yet if you do not lock up that gold and keep it under guard it would not remain. The vacuum created in the money volume abroad would lead to a fall of prices abroad, while the increase of the money volume here would create a rise here, and the moment you unlocked your Treasury it would flow out again. It would be as futile to keep gold under such circumstances as to attempt to pump water out of the harbor of Liverpool into the harbor of New York and expect to maintain two separate levels of the ocean by the operation. It would be utterly impossible. If you have the gold standard you must content yourself with the gold range of prices and must be prepared to see the condition of the working and producing masses of this country brought down to the level of the like masses of Great Britain and Germany.

The volume of inconvertible paper money, on the contrary is local and subject to the control of the country issuing it, and should be regulated solely with reference to existing prices, and consequently should be neither increased nor diminished, except in correspondence with changes in population and commerce.

The proposition often made that the quantity of money in this country should amount now to as much per capita as it did at some anterior period, or to as much per capita as in England or France, rests on no philosophical basis whatever. Irrespective of time contracts, it is of no consequence what the volume of money may be, provided it be subdivided into such number of units, or fractions of units, as would meet physical requirements, while the equity of such contract can be met only by maintaining the relation between money and other things undisturbed.

RATES OF INTEREST ALWAYS LOW WHEN MONEY IS SHRINKING

Equally fanciful and erroneous is the proposition that the rates of interest depend upon the volume of money. The rates for the use of loanable capital depend upon entirely different factors, such as the current rates of business profits, productiveness of the soil, the security of the property, the stability of government, pressure of taxation, and the fiscal policies of governments, such as the maintenance of public debts, which necessarily increase the rate of interest. In truth increasing the amount of money tends indirectly to increase the rate of interest by stimulating business activity, while decreasing the amount of money reduces the rate of interest by checking enterprises and thereby curtailing the demand for loans. This is signally illustrated by the present condition of things in every part of the commercial world. The rate of interest should be, and under a correct money system would be, merely an expression of the rate of profit which could be made through the use of borrowed capital.

Under a proper monetary system investment in productive enterprises would be as profiable now as at any time heretofore. This country is not half built up, and money should find increased use, and at least undiminished profit, in enterprises that employ labor. Surely in a country like this, whose development has hardly more than begun, it must be considered extraordinary that interest on first-class securities is so low. In new countries interest is always higher than in old. Interest will on the average represent what men can make by the use of money, else there would be no reward for the enterprise or energy which induces men to borrow and invest in industrial enterprises. Indeed, it is probable that interest rates represent rather more than, on the average, can be realized from the use of money in business, as the hopes of those who have the activity of temperament and the disposition to invest in industrial enterprises are usually sufficient to lead them to expect too much.

The rates of interest are not fixed by individual borrowers or by individual lenders, but by the general consensus of experience among men as to the amount of profit which can be made by the use of money. This profit is limited and controlled by the prices of the commodities in whose manufacture the capitalist engages. When money is shrinking in quantity and its value increasing—that is, its purchasing power—the fall of prices, which under the gold standard knows no end, renders impossible the rate of profit on which men of enterprise had calculated when they entered into business.

The fact that rates of interest are constantly growing less is a sign that the borrower cannot afford to pay higher rates We know that the lender would take no low rate if he could get a higher; no one will for a moment suspect that the money lender would lend his money at less than he can exact from the borrower. But he must be contented with what he can get. If he does not take that rate, his money will lie idle altogether. When men of enterprise find no profit in industrial undertakings—when they discover that the persistent fall of prices renders impossible a reasonable degree of profit—they either decline to borrow, in which case they reduce expenses by discharging a portion of their workmen, or if they borrow and utilize the money in their business the lender must take such interest as they can afford to pay.

An idea seems to exist in the minds of many that if interest or the charge for the us of money is low, therefore, money is cheap. This is an entire misapprehension as to the nature of money and as to the nature of cheapness. The interest on money simply represents the amount of profit that can be made by its use. It is altogether different from the purchasing power of money. It is plain that when the value of money is increasing by reason of a diminution in the quantity, there is a diminution in the profits of business. It does a man no good to borrow money even at 1 percent if the business in which he invests it is losing instead of making money.

Of what use is it for a man to put his money into property or into industries for the manufacture of products, when he knows that a constant fall is taking place in the prices of the products which his money would help to create? In that case he finds that had he delayed his investment he could put his money to better use, inasmuch as he could buy more with it each year than he could the year before. At the same time he observes that people who have invested their money in gilt-edged bonds * * * have always an absolute guaranty of the rate of interest, whatever it may be, which they bear, whereas it is questionable whether anything could at such time be made upon the money if invested in industrial enterprises, where labor was employed in production.

The demand for that class of bonds, therefore * * * has been very great, and they have risen in value in about the same proportion that other property has fallen. Who would hesitate to pay even 10 percent for money if he knew that property was going to increase 20 percent in value? On the other hand, if a man knew that he could borrow money for 2 percent, but that property was falling in value by 3 percent a year, how could he utilize the borrowed money at a profit? The rate of interest seems to be very small. A few persons might be willing to pay more, but they would be such as were forced by circumstances to do so in order to protect themselves from serious loss.

Instead of interest becoming less as money becomes more plentiful interest rises, because more profit can be foreseen in the use of it than when the value of the unit is increasing and the quantity of money decreasing. But the natural rate of interest will never be known until society shall obtain a unit of money that shall be unchanging in value. With a money increasing in value and decreasing in quantity, the rate of interest will be lower than if money were unchanging. If prices continue falling, interest will be lower.

WHY IS INTEREST FALLING?

When the prices fall, the hopes of the producer of wealth are taken away; he is deprived of all prospect of profit, which is the only inducement to investment of capital—and nobody is benefited but the lender of money—the man who juggles with the counters by which profits are computed.

When prices of commodities and property are falling, moneyed men will not part with money in order to acquire property which in a month will be worth less than they paid for it, or to employ labor, the prices of the

products of which are constantly declining. They keep their money, either in the form of gilt-edged bonds or as deposits in banks, subject to their order. In other words, so far as all the purposes of money are concerned, it may be said to be hoarded. People instinctively hoard and hold that which is becoming more valuable. If wheat is rising in price, those who deal in wheat and can afford to keep it on hand will do so for the manifest purpose of making a better profit at a later period.

When money is rising in value, therefore, men instead of putting it to use take it practically out of use. Hence at such times it refuses to perform the beneficent functions for which society intended it.

When, therefore, prices rise interest rises; with the fall of prices of commodities interest falls. When money is increasing in volume and decreasing in value, prices rise, and each investment in productive enterprises becomes more profitable. As a consequence interest rises. When it is decreasing in volume and so increasing in value, it is because prices are falling. At such times investments in property and in industrial enterprises become unprofitable. As a natural consequence money avoids them and seeks gilt-edged bonds, on which no default of interest is to be expected.

Such bonds naturally increase in price.

* * * * *

But this is altogether an error. If a man could be moderately certain of making 4, or 5, or 6-percent profit in a business enterprise, he would not take a Government bond at 3 percent, no matter how good the credit of the Government.

The most certain sign, therefore, that the value of the monetary unit is increasing * * * is the fact that interest on securities of the first class is decreasing.

There has been much talk about this gold that is stored in Kentucky. Economic law is in operation here and throughout the world, and if we were to coin that gold and put it into circulation, to be withdrawn at will by people of foreign countries, we would soon be bereft of this great bulwark to the security of our national economy and our national currency.

Mr. Chairman, I am going to yield at this point to my good colleague the gentleman from Nevada [Mr. SCRUGHAM] who was not in the House at the time I was yielded time.

Mr. SCRUGHAM. Mr. Chairman, money, including its metallic forms—gold and silver—is generally subject to the same laws of supply and demand that govern the value of commodities and services. For many decades, up to the time of the present Roosevelt administration, the value of money in this country was largely controlled by a comparatively small group of shrewd men, known as international bankers, who manipulated money values chiefly for their personal profit. Our business and economic system was built on the right of profits to all who could get them, with little or no regulation or consideration of whether or not the Nation as a whole had any benefit therefrom. The control of the money of a nation is a prize that is still being fought for by vested interests, and their proposed method of accomplishment of their end is to hamstring the Government control, through freezing the value of the medium of exchange, gold, and the prevention of Government regulation. Our greatest weapon in protecting the industries and wage earners of the country from low wage foreign competition is our great stock of gold and silver. Our governmental control of our money is what controls the situation. With this mighty instrument in administration hands we can stabilize the value of Government securities. We more fully control runaway paper inflations and depressions, as has been well demonstrated during the past 7 years. America today stands in a peerless position to dominate the world financial situation, which we could not do by freezing our gold and silver values. The powers proposed to be again given to the administration are not only a protection to the taxpayers and the public of this Nation, but an absolute necessity if we are to hold our own economic supremacy in this stupendous and cutthroat international competition which faces us in the immediate future. I can imagine no more short-sighted congressional policy than to refuse our Treasury the right to place the proper value on our own gold, which will be to the best economic interest of the whole Nation. We certainly do not want to play into the hands of profiteers.

This talk of inflation due to our control of the price of gold is, to my mind, the sheerest nonsense. On the contrary, nothing will be more conducive to stability. After the Civil War destructive inflation due to the vast circulation of unsecured greenbacks was ultimately prevented by the production of hundreds of millions of dollars' worth of gold and silver from the Comstock mines of Nevada and from other Western States. Quoting from the report:

During the last 2 years the international-exchange markets have been more disrupted than they have been in the past 20 years. It appears that the period ahead of us may be even more critical. We are in the midst of many systems of currency and exchange controls. Some are operated with no friendly intent toward the United States. Economic warfare as well as military warfare is now being waged on all sides of us. There is no certainty that even with peace these aggressive economic instruments will be abandoned by other countries. The stabilization fund has proved its value during years of unparalleled crisis in international trade and finance and is a potent weapon of defense in our international economic relations. Your committee believes that it would be unwise at this time to abandon the machinery of control which we have built up to protect the dollar and the American economy. It would surely be an inopportune time to let private speculators or foreign governments determine the exchange value of the dollar.

The bill also extends for 2 years the authority of the President to alter the gold content of the dollar. The President's authority, as under existing law, will be limited to fixing the gold content of the dollar between 50 and 60 percent of its former weight. The President exercised this authority on January 31, 1934, by fixing the gold content of the dollar at 15$\frac{5}{21}$ grains of gold, nine-tenths fine, which is approximately 59 percent of its former weight. The Secretary of the Treasury assured your committee that there is no present desire or intent on the part of the administration to alter the gold value of the dollar. However, as was stated by the Secretary of the Treasury, this is no time for the United States to surrender any of its instruments for dealing adequately and promptly with international economic and monetary problems.

We are facing a period of inevitable economic warfare of world-wide extent, the like of which has never been known in all recorded history. The time will come when our factories must change from the manufacture of instrumentalities of destruction to something else. Our production of materials of peacetime economics must compete with almost pauper labor from most of the other nations of the world. We must not surrender or freeze the value of our gold and silver. I earnestly ask this body to fully approve the bill as presented to the House. [Applause.]

The Clerk read as follows:

Be it enacted, etc., That subsection (c) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, as amended, is further amended to read as follows:

"(c) All the powers conferred by this section shall expire June 30, 1943, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AUGUST H. ANDRESEN: On page 1, in line 9, before the period, insert a comma and the following: "and after June 30, 1941, such funds shall be reduced by $1,800,000,000, and such sum shall be credited to the general fund of the Treasury."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the purpose of this amendment is to reduce the stabilization fund to its capital amount of $200,000,000, taking the balance, $1,800,000,000, which has been dormant for 7½ years, and is now dormant, and placing it in the general fund of the Treasury to be used for national-defense expenditures.

When Secretary Morgenthau appeared before our committee he stated that this $1,800,000,000 was being held in trust for the American people and that he wanted to keep it intact for the American people.

During this critical time when we are spending billions of dollars for national defense, when the Congress proposes to increase tremendously the levies of taxes upon the rank and file of the people for national defense, it seems to me this money that is now lying dormant and not drawing any interest, could well be used to defend and protect all American citizens.

By not using this fund for the past 7 years and 4 months the Treasury has lost $45,000,000 a year of interest. The tax bill that will come before the House will contain many provisions. The committee is searching around trying to find additional sources of taxation so as to raise just a few million dollars here and a few million dollars there. By using this money we can at least save the taxpayers $45,000,000 a year and at the same time spend this money so that it will be for the welfare of all the American people.

The purpose of the stabilization fund was to stabilize foreign currencies in their relation to the American dollar. The Government of the United States entered into an agreement with Great Britain and France called the tripartite agreement. That was an arrangement between the countries whereby we would

seek to have a normal and stable exchange rate between the French franc, the British pound, and the American dollar. The operations under that agreement ceased when the World War No. 2 started, and since that time the fund has not functioned in any manner to stabilize the American dollar with relation to foreign currencies. All of these foreign currencies have depreciated in value. Many of the countries have issued block money where the country that gets the block money in the normal channels of foreign trade must spend such money in the country of origin. There are now no foreign currencies to stabilize.

Secretary Morgenthau said that the main reason he needed the stabilization fund was to handle a $50,000,000 item for China. We are going to help China stabilize its currency and provide them with some foreign exchange so they can purchase war materials here in the United States. Another reason was that we were lending about $40,000,000 to the Argentine to help them stabilize their currency and get foreign exchange in the United States.

These two items and any other items that they might want to use can be handled through the $200,000,000 capital stabilization fund which will be left and which Secretary Morgenthau indicated would be sufficient to take care of any of the needs they might have for such a fund in the Treasury. I may be mistaken in my theory of the use of this money. It seems to me a good business judgment that if we have money that is not drawing any interest, we should use it rather than borrow money and pay interest. If we have to borrow the money, it costs us $45,000,000 a year, and if we use it, we save that money to spend for national defense.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. WHITE. Mr. Chairman, this is a novel proposition and a novel position taken by the minority members of the Coinage, Weights, and Measures Committee. I have in my hand their minority report, and I shall point out some of its inconsistencies in a moment. I am wondering what would have happened to the big business institutions of our country, say, such a company as the Standard Oil Co., if they had squandered their assets and had not maintained a strong cash position, and I am wondering what would happen to the mining industry if these big companies spent all of their money during periods of mining prosperity and had nothing to carry on with to keep their organization together and their mining properties pumped out and in operation. I wonder what will happen to this country in this maelstrom of world war if we dissipate this little fund and security that has not cost the American people a cent, coming as it did from the increment in the devalued gold dollar. It has been the greatest bulwark and the greatest instrument to stabilize our foreign relations, insofar as our currency is concerned, we have ever had. Why, Dr. Sprague, from our own Treasury Department, was a man from this country who went to England and who helped the Bank of England out of a hole by establishing a stabilization fund when that country went off the gold standard. We have had to match the machinations of these countries by setting up our own stabilization fund. Listen to this inconsistent report. They advocate two principles that are diametrically opposed to each other. Let me read to you:

> We oppose the continuation of the President's power to reduce the gold content of the dollar for two reasons——

I shall not read the whole report. I have not the time. Quoting further:

> Thus as a consequence of the defense effort the dangers of inflation are much more actual and imminent than they were 2 years ago.

Don't overlook the point. They are talking about inflation. To continue with the report:

> Although inflation did not result from devaluation of the dollar in January 1934, the situation now existing is in no way comparable. In the years prior to the defense emergency the economic system was operating far below full capacity, whereas at present we are operating very close to capacity. As production approaches capacity, the danger of inflation becomes ever more acute. Since inflation can ruin the efficiency of our entire defense program, administrative spokesmen repeatedly emphasize that a major objective of governmental price policy today is to prevent inflation. For example, a major purpose of the Office of Price Administration and Civilian Supply created by Executive order on April 11, 1941, is, according to the President, to avoid "unwarranted price rises." Similarly, the President created the Priorities Division of the Office of Production Management to allocate certain scarce materials to prevent the prices of such materials from being grossly inflated by unusual and inequitable demands. Certainly the administration is aware that inflation must be guarded against now, more than ever before in the Nation's history.

That is a fine principle, that is the basis of the report, but listen to the inconsistency of the thing. I turn now to another part:

> In effect the remaining $1,800,000,000 in the exchange stabilization fund is lying idle in the Treasury at the very time when taxes on the American people are being greatly increased for defense purposes. The interest on this sum at current rates is more than $45,000,000 a year. Consequently we recommend that this $1,800,000,000 in the inactive account of the exchange stabilization fund should now be used by the Federal Government to reduce the amount of borrowing that will have to be done through the banking system. This will be highly advantageous for there are certain inflationary tendencies resulting as a consequence of governmental deficit financing.
>
> The Secretary of the Treasury asserts that the money in this account is a "nest egg" being held in trust for the benefit of the American people as a whole, and that the money should only be spent for a worthy purpose. There can be no more worthy purpose, benefiting the whole Nation, than financing national defense. Certainly if the money in this fund is used for this purpose now it will remove all temptation to use it for a less worthy cause on some unforeseen future occasion.

What would happen if $1,800,000,000 of gold were dumped into the money stream, into our currency? It would operate to make an inflation of eleven and one-half billion dollars, and I would like to ask the gentlemen how they reconcile this proposition of being opposed to inflation and wanting to dump $1,800,000,000 in gold into the currency stream, thereby causing an inflation of eleven and one-half billion dollars. Consistency, thou art a jewel.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITE. Yes.

Mr. WORLEY. Is it not a fact that the Secretary of the Treasury testified in the committee as follows:

> The very fact that I have this reserve is a kind of a cap on the market to keep the people who own the money from running the rates up on me, because they know I have it.

If the amendment should be adopted, the Secretary would be doing exactly as he said he would be doing, paying through the nose for higher interest rates. He would find himself in the same position as the Richfield Oil Co. with all their assets, all their oil wells, and all their business, when they had no reserves.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. WHITE. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WHITE. The Public Lands Committee had to pass a bill to relieve the Richfield Oil Co. of $1,500,000 of royalties that the Standard Oil Co. might take them over which they could do with their cash reserves. Here in this great crisis, with the world aflame, when nobody knows what is going to happen, we are asked to dissipate and throw away this bulwark against the national economy of the American people. I do not think I have to ask you to vote down the amendment. It is foolish. Let us follow the plan we started.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. WHITE. I will yield, but the gentleman would not yield to me.

Mr. AUGUST H. ANDRESEN. The gentleman asked me a question, and I want to answer him.

Mr. WHITE. The gentleman would not yield to me, but I will show him that courtesy.

Mr. AUGUST H. ANDRESEN. I just wanted the gentleman to know that I am more interested in the American people than I am in foreigners.

Mr. WHITE. Well, let us protect the American people and protect our currency and protect our national economy. Let us continue the stabilization fund.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I cannot help but refer to the statement that the gentleman from Idaho [Mr. WHITE] just made, "Consistency, thou art a jewel." When I think of the gentleman asking the question why the Standard Oil Co. had great reserves, why any other great corporation had great reserves, in order to be in good financial position we all know that it was to protect business in time of depression. But I want the gentleman from Idaho

to take up the daily statement of the United States Treasury and see what condition you have it in. It is simply awful. Every time you mention the Treasury statement they all start to run away; they do not want to hear about what they are doing to it. When I speak of "they," I mean the new dealers.

Mr. WHITE. We are just running for the statement.

Mr. RICH. Yes; you just are running it in the red every minute. I will give you one. Pick up the statement of the United States Treasury and see what this New Deal administration has done to this country in the last 8 years. It is a sorry-looking statement. They all ought to blush with shame. Then the gentleman from Idaho, with all the gentlemen on that side, has voted for the great waste and extravagance that this administration has put on this country. When you look at the national debt that we have of over $50,000,000,000 caused by the New Deal and then make the statement, "Put your house in order," and then say, "Consistency, thou art a jewel," I wonder if they should not put their heads on their arms and weep crocodile tears and really be ashamed of what they have done. I think it is time for the American people to wake up to these Members of Congress who say one thing and do something else. I am sick and tired of all the talk we have on the floor and then they say, "Consistency, thou art a jewel."

Mr. MASON. Squandering thirty billion.

Mr. RICH. They have squandered thirty-three billion and they will continue to do it as long as the President asks them to do it, because they do not have enough backbone to say to the gentleman in the White House "no." If my people would send me to Congress and I did not have enough backbone to tell the gentleman in the White House that I would not do the things that are wrong, do the things that would wreck this country and put my children and my children's children in jeopardy and put this Nation in jeopardy, I would be ashamed of myself.

Now you have been in power for 8 years. Did you hear my statement this morning about President Roosevelt when he criticized Mr. Hoover and his administration, as he said, for 3 long years? You remember what he said. I say to you, for 8 long years you have been in the red every year. You are going in the red right now for this year more than Mr. Hoover was in all his administration of 4 years. You have been in the red on the average every year since this administration has been in office more than Mr. Hoover was in his 4 years. Yet Mr. Roosevelt said when he came in office he was going to balance the Budget. He has not said a word about it for the last 4 years. Now, you Democrats want to give this administration the power to regulate money. Perhaps I had better say new dealers, in case there might be some Jeffersonian Democrats who are opposed to the squandering and spending of this administration. I hope there are a few of them left and I hope that the people back home will recognize those few and spare them for posterity, because I do not know what will be done with all the new dealers that have supported this administration. You come in here and you want to give this administration, the President, the power to regulate money. It is simply absurd. I would not give the President of the United States this power any longer. Certainly not this third termer. If the people in my district said that I should, I would resign my seat in Congress. I am sure they would not ask it; they are too sensible in my district.

Mr. WHITE. Will the gentleman yield?

Mr. RICH. No; I do not yield.

Mr. WHITE. How do you expect to get an answer if you do not yield?

Mr. RICH. I want to tell you something. I do not want to hear you any more. [Laughter and applause.]

Mr. WHITE. That is very apparent.

Mr. RICH. It is ridiculous. It is ridiculous and embarrassing, the things you say.

Mr. WHITE. I know it is always embarrassing to a Republican to have his record pulled on him.

Mr. RICH. You will find that the Republicans have always been able to take care of themselves. If I had to turn into a new dealer to keep my seat in Congress I would not be here; I just would not have the job at that price. [Applause.]

Let us vote for this amendment.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. COCHRAN. Mr. Chairman, I find that six gentlemen desire to be heard on this amendment. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GIFFORD. Mr. Chairman, I support the amendment offered by the gentleman to use this $1,800,000,000. We note that the Secretary of the Treasury acknowledged that he does not need it for the purpose for which it was set up. He may need it possibly sometime after the war is over, but at the present time $200,000,000 is sufficient. To our amazement he acknowledged for the first time in the last 7 years that he wants to buy bonds with it if he finds the public does not buy readily or if he is forced to pay a high rate of interest. I recall that this was denied when the purpose for which this money was to be used has been discussed on the floor of Congress. Many of us suggested it might be used for that purpose.

We should not continue this power. I suggested yesterday that the only way to stop the joy ride was to arrest the chauffeur or take his license away from him. And that is what some of us are trying to do here. That is the necessity of the moment. When license is given to him, let us point out the roads that he must necessarily travel. These new untried thoroughfares which have led us into this mountainous debt and into a dangerous financial situation must be avoided. Congress should again take the wheel and assume its responsibility. He should now be our servant and not our master. Many Presidents seem to like to get into a position where they are the master. Woodrow Wilson, speaking in St. Louis, said:

> Things get very lonely in Washington sometimes. The real voice of the great people sometimes seems faint and distant in that strange city. You have politics until you wish that both parties were smothered in their own gas.

That is the respect President Wilson had for Congress.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Mr. Chairman, I do not yield.

Mr. Chairman, I propose to read a few things said by your old masters of finance, great men of the Democratic Party, whose opinions no longer prevail.

> The principle of spending money to be paid by posterity, under the name of funding, is but swindling posterity on a large scale.

That was said by Thomas Jefferson.

John C. Calhoun said:

> A power has risen up in the Government greater than the people themselves, consisting of many and various powerful interests combined into one mass and held together by the cohesive power of the vast surplus in the banks.

And today we are trying to do something to reduce that surplus and we find a party in power opposing it, scorning the recommendations of their own competent advisers who have warned us and earnestly recommended that many so-called emergency powers be now discontinued. I refer to the Federal Reserve Board.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. GIFFORD. In just a moment I shall be pleased to.

I have read you what John C. Calhoun said. Grover Cleveland repeated it in almost the same words.

Thomas H. Benton said:

> This new page opened on the book of public expenditures, and this new departure taken—which leads into the bottomless gulf of civil pensions and family gratuities.

The driver of this automobile has been scattering free rides and free lunches until the supply has run out, and now he asks you to furnish him more gasoline and oil to go perhaps over exactly the same road and scatter more largesse. It is high time the driver was deprived of his license and when it is reissued he should be given direction by the Congress as to the exact road he is to follow in this experimentation of coin clipping and other acrobatics with the Nation's money and credit.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. PATMAN. Does the gentleman favor the amendment to put this $1,800,000,000 into circulation?

Mr. GIFFORD. I favor using this to buy bonds now instead of paying interest.

Mr. PATMAN. I do not believe the gentleman has answered my question.

Mr. GIFFORD. Will the gentleman repeat his question?

Mr. PATMAN. Does the gentleman favor the amendment or is he opposed to it?

Mr. GIFFORD. As I read the amendment I favor it if the money would be used to buy bonds instead of having to borrow that much and pay interest on it.

Mr. PATMAN. I do not believe the gentleman is answering my question.

Mr. GIFFORD. Yes; I am answering it; it is the gentleman who attempts to becloud my answer.

I have many notations here. I have read the hearings, not only the current hearings but the hearings back in the other years when these powers were granted and renewed. Still again the President wants to extend this power against the advice of his own Federal Reserve Board. Well do we now realize that this President of ours desires all kinds of delegated power and once given he will never consent to give them up. It is necessary to take them from him.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN] for 4 minutes.

LOW INTEREST IN PEOPLE'S FAVOR

Mr. PATMAN. Mr. Chairman, I do not believe that the gentleman who has just spoken can consistently be for this amendment. This amendment would put into circulation $1,800,000,000. One time when I offered a bill to pay the World War veterans much less than $1,800,000,000 it was branded as an inflationary measure. This proposal would pay into circulation more than would have been paid to the World War soldiers on their so-called bonus certificates. I do not know of any amendment that has ever been offered that is half as inflationary as this particular amendment, and how those who want to avoid inflation can consistently argue in favor of this amendment, I cannot understand.

The payment of $1,800,000,000 into circulation means inflation to the amount of at least $12,000,000,000 under our present system. If you want to inflate the currency to the extent of $12,000,000,000 and do it immediately, quickly, overnight, you should vote for this amendment. I believe in a certain amount of expansion of currency when it is needed, but the country seems to be going along now rather smoothly and I do not know what kind of a shock it would be to our economic and financial system to have injected into its economic veins $12,000,000,000 of new money without any brakes whatsoever. However, those of you who want $12,000,000,000 pushed into circulation immediately should vote for this particular amendment.

Although I have been branded as an inflationist many times, I am certainly not that kind of an inflationist. I find myself now opposed to those who have opposed me in the past. The truth of the matter is, and the Members of the House might just as well recognize it now, the Federal Reserve Banking System is in the hands of the big banks of this country. When you hear the voice of the Federal Reserve Board you hear the voice of the biggest bankers in this Nation. They are jealous of the United States Treasury. They want this amendment in here. Why? Because the Treasury if it has this $1,800,000,000 will have some influence over the United States bond market. That is admitted. I am glad of it. It has a good, wholesome influence, it has something to do with interest rates, and I am glad for the Treasury to have it. But if this amendment is adopted, then the Federal Reserve will have succeeded in taking away from the Treasury an enormous power which they, representing the big banks of the country, want for themselves.

Those who favor the big banks against the people should vote for this amendment. Maybe I am wrong about it. I know that they are just as honest in their views as I am, but I am telling you the effect of it; and if you favor high interest and are against low interest, you should vote for this amendment because it will have a tendency to bring about high interest.

Mr. DEWEY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illinois.

Mr. DEWEY. Might not the $1,800,000,000 be applied to the retirement of that amount of public debt now held by the Federal Reserve System, which certainly would not be inflationary?

Mr. PATMAN. It could be done, yes; but then the Treasury would be deprived of a great power and I am not willing to deprive the Treasury of it. If I had the confidence in the Federal Reserve Board that some people have I would be willing to strip the Treasury of all its power, but this means stripping the United States Treasury, which is supposed to represent the people and does represent the people, of an enormous power and turn it over to representatives of the big banks, and I am opposed to it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN] for 4 minutes.

Mr. RANKIN of Mississippi. Mr. Chairman, if it were not for the emergency in which we find ourselves, I would be inclined to vote against the continuation of this authority. But since it is now necessary to borrow large sums of money for our defense program, I think this measure should be passed.

I was co-author of this original act. The measure was first introduced by me in the House and by Senator THOMAS of Oklahoma in the Senate. However, our bill did not contain the stabilization-fund provision. I cannot see where it is our duty to stabilize the currencies of other countries.

One of the liveliest debates I ever had on this floor was with Hon. James M. Beck, of Pennsylvania, on this proposition in 1933. I expect to extend my remarks in the RECORD and to insert some of the statements I made at that time.

I do not share the apprehension of my distinguished friend the gentleman from Texas [Mr. PATMAN]. I think we need some expansion of the currency and, for that reason, I sponsored the legislation in the beginning. The Thomas-Rankin bill was finally tacked on as an amendment to another bill in the Senate, but Senator THOMAS of Oklahoma and I had been working on it for a long time.

When this measure was passed it was my understanding that a sufficient amount of currency would be issued against the gold we then had to raise commodity prices back to the normal levels prevailing in 1926, which would have meant 20-cent cotton and $1.50 wheat. We gave the President the power to issue $3,000,000,000 in currency for that purpose. But the only powers exercised under the act so far has been to create these stabilization funds and to reduce the gold content of the dollar.

If the administration had carried out the policies which we advocated at that time, it could have restored the prosperity of the country and avoided a great many of the mistakes we have made in the meantime. The greatest of all philosophers once said:

Neither a borrower, nor a lender be,
For loan oft loses both itself and friend,
And borrowing dulls the edge of husbandry.

While we are using this fund for the benefit of foreign countries that are in direct competition with American farmers in practically all of their activities, and advancing them large loans, we are borrowing money from the rich and giving it to the poor here at home, dulling the edge of husbandry and teaching our people to lean upon the Federal Government for support. This policy cannot continue if this Government is to survive. [Applause.]

Hon. Charles F. Curry, of California, once said that our gold policy reminded him of a thing that happened about four thousand years ago when an old long-haired agitator went down through Asia Minor making speeches to the people, telling them that the precious flint out of which they were making their war clubs, hatchets, and arrow spikes was rapidly being exhausted. He said this got those ancients so badly excited that they began to hoard this rock and hide it in the ground, similar to the way our gold is buried in Kentucky. He said it created a panic that lasted for several hundred years. [Laughter.]

I wonder if we are walking in that path today.

Mr. Chairman, I shall not oppose this bill, but just as soon as we get out of this emergency I hope to see Congress take back the powers vested in it by the Constitution of the United States to coin money and regulate the value thereof. [Applause.]

The trouble with the Treasury Department is, and always has been, and the trouble with the Federal Reserve System is, and always has been, that they, like Prometheus of old, are chained to the gold standard and do not know how to shake loose from it. We are witnessing a world catastrophe today as a result of one section of the world hoarding its gold

and the other is operating on a regulated, or a managed currency, and competing with us for world trade, while we hold down the prices of farm commodities to the farmers' detriment and increase the national debt to keep people on relief who could earn their own living if we followed the other course.

As soon as this emergency is over, I hope to see this power restored to Congress and see this body resume the functions vested in it by the Constitution to coin money and regulate the value thereof. In doing so I believe it will be necessary for us to take over the Federal Reserve banks, in order to take our monetary system out of the hands of private bankers and restore it to the people's government where it belongs. [Applause.]

Under the permission granted me to extend my remarks in the RECORD I am inserting an address I made on this subject on May 2, 1933.

The matter referred to follows:

[Speech of Hon. JOHN E. RANKIN of Mississippi, in the House of Representatives Tuesday, May 2, 1933]

PRESIDENT ROOSEVELT'S CURRENCY EXPANSION PROGRAM

Mr. RANKIN. Mr. Speaker, with the probable exception of the signing of the armistice, which brought to a close the most devastating war in all history, the passage of this currency expansion measure will likely be the greatest step ever taken by any government since Biblical times. If properly and fully carried out, it will be the greatest boon to suffering humanity of any measure ever passed by a legislative body in all the tides of human history.

I only regret that every man in this House cannot join in its support, the passage of which will probably mark a turning point in the history of our civilization.

I should particularly like to see my distinguished, able, affable, eloquent, and erring friend from Pennsylvania [Mr. Beck], who has just spoken—and for whom I have an abiding affection—throw the weight of his great ability into the scales on the side of this program and help secure the passage of this, the most far-reaching and beneficient measure ever adopted by a legislative body. If he would do that, he would render his country the greatest service of his long and distinguished career. The suffering people throughout the world, even the generations yet to come, might then "rise up and call him blessed." [Applause.]

In order to successfully contest on this floor with the gentleman from Pennsylvania one should be able to "bend the bow of Ulysses" or wield the spear of Goliath. I realize my feeble inabilities to meet such a test. But I am conscious of the admonition of his favorite author, William Shakespeare, to the effect that "Thrice is he armed that feels his quarrel just." Or, as was once said by William Jennings Bryan, "The humblest citizen of the land, clad in the armor of a righteous cause, is stronger than all the hosts of error." [Applause.]

It is said that Alcibiades once stopped up his ears and fled from the presence of Socrates for fear that he would grow old listening to his eloquence.

As I have listened to the adroit and persuasive arguments of the distinguished gentleman from Pennsylvania, the greatest Shakespearean scholar in either House, and one of the ablest lawyers in America, who probably knows more about the Constitution than any other man in Congress, and possibly more ways around it—as I have melted beneath the magnetism of his marvelous eloquence, embellished by his unaffected rhetoric, and reinforced by a literary resourcefulness equaled by few men on this earth, I have found myself holding to the seat to keep from slipping, lest he should sometimes even persuade me to go astray. [Laughter and applause.]

I am told that he was once a Democrat, back in those struggling years of his youth and young manhood, before he attained his present status of eminence and distinction. But you know we are told by his favorite author that—

"Lowliness is young ambition's ladder,
Whereto the climber upward turns his face;
But when he once attains the upmost round,
He then unto the ladder turns his back,
Looks in the clouds, scorning the base degrees
By which he did ascend."

[Applause.]

But we also have the consoling assurance of Holy Writ that if you teach a child the way it should go, when it is old, it will not depart therefrom. Probably when he begins to grow "old," and reaches the age of mature discretion, he will return to the conviction of his early youth and join in the fight for the promotion of every righteous cause. [Laughter.] Nothing would be more fitting as a climax to his long and able career than to make that change today. "While the lamp holds out to burn, the vilest sinner may return." Come on, Mr. Beck, join the hosts of righteousness in this crisis of the world's history, when America is awakening like a sleeping giant from a long and hideous nightmare, breaking the fetters of this depression, turning from the dead past toward the living future, catching the step and taking the lead in the onward march of modern progress.

If he will do that, he will not only render his country his greatest service but he may then spend the evening of his career in quiet and ideal peace conscious of a well spent life, and confident of its good, enriched with an abundance of those blessings which Shakespeare says should accompany old age, such as "honor, love, obedience, troops of friends." [Applause.]

I have often remarked that his speeches remind me of another expression of his favorite author, when he said:

"The world is still deceived with ornament.
In law, what plea so tainted and corrupt,
But being season'd with a gracious voice,
Obscures the show of evil?"

And when I hear his attempts to fortify his erroneous positions with copious quotations from the celebrated literature of the past, even including passages from Holy Writ, I am reminded of the further expression:

"In religion,
What dammed error, but some sober brow
Will bless it, and approve it with a text,
Hiding the grossness with fair ornament?"

I am afraid that by his gracious voice, his persuasive eloquence, his attractive personality and literary resourcefulness, he has not only obscured the evil of his contentions, but has led the minds of many members to reach the wrong conclusion. [Applause.]

As was once said by a great American, "It is a condition and not a theory that confronts us." We are not only charged with the gravest responsibility that will probably ever come to Members of this body in our day and generation, but we are confronted with the most glorious opportunity for service to humanity with which we will ever have to deal.

We are in the midst of the most terrible panic of all history. For more than 3 years we have witnessed the tragedy of increasing failures, foreclosures, and bankruptcies—farmers forced to sell their crops far below the cost of production, and see their lands swept away for debts or sold to pay their taxes. People are being driven from their homes to join the hungry multitudes who crowd the streaming bread lines along the streets of our cities. Ten or twelve million men, who are able, willing, and anxious to work, are tramping the streets or treading the highways, begging for employment by which to earn their daily bread. Men, women, and children from the best families of America, people who won't get the chill of the humiliation out of their blood for two or three generations, are forced to beg their bread from door to door. A crimson wave of suicide is sweeping over the land—mothers killing their children to keep from seeing them suffer and then committing suicide across their dead bodies.

All this is happening in a land teeming with abundance, where we have more wheat, more corn, more cotton, more manufactured articles, more of everything necessary to sustain human life and contribute to human happiness and human comfort than was ever known before. All this is happening in the most advanced and enlightened age, when we have gained the greatest ascendancy over the forces of nature and the greatest command over our surroundings ever reached in all the history of the human race.

What is the cause of all this? The answer is simple: we are in a money panic—a man-made panic, which we are attempting to cure by the passage of this the most far-reaching piece of financial legislation ever enacted on this earth. We are "cutting the Gordian knot" that binds suffering humanity to the gold fetish, antiquated theories, and discredited policies of the past. By this measure we hope and expect to put the people of America back on the highway to permanent prosperity.

When the Great War closed it left the people of the world, including America, loaded with a burden of indebtedness that at best it will take generations to pay. Those debts were contracted on an expanded currency, when times were prosperous and commodity prices were high. We are now asked to pay them with a contracted currency that has so reduced commodity prices as to render this burden too heavy for the people of the world to bear. Yet they are asked to carry on, or told to carry on, driven by the whip of the money kings, who offer them no hope of relief. They have about reached the point of exhaustion and are now stumbling, fainting, and falling under the very cross of taxation upon which they and their children and their children's children are to be crucified.

Something must be done. They can stand this strain no longer. This bill will do the work. I have said time and time again that one of three things is bound to happen:

We are going to have to expand the currency to bring back commodity prices to where they were when our debts were incurred, or we are going to have to have a radjustment of all debts, public and private, scaling them down, extending the time for payments, and reducing interest rates almost to the vanishing point. Unless one of these two courses is pursued, we are going to be swept into a saturnalia of wholesale repudiation of public and private obligations, including district, municipal, county, State, and Government bonds. That would be revolution, the last protest to which an oppressed or suffering people resort.

By this measure we propose to expand the currency to raise commodity prices, and restore the purchasing power of the American farmer, which will automatically restore the purchasing power of the industrial laborers, because it will enable the farmers to buy the things they need. That will start the wheels of industry to turning and furnish work for the unemployed. Then our bread lines will melt away, our entire economic machinery will begin to function normally, and the clouds of this depression will disappear.

But the distinguished gentleman from Pennsylvania questions the constitutionality

of this law which delegates to the President the power to diminish the gold content of the dollar. In my opinion, that question was settled by the Court when it upheld the constitutionality of the flexible clause in the tariff bill. The gentleman from Pennsylvania and I both voted against that clause and both of us thought then that it violated the Constitution of the United States, but the courts decided differently, and the law was upheld, just as this one will be, in my opinion, if it is ever put to a test. Besides, this matter will be disposed of by the President before the Supreme Court could ever act upon it. Then, if there is any doubt as to the constitutionality of his acts, Congress would have ample time to ratify them.

Then, too, there is a higher law than the Constitution. The safety of the people is the supreme law. This is war. We are at war with the most destructive depression of all times—one that not only threatens the life and safety of every person under the American flag but one that challenges the very existence of our civilization.

The genetleman from Pennsylvania refers to the President's advisers as the "brain trust," as if this currency-expansion theory originated with them. He knows, and every other Member of the House knows, that for more than 3 years I have advocated a liberal, controlled expansion of the currency as the only possible means of relief from this unprecedented depression. I have made this appeal in the House, through the press, over the radio, on the stump, and everywhere else that an opportunity has presented itself. Other Members of the House and of the Senate have done the same thing.

We were not prompted by any "brain trust," but we were opposed by the "money trust," representing the owners of great fortunes who have their money invested in tax-exempt securities and are now opposing expansion because they know that under the present state of depressed prices their hoarded dollars will buy three or four times as much of American commodities as they will when this currency is expanded and normal conditions return.

I want to touch briefly on the three principal points involved in the currency expansion provision of this bill. It has been stated, by the opposition, time and time again, that the $6,000,000,000 of new currency provided for in this bill, $3,000,000,000 through the Federal Reserve System, and $3,000,000,000 of United States notes, will be "fiat money."

There is not a scintilla of truth in that statement. Every dollar of this money, under the Gold Standard Act of 1900, will be worth 100 cents on the dollar. It will be interchangeable with every other dollar we have, whether it is gold or silver, or United States notes, or Federal Reserve notes, or national-bank notes, or what not.

This measure has also been attacked because of its provision on the silver question. Did you know that more than 1,000,000,000 people in this world use silver almost exclusively as a money? Silver is mentioned in Holy Writ as a money, before we find any mention of the use of gold as a currency. Silver is the money of the Orient. It is the money of all Central and South America, of all eastern Europe. In 1926, when the international bankers who are opposing this measure induced England to force India onto a gold standard, they destroyed the purchasing power of silver and therefore destroyed the purchasing power of a billion of America's customers.

Some of you gentlemen opposed William J. Bryan on his silver policy in 1896. We Democrats were in favor of the free and unlimited coinage of silver at a ratio of 16 to 1 [applause], and in the Republican platform of 1900, if not in 1896, you provided for the coinage of silver, provided it was done by international agreement, on the theory that if you remonetized silver in the United States alone it would draw the surplus silver to America and drive down the American dollar.

This bill, from that standpoint, is merely carrying out the ideas you expressed more than 30 years ago. In addition to broadening the base for the issuance of American currency it will restore the purchasing power of the people of the silver countries throughout the world, who buy American cotton, cotton goods, wheat, wool, manufactured goods, and other commodities.

Probably the most important proposal contained in this measure is that to give the President the right to reduce the gold content of the dollar, in order to broaden the base of our circulating medium and to reach an understanding with foreign nations for some kind of a working agreement as to monetary standards.

The chief opposition to this provision is coming from that element of our people who own Government bonds payable in American dollars based on the present gold standard. They prefer to prevent, in any way they can, an expansion of the currency that would raise commodity prices, for the simple reason that it reduces the purchasing power of their dollars invested in those tax-exempt bonds. They prefer to exact the last "pound of flesh." They ignore the appeals of suffering humanity. They ignore the ominous warning of discontent. They ignore the pleas of the President to the effect that this change is necessary to bring order out of chaos, restore the prosperity of the American people, and to save American institutions. When they are asked to cooperate in this stupendous undertaking, they raise the question of the Government's right to cut down the gold content of the dollar and ask, in the words of the greedy Shylock, "Is it so nominated in the bond?"

If by some chance we had discovered an unlimited supply of gold and had offered to pay these bonds in that commodity, then they would have demanded American dollars instead.

The Government has a perfect right to change the gold content of the dollar, without consulting the holders of Government bonds. If this program goes through, they will be paid every dollar the United States owes them in United States money. If they should block its passage, and this country should be swept into the maelstrom of repudiation, they might find, as did Shylock of old, that they had forfeited their bonds by their own perfidy.

We have come to a change in world affairs. We are in the same condition the people of Europe were in at the time of the fall of the Roman Empire. Two thousand years ago Rome sat upon her seven hills, the unchallenged mistress of the world. A few people owned practically all the wealth of the empire. They had gathered unto themselves the gold of the known world. The supply was limited and the amount per capita was gradually diminishing, and there was little or no hope for the discovery of new supplies. They were charging the people as high as 48 percent interest at the time of the murder of Caesar. He was murdered, not because he was ambitious, as many of us have been led to believe, but because he had taken the side of the people of Rome and was wringing the loathsome fingers of the money changers loose from the throats of the suffering people of Europe, just as Roosevelt is doing in America today. [Applause.]

After his death, they continued to concentrate and control the money supply of the world. They drove commodity prices down. International trade fell off, and commerce died. Because of the lack of a circulating medium, the people were driven to barter in trade. Poverty increased, stagnation prevailed, patriotism withered and perished away, corruption crept into the state, Rome tottered and fell, and Europe lapsed into an economic lethargy that lasted for 1,000 years. It was broken only by the discovery of America, and with it new, and apparently unlimited, supplies of gold. When this new gold was added to the circulating medium of the Old World, Europe awoke, as it were, from her lethargy of centuries and leaped forward into an era of prosperity, the like of which mankind had scarcely dreamed.

Commodity prices began to rise, wages were increased, employment became plentiful, commerce was revived, international trade was stimulated, and there dawned upon this earth what is known as the "golden age," the most glorious period in the history of the human race—an age that gave to the world more of genius and of greatness than any other period in all the annals of recorded time. Into that age Shakespeare was born—"the rarest genius and the richest soul that ever lived and loved and wrought of words, the statues, pictures, robes, and gems of thought." Into that age came Cervantes, the author of Don Quixote, who by his ingenuous pen swept away the fallacies of centuries, and struck from the minds of men the shackles placed upon them by caste systems of ancient institutions.

Into that age came Galileo, the seer of the centuries, before whose matchless genius the old heavens folded away, and a new universe swung into view. It was indeed a golden age. Its glories are still reflected in the marble of Michelangelo, the paintings of Rembrandt, the engravings of Cellini, whose handiworks today adorn the art galleries of the world.

Under the impulse of progress generated by this revival, our forbears swarmed across the Atlantic and carved this Republic out of the unbroken wilderness of the New World, and established here, for the first time, a nation dedicated to the proposition that government derives its just powers from the consent of the governed.

For approximately a century after the establishment of the American Republic, we had a double monetary system of gold and silver. In 1873 silver was demonetized, and soon thereafter the supply of gold per capita began to wane.

Today we are in the same condition the people of Europe were in at the time of the fall of the Roman Empire. The gold supply is insufficient, with the present standards, to supply the basis for the circulating mediums of the world and the amount per capita is on the wane. We are virtually at the end of gold. We have prospected every field, we have searched every territory, we have exhausted every mine. There are apparently no more fields to be discovered. We must find some other method of broadening the base for our monetary supply, or suffer the fate of the people of Rome.

A great American orator once said that "It took Rome 400 years to die, and our death, should we perish, will be as much more terrific as our intense civilization has given us more bone and sinew and nerve and strength and vitality."

We are making history today. The world is looking to America for leadership. The destiny of our civilization is in our hands. We must not fail. [Applause.]

Some years ago, Lord Robert Cecil, Viscount Cecil of the British Empire, is reported to have said in a speech in Chicago, that "England's sun is going down." But he said it would be a "glorious sunset." And it will. No nation that has ever risen and fallen in all the tides of human history has contributed more to the progress and enlightenment of mankind than has the British Isles. He is quoted as having said further that "The leadership of the world has now been transferred to the United States." In order to maintain that world leadership, we must prove ourselves worthy and able to lead. We are in the crucial test today. Upon the outcome of this measure may depend, not only our

leadership, but the very destiny of our American institutions.

One of the ablest Ambassadors ever sent to the United States, said in a speech in this country a few years ago that "An age is dying in Europe, the waves caused by its death agonies are lashing the shores of America."

In the midst of possibly the greatest crises through which the British Empire has ever passed, when all that she had builded for a thousand years was threatened with dissolution, Phillip Snowden, one of the greatest Chancelors of the Exchequer that country has had in a hundred years, arose in the House of Commons, just out of a sick bed, pale and emaciated, dramatically pointed his bony finger at the opposition across the aisle and hurled at them a challenge that will ring down the centuries, in which he said:

"All our past acclaims our future: Shakespeake's voice and Nelson's hand,
Milton's faith and Wordsworth's trust in this our chosen and chainless land,
Bear us witness: come the world against her, England yet shall stand!"

In this tragic hour, when American institutions, and probably American civilization, are trembling in the balance, let us draw courage and inspiration from the sacrifices and accomplishments of the past, and say in the words of that great Englishman that all our past proclaims our future. The sword of Washington, the pen of Jefferson, the heart of Lincoln, the spirit of Lee, the valor of Davis, and the voice of Bryan, the blood of a million American heroes crying out to us from the ground, echoed and re-echoed from the hearthstones of millions of American homes—all these admonish us that America must not fail, our civilization must not perish, our institutions must not die. [Applause.]

By the consummation of this program we can restore the prosperity of the American people, broaden the base of our monetary supply, and restore normal conditions throughout the world, and thereby usher in the golden dawning of a new and a grander day.

Let me appeal to you again, and especially to the erudite gentleman from Pennsylvania, to join us in this fight and follow our great leader in this "battle of centuries," to rescue and perpetuate the civilization of mankind. Then you will not only receive the deserved plaudits of a grateful Nation, but throughout the distant lapse of far-off years your praises will be sung by the sons of men, even in the ages yet to come, when this, our lofty scene, shall be acted over "in states unborn and accents yet unknown." [Prolonged applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, the claim that is made here that the Republicans are inconsistent in asking that the $1,800,000,000 stabilization fund that is not being used be spent, and that it will produce inflation if it is spent, if it is used to pay for current or past bills, is very foolish.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. No; I cannot yield. I have said it for the last time now.

Mr. WHITE. Mr. Chairman——

Mr. SMITH of Ohio. Mr. Chairman, I refuse to yield.

The CHAIRMAN. The gentleman from Ohio declines to yield.

Mr. SMITH of Ohio. I am going to ask you this simple question. What are you going to do with the $1,800,000,000?

Mr. WHITE. How am I going to answer it if the gentleman will not yield?

Mr. SMITH of Ohio. I ask for order, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio declines to yield.

Mr. SMITH of Ohio. I ask you, what are you going to do with this $1,800,000,000? It is created. Sooner or later you will have to spend it. It is an act that is completed. It is not as though we intended to create that fund; it is here. Therefore, all the Republicans, if you want to make it a party issue, are asking is that it be used and spent now, when it is needed. That is all they are asking.

Furthermore, why talk about $1,800,000,000 producing inflation? What about the $675,000,000 of the so-called profit that has already been spent to pay off bonds? What have you to say about that? What have you to say about the $145,000,000 the Treasury is carrying in its general fund? Talk about inflation.

Mr. WHITE rose.

Mr. SMITH of Ohio. Mr. Chairman, I refuse to yield.

Mr. WHITE. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. The gentleman from Idaho cannot raise that question while the gentleman from Ohio has the floor. The gentleman refuses to yield and will proceed.

Mr. WHITE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. WHITE. The gentleman has addressed a question to me, and I want him to yield so I can answer it.

Mr. SMITH of Ohio. I have not addressed a question to anybody.

The CHAIRMAN. That is not a point of order. The gentleman from Ohio will proceed.

Mr. SMITH of Ohio. You talk about inflation, you talk about the danger of inflation if this $1,800,000,000 should be used to pay off bonds. I explained to you this afternoon that through the gold-purchase program you have created $14,000,000,000 of inflation in the banking system. I challenge you to deny that.

What have you done with the bank deposits of the United States? You have reduced them in value. You have depreciated them in value so that the bank deposits, taken as a whole, are worth only 75 cents on the dollar, and you are talking about $1,800,000,000 here producing a dangerous inflation.

Further, the statement was made that this would be paid to the Federal Reserve banks. It would not be paid to the Federal Reserve banks. It would go into circulation. The Federal Reserve banks would have nothing whatever to do with it.

Here is another thing about inflation. What is being done at the present time by the process of depositing bonds in the banks? The Treasury simply deposits the bonds in the banks and checks against them. What is that but inflation?

I should think that the New Deal Party would be the last on earth to talk about the danger of inflation. Do you know that the President of the United States has today the power, if he cares to use it, to set into motion a potential inflation that already exists of about $400,000,000,000? Then you talk about the danger of inflation.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. No; I will not yield at the present time.

So that your argument that this $1,800,000,000 will be used as inflation amounts to this. You have already spent $675,000,000. In other words, you have already stolen the first apple. What can we expect you to do following that? We expect you, of course, if you have the opportunity, to steal the remainder of our apples. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. WORLEY].

Mr. WORLEY. Mr. Chairman, I wish I knew more about the monetary system in America than I do. I wish I could say the bill under consideration is a perfect bill, but I cannot. I wish I could say that everything the majority party has done toward this particular piece of legislation has been perfect, and I wish I could say that it would be a panacea for all of our economic ills, but, in all fairness and in all candor, I cannot do it, and I do not believe anyone else can.

The amendment which was offered by the gentleman from Minnesota was also offered in the Committee on Coinage, Weights, and Measures by him. Testimony was obtained from the Secretary of the Treasury, Mr. Morgenthau, relative to this particular amendment, and I quote from the hearings of the committee. Mr. Morgenthau's reasons are these:

I have felt that this $1,800,000,000 is a sort of nest egg that belongs to the people of this country—one that we could use in case the time might come when I might not be able to borrow, except at very unreasonable rates.

Continuing after a colloquy with the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN], the Secretary of the Treasury said:

The very fact that I have this reserve is a kind of a cap on the market to keep the people who own the money from running the rates up on me, because they know I have it.

It seems to me that an analogous situation would be that of a farmer who went to a bank to borrow money to buy a threshing machine. Suppose the farmer had $200. You know good and well that the banker would be inclined to give him a cheaper rate of interest if he had something in reserve than he would if the farmer did not have a dime in his pocket and had to rely entirely on the beneficence of the banker. You take away this $1,800,000,000 from the Secretary of the Treasury and he will necessarily have to go where he can get the money, and he will have to pay a higher rate of interest than the 2½ percent he is paying now.

It is perfectly true that the money in this stabilization fund is not earning any interest and the interest would run approximately $45,000,000 a year, but you must bear in mind at the same time that

if this money were taken away the $45,000,000 would be about one-half of what he would have to pay in interest. We had to pay 4¾ percent during the World War for money similar to this, and I say, in all fairness and in all candor, the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] should be defeated because I believe it to be a short-sighted amendment, and in spite of the fact this money would revert to the general-revenue fund, I still believe and I think the majority of the membership of this side, and I hope a majority of the membership on the minority side, will concur in the proposition that it is a short-sighted policy to try to take this $1,800,000,000 away from this fund [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. HARE] for 2 minutes.

Mr. HARE. Mr. Chairman, I am very grateful for the invitation to speak on the subject now under consideration, and I appreciate the compliment the chairman pays in suggesting by implication that my views may operate to harmonize the difference of opinion on the subject. However, I have never heard the theory of money discussed, but what I am reminded of the observation made by that great humorist, Will Rogers, when he said:

> There are two classes of crazy people in this country; one class is confined to our asylums and the other class is made up of those who claim to know all about money.

[Laughter.]

Therefore, in order to avoid being placed in the latter classification, I shall forego the pleasure of discussing this subject at present, but at some unguarded moment in the future I may be prevailed upon to express my views on the matter. [Laughter and applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. COCHRAN] for 4 minutes.

Mr. COCHRAN. Mr. Chairman, I do not belong to either class that the gentleman from South Carolina referred to. [Laughter.] I make no pretense of being an authority on money. We have one outstanding bond issue now, paying 4¼ percent. I do not believe we can recall them until 1952. In the meantime we must keep that obligation and pay 4¼ percent interest on those bonds until the time arrives when we can recall them.

The Secretary of the Treasury has told us, "Let me have this money and as long as I have the money I am not going to be dictated to by the money interests of this country as to the rate of interest I am going to be required to pay to run your Government when I need money." The Secretary of the Treasury also states that an increase of one-tenth of 1 percent in the average rate of interest on the public debt would more than offset the entire interest saving that might result from the use of the stabilization fund to retire a small part of the national debt. With your Secretary of the Treasury making this statement, it seems to me we should follow him and therefore I hope the amendment will be defeated. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

The question was taken; and on a division (demanded by Mr. AUGHST H. ANDRESEN) there were—ayes 95, noes 118.

So the amendment was rejected.

The Clerk read as follows:

> SEC. 2. The second sentence added to paragraph (b) (2) of section 43, title III, of the act approved May 12, 1933, by section 12 of said Gold Reserve Act of 1934, as amended, is further amended to read as follows: "The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire June 30, 1943, unless the President shall sooner declare the existing emergency ended."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. AUGUST H. ANDRESEN: On page 2, at the end of line 9, insert: "No foreign gold shall be acquired by the United States after the date of enactment of this act at a price in excess of $35 an ounce."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the amendment which I have just offered was proposed in the Committee on Coinage, Weights, and Measures and was adopted by a majority of that committee a week ago last Tuesday, I believe. The majority of the committee apparently regretted their action and on the next day they called a special meeting and rescinded it and the amendment was then defeated by a strict party vote, the majority at that time all voting against the amendment.

I am offering the amendment at this time and in the few minutes I have I want to explain it to you. We have already under the New Deal monetary policy with respect to gold purchased nearly $15,000,000,000 worth of foreign gold at $35 an ounce. Our total gold supply in the Treasury is $22,568,000,000 as of May 22, a few days ago. In addition to the gold in the Treasury there is around $1,900,000,000 in earmarked gold in the banks in New York, earmarked and held for foreign countries and individuals. This money will eventually find its way into the United States Treasury and we will soon have between 85 and 90 percent of the total world supply of monetary gold in the Treasury of our country.

My amendment seeks to peg the price paid for future purchase of foreign gold at $35 an ounce. In other words, my amendment fixes it so that the Treasury cannot pay more than $35 an ounce for foreign gold in the future. We are the only purchasers of gold in the world. We take it all at $35 an ounce. We fix and maintain the price. Under the bill before us, if continued, the President still has the right to raise the price of gold from $35 an ounce to $41.34 an ounce. The only ones who would benefit by such an increase in price of approximately $7 an ounce are the foreigners and a few domestic mines. Is there any reason in the world why we should raise the price of gold $7 an ounce and give the foreigners who are mining gold and gold speculators the advantage of it? My amendment here does not deprive the domestic miners of an increased price for their gold. It is somewhat similar to the proposition we established a few years ago when we discontinued buying foreign silver metal at 50 cents to $1 an ounce. We buy foreign silver at the world price, while in this country we continue to pay something like 71 cents an ounce for domestic-mined silver. My amendment pegs foreign gold at $35 an ounce so that the United States Treasury cannot pay more for it. That will give some stability to our American dollar and to our foreign exchange and will give stability to the contracts entered into between this country and citizens of foreign countries. Everyone will know that the gold dollar which we hope will be continued as a medium of international exchange will have a definite, fixed value. Therefore, I am proposing that this amendment be adopted by both sides of the aisle, so that we can stop the iniquitous practice of further devaluation of the dollar and increase in the price of gold. I believe it is our duty now to begin working for American citizens, and we can do it by adopting this amendment. [Applause.]

Mr. WORLEY rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. WORLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection?

Mr. AUGUST H. ANDRESEN. Mr. Chairman, there are several other amendments to be proposed.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate upon this amendment close in 30 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WORLEY. Mr. Chairman, it is not my purpose to attempt to monopolize any of the time which belongs to the committee, but there are two phases of this bill in which I am particularly interested, and upon which I tried to inform myself officially so that I can at least give my views, which I think and hope are sound. During the discussion of the bill in the committee several amendments were offered by members of the minority side. All of them were defeated until this amendment was offered along toward the last of the morning session. Frankly, it sounded very good to the members of the majority side of the committee, and even better to the Republican members of the committee. Consequently it was adopted. It was adopted without a great deal of thought being given to it, and it was adopted by a two-vote margin, as I recollect. Shortly after its adoption the chairman asked the Secretary of the Treasury for his opinion as to the exact effect the

amendment would have on the bill. The answer which the Secretary gave I shall read, because I think it expresses concisely the proper objections. The Secretary said:

Section 2 of H. R. 4646 extends the power to reduce the gold content of the dollar. To this same section has been added a committee amendment which provides that no foreign gold can be acquired at a price in excess of $35 an ounce.

The effect of the amendment is to nullify completely the power to devalue the dollar given in the first sentence of section 2 since any dollar devaluation necessarily increases the price of gold. This is true, of course, because the value of the dollar is expressed in terms of gold and when the gold content of the dollar is reduced it means that you have to pay more dollars to buy an ounce of gold. Congressman ANDRESEN'S amendment also constitutes a pro tanto repeal of section 8 of the Gold Reserve Act which is permanent legislation and which authorizes the Secretary of the Treasury, acting with the approval of the President, to purchase gold at home or abroad "at such rates and upon such terms and conditions as he may deem most advantageous to the public interest."

The reasons for the continuation of the President's power to devalue the dollar were fully explained by the Secretary of the Treasury in his testimony before the committee on May 8, 1941. The Secretary stated that the administration has no present intent whatsoever to devalue the gold content of the dollar, but that this is not the time to remove flexible power from the Executive when heads of other nations possess virtually complete powers over the domestic and external monetary affairs of their countries.

The power to devalue the dollar is a strong reserve weapon and is much needed to protect American monetary and economic interests.

There is no basis whatever for believing that the continuance of these existing monetary powers will have any inflationary effect. On the other hand, to take away these powers may well affect the interest rates which the Government will have to pay on the enormous financing program upon which it is embarking.

At a time when the United States owns over 22½ billions of gold, constituting about 80 percent of the world's monetary stocks of gold, Congress should not hastily adopt legislation limiting existing Executive powers to deal with gold.

I trust that that answer from the Treasury Department, which is charged with knowing, along with the Congress, the effect of different amendments offered to legislation which comes before this House for action, will be accepted as the most expert opinion that anybody in the Government can offer. I think the reasons advanced why this amendment should not be adopted are sound and sane, and I hope that the Members will vote against the amendment. [Applause.]

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment should prevail. As I understand it, it is a compromise between the recommendation of the Board of Governors of the Federal Reserve and those who want to continue this power.

May I take just a moment to tell you the history of this legislation? I will do it as briefly as I can. In 1933 the House Committee on Banking and Currency divided itself into subcommittees for the purpose of discussing several issues which were confronting us at that time. One of them was a bill to establish a Federal monetary authority, which the gentleman from Maryland, Judge Goldsborough, introduced. We worked for 7 weeks on that bill to establish a Federal monetary authority. We had all of the leading economists of the Nation before the committee at that time, including Professor Pierson, who collaborated with Professor Warren in advising the President on the gold policy which the President later put into effect. It was contended at that time by Professor Pierson that to devalue gold would result in an immediate increase in the commodity-price index. That is what we were very much concerned about in those days, the purpose being to create a situation where the equivalent of an ounce of gold was $35. Anything you formerly bought with an ounce of gold would have to be purchased with $35 instead of $20.67. The whole theory of gold-devaluation legislation was to increase the commodity price by 59 percent. It failed. The Treasury has admitted that it failed and I am told that one of the sponsors of the plan who advised with the President now admits privately to his colleagues that in practice the plan has failed, disproving the theory that the fluctuation in the dollar price of gold will necessarily cause a fluctuation in the commodity-price index.

It did not accomplish its purpose and the only single individual in the world today who still believes that it did or will is the President of the United States. In his stubbornness and contrary to his inaugural address of March 4, 1933, he insists upon following a plan which has been repudiated by every leading economist in the world. The Board of Governors of the Federal Reserve gave the President an out when they advocated that this power be allowed to lapse. Surely if we are ever going to have any stability in the world's money market we have to let this power lapse, or at least take the first step toward stabilization of the dollar value of gold. This amendment puts a ceiling on the dollar value of gold and may alleviate the fears expressed not only by the Board of Governors of the Federal Reserve but their advisory council, by all the leading economists, bankers, and money men in the United States, that we are approaching a situation which may result in having to take very drastic steps to prevent inflation.

The purpose of gold devaluation originally you understand was to inflate, and the President still thinks that by devaluing or revaluing the dollar price of gold, the commodity price index will fluctuate proportionately. It is a fallacy, and we, the Congress, who have this power to do so should today initiate the movement for stabilization of world currencies. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS] for 4 minutes.

Mr. VOORHIS of California. Mr. Chairman, I am more interested in the stability of the American dollar in our own markets and our own business than I am in an arbitrary figure with regard to its gold content. Furthermore, what the American people are interested in—and all they are interested in—is how much bread, meat, clothing, and shelter those dollars will buy. It makes no difference to them how the relationship of the dollar to grains of gold is arranged. The whole purpose of this legislation is to enable the American Government to prevent some other nations in the world from devaluing their currencies in terms of gold, which is used to settle international balances, and thus in effect raising the cost of production to the American producers in terms of international exchange without our being able to take compensatory action.

The adoption of this amendment will practically nullify the purposes of the legislation. It seems to me, therefore, it should be defeated. If we are ever going to arrive at a reasonable stability of the relationship between the currencies of the world it has got to be done by means of agreement, and certainly the way to start out is not to tie the hands of your own country so it will not have any basis or bargaining power on which to make such an agreement.

It is obvious to me, at any rate, that an attempt to influence the price level by changing the gold content of the dollar is likely to be a fruitless or, at any rate, an inadequate attempt. I do not believe it will do it. I think the thing that controls the price level is the relationship between the quantity of money in circulation and its velocity, on the one hand, and the quantity of goods and services, on the other. That is not the purpose of this legislation, and ought not to be injected into the discussion if we are trying to understand this matter.

It was said a little while ago that we should do something for the American people. I have heard speeches on the floor of the House over and over again wherein it was said that we should do something for the American people along the line of raising tariff barriers against the importation of certain products, and that we should try to encourage exports from our own country at the same time we discouraged imports into it. That is supposed to be doing something for our country, the idea being somehow or other that the more goods you send out of the country the better off you are and that the less you bring into the country the better off you are. I think that is open to some question. On the other hand, if we do not let other countries send their products to this country to pay for what we send out we have got to have some means by which they can pay. Under present existing circumstances the United States is, because of two reasons, exporting a very large quantity of goods. The main one of those reasons is that we are selling a great quantity of war goods—mostly, of course, to the Britisl.. The other is that we are trying to hold on to some markets for some of our products which are produced in real, actual surplus. If you are going to do that, and if you are not going to import a corresponding amount, which clearly is impossible, you have got to make it possible for the purchaser to pay for the purchases; and

under those circumstances there must be some means of payment, and so far it has largely been gold. Furthermore, we have got to be able to protect our producers against monetary manipulation from abroad. This need seems to me to justify the continuation of this power not only during the war but after the war is brought to a close.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. AUGUST H. ANDRESEN. Does the gentleman believe there would be any danger of manipulation of gold from abroad due to the fact we have such a large proportion of the gold right here in this country?

Mr. VOORHIS of California. I am not speaking of the manipulation of gold from abroad. I am expecting that the time will come, if this war should cease, as I hope it soon may, that there will probably be a tendency in many nations to devalue their currencies. It will be one easy way to discharge their debts. I think the result would be—and I believe the gentleman will agree that the result would be—that of raising the cost of production to the American producer. We should be able to prevent that. That is the purpose of this power.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. SMITH] for 4 minutes.

Mr. SMITH of Ohio. Mr. Chairman, the argument of the gentleman from California who just preceded me amounts to this: That if other nations debase and clip their coins, we want to be in position to debase and clip our coins. That is exactly what it amounts to. There is not a student of money who has not pointed out and who does not realize that no government ever benefits from such a policy. They know that the benefits that are supposed to be attached thereto are very temporary; that in the long run it costs them more than they get out of it.

I have heard it said here this afternoon, Mr. Chairman, that we have great people working at the Treasury. I am not going to dispute that, but I want to read a little testimony from the hearings held by the Committee on Coinage, Weights, and Measures. One of the members asked a question of Mr. Bell, Under Secretary of the Treasury, and I presume Mr. Bell was speaking for Mr. Morgenthau, Secretary of the Treasury. The question is as follows:

> Then the gold certificates handled by the Federal Reserve are a very insecure thing, if it is just on the value which is determined to a large degree by the President with the power to devaluate gold?
>
> Mr. BELL. They can change their books, could they not?
>
> They could not change their books, but it would change the security.
>
> Mr. BELL. They would still have $17,000,000,000 of gold certificates in their possession.

Let us reduce this proposition to common sense. In substance, the Secretary of the Treasury says that a $100 gold certificate is of the same value whether it calls for a hundred dollars of gold with a content of 13.71 grains to the dollar or whether it calls for a hundred dollars of gold with a content of 11.61 grains to the dollar. That is precisely the proposition we have here. If that is the case, then a gold certificate for $100 ought to call for the same value dollars if the gold content of the dollar is cut in two or in four or into a millionth part of its present content. Either Mr. Bell's formula stands on principle or it does not stand on principle, but by some sleight-of-hand performance they can change their books.

The politicians changed their books in France. They cut down the value of the franc so that at one time they took three and one-half billion dollars from the people. Furthermore, they could change their books in France so that the French peasants who bought bonds at $20 had to sell them for $3. They could also change their books in Russia. The Russian Communists changed their books so that at one time when they did change their books they cheated and stole from the poor Russian peasants over $9,000,000,000. So did the Germans change their books so that the German mark, or the content of the mark, was reduced a trillionth part of its original value.

Now, with regard to the limitation this amendment would place of $35 an ounce. Of course, it should be pegged at that figure. As far as I am concerned, I would take all of these powers away from the President. We should coin the gold and return it to circulation. That would bring back the free-contract process. The gold-prohibition law has destroyed the free-contract process—the very basis of civilization itself. [Applause.]

I believe the President could, under section 8 of the Gold Reserve Act, debase to any degree he might determine the gold dollar.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN] for 4 minutes.

Mr. PATMAN. Mr. Chairman, I cannot add anything to what my colleague the gentleman from Texas [Mr. WORLEY] has already said in opposition to this amendment. He gave a logical, convincing reason why the amendment should be defeated, and I, too, want to commend him for the ability he has demonstrated upon this occasion in support of the bill now under consideration. I think he has made a wonderful and effective fight.

The principle of this bill involves 640,000,000 ounces of gold—approximately 40,000,000 pounds. If that gold were shipped from New York to Fort Knox, Ky., in railroad freight cars, it would require 8 railroad trains carrying 50 cars each, each car containing 100,000 pounds of gold. So it does involve a commodity that is very valuable—something that should be given great consideration.

I was surprised at the desperation of my friend the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] in his effort to get some kind of an amendment to this bill and in order to get some kind of an amendment he is willing to submit an amendment which means putting this $1,800,000,000 into the general fund of the Treasury, then issuing what I have always understood from friends on his side of the aisle to be printing-press money. I hope that the gentlemen who voted for that amendment will never again condemn printing-press money.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. PATMAN. I will be glad to yield to the gentleman if he has not a long, involved question.

Mr. AUGUST H. ANDRESEN. The gentleman knows that that $1,800,000,000 is in gold and that the money which would be issued would be gold money.

Mr. PATMAN We cannot issue gold money.

Mr. AUGUST H. ANDRESEN. It would have gold backing. It would not be fiat money.

Mr. PATMAN. No; because gold is not in circulation any more and we could not issue gold certificates. That is illegal. What the gentleman is talking about would be good under the old law, but that law has been repealed.

Mr. AUGUST H. ANDRESEN. I recognize that.

Mr. PATMAN. Now, the only thing you could issue is what the gentleman has always referred to as printing-press money for the purpose of making these payments.

When this emergency is over, I do not know what kind of situation will confront us, but we do know that the President as the Chief Executive of this Nation should have some bargaining power. If you were to adopt this amendment, you would deprive the Chief Executive of the bargaining power which he needs to take care of the United States of America.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. PATMAN. For a brief question.

Mr. AUGUST H. ANDRESEN. Does the gentleman favor paying foreigners more than $35 an ounce for their gold?

Mr. PATMAN. My time has about expired. This is a question of helping the people of the United States and a question of giving the President sufficient power to deal with a great situation when this emergency is over.

Mr. Chairman, I hope the pending amendment will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, in listening to the eminent gentleman from Michigan [Mr. WOLCOTT] I was reminded of what Will Rogers said in the midst of the last depression. He said:

> Too much wheat, too much cotton, too much beef, too much wool, too much pork, too much of everything, and we are going through the unique experience of starving to death in the midst of plenty.

The gentleman from Michigan says that this program of our administration is a failure. Well, if $22,000,000,000 of gold in our Treasury and a prosperous country with a national credit that sustains the borrowings of the Treasury represent a failure, then our program must be a failure, but I do not know how the gentleman from Michigan measures a failure if that is evidence of a failure.

Let me contrast for a moment what happened when the gentleman from

Michigan [Mr. WOLCOTT] was in the House and a Republican President was in the White House with what the situation is now. Let me contrast what his administration accomplished and what he probably rates as a success in contrast to his idea of the failure of this administration.

In that administration the surplus exports of this country just equaled the bonds we bought from foreign countries in lending them the money with which they bought our surplus goods. We all know what happened to the foreign bonds. When they were defaulted and we found that we had simply made those countries a present of these surplus exports that were exported during that great, successful administration. Now we have been sending our surplus exports abroad and having them paid for in good hard cash in the form of gold, and we have that gold safe in our vaults in this country. I wonder if the gentleman from Michigan [Mr. WOLCOTT] would say that is a failure. If he does, who will accept his verdict? But I believe the rating of economics will show that this program we are advocating here has been one of great success.

I hope this amendment will be voted down. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Chairman, the gentleman from Minnesota [Mr. ANDRESEN] made the statement that his amendment would give stability to our dollar and to our foreign exchange. The adoption of his amendment in these days of uncertainty and rapid changes would have the opposite effect. It would have a tendency to unstabilize our currency and have an adverse effect upon our foreign exchange.

The amendment which was offered a few minutes ago, and which the Committee of the Whole in its wisdom rejected, would have taken $1,800,000,000 from the stabilization fund. If that amendment had been adopted it would have been fatal. The purpose of that fund is to protect the economic life of America in these trying days. It has played an important part during the past 7 years, and it might play a more important part in the future if certain events happen abroad which we all hope will not happen.

The pending amendment is aimed to take away the authority of the President to further devalue the gold content of the dollar. The purpose of the original passage of this legislation in 1934 was to protect our economic system. England had gone off the gold standard, France had gone off the gold standard, and other countries had gone off the gold standard, but the United States had remained on the gold standard. The result of these competing countries going off the gold standard was that their production costs were lowered, they were able to underbid American manufacturers and producers in the foreign markets, and they were able to get over our tariff protection and send their products into continental America.

By reason of their lowered production costs in consequence of the action they had taken, what we did then we had to do as a measure to protect ourselves and to protect our economic system. Following the passage of the law relating to the devaluation of the gold content of the dollar, the President issued a proclamation. He was authorized to devalue to between 50 and 60 percent, and he devalued to 59 percent plus. He now has that slender margin. He does not intend to exercise it unless events abroad compel him to do so. What he does in the interest of our country is dependent upon events that may happen abroad. We do not know what day in the future some country abroad in competition with our country may bring about some kind of a further devaluing influence which may compel the limited power extended to the President by the pending bill for the next 2 years to be exercised in our interest.

This bill simply extends the present law. In 1934 the original act was passed to remain in effect for 2 years, with the power in the President to extend it for 1 year, which he did. That was one extension. The Congress of the United States in its wisdom gave to the President two additional extensions. This is nothing but an extension of the present law, necessary by reason of world conditions, and in the best interest of the economic life of our Nation.

As I see it, this is a plain, simple question of common sense. I am surprised to see that a party issue is made of it. I regret it very much. In the last vote one Republican Member voted against the amendment. I do not know what will happen on this amendment so far as a party vote is concerned. However, the continuation of this power, limited now to a fraction of one-fifth of what it was before, to devalue the gold content of the dollar, is necessary, and the power will be exercised only in the event that future happenings compel it.

The original bill passed in 1934, the establishment of the stabilization fund, and the devaluation of the gold content of the dollar, were necessary as the result of actions abroad. Such action was in the best interests of our country. The amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] should be defeated and the bill passed. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 100, noes 120.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. COCHRAN and Mr. AUGUST H. ANDRESEN.

The Committee again divided; and the tellers reported that there were—ayes 116, noes 131.

So the amendment was rejected.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AUGUST H. ANDRESEN: On page 2, after line 9, insert "The first sentence of such paragraph (b) (2) so added is amended to read as follows: 'Nor shall the weight of the gold dollar be less, after June 30, 1941, than 15 5/21 grains of gold nine-tenths fine.'"

Mr. COCHRAN. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. COCHRAN. Mr. Chairman, this amendment is identical with the other amendment except it deals with weight rather than dollars, and I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, the amendment that was defeated provided only that $35 should be paid for foreign gold, while the amendment that is now before the committee proposes to fix the weight of gold for both the dollar in this country and the amount paid to foreigners. In other words, the unit of value for gold will be 15 5/21 grains of gold nine-tenths fine. This is the present weight of the gold dollar under the proclamation issued by the President in February of 1934. This amendment is broader than the amendment that was just considered and defeated, because it covers all of the gold we have in the Treasury and I may say definitely prevents the President from devaluing the dollar in terms of gold.

The purpose of the minority is to take away from the President the devaluation power which he now possesses and which expires on June 30, 1941, and which the majority seeks by this bill to continue for another 2 years. It is not necessary to have any great discussion on this amendment. You know the purpose of it. I believe the amendment should be adopted. The minority on the committee has agreed to it and that is the issue before us now. I am satisfied if we could have a secret ballot in this House on this amendment it would be adopted overwhelmingly. [Applause.]

Mr. COCHRAN. Mr. Chairman, the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] is to be complimented on his frankness and his fairness. He tells you just exactly what his amendment seeks to do. He wants to take away the power that section 2 of this bill gives the President. There are no ifs and ands about it. The gentleman makes it perfectly plain to you he seeks in this way to take out section 2 and therefore I hope the amendment is voted down. Mr. Chairman, I now ask for a vote. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 87, noes 105.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 2, line 9, strike out the period and insert: "*Provided*, That during this extension of time for the exercise of these powers, in paying for the gold authorized to be acquired by this act, as amended, the Secretary of the Treasury shall use gold coins or gold certificates based on the weight of the gold dollar fixed under these powers, and for that purpose he is authorized to provide for the coinage of gold coins of the value of $10 and $20, each of the standard of fineness proclaimed under these powers and to deliver the same to the tenderer of gold bullion in the amount of dollars to which he is entitled, or in lieu thereof, the Secretary of the Treasury may cause to be issued and delivered redeemable gold certificates in an amount in dollars equal in value of the gold coins to which the tenderer of gold bullion would be entitled."

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Yes.

Mr. COCHRAN. Mr. Chairman, this is the last amendment and I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. SMITH of Ohio. Mr. Chairman, I reserve the right to object. I would like to have 5 minutes.

Mr. COCHRAN. I suggest the gentleman take 2½ minutes and I shall take 2½ minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes. Is there objection?

Mr. SMITH of Ohio. I object.

Mr. COCHRAN. Mr. Chairman, I move that all debate upon this amendment and all amendments thereto close in 10 minutes.

Mr. CASE of South Dakota. Mr. Chairman, I make the point of order that that motion is not in order at this time or until there has been debate.

The CHAIRMAN. The point of order is sustained.

"THE WAY TO RESUME IS TO RESUME"

Mr. CASE of South Dakota. Mr. Chairman, this amendment is rather a simple thing. It is not complex. If it were complex, I would not be offering it, because I do not pretend to be an expert in money matters. I listen to the real students of the subject with interest because I am convinced the question is fundamental. I listen and repeat what I read or hear. So this amendment is simple. It simply says, as a President of the United States once said, the way to resume specie payment is to resume it.

This amendment restores the use of gold coin and gold certificates as legal tender. That is the effect of it. The amendment provides that when the Treasury buys gold it shall use gold to pay for that gold, by the use of gold coin or gold certificates. A purchase will wash itself. The Treasury will no longer be obliged either to borrow money and pay interest on it or to go through some rigmarole with the Federal Reserve bank issuing notes and one thing and another. It provides for a clean-cut transaction. The miner or the owner of gold bullion offers the gold to the Treasury and the Treasury will pay for the gold either with gold coin or gold certificates based on the standard of fineness then existing under the powers which the President is authorized under this general act to exercise. The miner, of necessity, pays his expenses with the gold coin he receives, and you have started the circle of gold exchange. Automatically the gold coin and the gold certificate must become legal tender for taxes and all other obligations. Whatever additional legislation is needed to provide a sufficient volume of gold coin and gold currency will follow as a matter of course.

Two years ago, when we were debating this same proposition, I remember using the illustration of the boy with the marbles, and asked the question what would happen when the boy captured all of the marbles. At that time we were increasing our acquisition of gold. We then had between 66 and 70 percent of the world's gold in this country. Some of you were worried then. What do you think of the situation now? Today, 2 years later, we have between 80 and 85 percent of the world's gold—about $23,000,000,000 worth of it. We have a tremendous stake, in other words, in the value of the world's gold.

This amendment is an attempt, first of all, to underwrite and to protect the value of the goods and labor that we have invested in the gold that we have already bought. The device is simple. It is to distribute the ownership.

The amendment is an attempt, in the second place, to provide a medium of exchange in order that the nations of the world can trade again. When we make it legal, again, to own and use gold exchange, it will find its way into international trade.

The reason for the economic breakdown in world affairs—at least one big reason—was the lack of sufficient gold in some countries to serve as a base for their currency and to clear their international exchange. They were forced, then, to take two steps: First, to devalue; second, to resort to barter. So common is the knowledge of those steps that one hardly needs to mention them. The break-down of Europe can be traced to the breakdown of the London Economic Conference. Other forces enter in, of course. Disaster feeds on disaster. Barter at a bargain, in turn forces another barter at a lower rate of return. In time the descending spiral spells ruin. Disaster reigns until some way is found to restore trade.

Barter limits trade, ordinarily, to two people. A medium of exchange, of a value acceptable to everybody, broadens trades to three, four, five, or more parties, and permits the producers of one kind of goods to get a fair return in goods they want. The value of a medium of exchange is that it reduces forced sales. You no longer have to take something you do not want in exchange for something you produced. You get, with an exchange medium, something you can use to buy what you really want. Through the ages gold has been found to be the best medium. And that is why many of our respected students of world problems insist that one of the most important steps to world order is the restoration of that medium for international exchange.

I have introduced other measures to work in that direction—for instance, the bill to authorize use of gold from the stabilization fund to pay for French possessions in this hemisphere. Other steps, such as the purchase of deficiency metals, must be worked out to distribute the gold by buying what we want or need, if the world is to achieve peace and order again.

This amendment proposes a simple step. It proposes to use gold to pay for the gold we buy and start the circle of exchange to that extent. It restores legality to the ownership and use of gold. It is a step that must be taken sometime. It will create a wider interest in the gold in which the United States has invested twenty-two or twenty-three billions of dollars' worth of labor and good.

Instead of reaching the point where Uncle Sam becomes the one boy who has cornered all of the marbles and has to quit playing when the other boys resort to trading jackknives, we will be reestablishing a system in which the other boys and the other nations in the world can get gold, and international trade can flow again. "The way to resume is to resume." I ask for the adoption of the amendment. [Applause.]

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, I am happy to support this amendment. There is nothing that the United States of America needs so much today as to return to specie payments. Few people realize what happened to this country by the gold-prohibition law. The gold-prohibition law has done nothing less, as I said awhile ago, than to destroy the free or voluntary contract process, the very basis of civilization itself. The greatest protection the laboring man has to keep what he produces, is to be paid in value money, and the slickest device to cheat him out of what he produces is this which we are on at the present time, political promise to pay money, universally condemned by all sound students of money. Not only is the free circulation of gold the basic protection for the laboring man to keep what he produces, but to be paid in hard money, gold, is the greatest protection on earth to maintain the most equitable distribution of wealth.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. No, I do not yield. Mr. Chairman, I do not care to yield at this time.

If you will examine the literature on the question of debasement since the

coinage of money first began, about 700 years before Christ, and perhaps even before that, you will find that all students have condemned the debasement of money. That is all you are asking for here—to continue to debase money; to clip the coin. That is all you are asking for.

What did Daniel Webster say about the sort of money that we are now on and the New Deal party asks to have continued? He said it is the greatest of inventions, to fertilize the rich man's field by the sweat of the poor man's brow. That is what Daniel Webster said on the floor of the Senate about 100 years ago.

What did Grover Cleveland say about this kind of money? Grover Cleveland certainly would not support this money scheme that now exists; Grover Cleveland who saved the Democratic Party by abolishing or repealing the Silver Purchase Act. He understood money perhaps as well as most Presidents we have had. He pointed out that this kind of money has its most injurious effect upon the poor and the working-class people. He explained, as all men who study this question know, that the wages of the laborer always lag behind the price increase. Oh, yes; you say you are not going to have any price increase. You are going to have somebody to hold prices down. The very fact that you have set up an agency to control prices shows that you fear inflation. It makes no difference what you do, you are not going to prevent the effects of inflation which the gold policy has produced. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the minority has been arguing against inflation and still it submits an amendment that will provide inflation.

This amendment is contrary to the entire monetary policy of this Government now in existence. It provides for the coinage of gold coins in the value of $10 and $20, and delivery of same to individuals for gold bullion. In other words, the men who mine gold out in the Black Hills where the gentleman comes from will get gold coin in return for their bullion rather than paper money they now get. At the present time the Government hoards gold, but if you pass this amendment you pass out gold and the individuals who get it will then hoard the gold. If this was done it would be necessary to call in this gold ordered coined under this amendment, which the President has power to do under this act. So why coin gold and pass it out and have it brought back again?

This amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were ayes 84 and noes 108.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and Mr. COOPER having assumed the chair as Speaker pro tempore, Mr. RAMSPECK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4646, and pursuant to the provisions of House Resolution 211, he reported the same back to the House.

The SPEAKER pro tempore (Mr. COOPER). Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. AUGUST H. ANDRESEN. I am, Mr. Speaker.

The SPEAKER pro tempore. Is the gentleman a member of the committee?

Mr. AUGUST H. ANDRESEN. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Minnesota qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. AUGUST H. ANDRESEN moves to recommit the bill to the Committee on Coinage, Weights, and Measures with instructions to report the same back to the House forthwith with the following amendment: On page 2, at the end of line 9, insert "No foreign gold shall be acquired by the United States after the date of enactment of this act at a price in excess of $35 an ounce."

Mr. COCHRAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 218, answered "present" 3, not voting 66, as follows:

[Roll No. 57]

YEAS—144

Allen, Ill.	Coffee, Nebr.	Halleck
Andersen, H. Carl	Copeland	Hill, Colo.
Anderson, Calif.	Crowther	Hope
Andresen, August H.	Culkin	Howell
Andrews	Curtis	Hull
Angell	Day	Jennings
Arends	Dewey	Jensen
Baldwin	Ditter	Johns
Bates, Mass.	Dondero	Johnson, Calif.
Baumhart	Dworshak	Johnson, Ill.
Bender	Eaton	Johnson, Ind.
Bennett	Elston	Jones
Bishop	Engel	Jonkman
Blackney	Englebright	Kean
Boehne	Fellows	Keefe
Bolles	Fenton	Kilburn
Bolton	Fish	Kinzer
Brown, Ohio	Ford, Leland M.	Knutson
Burch	Gale	Kunkel
Burdick	Gamble	Lambertson
Butler	Gearhart	Landis
Canfield	Gehrmann	LeCompte
Carlson	Gerlach	Maas
Carter	Gilchrist	Martin, Iowa
Case, S. Dak.	Gillie	Martin, Mass.
Chenoweth	Graham	Mason
Chiperfield	Guyer, Kans.	Michener
Clason	Gwynne	Moser
Clevenger	Hall, Edwin Arthur	Mott
Cluett	Hall, Leonard W.	Mundt
Oliver	Rockefeller	Murray
Paddock	Rodgers, Pa.	O'Brien, N. Y.
Pheiffer, William T.	Rogers, Mass.	Talle
Pittenger	Rolph	Thill
Ploeser	Rutherford	Thomas, N. J.
Plumley	Satterfield	Tibbott
Powers	Scott	Tinkham
Rankin, Mont.	Shafer, Mich.	Treadway
Reece, Tenn.	Simpson	Van Zandt
Reed, Ill.	Smith, Maine	Vorys, Ohio
Reed, N. Y.	Smith, Ohio	Vreeland
Rees, Kans.	Smith, Va.	Walter
Rich	Springer	Wheat
Robertson, N. Dak.	Stevenson	Wigglesworth
Robertson, Va.	Stratton	Wilson
Robsion, Ky.	Sumner, Ill.	Wolcott
	Sutphin	Wolfenden, Pa.
	Taber	Wolverton, N. J.
		Woodruff, Mich.
		Youngdahl

NAYS—218

Allen, La.	Gibson	O'Leary
Anderson, N. Mex.	Gore	O'Neal
Barden	Gossett	Pace
Barnes	Granger	Patman
Barry	Grant, Ala.	Patrick
Beam	Green	Patton
Beckworth	Gregory	Peterson, Fla.
Beiter	Haines	Peterson, Ga.
Bell	Hare	Pfeifer, Joseph L.
Bland	Harrington	Pierce
Boggs	Harris, Ark.	Plauché
Boren	Hart	Poage
Bradley, Pa.	Healey	Priest
Brooks	Hébert	Rabaut
Brown, Ga.	Heffernan	Ramsay
Bryson	Hendricks	Ramspeck
Buck	Hill, Wash.	Randolph
Buckler, Minn.	Hobbs	Rankin, Miss.
Buckley, N. Y.	Holbrock	Richards
Bulwinkle	Hook	Rivers
Burgin	Houston	Robinson, Utah
Byrne	Hunter	Rogers, Okla.
Camp	Imhoff	Russell
Cannon, Mo.	Izac	Sabath
Capozzoli	Jackson	Sacks
Casey, Mass.	Jacobsen	Sanders
Chapman	Johnson, Luther A.	Sasscer
Claypool	Johnson, Okla.	Sauthoff
Cochran	Johnson, W. Va.	Scanlon
Coffee, Wash.	Kefauver	Schaefer, Ill.
Cole, Md.	Kelley, Pa.	Schuetz
Collins	Kelly, Ill.	Schulte
Colmer	Kennedy, Martin J.	Scrugham
Connery	Kennedy, Michael J.	Secrest
Cooley	Keogh	Shanley
Cooper	Kerr	Shannon
Costello	Kilday	Sheppard
Courtney	Kleberg	Sheridan
Cox	Kocialkowski	Smith, Conn.
Cravens	Kopplemann	Smith, Wash.
Creal	Kramer	Snyder
Crosser	Lanham	South
D'Alesandro	Lea	Sparkman
Davis, Ohio	Leavy	Spence
Davis, Tenn.	Lesinski	Starnes, Ala.
Delaney	Lewis	Steagall
Dickstein	Ludlow	Sullivan
Dingell	Lynch	Tarver
Disney	McArdle	Terry
Doughton	McCormack	Thom
Downs	McGehee	Thomas, Tex.
Doxey	McIntyre	Thomason
Drewry	McKeough	Traynor
Duncan	McLaughlin	Vincent, Ky.
Durham	McMillan	Vinson, Ga.
Eberharter	Maciejewski	Voorhis, Calif.
Edelstein	Maciora	Ward
Elliot, Mass.	Magnuson	Wasielewski
Elliott, Calif.	Mahon	Weaver
Ellis	Merritt	Weiss
Faddis	Meyer, Md.	Welch
Fitzgerald	Mills, Ark.	Wene
Fitzpatrick	Mills, La.	West
Flaherty	Mitchell	Whelchel
Flannagan	Monroney	White
Flannery	Murdock	Whittington
Fogarty	Myers, Pa.	Williams
Forand	Nelson	Worley
Ford, Miss.	Norrell	Wright
Ford, Thomas F.	Norton	Young
Fulmer	O'Brien, Mich.	Zimmerman
Gathings	O'Connor	
Gavagan	Osmers	Stefan
Geyer, Calif.		

ANSWERED "PRESENT"—3

Cole, N. Y.		

NOT VOTING—66

Arnold	Bradley, Mich.	Cullen
Bates, Ky.	Cannon, Fla.	Cunningham
Bloom	Cartwright	Dies
Boland	Celler	Dirksen
Bonner	Clark	Domengeaux
Boykin	Crawford	Douglas

Edmiston	Johnson,	Romjue
Gifford	Lyndon B.	Short
Grant, Ind.	Kee	Sikes
Hancock	Kirwan	Smith, Pa.
Harness	Larrabee	Smith, W. Va.
Harris, Va.	McGranery	Somers, N. Y.
Harter	McGregor	Stearns, N. H.
Hartley	McLean	Sumners, Tex.
Heidinger	Mansfield	Sweeney
Hess	Marcantonio	Taylor
Hinshaw	May	Tolan
Hoffman	Nichols	Wadsworth
Holmes	O'Day	Wickersham
Jarman	O'Hara	Winter
Jarrett	O'Toole	Woodrum, Va.
Jenkins, Ohio	Pearson	
Jenks, N. H.	Rizley	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Stefan for, with Mr. Smith of West Virginia against.

Mr. Cole of New York for, with Mr. Larrabee against.

Mr. Douglas for, with Mr. Somers of New York against.

Mr. Short for, with Mr. Clark against.

Mr. O'Hara for, with Mr. Cullen against.

Mr. Hess for, with Mr. Pearson against.

Mr. Hancock for, with Mr. O'Toole against.

Mr. Grant of Indiana for, with Mr. Celler against.

Mr. Holmes for, with Mr. Romjue against.

Mr. Winter for, with Mr. Bates of Kentucky against.

Mr. Wadsworth for, with Mr. Harter against.

Mr. Stearns of New Hampshire for, with Mr. Bloom against.

Mr. Harness for, with Mr. Tolan against.

Mr. Hoffman for, with Mr. McGranery against.

Mr. Jenkins of Ohio for, with Mr. May against.

Mr. McGregor for, with Mr. Smith of Pennsylvania against.

Mr. Osmers for, with Mrs. O'Day against.

Mr. Jarrett for, with Mr. Kirwan against.

Mr. Dirksen for, with Mr. Boland against.

Mr. Hartley for, with Mr. Bonner against.

Mr. Cunningham for, with Mr Cannon of Florida against.

Mr. McLean for, with Mr. Boykin against.

Mr. Gifford for, with Mr. Woodrum of Virginia against.

Until further notice:

Mr. Cartwright with Mr. Crawford.

Mr. Sumners of Texas with Mr. Jenks of New Hampshire.

Mr. Arnold with Mr. Heidinger.

Mr. Harris of Virginia with Mr. Bradley of Michigan.

Mr. Jarman with Mr. Rizley.

Mr. Nichols with Mr. Hinshaw.

Mr. Mansfield with Mr. Marcantonio.

Mr. Dies with Mr. Edmiston.

Mr. Lyndon B. Johnson with Mr. Sikes.

Mr. Taylor with Mr. Kee

Mr. Sweeney with Mr. Wickersham.

Mr. COLE of New York. Mr. Speaker, I have a pair with the gentleman from Indiana, Mr. LARRABEE. If he were present he would have voted "nay." I therefore withdraw my vote of "yea" and answer "present."

Mr. OSMERS. Mr. Speaker, I have a pair with the gentlewoman from New York Mrs. O'DAY. If present, she would have voted "nay." I therefore withdraw my vote of "yea" and answer "present."

Mr. STEFAN. Mr. Speaker, I have a pair with the gentleman from Virginia, Mr. SMITH. If he had been present, he would have voted "nay." I therefore withdraw my vote of "yea" and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. COCHRAN and Mr. AUGUST H. ANDRESEN asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 226, nays 139, answered "present" 2, not voting 64, as follows:

[Roll No. 58]

YEAS—226

Allen, La.	Geyer, Calif.	O'Connor
Anderson,	Gibson	O'Leary
N. Mex.	Gore	O'Neal
Barden	Gossett	Pace
Barnes	Granger	Patman
Barry	Grant, Ala.	Patrick
Beam	Green	Patton
Beckworth	Gregory	Peterson, Fla.
Beiter	Haines	Peterson, Ga.
Bland	Hare	Pfeifer,
Boehne	Harrington	Joseph L.
Boggs	Harris, Ark.	Pierce
Bonner	Hart	Plauché
Bradley, Pa.	Healey	Poage
Brooks	Hébert	Priest
Brown, Ga.	Heffernan	Rabaut
Bryson	Hendricks	Ramsay
Buck	Hill, Wash.	Ramspeck
Buckler, Minn.	Hobbs	Randolph
Buckley, N. Y.	Holbrock	Rankin, Miss.
Bulwinkle	Hook	Richards
Burch	Houston	Rivers
Burgin	Hunter	Robertson, Va.
Byrne	Imhoff	Robinson, Utah
Camp	Izac	Rogers, Okla.
Cannon, Mo.	Jackson	Russell
Capozzoli	Jacobsen	Sabath
Case, S. Dak.	Johnson,	Sacks
Casey, Mass.	Luther A.	Sanders
Chapman	Johnson, Okla.	Sasscer
Claypool	Johnson, W. Va.	Sauthoff
Cochran	Kefauver	Scanlon
Coffee, Wash.	Kelley, Pa.	Schaefer, Ill.
Cole, Md.	Kelly, Ill.	Schuetz
Collins	Kennedy,	Schulte
Colmer	Martin, J.	Scrugham
Connery	Kennedy,	Secrest
Cooley	Michael J.	Shanley
Cooper	Keogh	Shannon
Costello	Kerr	Sheppard
Courtney	Kilday	Sheridan
Cox	Kleberg	Sikes
Cravens	Kocialkowski	Smith, Conn.
Creal	Kopplemann	Smith, Va.
Crosser	Kramer	Smith, Wash.
D'Alesandro	Lanham	Snyder
Davis, Ohio	Lea	South
Davis, Tenn.	Leavy	Sparkman
Delaney	Lesinski	Spence
Dickstein	Lewis	Starnes, Ala.
Dingell	Ludlow	Steagall
Disney	Lynch	Sullivan
Doughton	McArdle	Tarver
Downs	McCormack	Tenerowicz
Doxey	McGehee	Terry
Drewry	McIntyre	Thom
Duncan	McKeough	Thomas, Tex.
Durham	McLaughlin	Thomason
Eberharter	McMillan	Traynor
Edelstein	Maciejewski	Vincent, Ky.
Eliot, Mass.	Maciora	Vinson, Ga.
Elliott, Calif.	Magnuson	Voorhis, Calif.
Ellis	Mahon	Ward
Faddis	Merritt	Wasielewski
Fitzgerald	Meyer, Md	Weaver
Fitzpatrick	Mills, Ark.	Weiss
Flaherty	Mills, La.	Welch
Flannagan	Mitchell	Wene
Flannery	Monroney	West
Fogarty	Moser	Whelchel
Forand	Murdock	White
Ford, Miss.	Myers, Pa.	Whittington
Ford, Thomas F	Nelson	Williams
Fulmer	Nichols	Worley
Gathings	Norrell	Wright
Gavagan	Norton	Young
Gehrmann	O'Brien, Mich.	Zimmerman

NAYS—139

Allen, Ill.	Baldwin	Brown, Ohio
Andersen,	Bates, Mass.	Burdick
H. Carl	Baumhart	Butler
Anderson, Calif.	Bender	Canfield
Andresen,	Bennett	Carlson
August H.	Bishop	Carter
Andrews	Blackney	Chenoweth
Angell	Bolles	Chiperfield
Arends	Bolton	Clason
Clevenger	Johns	Robertson,
Cluett	Johnson, Calif.	N. Dak.
Coffee, Nebr.	Johnson, Ill.	Robsion, Ky.
Copeland	Johnson, Ind.	Rockefeller
Crowther	Jones	Rodgers, Pa.
Culkin	Jonkman	Rogers, Mass.
Curtis	Kean	Rolph
Day	Keefe	Rutherford
Dewey	Kilburn	Satterfield
Ditter	Kinzer	Scott
Dondero	Knutson	Shafer, Mich.
Dworshak	Kunkel	Simpson
Eaton	Lambertson	Smith, Maine
Elston	Landis	Smith, Ohio
Engel	LeCompte	Springer
Fellows	McGregor	Stevenson
Fenton	Maas	Stratton
Fish	Martin, Iowa	Sumner, Ill.
Ford, Leland M.	Martin, Mass.	Sutphin
Gale	Mason	Taber
Gamble	Michener	Talle
Gearhart	Mott	Thill
Gerlach	Mundt	Thomas, N. J.
Gifford	Murray	Tibbott
Gilchrist	O'Brien, N. Y.	Tinkham
Gillie	Oliver	Treadway
Graham	Osmers	Van Zandt
Guyer, Kans.	Paddock	Vorys, Ohio
Gwynne	Pheiffer,	Vreeland
Hall,	William T.	Walter
Edwin Arthur	Pittenger	Wheat
Hall,	Ploeser	Wigglesworth
Leonard W.	Plumley	Wilson
Halleck	Powers	Wolcott
Hill, Colo.	Rankin, Mont.	Wolfenden, Pa.
Hope	Reece, Tenn.	Wolverton, N. J.
Howell	Reed, Ill.	Woodruff, Mich.
Hull	Reed, N. Y.	Youngdahl
Jennings	Rees, Kans.	
Jensen	Rich	

ANSWERED "PRESENT"—2

Cole, N. Y.	Stefan

NOT VOTING—64

Arnold	Hancock	Marcantonio
Bates, Ky.	Harness	May
Bell	Harris, Va.	O'Day
Bloom	Harter	O'Hara
Boland	Hartley	O'Toole
Boren	Heidinger	Pearson
Boykin	Hess	Rizley
Bradley, Mich.	Hinshaw	Romjue
Cannon, Fla.	Hoffman	Short
Cartwright	Holmes	Smith, Pa.
Celler	Jarman	Smith, W. Va.
Clark	Jarrett	Somers, N. Y.
Crawford	Jenkins, Ohio	Stearns, N. H.
Cullen	Jenks, N. H.	Sumners, Tex.
Cunningham	Johnson,	Sweeney
Dies	Lyndon B.	Taylor
Dirksen	Kee	Tolan
Domengeaux	Kirwan	Wadsworth
Douglas	Larrabee	Wickersham
Edmiston	McGranery	Winter
Englebright	McLean	Woodrum, Va.
Grant, Ind.	Mansfield	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Smith of West Virginia for, with Mr. Stefan against.

Mr. Larrabee for, with Mr. Cole of New York against.

Mr. Somers of New York for, with Mr. Douglas against.

Mr. Clark for, with Mr. Short against.

Mr. Cullen for, with Mr. O'Hara against.

Mr. Pearson for, with Mr. Hess against.

Mr. O'Toole for, with Mr. Hancock against.

Mr. Celler for, with Mr. Grant of Indiana against.

Mr. Romjue for, with Mr. Holmes against.

Mr. Bates of Kentucky for, with Mr. Winter against.

Mr. Harter for, with Mr. Wadsworth against.

Mr. Bloom for, with Mr. Stearns of New Hampshire against.

Mr. Tolan for, with Mr. Harness against.

Mr. McGranery for, with Mr. Hoffman against.

Mr. May for, with Mr. Jenkins of Ohio against.

Mr. Kirwan for, with Mr. Jarrett against.

Mr. Boland for, with Mr. Dirksen against.

Mr. Cannon of Florida for, with Mr. Cunningham against.

Mr. Boykin for, with Mr. McLean against.
Mr. Woodrum of Virginia for, with Mr. Hartley against.
Mr. Smith of Pennsylvania for, with Mr. Bradley of Michigan against.
Mrs. O'Day for, with Mr. Crawford against.

General pairs:

Mr. Sumners of Texas with Mr. Jenks of New Hampshire
Mr. Arnold with Mr. Heidinger.
Mr. Jarman with Mr. Rizley.
Mr. Bell with Mr. Hinshaw.
Mr. Mansfield with Mr. Marcantonio.
Mr. Cartwright with Mr. Englebright.
Mr. Dies with Mr. Edmiston.
Mr. Taylor with Mr. Kee.
Mr. Sweeney with Mr. Wickersham.
Mr. Lyndon B. Johnson with Mr. Boren.

Mr. STEFAN. Mr. Speaker, I am paired with the gentleman from West Virginia, Mr. SMITH. Had he been present, he would have voted "yea." I voted "nay." I desire to withdraw my vote and now vote "present."

Mr. COLE of New York. Mr. Speaker, I have a pair with the gentleman from Indiana, Mr. LARRABEE. I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISASTER LOAN CORPORATION AND ELECTRIC HOME AND FARM AUTHORITY

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 217, Rept. No. 641), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill S. 1438, to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DISASTER LOAN CORPORATION AND THE ELECTRIC HOME AND FARM AUTHORITY

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent to file a supplemental report from the Committee on Banking and Currency on the bill (S. 1438) to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. STEAGALL]?

There was no objection.

ELECTION TO COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. FORD of Mississippi. Mr. Speaker, I offer a privileged resolution, House Resolution 218, which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

Resolved, That OREN HARRIS, of the State of Arkansas, be, and he is hereby, elected as a member of the standing committee of the House of Representatives on Immigration and Naturalization.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and to include an address I made in the House some years ago on the same question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DAY]?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an address by Col. William Cattron Rigby at Vicksburg, Miss., on May 25.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. MARTIN]?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I made on May 15, 1941, before the Illinois Federation of Women's Clubs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain newspaper clippings on the work of the National Youth Administration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement I made before the Committee on Appropriations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article on the late George Peabody.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. CONNERY]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CLAYPOOL, for 3 days, on account of important business.

To Mr. VINSON of Georgia, for 10 days, on account of official business.

To Mr. AUGUST H. ANDRESEN, until June 10, on account of official business.

The SPEAKER pro tempore. Under previous order heretofore entered, the gentleman from Michigan [Mr. DONDERO] is recognized for 20 minutes.

DECORUM IN HOUSE PROCEDURE

Mr. DONDERO. Mr. Speaker, on last Wednesday, May 21, I propounded to the Speaker the following inquiry:

I wonder if the Speaker of the House will restate to the House the proper way in which a Member ought to address the House of Representatives when we are in the House and when we are in Committee.

To which the Speaker replied:

The Chair is of the opinion that a Member is properly within the rule when he simply addresses himself to "Mr. Speaker," and that it is a violation of the rules to add "ladies and gentlemen of the House" or anything else. That is the rule, as the Chair understands it.

Mr. DONDERO. May I add to that, Mr. Speaker, when we are in Committee, the proper thing, then, is simply to address the Chair "Mr. Chairman," without saying "ladies and gentlemen" or "the Committee"?

The SPEAKER. The gentleman is correct (CONGRESSIONAL RECORD, p. 4307.)

THE RULE OF DECORUM AND DEBATE

The rule to which the Speaker referred in reply to my parliamentary inquiry is as old as the Government itself. It reads:

When any Member desires to speak or deliver any matter to the House, he shall arise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor, or from the Clerk's desk (clause 1, rule XIV)

That rule was adopted in 1880, but it was taken from older rules which date back to 1789.

DEBATE IN THE WELL—DISCOURTEOUS TO THE SPEAKER

In a political campaign or in a mixed assembly of people, at banquets and at the many thousands of different gatherings held throughout our land, it may be and probably is proper for one who is to make a speech to address "Mr. Chairman, ladies and gentlemen, distinguished guests, friends," and so forth, but such salutations are improper and out of place in a powerful legislative assembly—this House of Representatives of the Ameri-

can people, where a rule distinctly requires a Member to address himself only to "Mr. Speaker," who is the embodiment of the entire membership. To conclude a speech or an address with the words, "I thank you," is not only improper but amateurish and superfluous, since a Member of the House speaks as a matter of right after he is recognized by the Speaker.

This rule draws our attention not only to the instant matter of addressing "Mr. Speaker" but also the custom of speaking from the well of the House. This custom, although in conformity with the rule to address the House from any place on the floor, is, in my opinion, a bad practice and indecorous. Speaking from the well necessitates facing the Members and turning one's back on the Speaker, a discourtesy to the Presiding Officer. I am not sure as to the genesis of this custom, but I presume it dates from 1913, when desks were removed from the Chamber and present seating arrangements were installed. Also lecturns were then placed in the well, and lately microphones have been added.

RESTORE INDIVIDUAL DESKS

It is my opinion that it would make for better order and decorum in the House if individual desks were again provided so that each Member would have his own distinctive place and at the same time reduce to the minimum the constant strolling about the Chamber which we witness daily, itself a violation of the rule prohibiting "walking out or across the hall" when the Speaker is putting a question, "nor, when a Member is speaking, pass between him and the Chair"—rule XV, clause 7.

CRITICISM OF PRESENT ARRANGEMENT

Certainly, Mr. Speaker, American ingenuity could devise a compact desk and an appropriate design of a chair which could be accommodated in the Chamber without undue crowding, leaving ample aisle space. The present arrangement presents a funereal appearance, resembles an ordinary assembly hall, and is unworthy of a legislative body. It will not be long before these seats, having been in use nearly 30 years and showing wear and tear, will have to be replaced, and I therefore hope the proposal to replace them with desks will be given consideration. I have heard much criticism of the present appointments in this Chamber from visitors to the galleries, and criticism of addressing the House while a Member turns his back to the Speaker.

QUESTION IMPERSONAL

Now to return to the subject of my parliamentary inquiry. In these remarks I wish it to be understood, and I hope it will be understood, that they are entirely impersonal and not in the nature of captious faultfinding, nor am I attempting to lecture the House. Far be it from me to do so. My sole purpose is in the interest of decorum and proper observance of the rules. Each of us at one time or another has unwittingly or thoughtlessly transgressed the rules, and certain habits of conduct have fastened themselves upon us and become customary.

RAISED BEFORE BY MR. LUCE

The question I raised the other day is not a new one. It was brought to the attention of the House in the Seventy-third Congress by none other than the distinquished gentleman and learned authority on parliamentary procedure, the Honorable Robert Luce, of Massachusetts, author of a number of standard works on legislative assemblies, principles, and procedure.

MR. LUCE'S PARLIAMENTARY INQUIRY

On June 6, 1934, second session, Seventy-third Congress, Mr. Luce addressed the following parliamentary inquiry to the Speaker, the Honorable Henry T. Rainey, of Illinois:

Mr. LUCE. Mr. Speaker, Jefferson's Manual says that when any Member means to speak he is to stand up in his place uncovered and to address himself not to the House or any particular Member, but to the Speaker.

Fifteen years ago when I came here no Member ever broke that rule. No Member ever failed to follow the time-honored practice which came down to us through the centuries of addressing himself to the Speaker. Someone introduced the custom of also addressing himself to the Members of the House. This invasion of the time-honored dignified rule led me to confer with Speaker Longworth, who was even more severe in his criticism than I care to be. Later I brought the matter to the attention of the House and Speaker Garner was equally emphatic in his comments upon the situation. At that time I found that the official reporters had put me down as saying, "Mr. Speaker, ladies and gentlemen," which I did not say, because I had never broken the rule. My remonstrance has led to its omission in part from the RECORD, but still the words appear: "Mr. Speaker, ladies and gentlemen," and someone the other day went so far as to say, "Mr. Speaker, ladies and gentlemen, and friends." That took in the gallery.

I should like to know if in the Speaker's judgment the rule, which is not altogether clear, in that it refers to the first address made to the Speaker when seeking the floor, should be extended to cover all introduction, and it is further the Speaker's judgment that the practice is an invasion of the dignity of the House and ought to be stopped?

SPEAKER RAINEY'S REPLY

The SPEAKER. The gentleman from Massachusetts [Mr. LUCE] has read from section 354 of the House Rules and Manual, which clearly stated the rule. The Chair might also read clause 1 of rule 14, which has reference to decorum and debate:

"When any Member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality."

When the gentleman from Massachusetts [Mr. LUCE] presented this matter during Mr. Garner's speakership, Mr. Garner ruled:

"The Chair is in entire sympathy with the remarks made by the gentleman from Massachusetts. It is supposed to be a slight upon the Chair, according to the expressions of former Speakers of the House, when Members address the Chairman of the Committee of the Whole or the Speaker and then address Members on the floor en masse.

"The Speaker represents the House of Representatives in its organization, and by addressing the Chair he addresses the entire membership of the House."

There is not any question about the rule. The dignified method of procedure is to address the Speaker when the House is in session and to address the Chairman when the House is in Committee of the Whole, and thus the Member addresses the entire membership. The rule provides very clearly what the mode of address should be. The Chair thinks the rule ought to be followed in the interest of dignity and decorum in the proceedings of the House (CONGRESSIONAL RECORD, 73d Cong., 2d sess., p. 10627).

Nevertheless and notwithstanding this clear statement of the rule by Speaker Rainey, and by his predecessor, Speaker Garner, as quoted by the former, the objectionable practice has persisted to this day and is prevalent even to a greater extent than formerly. Yet, I sincerely hope that by again bringing the matter to the attention of the House, Members will hereafter conform to the rule by simply addressing themselves to "Mr. Speaker" or to "Mr. Chairman," as the case may be, and thus, as Mr. Speaker Garner pointed out, he will be addressing "the entire membership of the House."

ADDRESSING A MEMBER IN THE SECOND PERSON

While in the mood, Mr. Speaker, and again disclaiming any purpose other than to preserve the dignity of our procedure, I bring to the attention of the House another more or less common practice in debate by referring to a Member in the second person, as "you" or "your," and by the use of a given name, as "John," "Sam," or "Joe." These are plain infractions of well-established parliamentary principles and against dignified procedure. There are a number of rulings to this effect.

Hinds' Precedents records that when the Honorable Joseph G. Cannon addressed the Honorable William P. Hepburn as "you," instead of referring to him as "the gentleman from Iowa," the Speaker, the Honorable Thomas B. Reed, called Mr. Cannon to order, saying:

The gentleman from Illinois should not address his colleague in the second person.

And when Mr. Cannon himself became Speaker, he cautioned a Member that—

it is not proper to refer to Members except in the usual way of the gentleman from So-and-so.

These and other like decisions may be found in Hinds' Precedents, volume 5, sections 5140–5145; and it is interesting to note that in each instance the Speaker himself interposed an objection to the offending Member's language.

SMOKING ON THE FLOOR

Now, Mr. Speaker, I will refer to one other rule of the House which is honored more in its breach than in its observance, and then my self-imposed task, ungracious though some may regard it, will have been accomplished. I refer to the rather general custom of smoking on the floor, in most instances behind the rail, nevertheless on the floor.

A part of the fifteenth rule, clause 7, is:

No Member shall smoke upon the floor of the House. * * * Neither shall any person be allowed to smoke upon the floor of the House at any time.

I am told that prior to the adoption of this provision of the rule it was

customary to smoke on the floor and that billows of smoke constantly floated about the Chamber, more to the discomfort of occupants of the galleries than to the Members on the floor.

Another portion of the same rule provides that—

the Sergeant at Arms and Doorkeeper are charged with the strict enforcement of this clause.

Therefore, I suppose, Mr. Speaker, reference to this rule is all-sufficient as notice to those efficient officers of the House to enforce the rule against smoking on the floor of the House.

O wad some Power the giftie gie us
To see oursels as ithers see us!

Referring to the suggestion made earlier in my remarks in regard to the installation of desks, it seems to me that not only would it avoid a violation of the rule prohibiting "walking out or across the hall," but I believe it would also induce the membership of the House to observe strictly the rule forbidding smoking behind the rail, which is considered a part of the floor, and would also prevent Members from congregating behind the rail for purposes of conversation and smoking, which certainly is a breach of proper decorum on the floor of the House causing noise and disturbance to the orderly procedure of the House and contributing confusion and noise to the sometimes unruly sessions of this body.

To me, and I am sure to many other Members of this body, has come sharp criticism from our constituents and friends who visit the House of Representatives and sit in the galleries to observe our conduct and the proceedings in the House. This criticism is leveled mostly at our apparent indifference to the one addressing the House, by walking out or across the hall; by reading newspapers in the Chamber; and by the placing of one's feet against or on top of the seats in front of him. Upon the whole the comment or criticism which has come to me, and I repeat again, I am sure has come to many other Members of this body, is clothed in surprise and, may I say, in great disappointment and disillusionment on the part of those who visit the proceedings in this historic Chamber, one of the very few great arenas of free debate still existing in this world. This Chamber is the House of Commons of the American people. To it a mighty Nation looks to those who represent them for that dignity and decorum which is commensurate with the vast power entrusted to us in the discharge of our duty as Representatives of a free people.

Now, Mr. Speaker, in conclusion these matters may be said to be unimportant, of no serious consequence, and in themselves harmless, and perhaps I may be adjudged hypercritical in bringing them to the attention of the House. At any rate constant disregard of the rules in these respects, to say nothing of the amenities that ought to be observed in a great legislative body, even in what may be deemed to be small matters among statesmen, tends to cast discredit upon the House and to bring it into disrepute and possibly lead to other and more important infractions of our rules. We cannot be too careful of our conduct here, because, unfortunately, there are people who are prone to seize upon any laxity on the part of lawmakers to criticize their actions.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 373. An act to amend section 45 of the act of March 4, 1909, as amended, to the Committee on the Judiciary.

S. 375. An act authorizing postgraduate instruction for civilian employees of the Naval Establishment; to the Committee on Naval Affairs.

S. 505. An act making provision for payment of employees of the United States Government, its Territories or possessions, or the District of Columbia, for military leave when ordered to active duty with the military or naval forces of the United States; to the Committee on the Civil Service.

S. 578. An act authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard station, in Monmouth County, N. J.; to the Committee on the Merchant Marine and Fisheries.

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona; to the Committee on the Public Lands.

S. 878. An act to authorize the condemnation of lands or interests therein, which the War Department may be authorized by law to acquire, at the expense of States or political subdivisions thereof, persons, associations, companies, or corporations; to the Committee on Military Affairs.

S. 1133. An act to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States; to the Committee on Naval Affairs.

S. 1304. An act granting the consent of Congress to the Norfolk & Western Railway Co. to construct, maintain, and operate a bridge across the Tug Fork of Big Sandy River, near Nolan, Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, Territory of Hawaii, in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands; to the Committee on Military Affairs.

S. 1387. An act for the relief of Everett A. Alden, Robert Bruce, Edgar C. Faris, Jr., Kathryn W. Ross, Charles L. Rust, and Frederick C. Wright; to the Committee on Claims.

S. 1447. An act making provisions for maintaining the Corps of Cadets of the United States Military Academy at authorized strength; to the Committee on Military Affairs.

S. 1530. An act to amend the act approved June 6, 1940, entitled "An act to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J.; to the Committee on Naval Affairs.

S. 1544. An act to provide for cooperation with Central American republics in the construction of the Inter-American Highway; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m), the House, under the order heretofore adopted, adjourned until tomorrow, Wednesday, May 28, 1941, at 11 o'clock a. m.

COMMITTEE HEARINGS

IRRIGATION AND RECLAMATION COMMITTEE

The Committee on Irrigation and Reclamation will meet at 10 o'clock a. m., Wednesday, May 28, in room 353, old House Office Building, for the consideration of S. 879 and H. R. 4854.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, May 28, 1941, for the consideration of private bills.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

There will be a meeting of the Committee on Expenditures in the Executive Departments Wednesday, May 28, 1941, room 304, House Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs will hold hearings at 10:30 a. m. on Wednesday, May 28, 1941, for the consideration of H. R. 4616, H. R. 2308, H. R. 3936, H. R. 3938, H. R. 4359, H. R. 1065, and H. R. 2287

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees), on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

EXECUTIVE COMMUNICATIONS, ETC.

Under class 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

565. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard light station reservation, Au Sable, Mich.; to the Committee on the Merchant Marine and Fisheries.

566. A communication from the President of the United States, transmitting three emergency supplemental estimates of appropriations for the War Department, totaling $2,790,890,785 cash, and two emergency supplemental estimates of appropriations for the Navy Department, totaling $529,046,600 cash, and $10,000,000 contract authorization, all

for the fiscal year ending June 30, 1941, to remain available until June 30, 1942 (H. Doc. No. 225); to the Committee on Appropriations and ordered to be printed.

567. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide for reimbursement of officers on sea duty when deprived of quarters on board ship; to the Committee on Naval Affairs.

568. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1941, amounting to $23,000, for the judicial establishment (H. Doc. No. 226); to the Committee on Appropriations and ordered to be printed.

569. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the fiscal year 1940 and prior years in the sum of $12,378.43 and supplemental estimates of appropriations for the fiscal year 1941 in the sum of $1,177,378.43, for the Department of Justice (H. Doc. No. 227); to the Committee on Appropriations and ordered to be printed.

570. A communication from the President of the United States, transmitting six supplemental estimates of appropriations for the fiscal year 1941 and 1942, amounting to $434,500, and four drafts of proposed provisions pertaining to existing appropriations for the Department of State (H. Doc. No. 228); to the Committee on Appropriations and ordered to be printed.

571. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal years 1941 and 1942, amounting to $1,340,000, and a draft of a proposed provision relating to an existing authorization, all for the National Advisory Committee for Aeronautics (H. Doc. No. 229); to the Committee on Appropriations and ordered to be printed.

572. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Tennessee Valley Authority for the fiscal year 1942 in the amount of $40,000,000 (H. Doc. No. 230); to the Committee on Appropriations and ordered to be printed.

573. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for domestic air-mail service for the fiscal year 1940 of $36,103, supplemental estimates of appropriations for the fiscal year 1941 of $26,507,000 and for the fiscal year 1942 of $474,957, in all $27,018,060, for the Post Office Department (H. Doc. No. 231); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STEAGALL: Committee on Banking and Currency. Supplemental report, part 2, to accompany S. 1438, an act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; without amendment (Rept. No. 616). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on the Judiciary. H. R. 4868. A bill to amend section 3 of title 1 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes", approved June 15, 1917; without amendment (Rept. No. 637). Referred to the House Calendar.

Mr. WHITTINGTON: Committee on Flood Control. House Joint Resolution 22. Joint resolution authorizing the Secretary of War to convey certain lands to the State of West Virginia; with amendment (Rept. No. 638). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 158. An act to amend the Federal Crop Insurance Act; with amendment (Rept. No. 639). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. H. R. 4849. A bill to provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico; with amendment (Rept. No. 640). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 217. Resolution providing for the consideration of S. 1438, an act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes; with amendment (Rept. No. 641). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WICKERSHAM: Committee on Claims. S. 583. An act for the relief of Maj. Harold Sorenson; without amendment (Rept. No. 624). Referred to the Committee of the Whole House

Mr. WICKERSHAM: Committee on Claims. S. 853. An act for the relief of Frank and Paulina Rublein, and Mrs. Ethel Bowers; without amendment (Rept. No. 625). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. S. 1040. An act for the relief of Claude W. La Salle and the Dauterive Hospital; without amendment (Rept. No. 626). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 257. A bill for the relief of Edna La Blanche Gillette; with amendment (Rept. No. 627). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 1142. A bill for the relief of Gladys E. Forbes, attorney in fact for heirs of George P. Eddy; with amendment (Rept. No. 628). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H R. 1359. A bill for the relief of Robert Edward Lee; with amendment (Rept. No. 629). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 1649. A bill for the relief of Vernon Atkison; without amendment (Rept. No. 630). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 2650. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of H. Herfurth, Jr., Inc.; with amendment (Rept. No. 631). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 2753. A bill for the relief of Lewis Jones; with amendment (Rept. No. 632). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2920. A bill for the relief of Jess W. Harmon; without amendment (Rept. No. 633). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 2934. A bill for the relief of L. H. Martin; with amendment (Rept. No. 634). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 3247. A bill for the relief of Mrs. O. B. Olson; with amendment (Rept. No. 635). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 3802. A bill for the relief of Louis A. Schwan; with amendment (Rept. No. 636). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARDEN:

H. R. 4880. A bill to authorize the Secretary of the Interior to accept property for the Moores Creek National Military Park, and for other purposes; to the Committee on the Public Lands.

By Mr. BEITER:

H. R. 4881. A bill to provide compensation for certain persons injured while fighting fires on property under the exclusive jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 4882. A bill to extend the coverage of the Social Security Act with respect to old-age and survivors' insurance, to provide for variable basis for Federal grants to States for old-age assistance, to amend the Internal Revenue Code, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Illinois:

H. R. 4883. A bill to provide adequate markets and fair prices for agricultural commodities produced in the United States; to eliminate the necessity for mandatory reductions in crop production; to provide a method for the exchange of surplus agricultural commodities for products of foreign countries on a basis mutually advantageous to agricultural and manufacturing interests in the United States, and to such foreign countries; to promote foreign trade in the interest of friendly and peaceful relations among nations; and for other purposes; to the Committee on Ways and Means.

By Mr. KING:

H. R. 4884. A bill to enable the people of Hawaii to form a constitution and State government to be admitted into the Union on an equal footing with the original States; to the Committee on the Territories.

By Mr. PACE:

H. R. 4885. A bill to amend the Agricultural Adjustment Act, as amended, for the purpose of regulating interstate and foreign commerce in tobacco, and for other purposes; to the Committee on Agriculture.

By Mr. PATMAN:

H. R. 4886. A bill to provide for the disposition of unclaimed deposits in national banks; to the Committee on Banking and Currency.

By Mr. BLAND:

H. R. 4887. A bill to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties; to the Committee on the Merchant Marine and Fisheries.

By Mr. GREEN:

H. R. 4888. A bill to provide dental service for certain veterans; to the Committee on World War Veterans' Legislation.

By Mr. KUNKEL:

H. R. 4889. A bill to pay the tuition of children of noncommissioned and enlisted personnel in the Army in certain cases; to the Committee on Military Affairs.

By Mr. McGEHEE:

H. R. 4890. A bill to amend the District of Columbia Unemployment Compensation Act to provide for lower contribution rates, and for other purposes; to the Committee on the District of Columbia.

By Mr. BLOOM:

H. J. Res. 191. Joint resolution to authorize the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942; to invite regional commissions III and IV of the International Meterological Organization to meet concurrently therewith; and to authorize an appropriation for the expenses of organizing and holding such meetings; to the Committee on Foreign Affairs.

By Mr. MARTIN J. KENNEDY:

H. Res. 216. Resolution to arrange conferences to establish a shipping program to aid and protect our citizens engaged in foreign missionary work; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H. R. 4891. A bill granting a pension to Elsie Israel; to the Committee on Invalid Pensions.

By Mr. BALDWIN:

H. R. 4892. A bill to authorize the repatriation of Elsie deWolfe Mendl; to the Committee on Immigration and Naturalization.

By Mr. HARRIS of Arkansas:

H. R. 4893. A bill for the relief of Ben H. Thomason; to the Committee on Claims.

H. R. 4894. A bill for the relief of Marvin C. Allder; to the Committee on Claims.

By Mr. HEALEY:

H. R. 4895. A bill for the relief of Willard Stewart Bennett; to the Committee on Naval Affairs.

By Mr. VINCENT of Kentucky:

H. R. 4896. A bill for the relief of David B. Byrne; to the Committee on Claims

By Mr. CARTER:

H. R. 4897. A bill for the relief of John A. McMahon; to the Committee on Military Affairs.

H. R. 4898. A bill for the relief of Bothilda Stender; to the Committee on Claims.

By Mr. MILLS of Arkansas:

H. R. 4899. A bill for the relief of T. B. Tate; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1179. By Mr. ANDERSON of California: Petition of the Assembly of the State of California, referring to guayule rubber; to the Committee on Agriculture.

1180. By Mr. BOLLES: Petition of sundry citizens of Plymouth, Wis., opposing the United States entering the war and opposing convoys and the suppression of free speech; to the Committee on Foreign Affairs.

1181. By Mrs. BOLTON: Petition of sundry citizens of Cleveland, Ohio, urging enactment of Geyer anti-poll-tax bill; to the Committee on the Judiciary.

1182. By Mr. BULWINKLE: Petition of H. G. Boger and others of Morganton, protesting against the passage of Senate bill 983 or House bill 3852, to the Committee on the District of Columbia.

1183. By Mr. CARTER: Resolution of the Chamber of Commerce, Martinez, Calif., urging the enactment of legislation for immediate additional appropriations to provide for the development of strategic highways in the State of California; to the Committee on Roads.

1184. By Mr. COFFEE of Washington: Petition of the Washington Baptist Convention, comprising the duly accredited representatives of all the Baptist churches of the State of Washington, protesting against the use of convoys as an act contributory to war, and praying that Congress repudiate efforts to involve us in war, and that our public officials and the Congress do not countenance, either by law or by sufferance, the use of convoys in this war; to the Committee on Foreign Affairs.

1185. Also, petition of the northwestern district of the American Luthern Church adopted at its fiftieth anniversary convention at Tacoma, Wash., alleging that it is deeply concerned for the continued preservation of our most cherished institutions of American liberty and democracy, urging the President of the United States not to carry our country into war, but to maintain such a determined course of action as shall be designed to prevent our involvement; and unanimously praying to the President and to the Congressmen that he and they adhere to the pledge which all public officials have heretofore solemnly made to the American people that we would not go to war; to the Committee on Foreign Affairs.

1186. By Mr. ENGLEBRIGHT: Assembly Joint Resolution No. 1, relative to the hunting season on migratory wild fowl; to the Select Committee on Conservation of Wildlife Resources.

1187. Also, Assembly Joint Resolution No. 20, relative to pension and compensation payments to veterans suffering total permanent disability; to the Committee on World War Veterans' Legislation.

1188. Also, Assembly Joint Resolution No. 37, relative to memorializing Congress to designate December 15, 1941, as Bill of Rights Day; to the Committee on the Judiciary.

1189. Also, Assembly Joint Resolution No. 40, relative to making citrus fruits available to the enlisted personnel of the military and naval forces of the United States; to the Committee on Military Affairs.

1190. Also, Assembly Joint Resolution No. 41, relative to memorializing Congress to investigate the feasibility of growing of guayule rubber in California, and, if found feasible, to subsidize the same; to the Committee on Agriculture.

1191. Also, Assembly Joint Resolution No. 50, relative to memorializing the President, Congress, and various officers of the United States to make funds available for the Corcoran Airport; to the Committee on Appropriations.

1192. Also, Assembly Joint Resolution No. 53, relative to memorializing Congress to pass House Resolution 3570, allocating funds for the building and operation of emergency schools necessitated by reason of national defense; to the Committee on Military Affairs.

1193. Also, resolution relative to the Federal Social Security Act; to the Committee on Ways and Means.

1194. Also, Assembly Joint Resolution No. 25, relative to the sewing projects of the Work Projects Administration; to the Committee on Appropriations.

1195. By Mr. HOUSTON: Petition signed by 168 residents of Potwin, Kans., objecting to the United States of America convoying ships to or through the war zones; to American soldiers fighting on foreign soil; and to American soldiers delivering or convoying materials to nations at war; to the Committee on Foreign Affairs.

1196. By Mr. JOHNSON of Illinois: Letter of protest by Lester S. Munneke, director of music, Caryhage, Ill., on increased tax on musical instruments for school use; to the Committee on Ways and Means.

1197. By Mr. LUTHER A. JOHNSON: Petition of Kay Halsell, president, Halsell Motor Co., Inc., Bryan, Tex., opposing proposed excise-tax increase on automobiles, parts, and accessories; to the Committee on Ways and Means.

1198. By Mr. MARTIN J. KENNEDY: Petition of the Brotherhood of Painters, Decorators and Paperhangers of America, Local Union, No. 848, New York City, asking favorable action on House bill 1024; to the Committee on the Judiciary.

1199. By Mr. LYNCH: Resolution of Independent Clubs of Queens County, N. Y., regarding the Wagner Labor Relations Act, subversive activities in the United States, need for reduction in cost of governmental agencies not directly engaged in defense effort, and necessity for providing for complete national defense; to the Committee on Labor.

1200. By Mr. O'NEAL: Petition of certain citizens of Louisville, Ky., opposing House bill 4000 and Senate bill 860; to the Committee on Military Affairs.

1201. By Mr. PITTENGER: Petition submitted by Warren Askeland and other citizens of Duluth, Minn., advocating national legislation providing for daylight-saving time; to the Committee on Interstate and Foreign Commerce.

1202. Also, petition signed by James A. Wakonabo and other citizens of Inger, Minn., advocating national old-age pension legislation; to the Committee on Ways and Means.

1203. Also, petition signed by Martin Strem and other citizens of Itasca County, Minn., advocating national old-age pension legislation; to the Committee on Ways and Means.

1204. Also, petition signed by Andrew Hannula and other citizens of Dear River, Minn., advocating national old-age pension legislation; to the Committee on Ways and Means.

1205. By Mr. RICH: Petition of sundry citizens of Tioga County, favoring the passage of House bill 4000; to the Committee on Military Affairs.

1206. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution No. 37, relative to designating December 15, 1941, as Bill of Rights Day; to the Committee on the Judiciary.

1207. By Mr. SIKES: Memorial of the Florida State Legislature, requesting the Congress of the United States of America to place suitable historical markers on the Bellamy Road connecting Pensacola and St. Augustine, Fla.; to the Committee on the Library.

1208. By Mr. WHEAT: Petition of the mayor and commissioners of Shelbyville, Ill., requesting that reservoir project No. 33, relative to the Kaskaskia River Basin, be included in any Federal works program being now formulated; to the Committee on Flood Control.

1209. Also, petition of the Chamber of Commerce of Shelbyville, Ill., requesting that reservoir project No. 33, relative to the Kaskaskia River Basin, be included in any Federal works program being now formulated; to the Committee on Flood Control.

1210. Also, petition protesting against enactment of Senate bill 983 or House bill 3852, identical bills now pending in Congress, relative to the uniform closing of barber shops in the District of Columbia; to the Committee on the District of Columbia.

1211. Also, petition supporting House bill 4000, a bill to prohibit the sale of alcoholic liquors on military and naval reservations, or within reasonable distance therefrom, and prohibits prostitution and the keeping of bawdy houses in the same territories; to the Committee on Military Affairs.

1212. By Mr. YOUNGDAHL: Petition of numerous citizens of the city of Minneapolis, Minn., and surrounding territory, opposing

House bill 3852; to the Committee on the District of Columbia.

1213. By the SPEAKER: Petition of the Fight for Freedom Committee, New York, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1214. By Mr. THOMASON: Petition of nine residents of Midland, Tex., members of the American Temperance Society of the Seventh-Day Adventists, favoring the passage of House bill 4000, to prevent the sale of alcoholic beverages inside Army and Navy camps and to establish zones around training camps to prevent taverns and vice districts in close proximity thereto; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 28, 1941

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the hour has come in the tragic struggle of Christian ideals when we must not measure our life by religious or political creed but by the motives and character we are to weave into the tissues of the soul of our Republic. We praise Thee that so long there lives a solitary heart, Thou wilt lend Thyself to the redeeming pulsations of everlasting love. As a people chosen in an exceptional way for an exceptional task, in spite of these momentous and grave uncertainties, endue us with an inflexible faith in the triumph of righteousness. Through the never-failing ministrations of the Holy Spirit of truth; lead us forward to the high altitudes envisioned by our fathers. We pray Thee to beckon our country to the places of intellectual refreshment, to the citadels of calm reason and study, to the quiet of the home altar, and to the Church for spiritual renewal; impress our democracy that these are the powers that make a nation grand and glorious. Heavenly Father, help us to subject ourselves to Thy holy influence that we may be guided to the highest conceptions of human life and government. Our President, his counselors, and immediate advisers, do Thou direct them in all their deliberations and conclusions, that national honor, security, and peace may ever be symbolized in the beauteous flag that floats over a free people. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

COAST GUARD ACADEMY

Mr. BLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Speaker, as chairman of the Committee on the Merchant Marine and Fisheries, I desire to announce that on the 3d day of May 1941, at the annual meeting of the Board of Visitors to the Coast Guard Academy at that academy, the gentleman from Georgia, Mr. ROBERT RAMSPECK, a member of the Committee on the Merchant Marine and Fisheries, was elected chairman of the Board of Visitors of the academy.

The gentleman from Georgia [Mr. RAMSPECK] has manifested great interest in the work of the Coast Guard Academy and in the attainment of its objectives. For many years he has been a member of the Committee on the Merchant Marine and Fisheries and has rendered constructive service in all matters within its jurisdiction, which include, in addition to the merchant marine and fisheries, such subjects as the Coast Guard, Coast and Geodetic Survey, aids to navigation, marine hospitals, and the Panama Canal.

I consider the Coast Guard Academy fortunate to have as the chairman of its Board of Visitors a man as diligent and experienced in legislation and educational matters as the gentleman from Georgia [Mr. RAMSPECK.] [Applause.]

[Here the gavel fell.]

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subject of the Coast Guard Academy.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a short statement on automobiles in our national defense.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by my distinguished colleague, Hon. ROBERT F. JONES, of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HAINES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have received from the Administrator of the Farm Credit Administration.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MICHAEL J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial commending Judge Townley of the Supreme Court of the State of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EDELSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. EDELSTEIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Raymond Clapper.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

(Mr. LELAND M. FORD asked and was given permission to extend his own remarks in the RECORD.)

LABOR AND THE DEFENSE PROGRAM

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. Mr. Speaker, I did not get up to talk about the President's speech last night, although it is of major importance, and it seems so clear to the Democrats and so confusing to the Republicans. I do not understand that. I guess if I were going to be partisan, I would say it is clear to the clear minds and confusing to confused minds. But perish that thought.

What I got up to say is that I hope that the precedent set by a certain gentleman of this House yesterday morning will not be followed. I was shocked a little bit when I heard it—it is what the second speaker preceding me this morning referred to. He referred to remarks made by the gentleman from Kansas yesterday about a certain group of people because they had Jewish names. Do not forget that that is exactly the same sort of demagoguery that breeds further demagoguery; the same sort of attack by which was begun the present Nazi regime in Germany. It is not hard to get demagoguery going against the Jews. They are in the minority in the country, but they are right intellectual people and in some respects a superior race, although they are greatly in the minority. Of course, anyone who wants to demagogue is always safe in jumping on the Jews, but let us not have it in America. [Applause.]

[Here the gavel fell.]

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I was one of the three hundred-odd millions of listeners to the President's address last night and I am going to discuss one phase of his talk. As far as he disclosed his attitude upon strikes I considered he was all right, but he did not go far enough, and I for one sincerely hope that as the days go by he will see to it that handling labor strife is his responsibility, as I have pointed out in this House before. I feel it is now his duty to regulate the activities of labor racketeers in some of the leading key defense industries which are so necessary to build up American defense to an invulnerable degree. Everything depends, Mr. Speaker, upon the successful culmination of the program which has been inaugurated. Nothing must intervene or interfere to hold up production of those materials that are so necessary for our defense and the defense of those other people who are so valiantly defending themselves. I sincerely hope that before very long Mr. Roosevelt will tackle the biggest problem facing the country today, that of dealing with the strike situation in defense industries. [Applause.]

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the Appendix of the RECORD and to include therein some extracts from an editorial from this morning's New York Times and also an article written by Maj. Alexander P. de Seversky on sea power. This article will cover more than two pages, but I have secured an estimate from the Government Printing Office.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and to include therein an editorial from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, the address delivered by the President of the United States last night was perhaps listened to by the largest number of persons who have ever listened to any speech in all history. I think the President's address was magnificent from every angle, from every standpoint. I think it reflected the sentiment of the vast majority of the American people, and since our Commander in Chief has spoken, I believe it to be the duty of the American people, and I believe they will rise to the leadership of their Commander in Chief, and follow him in this great crisis. [Applause.]

LENDING AUTHORITY OF RECONSTRUCTION FINANCE CORPORATION

Mr. SABATH. Mr. Speaker, I call up House Resolution 217, which I send to the desk.

Mr. MICHENER. Mr. Speaker, before that is done I rise to a point of order. The rule which the gentleman has just called up is a different rule from the rule that was ordered reported by the Committee on Rules. The Committee on Rules reported a straight rule on the bill S. 1438, to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, and to provide for increasing the lending authority of the Reconstruction Finance Corporation. I have just learned what this rule does. It contains the following language:

> It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the act, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill.

Mr. Speaker, the purpose of the Rules Committee was to report a rule for the Senate bill with the Senate amendment, and it was so understood, and not to report a rule on the House bill. If after the committee acts a rule may be drawn which expresses something different from what the Rules Committee intended, that is one thing.

The SPEAKER. Is it the gentleman's statement that it was the purpose of the Committee on Rules to report out the rule amending the Senate bill, with Senate amendments?

Mr. MICHENER. The committee voted to report the Senate bill and not the House bill. The Banking and Currency Committee asked for a rule on the House bill. The Committee on Rules took the matter under advisement and did not grant the rule. There was some opposition to the bill coming from the House Committee on Banking and Currency. Later, another hearing was held and the Rules Committee was told that the Senate had made certain amendments to the House bill, and then, as I understand it, a motion was made in the committee by a majority Member to report the Senate bill, that is, to grant a rule on the Senate bill.

Mr. SABATH. As amended, naturally.

Mr. MICHENER. Of course, "as amended" would be the Senate bill as it reached the House.

Mr. SABATH. Mr. Speaker, the Committee on Banking and Currency asked for a rule on the Senate bill as amended, the committee having substituted H. R. 4674 for the Senate bill, so the amendment and the Senate bill are identical with the original House bill, and it was upon the amended Senate bill that the Committee on Banking and Currency finally requested a rule.

Mr. MICHENER. The point I make is that the Rules Committee directed the chairman to report a rule, to bring before the House for consideration the Senate bill, and that would mean that that Senate bill would be subject to all germane amendments. Now, when we get the rule, it is not that.

Mr. SABATH. Mr. Speaker, the only question that has arisen is this. After the rule had been reported, the chairman of the Banking and Currency Committee thought that we should adopt a rule waiving all points of order. That is what he requested. I said to him then that no such request had been made, and the committee had not agreed on any rule that waived any points of order, whereupon I went to the gentleman from New York [Mr. FISH] and the gentleman from Michigan [Mr. MICHENER] and explained to them the request that had been made. Some of the Democratic Members were willing that we should change the rule by polling the members of the committee and I refused to do that. I went to both gentlemen I have mentioned, and when that was objected to, the provision waiving points of order was not included in the rule.

So it is a broad, liberal rule, with 3 hours of general debate provided and for consideration of the bill under the 5-minute rule. It cannot be any broader. If the gentleman can tell me where it can be made broader than it is, I will appreciate it.

Mr. MICHENER. Certainly. I do not know whether the gentleman understands it or not, but this rule, as written, attempts to accomplish the same thing that the gentleman told the gentleman from New York [Mr. FISH] and myself yesterday he wanted to accomplish.

Mr. SABATH. The gentleman is in error.

Mr. MICHENER. The gentleman asked me to tell him how. In line 13, on page 1, after the word "period", strike out "it shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the act, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill." If you strike that language out, you have a straight, open rule to bring the Senate bill before the House, just as the Rules Committee voted.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. Yes; I yield.

Mr. McCORMACK. It seems to me that with that language in there it facilitates matters. That language does not change the exact phraseology that the gentleman from Michigan has in mind, but unless this language is in there the Senate substitute will have to be read in its entirety; whereas this language is for the purpose of having the Senate substitute read as if it were a bill and open to amendment section by section. If this language is not in there, as I see it, it does not waive points of order, as I understand it.

Mr. MICHENER. It certainly provides a different procedure. I am not going to insist on the point of order, Mr. Speaker, because I do not want to delay matters, but I serve notice now that when the Rules Committee votes to report out a rule in the future I shall object if a different rule is brought before the House than the committee voted out.

Mr. Speaker, I withdraw the point of order.

The SPEAKER. The point of order is withdrawn. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill S. 1438, an act to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes. That after general debate, which shall be confined to the act and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the act shall be read for amendment under the 5-minute rule. It shall be in order to consider the substitute amendment recommended by the Committee on Banking and Currency now in the act, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the act to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the act or Committee substitute. The previous question shall be considered as ordered on the act and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SABATH. Mr. Speaker, all who have heard the rule read must come to the conclusion that it is a broad and liberal rule. It provides for 3 hours of general debate and it provided that after debate the bill shall be read under the 5-minute rule for amendment.

I regret that the gentleman from Michigan [Mr. MICHENER] raised a point of order. I actually believe the gentleman must have been under the impression when he arose that the rule waived points of order. That was requested by the chairman of the Committee on Banking and Currency, but his request did not come to the committee direct. It was made to the secretary and I had no knowledge that such request had been made. Consequently a rule was granted on the Senate bill as amended to expedite the matter. Both bills are identical. The Senate bill and the House bill are identical. The only question that the gentleman has raised was that a certain provision was inserted that is not generally inserted in the rules that are usually reported. I will read for your information just exactly what the rule does provide.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. WOLCOTT. I do not think that the gentleman intended to say that the Senate bill and the House bill are identical. They differ in at least one very material respect, and in that respect we are going to develop, I hope, a great deal of controversy. So I do not think the gentleman should let his statement stand that they are identical.

Mr. SABATH. Well, I read both bills, that is, the Senate bill and the House bill, and I could not detect a single change as reported by the House.

Mr. WOLCOTT. Would the gentleman care to have me point out where the changes are?

Mr. SABATH. Is it not the same thing as the original House bill?

Mr. WOLCOTT. I assume that it is, but if the gentleman cares to have me, I will point out where it differs very materially.

Mr. SABATH. Here is S. 1438 and here is the bill originally recommended by the House. They are identical.

Mr. WOLCOTT. May I point out to the gentleman, if he cares to have me, wherein they differ?

Mr. SABATH. Perhaps the original Senate bill might have differed, but that is not included in the amendment.

Mr. WOLCOTT. I am speaking of the Senate bill as passed by the Senate.

Mr. SABATH. But they reported it with an amendment. I mean the Committee on Banking and Currency merely inserted H. R. 4674. Is that not right?

Mr. WOLCOTT. Yes; and because of that there are material differences between the bills. The gentleman should not let his statement stand that the bills are identical.

Mr. SABATH. I meant the amendment that the House Banking and Currency Committee has agreed upon.

Mr. WOLCOTT. The amendment the House Committee on Banking and Currency has agreed upon differs materially from the Senate amendment.

Mr. SABATH. Oh, yes; that I concede, but I wish to state to the gentleman from Michigan that it was not my intention, never has been, and it shall not be to report any rule other than what I believe was the intention of the committee. The committee intended to report a rule providing for the consideration of the Senate bill with the House amendment, which was H. R. 4674. The bill before us, as amended, I understand will be further amended, or at least that the Committee on Banking and Currency intends to offer certain amendments to the amendment. Is that correct, I ask the gentleman from Alabama [Mr. STEAGALL]?

Mr. STEAGALL. The gentleman is correct.

Mr. SABATH. In view of that fact, I feel that any possible objections that have been heretofore raised will be eliminated, and there should be no contention.

It is, I admit, a bill of far-reaching importance.

It extends the life of the various corporations heretofore authorized and created under the original Reconstruction Finance Act and amendments thereto, such as the Disaster Loan Corporation, the Electric Home and Farm Authority, to continue up to January 22, 1947.

Section 3 of the bill amends section 10 of the Reconstruction Finance Act to exempt the corporations created under the R. F. C. from taxation-sales taxes and use taxes, in addition to other tax exemptions. Specifically, the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Company, the Rubber Reserve Company, The RFC Mortgage Company, the Federal National Mortgage Association, the Disaster Loan Corporation, and any other public corporation heretofore or hereafter organized by or at the instance of the R. F. C., are exempt from taxation.

The bill also gives the Federal Loan Administrator, subject to the President's approval, the authority to make loans to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government.

Subsection 4 of the act (as renumbered) is amended as follows: After the word "organize", where it first appears therein, insert ", at any time prior to July 1, 1943," and by inserting before the word "power" where it first appears therein the following: "Such powers as they may deem necessary in order to expedite the defense program, including, but not limited to." This amendment will give the Reconstruction Finance Corporation additional power to organize another corporation to aid the defense program.

Section 5 of the bill authorizes the Reconstruction Finance Corporation to increase the amount of notes, bonds, debentures, and other obligations it may have outstanding by $1,500,000,000.

I am informed, however, that the House Committee on Banking and Currency has agreed to the Senate amendment to create a corporation prior to July 1, 1943, to produce and acquire strategic and critical materials as defined by the President. The amount originally set to carry out the organization of this corporation was $300,000,000. The House committee has agreed to an amendment limiting the amount to $100,000,000. Other amendments will be offered by the committee that it is hoped will eliminate any possible objections that have heretofore been raised against certain provisions of the bill.

Mr. Speaker, I am pleased to note there is really no division in this House as to the efficient manner in which the Reconstruction Finance Corporation has functioned and how its affairs have been conducted. This applies also to all the organizations that have been authorized to be organized under its jurisdiction. Each and every one of them has functioned 100 percent. Personally, however, I felt and still feel that the Reconstruction Finance Corporation should have been and should now be a little more liberal with the smaller manufacturers and the smaller businessmen in extending to them the aid they need, especially at this time. That was my original intent when I introduced the first bill to create the Reconstruction Finance Corporation; and I hope that the Reconstruction Finance Corporation as well as the other corporations under its supervision which have been formed since will in the future give consideration and aid to the smaller businesses to which, in my opinion, they are entitled. The large corporations with millions and millions do not need, especially at this time, any aid or help; nevertheless, whenever they need a few million dollars it is

forthcoming. They of course have the collateral security to furnish whereas the smaller businessman cannot always satisfy the demands or interest requests of the Reconstruction Finance Corporation and therefore finds it difficult to obtain the same financial aid and assistance the big business boys generally receive.

Mr. JOHNS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. JOHNS. As I understand the gentleman's statement the Reconstruction Finance Corporation is given power to start another department of the Government. Is that right?

Mr. SABATH. Not another department.

Mr. JOHNS. At least another corporation.

Mr. SABATH. Yes; it is authorized to create another corporation, and it is merely for the purpose of aiding our export trade and aiding our sister republics. I may say to the gentleman that the provisions giving that power are so hedged about with restrictions that I am sure the interests of America are safely protected.

Mr. JOHNS. One further question if the gentleman will permit: Does not the Export-Import Bank take care of these loans now?

Mr. SABATH. It is not intended to make loans, it is intended also to make investments in manufacturing plants, and in the purchase of needed materials for our defense that this corporation is being created.

Mr. Speaker, in view of the fact that the gentleman from New York [Mr. FISH], desires now to proceed, I yield him 30 minutes of the time under the rule and reserve the balance of my 30 minutes.

Mr. FISH. Mr. Speaker, this is an emergency bill, a national-defense measure, and I propose to support it with the amendments that will be offered by the committee, but not in its present form. Everyone knows we are in an emergency. If they did not know it before last night, they know it today. The President of the United States has proclaimed an unlimited emergency. I confess I do not know how that gives him any more powers than he had under a limited emergency or a partial emergency which he proclaimed, I believe, on September 8, 1939. I rather think this statement of an unlimited emergency is a sop to the interventionists and to create more war hysteria and propaganda. In my opinion, the whole speech was an effort to promote and incite war hysteria, spread and extend war propaganda, and instill fear in the hearts of the American people in order to break down the determined will of the 80 percent of our people who are opposed to going into this war unless we are attacked. If that was the main purpose and motive of the speech—and I must confess I believe the speech was very excellent along that line—I think it did exactly what it meant to do; but I am not here now to speak upon that issue. I want to refer to another matter.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. RANKIN of Mississippi. Let me say to the gentleman from New York that I heard the President's address very clearly and followed it carefully. It seems to me that the burden of that speech was the defense of America and the building up of the defense of this country, so that we would be impregnable to attack by a foreign power. It did not appear to me from a careful listening that he was advocating going into the war at all.

Mr. FISH. I hope to God the gentleman is right. I hope above everything else that the gentleman's interpretation is correct. But when the President said that he proposed to get these lend-lease goods over there, no matter what happened, and to use every force necessary to get them over there, of course, I understood by that that he was ready to use convoys and to take us to war, if necessary, to get the lend-lease goods to Britain. However, I hope the gentleman is correct, and I am sure the gentleman will agree with me in this: The one thing the American people must insist on is that we will have no undeclared war. We in America do not know what an undeclared war is. It is a foreign and undemocratic institution. It is the creation of the totalitarian state. There is only one proper and American way to declare war and maintain unity in America and that is by an act of Congress. I have no complaint with the President or anyone else who wants to get us into war. They have a perfect right to say so and to act accordingly, provided they submit the issue to the Congress in the constitutional manner for a war resolution and let Congress, as the elected Representatives of the people, either vote it up or down. Today 80 percent of the Members of Congress are against war just the same as 80 percent of the American people are against war.

Mr. Speaker, this bill comes to the House as an emergency measure. I am supporting it with the definite understanding that the committee amendments limiting the amount to be made available to the special fund will not exceed $100,000,000. I believe that this fund is in safe hands when placed at the disposal of Jesse Jones who, although he comes from Houston, Tex., is shrewder than any New England horse trader. [Applause.] He out-Yankees the Yankees at their own game. I believe he will get the best of any bargain the United States enters into with any foreign nation. There will be no useless paper or I O U's or promises as there were after the World War. Instead, there will be substantial collateral or definite advantages in return for any loans made by him.

I would bet on Jesse Jones to outguess and out-bargain Hitler, Mussolini, or any of their agents in any barter transactions. Jesse Jones, acting in the interest of our taxpayers, makes the American eagle scream every time his lending agencies part with a silver dollar. He has handled billions of dollars honestly, efficiently, and with credit to himself and the Nation.

The Congress cannot perform the functions of lending money in emergencies, nor can we afford to tie the hands of an experienced administrator like Jesse Jones without handicapping American interests. We must rely on his business judgment and his record for honesty and ability to cut the red tape and to promote the production of necessary war goods and articles of defense.

There must be no delay in negotiating contracts and getting the defense job done if we are to make America impregnable on land, sea, and in the air in the shortest possible time.

We have seen all kinds of difficulties and delays as a result of the Army and Navy red tape in consummating contracts. We are in an emergency and in that spirit I hope we will amend the bill in those particulars that are necessary along the lines of the committee amendments, but that we will not seek to delay the consideration and passage of this national-defense measure beyond today. I have faith in Jesse Jones as a proven, experienced, and great American administrator and am willing to trust his judgment to protect American interests here and abroad.

Mr. Speaker, I refer the Members of the House to the last paragraph of the report from the Committee on Banking and Currency, which reads as follows:

> Existing law authorizes Reconstruction Finance Corporation to create or organize defense corporations to procure strategic and critical materials, to expand, equip, and lease plants for the manufacture of arms, ammunition, and implements of war, and, upon finding of necessity by the President, to engage in the manufacture of armaments.

This bill helps promote that. It permits Jesse Jones to increase the general note-issuing power of the Corporation by one and one-half billion dollars, to set up a special fund of $100,000,000, when amended by the House. I think it is needed in emergency, I think it is needed for national defense, and I know of no man in America who can administer it better or more efficiently or more honestly than Jesse Jones. [Applause.]

Mr. Speaker, I now yield the balance of my time, 21 minutes, to the gentleman from Indiana [Mr. HALLECK], to be used by him as he may see fit.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I am going to make a few remarks about this bill, but first I want to say something about the emergency declared by the President last night, and which has just been discussed. There has been some question as to whether or not the declaration made by the President is any more inclusive than the declaration made on September 8, 1939, which is commonly known as the limited-emergency proclamation.

Let me call your attention to the fact that the limited-emergency proclamation reads thus:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do proclaim that a national emergency exists in connection with and to the extent necessary for the proper observance, safeguarding, and enforcing of the neutrality of the United States and the strengthening of our national defense within the limits of peacetime authorization.

That is the so-called limited emergency. It was proclaimed to make neutrality effective. The proclamation last night was to make belligerency effective. I never could see that there was any authority for the President to declare any such emergency, but there was no method by which you could prevent him from acting if he did act under any emergency he declared, authorized or not. I submit that the President only has emergency powers stemming from the Constitution of the United States or the statutes. The President of the United States cannot at any time he sees fit, if we are not at war, declare a national emergency, as he did last night, and take over the industry, the business, the press, and the lives of the country. [Applause.]

Then you say, Where did he get the authority for last night's emergency proclamation? I say he had that authority because, when the Congress passed the lend-lease bill, it gave to the President of the United States the right to do that which to him seemed to be best for the national defense of this country, all law, national and international, to the contrary notwithstanding.

So, as one Member of the House, I accept that proclamation as a war emergency proclamation, and coupled with the rest of his speech it cannot be interpreted in any other light than that he is going to go through with his program under the lend-lease bill to its fruition, which is to guarantee—according to his own language—the four freedoms to all the struggling democracies anywhere throughout the world. [Applause.]

I think that was leadership last night. He made it clear that he is going to assume the lend-lease power and will not consult Congress about convoys or any other phases of his undeclared war policy. The lend-lease bill gives him power to carry on war even though the Congress has not acted. Last night he accepted the instruction and outlined his course of action. When he gets ready to shoot he will give the order. In short, he has taken over the entry into and the conduct of the war so far as this country is concerned. The President is the Commander in Chief of the Army and Navy, and with the lend-lease law as a guide, it seems to me that it is academic to waste time on whether he had authority to issue his emergency proclamation. He has spoken and he has the armed forces at his command. He has announced to the country that he has assumed and will exercise such dictatorial powers in his discretion as he thinks advisable to obtain his announced objective. Was there any indication in last night's speech that this country would keep out of this war? I do not think so.

Reverting to the rule now before the House, permit me to call your attention to section 3 of the bill S. 4138, which this rule makes in order. Together with other Members of Congress, I have received many protests against the provisions of section 3. The objections are set out in an understandable way by Gov. Murray D. Van Wagoner, of Michigan. I am in receipt of a letter from Governor Van Wagoner under date of May 23, 1941, which is as follows:

I am writing to call your attention to amendments, now being considered by the House of Representatives, to the Reconstruction Finance Corporation Act, as embodied in S. 1438.

We recognize the urgent need which has brought about these proposals, but we ask your specific attention to section 10. The proposed amendment of this section would make loans and personal property of the R. F. C. and all of its subsidiary corporations exempt from taxation by the States and their political subdivisions.

Such a provision in the Federal statutes would not seriously affect our State government. I am writing you principally in behalf of the local governments in this State—the counties, townships, schools, cities, and villages—which depend largely upon the taxation of real and personal property for the maintenance of essential governmental services.

I realize that S. 1438 does not contemplate exempting the R. F. C. from real-property taxation, but local governments will find small comfort in this omission. Already established is the practice of constructing buildings to house defense production machinery and other equipment on leased land; under Michigan law, all these, with the exception of the bare land itself, must be assessed as personal property, and personal property held by the R. F. C. is exempt under S. 1438. To date, less than 4 percent of all loans of the R. F. C. and its subsidiaries made for defense production facilities has been used in the purchase of land.

The removal of R. F. C.-aided defense industries from the tax rolls of this State will greatly decrease the tax base of the local governments where those industries are located. The rate of taxation on commercial and residential property in those communities will increase in direct ratio to the amount of R. F. C. aid their defense industries are receiving.

I should like to point out that this is only one burden to be placed on the local communities by S. 1438. It is already obvious that defense industries are putting a great strain on many communities by their demand and need for those services which are the fundamental functions of local government; extension of water and sewer mains, police and fire protection, public health, additional school facilities, increased housing and recreational facilities. S. 1438 would not only reduce the tax base which provides the normal demand for these services, but will require this smaller base to pay for extended services essential to defense industries themselves, and for which they should pay their proportionate share.

That defense is a national responsibility evokes little argument, nor should there be any question of distributing the cost of defense over all the citizens. Municipalities, no more than individuals, should not be singled out to bear an unequal part of the burden. The Defense Plants Corporation and all other R. F. C. subsidiaries should pay for the services they require and receive from the local governments in which they are located. I urge you to consider the problems of the municipalities, schools, and counties of Michigan in which sizable defense contracts have been let. I sincerely hope that S. 1438 will be amended to provide expressly for the taxation of these plants on a basis of equality with other property.

I also include a letter of May 26, 1941, from Mayor L. J. Young, of the city of Ann Arbor, Mich., which is as follows:

On behalf of the city of Ann Arbor, I wish to make an emphatic protest against the passage of the bill known as S. 1438 which passed the Senate on May 16.

This bill provides exemption from taxation of all personal property of defense-connected industries having loans from the Reconstruction Finance Corporation. Such an act as this is a direct infringement upon the home-rule rights of municipalities, and would cause serious difficulties in the proper financing of the services of such municipalities, in view of the fact that the construction of additional plant capacity for defense purposes will undoubtedly increase the drain on municipal revenues, because of new services that will be required. The result of such an act as this would be to put an unfair share of the costs of these new facilities on other commercial and residential property.

Anything you can do to prevent the passage of this act in the House will be very much appreciated by the people of Ann Arbor.

I shall not elaborate upon this justified objection to this section during the debate on the rule. The members of the Banking and Currency Committee who are the proponents of this bill and who held hearings and should understand fully all the details of the measure will be asked to explain these provisions when the bill, S. 4138, is being considered for amendment.

It is very difficult for any Member of the House who is not a member of the Banking and Currency Committee to read this bill, S. 4138, and have any definite knowledge as to what the bill means when he is through. Indeed, the ranking majority member of the Banking and Currency Committee, who appeared before the Committee on Rules, confessed to the Rules Committee that the bill was drafted in such a way that no one could have any definite information about what the changes in the law would be without having the original act and all amendatory acts before him. This is a sample of that loose and improper draftsmanship which "strikes out and inserts after the comma in the second paragraph of a certain section of the bill, and so forth." Time after time in recent years I have called attention to this type of draftsmanship. No one will attempt to justify it. All admit that it is confusing, yet for some unknown reason certain committees at times employ the system. The striking out and inserting, and so forth, directed in this bill is accomplished under the Ramseyer rule. Therefore, if you will turn to page 3 of the committee report, you will be able to get some idea of what the bill means. I am sure that no explanation given on the floor will make it possible for a Member to visualize and understand these amendments without going through the mechanical process above suggested or studying the committee report as above suggested.

I shall not vote for this bill in its present form. In my judgment, there would be no possibility of the bill passing the Congress were it not for the fact that Jesse Jones is momentarily the administrator who will carry out the terms of the bill. Well, Jesse Jones is simply human. He already has more work in

connection with the Government than any one man can possibly look after. If he were to cease to be the administrator for any reason, who would his successor be? Of course, that would depend entirely upon the President, and I, for one, would regret exceedingly to see the President's good Man Friday, Harry Hopkins, take on Jesse Jones' job together with the many others he has had with the Government during the last few years.

We will be told that in all "probability" this law will be administered fairly and justly. When drafting legislation, we should give consideration to the possibilities rather than the probabilities. Under this law, a corporation might be set up with complete power to build a Nicaragua Canal and, without amendments to the bill, the President might direct the formation of a corporation to carry out the St. Lawrence deep waterway project, the Passamaquoddy Bay project or the Florida Ship Canal project. Oh, it is said that Jesse Jones will not permit any of these things. Probably that is true, but possibly these things might happen. I am not in favor of granting these additional broad powers to any President and do not believe that this legislation in its present form is essential to our national defense. The Congress is going to be in constant session and, if it becomes necessary to do any of these unthought-of and extraordinary things in connection with financing corporations to operate anywhere throughout the world, then the country should know something about it. After all, the bonds issued by the R. F. C., the proceeds of which carry on these projects, are guaranteed by the Federal Government and, in the end, the taxpayers may be called upon to foot the bill.

In conclusion, may I urge that section 3 of the bill be amended to meet the objections suggested by Governor Van-Wagoner and others.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter from the Governor of Michigan, together with a letter from the mayor of the city of Ann Arbor, Mich.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, section 3 of this bill not only has challenged my attention, but it has challenged the attention of the Governor of my State and also the mayor and the city council of the fourth largest city in the United States, the city of Detroit. If my recollection serves me correctly, this House passed a law making the income on all future issues of Government obligations subject to taxation. It is not retroactive. If this bill becomes law with section 3 in it, then we are going counter to the established policy of the Government to tax the income on Government obligations, by exempting the obligations of an agency of the Government from taxation. Section 3 of the bill amends section 10 of the Reconstruction Finance Corporation Act by broadening the exemption from taxation for all purposes of obligations of the Defense Homes Corporation, the Defense Plant Corporation, the Defense Supplies Corporation the Metals Reserve Co., the Rubber Reserve Co., and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation. This is a broad delegation of power and is contrary and entirely inconsistent with the policy which we have established in making all State obligations subject to taxation. I realize the emergency, but we are establishing a principle which is not only dangerous but inequitable and unjust.

I can well imagine two houses in any city, town, or village in your district, one constructed and owned by a private individual, the other constructed and owned by an agency of the Government under the Reconstruction Finance Corporation, or any other corporation created by the R. F. C.; one subject to taxation, and the other considered personal property and exempt from taxation, local or otherwise. The inequity becomes apparent to all of us. In my judgment, this Federal gift horse needs a little mouth inspection because it will place a burden upon the local communities that have housing projects and properties established within their borders by these Federal agencies requiring Government service, but exempt from taxation; a burden which, in my judgment, will be entirely more than they can bear, and will strain the Government services of towns, the counties, the villages, and the school districts in every State in this Union.

I believe we would do well to consider carefully section 3.

May I read one line from a resolution passed by the City Council of Detroit in regard to this bill:

> We respectfully urge all possible opposition to the passage of this bill.

This opposition is based entirely on the inequity I have pointed out.

I have faith and confidence in Jesse Jones. He has done a splendid job as a public officer and a public servant, but I believe we are going too far here in favoring the Federal Government and punishing the local and State governments by placing upon them a burden of taxation which they should not bear.

I hope the committee will offer an amendment before consideration of this bill is concluded to correct this glaring attempt to shift the burden of taxation of personal property belonging to governmental agencies to local communities or local governments.

For the benefit of the House, I insert in the RECORD, as a part of these remarks, a letter received from the Honorable Murray D. Van Wagoner, Governor of my State, and also a resolution passed by the Common Council of the City of Detroit, both bearing on the subject which I have discussed. I am in complete accord with the position taken by Governor Van Wagoner, of Michigan, and the Common Council of Detroit:

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing, May 23, 1941.

Hon. GEORGE A. DONDERO,
Member of Congress,
Washington, D. C.

MY DEAR MR. DONDERO: I am writing to call your attention to amendments now being considered by the House of Representatives to the Reconstruction Finance Corporation Act as embodied in S. 1438.

We recognize the urgent need which has brought about these proposals, but we ask your specific attention to section 10. The proposed amendment of this section would make loans and personal property of the R. F. C. and all of its subsidiary corporations exempt from taxation by the States and their political subdivisions.

Such a provision in the Federal statutes would not seriously affect our State government. I am writing you principally in behalf of the local governments in this State—the counties, townships, schools, cities, and villages—which depend largely upon the taxation of real and personal property for the maintenance of essential governmental services.

I realize that S. 1438 does not contemplate exempting the R. F. C. from real-property taxation, but local governments will find small comfort in this omission. Already established is the practice of constructing buildings to house defense-production machinery and other equipment on leased land; under Michigan law, all these, with the exception of the bare land itself, must be assessed as personal property, and personal property held by the R. F. C. is exempt under S. 1438. To date, less than 4 percent of all loans of the R. F. C. and its subsidiaries made for defense-production facilities has been used in the purchase of land.

The removal of R. F. C.-aided defense industries from the tax rolls of this State will greatly decrease the tax base of the local governments where those industries are located. The rate of taxation on commercial and residential property in those communities will increase in direct ratio to the amount of R. F. C. aid their defense industries are receiving.

I should like to point out that this is only one burden to be placed on the local communities by S. 1438. It is already obvious that defense industries are putting a great strain on many communities by their demand and need for those services which are the fundamental functions of local government—extension of water and sewer mains, police and fire protection, public health, additional school facilities, increased housing, and recreational facilities. S. 1438 would not only reduce the tax base which provides the normal demand for these services, but will require this smaller base to pay for extended services essential to defense industries themselves and for which they should pay their proportionate share.

That defense is a national responsibility evokes little argument, nor should there be any question of distributing the cost of defense over all the citizens. Municipalities, no more than individuals, should not be singled out to bear an unequal part of the burden. The Defense Plants Corporation and all other R. F. C. subsidiaries should pay for the services they require and receive from the local governments in which they are located. I urge you to consider the problems of the municipalities, schools, and counties of Michigan in which sizable defense contracts have been let. I sincerely hope that

S. 1438 will be amended to provide expressly for the taxation of these plants on a basis of equality with other property.

Sincerely yours,

MURRAY D. VAN WAGONER.

CITY OF DETROIT,
OFFICE OF THE CITY CLERK,
May 23, 1941.

Hon. GEORGE A. DONDERO,
United States Representative,
Washington, D. C.

DEAR SIR: At the direction of the common council, I am transmitting resolution approved by that body urging opposition to the passage of Senate bill 1438 relative to tax exemption for defense plants, etc.

Very truly yours,

THOS. D. LEADBETTER,
City Clerk.

Whereas Senate bill 1438 passed by the Senate on May 16, exempts from all taxation all personal property and all loans of the R. F. C. and the following subsidiaries: Defense Plant Corporation, Defense Supplies Corporation, Metal Reserve Company, Rubber Reserve Company, RFC Mortgage Company, Federal National Mortgage Association, Disaster Loan Corporation, and any other public corporation heretofore or hereafter organized by or at the instance of the R. F. C. to aid the Government in its national-defense program; and

Whereas Detroit and Michigan are large industrial centers; and

Whereas it is apparent that the defense program will necessitate widespread use of our industrial facilities, thereby creating an impossible problem for local assessment boards to determine what portion of industrial activity is a part of the defense program; and

Whereas to exempt certain phases of defense activity and not all phases of defense activity will create chaos and discrimination; and

Whereas at the same time unusual facilities always are requested and furnished by the local communities to industry actively engaged in defense work; and

Whereas major exemption of industrial property in Michigan and in Detroit will increase excessively the real-estate tax in the local communities: Therefore be it

Resolved, That the mayor and the common council of the city of Detroit earnestly and respectfully urge all possible opposition to the passage of this bill; furthermore be it

Resolved, That the city clerk be, and he is hereby, instructed to transmit copy of this resolution to the Members of the United States Senate and the House of Representatives, Washington, D. C., from the State of Michigan.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DONDERO. I yield to the gentleman from Alabama.

Mr. PATRICK. What I wish to inquire of the gentleman has nothing to do with the bill. The gentleman has a gentlemanly, courteous, and statesmanlike way of conducting himself. I wanted to hear the 20-minute address the gentleman was to have made yesterday on the conduct of Members of the House. I should like to know when the gentleman is going to give that speech, because I certainly do not want to miss it.

Mr. DONDERO. I thank the gentleman from Alabama for his generous compliment. If the gentleman will read this morning's RECORD, he will find there the speech made last night.

Mr. PATRICK. Is the gentleman going to make that speech on the floor?

Mr. DONDERO. I made the speech on the floor last night.

Mr. PATRICK. Will the gentleman kindly make that speech again at some future time, even though it does appear in the RECORD? I believe we would all profit by it.

Mr. DONDERO. I am afraid that repetition might be a sign of weakness.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker, the proclamation of an unlimited national emergency issued by the President last evening naturally creates in the minds of many Members of the Congress and the people concern as to what the powers of the President are under a national emergency. I thought it might be of service to the Members of the House and the public generally if I called attention to the fact that year before last, in response to a resolution by the Senate, the Attorney General filed a list of the statutes which by their terms grant powers that may be exercised by the Executive in an emergency or in a state of war. That document is about out of print this morning and at the conclusion of my remarks I am going to ask unanimous consent that it be incorporated in today's RECORD so that it may be available for the use of all the Members.

Mr. MICHENER. Mr. Speaker, will the gentleman yield there?

Mr. PACE. Of course.

Mr. MICHENER. Very recently I had the legislative reference service of the Library of Congress make a compilation covering that same matter and it is much longer than the list the gentleman refers to and has been brought up to date. I am wondering if the gentleman might not include that document rather than the one he refers to.

Mr. PACE. Of course, I shall be delighted to do so if the gentleman will supply me with it.

Mr. MICHENER. I shall be pleased to do that.

Mr. PACE. I may say on the question of authority that you will find numerous acts enacted by the Congress authorizing the President to exercise special powers. For instance, in the act of 1916 "to increase the Army in time of war or similar emergency when the public safety demands it." The act of 1918 authorizes the President to increase the authorized strength of the Navy "whenever, in his judgment, a sufficient emergency exists." The act of 1916 provided for a suspension of the requirement of sea service in connection with promotion of officers during war or a national emergency declared by the President.

I do not think there is any question, under the accumulation of statutes enacted by the Congress throughout the years, many of which were enacted during the last World War, that there is ample authority in the President, but what I arose to say was that all of us are interested in what his respective powers are and the extent of them. Mr. Speaker, I now ask that I may be permitted to extend my remarks in the RECORD, and to include therein the proclamation issued by the President last evening, declaring a national emergency, and to include therein the talk of the President last evening and include therewith the compilation which the distinguished gentleman from Michigan [Mr. MICHENER] has referred to, annotating the different statutes and outlining the special powers of the President in time of national emergency or under the condition of a state of war.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. PACE. I yield.

Mr. WALTER. Does the gentleman feel that the President has any more powers after the declaration of last night than he had after the declaration that was made last September?

Mr. PACE. Unquestionably. I think the September declaration by the President was, by its express terms, limited for the specific purposes outlined in the declaration, and the declaration by the President last evening is, under its own terms, unlimited and invokes every power and every authority of the President of the United States given by statute and also those undefined, unlimited, and unquestionable, and I might say indefinable, powers which come to the President as Chief Executive under the Constitution of the United States and as Commander in Chief of the armed forces of the United States.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. PACE. I yield to the gentleman.

Mr. RANKIN of Mississippi. The gentleman from Georgia is a good lawyer——

Mr. PACE. I am not so sure about that.

Mr. RANKIN of Mississippi. And I would like for the gentleman to comment on this proposition. Some Members have expressed the view that this proclamation gives the President the right to suspend the writ of habeas corpus or suspend the right of trial by jury.

Mr. PACE. The Constitution provides that the privilege of the writ of habeas corpus shall not be suspended unless, in cases of rebellion or invasion, the public safety may require it. The President's proclamation does not declare martial law and certainly does not authorize suspension of the writ of habeas corpus or trial by jury.

Mr. RANKIN of Mississippi. That can be done only in time of war?

Mr. PACE. Only in cases of rebellion within or invasion from without.

Mr. RANKIN of Mississippi. So it could not be affected by this proclamation?

Mr. PACE. Unquestionably, it could not.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. PACE. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I wonder if the gentleman would explain to us how in the world the President can assume unto

himself the power that if any of the Axis Powers assume to occupy Dakar or the Cape Verde Islands or the Azores that he would consider that a dangerous act; that is, dangerous to the United States, and he would proceed to repel it. Where does he get quite that power?

Mr. PACE. Of course, as the Commander in Chief of the Army and Navy, it is not only the power and the right of the President, but it is certainly his most solemn duty to take such measures as will protect this Nation.

Mr. GIFFORD. How far beyond that could he go in regarding it as so dangerous to our safety that he would repel it? I suppose it is in that indefinable sphere the gentleman spoke of.

Mr. PACE. I think there is an indefinable sphere; I do not think there can be any question about that. The United States Supreme Court and the Attorneys General since 1800 have said so and as they have said, it is necessarily indefinable because it must meet different conditions and circumstances as they arise.

Mr. GIFFORD. Does it not appeal to the gentleman that it is a very extraordinary statement that he is going to assume, if the Axis powers should take possession of any place that might be dangerous to our well-being, the power referred to and that he would repel it?

Mr. PACE. I think there must be some authority somewhere to set up and determine what state of circumstances endangers this Nation. I am sure the gentleman is familiar with numerous instances in the past where different Presidents have acted quickly and without any express authority from the Congress, because they found conditions or a situation had developed which required immediate action in order to safeguard the safety of the Nation.

Mr. GIFFORD. And he has to determine that himself?

Mr. PACE. I do not know any other source that could determine it, with the advice of his military and naval advisers.

Mr. RANKIN of Mississippi. And it is a well-established and fundamental principle of law, civil or international, that resistance is never supposed to be withheld until it can be of no avail. If any act is taken that threatens the integrity of the United States, certainly it could be repelled without waiting for an act of Congress or an amendment to the Constitution.

Mr. GIFFORD. Is the word "integrity" involved?

Mr. RANKIN of Mississippi. Territorial integrity and safety of the United States I think; yes.

Mr. GIFFORD. But integrity and safety have different meanings.

Mr. RANKIN of Mississippi. I think the word integrity from the standpoint of national integrity has the proper meaning in this instance.

The SPEAKER. The time of the gentleman from Georgia has again expired.

The matters above referred to follow:

PROCLAMATION OF EMERGENCY

Whereas on September 8, 1939, because of the outbreak of war in Europe, a proclamation was issued declaring a limited national emergency and directing measures "for the purpose of strengthening our national defense within the limits of peacetime authorizations";

Whereas a succession of events makes plain that the objectives of the Axis belligerents in such war are not confined to those avowed at its commencement but include overthrow throughout the world of existing democratic order and a world-wide domination of peoples and economies through the destruction of all resistance on land and sea and in the air; and

Whereas indifference on the part of the United States to the increasing menace would be perilous, and common prudence requires that for the security of this Nation and of this hemisphere we should pass from peacetime authorizations of military strength to such a basis as will enable us to cope instantly and decisively with any attempt at hostile encirclement of this hemisphere, or the establishment of any base for aggression against it, as well as to repel the threat of predatory incursion by foreign agents into our territory and society:

Now, therefore, I, Franklin D. Roosevelt, President of the United States of America, do proclaim that an unlimited national emergency confronts this country, which requires that its military, naval, air, and civilian defenses be put on the basis of readiness to repel any and all acts or threats of aggression directed toward any part of the Western Hemisphere.

I call upon all the loyal citizens engaged in production for defense to give precedence to the needs of the Nation to the end that a system of government that makes private enterprise possible may survive.

I call upon our loyal workmen as well as employers to merge their lesser differences in the larger effort to insure the survival of the only kind of government which recognizes the rights of labor or of capital.

I call upon loyal State and local leaders and officials to cooperate with the civilian defense agencies of the United States to assure our internal security against foreign-directed subversion and to put every community in order for maximum productive effort and minimum of waste and unnecessary frictions.

I call upon all loyal citizens to place the Nation's needs first in mind and in action to the end that we may mobilize and have ready for instant defensive use all of the physical powers, all of the moral strength, and all of the material resources of this Nation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this twenty-seventh day of May, in the year of our Lord nineteen hundred and forty-one, and of the independence of the United States of America the one hundred and sixty-fifth.

FRANKLIN D. ROOSEVELT.

By the President:
CORDELL HULL, *Secretary of State.*

TEXT OF PRESIDENT'S SPEECH PROCLAIMING FULL EMERGENCY

I am speaking tonight from the White House in the presence of the Governing Board of the Pan-American Union, the Canadian Minister, and their families. The members of this board are the ambassadors and ministers of the American republics in Washington. It is appropriate that I do this. Now, as never before the unity of the American republics is of supreme importance to each and every one of us and to the cause of freedom throughout the world. Our future independence is bound up with the future independence of all of our sister republics.

The pressing problems that confront us are military problems. We cannot afford to approach them from the point of view of wishful thinkers or sentimentalists. What we face is cold, hard fact.

The first and fundamental fact is that what started as a European war has developed, as the Nazis always intended it should develop, into a world war for world domination.

Adolf Hitler never considered the domination of Europe as an end in itself. European conquest was but a step toward ultimate goals in all the other continents. It is unmistakably apparent to all of us that, unless the advance of Hitlerism is forcibly checked now, the Western Hemisphere will be within range of the Nazi weapons of destruction.

For our own defense we have accordingly undertaken certain obviously necessary measures:

First, we joined in concluding a series of agreements with all the other American republics. This further solidified our hemisphere against the common danger.

LARGEST ARMS PROGRAM EVER LAUNCHED

And then a year ago we launched and are successfully carrying out, the largest armament production program we have ever undertaken.

We have added substantially to our splendid Navy, and we have mustered our manpower to build up a new Army which is already worthy of the highest traditions of our military service.

We instituted a policy of aid for the democracies—the nations which have fought for the continuation of human liberties.

This policy had its origin in the first month of the war, when I urged upon the Congress repeal of the arms embargo provisions in the neutrality law. In that message of September 1939 I said, "I should like to be able to offer the hope that the shadow over the world might swiftly pass. I cannot. The facts compel my stating, with candor, that darker periods may lie ahead."

In the subsequent months the shadows deepened and lengthened. And the night spread over Poland, Denmark, Norway, Holland, Belgium, Luxemburg, and France.

In June 1940 Britain stood alone, faced by the same machine of terror which had overwhelmed her allies. Our Government rushed arms to meet her desperate needs.

In September 1940 an agreement was completed with Great Britain for the trade of 50 destroyers for eight important offshore bases.

HARD-HEADED CONCERN FOR OUR OWN SECURITY

In March 1941 the Congress passed the lend-lease bill and an appropriation of $7,000,000,000 to implement it. This law realistically provided for material aid "for the government of any country whose defense the President deems vital to the defense of the United States."

Our whole program of aid for the democracies has been based on hard-headed concern for our own security and for the kind of safe and civilized world in which we wish to live. Every dollar of material we send helps to keep the dictators away from our own hemisphere. Every day that they are held off gives us time to build more guns and tanks and planes and ships.

We have made no pretense about our own self-interest in this aid. Great Britain understands it, and so does Nazi Germany.

And now—after a year—Britain still fights gallantly, on a far-flung battle line. We have doubled and redoubled our vast production, increasing month by month our material supply of tools of war for ourselves and Britain and China—and eventually for all the democracies.

The supply of these tools will not fail—it will increase.

With greatly augmented strength, the United States and the other American republics now chart their course in the situation of today.

Your Government knows what terms Hitler, if victorious, would impose. They are,

indeed, the only terms on which he would accept a so-called negotiated peace.

Under those terms Germany would literally parcel out the world, hoisting the swastika itself over vast territories and populations, and setting up puppet governments of its own choosing, wholly subject to the will and the policy of a conqueror.

To the people of the Americas, a triumphant Hitler would say, as he said after the seizure of Austria and after Munich and after the seizure of Czechoslovakia: "I am now completely satisfied. This is the last territorial readjustment I will seek." And he would, of course, add: "All we want is peace, friendship, and profitable trade relations with you in the New World."

And were any of us in the Americas so incredibly simple and forgetful as to accept those honeyed words, what would then happen?

QUISLINGS WOULD BE FOUND

Those in the New World who were seeking profits would be urging that all that the dictatorships desired was "peace." They would oppose toil and taxes for more American armament. Meanwhile, the dictatorships would be forcing the enslaved peoples of their Old World conquests into a system they are even now organizing—to build a naval and air force intended to gain and hold and be master of the Atlantic and the Pacific as well.

They would fasten an economic stranglehold upon our several nations. Quislings would be found to subvert the government in our republics; and the Nazis would back their "fifth columns" with invasion, if necessary.

I am not speculating about all this. I merely repeat what is already in the Nazi book of world conquest. They plan to treat the Latin-American nations as they are now treating the Balkans. They plan then to strangle the United States of America and the Dominion of Canada

The American laborer would have to compete with slave labor in the rest of the world. Minimum wages, maximum hours? Nonsense! Wages and hours would be fixed by Hitler. The dignity and power and standard of living of the American worker and farmer would be gone. Trade-unions would become historical relics, and collective bargaining a joke.

WOULD FACE OBVIOUS DISASTER

Farm income? What happens to all farm surpluses without any foreign trade? The American farmer would get for his products exactly what Hitler wanted to give. He would face obvious disaster and complete regimentation.

Tariff walls—Chinese walls of isolation—would be futile. Freedom to trade is essential to our economic life. We do not eat all the food we can produce; we do not burn all the oil we can pump; we do not use all the goods we can manufacture. It would not be an American wall to keep Nazi goods out; it would be a Nazi wall to keep us in.

The whole fabric of working life as we know it—business, manufacturing, mining, agriculture—all would be mangled and crippled under such a system. Yet to maintain even that crippled independence would require permanent conscription of our manpower; it would curtail the funds we could spend on education, on housing, on public works, on flood control, on health. Instead, we should be permanently pouring our resources into armament; and, year in and year out, standing day and night watch against the destruction of our cities.

Even our right to worship would be threatened. The Nazi world does not recognize any god except Hitler, for the Nazis are as ruthless as the Communists in the denial of God. What place has religion which preaches the dignity of the human being, of the majesty of the human soul, in a world where moral standards are measured by treachery and bribery and "fifth columnists"? Will our children, too, wander off, goose-stepping in search of new gods?

We do not accept, and will not permit, this Nazi "shape of things to come." It will never be forced upon us, if we act in this present crisis with the wisdom and the courage which have distinguished our country in all the crises of the past.

WAR COMING CLOSE TO HOME

The Nazis have taken military possession of the greater part of Europe. In Africa they have occupied Tripoli and Libya, and they are threatening Egypt, the Suez Canal, and the Near East. But their plans do not stop there, for the Indian Ocean is the gateway to the east.

They also have the armed power at any moment to occupy Spain and Portugal; and that threat extends not only to French North Africa and the western end of the Mediterranean, but also to the Atlantic fortress of Dakar, and to the island outposts of the New World—the Azores and Cape Verde Islands.

The Cape Verde Islands are only 7 hours' distance from Brazil by bomber or troop-carrying planes. They dominate shipping routes to and from the South Atlantic.

The war is approaching the brink of the Western Hemisphere itself. It is coming very close to home.

Control or occupation by Nazi forces of any of the islands of the Atlantic would jeopardize the immediate safety of portions of North and South America, and of the island possessions of the United States, and of the ultimate safety of the continental United States itself.

Hitler's plan of world domination would be near its accomplishment today were it not for two factors: One is the epic resistance of Britain, her colonies, and the great dominions, fighting not only to maintain the existence of the island of Britain, but also to hold the Near East and Africa. The other is the magnificent defense of China, which will, I have reason to believe, increase in strength. All of these together prevent the Axis from winning control of the seas by ships and aircraft.

MUST CAPTURE BRITAIN

The Axis Powers can never achieve their objective of world domination unless they first obtain control of the seas. This is their supreme purpose today; and to achieve it they must capture Great Britain.

They could then have the power to dictate to the Western Hemisphere. No spurious argument, no appeal to sentiment, and no false pledges like those given by Hitler at Munich can deceive the American people into believing that he and his Axis partners would not, with Britain defeated, close in relentlessly on this hemisphere.

But if the Axis Powers fail to gain control of the seas, they are certainly defeated. Their dreams of world domination will then go by the board; and the criminal leaders who started this war will suffer inevitable disaster.

Both they and their people know this—and they are afraid. That is why they are risking everything they have conducting desperate attempts to break through to the command of the ocean. Once they are limited to a continuing land war, their cruel forces of occupation will be unable to keep their heel on the necks of the millions of innocent, oppressed peoples on the Continent of Europe; and in the end their whole structure will break into little pieces. And the wider the Nazi land effort, the greater the danger.

We do not forget the silenced peoples. The masters of Germany—those, at least, who have not been assassinated or escaped to free soil—have marked these peoples and their children's children for slavery. But those people—spiritually unconquered: Austrians, Czechs, Poles, Norwegians, Dutch, Belgians, Frenchmen, Greeks, southern Slavs—yes; even those Italians and Germans who, themselves, have been enslaved—will prove to be a powerful force in disrupting the Nazi system.

Yes; all freedom—meaning freedom to live and not freedom to conquer and subjugate other peoples—depends on freedom of the seas. All of American history—North, Central, and South American history—has been inevitably tied up with those words "freedom of the seas."

Since 1799, when our infant Navy made the West Indies and the Caribbean and the Gulf of Mexico safe for American ships; since 1804 and 1805, when we made all peaceful commerce safe from the depredations of the Barbary pirates; since the War of 1812, which was fought for the preservation of sailors' rights; since 1867, when our sea power made it possible for the Mexicans to expel the French Army of Louis Napoleon, we have striven and fought in defense of freedom of the seas—for our own shipping, for the commerce of our sister republics, for the right of all nations to use the highways of world trade, and for our own safety.

During the first World War we were able to escort merchant ships by the use of small cruisers, gunboats, and destroyers; and this type of convoy was effective against submarines. In this second World War, however, the problem is greater, because the attack on the freedom of the seas is now fourfold: First, the improved submarine; second, the much greater use of the heavily armed raiding cruiser or hit-and-run battleship; third, the bombing airplane, which is capable of destroying merchant ships seven or eight hundred miles from its nearest base; and fourth, the destruction of merchant ships in those ports of the world which are accessible to bombing attack.

ACTUAL MILITARY DANGER

The battle of the Atlantic now extends from the icy waters of the North Pole to the frozen continent of the Antarctic. Throughout this huge area there have been sinkings of merchant ships in alarming and increasing numbers by Nazi raiders or submarines. There have been sinkings even of ships carrying neutral flags; there have been sinkings in the South Atlantic; off West Africa and the Cape Verde Islands; between the Azores and the islands off the American coast; and between Greenland and Iceland. Great numbers of these sinkings have been actually within the waters of the Western Hemisphere.

The blunt truth is this—and I reveal this with the full knowledge of the British Government—the present rate of Nazi sinkings of merchant ships is more than three times as high as the capacity of British shipyards to replace them; it is more than twice the combined British and American output of merchant ships today.

We can answer this peril by two simultaneous measures: First, by speeding up and increasing our great ship-building program; and second, by helping to cut down the losses on the high seas.

Attacks on shipping off the very shores of land which we are determined to protect present an actual military danger to the Americas. And that danger has recently been heavily underlined by the presence in Western Hemisphere waters of Nazi battleships of great striking power.

Most of the supplies for Britain go by a northerly route, which comes close to Greenland and the nearby island of Iceland. Germany's heaviest attack is on that route. Nazi occupation of Iceland or bases in Greenland would bring the war close to our continental shores; because they are stepping-stones to Labrador, Newfoundland, Nova Scotia, and the northern United States, including the great industrial centers of the North, East, and the Middle West.

BASES THAT PERIL UNITED STATES

Equally the Azores and the Cape Verde Islands, if occupied or controlled by Germany, would directly endanger the freedom of the Atlantic and our own physical safety. Under German domination they would become bases for submarines, warships, and airplanes raiding the waters which lie immediately off our own coasts and attacking the shipping in the south Atlantic. They would provide a springboard for actual attack against the integrity and independence of Brazil and her neighboring republics.

I have said on many occasions that the United States is mustering its men and its resources only for purposes of defense—only to repel attack. I repeat that statement now. But we must be realistic when we use the word "attack"; we have to relate it to the lightning speed of modern warfare.

Some people seem to think that we are not attacked until bombs actually drop on New York or San Francisco or New Orleans or Chicago. But they are simply shutting their eyes to the lesson we must learn from the fate of every nation that the Nazis have conquered.

BUNKER HILL UP TO DATE

The attack on Czechoslovakia began with the conquest of Austria. The attack on Norway began with the occupation of Denmark. The attack on Greece began with occupation of Albania and Bulgaria. The attack on the Suez Canal began with the invasion of the Balkans and North Africa. The attack on the United States can begin with the domination of any base which menaces our security—north or south.

Nobody can foretell tonight just when the acts of the dictators will ripen into attack on this hemisphere and us. But we know enough by now to realize that it would be suicide to wait until they are in our front yard.

When your enemy comes at you in a tank or a bombing plane, if you hold your fire until you see the whites of his eyes, you will never know what hit you. Our Bunker Hill of tomorrow may be several thousand miles from Boston.

Anyone with an atlas and a reasonable knowledge of the sudden striking force of modern war knows that it is stupid to wait until a probable enemy has gained a foothold from which to attack. Old-fashioned common sense calls for the use of a strategy which will prevent such an enemy from gaining a foothold in the first place.

We have, accordingly, extended our patrol in North and South Atlantic waters. We are steadily adding more and more ships and planes to that patrol. It is well known that the strength of the Atlantic fleet has been greatly increased during the past year, and is constantly being built up.

These ships and planes warn of the presence of attacking raiders, on the sea, under the sea, and above the sea. The danger from these raiders is greatly lessened if their location is definitely known. We are thus being forewarned; and we shall be on our guard against efforts to establish Nazi bases closer to our hemisphere.

The deadly facts of war compel nations, for simple self-preservation, to make stern choices. It does not make sense, for instance, to say, "I believe in the defense of all the Western Hemisphere," and in the next breath to say, "I will not fight for that defense until the enemy has landed on our shores." And if we believe in the independence and integrity of the Americas, we must be willing to fight to defend them just as much as we would to fight for the safety of our own homes.

NATIONAL POLICY LISTED

It is time for us to realize that the safety of American homes even in the center of our country has a definite relationship to the continued safety of homes in Nova Scotia or Trinidad or Brazil.

Our national policy today, therefore, is this:

First, we shall actively resist wherever necessary, and with all our resources, every attempt by Hitler to extend his Nazi domination to the Western Hemisphere, or to threaten it. We shall actively resist his every attempt to gain control of the seas. We insist upon the vital importance of keeping Hitlerism away from any point in the world which could be used and would be used as a base of attack against the Americas.

Second, from the point of view of strict naval and military necessity, we shall give every possible assistance to Britain and to all who, with Britain, are resisting Hitlerism or its equivalent with force of arms. Our patrols are helping now to insure delivery of the needed supplies to Britain. All additional measures necessary to deliver the goods will be taken. Any and all further methods or combination of methods, which can or should be utilized, are being devised by our military and naval technicians, who, with me, will work out and put into effect such new and additional safeguards as may be needed.

The delivery of needed supplies to Britain is imperative. This can be done; it must be done; it will be done.

To the other American nations—20 republics and the Dominion of Canada—I say this: The United States does not merely propose these purposes, but is actively engaged today in carrying them out.

INTERNATIONAL BANDITRY

I say to them further, you may disregard those few citizens of the United States who contend that we are disunited and cannot act.

There are some timid ones among us who say that we must preserve peace at any price—lest we lose our liberties forever. To them I say: Never in the history of the world has a nation lost its democracy by a successful struggle to defend its democracy. We must not be defeated by the fear of the very danger which we are preparing to resist. Our freedom has shown its ability to survive war, but it would never survive surrender. "The only thing we have to fear is fear itself."

There is, of course, a small group of sincere, patriotic men and women whose real passion for peace has shut their eyes to the ugly realities of international banditry and to the need to resist it at all costs. I am sure they are embarrassed by the sinister support they are receiving from the enemies of democracy in our midst—the Bundists, and Fascists, and Communists, and every group devoted to bigotry and racial and religious intolerance. It is no mere coincidence that all the arguments put forward by these enemies of democracy—all their attempts to confuse and divide our people and to destroy public confidence in our Government—all their defeatist forebodings that Britain and democracy are already beaten—all their selfish promises that we can "do business" with Hitler—all of these are but echoes of the words that have been poured out from the Axis bureaus of propaganda. Those same words have been used before in other countries—to scare them, to divide them, to soften them up. Invariably, those same words have formed the advance guard of physical attack.

LOYALTY EXPECTED

Your Government has the right to expect of all citizens that they take loyal part in the common work of our common defense—take loyal part from this moment forward.

I have recently set up the machinery for civilian defense. It will rapidly organize, locality by locality. It will depend on the organized effort of men and women everywhere. All will have responsibilities to fulfill.

Defense today means more than merely fighting. It means morale, civilian as well as military; it means using every available resource; it means enlarging every useful plant. It means the use of a greater American common sense in discarding rumor and distorted statement. It means recognizing, for what they are, racketeers and "fifth columnists," who are the incendiary bombs of the moment.

All of us know that we have made very great social progress in recent years. We propose to maintain that progress and strengthen it. When the Nation is threatened from without, however, as it is today, the actual production and transportation of the machinery of defense must not be interrupted by disputes between capital and capital, labor and labor, or capital and labor. The future of all free enterprise—of capital and labor alike—is at stake.

This is no time for capital to make, or be allowed to retain, excess profits. Articles of defense must have undisputed right-of-way in every industrial plant in the country.

A Nation-wide machinery for conciliation and mediation of industrial disputes has been set up. That machinery must be used promptly—and without stoppage of work. Collective bargaining will be retained, but the American people expect that impartial recommendations of our Government services will be followed both by capital and by labor.

The overwhelming majority of our citizens expect their Government to see that the tools of defense are built; and for the very purpose of preserving the democratic safeguards of both labor and management, this Government is determined to use all of its power to express the will of its people, and to prevent interference with the production of materials essential to our Nation's security.

Today the whole world is divided between human slavery and human freedom—between pagan brutality and the Christian ideal.

We choose human freedom—which is the Christian ideal.

No one of us can waver for a moment in his courage or his faith.

We will not accept a Hitler-dominated world. And we will not accept a world, like the post-war world of the 1920's, in which the seeds of Hitlerism can again be planted and allowed to grow.

We will accept only a world consecrated to freedom of speech and expression—freedom of every person to worship God in his own way—freedom from want—and freedom from terrorism.

Is such a world impossible of attainment?

Magna Carta, the Declaration of Independence, the Constitution of the United States, the Emancipation Proclamation, and every other milestone in human progress—all were ideals which seemed impossible of attainment—yet they were attained.

As a military force, we were weak when we established our independence, but we successfully stood off tyrants, powerful in their day, who are now lost in the dust of history.

REASSERTS FREEDOM OF SEAS

Odds meant nothing to us then. Shall we now, with all our potential strength, hesitate to take every single measure necessary to maintain our American liberties?

Our people and our Government will not hesitate to meet that challenge.

As the President of a united and determined people, I say solemnly:

We reassert the ancient American doctrine of freedom of the seas.

We reassert the solidarity of the 21 American Republics and the Dominion of Canada in the preservation of the independence of the hemisphere.

We have pledged material support to the other democracies of the world—and we will fulfill that pledge.

We in the Americas will decide for ourselves whether, and when, and where, our American interests are attacked or our security threatened.

We are placing our armed forces in strategic military position.

We will not hesitate to use our armed forces to repel attack.

We reassert our abiding faith in the vitality of our constitutional Republic as a perpetual home of freedom, of tolerance, and of devotion to the word of God.

Therefore, with profound consciousness of my responsibilities to my countrymen and to my country's cause, I have tonight issued a proclamation that an unlimited national emergency exists and requires the strengthening of our defense to the extreme limit of our national power and authority.

The Nation will expect all individuals and all groups to play their full parts without stint, and without selfishness, and without doubt that our democracy will triumphantly survive.

I repeat the words of the signers of the Declaration of Independence—that little band of patriots, fighting long ago against overwhelming odds, but certain, as are we, of ultimate victory: "With a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Acts of Congress Applicable in Time of Emergency

Part I covers provisions specifically applicable in "emergencies," whether or not coupled with "war," and is subdivided into provisions relating to the military and naval forces and provisions relating to other matters.

Part II covers provisions specifically applicable in time of war alone, and is subdivided into (a) provisions relating to war in which the United States is not a belligerent, (b) provisions relating to the military and naval forces in time of war, and (c) miscellaneous war provisions.

Part III covers provisions specifically applicable in time of peace (in other words, provisions that are not applicable in time of war).

I. PROVISIONS APPLICABLE IN TIME OF EMERGENCY

(a) *Provisions relating to the military and naval forces*

Act of February 2, 1901 (31 Stat. 752, sec. 18; U. S. Code 10: 107): The Surgeon General of the Army, with the approval of the Secretary of War, may appoint as many contract surgeons as necessary "in emergencies."

Act of May 27, 1908 (35 Stat. 400, sec. 3; U. S. Code 32: 81a): The President may call out such number of the militia of the States, Territories, or the District of Columbia as may be necessary "whenever the United States is invaded or in danger of invasion from any foreign nation, or of rebellion against the authority of the Government of the United States, or the President is unable with the regular forces at his command to execute the laws of the Union."

Act of February 16, 1914 (38 Stat. 289, sec. 21; U. S. Code 34: 851): The President is authorized to commission in the Regular Navy persons certified by examining boards as eligible for naval duties, etc., "upon the outbreak of war or when, in his opinion, war is imminent."

Act of January 28, 1915 (38 Stat. 800–801, sec. 1; U. S. Code 14: 1): The Coast Guard is to operate as part of the Navy, subject to orders of the Secretary of the Navy "in time of war or when the President shall so direct."

Joint resolution of March 17, 1916 (39 Stat. 36, c. 46): Organizations of the Army below the maximum enlisted strength authorized by law may be raised to that strength "when in the judgment of the President an emergency arises which makes it necessary."

(This resolution is probably temporary or superseded by later provisions.)

Act of August 29, 1916 (39 Stat. 581; U. S. Code 34: 191): Navy enlisted men on furlough without pay for the unexpired portion of their enlistment are subject to recall to complete the enlistment period "in time of war or national emergency."

Same (p. 591; U. S. Code 34:433): The Secretary of the Navy may call retired enlisted men into active service "in time of war or when a national emergency exists."

Same (p. 614; U. S. Code 34:831): Marine Corps training camps, authorized to be established by the Secretary of the Navy, are not to be maintained for more than 6 weeks in each fiscal year "except in time of actual or threatened war."

Act of October 6, 1917 (40 Stat. 393, ch. 93; U. S. Code 34:1200, art. 65, as amended by acts of July 1, 1918 (40 Stat. 708), and February 28, 1925 (43 Stat. 1081, sec. 3)): Commissioned officers of the Coast Guard, Lighthouse Service, Coast and Geodetic Survey, and Public Health Service may serve on naval courts martial and deck courts "in time of war or during the existence of an emergency."

(The Lighthouse Service is now part of the Coast Guard; see 53 Stat. 1432, sec. 2.)

Act of July 1, 1918 (40 Stat. 717; U. S. Code 14:164, 165; 34:423): "During the existence of war or of a national emergency declared by the President to exist," commissioned or warrant officers of the Navy, Marine Corps, or Coast Guard on the retired list may be ordered to active duty in the discretion of the Secretary of the Navy, and retired officers performing such duty may be temporarily advanced in rank on the retired list, as the President may determine.

Act of July 11, 1919 (41 Stat. 137; U. S. Code 34:151): The President is empowered to increase the authorized enlisted strength of the Navy up to 191,000 men "whenever in his judgment a sufficient emergency exists."

Act of June 4, 1920 (41 Stat. 759, sec. 2; U. S. Code 10:602): The number of enlisted men of the Regular Army is limited to 280,000, "except in time of war or similar emergency where the public safety demands it."

(The act of June 26, 1940 (54 Stat. 601, Public, No. 667, 76th Cong.), authorized an increase during the fiscal year 1941 of 95,000 in the number of enlisted men in the Regular Army.)

Same (p. 776 (sec. 37a); U. S. Code 10:369): The restriction on employment of Reserve officers on active duty for more than 15 days is not applicable "in time of a national emergency expressly declared by Congress."

Same (p. 778 (sec. 47a), U. S. Code 10:441): Instruction camps authorized for members of the Reserve Officers' Training Corps are not be maintained for longer periods than 6 weeks in any 1 year, "except in time of actual or threatened hostilities."

Same (p. 780, sec. 35 (sec. 55b); U. S. Code 10:426): Certain restrictions on active duty service of members of the Enlisted Reserve Corps are not applicable "in time of a national emergency expressly declared by Congress."

Act of June 4, 1920 (41 Stat. 808, art. 104; U. S. Code 10:1576): Certain commanding officers of the Army "in time of war or grave public emergency" may impose, as additional punishment upon officers under their command, forfeiture of not more than one-half of 1 month's pay.

Same (p. 811, art. 119; U. S. Code 10:1591): The President may assign the command of forces in the field, "in time of war or public danger," without regard to seniority of rank in the same grade.

Act of May 13, 1926 (44 Stat. 532, ch. 289, sec. 4; U. S. Code 10:1032; 34:440a): Retired nurses may be employed on active duty with the full active pay and allowances of their grades "in time of war or national emergency."

Act of June 15, 1933 (48 Stat. 156, sec. 7; U. S. Code 32:124): The President may extend enlistment terms of the National Guard for 6 months "in the event of an emergency declared by Congress."

Same (p. 160, sec. 18; U. S. Code 32:81) as amended by act of June 19, 1935 (49 Stat. 392, sec. 7): When Congress shall have declared a national emergency and shall have authorized the use of armed land forces of the United States for any purpose requiring the use of troops in excess of those of the Regular Army, the President may order units of the National Guard of the United States into active military service "for the period of the war or emergency."

Same (p. 161, sec. 20; U. S. Code 10:513) as amended by act of September 9, 1940 (54 Stat. 875, sec. 101; Public, No. 781, 76th Cong.): Officers of the Regular Army may, "in time of war or national emergency determined by the President," be appointed to higher grades without vacating their permanent appointments; all such appointments below the grade of brigadier general are to be made by the President alone; general officers, with the consent of the Senate.

Act of May 29, 1934 (48 Stat. 816, ch. 370; U. S. Code 10:17): The provision that Army officers or enlisted men are not to be required to serve more than 2 years on tours of duty on foreign stations is not to be applicable "in case of insurrection or of actual or threatened hostilities and * * * for temporary emergencies."

Act of June 10, 1935 (49 Stat. 391, ch. 277, sec. 1; U. S. Code, Supp. 32:81c): The President may order officers of the National Guard of the United States to active duty "in an emergency at any time"; but no such officer is to be employed on active duty for more than 15 days in a year without his own consent, "except in time of a national emergency expressly declared by Congress."

Act of April 25, 1938 (52 Stat. 222, ch. 171; U. S. Code, Supp. 10:343): Members of the Regular Army Reserve may be ordered to active duty "only in case of emergency declared by the President."

Act of June 23, 1938 (52 Stat. 948, sec. 11 (c); U. S. Code, Supp. 34:311): Sea-service requirements for officers designated by the Secretary of the Navy to perform highly important shore duties are not to apply "while the United States is at war, or during a national emergency declared by the President," or for 2½ years thereafter.

Act of July 25, 1938 (52 Stat. 1176, sec. 5; U. S. Code, Supp. 34:853c): Members of the Naval Reserve, including those on the retired list, may be ordered to active duty by the Secretary of the Navy "in time of war or when in the opinion of the President a national emergency exists."

Same (p. 1180, sec. 302; U. S. Code, Supp. 34:855a): Officers of the Naval Reserve are to be paid $150 in addition to the regular gratuity for the purchase of required uniforms upon first reporting for active duty "in time of war or national emergency."

Same (p. 1181, sec. 303; U. S. Code, Supp. 34:855b): Enlisted men of the Naval Reserve, upon first reporting for active duty "in time of war or national emergency," may be issued additional articles necessary to give them the same outfit as that of enlisted personnel of the Regular Navy, and midshipmen, merchant-marine cadets, and nurses are to be furnished such additional articles as the Secretary of the Navy may prescribe.

Same (p. 1183, sec. 311; U. S. Code, Supp. 34:855j), as amended by act of August 27, 1940 (54 Stat. 865, sec. 8 (c); Public, No. 775, 76th Cong.): When mobilized with the Regular Navy, "for war or a national emergency," officers of the Naval Reserve are to take

precedence next after officers of the Regular Navy of the same rank or grade whose length of service on the date of the declaration of such war or emergency is nearest one-half that of the Reserve officer.

Same (p. 1183, sec. 312; U. S. Code, Supp. 34:855k): Naval Reserve or Marine Corps Reserve officers of the active list, employed on active duty, are to be advanced in the same manner as officers of the Regular Navy or Marine Corps "in time of war or national emergency."

Act of June 25, 1938 (52 Stat. 1185, sec. 401; U. S. Code Supp. 34:856). Officers and men of the Naval Reserve, who are members of the Naval Militia of any State, Territory, or the District of Columbia are to be relieved from service or duty in such Naval Militia "when on active duty in time of war or national emergency."

Act of May 14, 1940 (54 Stat. 213, ch. 194; Pub. No. 513, 76th Cong.): "In time of war or other emergency declared by Congress," enlistments in the Army are to be without specification of any particular component, for the duration of such war or emergency plus 6 months. Persons enlisted at any time in the Army are to be available for assignment to any unit and for transfer from one unit to another, "in time of war or other emergency declared by Congress."

Act of May 14, 1940 (54 Stat. 214, ch. 195; Pub. No. 514): The President may, within the limit of the total authorized strength of the Regular Army, authorize additional enlistments in the Medical Department, "in event of actual or threatened hostilities involving the United States," to such number as he deems necessary.

Navy Department Appropriation Act of June 11, 1940 (54 Stat. 275, 293; Pub. No. 588): The restriction on paying active-duty pay, etc., to retired Navy officers is not applicable "during war or national emergency declared by the President to exist."

Officers of the Navy or Marine Corps who have been adjudged fit are not to be involuntarily retired "during the existing limited emergency."

Act of September 16, 1940 (54 Stat. 886 (b); Pub. No. 783): The President is authorized to extend the 12-month period prescribed for training and service under the Selective Training and Service Act, "whenever the Congress has declared that the national interest is imperiled."

Coast Guard Auxiliary and Reserve Act of February 19, 1941 (Pub. No. 8, secs. 201, 202, 205, 214, 77th Cong.): The United States Coast Guard Reserve is established in order to provide a trained force of officers and men to enable the Coast Guard to perform extraordinary duties "necessitated by emergency conditions." The Reserve is to be composed of male citizens who "obligate themselves to serve in the Coast Guard in time of war or during any perior of national emergency declared by the President to exist." Any member may be ordered to active duty by the commandant "in time of war or during any period of national emergency declared by the President to exist and be required to perform active duty throughout the war or until the President declares that such national emergency no longer exists"; but the commandant may release any member from active duty "in time of war."

Chief warrant and warrant officers and enlisted men of the Regular Coast Guard may receive appointments in the Reserve, under which they may be required to serve "only in time of war or during any period of national emergency declared by the President to exist."

Act of March 17, 1941 (55 Stat. —; Pub. No. 14, 77th Cong.): The Secretary of the Navy may appoint "in time of war or national emergency declared by the President to exist," acting assistant surgeons, "as the exigencies of the service may require."

(b) Miscellaneous provisions

Revised Statutes 4798 (U. S. Code 4:8): The President may permit the removal of public offices from the seat of the Government "in case of the prevalence of a contagious or epidemic disease."

Joint resolution of April 11, 1898 (30 Stat. 737, No. 21; U. S. Code 50:178): The President is authorized to erect temporary forts "in case of emergency when, in the opinion of the President, the immediate erection of any temporary fort or fortification is deemed important and urgent."

Act of July 1, 1902 (32 Stat. 713, sec. 4; U. S. Code 42:8): The President is authorized to utilize the Public Health Service "in time of actual or threatened war" to such extent as will "in his judgment promote the public interest."

Act of January 5, 1905 (33 Stat. 600, sec. 3; U. S. Code 36:3): The American National Red Cross was incorporated for the purpose of mitigating the sufferings caused by "national calamities," etc.

Act of April 24, 1912 (37 Stat. 90, ch. 90; U. S. Code 36:10): The President is authorized to accept the assistance of the American National Red Cross "in time of war or when war is imminent."

Act of June 19, 1912 (37 Stat. 138, sec. 2; U. S. Code 40:325): The President is authorized to waive stipulations of the 8-hour law in public contracts "during time of war or a time when war is imminent."

Penalties are not to be imposed for violations which were "due to any extraordinary events or conditions of manufacture or to any emergency caused by fire, famine, or flood, by danger to life or to property, or by other extraordinary event or condition on account of which the President shall subsequently declare the violations to have been excusable."

Act of August 24, 1912 (37 Stat. 569, sec. 13; U. S. Code 48:1306; Canal Zone Code 2:8): The President may designate an officer of the Army to assume exclusive authority and jurisdiction over the operation of the Panama Canal "in time of war * * * or when, in the opinion of the President, war is imminent."

Act of March 3, 1913 (37 Stat. 726; U. S. Code 40:321): Employment of laborers and mechanics on public works for more than 8 hours a day is prohibited, "except in case of extraordinary emergency."

Act of June 3, 1916 (39 Stat. 204, sec. 86; U. S. Code 32:39): Material of war, purchased by States from Army stores, may be requisitioned by the United States for use in the military service "in time of actual or threatened war."

Same (p. 213, sec. 120; U. S. Code 50:80): The President is authorized, "in time of war or when war is imminent," to place orders through the heads of departments for arms or other required material with any factory, etc.; such orders are obligatory and must be given precedence over other orders at such times. Failure to give such precedence subjects the factory, etc., to immediate possession by the Government, and the manufacturer, etc., to imprisonment up to 3 years and a fine up to $50,000.

Act of August 29, 1916 (39 Stat. 602; U. S. Code 33:758): The President is authorized, whenever "in his judgment a sufficient national emergency exists" to transfer vessels, equipment, stations, and personnel of the Lighthouse Service (now Coast Guard, under Reorganization Plan No. II) to the jurisdiction of the Navy or War Department.

Same (p. 604; U. S. Code 10:1362, 49:6 (8)): The President may demand, "in time of war or threatened war" that preference and precedence over all other traffic be given for the transportation of troops and war material.

Act of March 4, 1917 (39 Stat. 1192; U. S. Code 40:326): The President may suspend provisions of the 8-hour law as to contracts with the United States "in case of national emergency."

Act of May 22, 1917 (40 Stat. 87, sec. 16; U. S. Code 33:855): The President may transfer vessels, equipment, stations, and personnel of the Coast and Geodetic Survey to the jurisdiction of the War or Navy Department whenever in his judgment "a sufficient national emergency exists."

Act of June 15, 1917 (40 Stat. 219, sec. 6, 220, sec. 1; U. S. Code 50:36, 191): The President "in time of war or in case of national emergency" may designate places used for Army or Navy storage as places concerning which information is not to be published, in the interest of national defense; he may approve regulations concerning vessels in territorial waters, upon declaring that a national emergency exists "by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States."

Act of July 2, 1917 (40 Stat. 241, ch. 35; U. S. Code, 50:171): Immediate possession may be taken of land needed for military purposes at the commencement of condemnation proceedings "in time of war or the imminence thereof."

[Extended by act of April 11, 1918 (40 Stat. 518, ch. 51), to nitrate plants, etc., and by act of July 9, 1918 (40 Stat. 888; U. S. Code, 50:172), to timber, etc.]

Act of July 9, 1918 (40 Stat. 861; U. S. Code, 40:37): The Secretary of War may rent, etc., buildings in the District of Columbia necessary for military purposes "in time of war, or when war is imminent."

Same (p. 893; U. S. Code 10:1287): The proceeds from operation of public utilities in connection with engineer operations in the field overseas are to be available for such utilities "in case of actual or threatened war."

Act of July 15, 1918 (40 Stat. 901, sec. 4; U. S. Code 46:835): It is declared unlawful, "when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President," without first obtaining the approval of the Shipping Board (now the U. S. Maritime Commission; see 49 Stat. 2016, sec. 904; U. S. Code Supp. 46:1243), to transfer any American ship to a foreign registry; to sell any American vessel to other than a citizen; to agree to construct vessels, etc., before the end of the war or emergency, for other than citizens; to vest in foreigners a controlling interest in shipyards, etc.; or to cause an undocumented American-built vessel to depart from a port of the United States

Act of October 27, 1918 (40 Stat. 1017, ch. 196; U. S. Code, 42:18): A reserve of the Public Health Service is directed to be organized for duty "in time of national emergency."

Act of February 28, 1920 (41 Stat. 477 (15); U. S. Code, 49:1 (15)): The Interstate Commerce Commission is to direct that preference is to be given to transportation of such traffic as the President deems essential to national defense and security "in time of war or threatened war."

Act of June 10, 1920 (41 Stat. 1072, sec. 16; U. S. Code, 16:809): The United States may take possession of any project licensed for the manufacture of nitrates, etc., when in the opinion of the President "the safety of the United States demands it."

Act of February 26, 1925 (43 Stat. 984, ch. 340): The Secretary of War was directed to attach to the transfer of the stock of the Hoboken Manufacturers' Railroad Co. a condition that would insure the use of the railroad by the United States "in the event of war or other national emergency."

Act of March 3, 1925 (43 Stat. 1110, ch. 425; U. S. Code, 16:440): The Secretary of War is authorized to close Fort McHenry Military Reservation in Maryland, "in case of a national emergency," and use it for military purposes during the period of such emergency and as long thereafter as necessary.

Act of March 3, 1925 (43 Stat. 1129, ch. 450): The United States reserves the right to take exclusive possession of the Presidio of San Francisco Military Reservation, including that portion transferred to the city and county of San Francisco, "in the event of war or any other great national emergency."

Act of April 12, 1926 (44 Stat. 241, ch. 116): The Government may assume absolute control of the municipal aviation field established on certain land leased to the city of Tucson, Ariz., "in case of emergency, or in event it shall be deemed advisable."

Act of May 29, 1926 (44 Stat. 677, ch. 424): "In case of emergency, or in the event that it shall be deemed advisable by the Secretary of War," the War Department may assume control of the aviation field established near Yuma, Ariz.

Act of May 14, 1930 (46 Stat. 332, sec. 10): The Secretary of the Navy may revoke the lease of the floating drydock and water-front accessories at the New Orleans naval station "in case of national emergency declared by the President."

Act of May 29, 1930 (46 Stat. 479, ch. 350): The Secretary of the Navy may revoke the lease of the United States naval destroyer and submarine base at Squantum, Mass., "in case of a national emergency declared by the President."

Act of June 17, 1930 (46 Stat. 696, sec. 318; U. S. Code, 19:1318): "Whenever the President shall by proclamation declare an emergency to exist, by reason of a state of war or otherwise,' he may authorize the Secretary of the Treasury to extend the time prescribed in the Tariff Act of 1930 for the performance of any act thereunder, and to permit the free importation of food, clothing, and medical supplies for use in emergency relief work.

Act of February 23, 1931 (46 Stat. 1213, sec. 27; U. S. Code 22:22): The President may recall to active service any retired Foreign Service officer "in the event of public emergency."

Act of February 28, 1933 (47 Stat. 1368, sec. 4): Resumption of possession of certain rights-of-way granted to Arlington County, Va., in order to connect Lee Boulevard with Arlington Memorial Bridge, "whenever in the judgment of the President an emergency exists that requires the use and appropriation of the same for the public defense."

Act of March 9, 1933 (48 Stat. 1, sec. 2, sec. 4; U. S. Code 12:95a, 95).

"During time of war or during any other period of national emergency declared by the President," he may regulate transactions in foreign exchange and the export, hoarding, melting, etc., of gold or silver coin, bullion, or currency, by any person subject to the jurisdiction of the United States; and "during such emergency period as the President of the United States by proclamation may prescribe," member banks of the Federal Reserve System are not to transact any banking business, except in accordance with regulations of the Secretary of the Treasury approved by the President.

[Amended by joint resolution of May 7, 1940 (54 Stat. 179, ch. 185; Pub. Res. No. 69, 76th Cong.) by extending the provision for regulation, etc., by the President to payments to banking institutions, and to transfers, withdrawals, or exports of or dealings in, evidences of indebtedness or ownership of property in which any foreign state, etc., has any interest.]

Act of May 12, 1933 (48 Stat. 51, sec. 43; U. S. Code 31:821): Whenever the President finds that "the foreign commerce of the United States is adversely affected" by foreign-currency depreciation or action "is necessary in order to regulate and maintain the parity of currency issues of the United States," or "an economic emergency requires an expansion of credit," or an expansion of credit is necessary for the "stabilization at proper levels of the currencies of various governments," he is authorized (a) to conduct open market operations in United States obligations through the Federal Reserve Board; (b) to direct the issuance of United States notes; or (c) to fix the weight of the dollar at not less than 50 percent of its present weight (amended by adding "nor * * * more than 60 percent" by act of January 30, 1934, 48 Stat. 342, sec. 12).

(These powers of the President expire June 30, 1941, unless he "sooner declares the existing emergency ended"; act of July 6, 1939 (53 Stat. 998, ch. 260; U. S. Code Supp. 31:821).)

Act of May 18, 1933 (48 Stat. 68, sec. 20; U. S. Code 16:831s): The United States reserves the right, "in case of war or national emergency declared by Congress," to take possession of property described in the Tennessee Valley Authority Act, for the purpose of manufacturing explosives or for other war purposes.

Act of May 10, 1934 (48 Stat. 759, sec. 513; U. S. Code 5:246a): The Secretary of the Treasury may appoint five assistants, at not over $10,000 a year, and may delegate to them any of his authority; whenever "the President declares by Executive order that the emergency requiring the appointments * * * has ceased to exist, the persons appointed shall cease to hold office * * * and the power of the Secretary" hereunder is to terminate.

Act of June 19, 1934 (48 Stat. 1104, sec. 606; U. S. Code 47:606): "Upon proclamation by the President that there exists war or a threat of war or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States," he may suspend regulations of the Federal Communications Commission as to radio stations, or close or assume control of stations.

Act of June 27, 1934 (48 Stat. 1262 (f); U. S. Code 12:1431): The Federal Home Loan Bank Board may require Federal home loan banks to rediscount notes in certain cases "whenever in the judgment of at least four of its members an emergency exists."

Act of August 26, 1935 (49 Stat. 849 (c); U. S. Code Supp. 16:824a): The Federal Power Commission may require certain temporary connections of facilities, etc., to prevent shortage of electric energy "during the continuance of any war in which the United States is engaged, or whenever the Commission determines that an emergency exists."

Act of August 30, 1935 (49 Stat. 1013, ch. 825, sec. 6; U. S. Code Supp. 40:276a–5): The President may suspend certain provisions of law relating to wages of laborers, etc., under public building contracts, "in the event of a national emergency."

Act of May 15, 1936 (49 Stat. 1292 (2)): The Secretary of War may request the municipality of Little Rock, Ark., to turn over complete control of the Little Rock Municipal Airport to the United States "in time of national emergency," for such length of time as, in the discretion of the Secretary, the emergency requires.

Act of May 27, 1936 (49 Stat. 1387, ch. 465): The President may order for use by the War Department certain land, etc., conveyed to the city of Charleston, S. C., "in the event of a national emergency."

Act of June 19, 1936 (49 Stat. 1535, ch. 604): The President is authorized to use for public defense certain lands transferred to Hawaii, whenever in his judgment "an emergency exists that requires" such use.

Act of June 20, 1936 (49 Stat. 1557, ch. 636): The United States may, "in the event of war or of any national emergency declared by Congress to exist," take over Port Newark Army Base property, sold to the city of Newark, N. J.

Act of June 29, 1936 (49 Stat. 1993, sec. 302 (h), 2010, sec. 712 (d); U. S. Code Supp. 46:1132, 1202): During a "national emergency as proclaimed by the President," he may suspend section 302 of the Merchant Marine Act of 1936, relating to citizenship of officers and crews of vessels; and the United States Maritime Commission may terminate charters of public vessels during such time.

Act of August 19, 1937 (50 Stat. 696, ch. 697): The Secretary of War may resume possession of Fort Schuyler Military Reservation, N. Y., for use, etc., for public defense, whenever in his judgment "an emergency exists that requires the use and appropriation of the same for the public defense."

Act of September 1, 1937 (50 Stat. 916, sec. 509; U. S. Code Supp. 7:1179): "Whenever the President finds and proclaims that a national economic or other emergency exists with respect to sugar," he may suspend titles II (Quota Provisions) and III (Conditional-Payment Provisions) of the Sugar Act of 1937.

Act of February 16, 1938 (52 Stat. 64, sec. 371 (b); U. S. Code Supp. 7: 1371): Whenever the Secretary of Agriculture has reason to believe, that, because of "a national emergency," etc., the marketing quotas for corn, wheat, cotton, rice, or tobacco should be increased or terminated, he must cause an immediate investigation to determine whether such increase or termination is needed.

(Amended by act of April 3, 1941 (55 Stat. ——; Public, No. 27, 77th Cong.) to include peanuts.)

Act of June 21, 1938 (52 Stat. 834, sec. 3): The Hoboken Pier Terminal property conveyed to the city of Hoboken, N. J., under this act, may be taken upon order of the President "in event of a national emergency" for use of the War Department during the period of such emergency.

Act of June 7, 1939 (53 Stat. 811, sec. 4; U. S. Code Supp. 50:98c): Strategic and critical materials, acquired to supply industrial, military, and naval needs of the country and to prevent the dependence of the United States upon foreign nations for such supplies, are to be "used only upon the order of the President in time of war, or when he shall find that a national emergency exists with respect to national defense as a consequence of the threat of war."

Act of June 29, 1939 (53 Stat. 890): The President may make available certain funds for the protection of American citizens in any foreign country whenever he "shall find that a state of emergency exists endangering the lives' of such citizens

Act of August 7, 1939 (53 Stat. 1254, sec. 1 (d), 1255, sec. 3 (a); U. S. Code Supp. 46: 1202, 1242): "Whenever the President shall proclaim that the security of the national defense makes it advisable, or during any national emergency declared by proclamation of the President," the United States Maritime Commission may terminate charters of vessels, and may requisition, etc., vessels of citizens for any period during such emergency.

Act of August 11, 1939 (53 Stat. 1418, ch. 701; U. S. Code Supp. 15:713a–6): The Commodity Credit Corporation, in selling surplus agricultural commodities to foreign governments, must require the condition that these commodities are to be held in reserve for at least 5 years "unless a war or war emergency results in a serious interruption of normal supplies of such commodities."

Act of February 12, 1940 (54 Stat. 33, sec. 203; Public, No. 415, 76th Cong.): The Secretary of the Navy is authorized to exceed

the statutory limit on repairs and alterations to vessels commissioned or converted "to meet the existing emergency."

Department of Justice Appropriation Act of May 14, 1940 (54 Stat. 201; Public, No. 508): The Attorney General is to direct the expenditure of $20,000 appropriated "to meet unforeseen emergencies of a confidential nature," also of $200,000 appropriated as a "reserve for emergencies arising in connection with kidnaping, extortion, and bank robbery."

Navy Department Appropriation Act of June 11, 1940 (54 Stat. 292, sec. 6, 293, 297; Public, No. 588): The President may suspend compliance with citizenship requirements as to employment under the Navy Department of persons in the Canal Zone "in time of war or national emergency."

The Secretary of the Navy may exceed the statutory limit, under the Bureau of Engineering and Bureau of Construction and Repair (consolidated into Bureau of Ships by act of June 20, 1940, 54 Stat. 492–493; Public, No. 644, 76th Cong.), on repairs and alterations to vessels commissioned or converted "to meet the existing emergency."

Thirty-four million dollars is appropriated as an emergency fund to enable the President to "provide for emergencies affecting the national security and defense," including purposes specified under the Navy Department appropriation acts for 1940 and 1941, the furnishing of Government-owned facilities at privately owned plants, the training of civilian personnel necessary for the protection of essential equipment, etc., and the procurement of strategic and critical materials.

Military Appropriation Act of June 13, 1940 (54 Stat. 379, sec. 7; Public, No. 611): The President may suspend compliance with citizenship requirements in the employment of persons in the Canal Zone "in time of war or national emergency."

(For emergency fund of $66,000,000, see under act of July 2, 1940, below.)

Act of June 14, 1940 (54 Stat. 395, sec. 10; Public, No. 629): Provisions of the act of April 25, 1939 (53 Stat. 591), authorizing contracts upon a cost-plus-a-fixed-fee basis in certain cases, are to be applicable to naval public works and utilities projects in the fourteenth naval district (at Pearl Harbor, T. H.) "during the period of any national emergency declared by the President to exist."

Act of June 20, 1940 (54 Stat. 494, sec. 3; Public, No. 644): The President is authorized to appoint from civil life, with the Senate's consent, an Under Secretary of the Navy to serve "during any national emergency declared by him to exist, including the present limited emergency."

Act of June 26, 1940 (54 Stat. 581; Public, No. 665): "In the event of an emergency declared by the President to exist," he may make inapplicable a proviso restricting expenditures of any class under the Civilian Conservation Corps appropriation of 10 percent above the Budget estimates for 1941.

Act of June 26, 1940 (54 Stat. 599; Public, No. 667): The head of any department or independent establishment of the Government may, with the President's approval, employ persons of outstanding experience and ability at $1 a year "until such time as the President shall declare the present emergency at an end."

Act of June 28, 1940 (54 Stat. 676–680; Public, No. 671): Whenever the President deems it to be in the best interests of national defense, "during the national emergency declared by the President on September 8, 1939, to exist": (a) The Secretary of the Navy (or the Secretary of the Treasury, in the case of Coast Guard contracts) may make advance payments to contractors up to 30 percent of the contract prices; (b) the Secretary of the Navy may negotiate contracts for the acquisition, alteration, etc., of naval vessels or aircraft, without competition; and deliveries of materials authorized under this act must be given priority over all deliveries for private account or for export.

Certain restrictions on contracts for aircraft for the Navy are limited to contracts where the award exceeds $25,000 "during the period of the national emergency declared by the President on September 8, 1939, to exist."

The Secretary of War or the Secretary of the Navy may, under regulations prescribed by the President, certify to the Commissioner of Internal Revenue as to the cost, etc., of additional equipment needed under contracts for construction, etc., of vessels and aircraft "during the national emergency declared by the President on September 8, 1939, to exist."

The regular working hours of the Navy Department and the Coast Guard are to be 8 hours a day or 40 hours a week "during the period of national emergency declared by the President on September 8, 1939, to exist," notwithstanding any other provisions of law; but these hours may be exceeded where additional employees cannot be obtained to meet the exigencies of the situation.

The President may suspend, for the War and Navy Departments and for the Coast Guard, "during the period of the national emergency declared by him on September 8, 1939, to exist," provisions of the act of March 3, 1931, authorizing Saturday half holidays for Government employees.

Provisions of law prohibiting more than 8 hours' labor a day of persons employed under Army, Navy, and Coast Guard contracts are to be suspended "during the national emergency declared by the President on September 8, 1939, to exist."

The Secretary of War or the Secretary of the Navy may decide that the removal of civil-service employees is warranted by the demands of national security "during the national emergency declared by the President on September 8, 1939, to exist."

The Secretary of the Navy or the Secretary of the Treasury may decide which are the employees whose services "cannot be spared without detriment to the national defense" and who may, "during the period of the national emergency declared by the President on September 8, 1939, to exist," forego their vacations and receive double pay instead.

Monetary limitations on payment out of Navy Department appropriations for certain Navy employees are to be suspended "during the limited national emergency declared by the President on September 8, 1939, to exist."

Act of June 29, 1940: See under part II (c), below (p. 28).

Act of July 2, 1940 (54 Stat. 714, sec. 4, sec. 5; Pub., No. 703): The regular working hours of laborers and mechanics employed by the War Department in the manufacture or production of military equipment, etc., are to be 8 hours a day or 40 hours a week "during the period of any national emergency declared by the President"; overtime is to be paid for as time and a half.

The President may expend up to $66,000,000 (authorized herein) in providing for "emergencies affecting the national security and defense," including purposes specified under the War Department appropriation acts for 1940 and 1941, the furnishing of Government-owned facilities at privately owned plants, the training of civilian personnel necessary for the protection of essential equipment, etc., and the procurement of strategic and critical materials.

(This $66,000,000 was appropriated by the Military Appropriation Act of June 13, 1940 (54 Stat. 377; Pub., No. 611).)

Act of July 2, 1940 (54 Stat. 724 ch. 516 sec. 1; Pub., No. 711): The provision that the natural features of the Barro Colorado Island in Gatun Lake, Canal Zone, are to be left in their natural state for scientific observation and investigation is not to be applicable "in event of declared national emergency."

Act of September 9, 1940 (54 Stat. 884, sec. 301; Pub., No. 781): The provision of law requiring heads of executive departments to submit reports relating to mail matter transmitted free of postage, is suspended, as to the War and Navy Departments, during "the period of the national emergency declared by the President on September 8, 1939, to exist."

Title III of Revenue Act of October 8, 1940 (54 Stat. 998–1003; Pub., No. 801): Taxpayers may be allowed to amortize in 60 months the cost of an "emergency facility" (certified by the Advisory Commission to the Council of National Defense and the Secretary of War or the Secretary of the Navy as "necessary in the interest of national defense during the emergency period") completed after June 10, 1940, during an emergency period beginning June 10, 1940 and ending on the date when the President proclaims the facility is no longer required in the interest of national defense.

(Amended by joint resolution of January 31, 1941 (Pub. Law 3, 77th Cong.).

Act of October 9, 1940 (54 Stat. 1029, c. 777, sec. 9; Pub., No. 809): The President may accelerate, "during any national emergency" proclaimed by him, the effective date of the law relating to the carriage of dangerous cargoes on vessels, etc.,

Act of October 14, 1940 (54 Stat. 1125–28; Pub., No. 849): The President may determine in what areas a shortage of housing exists or impends which would impede national-defense activities, whereupon housing is to be provided by the Federal Works Administration. This authority is to terminate when the President declares "that the emergency declared by him on September 8, 1939, to exist has ceased to exist."

Act of October 21, 1940 (54 Stat. 1205 c. 903; Pub., No. 873): Work in excess of 40 hours a week is to be paid for at not less than one and one-half times the regular rate, for certain employees of the field services of the War Department and of the Panama Canal "during the national emergency declared by the President on September 8, 1939, to exist," and until June 30, 1942, "unless the Congress shall otherwise provide."

Lease-lend act of March 11, 1941 (55 Stat. —; Pub. Law 11, 77th Cong.).

(Without specifically using the term "emergency").

The President may, for the benefit of any foreign nation whose defense he "deems vital to the defense of the United States," authorize Government departments or agencies, to (1) manufacture, (2) sell, lend, or lease, up to the value of $1,300,000,000, (3) outfit, etc., and (4) release for export, defense articles upon conditions satisfactory to him, when he deems such action to be in the interest of national defense.

The Secretaries of War and Navy are authorized to acquire arms, ammunition, etc., produced abroad, if the President deems such acquisition "necessary in the interests of the defense of the United States."

(To enable the President to carry out this act, $7,000,000,000 was appropriated by the act of March 27, 1941 (55 Stat. —; Pub. Law 23, 77th Cong.).

Act of March 28, 1941 (55 Stat. —; Pub. Law 24, sec. 603 (a), 77th Cong.): After July 1, 1942, "or after such earlier date as the emergency, declared by the President on September 8, 1939, to exist, has by his declaration ceased to exist," the Federal Housing Administration is not to insure mortgages under section 603 of the National Housing Act, which provides for insurance of mortgages on property in an area in which the President finds that there is a shortage of housing detrimental to national defense.

Deficiency Appropriation Act of April 1, 1941 (55 Stat. ——; Pub. Law 25, p. 11, 77th

Cong.): Ambassadors or ministers who, prior to appointment as such, were legally appointed and served as Foreign Service officers, etc., and who on account of emergent conditions abroad are unable properly to serve the United States at their regular posts of duty, may, "during the period of the existing state of emergency proclaimed by the President on September 8, 1939," be appointed to serve in any capacity in which a Foreign Service officer is authorized to serve.

II. PROVISIONS APPLICABLE IN TIME OF WAR

(a) *War between foreign countries, in which the United States is not a belligerent*

Revised Statutes 4090 (U. S. Code 22:166, 167): United States ministers in foreign countries in which the United States has extraterritorial jurisdiction, may issue writs, etc., to prevent citizens of the United States from enlisting in the military or naval service of such countries to make war upon any foreign power with which the United States is at peace.

Criminal Code of March 4, 1909 (35 Stat. 1089–1091; U. S. Code 18:21–30) amended May 7, 1917 (40 Stat. 39 c. 11) and June 15, 1917 (40 Stat. 223 § 8, § 10): Enumeration of offenses against neutrality, such as enlisting in foreign service or accepting commission to serve a foreign state at war with a power at peace with the United States; arming vessels of a foreign state hostile to a power at peace with the United States; augmenting the force of such foreign armed vessels; or organizing a military expedition against powers with whom the United States is at peace; penalties prescribed for such offenses.

Act of March 4, 1915 (38 Stat. 1063; U. S. Code 10:750a): Expenses of Army officers observing operations of armies of foreign states at war abroad are to be paid out of appropriation for contingencies of the military information section, General Staff Corps.

Act of September 8, 1916 (39 Stat. 799, § 805, § 806; U. S. Code 15:76, 77): The President may prohibit importation into the United States of articles from countries which prohibit, contrary to the law and practice of nations, the importation of any products of the United States.

The President may also withhold clearance of vessels of a belligerent discriminating unfairly against American vessels, etc., during a foreign war.

Espionage Act of June 15, 1917 (40 Stat. 221–223; U. S. Code 18:25, 27, 31–38): The President is authorized to withhold clearance of vessels, domestic or foreign, carrying arms, etc., to a belligerent; to detain privately owned armed vessels to prevent their use against a nation with which the United States is at peace; to prohibit sending out armed vessels for delivery to a belligerent; and to require manifests to be delivered before departure of vessels.

(Amended by act of March 28, 1940 (54 Stat. 79–80; Pub., No. 443, 76th Cong.), by increasing penalties for violations of any of the above provisions.)

Act of April 16, 1936: See under (c), below (p. 28).

Neutrality Act (joint resolution) of November 4, 1939 (54 Stat. 4–12; Public Resolution No. 54, 76th Cong.; U. S. Code Supp. 22:245j to 245j–19): The President or Congress may find that a state of war exists between foreign states; in such case arms, ammunition, and implements of war may be sold to the belligerents for cash, but American ships are prohibited from carrying arms, etc., to the ports of the belligerents, and from transporting supplies or passengers to the ports of the belligerents, except to certain ports which are not in the European war zone; exportation or transportation of any articles or materials to the belligerents prohibited, until all right, title, and interest therein shall have been transferred to some foreign government, agency, or national, except that private shipments to ports within the exempted areas, and inland transportation to Canada, can be made without transfer of title.

The President may define combat areas around belligerent or neutral ports into which American citizens or vessels must not go; the use of American ports by submarines or armed merchant vessels of the belligerents is restricted; vessels are required to give bond not to make deliveries to belligerent ships; restrictions are placed on travel by citizens of the United States on vessels of belligerents, on arming of American vessels, and on dealing in financial transactions with belligerents.

Provision is made for regulation of the munitions industry by the National Munitions Control Board.

Act of June 29, 1940: See under (c), below (p. 28).

(b) *Provisions relating to the military or naval forces of the United States in time of war*

(Most of the provisions listed under I (a), above, are applicable in time of war, whether or not war is expressly referred to. The provisions below are applicable in time of actual war only.)

Revised Statutes 1166 (U. S. Code 10:194): The Chief of Ordnance (or the senior officer of that corps for any district) is to execute the orders of any general or field officer commanding any army, garrison, or detachment for the supply of all ordnance and ordnance stores for garrison, field, or siege service.

Revised Statutes 1209 (U. S. Code 10:521): The President may confer brevet commissions upon Army officers for distinguished conduct in the presence of the enemy.

Revised Statutes 1436 (U. S. Code 34:225): Navy staff officers who have served as chiefs of bureaus are to be "exempt from sea duty, except in time of war."

Revised Statutes 1462–1464 (U. S. Code 34: 421, 424, 425): Retired Navy officers are not to be "employed on active duty except in time of war"; and in such time the President, with the consent of the Senate, may detail certain officers to such commands as he believes to be required for the good of the service.

[Amended by act of August 22, 1912 (37 Stat. 329; U. S. Code 34:422), to permit employment on active duty under certain circumstances.]

Revised Statutes 1624, article 4, paragraph 6, 7, 12–20, article 5 (U. S. Code 34:1200): The death penalty is prescribed for certain naval offenses, such as desertion, spying, etc.

Act of February 15, 1879 (20 Stat. 295, ch. 86, section 2; U. S. Code 34:21): The Secretary of the Navy is not to appoint acting assistant surgeons for temporary service, "except in case of war."

Act of March 3, 1883 (22 Stat. 457; U. S. Code 10:525): Army officers are to be assigned to duty according to their brevet rank only "when actually engaged in hostilities."

Act of April 26, 1898 (30 Stat. 365, section 7; U. S. Code 10:694): An Army officer, exercising command in a higher grade with troops operating against the enemy, is entitled to receive the pay and allowances of such higher grade.

Act of August 29, 1916 (39 Stat. 586; U. S. Code 34:1200 art. 38): General courts martial may be convened by the commandants of navy yards, etc., and by commanding officers of brigades, etc., of Navy or Marine Corps on shore.

Same (p. 600; U. S. Code 14:3): When the Coast Guard operates as part of the Navy, its personnel are subject to the laws governing the Navy.

Same (p. 601; U. S. Code 14:95): The Secretary of the Navy may man any Coast Guard station or maintain any house of refuge as a Coast Guard station.

Act of May 22, 1917 (40 Stat. 89, sec. 18; U. S. Code 34:213): Officers for the command of fleets are to be selected from the grades of rear admiral or captain on the active list of the Navy.

Act of July 9, 1918 (40 Stat. 892 (XVIII); U. S. Code 31:80): Time for transmission of Army disbursing officers' accounts may be extended (from 60) to 90 days.

Act of June 4, 1920 (41 Stat. 785; U. S. Code 10:513, 992): Retired Army officers may be employed on active duty in the discretion of the President, with full pay and allowances; permanent commissions are not vacated by the appointment of the officer to higher temporary rank.

Same (p. 787, art. 2 (d); U. S Code 10:1473): Camp retainers, etc., whether within or without the territorial jurisdiction of the United States, are subject to the Articles of War.

Same (p. 794, art. 39; U. S. Code 10:1510): Person subject to military law are not liable to prosecution for crimes committed 2 years before arraignment, except for "desertion committed in time of war," etc.

Same (p. 796, 797, art. 48 (b), (d); U. S. Code 10:1519): Commanding general of the Army, or of the territorial department or division, may confirm court-martial sentences of dismissal of an officer below the grade of brigadier-general, or of death for persons convicted of murder, rape, mutiny, or desertion, or as spies.

Same (p. 800, art. 58, 59; U. S. Code 10:1530, 1531; p. 803–4, arts. 75–82; U. S. Code 10:1547–1554; p. 811, art. 119, U. S. Code 10:1591): Penalties prescribed by the Articles of War for various enumerated wartime offenses, such as desertion, aiding the enemy, etc.

Act of June 20, 1938 (52 Stat. 1176, § 5; U. S. Code Supp. 34:853c): Any member of the Naval Reserve may be released from active duty by the Secretary of the Navy.

Act of September 16, 1940 (54 Stat. 886 (a); Public, No. 783, 76th Cong.): A provision that the number of men inducted into service under the Selective Training and Service Act is to be limited to 900,000 is not to be in effect in time of war.

(c) *Miscellaneous provisions*

(Many of the provisions listed under I (b), above, are applicable in time of war, whether or not war is expressly referred to.)

Revised Statutes 4068 (U. S. Code 50:22): Alien subjects of hostile countries are to be allowed full time, as stipulated in treaties, for removal of goods, etc., and for departure from the United States. In the absence of a treaty, the President may declare such reasonable time as is consistent with the public safety, etc.

[R. S. 4069 and 4070 (U. S. Code 50:23, 24) prescribe the jurisdiction of United States courts, etc., over alien enemies.]

Act of March 24, 1908 (35 Stat. 46, c. 96; U. S. Code 46:133, 134): Hospital ships, in accordance with the international convention of December 21, 1904 (35 Stat. 1854–62), are to be exempt from all dues and taxes imposed on vessels by the laws of the United States, and from all pilotage charges.

Act of August 29, 1916 (39 Stat. 558; U. S. Code 24:192): Interned persons and prisoners of war, under the jurisdiction of the Navy Department, are entitled to admission to Saint Elizabeths Hospital for treatment.

Same (p. 602; U. S. Code 33:757): The Secretaries of the Navy, War, and Commerce are jointly to prescribe regulations governing the duties of the Lighthouse Service "in time of war," etc.

[This provision is probably made obsolete by Reorganization Plan No II which provides for the administration of the Bureau of Lighthouses as a part of the Coast Guard.]

Act of August 29, 1916 (39 Stat. 645; U. S. Code 10:1361): The President is empowered to assume control of transportation systems for the transfer of troops, war material, etc.

[See also act of February 28, 1920; 41 Stat. 457 (c).]

Act of March 4, 1917 (39 Stat. 1192–1193; U. S. Code 50:82): The President is authorized, within certain appropriation limits, to procure ships and war material, commandeer factories, etc.

Espionage Act of June 15, 1917 (40 Stat. 218–219; U. S. C. 50:32–38): Special punishments are prescribed for certain offenses, such as communicating plans of defense to foreign governments, making false statements to interfere with operation of national forces, etc.

Same (p. 220, U. S. C. 50:191–194): The Secretary of the Treasury may assume control, etc., over vessels, foreign or domestic, in United States ports.

Act of October 6, 1917 (40 Stat. 373, U. S. C. 24:192): Prisoners of war, under the jurisdiction of the War Department, are entitled to admission to St. Elizabeths Hospital for treatment.

Act of October 6, 1917 (40 Stat. 385–389; U. S. C. 50:121–133, 135–143): The manufacture, distribution, etc., of explosives in the United States is restricted.

Acts of October 6, 1917 (40 Stat. 394, c. 95; 40 Stat. 422 § 10 (i); U. S. C. 35:42), as amended by the act of July 1, 1940 (54 Stat. 710, c. 501; Public, No. 700, 76th Cong.): If it is found that the publication of an invention by the granting of a patent might be detrimental to the safety or defense of the United States, such grant may be withheld until the termination of the war.

Trading With the Enemy Act of October 6, 1917 (40 Stat. 411–426): Penalties are imposed for unlicensed (1) trading in the United States with an enemy or ally of an enemy; (2) transportation of an enemy to or from the United States; also, for sending out of, or receiving into, the United States any communication except in the regular course of the mail. Corporations are required to transmit to the Alien Property Custodian lists of stockholders believed to be enemies; the President may require property of enemies, etc., to be conveyed to the Alien Property Custodian (amended and broadened by act of November 4, 1918; 40 Stat. 1020); persons holding property, etc., for enemies are required to make report to the Alien Property Custodian; regulations are prescribed concerning applications for patents, etc., by enemies.

Act of April 16, 1918 (40 Stat. 531, c. 55; U. S. C. 50:21): Persons 14 years of age or over, citizens, etc., of a hostile nation, are liable to removal as alien enemies; and the President is authorized to establish regulations concerning the conduct to be observed toward such aliens.

Act of April 20, 1918 (40 Stat. 533, c. 59; U. S. C. 50:101–103), as amended by the act of November 30, 1940 (54 Stat. 1220, c. 926; Public, No. 886, 76th Cong.): Penalties are prescribed for injuring or destroying war material, or making war material in a defective manner.

Act of May 22, 1918 (40 Stat. 559; U. S. C. 22:223–226): The following acts are declared unlawful unless in accordance with rules prescribed by the President: Departure from or entry into the United States by an alien; transportation into or from the United States of prohibited persons; making false statements in applications for permits to depart or enter, etc.

Act of March 2, 1929 (45 Stat. 1495 (e); U. S. C. 46:85g): Concealing, removing, etc., marks placed on American vessels is not penalized if done to prevent capture by an enemy.

Act of May 18, 1933 (48 Stat. 62 (m); U. S. C. 16:831d (m)): Products of the Tennessee Valley Authority may be sold, for use outside the United States, to allies of the United States.

Act of June 19, 1934 (48 Stat. 1104, § 606; U. S. C. 47:606): The President may direct that "during the continuance of any war in which the United States is engaged" such communications as he deems essential to the national defense and security be given preference by any carrier subject to the Communications Act.

Act of April 16, 1936 (49 Stat. 1210 § 4 (2) (e) (f); U. S. C. Supp. 46:1305): Under contracts for the carriage of goods by sea, neither the carrier nor the ship is to be liable for loss or damage arising or resulting from an "act of war" or "act of public enemies."

Act of June 16, 1938 (52 Stat. 708, c. 458 § 3; U. S. C. Supp. 50:93): A statutory limit on the educational orders (for the manufacture of special munitions, etc.) which may be awarded to any one factory is not applicable, "during any war in which the United States is engaged."

Act of June 29, 1940 (54 Stat. 689–691; Public, No. 677, 76th Cong.): The United States Maritime Commission may insure water-borne commerce of the United States against war risks, etc., whenever the Commission feels that adequate insurance cannot be obtained on reasonable terms from companies authorized to do insurance business in a State.

The property which may be insured includes: (1) American vessels, their cargoes, disbursements, freight and passage moneys, and personal effects of masters, officers, and crews; (2) commercial vessels owned or controlled by the United States, Government cargoes disbursements, freight and passage moneys, etc.

(This act is operative until March 10, 1942, unless the President by proclamation declares "that the extraordinary condition upon which it is predicated is passed.")

Act of October 9, 1940 (54 Stat. 1061, ch. 788, sec. 1; Public, No. 820): When a claim against the United States accrues in time of war, to a person in the military or naval service, or when war intervenes within 5 years after accrual of such claim, it may be presented within 5 years after the close of the war, even though this would exceed the ordinary limit of 10 years.

Nationality Act of October 14, 1940 (54 Stat. 1150, sec. 326, 1169, sec. 401 (g); Public, No. 853): An alien enemy may be naturalized if his declaration of intention was made 2 years prior to the beginning of the war, or if he was at the beginning of the war entitled to become a citizen without making a declaration of intention, etc.

A person who is a national of the United States, whether by birth or naturalization, loses that nationality upon conviction of deserting the military or naval service of the United States in time of war.

Soldiers' and Sailors' Civil Relief Act of October 17, 1940 (54 Stat. 1189, sec. 510, 1190, sec. 512, 1191, sec. 604; Public, No. 861): A homestead entryman is entitled to a leave of absence from his entry for the performance of farm labor during the pendency of any war in which the United States may be engaged.

The United States citizens who serve with the forces of any nation with which the United States is allied in the prosecution of a war, while the act is in force, are entitled to certain benefits relating to taxes and public lands.

If, on the date set for the termination of the act (May 15, 1945), the United States is engaged in a war, the act is to remain in force until such war "is terminated by a treaty of peace proclaimed by the President and for 6 months thereafter."

III. PROVISIONS SPECIFICALLY APPLICABLE IN TIME OF PEACE

R. S. 1229, 1624, art. 36 (U. S. Code, 34:1200, art. 36): No officer in the naval service is to be dismissed except by sentence of a general court martial or in mitigation thereof.

[R. S. 1229 originally applied to the Army also, but in that respect is superseded by the act of June 4, 1920, below.]

R. S. 1436, 1462: See under II (b), above (p. 22).

R. S. 1534, 1535 (U. S. Code, 34:452, 453): The President may keep in actual service as many of the public armed vessels as are required, to be officered and manned as he may direct; the remaining vessels are to be laid up in convenient ports.

Act of February 15, 1879: See under II (b), above (p. 22).

Act of June 16, 1890 (26 Stat. 158, sec. 4; U. S. Code, 10:651): The President may permit any enlisted man to purchase his discharge from the Army.

(But see act of May 18, 1917 (40 Stat. 78, sec. 3).)

Act of March 3, 1893 (27 Stat. 717; U. S. Code, 34:196): The President may permit any enlisted man to purchase his discharge from the Navy or the Marine Corps.

(But see act of August 29, 1916 (39 Stat. 580; U. S. Code, 34:191).)

Act of August 1, 1894 (28 Stat. 216, sec. 2; U. S. Code, 10:625), as amended June 14, 1920 (41 Stat. 1077, ch. 286): Aliens who have not declared their intention to become citizens are not to be enlisted for the first enlistment in the Army.

Act of February 25, 1895 (28 Stat. 680, ch. 128; U. S. Code, 34:1200, art. 62): No person is to be tried or punished for "desertion in time of peace" committed more than 2 years previously, unless he had absented himself from the United States and thereby was not amenable to justice within that period.

Act of February 27, 1895 (28 Stat 689, ch. 137; U. S. Code, 34:1200, art 63): Punishments for Navy offenses are not to be in excess of limits which the President may prescribe.

Act of June 3, 1916 (39 Stat. 198, sec. 61; U. S. C. 32: 194), as amended by the act of October 21, 1940 (54 Stat. 1206, c. 904; Public, No. 874, 76th Cong.): No State may maintain troops except as authorized under the National Defense Act.

Act of August 29, 1916 (39 Stat. 601; U. S. C. 14:22): The Secretary of the Treasury may man any Coast Guard station or maintain any house of refuge as a Coast Guard station.

Same (p. 604; U. S. C. 10:1362; 49:6 (8)): Shipments consigned to agents for use of the United States are to be delivered as promptly as possible and without regard to any embargo that may have been declared; no such embargo is to apply to shipments so consigned.

Act of May 22, 1917 (40 Stat. 89, sec. 18; U. S. C. 34:864): Officers for the command of fleets are to be designated from among the rear admirals on the active list of the Navy.

Act of June 4, 1920 (41 Stat. 780, sec. 35 (sec. 55c); U. S. C. 10:1181): Retired officers, warrant officers, or enlisted men are not, except with their consent, to be detailed by the Secretary of War as instructors in military training at schools and colleges.

Same (p. 794, art. 39; U. S. C. 10:1510): A limitation of 3 years is prescribed for trial and punishment by Army court martial "for desertion in time of peace."

Same (p. 796, art. 45; U. S. C. 10:1516): Confinement in a penitentiary of a person subject to military law is not to be for a longer period than that prescribed by statute for the particular offense, unless the accused is convicted at the same time of one or more other offenses.

Same (p. 805, art. 92; U. S. C. 10:1564): Persons subject to military law are not to be tried by court martial for murder or rape "committed * * * in time of peace" within the States or the District of Columbia.

Same (p. 811, art. 118; U. S. C. 10:1590): No Army officer is to be dismissed except by sen-

tence of a general court martial or in mitigation thereof.

Act of July 2, 1926 (44 Stat. 781; U. S. C. 10:291d, 291f): In order to receive a rating as pilot, an Army officer or enlisted man must have flown in heavier-than-air craft for 200 hours as pilot, 75 of them alone. Not less than 20 percent of the total number of pilots employed in Air Corps tactical units are to be enlisted men.

Act of January 29, 1929 (45 Stat. 1144; U. S. C. 28:334): Not more than 25 copies of Supreme Court Reports are to be distributed to the Secretary of War for military headquarters which exercise general court-martial jurisdiction.

Act of June 30, 1932 (47 Stat. 451, c. 326; U. S. C. 34:735, par. 8): Not less than 20 percent of the total number of pilots employed in aviation tactical units of the Navy and Marine Corps are to be enlisted men, except when the Secretary of the Navy finds it impracticable to secure that number.

Act of March 4, 1933: See under II (b) above (p. 24).

Act of June 15, 1933 (48 Stat. 154; U. S. C. 10:353, 370): Officers of the Officers' Reserve Corps must at the time of appointment be citizens of the United States (or of the Philippine Islands) (see act of June 12, 1934, 48 Stat. 939, c. 467) between 21 and 60 years of age. Only former Army officers may be originally appointed as Reserve officers in the Infantry, Cavalry, Field Artillery, or Air Corps in a grade above that of second lieutenant. So far as practicable, Reserve officers must be assigned to units in the locality of their place of residence.

Same (p. 155, sec. 4; U. S. C. 32:142a): The President may order officers of the National Guard of the United States to certain active duty, with their consent.

Same (p. 156, sec. 5; U. S. C. 32:4a): The National Guard of the United States are to be administered, armed, uniformed, etc., as the National Guard of the several States, Territories, and the District of Columbia.

Same (p. 157, sec. 10; U. S. C. 32:125): Discharges may be given in the National Guard and the National Guard of the United States prior to the expiration of terms of enlistment, under regulations prescribed by the Secretary of War.

Act of June 15, 1933 (48 Stat. 159, § 15; U. S. Code 32:133): National Guard enlisted men may not by transfer between the active and inactive Guard, be required to serve under any enlistment for a longer time than the period for which they enlisted.

Act of July 22, 1935 (49 Stat. 488, § 2): See under II (b), above (p. 24).

Act of April 27, 1937 (50 Stat. 108): The issuance, for current use, of strategic and critical materials acquired under Navy Appropriation Act of April 27, 1937, is restricted. (Repeated in appropriation acts of April 26, 1938 (52 Stat. 235) and May 25, 1939 (53 Stat. 770).)

Act of April 22, 1938 (52 Stat. 220, c. 167; U. S. Code Supp. 10:27, 28, 532 note): Army officers of the line are not to be detailed as members of the General Staff Corps unless they have served 2 of the preceding 6 years with combatant troops, or as instructor of the National Guard, Organized Reserves, or Reserve Officers' Training Corps; officers below the grade of brigadier general must perform duty with combatant troops for at least 1 year in every period of 5 consecutive years, except that officers of less than 1 year's commissioned service in the Regular Army may be detailed as students at service schools.

Act of June 3, 1938 (52 Stat. 610, c. 319, § 1; U. S. Code Supp. 10:25): The detail of an officer to the General Staff Corps is to be for a period of 4 years unless sooner relieved.

Act of June 23, 1938 (52 Stat. 944, c. 598, §3): See under II (b), above (p. 24).

Same (p. 951, § 13; U. S. Code Supp. 34:398a): When the yearly average number of vacancies in the grade of rear admiral is found to be less than eight, the Secretary of the Navy is to convene a board to recommend for retirement a sufficient number of rear admirals to bring the average number of vacancies to eight.

Same (p. 952 (b)): See under II (b) above (p. 24).

Same (p. 952 (e); U. S. Code Supp. 34:687): Provision for maintenance of average number of vacancies in grade of general officer of the line of the Marine Corps.

Act of June 25, 1938 (52 Stat. 1176, § 5, § 6; U. S. Code Supp. 34:853c, 853d): Members of the Naval Reserve may be ordered to or continued on active duty with their consent only; they may be released from active duty by the Secretary, and may be discharged only upon expiration of their term of service or upon their own request.

Same (p. 1179, § 205, § 206; U. S. Code Supp. 34:854d, 854e): Men transferred to the Fleet Reserve for a 4-year period upon termination of enlistment in the Regular Navy may be ordered to active duty only with their own consent; men who have served 16 years in the Regular Navy are not to be required to perform more than 2 months' active duty in each 4-year period in the Fleet Reserve.

Same (p. 1180, § 302; U. S. Code Supp. 34:855a): Officers of the Naval Reserve, upon first reporting for active or training duty, are to be paid $100 for required uniforms, and thereafter an additional $50 upon the completion of each 4-year period in the Reserves.

Same (p. 1181, § 303; U. S. Code Supp. 34:855b): The Secretary of the Navy is to prescribe regulations for the issuance of uniforms, etc., to midshipmen, merchant-marine cadets, nurses, and enlisted men of the Naval Reserve.

Same (p. 1181–1182, § 304–306; U. S. Code Supp. 34: 855c–855e): Members of the Naval Reserve injured in line of duty in time of peace are entitled to the same benefits as civil employees of the United States.

Officers of the Naval Reserve shall be commissioned to serve during the pleasure of the President.

One rear admiral is allowed in the Naval Reserve and one brigadier or major general in the Marine Corps Reserve.

Same (p. 1183, § 311; U. S. Code Supp. 34:855j) as amended by the act of August 27, 1940 (54 Stat. 865, § 8 (e); Pub., No. 775, 76th Cong.).

Naval Reserve officers are to take precedence according to regulations prescribed by the Secretary of the Navy.

Same (p. 1184, § 315; U. S. Code Supp. 34:855n): Members of the Naval Reserve in receipt of pay for performance of drills, etc., may be required to perform such duty up to 15 days annually.

Act of April 3, 1939 (53 Stat. 558, sec. 8; U. S. C., Supp. 10: 481b): The peacetime commissioned strength of the Regular Army is prescribed, with a total of 16,719 officers.

Act of June 13, 1939 (53 Stat. 820, sec. 5; U. S. C., Supp. 34: 849c): Officers commissioned pursuant to the Naval Aviation Reserve Act of 1939 may be employed on active duty only during the 7-year period following the completion of their duty as aviation cadets undergoing training, except for the purpose of instructing and training members of the Naval Reserve and the Marine Corps Reserve.

Act of July 15, 1939 (53 Stat. 1042, ch. 284; U. S. C., Supp. 5: 797): The benefits of the United States Employees' Compensation Act are extended to members of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army physically injured in line of duty while on active duty, or traveling to or from such duty, or training without pay, or dying as a result of such physical injury. (See act of July 18, 1940, below.)

Act of July 18, 1940 (54 Stat. 762, ch. 633; Pub., No. 747, 76th Cong.): The benefits of the Employees' Compensation Act are extended to members of the Officers Reserve Corps or of the Enlisted Reserve Corps of the Army physically injured in line of duty.

Act of September 16, 1940 (54 Stat. 886 (c), 887, sec. 5 (b); Pub. No. 783): A person who completes 12 months' training and service in the land forces, and thereafter serves satisfactorily in the Regular Army or in the active National Guard for at least 2 years, is to be relieved from liability to serve in any Reserve component of the land or naval forces, etc.

Various classes of persons are exempt from liability to serve in any Reserve component of the land or naval forces of the United States in time of peace.

Act of October 8, 1940 (54 Stat. 1023, ch. 765, sec. 4; Pub. No. 808): Officers of the Naval Reserve and Marine Corps Reserve may be employed on active duty other than training duty for periods determined by the Secretary of the Navy.

Coast Guard Auxiliary and Reserve Act of February 19, 1941 (55 Stat. —; Public Law 8, sec. 205, 77th Cong.): Members of the United States Coast Guard Reserve are not to be ordered to or continued on active duty without their consent, except for certain disciplinary measures; and the Commandant may release any member from active duty in time of peace.

Mr. HALLECK. Mr. Speaker, I yield myself 5 minutes. As the resolution that we are presently considering was offered a point of order was made against it. The point of order was subsequently withdrawn, but the circumstances that gave rise to the original raising of the point of order should be brought to the attention of the House.

This bill was brought before the Committee on Rules. Certain members of the legislative committee appeared and asked for a rule. There was some resistance because of the form of the bill. Subsequently, as I understand it, the legislative committee, the Committee on Banking and Currency, agreed to certain amendments to the bill which are to be offered. It is my understanding that these amendments very materially change several important provisions of the bill.

The thing that I say ought to be considered is this: So far as I know, those amendments are not in print anywhere. I do not think a Member of the House here today, except as he might find some member of the legislative committee who has a copy of the amendments, could find out what it is proposed to do in this bill. In other words, I think these bills should be brought in as clean bills, with the considered judgment of the legislative committee back of them, with a report that is written and drafted along the lines of the bill as it is expected to be presented to the House. I say it is a sorry situation indeed that this bill is here as it is today, to be materially amended as agreed by the committee but without the amendments generally available.

Now to talk a bit about the bill. It does a number of things, but there are two or three things I shall comment upon. First, it undertakes to extend for 6 years, not 1 year, the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority and then it seeks to

greatly expand the power of the President and the Federal Loan Administrator to go into all kinds of business, to spend or lend a billion and a half dollars, setting up any kind of business, to carry out all sorts of projects, to do all manner of things, just so long as the President and the Loan Administrator determine in their own judgment that that action is necessary to expedite national defense.

I recognize that in this emergency additional powers must be granted to a strong centralized Government. The genius of the people of America has been evidenced in the fact that in crises and emergencies we have granted strong centralized power. But I say that the genius of the American people has been better evidenced in the fact that after the emergency and the crisis are over the people have taken back to themselves and to their local governments the powers that were granted to the strong centralized government in order that the crisis or emergency might be met. Take this bill. We grant tremendously increased power to the President and to the Loan Administrator. I am not prepared at the moment to say that with the adoption of the amendments proposed by the committee and to be proposed by Members it may not be a proper delegation of authority. But it is an overawing and far-reaching grant of power which may have tremendous consequence. And then I reflect upon the action of last night declaring an unlimited emergency, carrying with it, as it is alleged, far-reaching powers over all the people of the land, all of our business, our lives, and our economy. I say many of these things may be necessary to meet the war crisis in which we presently find ourselves, but I would feel a lot better about granting those emergency powers to meet the critical war situation and the defense situation now before the country, if the administration were a little quicker to grant back to the people some of the powers that were taken in the early days of the administration supposedly to cope with a depression then threatening the country—powers many of which I say today are obsolete and unnecessary. You have all sat here and watched people from downtown and people here in this House resist to the very end the taking back by the people and their representatives of any of the powers originally granted to centralized government here in Washington on the proposition that they were necessary to deal with the depression.

[Here the gavel fell.]

Mr. HALLECK. Mr. Speaker, I yield myself 5 additional minutes.

In this particular bill, along with the tremendously increased grant of authority to the Reconstruction Finance Corporation, are provisions that I commented upon a moment ago, to extend for 6 years the Disaster Loan Corporation and the Electric Home and Farm Authority.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. Not at this time. I would like to continue a little longer. For the information of the gentleman and for the information of the House generally, I have supported rural electrification and have supported measures designed to carry it out. I recognize its benefits.

If I understand the operations of the Electric Home and Farm Authority correctly, here is about what they do: They discount the notes of the electric appliance dealers who sell electric appliances and equipment to folks who are putting electric power in their homes.

I take it that the gentleman from Mississippi [Mr. RANKIN] would agree with me that primarily and fundamentally throughout all of our history the lending of money has always been a matter of private enterprise. It has always been so considered. It is true the Government stepped in in the depths of the depression, when private credits were failing, and did lend money under many different circumstances and in all sorts of situations. But what I am getting down to is this: Even though we would like to see the Rural Electrification Administration extended, even though we feel that the intervention of the Government is the proper thing in order for people to have more use of power, does it not occur to you that this might be one of the things adopted by the administration to deal with the depression, that is being held onto in war-boom times? Is it an operation that might well be turned back to private enterprise by the Government, particularly in view of the all-out defense and war effort now being asked of us?

Now, the Disaster Loan Corporation, I think, started in 1937 because of some floods that struck the country. I have an idea that that was started primarily because local credit was breaking down; because times were hard and the depression was upon us. The intervention of Government was called for. But are we to say by the passage of this legislation, coming at this time of great crisis—which I say demands sacrifice and toil and sweat on the part of everybody—are we to say that in this very bill where we extend and increase the powers of the R. F. C. in one direction, we shall not in any manner decrease them in any other direction? That is the thing that finally disturbs me.

When we had the lease-lend bill under consideration some of my friends came to me and spoke about it. I said, "It grants tremendous power to the President and I am concerned about it." They said, "Why?" I said, "One thing is that this administration seems so reluctant to ever give back any power once it takes it." They said, "Why do you not make a deal? Why do you not have the Government give up the power to further devalue the dollar, and some of these other powers that are now likely not needed, in exchange for the granting of this power?" "Of course," I said, "you will never get anything like that done." I say the thing that disturbs me most is that as we go along and grant these additional powers, which I suppose in large measure we must grant, there is no real relinquishment of power. I feel a little hesitant about approving some of these measures when I reflect on the fact that these tremendous powers over the lives of the people and these invasions of private enterprise and local government, concentrated here in Washington, either in the hands of the President or in Congress or in bureaus and agencies downtown, are seldom, if ever, relinquished to the people when the need for them has terminated.

Mr. MAGNUSON. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. Yes; I yield.

Mr. MAGNUSON. Is it not more or less the fault of Congress itself? Much of this power that the President assumed last night comes from old World War No. 1 laws that have never been repealed by this Congress, whereas all the emergency powers that Congress has given to the President, in nearly every bill there has been a time limitation placed.

Mr. HALLECK. I am of course in favor of the time limitation insofar as it makes it possible to have that power run out and requires affirmative action; but I am frank to confess that as we have gone along I have not seen many of these powers terminated. It seems there is always somebody somewhere who wants to have the law put back into effect again. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 4 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN of Mississippi. Mr. Speaker, I merely wish to reply to the gentleman from Indiana [Mr. HALLECK] on the subject of the Electric Home and Farm Authority.

When this Authority was first created the opposition feared that it intended to sell electrical appliances and put the local dealers out of business.

It has done nothing of the kind. Instead it has financed those dealers, so to speak, and enabled the purchasers to buy electrical appliances without paying the loan sharks the exorbitant interest they had formerly been compelled to pay. It has not lost the Government any money, and by all means it ought to be extended for another 6 years.

Let me call the attention of the gentleman from Indiana to the fact that 8 years ago 19 percent of the people in my town who had electricity in their homes had electric refrigerators, and the figure throughout the country was 29 percent. Today in my home town 90 percent of the electric consumers have electric refrigerators, and the figure for the country at large has gone from 29 percent to 48 percent. In one county in my district 36 percent of the electric power consumers have electric ranges. The Nation-wide increase is continuing all the time.

The first line of defense in America is the American home. Do not forget that. When you do something to build up the American home, to brighten it, if you please, to make it more comfortable and more desirable, and to relieve its drudgery you are doing more than almost any other one thing the American Congress can do to make America strong and great.

I know some of you thought I was wrong on rural electrification and in my contention that the water power of this Nation belongs to all the American peo-

ple and should be developed for their benefit. I have never been selfish or sectional in that contention. I fought to extend rural power to every farm home, and I have supported this Electric Home and Farm Authority and urged it to operate in every nook and corner of the United States where it was necessary to enable the home owners on the farm, in the town, or in the city to purchase those appliances necessary for the enjoyment of modern life.

I have urged the development of all the water power in America that was available and necessary to place electricity in every home and in every business establishment at what it is worth, which would save the American people a billion dollars on their electric-light and power bills every year.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. RANKIN of Mississippi. I yield for a question.

Mr. GIFFORD. Such a pretty picture. But it is not all pretty. One I know of bought himself all these appliances. He has not only lost his home but the appliances as well.

Mr. RANKIN of Mississippi. Oh, the gentleman from Massachusetts knows there is not a person in his district who has lost his home because of what he owes to the Electric Home and Farm Authority. He might have lost his home for other reasons, but not because of this beneficent activity that has been carried on for years and which is today giving satisfaction not only to businessmen but to home owners who have to purchase these appliances. [Applause.]

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Speaker and Members of the House, I have just learned with deep interest of the signal honor which has been conferred upon a former Member of the House of Representatives, the Honorable Dr. Herbert J. Drane, of Lakeland, Fla. For 16 years he most ably represented the First Congressional District of Florida. A native of the State of Kentucky, his ancestry is traced to early settlers of Maryland and Virginia. He came to Florida when quite a young man and settled in Polk County 57 years ago. He saw not only Polk County develop into one of Florida's most populous counties but saw also the town of Lakeland grow from a small village to a thriving and progressive city.

He represented Polk, his home county, in both branches of the Florida Legislature; judiciously presided as president of the Florida State Senate; and he is remembered here in the Halls of Congress as a most able, fearless, faithful, and wise Representative. For many years it was my fortune to serve with him as a colleague from Florida and to know him not only officially but also to enjoy his full personal friendship. He is a man of noble character, possessed of high and patriotic principles and determined to do his duty at all times.

His higher wisdom and outstanding service for the State of Florida and for the Nation was long ago recognized by one of Florida's larger institutions of higher learning, which conferred upon him the honorary degree of doctor of laws. No man in Florida has ever so justly enjoyed higher esteem, trust, and confidence in the minds and hearts of Florida people than Dr. Drane.

Upon retiring from Congress in 1933, he rendered an outstanding service for over 4 years as a member of the Federal Power Commission. In this capacity his applied knowledge of the power industry in America and his unflinching stand for justice and equity gave everlasting benefits to the American people. [Applause.]

He was recently honored as Lakeland, Florida's, No. 1 citizen through the naming of the city's new airport, Drane Field. In commenting upon this event, the Lakeland Ledger of Thursday evening, May 22, 1941, said:

AIRPORT NAMED FOR H. J. DRANE—COMMISSIONERS VOTE UNANIMOUSLY TO HONOR FORMER CONGRESSMAN

Lakeland's airport No. 2 has been named Drane Field in honor of Herbert J. Drane, former Congressman, who became a resident here 57 years ago at the age of 20.

A resolution to name the project now under construction in honor of the community's No. 1 citizen was adopted unanimously by members of the city commission at their meeting this morning.

Informed a few minutes later that the honor had been bestowed upon him, he sat in silence at his desk for a few moments as he sought to restrain his emotions.

"This touches me deeply," he said finally. "I appreciate this honor more than I can ever say. The commissioners were extremely kind in doing such a thing."

Questioned for details concerning his early years in Lakeland, he leaned back in his chair and reviewed in fond recollection the experiences which came to him as he rode a pony into this area, set up a tent where the Lakeland Terrace Hotel now stands, and went to work for the H. B. Plant Investment Co., which soon extended the railroad from Kissimmee, through Lakeland, to Tampa.

He is a native of Kentucky, but came here from Georgia. He was ill and was seeking a healthful climate.

Aside from establishing the insurance firm now known as H. J. Drane & Son, Inc., he served in the Florida House of Representatives during the 1903 session, was president of the Florida Senate during the 1913 session, served in the United States House of Representatives from 1917 to 1933, and was a member of the Federal Power Commission 4 years.

"At the end of my 4 years on the Commission, I wanted to come back to Lakeland and spend the remainder of my days among my own people," he said.

RESOLUTION

The resolution adopted by the Commissioners follows:

"Whereas Herbert J. Drane is one of Lakeland's outstanding citizens, having lived here since the municipality's inception, and not only having served his home city in every capacity but having brought great honor and renown to same through his years of service as a Member of Congress; and

"Whereas the city of Lakeland is now constructing a modern airport; and

"Whereas it is the considered opinion of the City Commission of the City of Lakeland, Fla., that it is both fitting and proper to, in a small measure, give recognition to the outstanding services rendered by the dean of its citizens, the Honorable Herbert J. Drane: Now, therefore, be it

"Resolved, by the City Commission of the City of Lakeland, Fla., That Lakeland Airport No. 2, located and now being constructed on the following described land in Polk County, Fla., to wit:

"All of section 4, township 29 south, range 23 east, Polk County, Fla., be, and it is hereby, designated and to be forever hereafter known as Drane Field."

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a short statement clipped from the Lakeland Ledger.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain tables which I have compiled on the power question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON. Mr. Speaker, I think the President's speech clarified the position in which we as a nation have been for a long time—a nation over which one man holds the power of life and death.

Mr. Speaker, instead of a government "of the people, by the people, and for the people," we shall now see the workings of a government "of a nation, by a man, and for the world."

This spread of the United States obligation to protect and guarantee an ever-widening margin means only that we are edging toward and even asking for a part, a fighting part, in this war—a position which I have opposed from the first.

Our President did not ask or consult before declaring his "I" speech. The American people, and Congress in particular, can consider themselves "told" as of 9:30 p. m. eastern standard time, Tuesday, May 27, 1941.

Mr. Speaker, I am happy that he mentioned "tolerance" and did not lose his temper and call all those who disagree with him unpatriotic names. This is necessary for national unity, which, in my opinion is essential.

Also I think it is well that there is no longer any doubt in the minds of American citizens as to our national policy. We could not continue to stagger and hope either to force our way of life on others or to maintain it at home.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the floor this morning and to include therein a letter from the Governor of Michigan and a resolution passed by the Common Council of Detroit.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire, to the gentleman from West Virginia [Mr. RANDOLPH.]

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein correspondence with General Hershey, Deputy Director of the Selective Service System, and certain newspaper excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

DISASTER LOAN CORPORATION AND THE ELECTRIC HOME AND FARM AUTHORITY

Mr. STEAGALL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1438, to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1438, with Mr. COLE of Maryland in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Alabama [Mr. STEAGALL] is recognized for one hour and a half.

Mr. STEAGALL. Mr. Chairman, I desire to say a word in connection with references that were made in the discussion on the rule to the procedure under which this bill was brought to the House. I was not in the city and did not appear before the Rules Committee at any time.

It happened that the House bill was reported by the Committee on Banking and Currency, and after that, but before action by the Rules Committee, the Senate passed a similar bill, which was messaged over to the House and pending at the time of the application for a rule on the House bill. When I found this situation I called a meeting of the members of the Committee on Banking and Currency in order that we might simplify the proceedings from a parliamentary standpoint, and report the Senate bill by title, substituting the House bill after the enacting clause so that our action would be technically on the Senate bill, and in order that the Senate might accept the bill or leave the measure where it could be sent to conference.

When the Committee on Banking and Currency was called together to report this bill to meet the parliamentary situation as I have outlined, attention was called to the fact that suggestion had been made by a member of the Rules Committee that certain members of that committee looked with favor upon amendments that had been adopted by the Senate. The House committee while in session agreed to certain amendments to the House bill and it is the purpose of the Committee on Banking and Currency to offer those amendments when the bill is read for amendment. I was not present in the committee when the amendments were discussed and adopted, but the fact is that the Senate amendments to the bill, with slight amendments, were agreed to by the Banking and Currency Committee and will accordingly be submitted to the House. I thought it might be well to state the history of this entire procedure on the part of the Banking and Currency Committee. Our action was in the nature of a concession to opponents of the measure and was predicated upon a desire to meet the views of those who were not in full accord with the original House bill.

Mr. GORE. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Tennessee.

Mr. GORE. In the one exception which the gentleman mentioned, in which we did not agree to the Senate amendments, does not the gentleman think the amendment which we did agree to, to be offered in lieu of the Senate amendment, is an improvement over the Senate amendment, in that it accomplishes the same purpose in better form?

Mr. STEAGALL. I may say to the gentleman the question of whether it is an improvement might not be agreed to by everybody, but certainly it is true that the amendment agreed to by the House is an improvement from the standpoint of those who were opposed to the original provision and who desired to amend it.

Under one of the provisions which the Senate incorporated in its amendment, it limited the funds that might be employed by the Reconstruction Finance Corporation to $300,000,000. This was under the general authorization carried in the bill, to which objection has been lodged, and the committee amendment, which will be submitted later, limits the service to be performed by the R. F. C. under that provision to the amount of $100,000,000 instead of $300,000,000. That is why I say the House provision is more liberal from the viewpoint of those who opposed the original measure than the Senate amendment.

Mr. MICHENER. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Michigan.

Mr. MICHENER. I think the gentleman was on the floor when I called attention to an objection to section 3 of the bill, which is an amendment to section 10 of the act, the objection having been made by the Governor of the State of Michigan. Has any committee amendment been improvised to take care of that situation?

Mr. STEAGALL. Mr. Chairman, I wanted briefly to discuss the bill and leave the matter of amendments to come up later. The only reason I made reference to that was because of the discussion in reference to the parliamentary situation. I may say to the gentleman in answer to his question that the House Banking and Currency Committee intends to offer as committee amendments the Senate amendment to the original bill, with slight exceptions, relating to the situation which the gentleman has in mind. I suggest that we reserve discussion until the amendments are offered.

Mr. MICHENER. The Senate amendment is the one to which these municipalities all over the country are objecting.

Mr. STEAGALL. I understand that. I am only stating what the action of our committee was on that amendment. That is a matter that can be discussed later and the gentleman will have his opportunity.

Mr. SABATH. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Illinois.

Mr. SABATH. They do not object to the provision reducing the amount from $300,000,000 to $100,000,000, as agreed to by the House committee. That seems to be approved in general.

Mr. STEAGALL. I did not mean to discuss these amendments. As I understand the provisions of the Senate bill the provisions of existing law are liberalized so as to permit income and profits from income derived from any of the stocks, bonds, and obligations of the Reconstruction Finance Corporation to be placed in the same category as private individuals and to permit taxation in accordance with the tax bill recently passed. That is as far as we have gone.

Mr. WHITE. Will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Idaho.

Mr. WHITE. My question goes to the effect of taxation. Section 3 reads:

> Section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by adding at the end thereof the following new sentences: "The foregoing exemptions with respect to taxation (which shall, for all purposes, be deemed to include sales taxes and use taxes) * * * are hereby extended to apply with respect to Defense Homes Corporation.

I want to ask a question.

Mr. STEAGALL. Let me answer. I understand what your question is.

Mr. WHITE. I do not think the gentleman does. In the event the Defense Homes Corporation goes into a community where one of these defense industries are located and builds a thousand homes for the accommodation of temporarily employed people, as long as the title to that property is in the Defense Homes Corporation, will they be exempt from local taxation?

Mr. STEAGALL. If they come under the Defense Homes Corporation they will be exempted, because the investments made will be from funds supplied by the President in connection with the defense program, but all of the agencies of the Reconstruction Finance Corporation and the Corporation itself will be embraced in the tax law passed this year.

Mr. WHITE. May I remind the gentleman that right now serious problems are arising in connection with the support of schools by reason of the influx of temporarily employed people bringing in large families to be educated, with no school facilities and no taxation available. How are you going to meet that situation if you are going to exempt these houses from taxation?

Mr. STEAGALL. Did I understand the gentleman to indicate that there is any objection in his community or in any community to the location of defense activities in the community?

Mr. WHITE. That is certainly a problem. I may say to the gentleman further that it is a well-recognized prin-

ciple in connection with reclamation projects owned by the Government, transmission lines, and other such projects owned by the Government, that some provision in lieu of taxes is made available to these communities where they are losing taxes on such Government-owned facilities.

Mr. STEAGALL. Insofar as this bill deals with the matter of defense housing constructed from funds allocated by the President, the tax provision does not apply. Otherwise, every activity and agency of the corporation is taxable.

Mr. WHITE. Coming down a little further, to rubber, it is conceivable that this Government-financed rubber corporation can bring in great stocks of rubber for the supply of these industries, receive title to it until it is actually delivered, immediately manufactured, and turned back to the Government, and escape taxation altogether under the provisions of this bill. Is that right?

Mr. STEAGALL. I do not know the practical situation with reference to rubber well enough to say that the conclusion of the gentleman about that is justified, but I can say that the law does not contemplate the taxation of personal property. The personal property of these subsidiary corporations is exempt.

Mr. WHITE. In connection with Boulder Dam, Grand Coulee, and other such facilities, we have established the principle of paying something in lieu of taxes to support the local governments. Why not include such a provision in this legislation, if you are going to exempt so much income-bearing property from taxation?

Mr. STEAGALL. You permit the taxation of incomes in this bill rather than exempt them.

Mr. WHITE. Would the gentleman favor some plan of that kind?

Mr. STEAGALL. I cannot tell about that in advance.

Let me call attention to what is contemplated by this bill. Section 1 provides for extension of authority of the Disaster Loan Corporation to make loans.

This Corporation was created by an act of Congress approved February 11, 1937. It was set up with an authorized capitalization of $40,000,000 to be provided by the R. F. C. It is managed by the staff of the R. F. C. We provided that the succession of the Disaster Loan Corporation should continue until the Corporation is dissolved by act of Congress. However, the present law authorizes the making of loans in conjunction with catastrophes occurring only during the years 1936, 1937, 1938, 1939, and 1940. Section 1 of this bill brings this provision up to date by authorizing disaster loans in conjunction with catastrophes occurring through January 22, 1947. This date was selected because the powers of the Reconstruction Finance Corporation expire at that time. This section does not extend the life of the Disaster Loan Corporation, but simply permits it to operate effectively until 1947 unless the Congress repeals the act creating it.

The Disaster Loan Corporation has authorized loans aggregating in excess of $31,000,000, including loans in excess of $14,000,000 to the Federal Surplus Commodities Corporation, but not including timber loans in an amount dependent upon the value of the collateral and the costs in connection therewith. The Corporation has disbursed in excess of $27,000,000, repayments exceed $8,000,000, and approximately $19,000,000 is now outstanding. This Corporation has rendered yeoman service in the provision of relief in connection with floods, hurricanes, and other disasters. It has provided prompt relief to disaster victims in a businesslike way.

Section 2 would extend the life of the Electric Farm and Home Authority, which would expire at the end of the present fiscal year.

Section 2 extends the life of Electric Home and Farm Authority from June 30, 1941, to January 22, 1947, also coextensive with the succession of the Reconstruction Finance Corporation. The Authority was set up as a District of Columbia corporation pursuant to Executive order and was continued as an agency of the United States by an act of Congress approved March 31, 1936.

Electric Home and Farm Authority cooperates with the R. E. A., T. V. A., private power and gas companies, and small appliance dealers in financing installment purchases of gas and electrical equipment—stoves, refrigerators, washing machines, and the like. It operates in 37 States, mostly in smaller communities where installment financing is not available except at exorbitant rates.

The Authority is self-supporting. It borrows its funds from private banks at standard commercial rates. It has purchased installment obligations totaling approximately $40,000,000, has sustained actual losses of only $40,000, has an earned surplus in excess of $300,000, and a reserve for possible losses totaling approximately $330,000. This Corporation is also managed by the staff of the R. F. C.

I think the debate on the rule has made clear to the House what is desired and what will be accomplished by this provision of the bill.

The provisions of section 3 will serve to dispel various uncertainties which have arisen in some States as respects the tax liability of the R. F. C and the various corporations created by or associated with it.

Under existing law the Reconstruction Finance Corporation, including its franchises, capital, reserves, surplus, and income is exempt from all taxation. Federal, State, and local, except as to its real property which is made subject to nondiscriminatory State and local taxes. This section of the bill reaffirms congressional policy with respect to such exemption to the effect that the exemption includes (1) sales, use, and all other taxes except nondiscriminatory real-estate taxes, and (2) the loans and personal property of the Corporation.

This section also removes any doubt as to the position of various corporations of a public nature affiliated with the Reconstruction Finance Corporation by providing that the tax exemptions applicable to the R. F. C. shall be construed as applicable (1) to public corporations organized or created by or at the instance of the R. F. C., including the Defense Plant Corporation, the Defense Supplies Corporation, the Rubber Reserve Company, the Metals Reserve Company, the RFC Mortgage Company, and the Federal National Mortgage Association, and (2) to public corporations which are wholly financed and managed by the R. F. C., specifically the Disaster Loan Corporation.

The exemption is extended to include the Defense Homes Corporation. This Corporation was incorporated at the instance of the Federal Loan Administrator by members of the R. F. C. staff. It is financed through an allocation from the emergency funds of the President and operated by the Reconstruction Finance Corporation.

Under the provisions of the Reconstruction Finance Corporation Act the obligations of the Corporation, including both principal and interest, are also exempt from all taxation except inheritance, estate, gift, and surtaxes. This exemption was modified by Public Law No. 7, Seventy-seventh Congress, subjecting the interest upon, and the gains from the sale of, obligations of the United States and its agencies to Federal taxes. This exemption as so modified is not affected by the provisions of this bill.

This section does no more, except as to Defense Homes Corporation, than reaffirm the original intention of the Congress, which is necessary to avoid the delay and expense of litigation. This provision is exceedingly urgent to avoid tax questions, particularly as respects the great stocks of strategic and critical materials—rubber, wool, tin, antimony, tungsten, and the like—now being accumulated by the R. F. C.'s defense corporations.

Section 4 of the bill provides for loans to foreign governments or their agencies, but only upon securities held in the United States. The purpose of this provision is to permit the Reconstruction Finance Corporation to make loans upon securities and assets of foreign governments in order to conserve their value and prevent their sacrifice at forced sale. It would permit governments desiring such loans to obtain them upon liberal terms and valuations such as the Reconstruction Finance Corporation could safely make, rather than leaving governments desiring such loans in the hands of private-lending institutions that would require collateral of three or four to one, and charge fees for services, and finally resulting in the sacrifice of assets that might be conserved.

In the case of one foreign government in particular, instances will arise whereby making common-sense, practical, business-like loans on the assets of that nation, loans made not upon a mere promise to pay, but loans secured by assets held in this country, we will enable that nation to conserve its holdings and realize their full value, which in the end will mean substantial saving to the people of the United States because of operations that will be had under the commitments of the lend-lease bill. It will enable that government to pay cash for articles that are to be supplied rather

than lending such articles or selling them at nominal cost.

Existing law authorizes Reconstruction Finance Corporation to create defense corporations to procure strategic and critical materials, to expand, equip, and lease plants for the manufacture of arms, ammunition, and implements of war, and, upon finding of necessity by the President, to engage in the manufacture of armaments. Subsection (c) of this section provides that such corporations may be given additional powers necessary to expedite the defense program.

The defense activities of the Reconstruction Finance Corporation and the defense corporations created by it are undertaken only upon the request or approval of the President, the War Department, the Navy Department, or the Office of Production Management. The requests received from these various persons and agencies are of great variety, both as respects domestic needs and projects, essential to our defense, to be carried out in various parts of the Western Hemisphere. These requests are made whenever it appears that the facilities of the Reconstruction Finance Corporation are best adapted to the execution of a particular project or whenever the project contemplates the extension of financial assistance to an existing agency.

Because it is impossible under present circumstances to anticipate the exact nature of the many undertakings which will be required of the Reconstruction Finance Corporation, an amendment in the nature of that included in the bill seems best adapted to assure the flexibility of operation which has enabled the Corporation effectively and without delay to meet unusual requirements arising from the present emergency. The provision seems necessary to avoid the legal trammels incident to narrower language as new and now unforeseeable requirements develop in the defense program.

The activities of the Reconstruction Finance Corporation in serving to expedite the defense program by providing without delay vitally needed strategic and critical materials and production facilities have been reported in detail in a recent letter from the Federal Loan Administrator, Mr. Jesse Jones, addressed to the President and the Congress.

Under existing law no limitation is imposed upon the period within which such corporations may be created by the Reconstruction Finance Corporation, other than the limitation upon the succession of the Reconstruction Finance Corporation itself, that is, January 22, 1947. This section provides that this power shall expire on June 30, 1943.

The authority of the Reconstruction Finance Corporation to set up these corporations is limited in several respects. First, the authority extends only to corporations established in order to aid the Government in its defense program; second, the authority may be exercised only upon the request of the Federal Loan Administrator and the approval of the President; third, the authority may not be exercised after June 30, 1943; fourth, the activities of these corporations are limited by the restriction upon the general note-issue power of the Reconstruction Finance Corporation, and fifth, the authority is, of course, limited by the power of Congress to curtail or stop the defense activities of the R. F. C. whenever that seems advisable.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Michigan.

Mr. DONDERO. Early in the day I made the statement on the floor that we have adopted the policy in this country of taxing the income on all obligations of the Federal Government to be issued in the future, but if this bill passes with section 3, which includes the amendment to section 10 of the Reconstruction Finance Corporation Act, we proceed to exempt from taxation the notes, bonds, mortgages, and other obligations of an agency of the Government. Does not the gentleman believe we are adopting an inconsistent policy when we do that?

Mr. STEAGALL. We put them in the same category as originally, but we do permit them to be taxed under the provisions of the Public Debt Act as I have indicated. All these matters will arise when we consider the committee amendments.

I wanted to discuss another provision of this bill. The Corporation had its lending powers increased $1,500,000,000 under the act we passed in contemplation of the establishment of subsidiary corporations to purchase materials and supplies and to manufacture equipment necessary in carrying out the defense program.

It so happens that since that time the Corporation has made loans and commitments of $1,600,000,000. For that reason and in order that the Corporation may keep its lending power up to something like $1,000,000,000, which has always been regarded as desirable by the officials of the Corporation, this bill provides for increasing the lending power $1,500,000,000. It seems to me very desirable.

In this connection I wish to thank the gentleman from New York [Mr. FISH] for his commendation of the officials of the Reconstruction Finance Corporation. It is certainly one agency of the Government, the management of which has met with universal approval by the people of the United States. I do not think the Government has any man superior to our Federal Loan Administrator, Jesse Jones, in dealing with the matter of loans, investments, and all those things that require rugged common sense, courage, and frankness. I am the more willing to extend these powers in view of the admirable administration we have known in the past and that we have every right to expect to continue under the present management that will be responsible for the conduct of this Corporation.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from New York.

Mr. TABER. I am very much disturbed about section 3 of the proposed amendment submitted by the House committee, exempting from taxation——

Mr. STEAGALL. Let me suggest to the gentleman that he defer further discussion of that until we reach the amendments that will be offered by that committee. He will have ample opportunity to have the House consider his views. I suggest this because I want to save some time for other members of the committee.

Mr. Chairman, I reserve the balance of my time.

Mr. TABER. Mr. Chairman, I make the point of order there is not a quorum present.

The CHAIRMAN (Mr. COLE of Maryland). The gentleman from New York makes the point of order there is not a quorum present. The Chair will count. [After counting.] Eighty Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 59]

Andresen, August H.	Edmiston	Mitchell
Andrews	Gavagan	Mundt
Arnold	Geyer, Calif.	Nichols
Baldwin	Grant, Ind.	O'Day
Bates, Ky.	Harness	O'Hara
Bell	Harter	Osmers
Boehne	Hartley	O'Toole
Boland	Heidinger	Pearson
Bolles	Hendricks	Pfeifer, Joseph L.
Boren	Hess	Pierce
Boykin	Hinshaw	Rizley
Bradley, Mich.	Hoffman	Romjue
Buck	Holbrock	Sasscer
Buckley, N. Y.	Holmes	Schulte
Byrne	Izac	Scott
Camp	Jacobsen	Secrest
Cannon, Fla.	Jarman	Shanley
Cannon, Mo.	Jarrett	Short
Carter	Jenkins, Ohio	Smith, Pa.
Cartwright	Jenks, N. H.	Smith, W. Va.
Celler	Johnson, Calif.	Somers, N. Y.
Clark	Johnson, Lyndon B.	Starnes, Ala.
Claypool	Johnson, W. Va.	Stearns, N. H.
Colmer	Kee	Sullivan
Connery	Kelley, Pa.	Sweeney
Copeland	Kirwan	Taylor
Crawford	Landis	Thill
Creal	Larrabee	Tolan
Crosser	Ludlow	Traynor
Culkin	McGranery	Treadway
Cullen	McGregor	Vinson, Ga.
Curtis	McLean	Wadsworth
Dies	Maciejewski	Wasielewski
Dirksen	Magnuson	Wickersham
Domengeaux	Marcantonio	Winter
Douglas	Mason	Wolfenden, Pa.
Duncan	May	Wright

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 1438) and finding itself without a quorum, he had directed the roll to be called, when 320 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its session.

The Committee resumed its session.

The CHAIRMAN. The gentleman from Alabama [Mr. STEAGALL] has consumed 21 minutes. The gentleman from Michigan [Mr. WOLCOTT] is recognized for 1 hour and 30 minutes.

Mr. WOLCOTT. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, since I have been in the Congress I do not believe there has ever been presented to the House a bill

of greater importance than this measure. This bill, if enacted as the House Committee on Banking and Currency has recommended, would grant such broad powers to the executive branch of the Government as to make it possible to establish a Fascist state in the United States. It would give the President and the Federal Loan Administrator the power to do anything they saw fit to do so long as it was incidental to the defense program.

I have given a great deal of thought during the last few days to what could not be done under this act, and I do not believe there is anything that could not be done under this act by the creation of a corporation. I say this without fear of successful contradiction. I do not know what others may do in respect of this bill, but if in defending the democracies of Europe I am convinced, as I am, that we are going to destroy democracy in America, then I think it is my duty under my oath of office to the Constitution of the United States, to my people, and to myself to do everything I can to preserve the American form of government, and by no act of mine will I ever vote to give any individual or group of individuals the power to destroy the American form of government, whether they intend ever to use it or not, because if the Congress of the United States so forgets itself and its oath under the Constitution to the people whom it represents that it delegates to any individual the power to destroy the American form of government, by so doing it is doing just as vicious and pernicious a thing and as destructive a thing as if it had created the corporation itself to take over these powers to destroy democracy. [Applause.]

I don't want to criticize anybody for the attitude which he may take, that inasmuch as this bill has the word defense in it, we must delegate all legislative power to the Executive. For a good many years we have fought successfully the attempts of the administration to obtain from Congress certain legislative powers which I say are under the Constitution vested in the Congress—fought successfully, I say, on several occasions, the granting of much less power than is contained in this bill.

Let me get a little confidential with the Committee this afternoon, and tell something of the history of this bill. I might say parenthetically that no action by the House Banking and Currency Committee in respect to any proposed amendment removes the obnoxious feature of the bill to which I referred, and I might also say parenthetically that those of you who think you know what this bill will look like when we get through with it, by reading it now, have another guess coming, because the Committee are proposing 15 amendments, and there are a few of us, a chosen few, who have copies of those amendments. I might say that the information which we had in committee was just as limited as the information which you have before you today with respect to this bill. They were going to pass over this particular item in respect to this power, until matters which transpired last year were called to their attention, and then we immediately went into executive session, it was so important, and nothing was said about it until questions were asked in respect to the bill, and although in the general statement of the Federal Loan Administrator nothing had been said whatsoever in respect to the bill until the amendment was called to his attention, he then asked that we go into executive session. Many of the things which he said he wanted to do under this power have become public information since that time? I might say that one of them was to set up a corporation to constitute a small-loan agency to loan money to aid flying cadets to help finance the purchase of their uniforms. It did not seem to me that we would have to go into executive session to be told that. And the others they already had the power under existing law to do. They want this power for some reason or other, and I think the Congress of the United States should know what they want the power for before we give it to them.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. THOMAS F. FORD. Is it not true that 14 of those amendments are clarifying amendments, just checked off, as they were read off?

Mr. WOLCOTT. Yes.

Mr. RICH. Was this bill passed out of the Banking and Currency Committee by the full committee?

Mr. WOLCOTT. No. There was no record vote taken, but there was opposition to it.

Mr. RICH. And these 15 amendments they are going to vote for—was the committee in accord with those amendments?

Mr. WOLCOTT. I was not there. We went before the Rules Committee last Wednesday and I expressed my opposition to the bill. I do not claim that because of any opposition that I voiced to the bill that the Rules Committee did so, but the committee indicated strongly that they were not going to grant a rule. While I was in Michigan over the week end the committee was called together on Friday and these 15 amendments were agreed to.

Mr. RICH. Were these 15 amendments offered to clarify the bill after the bill was reported out?

Mr. WOLCOTT. The important amendment is No. 15, which is supposed to be a sop to those of us who oppose the bill, but which I shall point out later on does not restrict the powers any more than the original bill. If gentlemen will recall, last session we had a bill before us to increase the capital of the Export-Import Bank by $500,000,000. While we had that bill under consideration the Federal Loan Administrator, Mr. Jones, asked me if I would stay after school one day, meaning, would I stay after the committee adjourned and talk with him. Of course, I gladly consented to do so. He told me that they wanted to acquire some excess stocks of strategic and critical materials, and wanted to know if I knew what the attitude of the minority would be in that respect. I thought that was a very desirable defense activity. I thought that we should acquire excess stocks of critical materials such as rubber, tin, nickel, manganese, and all of the other things which we do not produce, against that day when perhaps because of blockade or because of disruption in the usual transportation facilities, we would not be able to get them.

Then we discussed the methods by which we might acquire them. We decided that if the steel industry, for example, pooled its capital and organized a subsidiary corporation for the purpose it would be in violation of the terms of the antitrust laws of the United States. If each individual corporation took some of its capital and invested it in strategic and critical materials, we would create a situation whereby at the end of the emergency they might demoralize the market with those materials by dumping them on the market in order to liquidate their capital for expansion in peacetime. So I suggested—and I take full responsibility for it—I suggested that a corporation be organized, a subsidiary of the Reconstruction Finance Corporation, financed by the Reconstruction Finance Corporation, to acquire and market excess stocks of strategic and critical materials. One or two days later the President sent down his message or letter asking the Congress to create a corporation for that purpose. Mr. Jones came back to the Committee on Banking and Currency with a proposed amendment and much to my surprise and much to my horror, and much to my humiliation, this amendment provided not for a corporation to acquire and market strategic and critical materials, but provided for the creation of corporations to do anything under God's heaven as long as it was incidental to the defense program. Mr. Jones was very apologetic about it before the Committee on Banking and Currency at that time. He made the statement that he did not want that power; that he did not need that power. But the old steamroller was put to work and it was reported out of the committee in defiance of the agreement, in defiance of the recommendation by Jesse Jones, and came out here on the floor, and you gentlemen had a pass at it. You restricted the operation of these corporations in June of last year, so that they could not create any corporation under that power to manufacture any article excepting arms, munitions, and implements of war, as proclaimed by the President. You put that limitation on yourselves on the floor of this House, along about the 14th of last June.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CASE of South Dakota. Do these amendments that are supposed to be presented cure the bill from removing this limitation?

Mr. WOLCOTT. Not a bit. I will discuss that later on.

Now, they have come in with this bill. As originally read and as it originally came from the House Committee on Banking and Currency, it says that these corporations may be created and organized when requested by the Federal Loan

Administrator with the approval of the President and that all the powers which they have always had since the bill was enacted last year——

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOLCOTT. Mr. Chairman, I yield myself 10 additional minutes. With such powers as they already have under the act and with such powers as they may deem necessary in order to expedite the defense program, including but not limited to the powers already in existing law; which makes the sky the limit. There is no ceiling now. There is no restriction whatsoever upon the President and the Federal Loan Administrator to organize a corporation to do anything so long as the President finds it to be within the realm of national defense. I have just said I have been giving a great deal of thought to this question during the past few days, and I cannot think of any activity, even to the making of china dolls, that might not be interpreted as coming within the defense program. Even recreational facilities are included in the defense program.

Mr. THOMAS F. FORD. Will the gentleman yield?

Mr. WOLCOTT. I would like to proceed a little further, please.

Mr. THOMAS F. FORD. But you are talking about something that is not in the bill.

Mr. WOLCOTT. I will get to that. I promise you I will. I made it clear that that was the amendment which was reported out. The sky is the limit; no restriction whatsoever. Now, is there anybody who will contradict that?

Mr. THOMAS F. FORD. Yes, I will. If you read that in connection with another section, the sky is not the limit. It was limited to that particular section.

Mr. WOLCOTT. We will read it in connection with the other section. What the gentleman has reference to is that the organization must be in respect to the defense program. Of course, the President has got to find that this corporation is a part of the defense program. If the President finds that the making of doll babies is a part of the defense program, as recreation for soldiers' children, it comes within the purview of the act.

Now, let me go to the proposed committee amendment. The Rules Committee, I think—I cannot speak for them—but they indicated that because of the very broad powers contained in this act, which I say gives the President the power to set up a Fascist state in America, sent it back to the Banking and Currency Committee, or rather the Banking and Currency Committee had a meeting and they reported out this as a substitute. This is supposed to be a liberalizing amendment to the original bill. This is supposed to be a restriction upon the powers of these corporations. So we go ahead and set up these corporations and we provide as in existing law that they may purchase, acquire, and carry strategic and critical materials, and that they may purchase land to expand plants and produce equipment and manufacture anything they want to so long as it is classified as arms, munitions, implements of war, and other articles, equipment, facilities, and supplies necessary to the national defense.

In this connection let me call your attention to the fact that now if this amendment which the Banking and Currency Committee will introduce here is agreed to we no longer restrict the power of these corporations to the manufacture of arms, munitions, and implements of war, but we extend it to the manufacture of all other articles, equipment, facilities, and supplies necessary to the national defense.

Then the amendment goes on to provide:

when requested by the Federal Loan Administrator, with the approval of the President, shall have power to create or organize, at any time prior to July 1, 1943, a corporation to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program.

My heavens, Mr. Chairman, what are we doing here in the name of national defense if we are not delegating the constitutional authority which is invested in this body to set up a Fascist state? Yes; a dictator here that will make Stalin, Hitler, and Mussolini look like pinheads?

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield

Mr. WOLCOTT. I yield.

Mr. CHIPERFIELD. Would not that language be broad enough to permit completion of the Florida ship canal or anything else of the same nature?

Mr. WOLCOTT. Mr. Chairman, there is no restriction in the House amendment against the construction of the Florida ship canal, against the construction of the Great Lakes-St. Lawrence waterway, against the construction of the Passamaquoddy project, or the Nicaraguan canal. I do not pass upon the merits of any of these projects except I want to be sure that when these projects are constructed it be the result of express authority by this Congress to do it. In the Senate bill there was a restriction against the construction of all these projects which I have mentioned except the Nicaraguan canal.

We should not sit complacently back here and grant this authority, although we shall have our attention called to the fact that they cannot create a corporation capitalized in excess of $100,000,000 to construct any one of these projects; but you know what is going to happen. If you give them this authority they will come back as they have so often in the past and say, "We have got to have some more money now because we have started this project" and by a simple little joint resolution that would go through this House by unanimous consent 6 months from now you would be asked to extend this amount to $300,000,000, or probably another $1,500,000,000. The President, without any express authority from Congress, started the Florida ship canal and we stopped it, but he had already spent several millions of dollars on it. Then he came back and said, "You have already invested in the Florida ship canal several millions of dollars. You must continue the project in order to protect the Government's investment." And in the matter of these connecting parkways between the Great Smokies and the Shenandoah, and the Natchez Trace. They were started under general authority contained in the old N. R. A.-Public Works Act and were never passed upon directly by Congress. They had already spent two or three million dollars on the projects and the justification for further expenditures since then has been to protect the Government's investment.

So this is just a start, Mr. Chairman. This $100,000,000 is practically no limitation whatsoever because you know as well as I that if he is given $100,000,000 to do anything with—that constitutes just the capital of the corporation—and it is doubtful whether there is any limitation on the amount which can be committed.

Mr VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. VORYS of Ohio. Would the gentleman explain to some of us who do not understand it, why it is necessary to use this private-corporation method of conducting the Government's business under any circumstance?

Mr. WOLCOTT. There is not any justification for it whatsoever unless the power of the corporation is limited to the power of the creating body. If the R. F. C. under its organic act found itself embarrassed to do something it wanted to do, all they would have to do under this bill would be to set up a corporation, and any limitation in the R. F. C. Act would not pass on to the Corporation. They can do anything so long as the President finds that it is incident to the national defense.

Here is the point I want to make and stress: They can go to industry and bludgeon them into line on any project or in any particular under the threat that the Federal Government will set up a competing enterprise.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. RICH. In this bill, on page 9, subsection 4, occurs the language, "such powers as they may deem necessary in order to expedite the defense program, including but not limited to." There is where they get their power.

Mr. WOLCOTT. I just discussed that. But they have a committee amendment which is thrown in here apparently as a sop to those of us who do not like that language, but the language of the amendment I believe is equally as broad as that referred to by the gentleman.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MONRONEY. The gentleman has criticized this $100,000,000 fund that has been granted to Jesse Jones in this bill. Does he not know that on almost every defense bill that has gone through this Congress in the last year discretionary funds for national defense have been granted the President alone to carry out the projects that he deems necessary for

national defense, and is not your general opposition to this bill to the $100,000,000 discretionary fund granted to Jesse Jones, who, in 8 years has spent these funds with wisdom and credit to our Government?

Mr. WOLCOTT. I am not objecting to the $100,000,000 at all. You gentlemen of the committee reduced the $300,000,000, which the Senate provided, to $100,000,000 in the hope you would break down the opposition to the delegation of powers contained in the original draft.

Mr. PLUMLEY. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Vermont.

Mr. PLUMLEY. Will the gentleman explain the necessity and the occasion for the creation of a private corporation to undertake to purchase minerals of a strategic nature, inasmuch as the general appropriation act for both the Army and Navy carries a very considerable sum and has repeatedly carried a very considerable sum to be devoted to those explicit purposes?

Mr. WOLCOTT. There is some question as to the advisability of it, but I do not contest the feasibility of creating a corporation for that purpose.

Mr. Chairman, I want to cover another part of this bill which to me is very interesting. This bill repeals certain provisions of the Neutrality Act in respect to the making of loans to belligerent countries.

On page 8 of the bill, subsection 2, section 4, provides that the Federal Loan Administrator can make loans to foreign governments through their central banks, and here is the very interesting part of this thing. Frankly, I do not understand it. They go on under (a) to say that these loans shall be secured by the bonds, debentures, stocks, or other obligations of the Government of the United States or any State, municipality, or political subdivision of any State. That looks pretty good. In other words, according to that, we cannot lend to the British Government or to any other belligerent unless they put up United States bonds, State bonds, or municipal bonds. That is not bad, but what is (b) doing in there? Oh, they may lend on the security of any bonds, debentures, stocks, or other obligations of any private corporation.

Now, think that over a minute. They can create a corporation, if they want to, with a million dollars of capital, subscribed by the Bank of England or by the Reconstruction Finance Corporation, and authorize that corporation to expand that capital ten times by the issuance of stock, and the Reconstruction Finance Corporation can lend with that stock as security. We used to call that watered stock in the old days.

We are creating under this bill the possibility of the issuance of millions of dollars of watered stock, which is not fully guaranteed by the Federal Government as to principal and interest, as are some of the bonds referred to in (a). I have an amendment to that.

Mr. Chairman, the other provision of this bill which I wish you would give some consideration to is whether you want to deny the States the income by way of taxes or otherwise from the property of these corporations set up as competing enterprises. Let us take a concrete case for example.

If the Government decides it cannot buy furniture in the open market for the offices in the Government incident to national defense, it can go into the city of Grand Rapids or anywhere else where furniture is made and say to the furniture industry, "We will pay you so much. If you do not sell it to us for that much, then we will set up a competing enterprise." That may be done in respect to any other question incident to the manufacture of furniture or any other article. They hold this as a bludgeon over the head of industry to tell industry to do their bidding. If they do set up a competing industry, under the terms of section 3 of this act, that competing industry is exempt from all local taxation.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 4 additional minutes.

Mr. Chairman, even the States have taken this up, and, although they want the defense industries, they do not want competing private industries set up that they cannot tax.

Mr. Chairman, I hope that I have sowed the seed for a great deal of sober consideration in respect to this bill. Personally, I think this bill has potentialities so far reaching that any Member of Congress who has taken the oath to support the American form of government cannot conscientiously vote for this bill which delegates the lawmaking powers of this Congress to the Executive, whether it be in the form of a corporation or otherwise. They want this power for something or they would not ask for it. Now, let the proponents of this bill tell us why they want this power and what they are going to do with it. They have not told us yet.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Will the gentleman take a little more time and discuss further section (b)? I think that is extraordinarily important. The gentleman has touched on it. It covers the bonds of any private corporation secured by any corporation organized under the laws of the United States or any State.

Mr. WOLCOTT. Of course, every private corporation must be organized under the laws of some State or the United States. It would not be a corporation unless it were.

Mr. SMITH of Ohio. I would like to have the gentleman discuss that. I think it is very important.

Mr. WOLCOTT. I think there is an ambiguity between (a) and (b). Under (a) they have secured their loans by reasonably good security, Government, State, municipal bonds, or obligations. Under (b) any corporation could be set up and chartered, as many of them are, under the laws of Delaware or Michigan, the District of Columbia, or any other State, with subscribed capital, with authority to expand that capital and the Reconstruction Finance Corporation might find itself in position where it could lend to the full extent of the capital.

The point I want to make in respect to the whole bill is that the only restriction on what the President and the Federal Loan Administrator can do under this bill is found in the Constitution itself. If they are denied by the Constitution the right to do something, then they cannot use this power, but they can use any power which the Congress has in the exercise of powers incident to these corporations and there is some question that they cannot use some of the judicial powers of the United States.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield myself 1 additional minute.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Pennsylvania.

Mr. RICH. Under the power conferred in the bill, if they grant $100,000,000 for setting up these corporations there is no limit on the size of the corporations, is there?

Mr. WOLCOTT. No.

Mr. RICH. They could establish 10,000 corporations if they wanted to under the $100,000,000 grant, and then they could sell bonds to the value of $1,500,000,000; and they could go into any field at all, which, as the gentleman said in the first part of his remarks, would certainly make this Government communistic.

Mr. WOLCOTT. They can set up a corporation to construct the Florida ship canal with a capitalization of $5,000,000. They can issue bonds—call them revenue bonds—to the amount it is going to take to construct that project, on a $5,000,000 capitalization.

Mr. BEITER. The same thing would apply to the St. Lawrence seaway?

Mr. WOLCOTT. The same would apply to the St. Lawrence seaway and every other such project.

Mr. RICH. They could establish a thousand corporations if they wanted to.

Mr. WOLCOTT. Ten thousand.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. THOMAS F. FORD].

Mr. THOMAS F. FORD. Mr. Chairman, may I first make this observation. In the 8 years I have been in this body and in the 6 years I have been on the committee, I have noticed that almost every time a major bill comes from this committee certain members of the committee take it upon themselves to present to the House a picture of a bill that has some sinister, undisclosed purpose. The Member who has engaged in that activity all this time reminds me a good deal of the fable of the sheep and the wolf. You recall that the boy always cried, "Wolf, wolf, wolf." Finally one day the wolf did appear and he cried "Wolf," but nobody paid any attention to him. I believe we have a parallel situation in the attack on this measure.

This bill, S. 1438, is a simple measure designed to achieve very important, aye, exceedingly vital objectives. These

objectives are vital to hemispheric defense. If such a measure were being proposed in any other parliamentary body in the world, the objectives would not be openly discussed.

What this bill seeks to do is to authorize the Reconstruction Finance Corporation to engage in activities that have for their purpose the strengthening of our hemispheric defense, to be carried on beyond the borders of continental United States.

The extent to which the Reconstruction Finance Corporation uses the authority granted will depend entirely on circumstances over which we have no control, but which our national safety and welfare demand that we do control and prepare ourselves to successfully and vigorously combat or checkmate, activities that may be carried on that endanger and menace our own national safety and welfare.

Because of the extremely important, critical, and dangerous nature of the situation, I urge every Member of the House to support this bill. What you are doing is granting to the Reconstruction Finance Corporation the means by which, if circumstances over which we have no control arise, it can go into other parts of the world and do things that will be vital to the defense of the United States of America.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. FORD. I yield to the gentleman from Pennsylvania.

Mr. SACKS. May I observe that the gentleman from Michigan said that the powers in this bill might be used to create the Florida Canal and other such projects. Is it not true that Mr. Jones and Mr. Hamilton said before the committee that that was furthermost from their minds and that such projects absolutely would not be considered under this bill?

Mr. THOMAS F. FORD. That is exactly true.

Mr. SACKS. I will take Jesse Jones' word any time.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. FORD. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. In view of what my colleague from Pennsylvania has said, that Jesse Jones has given the committee his word that such a corporation will not be organized to finance, we will say, the Florida ship canal or the St. Lawrence seaway, will the gentleman deny that it is possible under the language of this bill to form such a corporation for the purpose of constructing the St. Lawrence seaway?

Mr. THOMAS F. FORD. There are clauses in the Reconstruction Finance Corporation law that make it possible to organize almost any kind of a corporation.

Mr. VAN ZANDT. That is right.

Mr. THOMAS F. FORD. The Reconstruction Finance Corporation law was originally passed by the majority on that side.

Mr. VAN ZANDT. Then the gentleman will confess the fact that it is possible to do that?

Mr. THOMAS F. FORD. No. I am telling the gentleman that under the Reconstruction Finance Corporation law as it now stands there is authority to create almost any type of corporation. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I should like to ask the gentleman from California [Mr. THOMAS F. FORD] this question. The gentleman says that as long as Jesse Jones is in his present position he will not grant permission to have the Florida ship canal constructed. How do we know that Jesse Jones may not resign from the Reconstruction Finance Corporation or the Department of Commerce to go into some other business, and then the President may appoint Harry Hopkins? In that event the President can do just as he wants, because Harry Hopkins has proven that he will do anything the President wants. Then you can set up and finish the Florida ship canal and you can finish the St. Lawrence seaway, or you can establish a thousand different corporations. If you want to continue what you have been doing, making this a communistic nation, you are certainly on the right road now. Does not the gentleman think you are?

Mr. THOMAS F. FORD. In answer to the gentleman's question, may I say that in the first place the gentleman puts words in my mouth that I did not use. I was asked that question, and said that Mr. Jones had said such a thing.

Mr. RICH. The gentleman from Pennsylvania said that.

Mr. THOMAS F. FORD. The gentleman put that in my mouth. The gentleman did not say it. As far as the Florida ship canal or the St. Lawrence seaway is concerned, what is wrong with them? The gentleman just does not agree with them because they are not Republican measures.

Mr. RICH. No; I do not agree with them because I believe they represent American taxpayers' money wasted in useless projects at this time. I believe this administration has been wasting money for the last 8 years, and we are in the worst hole this Nation has ever been in. You are going from bad to worse every minute. Last night you had the President of the United States all but declare war, and when you get into that state of affairs you are going against the will of 80 percent of the people of this Nation. You, on that side, are responsible because you have given the President all of that power. I am glad I did not give it to him. I voted against such power that has been given to the President. I believe we should assume our responsibility, and my people want me to do so. I did not give Mr. Roosevelt the power he assumes.

Mr. THOMAS F. FORD. You have.

Mr. RICH. I did not; I did not vote for any of it. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, of what use is it to argue with the majority about these bills? I have read the debate in another body and I presume it may be proper if I refer to remarks already in the CONGRESSIONAL RECORD. There are able men in the other body who are not Republicans, and one of them in particular said, to my great surprise, "I doubt whether Members of the Congress or the public at large are aware of what is going on. We are absolutely destroying the system of free private enterprise. Such destruction does not come primarily from what is proposed here." But he goes on to complain of these corporations portrayed here claiming that they are not now competing with private business, but which really are, and will continue to compete. There is a limitation of their activities, set for 1947, but while they supposedly would not be given any more nutrition after that date they can remain active to wind up the corporations' affairs.

You saw yesterday a remarkable vote. Anyone would think that this was Parliament and that if the party in power should be defeated or if a vote of confidence were lacking, we would have to go to the people and therefore must be loyal to the leader without respect to the actual merits of the legislation. There was a real exhibition yesterday of this procedure. The minority could, and did, vote its convictions. Some may assert that it was politics on the minority side, but the real politics is displayed in following a leader lest otherwise it be interpreted as a vote of lack of confidence.

All the House is now asked to do, lest you be confused, is to accept amendments to be offered by this committee which will make the bill conform to the bill as reported in the other body, except for the limitation of $300,000,000. This committee has now placed a limitation of $100,000,000. Look at the letter (g) in section 3, saying that they can form numerous corporations to do almost anything, so long as they can be colored by national defense. Of course the smell of gunpowder is in about every act we pass these days. Under this bill the sky is the limit, except that they must stop operations in 1947. We have said year after year that we will end such operations, but under the lash of the administration we grant renewals with little regard for the real necessity for any continuance of such activities. Powers once delegated seemingly cannot be recovered.

Now, why this particular bill? The R. F. C. has great authority already. What really is the one thing in this bill that is highly important? That is what we should seek to discover. There is something back of this besides extensions of power. This is tacked on, as this is an opportune time to get such extensions. Already power is given to form corporations for all sorts of purposes, such as purchases of strategic materials and even the manufacture, if you please, of many articles, if labeled "for defense." That is already the law, but there is something in this measure new and highly important. What is it? I am not suggesting that there is something in a woodpile. It is all aboveboard, but it is rather confusing. They want the R. F. C., because of the Johnson Act, in order to lend to, and on the securities or, other

governments. The R. F. C. can do this if we pass this bill and grant further borrowing power. We are trying to help the British Government cash in on its securities without having to go to Wall Street. Wall Street is a very unhappy word, but it is one many love to use, even though it is made to apply to all decent citizens who are in the banking business.

They say that Wall Street is squeezing them for premiums; that it is costing too much money to have private bankers liquidate securities for them. The R. F. C. will do it for the British Government under this act and will do it cheaply. Shortly afterward they will sell those securities right back to Wall Street at presumably even a fair profit. Great is the R. F. C. They will not hold the securities. They seldom do. But under this bill we have $1,500,000,000 more added to the amount they can borrow. I much doubt if they need it even for this ambitious program. We recall the early case of the Chicago securities. I remember that in the first instance the R. F. C. took that questionable security; but afterward, somehow, Jesse Jones made the public believe it was good and unloaded it and got his money back probably with some profit.

In this revolving fund they are gradually getting more and more, and now they have a very large amount. Probably they now have nearly $3,000,000,000 for future use. Our good friends are worrying about that feature of the law, which will allow the formation of any kind of a corporation they see fit. Of course, it is very disturbing to private capital. We speak of Jesse Jones, and, as much as I appreciate him, he has now too much responsibility for any one man to assume. But, Mr. Chairman, he may not be there tomorrow, but there will be this responsibility for some other to assume. How contemptible we must appear in the eyes of our Chief Executive. He wants to have all these powers renewed. He does not wish to risk coming back to us with reasons for their reissue. He wants all these things directly in his own hands for the moment when the impulse to use them seizes him.

It is true that in another body they did specifically restrict the use of funds to build a dam on the Tombigbee River, the Florida Canal, the St. Lawrence and Passamaquoddy. I voted in the committee to strike that out, and it may seem strange that one on the minority side so voted. It seemed ridiculous to me to name especially these four things. I thought it was highly dangerous to name only these, and thereby suggest that any other venture could be entered upon. It was also written in that any project Congress had previously refused to approve could be started. I don't think you will find that in the amendments to be offered, but then you don't know what the amendments there are to be suggested. I have a copy of the proposed amendments. Most of them are unimportant, mostly renumbering. Two are very important. I sympathize with the gentleman from Michigan [Mr. WOLCOTT] in the use of strong language. What did he say—that they could do anything under "God's heaven." It is all right to say that if you say it only for emphasis. He is greatly disturbed about the future of our Government. So am I. So are some of the Democratic Senators on the other side of the Capitol, but they thought they could not vote against the whole bill, although they disliked it in principle. Principle! Where is there any principle left? Nowadays we vote to support leadership and for personalities. We follow the expediencies of the moment.

I desire the attention of the gentleman from Missouri [Mr. WILLIAMS], the acting chairman. My brain must be very clouded, as I am confused by the language in the bill. The R. F. C. will form a corporation to buy British or Chinese securities—or loan to any person, government, bank, or person. The paragraph ends by saying that the loans can be made only on securities of the United States, a subdivision, division thereof, or securities of a corporation formed under the laws of the United States. There seems to be a complication there. I want my chairman on this side to consider this language. It seems that they may loan to any agent of the British Government on foreign securities, and immediately it reads that these loans can be made only on the securities of the United States, its subdivisions or United States corporations.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman 1 minute more.

Mr. GIFFORD. If there is a complication there I would like to see it amended. I regret that the House has no copies of the hearings. You might get a little enlightenment from the debate in the other body. I have read that very carefully. We have had but an executive session, and so you will be voting rather blindly. We are supposed to just vote to give extraordinary powers to the President of the United States and to the Loan Administrator. My good friend the Honorable Robert Luce in about his last utterance in this Chamber said that "that law is best which is administered best." As long as Jesse Jones was to administer he had great confidence. Personalities do not so much interest and assure me. Others, less able, usually are selected for their places. Shall we abandon principle today, and just vote for expediency?

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman 1 minute more.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. I yield.

Miss SUMNER of Illinois. I do not think it is friendly to a man who is administrator of a big loan agency like this to give him so much responsibility and praise in this way, for this reason: We all know that right now things are going on in this agency that may be uncovered. We ought to acknowledge right here at the outset that Jesse Jones has so much responsibility and so many duties that he cannot know all the things that are going on. He cannot know on what basis some of these loans are being made.

Mr. GIFFORD. When he selects the best men he can find, men that he must necessarily know, they will say he is putting his personal friends into office. They are already saying such things. I want to remind you that my reputation is simply what they say behind my back. [Laughter and applause.]

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to speak on a matter that is not connected with the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, only a few weeks ago, we hailed with hope the creation of the National Defense Mediation Board, seeing in it the possibility that the democratic process of mediation might help maintain industrial peace in our Nation in these critical days.

Surely it is not too much to expect that any upstanding, righteous, and patriotic American citizen should abstain from intervening in any situation so serious as to have been laid before this last-stage board of mediation for amicable settlement. Surely we should recognize the justice in the position of the Mediation Board authorities that when a case is finally certified to them for adjustment, they should be permitted a full and unhampered opportunity to go into the problems involved and attempt to bring about a satisfactory conclusion that will result in industrial peace.

On the floor of the House recently a Member of Congress unfortunately made an attack upon one side of a controversy which has been in the hands of the Mediation Board since April 23. The long period of deliberation of this case by the Board should have been ample indication to the gentleman that the issues to be decided, if a permanent solution to the situation were to be found, were difficult of solution. Into such a difficult situation, the attack made on the floor might add fuel to the flames, making the task of this new agency of our Government, entrusted with this assignment, doubly difficult.

I have called attention to this attack because I happen to have first-hand knowledge of one of the people involved. Mr. Reid Robinson, president of the International Union of Mine, Mill, and Smelter Workers and also a vice president of the Congress of Industrial Organizations, happens to be one of Montana's best sons. Mr. Robinson comes from Butte. He worked in the mines and went to school at night. He became a leader of the men in my State. He was thought good enough by men in other States to become president of the organization nationally—an organization covering all miners except those in coal, as well as workers in smelters, refineries, and metal-fabricating plants throughout our Nation. He has helped build this union in a short 5 years into one of

the most powerful in our country. It has a record of accomplishment and responsibility.

We in Montana know Reid Robinson and are proud of his record. If, as has been criticized on this floor, he has been active in keeping our Nation at peace, in Montana at least that is still no crime.

I might say that organized labor has learned through sad experience that it is never attacked unless it is really doing an effective job. So in this case—the 2-month-old strike of the International Union of Mine, Mill, and Smelter Workers against American Potash & Chemical Corporation at Trona, Calif.—we find the workers and the union suffering patiently through 5 long years of Labor Board procedure, circuit courts, and, finally, the Supreme Court itself, a long but successful fight to win the right to join a union of their own choosing without discrimination by the company and to bargain collectively through their union to better their conditions. But even after this long case history the company apparently was unwilling to accept the inevitable and to deal with its workers in the American way—around the conference table.

Thus after fruitless weeks of attempted negotiations—a long, long cooling-off period, if you please—the workers finally struck. A month and one-half later the company finally was able to maneuver the strike into Washington before the Mediation Board. Since April 23 even the Board has been unable to make the company come to terms.

And suddenly the company discovers a "red" plot against the defense program. The gentleman who attacked the union on this floor referred to a Mr. Stuart Neary as an informant. Be it noted that Mr. Neary is the attorney representing the company in negotiations and before the Mediation Board. It may well be questioned whether this attorney might not be more effectively helping settle this strike around the conference table—or if he doubts his value there, by removing himself from this controversy—rather than by helping to create still more antagonism in this situation.

The union and its leaders have been charged with sabotaging national defense by tying up production of vital raw materials. I am happy to call to the attention of this body the fact that the union representatives, indeed the very union representatives that were attacked on this floor, pledged to the National Defense Mediation Board weeks ago that the strikers would be happy to move any products which the Mediation Board could show were needed in specific Government defense contracts. The Board has had this pledge for weeks; no such list of contracts has yet been compiled for the Board by either the War Department or the O. P. M.; so that the union and its representatives cannot in the slightest honest way be accused of sabotaging national defense.

It is true that the United States Conciliation Service, the O. P. M., and the Mediation Board have tried to settle this strike; I am informed that it is equally true that the union has been willing at every stage to negotiate a settlement and that such a settlement has been prevented by the open-shop interests of southern California.

We can question the actions of a company which has had so unsavory a record of relationship with its employees for so many years. We may seriously ponder what influence is exerted upon this company—American Potash & Chemical Corporation—by its joint Dutch-British owners—especially when we realize that the Nazis have taken over Dutch interests.

The history of this case shows clearly that the fundamental issues of working conditions, of wages, of union security must be faced squarely once and for all.

No name-calling can becloud those issues, or solve them. Only true collective bargaining will do that.

This case is but typical of the scores that have come, and will yet come, before the National Defense Mediation Board. If we are truly concerned with the welfare of our Nation, if we would help the Board in its difficult mission, it is our duty to let the Board handle its affairs without ourselves arousing the ill-will and passions that must be erased. To persist in meddling with the Board's affairs would indeed be a major cause of prolonging differences; in my opinion, to persist in meddling with the Board's affairs would in fact be in itself a campaign of sabotage which would endanger our security and give aid and comfort to our enemies.

I want to say with reference to this union that it has been in existence for about 5 years and I am informed that never once has it been on strike. Robinson is at the head of that union and was characterized as a Communist on the floor of this House. I know the gentleman who called him that did not intend to do the man an injustice but was misinformed as to the character of Mr. Robinson.

I know that it is easy to call a man a Communist. It is easy to charge and accuse, and hard to defend. I recall 25 years ago that when we found somebody who disagreed with us we called him a pro-German or something similar. Today, when we find somebody who does not agree with us on many points, we are prone to call him a pro-Nazi or something like that. Now, we are going to go through times in this Chamber when debate will be heated; when men may temporarily lose their poise. Therefore, I want to say now that we ought to know whereof we speak before we call a man pro-German, pro-Nazi, Communist, or anything else but American.

I hope that perhaps these few words will lay the foundation for more circumspection to be used in relation to charges that are preferred against men, regardless of their position in life.

Strikes are not always justified. Perhaps they are seldom justified. I do not know. I have studied many of them. I have always found that there were two sides and sometimes three sides to the questions involved. So I hope that, simply because we cannot have everything as we would like, simply because one of us does not agree with the other, that we are not going to accuse each other of being pro-something, other than being American. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, last evening, in company with millions of my fellow citizens, I listened to the President's radio address in which he declared an unlimited national emergency.

Regardless whether we agree or disagree as to whether the situation today justifies such a drastic step, the President has stated his position and his are the responsibilities for what may transpire.

As a minority Member of the House, I also have responsibilities to the men and women who sent me here, to my party, and, above all, to the well-being of my country. In consideration of all these factors, I shall not yield my rights as a member of what I hope will always be a constructive minority; but, at the same time, I shall do all in my power, without thought of partisanship, to implement and push forward all legislation that will bring our country to the highest point of defense fitness in all its branches—military, economic, and social.

The National Defense Act of June 1916, as amended, empowers the President under certain conditions, which I believe his proclamation of last evening covers, even to take over and operate industries engaged in the manufacture of national-defense items.

Amendments of the R. F. C. Act, as contained in Public, No. 66, Seventy-sixth Congress, implements such procedure if found necessary, by providing the means by which capital can be supplied by the R. F. C. for the operation or assistance to any plant operating independently or under Government supervision. Making capital available will aid industry to proceed rapidly in mobilizing its efforts for national-defense production.

The pending bill, S. 1438, is an extension of the purposes as mentioned and provides for certain new purposes in connection with the defense program. It enlarges the R. F. C. lending powers and authorizes an increase in the obligations of the R. F. C. that may be outstanding by $1,500,000,000.

In view of the national emergency I recommend the passage of the pending bill as amended by my Committee on Banking and Currency.

I wish to state that in making my recommendation I definitely have in mind that these enormous powers, many of which are a surrender of the functions of Congress to which surrenders I am generally opposed, are a surrender solely in the interest of national defense and only during the period of the emergency and shall terminate by operation of law on January 22, 1947. [Applause.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, I intend to discuss only a few points in this bill and only in a general way.

First, I want to say something about the argument that is being put forward that this power should be granted because Mr. Jesse Jones is a good administrator and has proven himself very efficient, and that he can be trusted to not abuse this power if it is granted. Of course, that is an argument for personal government and nothing else. It is, to be sure, in line with the general sentiment of the Congress that has been exhibited in the last 8 or 10 years.

We are discussing now one of the programs which originally was supposed to be of an emergency nature. Like many of the other programs which were set up to meet an emergency, it promises to become permanent. Like most of these agencies, it appears also to be getting out of control.

The Reconstruction Finance Corporation has been praised very highly as one of the splendid Government agencies and is acclaimed as a success. When the Reconstruction Finance Corporation was established, it likely was not foreseen what it might eventually lead into; but it is leading into exactly what might have been anticipated. That it should tend to continually grow and expand could have been expected. When you open the Treasury door to the public as the Reconstruction Finance Corporation did, there is no telling where such an act may lead.

We have been from time to time increasing the lending power of the Reconstruction Finance Corporation. I do not know what the total lending power of the R. F. C. is at the present time, but I know that since I have been a member of the Committee on Banking and Currency the amount has been increased. Let us, however, reflect a little on what is taking place with respect to these lending agencies.

Up to the present time the thirty-odd lending agencies have made loans in the amount of about $27,000,000,000. They have, roundly, something like $8,000,000,000 or $10,000,000,000 outstanding. The Government is investing about $5,000,000,000 in plant expansion for the manufacture of defense articles.

Mr. Chairman, I hold in my hand a book written by Mr. L. E. Hubbard, the expert on Russia for the Bank of England. This book is entitled "Soviet Money and Finance." I should like to have anyone read this book carefully and examine the lending program of Soviet Russia and then compare it with the Government lending program we now have in the United States. After making this comparison see if he will not come to the conclusion that the lending methods of the two countries are very similar.

Russia has no private industry. She has, of course, no standard unit of value. Our standard unit of value has been destroyed, which is progressively destroying our private industry. The money loaned by the banks at the present time is about what it was in 1932. Also, the old capital, so to speak, is becoming dissipated and is disappearing. From 1929 to 1937 there was a shrinkage in the net capital invested in manufacturing industries in this country of about $14,000,000,000.

I should like to know this: What is going to stop further rapid growth of these lending agencies as long as private industry is in the condition we find it today, blocked, kept altogether from advancing? Is it not likely that the Reconstruction Finance Corporation will continue to grow? That we shall from time to time continue to increase its lending powers? Is it not likely the same thing is going to take place with respect to the other lending agencies? I see nothing to stop this growth and development. Where is it all leading?

Another feature about the Reconstruction Finance Corporation which I feel should be mentioned is the practice of setting up other corporations under the Reconstruction Finance Corporation. Why these subsidiary corporations? Why not have all of the functions carried on with Reconstruction Corporation funds performed by the Reconstruction Finance Corporation, and make it responsible for all the activities? As nearly as I can tell the purpose of setting up these subsidiary corporations under the Reconstruction Finance Corporation is to relieve the R. F. C. from having any losses shown on its books.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Chairman, I requested time from the minority side of the committee for the express purpose of reading to the House a press release from the Department of Agriculture. This release roused my curiosity. I ask the majority Members if what I am about to read is one of the many things that might be done under the privileges of various lending agencies, and whether or not our Government is more interested in expending our money for the benefit of foreign nations than for our own people?

Under date of May 26—that is the day before yesterday—the Agricultural Department released this statement for the press:

GROUP OF CENTRAL AND SOUTH AMERICAN ENGINEERS TO SPEND YEAR WITH R. E. A.

The Department of Agriculture today announced that a group of outstanding young Central and South American engineers will spend a year studying the methods and techniques of the Rural Electrification Administration. One of these engineers, Manuel Lopez-Jimenez, of Peru, is on his way by sea to the United States, and another, Luis Adolfo Cagno Rossi, of Uruguay, is due to sail from Montevideo on May 30. Both engineers are expected to reach Washington around the middle of June. About half a dozen others are expected to leave their respective countries within the next few weeks.

The plan of having a group of engineers from the other American republics spend a year as student members of the Rural Electrification Administration staff is a cooperative effort by the various American governments concerned, to facilitate and expand mutual understanding of technical electrification problems.

The Rural Electrification Administration has been assisted in arranging this program for receiving Latin-American students by the Office of Foreign Agricultural Relations of the Department of Agriculture, the Division of Cultural Relations of the State Department, and the Office of the Coordinator for Commercial and Cultural Relations between the American republics.

The last-named office has made available funds to pay the traveling expenses of the engineers from the southern republics and to provide each of them a monthly allowance of $135 for the training period with the Rural Electrification Administration. That allowance is equal to the amount paid to the United States engineering trainees whom the Rural Electrification Administration takes in each year.

When these details had been worked out, the Department of State conveyed invitations to several other American republics. Each government was asked to select a candidate. It was requested that the candidates be between 20 and 30 years old, preferably single, and graduates of a high-ranking engineering school with some work in electrical engineering. The trainees so far selected have a working knowledge of English, and many R. E. A. employees are learning Spanish.

In addition to Uruguay and Peru, Argentina and Mexico have already suggested candidates, both highly skilled engineers.

During the early part of their stay in Washington, the Central and South American engineers will work with the trainees from United States engineering schools.

After a short period of orientation, the Central and South Americans will be given training and practical duties in keeping with their experience and ability.

During their year in North America, the R. E. A. will make arrangements for their housing, for their training, and for inspection trips which they will take. These will include assignments with leading manufacturers of electrical supplies and equipment. Toward the close of their stay, they will be assigned to visit R. E. A. systems throughout the United States in company with R. E. A. construction and operations engineers.

Each of the two engineers named has won considerable distinction in his own country. Senor Lopez-Jimenez, who is 30 years old, was graduated from the Peruvian National School of Engineers in 1937. After graduation, he went to Ayacucho to start an electric power system. Upon his return to Peru after his year with the R. E. A., he expects to engage in rural electrification engineering in the central Andean region on a rather ambitious scale.

Senor Rossi, who is 29 years old, was graduated in 1937 from the faculty of engineering of the University of the Republic at Montevideo, Uruguay. He has had 8 years of practical experience, including 3 years, subsequent to obtaining his degree, in the Government-owned power station at Montevideo.

The question I ask of the committee is, Is it the intention of this administration to provide funds for the education of seemingly every other nation in the Western Hemisphere besides our own?

Apparently it is is the practice.

Mr. Chairman, I yield back the balance of my time.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Missouri yields back 1 minute.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE. Mr. Chairman, this legislation raises some very serious prob-

lems. On page 7, line 4, section 3 of the bill, I find the following language:

SEC. 3. Section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by adding at the end thereof the following new sentences: "The foregoing exemptions with respect to taxation (which shall, for all purposes, be deemed to include sales taxes and use taxes), whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period, are hereby extended to apply with respect to Defense Homes Corporation, and shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Company, the Rubber Reserve Company, and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation to aid the Government of the United States in its national-defense program, (2) the RFC Mortgage Company, the Federal National Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation, (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. The loans made, and personal property owned, by the Reconstruction Finance Corporation or by any such corporation shall be construed as included within such exemptions."

It is a pretty well-established policy of the Federal Government that these agencies and particularly revenue-producing agencies should pay a part of the cost of maintaining the local communities. In this bill, however, we have a provision with reference to the Defense Homes Corporation. In the first place this Corporation can go into a community and construct any number of homes, bring in these transient temporary workers employed by the Government, domicile them and their families in these homes and the property will escape taxation.

Mr. SACKS. Will the gentleman yield?

Mr WHITE. I yield to the gentleman from Pennsylvania.

Mr. SACKS. May I inform the gentleman that the provision covering the Defense Homes Corporation will be stricken out of the bill by committee amendment to be presented later.

Mr. WHITE. I am taking the bill on its face and the language it contains. I may say to the gentleman that time after time here when we consider legislation we accept the interpretation or the construction of a Member of the House as to what the language means, but when the court comes to construe the language of the legislation the man who devised it or who put the language in the bill is not in court. The court takes what is contained in the language of the bill and that is what it is governed by. I am glad to have the information which the gentleman has furnished.

Mr. Chairman, I want to call the attention of the Members of the House to a very serious problem that is being raised by this plan of exempting from taxation these big units that will bring hundreds of people into communities, thereby overloading the schools, also receiving fire and police protection, and not paying a dollar toward the support of that community. That is a pretty well established policy of the Government to assist in meeting these expenses by making payments in lieu of taxes.

As chairman of the Irrigation and Reclamation Committee, I have had charge of the handling of the revision of the Boulder Dam bill, and we provided in that bill that the States of Arizona and Nevada would each get $300,000 a year in lieu of taxes to support the schools of the States. Down here in the Tennessee Valley Authority we provided that 10 percent of the money that comes from its revenue be divided between the States and the local taxing communities in order to support the schools, police and fire protection, and to do all of the things that taxation does.

Here we are financing with tax-exempt bonds. We are going out and overloading these communities and schools with an influx of population and then exempt them from taxation. I want the Congress to do something to take care of this situation.

Mr. MONRONEY. Will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. The gentleman knows, does he not, that the R. F. C. real estate and the improvements to that real estate are subject under section 10 of the R. F. C. Act to the local ad valorem taxes and that is just exactly what the gentleman is talking about.

Mr. WHITE. What does the language mean when it says it is exempt from taxation?

Mr. MONRONEY. It is exempt from sales taxes, occupational taxes, and other taxes of that nature, but, if the gentleman will read this bill he will find that the R. F. C. real property is still subject to all the ad valorem taxes.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I conceive, in view of the very broad implications that are contained in the pending legislation, that what I shall say may be of extreme collateral interest to the Members of this House. I think we are all aware by now, if we were not aware heretofore, of the critical position the Government finds itself in growing out of our international affairs. The Nation's emotions and sympathies have been whipped up during the last few months on the ground that Britain's shipping was being sunk and that it is necessary to expand our aid in order to keep her lifeline open. That fact was reiterated again and again by the President last evening.

Mr. Chairman, I am beginning to wonder if all of the published facts relative to Britain's sea losses and the destruction of her cities by bombs have not been colored to some degree for the purpose of stimulating and encouraging the hysteria and emotions of the American people.

As justification for this statement, and in very apparent contradiction of much of the propaganda being fed to the American people, I direct your attention to a publication which I hold in my hand entitled "The Times Trade and Engineering, Special Export Number," published on April 2, 1941, by the Times Publishing Co. in Printing House Square in the city of London.

In this special export number appears a statement by F. D'Arcy Cooper, chairman of the executive committee of the Export Council created by the British Government in February 1940. This article bears the heading "Need for Selected Exports"—"Value of United States Market." The statement is exceedingly illuminating in view of the current discussion involving freedom of the seas and the necessity for all-out aid to England as announced by the President in the speech delivered to the world last night.

I quote from this statement made by the chairman of the executive committee of the Export Council of the British Government:

In time of war, the export trade is necessarily upset because for war purposes so much of the means of production, whether raw materials, labor, or factory plant, especially those connected with the iron and steel industry, are required to meet the huge requirements of war industry. Appreciating this, the Government, in February 1940, formed an export council, whose main duty was to increase the export trade and to retain the markets on which the country is so dependent in times of peace. During the first few months after the export council was formed, our exports increased. Then, in May 1940, came the unexpected fall of France and the occupation of practically the whole of the European Continent by the German Army, with the result that many of our markets were cut off. It was now evident that the export trade which was of greatest value was that which went to the countries using dollar currencies. Of these, of course, the United States of America is the most important, and there one of our immediate difficulties was that in assessing ad valorem import duties, the United States authorities considered they were bound, under their own legislation, to include the amount of British purchase tax in the value of the goods. Efforts are being made which, it is hoped, will be successful to get Congress under a bill which is known as the Cullen bill to say that the purchase tax need not be added to the value of the goods imported into the United States. In the United States of America today we are faced with a favorable combination of circumstances that may never arise again and it is our duty to see that we take every advantage of them.

Here we find official expression of the British Government indicating their intervention into the purely domestic legislative affairs of the United States in hopes to obtain additional benefits through a reduction of import duties that will permit further competition with American industry.

It is also to be noted that the writer of this article clearly indicates the intent of Britain to take advantage of the emotional sentiment of the American people in order to increase the volume of British exports to this country.

The writer further says, and I quote:

Perhaps the most important fact is that sympathy for Great Britain and the desire to

help her is greater than it has ever been in the history of the United States.

It is easy to see from the statements in this article that Britain is translating that sentiment into commercial trade as a result of her efforts to increase her exports to this country even in the face of the dire situation in which she finds herself at home.

Many people in America have been led to believe that Britain's shipping losses have been so great and the bombing of her manufacturing enterprises so extensive that she is unable to carry on her industrial economy. I quote from Mr. Cooper on this important subject, when he says:

If Britain has goods to sell, provided, of course, that the price is not altogether unreasonable, there seems to be no difficulty whatever in selling. The only uncertainty in the mind of the buyer—and it is a very natural one—is whether, if he orders the goods, they will be delivered. It is useless to say to him, which is true, that until now the delivery of goods from Great Britain has been extremely regular and that letters have been received from many of the big purchasing houses expressing wonder and admiration at the regularity with which British goods have been received.

Mr. Cooper very clearly reflects the sentiment of great British manufacturers, whom I shall hereafter refer to, that Britain can and will deliver the goods. Mr. Cooper further states:

It seems to me that we want some research as to what demand there is for British goods and what prices the public are prepared to pay for them. There are in America many organizations which are prepared to undertake this job and I believe the cost of it would not be very heavy and could be financed by the generosity of local people either of British or American nationality in the States themselves so that there could not be any waste of our Treasury's valuable dollars.

He indicates clearly in this statement the drive that is under way to extend British markets and exports into the countries using dollar currencies and indicates a different attitude toward the so-called sterling bloc. I quote him when he says:

When we leave the dollar countries and turn to the sterling bloc, the position is different. Except for South Africa, whose gold production puts her into the dollar class, there is no great purpose to be served, except for preserving markets in peacetime (and I do not think we shall lose them in the long run), to export to any countries in the sterling bloc unless they are to serve our needs and to save dollar expenditures.

Not only are the people of America called upon to extend every aid to Britain under the terms of the lend-lease bill, but manufacturers are being subjected to an extensive drive of British-made goods that will have a tremendous effect upon our post-war economy.

Permit me to state that it has come under my observation recently that a number of concerns engaged heretofore in the export field with plants in the district I am honored to represent are seeing their export business curtailed due to the exigencies of national defense and aid to Britain, and the demand has been made of them that they forego any thought of "business as usual," and yet Britain is apparently able to deliver her goods into the markets of the world, and is pushing out a plan to extend her world markets upon specific assurance that she can produce and deliver the goods.

I believe these facts are worthy of the careful and cool consideration of the people of America.

I direct your attention to the attitude expressed by the great British manufacturing concerns who carry large ads in this export edition. Among many of similar character, I note one from the F. & C. Nonferrous Foundry, Ltd., in which they clearly state:

These works have now been considerably extended and we are therefore in the position to execute additional orders for all kinds of nonferrous, die, and sand castings.

C. A. Parsons & Co. Ltd., with large manufacturing facilities located at Newcastle on Tyne, state:

C. A. Parsons & Co., Ltd., are maintaining their overseas offices and have over one-quarter million killowatts of turbogenerating plant under construction for the export market.

Mather & Platt, Ltd., of Manchester, make this rather startling announcement:

We take this opportunity of thanking our customers in all parts of the world for their continued confidence and for the orders they have sent us for our various products, including bleaching, dying, printing, and finishing machinery for textiles, electric motors, and generators, centrifugal pumps, etc.

They further state:

Export orders are being executed with regularity. In spite of the war, shipments have been made every month, with only moderately extended periods for delivery, and we remain at the service of our world-wide friends and customers for all our standard products.

Pilkington Bros., Ltd., manufacturers of glass products, state to their customers throughout the world that "Britain delivers the goods."

The General Electric Co., Ltd., of England, the largest British electric-manufacturing organization in the Empire, announces through the columns of this export number that—

G. E. C. continues and will continue to supply existing markets and new markets.

Time will not permit further reference, but I think it is only pertinent to say that the references quoted clearly indicate that Britain still maintains not only the manufacturing facilities to compete in the world markets for world trade but also has the facilities with which to guarantee delivery.

My attention has been called recently to the cancelation of orders by concerns in South America for machine tools manufactured in my district due to the price competition of British machine-tool manufacturers.

It seems, in the consideration of the problems arising out of our critical international situation, that we should be guided in our judgment by cold, hard facts rather than by emotional sentiment and in the face of the statements which I have referred to, coming directly from official sources and from manufacturing organizations doing world-wide business in England, we may well consider whether or not in our attitude we are permitting our emotions to dictate our judgment.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Arkansas.

Mr. SHORT. The gentleman has made a very splendid statement, and I think a very accurate one. Immediately before this present war in Europe broke out, everywhere one went in England he read the sign, "Buy only British. Buy only British." Yesterday, as I walked u. and down the streets of New York City, it seemed to me that in every other store I saw British badges and banners and British flags. I saw very few American flags, but I did read this slogan, "Britain delivers the goods. Buy British in order to help America."

Mr. KEEFE. I am not calling this to your attention to disparage the efforts to sell British merchandise. I am simply relating facts.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield 2 additional minutes to the gentleman from Wisconsin.

Mr. KEEFE. I am simply bringing to the attention of the Congress and the people some facts. You can place your own interpretation on them.

It stands to reason that if Britain can continue to maintain these essential trade routes into South America and into the Western Hemisphere, and can deliver her "business as usual, goods, and commodities" manufactured in Great Britain, it is a little unfair to ask an American manufacturer to give up his export market and refrain under priority rulings from selling machine tools into an export market that is now being furnished by Great Britain, under the assumption, as we have been told, that her manufacturing enterprises have been blown off the face of the earth.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Arkansas.

Mr. SHORT. May I say to the gentleman that I was not disparaging British goods or their quality, because they make very fine goods, and I even confess that I have purchased some myself. However, the gentleman will recognize, and I believe he has already admitted, that Britain is producing these goods in direct competition with our own American laborers and manufacturers. If Britain can ship to this country clothing and china ware and silverware and all kinds of commercial products, as well as ship commercial airplanes to South America, without the United States convoying them, then certainly she should be able to take war materials from this country over to England. If she can bring, she can take.

Mr. KEEFE. I thank the gentleman for his contribution. [Applause.]

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Chairman, I yield the balance of the time to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, during the last few years we have started out not

only to police the world and tell them what to do, but we are now trying to wind up by financing the world and becoming the banker for all the world.

I just want to quote from subsection (2) of section 4 of this act, which reads as follows:

When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government. Such loans may be made only upon the security of bonds, debentures stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State.

Now, if you will notice, we can make loans to any government on the face of the earth. This is in the discretion of the President of the United States.

Last night, in his address to the American people, he said we were going to defend the democracies of the world. I do not think he said anything unusual last night because I think according to reports we are doing everything now that he said we were going to do in the future. He was only notifying the American people of what is going on. We started out here with a neutrality law. We started out by taking in the National Guard and having conscription, with the understanding we were going to train them and that they would be kept here on American soil, but today they have been scattered throughout the world. You will find them everywhere and we are now defending the democracies of the world and it is proposed now to put up $1,500,000,000 more to lend these foreign countries.

I would be derelict in my duty if I did not get up here as a Representative of the people of my district and of the country at large and say to you that we now owe forty-seven-billion-six-hundred-and-some-odd-million dollars, that we are paying over $1,100,000,000 a year in interest on these obligations. In 1914, prior to the time we entered the World War, we were running this country for about $750,000,000. The interest on our obligations next year will be probably a billion and a half dollars. The best prosperity we have ever enjoyed in this country was between 1922 and 1932, and the best we could do at that time, with one of the greatest financiers this country has ever produced, was to pay off about $1,000,000,000 a year and pay the interest on our obligations.

We are going to be asked in a few days to appropriate $3,318,000,000 more for airplanes in this country. We are now asked here today to increase the lending power of the Reconstruction Finance Corporation $1,500,000,000. We have the Import-Export Bank which we have empowered to make loans to foreign countries and we have many of those loans already made and are making more constantly.

I call attention to the fact that these loans are to be made to everybody, and that a few years ago we had a commission which checked up on some of these countries we have already made loans to through private individuals and that commission found that 70 percent of these loans were in default. I am thinking of America, and in terms of America today, and if we are going to continue this constantly asking people to pay more money and more taxes, there is going to be an end to it. We have reached that point now. We have been borrowing money for the past 8 years and issuing obligations of the Government for it, and the people have been taking that as a matter of course, but the time has arrived now when the day of reckoning is here. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WILLIAMS rose.

The CHAIRMAN. The gentleman from Missouri is recognized for 53 minutes.

Mr. WILLIAMS. Mr. Chairman, it is needless for me to say that I am in favor of this legislation and the amendments offered by the committee. I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection?

There was no objection.

PROVISIONS OF THE BILL

Mr. WILLIAMS. Mr. Chairman, this bill extends the activity of the Disaster Loan Corporation, which is owned and operated by the Reconstruction Finance Corporation, and makes loans in distressed areas caused by some great calamity, such as floods, earthquakes, and cyclones. It extends the life of the Electric Home and Farm Authority, which is a Government agency, owned by the United States Treasury and operated by a board of trustees, and helps in financing the purchase of electric and gas appliances. This act specifically exempts the personal property of the Reconstruction Finance Corporation and its created corporations from taxation and also grants all the tax exemptions now enjoyed by the Reconstruction Finance Corporation to all the corporations which it may organize. There is perhaps nothing at all new in the tax-exemption provisions of the bill, but it clarifies and definitely states the exemptions as applied to the Reconstruction Finance Corporation and its subsidiaries. This means that their notes, franchise, capital, surplus reserve, and personal property shall be exempt from taxes. This leaves the interest upon and the gains from sales of their obligations subject to Federal taxes and the real estate owned by them subject to a nondiscriminatory local tax.

It must be borne in mind that all the powers and authority granted by this act to the Reconstruction Finance Corporation are to aid the United States in its national-defense program, and such powers can only be exercised or used when requested by the Federal Loan Administrator and approved by the President.

There is really only one new power given by this act to the Reconstruction Finance Corporation. The others are modifications or enlargements of existing authority. The provision which is entirely new gives the Corporation the authority to make loans to foreign governments or their representative upon the security of American obligations, governmental or private. This is designed to permit the British Government to borrow upon its American securities and not be compelled to dump them upon the market at a great sacrifice, and perhaps by so doing to some extent affect the American market. The British Government can requisition the American securities held by its subjects and then present them to the Reconstruction Finance Corporation as security for a loan and thereby secure dollar exchange with which to purchase war supplies. This provision does not change the Johnson Act, as that act does not prohibit loans by an agency of this Government, such as the Reconstruction Finance Corporation, to a nation that is in default in the payment of its obligations to the United States. This bill does modify the Neutrality Act in that respect. In the consideration of the Export-Import Bank Act last year the committee, by a big majority, adopted a provision permitting the bank to make loans to Canada. This was stricken out in conference because not considered important at that time. In view of the action of this Government under the Lease Lend Act and conditions prevailing, there seems no good reason why a loan may not be made and in some measure help England conserve her resources.

The Reconstruction Finance Corporation, under legislation passed last year, now has authority in aid of the national-defense program to make loans to corporations for the purpose of producing or procuring strategic materials or to acquire plants and equipment for the manufacture of supplies necessary for national defense and also to create corporations with power to purchase or produce strategic materials and to acquire or lease plants and equipment and materials for use in the manufacture of arms, munitions, and implements of war. These plants and equipment may be leased to others to engage in such manufacture or may be operated by the United States through an agency. This act gives the created Corporation the additional right to use the facilities acquired to manufacture any articles, supplies, or materials necessary to national defense. It is also given the power to acquire railroad equipment, commercial aircraft and facilities for the training of aviators, and to sell or lease such equipment and facilities. Finally, the creature Corporation may take such action as the President and Federal Loan Administrator may deem necessary to expedite the national-defense program, but not to exceed $100,000,000 shall be used under this blanket authority. Many billions of dollars have been appropriated, and the expenditure of this vast sum has been left to the judgment and discretion of executive and administrative officers. No one can foresee what emergencies and necessities may arise. It is impossible to spell out in advance every detail or predict with exactness what may be required to make the national defense effective. It is hardly conceivable that there should

be quibbling and faltering and hesitating about giving some leeway to two of the world's leading men, President Roosevelt and Jesse Jones, in the expenditure of $100,000,000 in our national defense. That looks petty. It seems trivial. We are going to give them that authority, with the full assurance and complete confidence that it will be wisely and effectively used in the interest of our common defense and general welfare.

The question may well be asked why the note-issuing authority of the Corporation should be expanded $1,500,000,000. Under the powers now granted to the Corporation, it has created four corporations and made commitments as of April 30 of over $1,634,000,000 and which by now has been very materially increased. To meet this ever-increasing demand and provide current funds for the Corporation, it must have authority to issue additional notes. The four corporations which have already been created are: Rubber Reserve Company., Metals Reserve Company, Defense Plant Corporation, and Defense Supplies Corporation. The Rubber Company has contracted for some 450,000 tons of rubber. The Metals Company has commitments to purchase various quantities of strategic metals, manganese, tungsten, tin, and so forth, in an amount of over $600,000,000. The Supplies Corporation has bargained for large quantities of wool, nitrate, and diamond dies, and so forth, to the amount of $120,000,000. The Plant Corporation has contracts with some 100 companies in 21 States from Massachusetts to California providing for the construction of plants and the purchase of equipment to build aircraft and all its parts, trucks, tanks, munitions, guns, machine tools, and for the construction and equipment of docks and ways for building naval vessels. The contracts involve production in the entire category of arms, munitions, and implements of war. In addition, the Reconstruction Finance Corporation has commitments to make loans for national defense to some 300 companies scattered throughout the entire country in the sum of about $200,000,000. They include the whole field of national-defense activity, and these commitments are increasing every day. If this work is to go on, the Reconstruction Finance Corporation must have additional funds.

The Reconstruction Finance Corporation was created as a result of a decade of economic folly. During that time the little businessman, the farmer, and laborer had suffered. When at last the big banks, the railroads, and insurance companies were at the end of the road; when they were faced with bankruptcy and ruin, in desperation, they turned to the Government for help. They came pleading on bended knees and uplifted hands begging the Government to save them. The Reconstruction Finance Corporation was born in the desperation and despair of 1932. It was opposed by many, some of whom said that loans made by it under conditions existing at that time would result in a 90-percent loss; that not more than 10 percent of the loans would be repaid. The outlook was dark, conditions were deplorable, and help to private industry seemed absolutely necessary. The Corporation has become the greatest financial institution on earth, whose loans have reached many billion dollars. Instead of a 90-percent loss as predicted by some, it has accumulated a surplus of over $300,000,000 and has helped to restore industrial and financial stability as no other organization has. Almost from its inception, it has had at its head not only one of America's greatest and most successful businessmen but one who has a keen insight into the commercial transactions and financial conditions of the entire world. A man who is calm, conservative, and cool but who is sympathetic, considerate, and fair. A man whose judgment is sound, whose purpose is always clear, whose motives are not questioned, and who has the implicit confidence of all. He is not only one of America's great citizens, he is one of the outstanding men in today's troubled world. We all admire, honor, and love Jesse Jones. The Reconstruction Finance Corporation has been and will continue to be one of the most powerful and useful agencies in the national-defense program. It should not be crippled in its work by unfounded suspicions and fears for which there is no justification in view of its past record and its faithful promises of future action.

In order for the Reconstruction Finance Corporation to carry out any of the authority granted by this legislation, three things are necessary:

First. Any action taken must be to aid the United States in its national-defense program.

Second. The action must be requested by the Federal Loan Administrator.

Third. The proposed action must be approved by the President.

The purpose of any action undertaken must be to aid the national-defense program. The action must be requested by Mr. Jones and it must be approved by the President. It would appear reasonable that the Chief Executive of the Nation, who is Commander in Chief of the Army and Navy, and upon whom ultimately falls the responsibility for an effective and an efficient national defense, should be consulted. He not only occupies the unique position and distinction of having been elected President of the United States for the third time by an overwhelming majority of the people, showing their abiding faith and confidence in him, but he is today the symbol and ideal of democracy throughout the world, to whom the subjected and depressed peoples of the earth are looking with confidence and hope for delivery and freedom. Yet there seem to be those in this country who do not trust these two outstanding men to carry out this small part of our defense program.

Some who are opposed to this program are away down in damp and musty cellars or high up in dark and dusty attics with a very dim candle intently searching for minute insects and bugs. There are others who are looking behind doors and under beds for spooks and sprites, and there are still others who are out breathlessly chasing fairies and phantoms. They are exclaiming with every breath "The goblins will get you if you don't watch out." They may pursue their course, but, as for me, I shall take my stand out in the bright sunlight of reality beside our President and Jesse Jones and clasp hands with them in a sincere and an earnest effort to perfect a national-defense program which will bring safety and security to the American people and encouragement and hope to all of the oppressed people of a war-torn world.

Mr. Chairman, I ask that the Clerk read.

The Clerk read as follows:

Be it enacted, etc., That the act approved February 11, 1937 (U. S. C., 1934 ed., Supp. V, title 15, sec. 605k–1), as amended, is hereby amended by striking out "in the years 1936, 1937, 1938, 1939, or 1940" and inserting in lieu thereof "occurring during the period between January 1, 1936, and January 22, 1947."

SEC. 2. Section 1 of the act approved March 31, 1936 (49 Stat. 1186), as amended, is hereby amended by striking out "June 30, 1941" and inserting in lieu thereof "January 22, 1947."

SEC. 3. Section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by adding at the end thereof the following new sentences: "The foregoing exemptions with respect to taxation (which shall, for all purposes, be deemed to include sales taxes and use taxes), whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period, are hereby extended to apply with respect to Defense Homes Corporation, and shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Co., the Rubber Reserve Co., and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation to aid the Government of the United States in its national-defense program, (2) the RFC Mortgage Co., the Federal National Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation, (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. The loans made, and personal property owned, by the Reconstruction Finance Corporation or by any such corporation shall be construed as included within such exemptions."

Mr. WILLIAMS. Mr. Chairman, I offer the following committee amendment to section 3:

The Clerk read as follows:

Committee amendments to section 3: Insert before the word "Section", in line 4, page 7, the following:

"(a) The first sentence of section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting before the period at the end thereof the following: ' except as provided in section 4 (a) of the Public Debt Act of 1941.'

"(b)".

Strike out the word "hereby" in line 5, page 7, and insert in lieu thereof the word "further."

Strike out the word "foregoing" in line 6, page 7.

Insert after the word "exemptions" in line 7, page 7, the words, "provided for in the preceding sentence."

Strike out the word "sales" in line 8, page 7, and all words and punctuation thereinafter through and including the word "and"

in line 12, page 7, and insert in lieu thereof the following: "sales, use, storage, and purchase taxes)".

Insert after the word "Corporation", in line 18, page 7, the following: "under section 5d of this act, as amended,".

Strike out the word "The" in line 2, page 8, and insert in lieu thereof the following words: "Such exemptions shall also be construed to be applicable to the."

Strike out "such" in line 3, page 8, and all of lines 4 and 5 thereof, and insert in lieu thereof the following: "corporation referred to in clause (1), (2), or (3) of the preceding sentence."

Mr. WOLCOTT. Mr. Chairman, I offer the following substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT as a substitute for the committee amendment offered by Mr. WILLIAMS: Page 7, line 4, strike out all of section 3.

The CHAIRMAN. The Chair is of the opinion that the amendment is hardly a substitute for the amendment offered by the gentleman from Missouri. The amendment offered by the gentleman from Missouri is a perfecting amendment to the Committee amendment.

Mr. WOLCOTT. Then Mr. Chairman, I ask unanimous consent to withdraw my amendment and rise in opposition to the Committee amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOLCOTT. Mr. Chairman, before beginning my address, I propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOLCOTT. Whether if the amendment offered by the gentleman from Missouri as a Committee amendment should be adopted, will it then be in order to offer to strike out the whole of section 3 as amended?

The CHAIRMAN. Inasmuch as the amendment offered by the gentleman from Missouri is a perfecting amendment, the Chair holds that an amendment offered as a substitute to strike out the entire section is in order.

Mr. WOLCOTT. Mr. Chairman, I rise now in opposition to the amendment. This is the controversial section of the bill, and is one of the three amendments which perhaps will be controversial. It will be noticed in line 8, on page 5, as committee No. 5, they include a sales tax, use, storage, and purchase taxes, in addition to all other taxation. It is my understanding that if that amendment is read in connection with the sixth amendment, offered to line 18 on page 7, which brings under the terms of this act section 5 (d) of the R. F. C. Act, which is the section authorizing the creation of these corporations about which there has been some dispute, that the property of these corporations set up under 5 (d) and under this bill as amended, if passed, will be exempt from local taxation. At a time when we are trying to raise every cent we can to carry on the Federal establishment in the time of so-called great emergency, it does not seem to me consistent with our activities in raising revenue to make tax-exempt a corporation which is set up for profit for the purpose of competing with private enterprise. If this is consistent with that program, and if we are going to embark upon a price-fixing program, which has been suggested on other occasions on this floor, then of course all private enterprise which is manufacturing defense articles have the same right to be exempt from State and municipal taxation as these corporations set up by the Reconstruction Finance Corporation.

At the proper time I expect to offer an amendment to strike out this whole section. But surely this amendment, offered by the committee, extending these exemptions to the corporations set up under this bill and under the former bill known as 5 (d) should not be agreed to. These corporations should not be exempted from taxation by States and municipalities. Our States and municipalities are having a terrible time today maintaining the facilities incident to the change in population centers. In my district alone an increase of population in one locality has so crowded the schools and is such a burden upon the fire and police departments that those people are finding it rather difficult to maintain those facilities, to the extent that the Federal Government has already passed remedial legislation to help that locality and others, so long as they are classified as defense areas.

It seems rather inconsistent for the Congress to be appropriating hundreds of millions of dollars to relieve these situations and then making it worse by exempting this property from taxation. We are merely taking it out of one pocket and putting it into another; robbing Peter to pay Paul—call it whatever you please; but it seems to me inconsistent to aggravate this situation that the States find themselves in, by exempting all of this property of these private competing enterprises merely because they are set up by the Federal Government. If it is logical and practical that we exempt these Government-created corporations from taxation, then it is just as consistent and logical that we should exempt all private industries which have defense orders.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I ask unanimous consent that the gentleman may have 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOLCOTT. I yield to the gentleman.

Mr. TABER. Would this provision, according to the gentleman's understanding, exempt from taxation the Reynolds Metal Co., organized by that gentleman from Louisville who not so long ago was under investigation by the New York authorities as to the type of securities he was selling?

Mr. WOLCOTT. If that corporation was set up by this act, which authorizes the Reconstruction Finance Corporation to set up a corporation for the manufacture of arms, munitions, and implements of war, it would be exempt from local taxation under this bill, if it is enacted.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. RICH. Suppose private industry was going ahead and doing the same thing for national defense that the Government wants to do with these corporations which they are setting up, is it not just as logical to think that the private corporation should be exempt from taxation as these Government corporations?

Mr. WOLCOTT. I have just made that statement. It should also be applied, if we are logical and consistent, to those concerns to which the Reconstruction Finance Corporation has loaned money for plant expansion, although they do not control the operation of the plant. There is Federal money involved the same as in this, and if it is to be our policy to exempt plants because they are created by the Federal Government, then, of course, we should exempt proportionately plants to which the Reconstruction Finance Corporation has loaned money.

Mr. RICH. Certainly the Government now has to invest money, and the Government takes the chance of losses made by the Corporation, whereas in the private corporation they do not take that chance.

Mr. WOLCOTT. It is not consistent with our announced policy to exempt these properties from taxation. The amendment should be defeated, and the amendment which I will offer later on to strike out the whole section should prevail.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, it seems to me there has been a great deal of misunderstanding about this tax provision. The fact is there are very few, if any, changes from the present law with reference to the taxation feature of this bill. To begin with, as everyone knows, the capital stock, the reserves, the surplus, income, franchise, notes and debentures of the Reconstruction Finance Corporation are now and have been from the very beginning, exempt from taxation. There is not a thing new in this legislation in that respect. It does not change one word of that. That has always been true.

The reason for it is very evident, because it is a governmental instrumentality. It could not be taxed, under the law, by local authorities if they wanted to tax it. The only change that is made here, and that after all is not a change but it is simply a clarification and a positive statement of existing law, that is, that the personal property of the Reconstruction Finance Corporation and these creature corporations which it may establish shall not be subject to local taxation. That is all there is in this, and I say again if the local authorities wanted to tax them they could not do it, under the Constitution. They cannot do that. There have been a number of suits against the Reconstruction Finance Corporation attempting to tax their property in the different localities of the country, and without exception they have been held to be not taxable. This is simply a statement of a condition that now exists with reference to that one thing.

Mr. TABER. Will the gentleman yield?

Mr. WILLIAMS. Yes; I yield.

Mr. TABER. Why would the committee bring in a bill carrying this tax-exemption feature if the property were already exempt under the law?

Mr. WILLIAMS. This is an attempt simply to state the existing situation, to clarify the present law and to settle for all time, if we may, the annoyance the Reconstruction Finance Corporation has had with lawsuits from one end of the country to the other involving the question of R. F. C. taxation. The courts have already decided that the property of R. F. C., except its real estate, was not subject to taxation. It is an attempt to clarify the situation and avoid any further controversy over that matter. There is no change, I say again, in present existing law.

Under the Public Debt Act which we passed this year, the income on the securities of the R. F. C. is made subject to taxation and also the gains which may be made by reason of the sale by private individuals of those securities. Those are specifically subject to taxation, and that is the only change. It simply leaves the situation as it now exists.

There has been a great deal of talk here about these plants built in different places being free from taxation. The original R. F. C. Act provided that the real estate owned by the Corporation was not exempt from taxation. That is now and always has been subject to local taxation.

If the Congress wants to permit this stock of strategic materials which the R. F. C. and its allied corporations are buying to be taxed, if it is the policy of Government to permit its own products, its own supplies, and its own strategic materials to be subject to perhaps an unreasonable tax in every city, county, and State in the Nation, we have the right and the privilege of doing it, but that is what this provision prohibits, and they should not be subject to the taxing whim of every local authority in the United States.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, if I am not correct in what I am suggesting, I should like to have gentlemen upon the committee call my attention to it. Subsection 3 of section 3 of the committee amendment, on page 7, reads:

> The Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation.

What is the picture of corporations that are organized like the Reynolds Metals outfit, wholly financed by the R. F. C.? That is one step. They are required as a condition of the loans made to them to give to the R. F. C. proxies from their stockholders to vote at the regular and special meetings. They are required also to submit a list of their directors and officers to the R. F. C. for approval before election. If this does not vest the management of the corporation in the R. F. C., I miss my guess.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WILLIAMS. I do not happen to be familiar with the corporation of which the gentleman speaks. Is this a corporation owned by the R. F. C.?

Mr. TABER. It is a corporation wholly financed by the R. F. C., and my information is that in the case of this company the R. F. C. requires proxies from stockholders and the right to approve the officers and directors.

Mr. WILLIAMS. Who owns the corporation?

Mr. TABER. The stock is in another name, but the definition in the bill is "wholly financed or wholly managed." How can it be any other than wholly managed when all these things have to be submitted to and done under the direction of the R. F. C., the R. F. C. having the proxy in its agent to vote the stock?

Mr. MILLS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MILLS of Arkansas. The officials of the R. F. C., the general counsel for one, have informed me that the Reynolds Metals Corporation would not come within the meaning of this language for the reason that they interpret the expression "wholly financed and wholly managed" to mean a corporation of the type such as the rubber reserve company, where the capital stock is owned outright by the Reconstruction Finance Corporation and where officials of the Reconstruction Finance Corporation form the membership of the Board completely, where people employed by the R. F. C. are in charge of this new corporation that is being set up, where they form the board of directors not by proxy but actually where they are retained as members.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Miss SUMNER of Illinois. I asked the counsel for the Reconstruction Finance Corporation myself in that regard. I have had complaints that when the R. F. C. made loans to some of these large corporations they immediately put some of their friends in the directorate and management, so I thought I would ferret out some of the facts. I asked as to whether they had any directors and management officers in these corporations where they had loans, and I asked him also to give me a list. He explicitly and expressly denied that they had more than one director among all the loans they had made to corporations. If this be true it puts the R. F. C. entirely out of the bracket of having managers in such corporations as the gentleman has indicated.

Mr. TABER. Not if they receive a proxy of the stock and require the right to approve the directorate and the officers. With these powers they have the opportunity to dictate the whole thing.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. STEAGALL. I think I can clear up this matter. I have the information definitely. I thought I had the facts, but I have verified them by inquiry. The Reynolds Metals Co. is not a public corporation.

Mr. TABER. Well, it is wholly financed by the R F C.

Mr. STEAGALL. This amendment refers to public corporations. It has nothing to do with private corporations and the Reynolds Metals Co. is a private corporation. All the R. F. C. has ever had to do with the Reynolds Co. is to make a loan to them just as they would to a bank in the gentleman's district or to a railroad or to some industry or other private business. That is all there is to the Reynolds Metals Co. matter.

Mr. TABER. It is wholly financed by the R. F. C.?

Mr. STEAGALL. Oh, no. It is financed in part in the form of a loan, if you want to say it is financed. It is purely a loan. They have not anything more to do with the Reynolds Metals Co. than they have with any private business institution to which a loan is made.

Mr. TABER. But they do require these outfits to submit their list of directors and they require a proxy on the stock, which is voted by their agents?

Mr. STEAGALL. There is no universal requirement like that. I cannot tell the gentleman every detail that entered into the transaction between the Reynolds Metals Co. and the Reconstruction Finance Corporation in arranging this loan, but I can assure the gentleman that the Reconstruction Finance Corporation has nothing on earth to do with this private institution except it made it a loan.

Mr. RICH. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. RICH. As I understand this Reynolds Metals Co., it is a corporation that was set up with a small capitalization. It was set up by a gentleman in the Attorney General's office who was prosecuting the Aluminum Co. of America. For several years he had been prosecuting the Aluminum Co. of America, and he got so much information from them that he thought it would be a fine thing to start a small company, set up an organization to compete with the Aluminum Co of America. He put up a small capitalization, but he has borrowed 25 times as much money from the R. F. C. as the capital he put up. That company is getting large sums out of the R. F. C. for the establishment of the Reynolds Metals Co. and it was set up by men who got their information by prosecution of the Aluminum Co. of America.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I want to get this across to the gentleman from New York and those Members who want to know something about the Reynolds Metals Co. The Government started a prosecution of the Aluminum Co. of America. The administration then had one of the men prosecute the Aluminum Co. of America after which he went into the Reynolds Metals Co. After investigation of the

only to police the world and tell them what to do, but we are now trying to wind up by financing the world and becoming the banker for all the world.

I just want to quote from subsection (2) of section 4 of this act, which reads as follows:

When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government. Such loans may be made only upon the security of bonds, debentures stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State.

Now, if you will notice, we can make loans to any government on the face of the earth. This is in the discretion of the President of the United States.

Last night, in his address to the American people, he said we were going to defend the democracies of the world. I do not think he said anything unusual last night because I think according to reports we are doing everything now that he said we were going to do in the future. He was only notifying the American people of what is going on. We started out here with a neutrality law. We started out by taking in the National Guard and having conscription, with the understanding we were going to train them and that they would be kept here on American soil, but today they have been scattered throughout the world. You will find them everywhere and we are now defending the democracies of the world and it is proposed now to put up $1,500,000,000 more to lend these foreign countries.

I would be derelict in my duty if I did not get up here as a Representative of the people of my district and of the country at large and say to you that we now owe forty-seven-billion-six-hundred-and-some-odd-million dollars, that we are paying over $1,100,000,000 a year in interest on these obligations. In 1914, prior to the time we entered the World War, we were running this country for about $750,000,000. The interest on our obligations next year will be probably a billion and a half dollars. The best prosperity we have ever enjoyed in this country was between 1922 and 1932, and the best we could do at that time, with one of the greatest financiers this country has ever produced, was to pay off about $1,000,000,000 a year and pay the interest on our obligations.

We are going to be asked in a few days to appropriate $3,318,000,000 more for airplanes in this country. We are now asked here today to increase the lending power of the Reconstruction Finance Corporation $1,500,000,000. We have the Import-Export Bank which we have empowered to make loans to foreign countries and we have many of those loans already made and are making more constantly.

I call attention to the fact that these loans are to be made to everybody, and that a few years ago we had a commission which checked up on some of these countries we have already made loans to through private individuals and that commission found that 70 percent of these loans were in default. I am thinking of America, and in terms of America today, and if we are going to continue this constantly asking people to pay more money and more taxes, there is going to be an end to it. We have reached that point now. We have been borrowing money for the past 8 years and issuing obligations of the Government for it, and the people have been taking that as a matter of course, but the time has arrived now when the day of reckoning is here. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WILLIAMS rose.

The CHAIRMAN. The gentleman from Missouri is recognized for 53 minutes.

Mr. WILLIAMS. Mr. Chairman, it is needless for me to say that I am in favor of this legislation and the amendments offered by the committee. I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection?

There was no objection.

PROVISIONS OF THE BILL

Mr. WILLIAMS. Mr. Chairman, this bill extends the activity of the Disaster Loan Corporation, which is owned and operated by the Reconstruction Finance Corporation, and makes loans in distressed areas caused by some great calamity, such as floods, earthquakes, and cyclones. It extends the life of the Electric Home and Farm Authority, which is a Government agency, owned by the United States Treasury and operated by a board of trustees, and helps in financing the purchase of electric and gas appliances. This act specifically exempts the personal property of the Reconstruction Finance Corporation and its created corporations from taxation and also grants all the tax exemptions now enjoyed by the Reconstruction Finance Corporation to all the corporations which it may organize. There is perhaps nothing at all new in the tax-exemption provisions of the bill, but it clarifies and definitely states the exemptions as applied to the Reconstruction Finance Corporation and its subsidiaries. This means that their notes, franchise, capital, surplus reserve, and personal property shall be exempt from taxes. This leaves the interest upon and the gains from sales of their obligations subject to Federal taxes and the real estate owned by them subject to a nondiscriminatory local tax.

It must be borne in mind that all the powers and authority granted by this act to the Reconstruction Finance Corporation are to aid the United States in its national-defense program, and such powers can only be exercised or used when requested by the Federal Loan Administrator and approved by the President.

There is really only one new power given by this act to the Reconstruction Finance Corporation. The others are modifications or enlargements of existing authority. The provision which is entirely new gives the Corporation the authority to make loans to foreign governments or their representative upon the security of American obligations, governmental or private. This is designed to permit the British Government to borrow upon its American securities and not be compelled to dump them upon the market at a great sacrifice, and perhaps by so doing to some extent affect the American market. The British Government can requisition the American securities held by its subjects and then present them to the Reconstruction Finance Corporation as security for a loan and thereby secure dollar exchange with which to purchase war supplies. This provision does not change the Johnson Act, as that act does not prohibit loans by an agency of this Government, such as the Reconstruction Finance Corporation, to a nation that is in default in the payment of its obligations to the United States. This bill does modify the Neutrality Act in that respect. In the consideration of the Export-Import Bank Act last year the committee, by a big majority, adopted a provision permitting the bank to make loans to Canada. This was stricken cut in conference because not considered important at that time. In view of the action of this Government under the Lease Lend Act and conditions prevailing, there seems no good reason why a loan may not be made and in some measure help England conserve her resources.

The Reconstruction Finance Corporation, under legislation passed last year, now has authority in aid of the national-defense program to make loans to corporations for the purpose of producing or procuring strategic materials or to acquire plants and equipment for the manufacture of supplies necessary for national defense and also to create corporations with power to purchase or produce strategic materials and to acquire or lease plants and equipment and materials for use in the manufacture of arms, munitions, and implements of war. These plants and equipment may be leased to others to engage in such manufacture or may be operated by the United States through an agency. This act gives the created Corporation the additional right to use the facilities acquired to manufacture any articles, supplies, or materials necessary to national defense. It is also given the power to acquire railroad equipment, commercial aircraft and facilities for the training of aviators, and to sell or lease such equipment and facilities. Finally, the creature Corporation may take such action as the President and Federal Loan Administrator may deem necessary to expedite the national-defense program, but not to exceed $100,000,000 shall be used under this blanket authority. Many billions of dollars have been appropriated, and the expenditure of this vast sum has been left to the judgment and discretion of executive and administrative officers. No one can foresee what emergencies and necessities may arise. It is impossible to spell out in advance every detail or predict with exactness what may be required to make the national defense effective. It is hardly conceivable that there should

be quibbling and faltering and hesitating about giving some leeway to two of the world's leading men, President Roosevelt and Jesse Jones, in the expenditure of $100,000,000 in our national defense. That looks petty. It seems trivial. We are going to give them that authority, with the full assurance and complete confidence that it will be wisely and effectively used in the interest of our common defense and general welfare.

The question may well be asked why the note-issuing authority of the Corporation should be expanded $1,500,000,000. Under the powers now granted to the Corporation, it has created four corporations and made commitments as of April 30 of over $1,634,000,000 and which by now has been very materially increased. To meet this ever-increasing demand and provide current funds for the Corporation, it must have authority to issue additional notes. The four corporations which have already been created are: Rubber Reserve Company., Metals Reserve Company, Defense Plant Corporation, and Defense Supplies Corporation. The Rubber Company has contracted for some 450,000 tons of rubber. The Metals Company has commitments to purchase various quantities of strategic metals, manganese, tungsten, tin, and so forth, in an amount of over $600,000,000. The Supplies Corporation has bargained for large quantities of wool, nitrate, and diamond dies, and so forth, to the amount of $120,000,000. The Plant Corporation has contracts with some 100 companies in 21 States from Massachusetts to California providing for the construction of plants and the purchase of equipment to build aircraft and all its parts, trucks, tanks, munitions, guns, machine tools, and for the construction and equipment of docks and ways for building naval vessels. The contracts involve production in the entire category of arms, munitions, and implements of war. In addition, the Reconstruction Finance Corporation has commitments to make loans for national defense to some 300 companies scattered throughout the entire country in the sum of about $200,000,000. They include the whole field of national-defense activity, and these commitments are increasing every day. If this work is to go on, the Reconstruction Finance Corporation must have additional funds.

The Reconstruction Finance Corporation was created as a result of a decade of economic folly. During that time the little businessman, the farmer, and laborer had suffered. When at last the big banks, the railroads, and insurance companies were at the end of the road; when they were faced with bankruptcy and ruin, in desperation, they turned to the Government for help. They came pleading on bended knees and uplifted hands begging the Government to save them. The Reconstruction Finance Corporation was born in the desperation and despair of 1932. It was opposed by many, some of whom said that loans made by it under conditions existing at that time would result in a 90-percent loss; that not more than 10 percent of the loans would be repaid. The outlook was dark, conditions were deplorable, and help to private industry seemed absolutely necessary. The Corporation has become the greatest financial institution on earth, whose loans have reached many billion dollars. Instead of a 90-percent loss as predicted by some, it has accumulated a surplus of over $300,000,000 and has helped to restore industrial and financial stability as no other organization has. Almost from its inception, it has had at its head not only one of America's greatest and most successful businessmen but one who has a keen insight into the commercial transactions and financial conditions of the entire world. A man who is calm, conservative, and cool but who is sympathetic, considerate, and fair. A man whose judgment is sound, whose purpose is always clear, whose motives are not questioned, and who has the implicit confidence of all. He is not only one of America's great citizens, he is one of the outstanding men in today's troubled world. We all admire, honor, and love Jesse Jones. The Reconstruction Finance Corporation has been and will continue to be one of the most powerful and useful agencies in the national-defense program. It should not be crippled in its work by unfounded suspicions and fears for which there is no justification in view of its past record and its faithful promises of future action.

In order for the Reconstruction Finance Corporation to carry out any of the authority granted by this legislation, three things are necessary:

First. Any action taken must be to aid the United States in its national-defense program.

Second. The action must be requested by the Federal Loan Administrator.

Third. The proposed action must be approved by the President.

The purpose of any action undertaken must be to aid the national-defense program. The action must be requested by Mr. Jones and it must be approved by the President. It would appear reasonable that the Chief Executive of the Nation, who is Commander in Chief of the Army and Navy, and upon whom ultimately falls the responsibility for an effective and an efficient national defense, should be consulted. He not only occupies the unique position and distinction of having been elected President of the United States for the third time by an overwhelming majority of the people, showing their abiding faith and confidence in him, but he is today the symbol and ideal of democracy throughout the world, to whom the subjected and depressed peoples of the earth are looking with confidence and hope for delivery and freedom. Yet there seem to be those in this country who do not trust these two outstanding men to carry out this small part of our defense program.

Some who are opposed to this program are away down in damp and musty cellars or high up in dark and dusty attics with a very dim candle intently searching for minute insects and bugs. There are others who are looking behind doors and under beds for spooks and sprites, and there are still others who are out breathlessly chasing fairies and phantoms. They are exclaiming with every breath "The goblins will get you if you don't watch out." They may pursue their course, but, as for me, I shall take my stand out in the bright sunlight of reality beside our President and Jesse Jones and clasp hands with them in a sincere and an earnest effort to perfect a national-defense program which will bring safety and security to the American people and encouragement and hope to all of the oppressed people of a war-torn world.

Mr. Chairman, I ask that the Clerk read.

The Clerk read as follows:

Be it enacted, etc., That the act approved February 11, 1937 (U. S. C., 1934 ed., Supp. V, title 15, sec. 605k–1), as amended, is hereby amended by striking out "in the years 1936, 1937, 1938, 1939, or 1940" and inserting in lieu thereof "occurring during the period between January 1, 1936, and January 22, 1947."

SEC. 2. Section 1 of the act approved March 31, 1936 (49 Stat. 1186), as amended, is hereby amended by striking out "June 30, 1941" and inserting in lieu thereof "January 22, 1947."

SEC. 3. Section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by adding at the end thereof the following new sentences: "The foregoing exemptions with respect to taxation (which shall, for all purposes, be deemed to include sales taxes and use taxes), whether now, heretofore, or hereafter imposed, levied, or assessed, and whether for a past, present, or future taxing period, are hereby extended to apply with respect to Defense Homes Corporation, and shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Co., the Rubber Reserve Co., and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation to aid the Government of the United States in its national-defense program, (2) the RFC Mortgage Co., the Federal Nationa' Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation, (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. The loans made, and personal property owned, by the Reconstruction Finance Corporation or by any such corporation shall be construed as included within such exemptions."

Mr. WILLIAMS. Mr. Chairman, I offer the following committee amendment to section 3:

The Clerk read as follows:

Committee amendments to section 3: Insert before the word "Section", in line 4, page 7, the following:

"(a) The first sentence of section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting before the period at the end thereof the following: ', except as provided in section 4 (a) of the Public Debt Act of 1941.'

"(b)".

Strike out the word "hereby" in line 5, page 7, and insert in lieu thereof the word "further."

Strike out the word "foregoing" in line 6, page 7.

Insert after the word "exemptions" in line 7, page 7, the words, "provided for in the preceding sentence."

Strike out the word "sales" in line 8, page 7, and all words and punctuation thereinafter through and including the word "and"

in line 12, page 7, and insert in lieu thereof the following: "sales, use, storage, and purchase taxes)".

Insert after the word "Corporation", in line 18, page 7, the following: "under section 5d of this act, as amended,".

Strike out the word "The" in line 2, page 8, and insert in lieu thereof the following words: "Such exemptions shall also be construed to be applicable to the."

Strike out "such" in line 3, page 8, and all of lines 4 and 5 thereof, and insert in lieu thereof the following: "corporation referred to in clause (1), (2), or (3) of the preceding sentence."

Mr. WOLCOTT. Mr. Chairman, I offer the following substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT as a substitute for the committee amendment offered by Mr. WILLIAMS: Page 7, line 4, strike out all of section 3.

The CHAIRMAN. The Chair is of the opinion that the amendment is hardly a substitute for the amendment offered by the gentleman from Missouri. The amendment offered by the gentleman from Missouri is a perfecting amendment to the Committee amendment.

Mr. WOLCOTT. Then Mr. Chairman, I ask unanimous consent to withdraw my amendment and rise in opposition to the Committee amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOLCOTT. Mr. Chairman, before beginning my address, I propound a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOLCOTT. Whether if the amendment offered by the gentleman from Missouri as a Committee amendment should be adopted, will it then be in order to offer to strike out the whole of section 3 as amended?

The CHAIRMAN. Inasmuch as the amendment offered by the gentleman from Missouri is a perfecting amendment, the Chair holds that an amendment offered as a substitute to strike out the entire section is in order.

Mr. WOLCOTT. Mr. Chairman, I rise now in opposition to the amendment. This is the controversial section of the bill, and is one of the three amendments which perhaps will be controversial. It will be noticed in line 8, on page 5, as committee No. 5, they include a sales tax, use, storage, and purchase taxes, in addition to all other taxation. It is my understanding that if that amendment is read in connection with the sixth amendment, offered to line 18 on page 7, which brings under the terms of this act section 5 (d) of the R. F. C. Act, which is the section authorizing the creation of these corporations about which there has been some dispute, that the property of these corporations set up under 5 (d) and under this bill as amended, if passed, will be exempt from local taxation. At a time when we are trying to raise every cent we can to carry on the Federal establishment in the time of so-called great emergency, it does not seem to me consistent with our activities in raising revenue to make tax-exempt a corporation which is set up for profit for the purpose of competing with private enterprise. If this is consistent with that program, and if we are going to embark upon a price-fixing program, which has been suggested on other occasions on this floor, then of course all private enterprise which is manufacturing defense articles have the same right to be exempt from State and municipal taxation as these corporations set up by the Reconstruction Finance Corporation.

At the proper time I expect to offer an amendment to strike out this whole section. But surely this amendment, offered by the committee, extending these exemptions to the corporations set up under this bill and under the former bill known as 5 (d) should not be agreed to. These corporations should not be exempted from taxation by States and municipalities. Our States and municipalities are having a terrible time today maintaining the facilities incident to the change in population centers. In my district alone an increase of population in one locality has so crowded the schools and is such a burden upon the fire and police departments that those people are finding it rather difficult to maintain those facilities, to the extent that the Federal Government has already passed remedial legislation to help that locality and others, so long as they are classified as defense areas.

It seems rather inconsistent for the Congress to be appropriating hundreds of millions of dollars to relieve these situations and then making it worse by exempting this property from taxation. We are merely taking it out of one pocket and putting it into another; robbing Peter to pay Paul—call it whatever you please; but it seems to me inconsistent to aggravate this situation that the States find themselves in, by exempting all of this property of these private competing enterprises merely because they are set up by the Federal Government. If it is logical and practical that we exempt these Government-created corporations from taxation, then it is just as consistent and logical that we should exempt all private industries which have defense orders.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I ask unanimous consent that the gentleman may have 2 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOLCOTT. I yield to the gentleman.

Mr. TABER. Would this provision, according to the gentleman's understanding, exempt from taxation the Reynolds Metal Co., organized by that gentleman from Louisville who not so long ago was under investigation by the New York authorities as to the type of securities he was selling?

Mr. WOLCOTT. If that corporation was set up by this act, which authorizes the Reconstruction Finance Corporation to set up a corporation for the manufacture of arms, munitions, and implements of war, it would be exempt from local taxation under this bill, if it is enacted.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. RICH. Suppose private industry was going ahead and doing the same thing for national defense that the Government wants to do with these corporations which they are setting up, is it not just as logical to think that the private corporation should be exempt from taxation as these Government corporations?

Mr. WOLCOTT. I have just made that statement. It should also be applied, if we are logical and consistent, to those concerns to which the Reconstruction Finance Corporation has loaned money for plant expansion, although they do not control the operation of the plant. There is Federal money involved the same as in this, and if it is to be our policy to exempt plants because they are created by the Federal Government, then, of course, we should exempt proportionately plants to which the Reconstruction Finance Corporation has loaned money.

Mr. RICH. Certainly the Government now has to invest money, and the Government takes the chance of losses made by the Corporation, whereas in the private corporation they do not take that chance.

Mr. WOLCOTT. It is not consistent with our announced policy to exempt these properties from taxation. The amendment should be defeated, and the amendment which I will offer later on to strike out the whole section should prevail.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, it seems to me there has been a great deal of misunderstanding about this tax provision. The fact is there are very few, if any, changes from the present law with reference to the taxation feature of this bill. To begin with, as everyone knows, the capital stock, the reserves, the surplus, income, franchise, notes and debentures of the Reconstruction Finance Corporation are now and have been from the very beginning, exempt from taxation. There is not a thing new in this legislation in that respect. It does not change one word of that. That has always been true.

The reason for it is very evident, because it is a governmental instrumentality. It could not be taxed, under the law, by local authorities if they wanted to tax it. The only change that is made here, and that after all is not a change but it is simply a clarification and a positive statement of existing law, that is, that the personal property of the Reconstruction Finance Corporation and these creature corporations which it may establish shall not be subject to local taxation. That is all there is in this, and I say again if the local authorities wanted to tax them they could not do it, under the Constitution. They cannot do that. There have been a number of suits against the Reconstruction Finance Corporation attempting to tax their property in the different localities of the country, and without exception they have been held to be not taxable. This is simply a statement of a condition that now exists with reference to that one thing.

Mr. TABER. Will the gentleman yield?

Mr. WILLIAMS. Yes; I yield.

Mr. TABER. Why would the committee bring in a bill carrying this tax-exemption feature if the property were already exempt under the law?

Mr. WILLIAMS. This is an attempt simply to state the existing situation, to clarify the present law and to settle for all time, if we may, the annoyance the Reconstruction Finance Corporation has had with lawsuits from one end of the country to the other involving the question of R. F. C. taxation. The courts have already decided that the property of R. F. C., except its real estate, was not subject to taxation. It is an attempt to clarify the situation and avoid any further controversy over that matter. There is no change, I say again, in present existing law.

Under the Public Debt Act which we passed this year, the income on the securities of the R. F. C. is made subject to taxation and also the gains which may be made by reason of the sale by private individuals of those securities. Those are specifically subject to taxation, and that is the only change. It simply leaves the situation as it now exists.

There has been a great deal of talk here about these plants built in different places being free from taxation. The original R. F. C. Act provided that the real estate owned by the Corporation was not exempt from taxation. That is now and always has been subject to local taxation.

If the Congress wants to permit this stock of strategic materials which the R. F. C. and its allied corporations are buying to be taxed, if it is the policy of Government to permit its own products, its own supplies, and its own strategic materials to be subject to perhaps an unreasonable tax in every city, county, and State in the Nation, we have the right and the privilege of doing it, but that is what this provision prohibits, and they should not be subject to the taxing whim of every local authority in the United States.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, if I am not correct in what I am suggesting, I should like to have gentlemen upon the committee call my attention to it. Subsection 3 of section 3 of the committee amendment, on page 7, reads:

> The Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation.

What is the picture of corporations that are organized like the Reynolds Metals outfit, wholly financed by the R. F. C.? That is one step. They are required as a condition of the loans made to them to give to the R. F. C. proxies from their stockholders to vote at the regular and special meetings. They are required also to submit a list of their directors and officers to the R. F. C. for approval before election. If this does not vest the management of the corporation in the R. F. C., I miss my guess.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WILLIAMS. I do not happen to be familiar with the corporation of which the gentleman speaks. Is this a corporation owned by the R. F. C.?

Mr. TABER. It is a corporation wholly financed by the R. F. C., and my information is that in the case of this company the R. F. C. requires proxies from stockholders and the right to approve the officers and directors.

Mr. WILLIAMS. Who owns the corporation?

Mr. TABER. The stock is in another name, but the definition in the bill is "wholly financed or wholly managed." How can it be any other than wholly managed when all these things have to be submitted to and done under the direction of the R. F. C., the R. F. C. having the proxy in its agent to vote the stock?

Mr. MILLS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MILLS of Arkansas. The officials of the R. F. C., the general counsel for one, have informed me that the Reynolds Metals Corporation would not come within the meaning of this language for the reason that they interpret the expression "wholly financed and wholly managed" to mean a corporation of the type such as the rubber reserve company, where the capital stock is owned outright by the Reconstruction Finance Corporation and where officials of the Reconstruction Finance Corporation form the membership of the Board completely, where people employed by the R. F. C. are in charge of this new corporation that is being set up, where they form the board of directors not by proxy but actually where they are retained as members.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Miss SUMNER of Illinois. I asked the counsel for the Reconstruction Finance Corporation myself in that regard. I have had complaints that when the R. F. C. made loans to some of these large corporations they immediately put some of their friends in the directorate and management, so I thought I would ferret out some of the facts. I asked as to whether they had any directors and management officers in these corporations where they had loans, and I asked him also to give me a list. He explicitly and expressly denied that they had more than one director among all the loans they had made to corporations. If this be true it puts the R. F. C. entirely out of the bracket of having managers in such corporations as the gentleman has indicated.

Mr. TABER. Not if they receive a proxy of the stock and require the right to approve the directorate and the officers. With these powers they have the opportunity to dictate the whole thing.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. STEAGALL. I think I can clear up this matter. I have the information definitely. I thought I had the facts, but I have verified them by inquiry. The Reynolds Metals Co. is not a public corporation.

Mr. TABER. Well, it is wholly financed by the R F C.

Mr. STEAGALL. This amendment refers to public corporations. It has nothing to do with private corporations and the Reynolds Metals Co. is a private corporation. All the R. F. C. has ever had to do with the Reynolds Co. is to make a loan to them just as they would to a bank in the gentleman's district or to a railroad or to some industry or other private business. That is all there is to the Reynolds Metals Co. matter.

Mr. TABER. It is wholly financed by the R. F. C.?

Mr. STEAGALL. Oh, no. It is financed in part in the form of a loan, if you want to say it is financed. It is purely a loan. They have not anything more to do with the Reynolds Metals Co. than they have with any private business institution to which a loan is made.

Mr. TABER. But they do require these outfits to submit their list of directors and they require a proxy on the stock, which is voted by their agents?

Mr. STEAGALL. There is no universal requirement like that. I cannot tell the gentleman every detail that entered into the transaction between the Reynolds Metals Co. and the Reconstruction Finance Corporation in arranging this loan, but I can assure the gentleman that the Reconstruction Finance Corporation has nothing on earth to do with this private institution except it made it a loan.

Mr. RICH. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. RICH. As I understand this Reynolds Metals Co., it is a corporation that was set up with a small capitalization. It was set up by a gentleman in the Attorney General's office who was prosecuting the Aluminum Co. of America. For several years he had been prosecuting the Aluminum Co. of America, and he got so much information from them that he thought it would be a fine thing to start a small company, set up an organization to compete with the Aluminum Co of America. He put up a small capitalization, but he has borrowed 25 times as much money from the R. F. C. as the capital he put up. That company is getting large sums out of the R. F. C. for the establishment of the Reynolds Metals Co. and it was set up by men who got their information by prosecution of the Aluminum Co. of America.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I want to get this across to the gentleman from New York and those Members who want to know something about the Reynolds Metals Co. The Government started a prosecution of the Aluminum Co. of America. The administration then had one of the men prosecute the Aluminum Co. of America after which he went into the Reynolds Metals Co. After investigation of the

Aluminum Co. of America they found it was a lucrative business which this gentleman was attracted to. What did he do? He went cut and got a little bit of extra capitalization, so he could manufacture aluminum, then he went to the R. F. C., and the R. F. C. lends them 20 or 30 million dollars. I do not have the exact figures but I know it was a great, large sum. Maybe it is more than that. I wish the gentleman from Alabama would get this information and check on me if I am not correct. The idea of men in this administration in public office prosecuting the Aluminum Co. of America and taking advantage of the information they get to start in the same business, manufacturing aluminum, it seems to me is a pretty low-down trick. It is pretty mean for an administration employee to go out as an attorney, get this information necessary to manufacture aluminum, then try to take advantage of the Aluminum Co. of America. Now, I do not know anything about the Aluminum Co. and I am not trying to defend them, but I do not think the Federal Government should start in the same business that they are condemning a concern for being in. When they loan great sums to do business I claim they are in the business.

It is just like the hurricane-relief proposition down in Puerto Rico. They established a corporation down there having a capitalization of $1,800. They sold stock at $5 a share and had a pretty hard time selling it. What did they do? They lent this corporation down there about $3,000,000 on a capitalization of about $1,800. They have a rum plant down there which the Government operates, and they also have a rum plant in the Virgin Islands, which is owned by every individual American citizen. That is the kind of business this administration is getting this Government into in competition with its citizens. That is the kind of business they are doing. We talk about trickery and underhanded work of hoodwinking the American public. Why, I never saw so much of it in my life, the Government in all kinds of business. Whoever heard of such a thing? It is communism pure and simple.

Mr. SHEPPARD. Will the gentleman yield?

Mr. RICH. I yield to the gentleman, who serves on a committee with me, and he knows that the statements that I am making are true about this Puerto Rican situation; that they started off with a capitalization of $1,800 and then went into the rum business and many other kinds of business, and handed the corporations upward of millions of dollars.

Mr. SHEPPARD. I would like to take the gentleman's mind for a moment from Puerto Rico to the present bill. The gentleman states that the Federal Government started an investigation and as a result of that investigation it is taking unfair advantage of the Aluminum Co. Is that what I understood him to say?

Mr. RICH. No. I say if you are prosecuting a corporation under the antitrust laws because it is a monopoly, you should not take advantage of your position to set others up in competition. It would be better to let other people in this country go into the business of their own free will—the Government says it has not enough aluminum at this time—and encourage private enterprises. It seems to me that the Government should give the people of this country an opportunity to go into that kind of business instead of the Government sticking the nose of the camel into all kinds of business, instead of the Federal Government making this a communistic Nation, instead of the Federal Government doing everything that is going to tend to put us in the same category as Russia by the Government operating all kinds of business. God forbid that this Nation ever gets to that point. If you gentlemen do not look out, that is what is going to happen by what you are doing. Let us stop it before it is too late. Do not Russianize America.

Mr. SHEPPARD. I would like to ask the gentleman who is conversant with our laws having control over corporations if it is not a fact that information is available upon which anyone can exercise the prerogative of business investment without any investigation of the Federal Government?

Mr. RICH. Yes; but whenever the Federal Government goes into that kind of business there is no opportunity for the private individual to compete with the Government. There is nobody in this country who wants to go into business any more, just because you are making this a communistic Nation. None of you want to go into any business. You would not put a nickel into a business today under the National Labor Relations Board and the Wagner Act. You would not do anything. But you sit here and put the Government into business. You are going to break this country down because you discourage private enterprise instead of encouraging it.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish to reiterate the statement that the Reconstruction Finance Corporation has had no transaction with the Reynolds Metals Co. except to make it a loan. I do not know the details of that transaction. It is customary in the operations of the Reconstruction Finance Corporation sometimes to require very exact information as to details and management of an institution seeking a loan. In some instances the Reconstruction Finance Corporation for the protection of the Government requires the borrowing institution to permit the Corporation to be represented in its management.

With reference to the Aluminum Co. I am not going to abuse the patience of the House by any discussion of its history, although some time might very well be employed in that way, I will say to the gentleman who just preceded me that instead of undertaking by this action of the Reconstruction Finance Corporation to destroy a private business institution, the loan made to the Reynolds Metals Co. was for the purpose of assisting an established business institution, one that has been engaged in this business for many years, with plants scattered in several places throughout the country, to aid in our national defense. This loan was made at the instance of the officials of the Office of Production Management. A request was made to the loan administrator to make this loan in order that this private institution might be equipped to enlarge its facilities, to increase its operations and its output of supplies, which was regarded by those in charge of our national-defense program as necessary to supply aluminum indispensable to national defense.

I had the honor of offering the original Reconstruction Finance Corporation bill in this House under President Hoover. If we had adopted the reasoning disclosed in the gentleman's argument this afternoon, there was not a provision in the bill that was sent to our committee that could have been written into law, because every institution that would have been made eligible for a loan under the Reconstruction Finance Corporation would have been operating in competition with some other existing private institution.

It seems to me to be far more preferable to have the Reconstruction Finance Corporation make loans to private institutions to supply the products we need in the defense program, as was done in the case of the Reynolds Metals Co., than to have the Government through the Reconstruction Finance Corporation organize a corporation and supply the entire fund and have the Government engage in business directly, which, if it were not for purposes of national defense, would justify the contention made by the gentleman who just preceded me.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. I yield to the gentleman from Pennsylvania.

Mr. RICH. My contention is that whenever you establish a capitalization of say $1,800 for a Government agency and then lend it $3,000,000, that is an excessive loan for a corporation with a capitalization of that kind, and the Government is in business because it has taken the chance of losing it all. The same thing applies to the Reynolds Metals Co. You have loaned the Reynolds Metals Co. three or four times more than should have been loaned to it, and the Federal Government is taking the chance of loss and not the stockholders of that company.

Suppose you are in the banking business. You would advise your bank directors to know the condition of a corporation when it made a loan. In any bank in which you were chairman of the loan committee you would not recommend that a loan as exorbitant as has been made to the Reynolds Metals Co. be made on the capitalization which exists in that company.

Mr. STEAGALL. I would prefer a loan to a private institution with any reasonable promise of repayment in preference to having the Government go into the business outright with the losses that are necessarily incident to Government operation.

Mr. RICH. I will applaud that statement. That is a fine one.

[Here the gavel fell.]

Mr. SPARKMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would not interpose myself in this discussion at all if I had not heard a few minutes ago some of the most remarkable misstatements of fact that I have ever heard on this floor. I happen to know a little something about the Reynolds Metals Co. They are operating a very large plant in my district. I was amazed to hear the gentleman from Pennsylvania [Mr. RICH] say that it is a new company, that it was just jumped up with a very small capitalization. The Reynolds Metals Co. has been operating for a great many years, I do not know how many years, but I know it has been operating for 15 or 20 years, anyhow.

Mr. HAINES. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Pennsylvania.

Mr. HAINES. May I say for the benefit of the gentleman that I did business with that company more than 20 years ago.

Mr. SPARKMAN. I am glad the gentleman has made that statement.

This company has twenty-some-odd plants located in 13 different States of the United States. They have a large rolling mill, I believe, over in Louisville. They are building a large rolling mill now down in my district.

The Reynolds Metals Co. was not organized for the purpose of going into the aluminum business. They have been manufacturing aluminum products for more than 20 years, as stated by the gentleman from Pennsylvania [Mr. HAINES]. They have been manufacturing various aluminum products that we use every day of our lives. They have a large business built up.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. I am informed by Mr. Hamilton, the attorney for the R. F. C., that the Reynolds Metals Co. has assets of $19,000,000 and borrowed $20,000,000 from the R. F. C.

Mr. SPARKMAN. It is also my understanding that Mr. Reynolds did not want particularly to go into this business. He saw the great need that was coming on, and if it had not been for this defense program of ours and the threatened shortage of aluminum, which was becoming very acute, he would never have gone into the business of processing aluminum, but would have contented himself with continuing in the fabricating business, buying the aluminum from the Aluminum Co. of America, as he had been doing.

I do not believe anybody can deny the fact that the Aluminum Co. of America is the outstanding monopoly in this country, or had been until this man manifested great courage in daring to put up all the earnings of his life and all of the assets he had developed over the years in a successful business in order to secure this loan for the purpose of making badly needed aluminum.

I read the statement he made over in the Senate the other day before the Truman committee, and, if I recall correctly, he stated there that the very day the loan was announced from the R. F. C., the Aluminum Co. of America cut him off from his purchases and did not leave him with enough aluminum to run his fabricating plants. I say to you that if a condition such as that exists in America, it is argument enough for every encouragement on the part of the Government to bring about some means to break down any industry or any business that has such a strangle hold on our country, and especially with regard to such an important element in our national defense as aluminum.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield at this point?

Mr. SPARKMAN. I yield.

Mr. SHEPPARD. Does the gentleman, by any stretch of the imagination, know where Mr. Reynolds might have gone to be financed other than to the R. F. C.?

Mr. SPARKMAN. The R. F. C. was set up for that very purpose, and he did right in turning to it, and I may say to you that he is going to prove of great help to this country in this defense program of ours. I think he is to be praised and I think the R. F. C. is to be commended highly for helping him go into this business. It was my pleasure to go down there last week and see the first aluminum ever made in this country in opposition to this great monopolistic trust we have had. Reynolds Metals Co. is doing this in order to furnish aluminum for many of the bombers being built in our defense program.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield.

Mr. RICH. If this company has been as strong as the gentleman says it is and with the banks of this country having millions of dollars and not knowing what to invest it in, does the gentleman think the banks of the country would refuse such a good loan?

Mr. SPARKMAN. The R. F. C., as a matter of fact, has made many, many greater loans than this particular loan, and I have never heard gentlemen get up here and criticize the R. F. C. for lending to the railroads of the country or lending to the great insurance companies or other great financial institutions. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on agreeing to the Committee amendment.

The Committee amendment was agreed to.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 7, beginning in line 4, strike out all of section 3.

Mr. WOLCOTT. Mr. Chairman, it seems to me there has been ample discussion on the amendments offered by the committee to justify the position which we take that section 3 should be eliminated and existing law allowed to stand as it is.

We have to constantly give consideration to State and local revenues. We have all had letters, perhaps not all of us but many of us have had letters, from the Governors of States, the mayors of cities, boards of supervisors of counties, urging us to provide the means of continuing the facilities incident to these movements of population from the suburban to the urban centers. As has been pointed out, we have had to help finance a defense-housing program. We are setting aside $100,000,000 for that purpose. We are called upon to supplement that by helping the States and the municipalities to maintain schools and service departments, such as fire, police, sewer and waterworks, and now we inconsistently take away from them in this bill the revenue by which those facilities and those services are going to operate. If you take the taxing power away from the States and the municipalities, you leave them in a very embarrassing position. It has been said that along with the power to tax goes the power to destroy, and if we exercise the power to deny the States revenue from taxation, proportionately, we destroy sovereign government.

This might seem somewhat farfetched as a statement and, probably, this bill will not be used for that purpose, but we know that we cannot operate our States and municipalities without tax money, and if the Federal Government establishes a competing enterprise of a private nature, that enterprise, especially if it is organized for profit, should pay local taxes into the State, county, and municipal treasuries. Surely, this language can be drawn in such a manner as to protect public corporations which are not competing with private enterprise, but we have included in the exemptions corporations set up under section 5 (d) as amended, and as it will be amended. Let me call attention again to the fact that if this Congress passes the House amendment, then we can set up any corporation for any purpose, private or otherwise, and that private corporation under the terms of section 3 will be exempt from State and municipal taxation of all kinds. It seems to be rather an inconsistent, perhaps an incongruous situation, and I believe that we should be as consistent as possible, or at least try to be. I believe my amendment to strike out section 3 should prevail.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment. If this amendment prevails, the localities will still be permitted to tax the real property. The only thing that will be exempt will be, first, the loans made, and next, the personal property. Under our present tax system, loans are not taxable anyway. I believe if you will investigate the laws of the different States, you will discover that 14 States have made an attempt to tax loans or what is commonly referred to as intangible property, and that all of these 14 States failed in their efforts to tax this intangible property. In exempting the R. F. C. and the agencies organized in pursuance of the law creating the R. F. C., you are not exempting anything that is not already exempt if local individuals or private corporations locally owned should make this loan. So you are not giving away a thing.

The next is personal property, and about the same situation prevails. It occurs to me that since we are amending the law in this particular bill to make

the Public Debt Act apply to the securities that are sold by the R. F. C., and that we will receive taxes in compliance with that Public Debt Act, that that is as far as we should attempt to go in taxing securities or properties created by the R. F. C., and certainly this is going too far to ask that the property that is created by the R. F. C., which the local communities, towns, cities, and States would not have were it not for the creation of the R. F. C. Act to tax loans and personal property that would not be taxed by private corporations, that is going too far, and I hope the amendment is voted down.

Mr. STEAGALL. Mr. Chairman, I ask unanimous consent to proceed for 1 minute, to read an amendment which has been proposed by the gentleman from Michigan [Mr. RABAUT] and which will be offered by him, and which is intended to meet the situation in Michigan. The committee will accept the Rabaut amendment. We have been told—and it seems to be true—that under certain circumstances real estate held under these contracts is treated as personal property in that State. The Rabaut amendment provides that where real estate, buildings, or structures are considered by the law of a State as personal property, they shall not be included in the provisions of this bill which excepts personal property from taxation. The amenndment will clarify the situation so far as Michigan is concerned.

Mr. WOLCOTT. But the law in Michigan is no different in that respect from the law of any other State. It is all a question of intent. It does not apply to only Michigan, but it applies to all of the common-law States. It applies to all except the code States.

Mr. STEAGALL. If that is true, it is only an additional reason why the amendment is desirable.

Mr. WOLCOTT. I might say to the gentleman that that improvement is not taxed in Michigan as personal property. That is a wrong statement. That improvement is taxed as part of the realty, unless there is a clear declaration of intention, filed with the taxing officer, that it is the intention of the owner that this particular building be not treated as a part of the realty, and I do not know of any such statement having been filed in any tax office.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. STEAGALL. Yes.

Mr. RABAUT. I have in my hand the Michigan Statutes, Annotated, under the caption "Property and buildings on public land" and the language applicable to this particular case is as follows.

All buildings situated and being upon the lands of the United States * * * where the owner of such building or personal property is not the owner of the fee in such lands, and where such lessor or owner of such building or property has not bound himself to pay taxes on the real estate, shall be deemed personal property for the purpcses of taxation and assessment.

Accordingly I have brought to the attention of the chairman this condition and have prepared the amendment which he has accepted. In the name of the people of Michigan I desire to thank the distinguished gentleman from Alabama and the members of his committee for their acceptance of the amendment, and I know that the House will approve this proposal.

Mr. WOLCOTT. I may say to the gentleman that that does not change the basic common law at all, because under the decisions of the Supreme Court of Michigan, if a building is built upon land it is presumed to be a part of the realty until the contrary is shown.

[Here the gavel fell.]

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were ayes 35 and noes 77.

So the amendment was rejected.

Mr. STEAGALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. STEAGALL: On page 8, line 5, after the word "exemptions", insert: "but such exemptions shall not be construed to be applicable in any State to any buildings or structures which are considered by the laws of such State to be personal property for taxation purposes."

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. (a) The fourth paragraph of section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by renumbering subsections "(2)" and "(3)" thereof as "(3)" and "(4)", respectively.

(b) Such paragraph is further amended by inserting after subsection (1) thereof the following new subsection:

"(2) When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government. Such loans may be made only upon the security of bonds, debentures, stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State;".

(c) Subsection (4) of such paragraph (as herein renumbered) is hereby amended by inserting after the word "organize" where it first appears therein the following: ", at any time prior to July 1, 1943," and by inserting before the word "power" where it first appears therein the following: "such powers as they may deem necessary in order to expedite the defense program, including, but not limited to,".

Mr. WILLIAMS. Mr. Chairman, I offer two committee amendments, which I send to the desk.

The Clerk read as follows:

Committee amendments offered by Mr. WILLIAMS to section 4: Strike out all of the following beginning with the word "renumbering", in line 8, page 8, down to and including the word "by" in line 10.

Strike out the numbers "1" appearing in line 11, page 8, and "2" appearing in line 12 and insert in lieu thereof the numbers "3" and "4", respectively.

After the word "Government" in line 18, page 8, strike out the period and insert the following: ", for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank."

The committee amendments were agreed to.

Mr. WILLIAMS. Mr. Chairman, I offer a further committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WILLIAMS: Strike out all of line 25, page 3, and all of lines 1 through 6 on page 4 and insert in lieu thereof the following:

"(b) The first sentence of subsection (3) of such fourth paragraph is hereby amended to comprise four sentences to read as follows:"

Mr. WILLIAMS (interrupting the reading of the amendment). Mr. Chairman, I think the pages and lines in that amendment are wrong.

Mr. WOLCOTT. Mr. Chairman, that is an amendment, as I understand it, to subsection (c). I have prepared an amendment to subsection (b). I wonder if the gentleman from Missouri would not withhold this amendment until my amendment to subsection (b) is disposed of.

Mr. WILLIAMS. I do not know what the gentleman's amendment is. I think the reference is wrong. However, it is spelled out in the amendment, and that can be explained later.

Mr. WOLCOTT. I have an amendment in line 22 under "(b)." Will the gentleman withhold his amendment until my perfecting amendment is disposed of?

Mr. WILLIAMS. Mr. Chairman, the amendment which I offered is set out in full. The reference to it by page and line is in error and will now be corrected. The amendment, however, has not been changed.

The CHAIRMAN. The Clerk will report the committee amendment offered by the gentleman from Missouri as it has been corrected.

The Clerk read as follows:

Committee amendment to section 4 offered by Mr. WILLIAMS: Strike out all of line 25, page 8, and all of lines 1 through 6 on page 9, and insert in lieu thereof the following:

"(b) The first sentence of subsection (3) of such fourth paragraph is hereby amended to comprise four sentences to read as follows:

"'(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land, purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (e) to produce, lease, pur-

chase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the aggregate amount of funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $100,000,000. The powers of every corporation hereafter created under this subsection shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published. The charters of corporations heretofore created shall be so filed and published before July 1, 1941, and amendments thereto shall be valid only when hereafter so filed and published. No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947, except for purposes of liquidation, unless the life of such corporation is extended beyond such date pursuant to an act of Congress.'"

Mr. WILLIAMS. Mr. Chairman, there is not a great deal of new matter in this amendment. Under the law which we passed last year the Reconstruction Finance Corporation was authorized to establish these corporations; but as has already been pointed out this afternoon it was somewhat limited. This simply enumerates those same powers again and in addition creates what might be called a blanket power upon the recommendation of the Federal Loan Administrator with the approval of the President to use $100,000,000 of the funds herein provided for the purpose of acquiring industries and plants for the manufacture or the production of materials and articles, machinery and equipment necessary for national defense. The amount under that authority is limited to $100,000,000.

The authority to do all these other things about which there has been so much talk is already in the law. There is nothing new about that. It does, in all frankness, establish the power in the Federal Loan Administrator and the President to use the $100,000,000 provided for in this act to acquire and produce materials, machinery, and equipment of any kind or character necessary for the national defense. That is all there is in this amendment in addition to existing law.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. STEAGALL. Just a word about this amendment. With two exceptions it is the same amendment that was adopted by the Senate, and the exceptions were made in an effort to make the bill more agreeable to some who were not entirely in accord with it. We reduced from $300,000,000 to $100,000,000 the amount that might be used under the joint authorization to do certain things.

Mr. WOLCOTT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to correct some misunderstandings in respect to this amendment. In the first place, this $100,000,000 has very little relationship to the manufacture of arms, munitions, and implements of war. This $100,000,000, if you read the amendment, is the restriction upon clause (g) and is the only restriction upon clause (g) which authorizes the President to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program. That is the activity the $100,000,000 refers to, and there is no limitation in this bill upon the amount which can be used for the powers which already exist in law. So the $100,000,000 limitation applies only to these extra and additional powers which we are giving the President under this bill. I will read the rest of it:

(g) To take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the aggregate amount of the funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $100,000,000.

There is also a slight change in this amendment from the Senate amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield before he goes to this other matter?

Mr. WOLCOTT. I am sorry, the gentleman possibly can get some time for himself.

On page 5 of the bill we find the Senate provisions and the limitation upon the use to which these corporations may be put: Page 5, line 16, the language of the Senate bill reads:

Provided, That, except to the extent expressly authorized by clause (c) of this subsection, nothing in this subsection shall be construed to authorize the Corporation to take any action, directly or indirectly, with respect to any project, authority for which (by treaty or otherwise), or expenditures for which, have heretofore been considered and rejected by the Congress since January 1, 1926.

The amendment as it was presented to the Committee on Banking and Currency, following the $100,000,000, read:

Provided, That nothing in section 3 shall be construed to authorize the Corporation to take any action directly or indirectly with respect to the proposals heretofore considered by the Congress and known as the Great Lakes-St. Lawrence seaway, Passamaquoddy, Florida ship canal, and Tombigbee River project.

The Committee on Banking and Currency of the House in its discretion struck out the limitations which I have just read, so that now any corporation can be organized for any purpose including the construction of the abovenamed projects, and the $100,000,000 can be used for this or any other purpose so long as the President finds it is an incident to the national-defense program.

I should think the Members of Congress would realize their responsibility sufficiently to want to keep their hands on these public works and determine whether we shall embark upon any of the projects.

Some of these projects have inspired very bitter debate on this floor; yet here with the passing of the hand, with a handful of Members on the floor, we are about to undo all that we have done in years gone by. You do it on your own responsibility. So far as I am concerned, I do not think that anybody can charge that I have said anything in favor of the granting of congressional powers to the Executive. I am glad to be able to stand up before my constituents tomorrow and say that I have done everything I could under my interpretation of my oath to protect the American form of government. [Applause.]

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Missouri [Mr. WILLIAMS].

The question was taken; and on a division (demanded by Mr. WOLCOTT), there were—ayes 88, noes 50.

So the committee amendment was agreed to.

Mr. WOLCOTT. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 8, beginning in line 25, strike out subsection (c).

Mr. WOLCOTT. Mr. Chairman, if this amendment is agreed to it will strike out the language originally proposed by the House Banking and Currency Committee and also the language that has just been adopted as a perfecting amendment to that language.

Mr. Chairman, I still do not think the Congress wants to delegate such broad and unusual powers to the President. I still do not think, and I cannot believe that Members of this Congress want to delegate to the President and to the Federal Loan Administrator powers broad enough virtually to create a Fascist State in America. I have never made a statement any more sincerely than I do the following: If this amendment is not adopted, and if this bill is passed as it has been amended, it gives to the President the power to create a Fascist state in America. Whether we have confidence or not in the President, whether we have confidence and faith in Jesse Jones, is beside the question. It is a question of our constitutional duty to do nothing to destroy this Republican democracy or to make it possible for any one else to destroy it.

We in voting away our powers, giving the power to the President of the United States to set up a corporation to do anything, to do everything, to do the things which under the Constitution the Congress would otherwise have to pass upon, are not keeping faith with the American people; our action will not be in keeping with the spirit of the American form of government.

I ask you to think about this seriously and not be a party to the possibility of any further criticism that the Congress has abdicated and has run out on the

people, because if you pass this bill with the billions of dollars you have given to the President under the lend-lease bill, with the billion and a half you are going to give him further to play with under this bill, and it is supplemental to the lend-lease bill—bear in mind this billion and a half supplements the $7,000,000,000 authorized on the lend-lease bill—you have not only delegated the appropriating power to the Chief Executive but you have delegated to the Chief Executive the power to set up a corporation to do everything which he otherwise could not do under the Constitution.

You do it on your responsibility. I will not be a party to it.

Mr. PATMAN. Will the gentleman yield?

Mr. WOLCOTT. No; I am sorry I cannot yield at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 60, noes 83.

So the amendment was rejected.

Mr. WOLCOTT. Mr. Chairman, I offer another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 8, line 22, after the letter (B), strike out the remainder of said section and insert in lieu thereof the following: "any corporation organized under the laws of the United States or any State whose bonds, debentures, stocks, or other such obligations are fully guaranteed as to principal and interest by the Government of the United States."

Mr. WOLCOTT. Mr. Chairman, in certain remarks I made this afternoon I called attention to the fact that we appeared to secure loans made by the Reconstruction Finance Corporation to these foreign governments by providing that these loans may be made only upon the security of bonds, debentures, stocks, and other obligations of the Government of the United States, or of any State, municipality, or political subdivision of any State. Then we do the very inconsistent thing by providing in (B) that these loans may be made to any corporation without such protection.

If it is a private corporation, the Reconstruction Finance Corporation can take the stocks and bonds and debentures of the private corporation organized under the laws of the United States or otherwise, and, of course, they would not be obligations of the Government of the United States or of any State, municipality, or political subdivision of any State. It seems to me that what we intended to do there was to protect the taxpayers of the United States from being put in a position indirectly of financing another European war without their knowing about it. Whether we should finance this European war is beside the issue. The question is, if we want to finance the European war as a matter of policy, we should have courage enough to bring that issue onto the floor and vote it up or down. We should not by subterfuge authorize the Reconstruction Finance Corporation, the President of the United States, or Mr. Jones, to organize a corporation through which the Reconstruction Finance Corporation could finance partly, at least, this present world war. Why do we say that these loans in one case must be secured by Government, State, or municipal obligations, and in the next case say the loans may be made to any private corporation without that safeguard.

Mr. WILLIAMS. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Missouri.

Mr. WILLIAMS. Is it the contention of the gentleman that this provision permits a loan to private corporations?

Mr. WOLCOTT. Certainly.

Mr. WILLIAMS. Where is that language?

Mr. WOLCOTT. You have to read this language in connection with the amendment which was just adopted. In that connection, the Federal Government can set up these corporations and lease them to private individuals. What do you mean here? Why do you have language like this:

Such loans may be made only upon the security of bonds, debentures, stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State.

It means, of course, that you are granting the authority here to raise the money to create these corporations under this amendment which you have just adopted. If you want to create a corporation here with a capital of $10,000 and authorize that corporation to expand that capital a hundred times and take that watered stock as security for loans from the Reconstruction Finance Corporation, you are just playing havoc with your own conscience; that is what you are doing. Go ahead and do it. [Applause.]

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I believe the gentleman is just as wrong as he possibly can be. This refers to loans, of course, made to foreign governments, and such a loan can be made not to a corporation, it can be made only to a foreign government or its representatives, which may, of course, be in the form of a corporation organized for that purpose.

The security which must be put up to secure such a loan must be American securities, either governmental or private. The corporation to which the gentleman refers, the private corporation which may be organized, puts up its securities, but it is the representative of the English, I will say, Government, or whatever foreign government seeks the loan. It must be organized under the laws of the United States and the securities put up must be American securities, and the loan is made not to any private corporation that comes along, but to the foreign government. That is what this provision is. Of course, that amendment should be voted down.

Mr. STEAGALL. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Alabama.

Mr. STEAGALL. The authority exists in law already, and it has for a long time, that would permit the loan to a private corporation without the enactment of this bill. This simply provides that the security must be that of the government, or its subdivision or agent, or a private corporation in this country.

Mr. WOLCOTT. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. Yes.

Mr. WOLCOTT. Of course, the gentleman knows that he is not correct in stating that the Reconstrucion Finance Corporation can loan to the Government of Great Britain or any other belligerent nation today. By this section you are repealing that provision of the Neutrality Act which forbids the Reconstruction Finance Corporation to make loans. You do not have an existing law which authorizes you to make such loans.

Mr. WILLIAMS. Of course, that is true, but the statement of the gentleman from Alabama was that the Reconstruction Finance Corporation now could make a loan to any private corporation on adequate security, which of course, is the law and has been from the very first. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

The Clerk read as follows:

SEC. 5. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000.

Mr. JOHNS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNS: On page 9, line 11, strike out "$1,500,000,000" and insert "$500,000,000."

Mr. JOHNS. Mr. Chairman, the President of the United States has stated that we were to cut down on all items except those for national defense. Here is an opportunity this afternoon to put into practice exactly what the President of the United States has requested be done. The Secretary of the Treasury of the United States, after he had an appropriation for his own Department, himself suggested that we do the same thing.

This $1,500,000,000 is not for any defense item of any kind at all. There is not a word in this bill that says anything about national defense. The whole subject of the bill, as far as the finances are concerned, is to loan money to foreign governments.

It seems to me that with the amount of money we are owing in this country today and the trouble we are having in selling the obligations of the Government, and in view of the amount of advertising that is necessary today in order to sell these securities, it is about time we cut down $1,000,000,000 on this bill and use it to prepare for national defense in this country by making more airplanes.

I want to see just how sincere the Members are this afternoon in wanting to cut down the expenses of this Govern-

ment. I have given you an opportunity here to vote to cut them down by $1,000,000,000, and not affect the national defense of this country one dollar.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I yield to the gentleman from Tennessee.

Mr. GORE. Is the gentleman opposed to the Reconstruction Finance Corporation?

Mr. JOHNS. No; I am not opposed to it, but I am opposed to its having $1,500,000,000.

Mr. GORE. Does not the gentleman know that his amendment would in effect annihilate the Reconstruction Finance Corporation? Further, does not the gentleman know that the Reconstruction Finance Corporation instead of losing money for the Government has been the money-making agency of the Government?

Mr. JOHNS. I am saying that this Government at the present time has no business going into private lending to anybody. What we need is to prepare our national defense.

Mr. GORE. Can the gentleman give any good reason why this Government, when we are in an emergency, threatened on all sides, should not have the authority to guarantee the production of the instrumentalities of defense, if they cannot be secured through private enterprise?

Mr. JOHNS. There is not a thing in this bill that says anything about anybody building anything for the Government of the United States. This bill says it is to loan money to foreign governments. That is what it says. If we are going to go into the lending business, let us create a lending organization outside of the Reconstruction Finance Corporation and go ahead and guarantee the obligations of all the foreign governments, as we are doing with our own country, in order to get some credit. The private individuals of this country and the banks have about $6,680,000,000 in reserves to loan to somebody if they had any confidence in anyone who wanted to borrow it.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I yield.

Mr. DINGELL. I just want to make the observation that if the provisions of the bill mean a supply of buckshot for the hides of the Nazis, I am for the bill.

Mr. JOHNS. Yes; that is your idea about this, but there is nothing in the bill that says that.

Mr. DINGELL. I am taking your word for it.

Mr. JOHNS. You are not taking my word for anything—that is your own idea. [Laughter.]

Mr. DINGELL. It is a good one.

Mr. JOHNS. That is your own idea, too. [Laughter.]

Mr. DINGELL. And I will stay with it.

Mr. JOHNS. Now, Mr. Chairman, I am going to see this afternoon how many are going to stand up here in order that we may see whether you are economy minded or not. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. JOHNS].

The question was taken; and on a division (demanded by Mr. JOHNS) there were—ayes 56, noes 94.

Mr. JOHNS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The question is on the substitute Committee amendment as amended.

The substitute committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLE of Maryland, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill S. 1438, he reported the same back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment is as follows:

Strike out all after the enacting clause and insert: "That the act approved February 11, 1937 (U. S. C., 1934 edition, Supplement V, title 15, sec. 605k–1), as amended, is hereby amended by striking out 'in the years 1936, 1937, 1938, 1939, or 1940' and inserting in lieu thereof "occurring during the period between January 1, 1936, and January 22, 1947.'

"SEC. 2. Section 1 of the act approved March 31, 1936 (49 Stat. 1186), as amended, is hereby amended by striking out 'June 30, 1941' and inserting in lieu thereof 'January 22, 1947.'

"SEC. 3. (a) The first sentence of section 10 of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting before the period at the end thereof the following: 'except as provided in section 4 (a) of the Pubic Debt Act of 1941.'

"(b) Section 10 of the Reconstruction Finance Corporation Act, as amended, is further amended by adding at the end thereof the following new sentences: 'The exemptions provided for in the preceding sentence with respect to taxation (which shall, for all purposes, be deemed to include sales, use, storage, and purchase taxes) shall be construed to be applicable not only with respect to the Reconstruction Finance Corporation but also with respect to (1) the Defense Plant Corporation, the Defense Supplies Corporation, the Metals Reserve Company, the Rubber Reserve Company, and any other corporation heretofore or hereafter organized or created by the Reconstruction Finance Corporation under section 5d of this act, as amended, to aid the Government of the United States in its national-defense program; (2) The RFC Mortgage Company, the Federal National Mortgage Association, and any other public corporation heretofore or hereafter organized by or at the instance of the Reconstruction Finance Corporation; (3) the Disaster Loan Corporation, and any other public corporation which is now or which may be hereafter wholly financed and wholly managed by the Reconstruction Finance Corporation. Such exemptions shall also be construed to be applicable to the loans made, and personal property owned, by the Reconstruction Finance Corporation or by any corporation referred to in clause (1), (2), or (3) of the preceding sentence, but such exemptions shall not be construed to be applicable in any State to any buildings or structures which are considered by the laws of such State to be personal property for taxation purposes.'

"SEC. 4. (a) The fourth paragraph of section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended by inserting after subsection (3) thereof the following new subsection:

"'(4) When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government, for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank. Such loans may be made only upon the security of bonds, debentures, stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State;'.

"(b) The first sentence of subsection (3) of such fourth paragraph is hereby amended to comprise four sentences to read as follows:

"'(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land, purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (3) to produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the aggregate amount of funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $100,000,000. The powers of every corporation hereafter created under this subsection shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published. The charters of corporations heretofore created shall be so filed and published before Juy 1, 1941, and amendments thereto shall be valid only when hereafter so filed and published. No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947,

except for purposes of liquidation, unless the life of such corporation is extended beyond such date pursuant to an act of Congress.'

"SEC. 5. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000."

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. STEAGALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 218, nays 116, answered "present" 1, not voting 96, as follows:

[Roll No. 60]

YEAS—218

Allen, La.	Gilchrist	Patman
Anderson, Calif.	Gore	Patrick
Anderson, N. Mex.	Gossett	Patton
	Granger	Peterson, Fla.
Baldwin	Grant, Ala.	Peterson, Ga.
Barden	Green	Pierce
Barnes	Gregory	Plauché
Barry	Haines	Poage
Beam	Hare	Priest
Beckworth	Harrington	Rabaut
Beiter	Harris, Ark.	Ramsay
Bell	Harris, Va.	Ramspeck
Bland	Hart	Randolph
Bloom	Healey	Rankin, Miss.
Bochne	Heffernan	Richards
Boggs	Hobbs	Rivers
Bonner	Hook	Robertson, Va.
Bradley, Pa.	Houston	Robinson, Utah
Brooks	Hull	Rolph
Brown, Ga.	Hunter	Russell
Bryson	Imhoff	Sabath
Buck	Jackson	Sacks
Buckler, Minn.	Johnson, Luther A.	Sanders
Bulwinkle		Sasscer
Burch	Johnson, Okla.	Satterfield
Burgin	Kean	Sauthoff
Byrne	Kefauver	Scanlon
Camp	Kelley, Pa.	Schaefer, Ill.
Canfield	Kelly, Ill.	Schuetz
Cannon, Mo.	Kennedy, Martin J.	Schulte
Capozzoli		Scrugham
Casey, Mass.	Kennedy, Michael J.	Shanley
Chapman		Sheppard
Cochran	Keogh	Sheridan
Coffee, Nebr.	Kerr	Sikes
Coffee, Wash.	Kilday	Smith, Conn.
Cole, Md.	Kleberg	Smith, Va.
Collins	Kocialkowski	Smith, Wash.
Cooley	Kramer	Snyder
Cooper	Lanham	South
Costello	Lea	Sparkman
Cox	Leavy	Spence
Creal	Lesinski	Starnes, Ala.
D'Alesandro	Lewis	Steagall
Davis, Ohio	Ludlow	Sullivan
Davis, Tenn.	Lynch	Sumners, Tex.
Delaney	McArdle	Sutphin
Dewey	McCormack	Tarver
Dickstein	McIntyre	Taylor
Dingell	McKeough	Tenerowicz
Domengeaux	McLaughlin	Terry
Doughton	McMillan	Thom
Doxey	Maciora	Thomas, N. J.
Drewry	Magnuson	Thomas, Tex.
Durham	Mahon	Thomason
Eberharter	Mansfield	Vincent, Ky.
Edelstein	Merritt	Voorhis, Calif.
Eliot, Mass	Meyer, Md.	Wadsworth
Elliott, Calif.	Mills, Ark.	Walter
Ellis	Mills, La.	Ward
Englebright	Mitchell	Wasielewski
Fitzgerald	Monroney	Weaver
Fitzpatrick	Moser	Weiss
Flaherty	Murdock	Welch
Flannagan	Myers, Pa.	Wene
Flannery	Nelson	West
Fogarty	Norrell	Wheichel
Forand	Norton	Whittington
Ford, Miss.	O'Brien, Mich.	Williams
Ford, Thomas F.	O'Connor	Wolverton, N. J.
Fulmer	O'Leary	Worley
Gathings	O'Neal	Wright
Gehrmann	Osmers	Young
Gibson	Pace	Zimmerman

NAYS—116

Allen, Ill.	Gifford	Pfeifer, William T.
Andersen, H. Carl	Gillie	Plumley
	Graham	Powers
Angell	Guyer, Kans.	Rankin, Mont.
Arends	Gwynne	Reece, Tenn.
Bates, Mass.	Hall, Edwin Arthur	Reed, Ill.
Baumhart		Reed, N. Y.
Bender	Hall, Leonard W.	Rees, Kans.
Bennett		Rich
Bishop	Halleck	Robertson, N. Dak.
Blackney	Hancock	
Bolton	Hill, Colo.	Robsion, Ky.
Brown, Ohio	Hope	Rodgers, Pa.
Burdick	Howell	Rogers, Mass.
Butler	Jennings	Rutherford
Carlson	Jensen	Shafer, Mich.
Carter	Johns	Short
Case, S. Dak.	Johnson, Calif.	Smith, Maine
Chenoweth	Johnson, Ill.	Smith, Ohio
Chiperfield	Johnson, Ind	Springer
Clason	Jones	Stearns, N. H.
Clevenger	Jonkman	Stevenson
Cluett	Keefe	Sumner, Ill.
Cole, N. Y.	Kilburn	Taber
Copeland	Kinzer	Talle
Crowther	Knutson	Tibbott
Cunningham	Kunkel	Tinkham
Curtis	Lambertson	Van Zandt
Day	Landis	Vorys, Ohio
Ditter	LeCompte	Vreeland
Dondero	Maas	Wheat
Dworshak	Martin, Mass.	Wigglesworth
Eaton	Mason	Wilson
Elston	Michener	Wolcott
Engel	Mott	Wolfenden, Pa.
Fellows	Murray	Woodruff, Mich.
Fenton	O'Brien, N. Y.	Youngdahl
Ford, Leland M.	Oliver	
Gale	Paddock	
Gamble	Pheiffer,	
Gearhart		
Gerlach	Pittenger	

ANSWERED "PRESENT"—1

Stefan

NOT VOTING—96

Andresen, August H.	Gavagan	Marcantonio
	Geyer, Calif.	Martin, Iowa
Andrews	Grant, Ind.	May
Arnold	Harness	Mundt
Bates, Ky.	Harter	Nichols
Boland	Hartley	O'Day
Bolles	Hébert	O'Hara
Boren	Heidinger	O'Toole
Boykin	Hendricks	Pearson
Bradley, Mich.	Hess	Pfeifer, Joseph L.
Buckley, N. Y.	Hill, Wash.	
Cannon, Fla.	Hinshaw	Rizley
Cartwright	Hoffman	Rockefeller
Celler	Holbrock	Rogers, Okla.
Clark	Holmes	Romjue
Claypool	Izac	Scott
Colmer	Jacobsen	Secrest
Connery	Jarman	Shannon
Courtney	Jarrett	Simpson
Cravens	Jenkins, Ohio	Smith, Pa.
Crawford	Jenks, N. H.	Smith, W. Va.
Crosser	Johnson, Lyndon B.	Somers, N. Y.
Culkin		Stratton
Cullen	Johnson, W. Va	Sweeney
Dies	Kee	Thill
Dirksen	Kirwan	Tolan
Disney	Kopplemann	Traynor
Douglas	Larrabee	Treadway
Downs	McGehee	Vinson, Ga.
Duncan	McGranery	White
Edmiston	McGregor	Wickersham
Faddis	McLean	Winter
Fish	Maciejewski	Woodrum, Va.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Smith of West Virginia for, with Mr. Stefan against.

Mr. Joseph L. Pfeifer for, with Mr. Thill against.

Mr. Claypool for, with Mr. Treadway against.

Mr. Holbrock for, with Mr Jenkins of Ohio against.

Mr. Cravens for, with Mr. Hoffman against.

Mr. Izac for, with Mr. Grant of Indiana against.

Mr. Pearson for with Mr Harness against.

Mr. Kopplemann for, with Mr. Jarrett against.

Mr. Cannon of Florida for, with Mr. Winter against.

Mr. Courtney for, with Mr. Andrews against.

Mr. Hill of Washington for, with Mr. Rockefeller against.

Mr. Colmer for, with Mr. Douglas against.

Mr. Clark for, with Mr. Bolles against.

Mr. Johnson of West Virginia for, with Mr. Hartley against.

Mr. Downs for, with Mr. Simpson against.

Mr. Secrest for, with Mr. Culkin against.

Mr. Smith of Pennsylvania for, with Mr. Hess against.

General pairs:

Mr. Cullen with Mr. Crawford.

Mr. Arnold with Mr Heidinger.

Mr. Boland with Mr. Dirksen.

Mr. Cartwright with Mr. McLean.

Mr. May with Mr. O'Hara.

Mr. Woodrum of Virginia with Mr. Stratton.

Mr. Vinson of Georgia with Mr. Fish.

Mr. McGehee with Mr. Hinshaw.

Mr. Traynor with Mr. August H. Andresen.

Mr. Kirwan with Mr. Martin of Iowa.

Mr. Larrabee with Mr. Holmes.

Mr. Romjue with Mr. Scott.

Mr. Gavagan with Mr. Mundt.

Mr. Jarman with Mr. Bradley of Michigan.

Mr. Duncan with Mr Jenks of New Hampshire.

Mr. Nichols with Mr Rizley.

Mr. Hendricks with Mr. Marcantonio.

Mr. Harter with Mr. O'Toole.

Mr. Sweeney with Mr. Dies.

Mr. McGranery with Mr Tolan.

Mr. Wickersham with Mr. Celler.

Mr. Kee with Mr Boren.

Mr. Bates of Kentucky with Mr. Jacobsen.

Mr. Somers of New York with Mr. Edmiston.

Mr. Hébert with Mr. Faddis.

Mr. Boykin with Mr Connery.

Mr. Shannon with Mrs. O'Day.

Mr. Buckley of New York with Mr. Crosser.

Mr. Lyndon B. Johnson with Mr. Geyer of California.

Mr. STEFAN. Mr. Speaker, I have a pair with the gentleman from West Virginia, Mr. SMITH. I therefore withdraw my vote of "no" and answer "present."

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The bill H. R. 4674 was laid on the table.

RESOLUTION OF VIRGINIA DELEGATION

Mr. BLAND. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is that agreeable to the gentleman from Vermont?

Mr. PLUMLEY. It is.

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. BLAND] for 1 minute.

Mr. BLAND. Mr. Speaker, I shall take pleasure in reading the following resolution adopted unanimously by the Virginia delegation of the House of Representatives:

Whereas the President of the United States last night made an address to the people of the Nation in which he asked for the united and cooperative efforts of all citizens to aid and assist him in protecting our country in the great emergency confronting us;

Now, therefore, we the Members of the House of Representatives from the State of Virginia, do hereby respond to the appeal of the Chief Executive by endorsing his clear and resounding call to the patriotic people

of America and by giving our wholehearted and vigorous approval to his program for national defense and pledge ourselves to support his policies in defense of our traditional principles of freedom and liberty as reaffirmed by him in his address.

S. O. BLAND.
P. H. DREWRY.
C. A. WOODRUM.
THOMAS G. BURCH.
HOWARD W. SMITH.
J. W. FLANNAGAN, JR.
A. WILLIS ROBERTSON.
DAVE E. SATTERFIELD, JR.
WINDER R. HARRIS.

GENERAL LEAVE TO PRINT

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks upon the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO FILE CONFERENCE REPORT, AGRICULTURAL APPROPRIATION BILL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CANNON] have until midnight tonight to file a conference report upon the agricultural appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that tomorrow, after the disposition of matters on the Speaker's table, and the disposition of the legislative program, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KEEFE] be permitted to extend his remarks by including some additional quotations from the British Trade Journal referred to this afternoon.

The SPEAKER. Is there objection?

There was no objection.

EXPENDITURES FOR OFFICE OF GOVERNMENT REPORTS—CONFERENCE REPORT

Mr. COCHRAN. Mr. Speaker, I submit a conference report upon the bill H. R. 3368, authorizing expenditures for the Office of Government Reports in the Executive Office of the President, for printing under the rule.

EXTENSION OF REMARKS

Mr. DOXEY. Mr. Speaker, I ask unanimous consent that my colleague [Mr. MCGEHEE] be permitted to extend his remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by the insertion of an article from the Saturday Evening Post. It is more than 2 pages, and I have an estimate of the cost.

The SPEAKER. Is there objection?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that my colleague [Mr. HOLMES] may extend his own remarks and include an address to be made by him this evening in the city of Worcester.

The SPEAKER. Is there objection?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a resolution passed by the Central Railway Club of Buffalo, N. Y.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent that on tomorrow, after disposition of business on the Speaker's desk and any other special orders, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

(By unanimous consent Mr. SHAFER of Michigan was granted permission to extend his own remarks in the RECORD.)

The SPEAKER. Under previous order of the House, the gentleman from Vermont [Mr. PLUMLEY] is recognized for 20 minutes.

MEMORIAL DAY

Mr. PLUMLEY. Mr. Speaker, in view of the fact that the House will not be in session on Friday, May 30, I would like to say now that in my opinion Memorial Day this year should not be observed complacently and as a matter of course, but should be celebrated seriously as the day on which every one of us counts his blessings while we all thank God that we are Americans.

We should not be forgetful of the awful price in blood and sacrifice and treasure that those whose memory we honor and revere have paid in days gone by to make possible for us all the opportunities of free men and women which we now enjoy in this last fortress of the free.

There is no question about it. As Americans, we are unappreciative of our liberties. We forever take too much for granted, and perhaps only by comparing our good fortune with the terrible misfortune and lost liberties of our blood brothers across the sea can we be brought to a realizing sense of the magnitude of the blessings that are ours and which we enjoy.

I have just finished reading The White Cliffs, by Alice Duer Miller. Read it if you have not done so. Read it again.

The bell has rung,
The curtain rises, and the stage is set
For tragedy—

she says, as she tells the story of the American girl who married an Englishman who later was killed in the World War. She bore him a son, whom yesterday she sent to the front to die for England, for, she says:

I am American bred
I have seen much to hate here; much to forgive,
But in a world where England is finished and dead
I do not wish to live.

The White Cliffs is a realistic picture of England and the English spirit as seen through American eyes. Mrs. Miller does not overstate the eternal courage and endurance of the English. To her England still does, above all nations, represent and exemplify the ideals and beliefs, which all Americans hold so dear.

So far as I am concerned she could not overpaint or overstate the story of transcendent bravery, of superb faith, of stubborn, quiet heroism, or of the nonchalant fortitude of the common people, those stalwart English who contend with fate under the very shadow of the twisted, battered, blackened cross of St. Paul's.

They are fighting to have a chance to put their cross back in its place in the sky where it belongs and where, God willing, it will again shine golden in the morning sun.

This they will have; this they will do. They will raise that cross again. A day will come—perhaps long distant—when the hum of Hitler's bombers and the story of the ruthlessness of the Hun will not be even a memory.

They are made of stern stuff, these Anglo-Saxon brothers of ours. Tragedy and suffering today are their common lot and fare. But out of the welter of all they are now enduring, out of the agony of their misery and suffering, they will emerge one day freemen to enjoy once more that freedom for which they have so gallantly fought. Then, and not until then, will civilization again take up its forward march.

Such stuff—and I use that word deliberately and advisedly—of which the English are made and which they exemplify cannot be denied. It endures and will continue to defy terror and death and to avoid destruction, in order to maintain and to defend and to reestablish the principle found in their Magna Carta, that man is born to be free.

Courageous without question, stubborn and steadfast to the tenets of the faith for which they fight, they must and will triumph in the end. If this be not so, my friends, we are all lost in a bondage, in a serfdom, in a Hitler-dominated world that will be worse than death, for nobody will have a right to be or will be free.

That does not necessarily mean I favor intervention. It does mean that I am for all-out aid to England, short of intervention. We will fight it out here if we have to do so, and we will have to do so if England loses.

Of course, nobody in his right mind wants war. There are, however, some things for the American people to consider, for there are some things worse than war. If life and liberty and the pursuit of happiness, and conscience, and humanity, and morality, and common, ordinary decency, not to say our standards of life and the right to enjoy them,

mean a thing, we might as well understand that the loss of all of them is involved, because of our complacency.

The battle in Europe is more than a war. It is a revolution. It is a fight between forces as old as man.

But let us not talk about war. Yet, my friends, terrible as war is and may be, the battle to save civilization is fought not alone on fields drenched with the blood of victims sacrificed on the field and at the feet of Moloch.

We read so much and see so much and hear so much about the bloody conflict across the seas that we are deaf to the warnings that even he who runs may read with respect to what is happening here. We lose sight of the fact that our own safety is definitely involved in our own internal situation. We should not.

The declaration and the proclamation of the President last night served only, so far as I am concerned, to focus my attention on and to bring home to me again and more emphatically the unsolved internal problems which involve our pitiful lack of military and naval preparedness and our internal economic situation, as we undertake to speak for the democracies and to make and keep our place in the sun, and some things he omitted to say made me wonder what he meant by what he said.

We might as well face facts, as Americans. In my opinion our greatest peril is found in the financial and economic situation this country faces now as it undertakes to fight for its own existence, and as it endeavors to cooperate and to contribute to the saving of civilization against a rising debt of ninety billions, and uncontrolled strikes in defense industries which are putting this country on crutches.

Under the "unlimited emergency" proclamation the full and complete responsibility for stopping these strikes is in the lap of the President. He has assumed it. We expect strikes in defense industries to be stopped, and now.

The picture is not a pretty one; yet it should be given pitiless publicity and stripped of propaganda. As the President said, we are entitled to know just where we stand, but who knows. The dust of war's alarms should not be permitted to blind our eyes into a failure to recognize our own critical state. Strikes in defense industries should be stopped. Needless expenditures should not be made.

Peace, order, security, and liberty are safe as long as love of country burns in the hearts of the people, but patriotism depends on the pursuit of common interests, the defense of a common independence, and the love of a common liberty. It involves sacrifice, duties, privileges, responsibilities, and opportunities. No man has a right to demand a better government unless he is willing to sacrifice in order to bring it about.

However, no man knows just what an "unlimited emergency" may mean. It will mean a lot of things to a lot of people that they do not expect, I venture to assert.

It behooves every one of us to take most anxious thought as to how we may, as citizens here, if possible prevent the decline and decay of our form of government, such decline as has been the fate of our civilization in Europe and in the Near and Middle East throughout the ages.

The call to good citizenship and patriotism, as reduced to its lowest common denominator, is as loud and strong, if not louder and stronger, today than ever before. Never before have we come to a crossroad such as that at which we as Americans have now arrived.

We should not be misled or misinformed nor should we be lulled into a false sense of security. Our goal—make no mistake—is the preservation of the American way of life, our civil and religious liberty, and our spiritual and economic freedom. Nothing could be more worth while.

We should have learned by bitter experience that we cannot go to Europe and control her destiny, even if we would, any more than we could have controlled the history that has produced this crisis. On the other hand, and do not forget or minimize the fact, we cannot isolate ourselves in this foreshortened world. It must be our task to insulate ourselves against this scourge. That is our job.

As Americans, of course, we are not mollycoddles. We have demonstrated that we do not lack intestinal fortitude. We have no conquered territory to surrender. We need no foreign territory. Let the world know, however, that we do not propose to squander either our economic or our material resources except to defend ourselves against the world. This we will do always in order to make America safe for Americans in America. This is our primary national obligation as citizens. What we purpose that we achieve.

However, it is well for us to remember that the fate of civilization has always hung in the balance. Through the ages we have fought and striven onward and upward to maintain justice, mercy, and liberty under the law, and we will ever fight to maintain them. That is the stuff of which we are made.

War is awful, but the passive disintegration of a citizenry and country and the attendant disgrace are worse.

As for me, I would prefer to see this country of mine plunged into a righteous war, in a fight in defense of principle and to preserve liberty, maintain justice, and equality of opportunity for all men, rather than to see it sink out of sight and into innocuous desuetude, or to watch it go the way of so many countries which, because of the spinelessness, indifference, and supineness of their citizens, have ceased to exist.

One way there is honor, the other way dishonor, which covers and buries those contributing to the cause with the ashes of their own dead selves and the disgrace of their own indifference.

Today America stands at the crossroads. The danger that confronts us is absolute. We must face it today. Tomorrow may be too late. Make no mistake about that.

We have our choice, we must take it. Either we go forward and make our democracy the strong living force it can be or we lose all.

It is our task to finish the job, or else to go down with all that has been accomplished blotted out in a black-out. What a picture!

We must go forward. We must turn our faces to the future, come what may. There must be no retreat.

True it is that—

Our knowledge is a torch of smoky pine
That lights the pathway but one step ahead
Across a void of mystery and dread—

but there must be no turning back. Everything we have, everything we have been and hope to be, depends upon the course we choose to follow. Our path leads onward.

We might as well, each and all of us, invoke the spirit of Tennyson's Ulysses, who said:

Come, my friends,
'Tis not too late to seek a newer world.
Push off, and sitting well in order smite
The sounding furrows: for my purpose holds
To sail beyond the sunset, and the baths
Of all the western stars until I die.
* * * * *
To strive, to seek, to find—and not to yield.

There are certain ideas and ideals of the civilization for which we stand, the destruction and obliteration of which we as Americans will not tolerate wherever that road of determination may lead us.

There is little use in trying to fool ourselves, and less in getting scared. But, my friends, the future is ominous and the present should give us pause.

To many difficulties and problems at home have been added the confusion and destruction and threat of the war.

It is a war that touches us very closely, for the basic principles at stake are those on which this Nation was founded and for which our forebears and men in all ages have fought and died in order to be free. Our heritage of democratic idealism is criticized and challenged today by totalitarian and authoritarian forces whose theories, ages old, are and have always been repugnant to us. They cannot coexist with our democratic theories and with our way of life.

The totalitarian countries do not want our kind of government, and experience teaches that democracy cannot be imposed by force.

The proposition reduces itself to the axiom that eventually it is we or they. Some say, Why not now?

No man knows what lies ahead of us as a nation or as individuals. We are pledged by all that is good and honorable and holy to maintain the ideals of democracy. We are committed to something more than keeping possible invaders from our shores.

National defense means something more than helping friendly nations to keep their liberty. We must save ourselves.

We are bound by our love of life and are on our sacred honor to keep alive in this Nation those ideals which have made America great. We should dedicate ourselves anew to an unending determination to make this country one in which all men shall have equal rights to life, liberty, and the pursuit of happiness. We should consecrate ourselves to the end that this Government of ours

shall continue to establish justice and make secure the blessings of liberty. We should highly resolve that this Government of ours shall not perish from the earth.

To what new fates, my country, far
And unforeseen of foe or friend,
Beneath what unexpected star
Compelled to what unchosen end?

Across the sea that knows no beach
The Admiral of Nations guides
Thy blind obedient keels to reach
The harbor where thy future rides!

* * * * *

I do not know beneath what sky
Nor on what seas shall be thy fate;
I only know it shall be high:
I only know it shall be great.

[Applause.]

WOMEN'S ARMY AUXILIARY CORPS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and to include therein a copy of a bill that I introduced today to establish a women's army auxiliary corps for service with the Army of the United States.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am introducing this because I feel there is a great need today for voluntary enrollment in a women's auxiliary of the Army.

Overseas during the World War I had a chance to observe the work that women did with our own forces, the women of England, the W. A. A. C., as they were called, who served with our forces; I had a chance afterward in this country to observe the work of physiotherapists and our dietitians and many others in our hospitals. I had a chance to observe the work that the hostesses performed and many others in connection with our Army overseas camps. I had a chance to observe the splendid work that Miss Anita Phipps did in the United States in starting hostesses' schools.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentlewoman's time be extended 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I had a chance to observe the very fine survey that Miss Phipps made of women's work that might be performed, to release the men of our Army in case of emergency. I have recently made a study of work being done by the women in England. I have had numerous conferences with men and women who have had experience in national defense and experience in serving with the Army in an effort to have this a very constructive and needed measure. The measure is the result of weeks of study by all these persons and of myself.

This bill is an entirely voluntary measure. It gives the women a chance to volunteer to serve their country in a patriotic way. It gives opportunity to many fine women to enroll who cannot afford to give their time for nothing because it provides pay at the rate of $1 per day, subsistence, quarters, and uniforms. It confers rank as high as colonel to the directors, assistant directors and others who serve in this Women's Auxiliary Corps.

I believe the Army will welcome the assistance of women. Today men are performing duties they should not be performing because they are needed for other services. There are many things I think women can perhaps perform more easily than men—I will not say better, but it has been thought they could.

The proposed legislation is for the purpose of establishing a volunteer corps of women for service with the Army, the need for which was demonstrated during the World War. A similar force is being used in England at the present time with great success.

It is proposed to employ the Women's Army Auxiliary Corps in noncombatant service in positions for which women are better qualified than men, and on such other duties to assist in the national defense as may be prescribed by the Secretary of War. This will result in an extension of the fields in which intelligent women can be used to release intelligent men for more intensive work in the simplification of the control and care of women serving with the Army, in providing a means to the women of the country to demonstrate their patriotism, in steadying and stabilizing the social and political structure, and in providing a base for the rapid and controlled expansion of this force in case of emergency.

The proposed legislation inaugurates the Women's Army Auxiliary Corps by the appointment by the Secretary of War of a director and such assistant directors as may be necessary, by the establishment of schools to train officer candidates, and by the voluntary enrollment of not to exceed 25,000 women of excellent character, in good physical health, between the ages of 21 and 45 years of age, and citizens of the United States.

The Women's Army Auxiliary Corps will be organized into companies of 250 women, or into smaller detachments for use in zone of the interior installations. A few examples of positions it is planned to have women of the corps fill are:

First. Professional positions such as: (a) Pharmacists, (b) dietitians, (c) physiotherapists, (d) occupational therapists, (e) hygienists, (f) hospital and laboratory technicians, and so forth.

Second. Welfare positions such as: (a) Hostesses, (b) librarians, (c) theater employees, (d) welfare workers, and so forth.

Third. Clerical positions such as: (a) Clerks, (b) typists, (c) stenographers, (d) machine operators, (e) bookkeepers, and so forth.

Fourth. Domestic positions such as: (a) Cooks, (b) bakers, (c) maids, (d) charwomen, (e) stewardesses, (f) mess attendants, and so forth.

Fifth. Mechanical positions such as: (a) Telephone and telegraph operators and supervisors, (b) chauffeurs, (c) instrument repairers, (d) repairers and renovators of clothing, (e) various positions in arsenals and depots, and so forth.

Sixth. Miscellaneous positions such as: (a) Post exchange employees, (b) messengers, (c) laundry workers, (d) gardeners, and so forth.

Members of this organization will be used to fill positions now filled by enlisted personnel of the Army and, in addition, such other positions as may occur in the future for which no funds are available for the employment of civil-service personnel.

The monthly pay of officers, leaders, and auxiliaries of the Women's Army Auxiliary Corps and the grade of officers and enlisted men of the Army drawing similar pay is shown in the following table:

Women's Army Auxiliary Corps	Base pay	Army grade receiving similar pay [1]
Director	$250.00	Lieutenant colonel (less than 20 years).
Assistant Director	200.00	Major (less than 14 years).
First officer	166.67	Captain (less than 7 years).
Second officer	131.25	Second lieutenant (over 3 years).
Third officer	125.00	Second lieutenant (less than 3 years).
First leader	72.00	Staff sergeant (less than 4 years).
Leader	54.00	Corporal (less than 4 years).
Junior leader	42.00	Private, first class (specialist, fifth class)
Auxiliary	[1] 30.00	Private.

[1] $21 per month for the first 4 months of service and $30 per month thereafter.

Additional monthly pay for specialists of the W. A. A. C.:

Specialist, first class	$15
Specialist, second class	10
Specialist, third class	5

Monetary allowances for rental, subsistence, and travel for members of the Women's Army Auxiliary Corps when these are not furnished in kind will be provided in accordance with the rates prescribed for officers and enlisted men in the Army of corresponding grade. Suitable uniforms shall be provided to members of the W. A. A. C. and responsibility and accountability of the various individuals and officers shall conform as far as is practical to the laws and regulations pertaining to the Army in like cases.

The Secretary of War shall provide medical and dental services and hospitalization for each member of the corps during the time such member is actually serving her enrollment or appointment, and such services shall conform as nearly as practical to similar services rendered the personnel of the Army. Facilities and personnel of the Army may be used for such services. Members of the corps who are physically injured while on active duty, or any member who dies as the result of such injury, shall be entitled to all the benefits prescribed by law for civilian employees of the United States and the United States Employees' Compensation Commission shall have jurisdiction in such cases.

The corps shall not be a part of the Army but it shall be the only women's organization authorized to serve with the Army exclusive of the Army Nurse Corps.

Nurses shall not be enrolled in the corps and nothing in this act shall affect or change the Army Nurse Corps as now established by law.

The corps shall be administered by the Secretary of War through the channels of command of the Army pursuant to such regulations as the Secretary may promulgate, and the Secretary is authorized to employ any and all of the facilities of the War Department and of the Army of the United States to carry into effect the provisions of the proposed legislation. The Secretary is further authorized to utilize the services of the United States Employment Service to determine the qualifications of applicants for admission in the corps.

The Secretary of War is authorized to constitute and establish and Air Craft Warning Section of the Women's Army Auxiliary Corps and is authorized to enroll in this section for service in their local communities women citizens of the United States who volunteer for such service. This section will be for part-time duty only, and will serve on an active status only when so ordered by the Secretary of War.

The Secretary is authorized to constitute and establish additional sections of the Women's Army Auxiliary Corps if and when he considers the requirements of national defense make such action desirable. In establishing such additional sections, the Secretary shall prescribe under what circumstances the members thereof shall be provided with quarters subsistence, and travel or payment of allowances in lieu thereof.

The proposed legislation authorizes that there be appropriated out of any money in the Treasury not otherwise appropriated the sum of $14,000,000, for carrying out the provisions of this act. This sum will cover the expenses of establishing and operating the corps during the fiscal year 1942. The estimated continuing yearly cost will be $25,000,000.

The complete bill I have introduced reads as follows:

A bill to establish a Women's Army Auxiliary Corps for service with the Army of the United States

Be it enacted, etc., That the President is hereby authorized to establish a Women's Army Auxiliary Corps for noncombatant service with the Army of the United States for the purpose of making available to the national defense the knowledge, skill, and special training of the women of this Nation.

SEC. 2. From women citizens of the United States, the Secretary of War is authorized to appoint the Director and such assistant directors as he from time to time may deem necessary or advisable, all of such appointees to serve during the pleasure of the Secretary. The Director shall receive a salary of $3,000 per annum, together with such other allowances as may be provided for hereinafter. The Director, under the direction of the Chief of Staff of the Army of the United States, shall advise the War Department on matters pertaining to the establishment of the Women's Army Auxiliary Corps; shall operate and administer the corps in accordance with normal military procedure of command and administration and such regulations as may be prescribed by the Secretary of War; shall make recommendations as to plans and policies concerning the employment, training, supply, welfare, and discipline of the corps; and shall perform such other duties as may be prescribed by the Secretary. Each assistant director appointed pursuant to this act shall receive a salary of $2,400 per annum together with such other allowances as may be provided for hereinafter. Each assistant director shall perform such duties as may be prescribed by regulations published by the Secretary of War.

SEC. 3. The Secretary is authorized to establish and maintain such number of schools as he may consider necessary for the purpose of training candidates for officers of the corps. The Secretary may establish by regulation the qualifications for entry into such schools, the course of study to be pursued, and the requirements for graduation therefrom. Candidates for such schools may be selected from women volunteers who are citizens of the United States and during their attendance at such schools shall be furnished living quarters, uniforms as hereinafter provided, medical and dental service, medicines, medical and hospital supplies, hospitalization, subsistence, texts, necessary school supplies, and pay at the rate of $50 per month. The Secretary may appoint officers in such numbers as he may deem necessary for the proper administration of the corps in the grades of first officer, second officer, and third officer, and with such responsibilities as he may direct: *Provided*, That the whole number of officers so appointed initially shall not exceed 750 together with the Director and assistant directors; but the Secretary is authorized to increase this number when he deems such action necessary. The pay of officers so appointed shall be $2,000 per annum for each first officer, $1,575 per annum for each second officer, and $1,500 per annum for each third officer, together with such allowances as may be hereinafter provided.

SEC. 4. The Director, each Assistant Director, and each officer of the Corps shall receive allowances in lieu of rations at the rate of $0.60 per day and adequate quarters: *Provided*, That when adequate quarters are not furnished, the Director shall receive in lieu thereof the sum of $100 per month, an Assistant Director shall receive in lieu thereof the sum of $80 per month, and all other officers shall receive the sum of $40 per month. The adequacy of quarters furnished shall be conclusively determined in accordance with such regulations as may be issued by the Secretary.

SEC. 5. The Secretary is authorized to have enrolled initially in the Corps, in addition to the Director, Assistant Directors, and officers hereinabove provided for, by voluntary enrollment, not to exceed 25,000 women of excellent character in good physical health, between the ages of 21 and 45 years and citizens of the United States: *Provided*, That the Secretary may enroll additional women and increase the size of the Corps to such extent as he deems necessary. From the personnel of the Corps so enrolled there shall be selected pursuant to regulations issued by the Secretary, 100 first leaders, 1,000 leaders, and 2,500 junior leaders. From the remainder of the Corps there may be appointed not more than 1,200 auxiliaries, specialist first class, not more than 2,400 auxiliaries, specialist second class, and not more than 3,600 auxiliaries, specialist third class, subject to regulations of the Secretary, who shall have complete authority to define the qualifications for all such leaders and specialists: *Provided*, That the number of leaders of each grade and the auxiliary specialists of each class may be increased by the Secretary. The pay of first leaders shall be $864 per annum, of leaders $720 per annum, of junior leaders $648 per annum, and for auxiliaries not otherwise classified $21 per month for the first 4 months of service and $30 per month thereafter. Specialists of the first class shall be paid, in addition to their base pay, the sum of $15 per month, specialists of the second class shall similarly be paid $10 per month, and specialists of the third class shall similarly be paid $5 per month.

The Secretary shall provide quarters for the members of the Corps so enrolled either on established Army posts, camps, or stations, or on those to be established, or in such other places as he may direct, and may use any of the facilities of the Army for such purpose: *Provided*, That when quarters are not available the Secretary may provide by regulation to pay allowances in lieu thereof to members other than the Director, the Assistant Directors, and the officers at the rate of $1.15 per day.

SEC. 6. The Secretary shall procure and furnish subsistence to all members of the corps, exclusive of the director, assistant directors, and officers, which shall conform so far as is practicable to the subsistence of the Army: *Provided*, That when subsistence in kind is not furnished, the Secretary, by regulation, shall provide payment of allowances in lieu thereof.

SEC. 7. The Secretary shall prescribe the form of oath which shall be required of all the members of the corps and shall by regulation provide for the induction, including fingerprinting, of all members of the corps. The term of service for all members of the corps shall be 1 year: *Provided*, That the Secretary may discharge any member for cause or for the convenience of the Government: *And provided further*, That in time of war, or of national emergency declared by Congress or the President, the Secretary may, by order, extend the term of service to include the period of the war or national emergency plus not to exceed 6 months, and each contract of enrollment or certificate of appointment shall contain a statement to that effect.

SEC. 8. The Secretary shall prescribe uniforms, insignia, accessories, and equipment for the corps and shall procure and furnish to all members thereof, including the director, assistant directors, and officers, such uniforms, headpieces, shoes, ornaments, insignia of rank, and accessories, as well as such organization equipment and supplies as may be required. The responsibility and accountability of the various individuals and officers for individual clothing and equipment, and for organization equipment and supplies, shall conform so far as is practicable, to the laws and regulations pertaining to the Army in like cases.

SEC. 9. The Secretary shall prescribe regulations for travel and for the payment of travel allowances, including travel allowances from the place of discharge to the place of acceptance for enrollment or appointment, and such regulations and allowances shall be similar to those for travel of the Army.

SEC. 10. The Secretary shall provide medical and dental services, hospitalization, medicines, and medical and hospital supplies for each member of the corps for injuries, sickness, and disease during the time such member is actually serving her enrollment or appointment, such services to conform as nearly as practicable to similar services rendered to the personnel of the Army; and the facilities and personnel of the Army may be used for such services.

SEC. 11. If any member of the corps is physically injured in line of duty while on active duty or when engaged in authorized travel, with or without pay, or if any member dies as the result of such physical injury, she or her beneficiary shall be entitled to all the benefits prescribed by law for civilian employees of the United States who are physically injured in line of duty or who die as a result thereof, and the United States Employees' Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of other civilian employees of the United States so in-

jured: *Provided*, That the benefits shall accrue to any such member or her beneficiary whether the disability or death is the result of sickness or disease contracted in line of duty while on active duty, when such sickness or disease is proximately caused by service on active duty: *Provided further*, That employee's compensation under this act shall not be paid concurrently with active duty pay or pension based upon active service: *And provided further*, That for the purpose of determining the benefits to which they are entitled under the provisions of this act, members of the corps physically injured when engaged in authorized training without pay will be held and considered as receiving the pay and allowances they would have received if in a pay status.

The Secretary, under such regulations as he may prescribe, may authorize and require the hospitalization, medical and surgical treatment, and domiciliary care so long as any or all are necessary of members of the corps injured as hereinabove set out, and the Secretary is authorized to incur obligations with respect thereto without reference to their line-of-duty status: *Provided*, That this shall not apply to members of the corps who are treated in private hospitals or by civilian physicians while on furloughs or leaves of absence in excess of 24 hours. Members of the corps who suffer injury or contract disease in line of duty while on active duty or while engaged in authorized training without pay shall, under such regulations as the Secretary may prescribe, be entitled at Government expense to such hospitalization, rehospitalization, medical and surgical care in hospital and at their homes as is necessary for the appropriate treatment of such injury or disease until the disability resulting from such injury or disease cannot be materially improved by further hospitalization or treatment, and during the period of such hospitalization or rehospitalization, but not for more than an aggregate of 6 months after the termination of the prescribed tour of active duty or training in any case, to the pay and allowances, whether in money or in kind, that they were entitled to receive at the time such injury was suffered or disease contracted and to the necessary transportation incident to such hospitalization, rehospitalization, and return to their homes when discharged from hospital, and for any period of hospitalization or rehospitalization when they are not entitled to pay and allowances under the preceding provision they shall be entitled to subsistence at Government expenses. In the event any member of the corps dies during her period of enlistment or appointment, the necessary expense for the recovery of the body, its preparation for burial, including the use of such of the uniform and articles of clothing issued to her as may be required, interment or cremation, and transportation of remains, including round-trip transportation and subsistence of an escort to her home or the place where she received orders or enrolled or was appointed, or to such other place as her relatives may designate, provided the distance to such other place be not greater than the distance to her home, shall be paid by the United States.

SEC. 12. The corps shall not be a part of the Army but it shall be the only women's organization authorized to serve with the Army, exclusive of the Army Nurse Corps. Nurses shall not be enrolled in the corps, and nothing in this act shall be construed to affect or change the Army Nurse Corps as now established by law.

SEC. 13. The corps shall be administered by the Secretary through the channels of command of the Army, pursuant to such regulations as the Secretary may promulgate. The Secretary is hereby authorized to prepare and issue any and all regulations, rules, or orders and to employ any and all of the facilities of the War Department and of the Army of the United States to carry into effect the provisions of this act. The Secretary is further authorized to utilize the services of the United States Employment Service to determine the qualifications of applicants for admission into the corps.

SEC. 14. The members of the corps shall be subject to such disciplinary regulations as the Secretary may prescribe, including provisions for the punishment of major infractions by summary discharge from the corps, and shall be subject to the Articles of War pursuant to the second article thereof when applicable.

SEC. 15. The Secretary is authorized to constitute and establish an aircraft warning section of the Women's Army Auxiliary Corps and is authorized to enroll in this section for service in their local communities, women residing therein and being citizens of the United States, who volunteer for such service. A member of the Aircraft Warning Section of the Corps shall perform active duty, as directed by the Secretary, only when ordered to such active status and for such periods as may be prescribed by the Secretary from time to time. During the time such women perform duties assigned to them while on active service, all the provisions of this act relating to the corps shall be applicable to the Aircraft Warning Section, except that they shall be provided with quarters, subsistence, and travel or payment of allowances in lieu thereof only when authorized by the Secretary.

SEC. 16. The Secretary is authorized to constitute and establish additional sections of the Women's Army Auxiliary Corps to be used in connection with the national defense, to enroll women members therein in such numbers as he may consider necessary and to prescribe regulations for the administration, government, and operation of such sections. In establishing such additional sections the Secretary shall further prescribe under what circumstances the members thereof shall be provided with quarters, subsistence, and travel or payment of allowances in lieu thereof.

SEC. 17. Provisions for leave now applicable to the Army of the United States shall also apply to members of the corps. In the case of any person who has left or leaves a position in the employ of the United States, its territories or possessions, or the District of Columbia, to join the corps, such person shall, upon the termination of her period of service in the corps, be restored to such position or to a position of like seniority, status, and pay, such restoration to be without loss of seniority; she shall further be entitled to participate in all benefits pursuant to established rules and practices relating to employees on furlough or leave of absence.

SEC. 18. Promotion in all grades of officers who have established or may hereafter establish their qualifications for such promotion shall be made under such regulations as may be prescribed by the Secretary.

SEC. 19. Members of the corps while not on active duty shall not by reason solely of their appointments, oaths, commissions, enlistments, or status as such, or any duties or functions performed, or pay or allowances received as such, be held or deemed to be officers or employees of the United States, or persons holding any office of trust or profit, or discharging any official function under or in connection with any department of the Government of the United States.

SEC. 20. The first sentence of section 125 of the National Defense Act, as amended, down to the first proviso thereof is further amended to read as follows:

"It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps; and it shall likewise be unlawful for any person not a member of the Women's Army Auxiliary Corps to wear its duly prescribed uniform or any distinctive part thereof, or a uniform any part of which is similar to a distinctive part thereof."

SEC. 21. Section 101 (1) of the Soldiers' and Sailors' Civil Relief Act of 1940 (Pub., No. 861, 76th Cong.), is hereby amended to read as follows:

"The term 'persons in military service' and the term 'persons in the military service of the United States,' as used in this act shall include the following persons and no others: All members of the Army of the United States, the United States Navy, the Marine Corps, the Coast Guard, the Women's Army Auxiliary Corps, and all officers of the Public Health Service detailed by proper authority for duty either with the Army or the Navy. The term 'military service,' as used in this act, shall signify Federal service on active duty with any branch of service heretofore referred to or mentioned, as well as training or education under the supervision of the United States preliminary to induction into the military service. The terms 'active service' or 'active duty' shall include the period during which a person in military service is absent from duty on account of sickness, wounds, leave, or other lawful cause."

SEC. 22. There is hereby authorized to be appropriated out of any money in the Treasury, not otherwise appropriated, the sum of $25,000,000 for the purpose of carrying out the provisions of this act.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, at the special request of Mrs. Anna M. Jarvis, the originator of Mother's Day, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by Thomas J. Culhane at the Mother's Day breakfast on Sunday, May 11, 1941, at the Mayflower Hotel, Washington, D. C.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 926. An act for the relief of Hazen G. Chamberlain, M. D., and Cuba Memorial Hospital;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1688. An act for the relief of Herman E. Schorr;

H. R. 1731. An act for the relief of Beulah Bell Nolte and George C. Nolte;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1771. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C E. Wells, and the estate of Theodore Bowen;

H. R. 2107. An act to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands;

H. R. 2426. An act for the relief of H. B. Wilson.

H. R. 2569. An act for the relief of Charles R. Woods;

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., authority;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 3309. An act for the relief of Louis J. Banderet;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4073. An act for the relief of Marijo McMillan Williams;

H. R. 4105. An act to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character;

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941;

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy;

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; and

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.), the House adjourned until tomorrow, Thursday, May 29, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees), on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will hold public hearings on H. R. 3487, entitled "A bill to amend further the Civil Service Retirement Act, approved May 29, 1930" and other retirement bills pending before the committee. Hearings will be held Tuesday, June 3, 1941, at 10 a. m., in Room 246, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

COMMITTEE ON PATENTS

The Committee on Patents of the House of Representatives will hold a further public hearing on the subject of Royalty Payments, covered in House Joint Resolutions 32, 73, and 123, on Tuesday, June 10, 1941, at 10 a. m., in the Committee Room, 1015 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

574. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill for the relief of the Neal Storage Co.; to the Committee on Claims.

575. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Commerce for the fiscal year 1941 (H. Doc. No. 232); to the Committee on Appropriations and ordered to be printed.

576. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal years 1941 and 1942, amounting to $6,000 (H. Doc. No. 233); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McINTYRE: Committee on Irrigation and Reclamation. S. 879. An act relating to certain Carey Act lands in Wyoming; without amendment (Rept. No. 642). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 3936. A bill in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma; with amendment (Rept. No. 643). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee of conference on the disagreeing votes of the two Houses. H. R. 3368 A bill authorizing expenditures for the Office of Government Reports in the Executive Office of the President; without amendment (Rept. No. 644). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H. R. 4900. A bill to determine the feasibility of, and the best available route or routes for, a ship canal from New Orleans, La., to the Gulf of Mexico; to the Committee on Rivers and Harbors.

By Mr. KEOGH:

H. R. 4901. A bill to amend the act of March 2, 1929 (ch. 586, 45 Stat. 1542); to the Committee on Accounts.

By Mr. RANDOLPH:

H. R. 4902. A bill to provide for the emergency regulation of rents in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BLAND:

H. R. 4903. A bill to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.; to the Committee on the Merchant Marine and Fisheries.

By Mr. DIMOND:

H. R. 4904. A bill to authorize transportation of employees of the Alaska Railroad on vessels of the Army Transport Service; to the Committee on the Territories.

By Mr. VOORHIS of California:

H. R. 4905. A bill to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition; to the Committee on World War Veterans' Legislation.

By Mrs. ROGERS of Massachusetts:

H. R. 4906. A bill to establish a Women's Army Auxiliary Corps for service with the Army of the United States; to the Committee on Military Affairs.

By Mr. HILL of Washington:

H. R. 4907. A bill to provide for the acquisition and toll-free operation by the United States of the interstate bridges at Cascade Locks and Hood River, Oreg.; to the Committee on Rivers and Harbors.

By Mr. DELANEY:

H. Res. 219. Resolution to provide for a prayer at the termination of each day's session of the House; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 47, with reference to safeguarding the copper mines in Michigan; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to consider their Assembly Joint Resolution No. 41, with reference to the feasibility of growing of guayule rubber in California; to the Committee on Rules.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 143, with reference to the Great Lakes-St. Lawrence seaway; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE of Washington:

H. R. 4908. A bill for the relief of Berney Earnest Foote, ex-seaman, United States Navy; to the Committee on Naval Affairs.

By Mr. O'BRIEN of Michigan:

H. R. 4909. A bill conferring jurisdiction upon the United States District Court for

the Eastern District of Michigan to hear, determine, and render judgment upon the claim of Ferd W. Meile; to the Committee on Claims.

By Miss RANKIN of Montana:

H. R. 4910. A bill authorizing the Secretary of the Interior to issue to William Murray, Jr., a patent to certain land; to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1215. By Mr. BOLLES: Resolution of the Association of Lithuanian Workers, Inc., district No. 7, opposing passage of the Hobbs and Russell concentration camps bill; to the Committee on Military Affairs.

1216. Also, resolution of the Association of Lithuanian Workers, Inc., district 7, opposing United States involvement in war; to the Committee on Foreign Affairs.

1217. Also, resolution of the Association of Lithuanian Workers, Inc., district No. 7, opposing the Vinson Bill as antilabor; to the Committee on Military Affairs.

1218. By Mr. FENTON: Petition of Fred C. Williams, of Pottsville, Pa., and other citizens, protesting against the passage of House bill 3852, which would authorize the District of Columbia Board of Barber Examiners to establish opening and closing hours, and a day on which barber shops shall remain closed after an investigation as to the preference of a majority of the licensed barbers; to the Committee on the District of Columbia.

1219. By Mr. FORAND: Petition of the emergency committee of Rhode Island to the President and the Congress of the United States, urging full utilization of the industrial, economic, and moral power in this country for production of war materials, including some method of preventing strikes and lock-outs in defense industries and use of naval forces for police, convoy, or whatever way is most effective to insure delivery of these materials to Great Britain; to the Committee on Foreign Affairs.

1220. By Mr FULMER: Resolution by the Sumter (S. C.) Chamber of Commerce, requesting that consideration of the St. Lawrence-Great Lakes navigation and power project be deferred for the time being, or at least until such time as peacetime economy is once more restored and the program can then be calmly studied from the standpoint of its actual advantages and disadvantages; to the Committee on Foreign Affairs.

1221. By Mr. HART: Petition of the National Council of State Liquor Dealers' Associations, Camden, N J., opposing Senate bill 860; to the Committee on Military Affairs.

1222. By Mr. HILL of Washington: Petition of the American Temperance Society of Seventh-Day Adventists of Richland, Wash., urging the passage of House bill 4000, a bill to stop the sale of alcoholic beverages in or near Army and Navy camps; to the Committee on Military Affairs

1223. By Mr. HOUSTON: Petition of 71 residents of Potwin Kans., objecting to the United States of America convoying ships to or through the war zones: to American soldiers fighting on foreign soil; and to American soldiers delivering or convoying materials to nations at war; to the Committee on Foreign Affairs.

1224. By Mr. JOHNSON of Illinois: Petition protesting against House bill 3821, a bill to repeal the Tydings-Miller National Trade Enabling Act; to the Committee on the Judiciary.

1225. By Mr. MARTIN J. KENNEDY: Petition of the American Museum of Natural History opposing House bill 2675; to the Committee on the Public Lands.

1226. By Mr. KRAMER: Petition of the Assembly and the Senate of the State of California, memorializing the Congress of the United States to authorize an investigation of the feasibility of growing guayule rubber in California, and if such investigation discloses that it is feasible, that Congress provide a subsidy to the farmers of California to enable them to grow the product at a fair profit for their work; to the Committee on Agriculture.

1227. By Mr. McLAUGHLIN: Petition memorializing the United States Price Control Administrator Leon Henderson, head of purchasing department for the Army, Colonel Logan, and Secretary of Agriculture Claude R. Wickard, all of Washington, D. C., to require purchasing departments of Army, Navy, and other Federal agencies to purchase more weighty steers and fewer handyweight steers; to the Committee on Agriculture.

1228. By Mr. MACIEJEWSKI: Petition of the Polish Army Veterans Association of America; to the Committee on Foreign Affairs.

1229. By Mrs. ROGERS of Massachusetts: Petition of sundry residents of the Fifth Massachusetts Congressional District, protesting against the enactment of Senate bill 983 or House bill 3852; to the Committee on Agriculture.

1230. By Mr. ROLPH: Petition of the California Highway Commission, asking consideration of its resolution relative to highway construction; to the Committee on Roads.

1231. By Mr. WHEAT: Resolution of the Kiwanis Club of Shelbyville, Ill., relative to reservoir project No. 33 of the Illinois State Planning Commission; to the Committee on Flood Control.

1232. By Mr. YOUNGDAHL: Petition of sundry citizens of the city of Minneapolis and various surrounding towns, protesting against the enactment of House bill 3852; to the Committee on the District of Columbia.

1233. By the SPEAKER: Petition of the Rayon Textile Workers Union, Local 202, Covington, Va., petitioning consideration of their resolution with reference to House bill 4139, the Vinson bill; to the Committee on Naval Affairs.

SENATE

THURSDAY, MAY 29, 1941

(Legislative day of Monday, May 26, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Blessed art Thou, O Lord, God of our Fathers, praised and exalted above all forever; early in the morning do we seek Thee and direct our prayers unto Thee, as we wait for Thy blessing at the threshold of Thy sanctuary. Send us, O Lord, help from above and quicken us with Thy free spirit, that we may be enabled to respond to each opportunity for service as we strive to prepare ourselves in body, soul, and spirit, for the work of the exacting days that lie ahead.

Bless, in superabundant measure, our President. Give him insight to discern, wisdom to know, courage to fulfill Thy will for America; and we pray Thee so to unify the hearts, minds and wills of our people that they may strive with one holy purpose to keep our beloved country true to the ideals of our fathers—devotion to duty, to honor, and to the leadership of a divine beneficent Providence.

Bless especially those members of the Senate, who, by reason of sickness, are absent from its deliberations, and at this hour we ask that Thou wilt touch with Thy hands of healing the beloved leader of this body. Restore him speedily to health and strength, and to an ever-increasing sense of devotion to duty and to the service of his country.

We ask these blessings not because we are worthy to ask them, but for the sake of Him, the glorious Leader and Companion of our way, Jesus Christ, Thy Son our Lord. Amen.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 26, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on May 28, 1941, the President had approved and signed the following acts and joint resolution:

S. 994. An act to appropriate the proceeds of sales or other dispositions of strategic and critical materials acquired under the act of June 7, 1939 (53 Stat. 811), in order to prevent depletion of the stocks of such materials available for national-defense purposes;

S. 1089. An act to extend the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects;

S. 1296. An act to amend an act entitled "An act authorizing annual appropriations for the maintenance of that portion of Gallup-Durango Highway across the Navajo Indian Reservation, and providing reimbursement therefor"; and

S. J. Res. 76. Joint resolution extending the application of section 6 of the act entitled "An act to expedite the strengthening of the national defense," approved July 2, 1940 (54 Stat. 714), to all territories, dependencies, and possessions of the United States, including the Philippine Islands, the Canal Zone and the District of Columbia.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

The message also announced that the House had passed the bill (S. 1438) to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1801) amending the act of February 27, 1936 (49 Stat. 1144).

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4368) authorizing a reduction in the course of instruction at the Naval Academy.

The message further announced that the House had passed a bill (H. R. 4646) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 166. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.;

S. 167. An act to provide a right-of-way across Camp Wallace Military Reservation, P. I.;

S. 840. An act to create the grade aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes;

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty;

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students;

S. 1541. An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations;

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard (formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 926. An act for the relief of Hazen G. Chamberlain, M. D., and Cuba Memorial Hospital;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1688. An act for the relief of Herman E. Schorr;

H. R. 1731. An act for the relief of Beulah Bell Nolte and George C. Nolte;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1771. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen;

H. R. 2107. An act to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands;

H. R. 2426. An act for the relief of H. B. Wilson;

H. R. 2569. An act for the relief of Charles R. Woods;

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., authority;

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 3309. An act for the relief of Louis J. Banderet;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4073. An act for the relief of Marijo McMillan Williams;

H. R. 4105. An act to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character;

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary convention of the Grand Army of the Republic to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941;

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy;

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; and

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941.

CALL OF THE ROLL

Mr. HATCH. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gurney	Overton
Aiken	Hatch	Pepper
Andrews	Hayden	Radcliffe
Ball	Herring	Reynolds
Bankhead	Hill	Rosier
Bone	Holman	Russell
Brown	Hughes	Schwartz
Bulow	Johnson, Calif.	Shipstead
Bunker	Johnson, Colo.	Smathers
Burton	Kilgore	Smith
Byrd	La Follette	Stewart
Capper	Lee	Taft
Caraway	Lucas	Thomas, Idaho
Chavez	McCarran	Thomas, Okla.
Clark, Idaho	McFarland	Truman
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Davis	Mead	Van Nuys
Ellender	Murdock	Wallgren
George	Murray	Wheeler
Gillette	Norris	White
Glass	Nye	Wiley
Guffey	O'Mahoney	Willis

Mr. HILL. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from South Carolina [Mr. BYRNES], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GREEN], the Senator from Arkansas [Mr. SPENCER], the Senator from Utah [Mr. THOMAS], the Senator from Delaware [Mr. TUNNELL], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business.

Mr. MCNARY. The Senator from Vermont [Mr. AUSTIN] and the Senator from North Dakota [Mr. LANGER] are absent due to the serious illness of their mothers.

The following Senators are necessarily absent:

The Senator from New Jersey [Mr. BARBOUR], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Connecticut [Mr. DANAHER], the Senator from Massachusetts [Mr. LODGE], and the Senator from Kansas [Mr. REED].

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

INDUSTRIAL RESEARCH

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Education and Labor:

To the Congress of the United States:

One of the greatest resources in the arsenal of democracy is our national ability and interest in industrial research. For the vigorous prosecution of our defense program and for the assurance of national progress after the emergency we rely heavily on the continued vitality of research by industry in both pure and applied science.

Our people can justly take pride in the record of the accomplishment by American industry contained in the report on Research—A National Resource, Part II, Industrial Research, which I am transmitting for the information of the Congress. This document is one of a series on our research resources being prepared by the National Resources Planning Board, with the assistance of scientific councils and committees. The National Academy of Sciences and the National Research Council are responsible for the organization and presentation of this volume.

The report presents a clear record of how successfully we have translated our old-time Yankee ingenuity for invention into American genius for research. Our scientists have uncovered and explained the secrets of nature, applied them to industry, and thus raised our standard of living, strengthened our defense, an enriched our national life.

The following significant paragraph in the report sums up the great changes that have come about through industrial research:

More efficient and economical methods have conserved our resources; new materials have made possible better products; and new products have contributed to the health, pleasure, and comfort of the general public. Such changes have not taken place without some temporary misfortunes. Here and there industries have disappeared and people have been temporarily thrown out of work, but

the net result of 40 years of organized industrial research in this country has been the enrichment of life to an incalculable degree.

I commend a careful reading of this report to the Members of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 29, 1941.*

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LAND AT COAST GUARD LIGHT STATION RESERVATION, AU SABLE, MICH.

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Treasury to exchange certain lands owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich. (with an accompanying paper); to the Committee on Commerce.

AMENDMENT OF PERISHABLE AGRICULTURAL COMMODITIES ACT

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the act known as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, 1930, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

MARCH 1941 REPORT OF THE R. F. C.

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of March 1941, including statement of loan and other authorizations made during the month, etc. (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on the Judiciary:

"Senate Concurrent Resolution 20

"Concurrent resolution proposing an amendment to the Constitution of the United States relative to taxes on incomes, inheritance, and gifts

"*Resolved by the senate (the house of representatives concurring)*, That application be, and it hereby is, made to the Congress of the United States of America to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

" 'ARTICLE —

" 'SECTION 1. The sixteenth article of amendment to the Constitution of the United States is hereby repealed.

" 'SEC. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration: *Provided*, That in no case shall the maximum rate of tax exceed 25 percent.

" 'SEC. 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of or intended to take effect in possession or enjoyment at or after death, or by way of gift, shall in no case exceed 25 percent.

" 'SEC. 4. The limitations upon the rates of said taxes contained in sections 2 and 3 shall, however, be subject to the qualification that in the event of a war in which the United States is engaged creating a grave national emergency requiring such action to avoid national disaster, the Congress, by a vote of three-fourths of each House, may for a period not exceeding 1 year increase beyond the limits above prescribed the maximum rate of any such tax upon income subsequently accruing or received or with respect to subsequent devolutions or transfers of property, with like power, while the United States is actively engaged in such war, to repeat such action as often as such emergency may require.

" 'SEC. 5. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Nothing contained in this article shall affect the power of the United States after said date to collect any tax on incomes for any period ending on or prior to said 31st day of December laid in accordance with the terms of any law then in effect.

" 'SEC. 6. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall affect the power of the United States to collect any tax on any devolution or transfer occurring prior to the taking effect of section 3, laid in accordance with the terms of any law then in effect'; and be it further

"*Resolved*, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several States; and be it further

"*Resolved*, That the secretary of state of Michigan be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States.

"Adopted by the senate on April 29, 1941.

"Adopted by the house of representatives on May 16, 1941."

A resolution of the Senate of the State of Michigan; to the Committee on Military Affairs:

"Senate Resolution 47

"Resolution memorializing the Congress of the United States to make an investigation into safeguarding the copper mines in Michigan in case of invasion, and providing for a training camp in the Upper Peninsula

"Whereas the possibility of planes flying from Greenland to Fort Wilkins, at Keweenaw Point, in the Upper Peninsula, should be carefully investigated and studied, especially in view of the fact that there is at the present time but one road leading to Fort Wilkins, and Portage Canal between Hancock and Houghton is vulnerable, thus leaving the copper mines in the Upper Peninsula without protection in case of possible invasion; and

"Whereas steps should be taken to strengthen defense facilities, and in accomplishing this result it may be considered advisable to establish a training camp for called men in the Upper Peninsula: Now, therefore, be it

"*Resolved by the senate*, That the Congress of the United States is respectfully requested to thoroughly investigate the necessary safeguarding of the copper mines and the desirability of establishing a training camp in the Upper Peninsula; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the President of the Senate and Speaker of the House of Representatives of Congress, and to the Michigan Members in the Senate and House of Congress.

"Adopted by the senate on May 19, 1941."

A joint resolution of the Legislature of the State of California, memorializing Congress to investigate the feasibility of the growing of guayule rubber in California, and, if found feasible, to subsidize the same, which was referred to the Committee on Agriculture and Forestry. (See joint resolution printed in full when presented by Mr. JOHNSON of California on the 26th instant, p. 4390, CONGRESSIONAL RECORD.)

Papers and a letter in the nature of petitions from several citizens of the United States, praying that the United States keep out of war; to the Committee on Foreign Relations.

A letter from Earl Miller, of Rochester, N. Y., favoring the use of the United States Navy to convoy war material to Great Britain and other allied nations; to the Committee on Foreign Relations.

By Mr. ELLENDER:

A petition of sundry citizens, members of the Foster-Gatewood Sunday School Class of the First Methodist Church, Shreveport, La., praying that the national-defense program be expedited and be not delayed by strife between capital and labor; to the Committee on Education and Labor.

By Mr. WILEY:

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress to reject proposed legislation designed to repeal the tax on retail outlets handling oleomargarine; to the Committee on Finance. (See joint resolution printed in full when presented by Mr. LA FOLLETTE on the 26th instant, p. 4390, CONGRESSIONAL RECORD.)

By Mr. TYDINGS:

A memorial of sundry citizens of the State of Maryland, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition of sundry citizens of Baltimore, Md., praying that strong and effective action be taken by the Government to prevent further strikes in the coal industry; to the Committee on Education and Labor.

By Mr. CAPPER:

Memorials of sundry citizens of Oswego, Altamont, Chetopa, Mound Valley, Parsons, and Greenwood County, all in the State of Kansas, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A letter in the nature of a memorial from Berryton Grange, No. 1430, Patrons of Husbandry, of Berryton, Kans., remonstrating against lowering of the draft-age limits under the Selective Training and Service Act; to the Committee on Military Affairs.

A petition of sundry citizens of Minneola, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. MEAD (for Mr. WAGNER):

Letters and telegrams, etc., in the nature of memorials from John Cashmore, borough president of Brooklyn; the Sugar Committee of the Port of New York; the International Longshoremen's Association, Joseph P. Ryan, president, New York City; the Business and Professional Women's Club, of Brooklyn; John J. Brady, of New York City; Sugar Refinery Workers Local No. 1476, of Brooklyn; the Merchants' Association of New York, New York City; the Business and Professional Women's Clubs of New York State in convention assembled at Elmira; the Common Council of the City of Yonkers; the Chamber of Commerce of the Borough of Queens, New York City; the Woman's Press Club of New York City; and the Maritime Association of the Port of New York, all in the State of New York, remonstrating against the enactment

of the bill (S. 937) to amend section 204 of the Sugar Act of 1937; to the table.

By Mr. VANDENBERG:

Memorials, numerously signed, of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Petitions of sundry citizens of the State of Michigan, praying that the United States keep out of war; to the Committee on Foreign Relations.

A resolution of the Detroit (Mich.) Youth Assembly protesting against the use of convoys or patrols by the United States in the present international situation; to the Committee on Foreign Relations.

A resolution of the Lansing (Mich.) Chapter, America First Committee, protesting against the employment of convoys, patrols, or any other device in the present international situation which may lead to involvement in war; to the Committee on Foreign Relations.

A resolution of New York Central System Post, No. 134, American Legion, of Detroit, Mich., protesting against the enactment of legislation for development of the St. Lawrence River; to the Committee on Foreign Relations.

Resolutions of the Lions Club, of Muskegon, and the board of governors of the Michigan Trucking Association, both in the State of Michigan, favoring the enactment of legislation for the development of the St. Lawrence River; to the Committee on Foreign Relations.

A memorial of sundry citizens of Ann Arbor and vicinity, in the State of Michigan, remonstrating against the enactment of legislation curtailing the use and possession of firearms by citizens; to the Committee on the Judiciary.

A petition of sundry citizens of Detroit, Mich., praying for the adoption of the concurrent resolution (S. Con. Res. 7) providing for an advisory war referendum; to the Committee on the Judiciary.

Petitions of sundry citizens of the State of Michigan praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

Memorials, numerously signed, of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments in its present form; to the table.

By Mr. NORRIS:

A resolution of the Legislature of the State of Nebraska; to the Committee on Agriculture and Forestry:

"Legislative Resolution 32

"Resolution memorializing the United States Price Control Administrator, Leon Henderson; head of purchasing department for the Army, Colonel Logan; and Secretary of Agriculture Claude R. Wickard, all of Washington, D. C., to require purchasing departments of Army, Navy, and other Federal agencies to purchase more weighty steers and fewer handy-weight steers

"PREAMBLE

"Whereas Claude R. Wickard, Secretary of Agriculture of the United States of America, on or about May 5, 1941, appealed to the livestock farmers of the Nation to market greater numbers of beef cattle; and

"Whereas livestock farmers of Nebraska and neighboring States patriotically responded to said appeal; and

"Whereas the response of the livestock farmers to the Secretary's appeal resulted in sharply expanded receipts at the seven principal markets on May 12, 1941, and subsequent market days; and

"Whereas livestock farmers since responding to the Secretary's appeal have been forced to sell weighty steers below the depressed market which dates back to January 20, 1941, for a price that has lost livestock farmers money on 75 percent of the cattle sold by them since May 5, 1941, because the packers contend that the purchasing departments of the Army, Navy, and other Federal agencies have refused to buy the weighty steer carcasses, but are in the market only for handy-weight steers weighing from 850 to 1,050 pounds, which sell readily; and

"Whereas further expansion of the market, pursuant to the Secretary's appeal, is certain to extend the break in prices payable to livestock farmers; and

"Whereas livestock farmers have been losing money and further reductions in price will be serious to them; and

"Whereas cattle feeders of Nebraska and of neighboring States cannot be expected to have confidence in this beef market which has continued to show loss from week to week since January 20, 1941, with the cost of producing beef constantly increasing because of increased prices of corn, plus increased labor cost; and

"Whereas every part of the defense program is operating on a higher rate, except the producers of food products; labor has higher wages, the manufacturer and processor are practically guaranteed a reasonable rate, but the livestock farmer, in the last 4 months, has had not only his margin of profit eliminated, but is today at a point where the cattle he markets lose him money: Now, therefore, be it

"Resolved by the Legislature of the State of Nebraska in fifty-fifth regular session assembled:

"1. That it is the sense of this legislature that Price Control Administrator Leon Henderson, acting in concert with other Federal governmental agencies in Washington, including the purchasing departments of the Army and Navy, take such steps without delay as will result in the purchasing departments of the Army and Navy and other Federal agencies purchasing greater numbers of weighty cattle carcasses from the seven principal markets in Nebraska and surrounding States.

"2. That a copy of this resolution be spread at large upon the journal of this legislature; that the clerk of this legislature be directed forthwith to forward copies of this resolution, properly authenticated and suitably engrossed, to the following persons: Nebraska Senators and Congressmen; Iowa Senators and Congressmen; Secretary of Agriculture Claude R. Wickard; Governor of the State of Iowa; secretary of agriculture, State of Iowa; Leon Henderson, Price Control Administrator; and to Colonel Logan, purchasing department for the Army in Washington, to the end that the parties to whom copies of this resolution are sent may know that the livestock farmers must, without delay, be permitted to sell their weighty beef cattle in the markets where the purchasing departments of the Army, Navy, or other Federal agencies will purchase the same.

"Introduced May 19, 1941.

"Adopted May 19, 1941."

SUGAR QUOTAS

Mr. MEAD. Mr. President, out of order I present letters and telegrams, and so forth, in the nature of memorials from Mayor LaGuardia, of New York City; D. L. Tilly, president of the Brooklyn Chamber of Commerce, of Brooklyn; the Merchants' Association of New York; the International Longshoremen's Association, by Joseph P. Ryan, president, New York City; John Cashmore, borough president of Brooklyn; the Business and Professional Women's Clubs of New York State; the Employees Committee to Maintain Brooklyn's Cane Sugar Refining Industry, W. P. Coster, chairman, of Brooklyn; John J. Brady, Brady & Gioe, Inc., of New York; Sugar Refinery Workers, Local No. 1476, I. L. A., affiliated with A. F. of L., Edna M. Geraghty, secretary, of Brooklyn; the Sugar Committee of the Port of New York, and the Community of Councils of the City of New York, Inc., all in the State of New York, remonstrating against the enactment of the pending bill, S. 937, to amend section 204 of the Sugar Act of 1937.

The VICE PRESIDENT. Without objection, the letters, telegrams, and so forth, presented by the Senator from New York, will be received and lie on the table.

SALE OF ALCOHOLIC BEVERAGES, ETC., IN THE VICINITY OF MILITARY CAMPS

Mr. STEWART presented a petition of sundry citizens of Nashville, Tenn., which was ordered to lie on the table and to be printed in the RECORD, without all the signatures attached, as follows:

PETITION TO UNITED STATES SENATE

DEAR SENATOR: We, the undersigned residents of Davidson County, State of Tennessee, respectfully urge you to use your influence to bring about the passage of S. 860, a bill to stop the sale of all alcoholic beverages, including beer, ale, or wine, inside the Army and Navy camps, and to authorize the Secretaries of the Army and of the Navy to set zones sufficiently wide around all Army and Navy training camps to prevent taverns and vice districts in close proximity thereto.

We urge this in the interest of efficiency, health, and safety of our soldiers, and the general morale of the people throughout the country.

FRANK A. COFFIN
And sundry other citizens.

RESOLUTION OF COMMON COUNCIL OF THE CITY OF MONROE, WIS.—WORK PROJECTS ADMINISTRATION

Mr. WILEY presented a letter from the city clerk of Monroe, Wis., transmitting a resolution adopted by the common council of that city, which letter and resolution were referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

CITY OF MONROE,
Monroe, Wis., May 21, 1941.

Hon. ALEXANDER WILEY,
United States Senator, Wisconsin,
Washington, D. C.

DEAR SIR: At the express request of the Common Council of the City of Monroe, Green County, Wis., I am forwarding to you a copy of a resolution adopted May 20, 1941, relating to the 1941–42 relief bill relative to the Work Projects Administration, which we understand is shortly to be before the Senate.

Anything you may be able to do as to the furtherance of this matter will be greatly appreciated by this community.

Very truly yours,

FRED W. WETTENGEL,
City Clerk, City of Monroe.

Be it resolved by the Common Council of the City of Monroe, a municipal corporation

of the State of Wisconsin, That the Congress of the United States, in enacting the 1941–42 relief bill relative to Work Projects Administration, embrace therein the following provisions:

1. That the 18-month rule be eliminated.
2. That the 95–5 percent rule be changed to 90–10 percent.
3. That the percent of sponsors' contributions be reduced appreciably since the present percent is very severe and taxing local resources.
4. That small communities in nondefense areas not be penalized by reduction in quota of Work Projects Administration workers.
5. That construction work (operations) not be curtailed in favor of community service type projects.

Dated this 20th day of May 1941.

Offered by the board of public works.

WILLIAM F. BECKMAN.
ERNEST C. WAEFFLER.
GEO. J. MEYTHALER.
HENRY TSCHUDY.

REPORT OF A COMMITTEE

The following report of the Committee on Foreign Relations was submitted:

By Mr. GEORGE:

S. 1488. A bill to amend an act entitled "An act authorizing the temporary detail of John L. Savage, an employee of the United States, to service under the government of the State of New South Wales, Australia, and the government of the Punjab, India" (act of June 29, 1940, Public, No. 678, 76th Cong., 3d sess.); without amendment (Rept. No. 365).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 1570. A bill to further amend the acts for promoting the circulation of reading matter among the blind; to the Committee on Post Offices and Post Roads.

S. 1571. A bill for the relief of Robert Zane Collings; to the Committee on Military Affairs.

By Mr. BALL:

S. 1572. A bill for the relief of Mike Chetkovich; to the Committee on Finance.

By Mr. STEWART:

S. 1573. A bill for the relief of Louise Hsien Djen Lee Lum; to the Comimttee on Immigration.

By Mr. THOMAS of Oklahoma:

S. 1574 (by request). A bill to provide for the election of at least three full-blooded Indians of the Osage Tribe to the tribal council of such tribe; to the Committee on Indian Affairs.

By Mr. McCARRAN:

S. 1575. A bill to provide for the establishment of a fortified military post at or near the naval depot at Hawthorne, Nev.; to the Committee on Military Affairs.

By Mr. GEORGE:

S J. Res. 81. Joint resolution to authorize the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942; to invite Regional Commissions III and IV of the International Meteorological Organization to meet concurrently therewith; and to authorize an appropriation for the expenses of organizing and holding such meetings; to the Committee on Foreign Relations.

HOUSE BILL REFERRED

The bill (H. R. 4646) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, was read twice by its title and referred to the Committee on Banking and Currency.

GRADING OF COTTONSEED

Mr. SMITH. Mr. President, I should like to make an anouncement on behalf of the Committee on Agriculture and Forestry. This morning I was instructed to request the return to the committee of House bill 571, to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes. My understanding is that the bill has been referred to the Senate Committee on Agriculture and Forestry, and that the committee has agreed to it. A Senator was given charge of it, but it has not yet been acted upon. I submit the request.

AUSTIN L. TIERNEY—MOTION TO RECONSIDER

Mr. GILLETTE. I ask leave to enter a motion to reconsider the vote whereby the bill (S. 1074) for the relief of Austin L. Tierney, was passed on the 26th instant.

The VICE PRESIDENT. The motion will be entered.

AMENDMENT OF NATIONAL HOUSING ACT—AMENDMENT RELATIVE TO BANKHEAD-JONES FARM TENANT ACT

Mr. BANKHEAD submitted an amendment intended to be proposed by him to the bill (H. R. 4693) to amend the National Housing Act, and for other purposess, which was referred to the Committee on Banking and Currency and ordered to be printed.

INSURANCE OF LOANS FOR THE PURCHASE OF LIVESTOCK, ETC.—AMENDMENT

Mr. NYE submitted an amendment intended to be proposed by him to the bill (S. 1325) to provide for insurance by the Farm Credit Administration of loans made by financial institutions for the purpose of enabling borrowers to purchase livestock for restocking or herd-foundation purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

STABILIZATION FUND AND WEIGHT OF THE DOLLAR—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 4646) to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised, which was referred to the Committee on Banking and Currency, ordered to be printed, and to be printed in the RECORD, as follows:

At the end of the bill to insert the following new section:

"SEC. 3. Nothing in this act shall be construed to affect in any manner any of the provisions of section 4 of the act entitled 'An act to extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised,' approved July 6, 1939."

APPROPRIATIONS FOR RELIEF AND WORK RELIEF—AMENDMENTS

Mr. LEE submitted two amendments intended to be proposed by him to the House joint resolution making appropriations for relief and work relief, fiscal year 1942, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place to insert the following:

"In the allocation among the States for expenditure of the funds appropriated to the National Youth Administration and the Civilian Conservation Corps by this act, the Federal Security Administrator shall give consideration to the extent to which the unemployment problem in the various States has been affected and will be affected by the expenditure therein of funds appropriated for national-defense purposes, and the funds appropriated to the National Youth Administration and the Civilian Conservation Corps by this act (other than funds for administrative expenses) shall be allocated for expenditure in the several States, respectively, on the basis of the extent to which expenditures for national-defense purposes do not meet the needs for the relief of unemployed persons in such States."

At the proper place to insert the following:

"In the allocation among the States for expenditure of the funds appropriated to the Work Projects Administration by this joint resolution, the Federal Work Administrator shall give consideration to the extent to which the unemployment problem in the various States has been affected and will be affected by the expenditure therein of funds appropriated for national-defense purposes, and the funds appropriated to the Work Projects Administration by this joint resolution (other than funds for administrative expenses) shall be allocated for expenditure in the several States, respectively, on the basis of the extent to which expenditures for national-defense purposes do not meet the needs for the relief of unemployed persons in such States."

REPORT ON SABINE-NECHES WATERWAY, TEXAS (S. DOC. NO. 60)

Mr. OVERTON (for Mr. BAILEY) presented a letter from the Secretary of War, transmitting a report dated November 20, 1940, from the Chief of Engineers of the Army, on reexamination of the Sabine-Neches Waterway, Texas, which was referred to the Committee on Commerce and ordered to be printed, with illustrations.

ADDRESS BY SENATOR TAFT ON INTERVENTION IN WAR

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a radio address on intervention in war delivered by Senator TAFT on May 28, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR BUTLER AT LEXINGTON, NEBR.

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD an address delivered by Senator BUTLER at Lexington, Nebr., on May 29, 1941, commemorating annual Plum Creek Day, which appears in the Appendix.]

AMERICA IN A WORLD AT WAR—ADDRESS BY CHESTER C. DAVIS

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address delivered by Chester C. Davis, member of the National Defense Advisory Commission, at the Army Day celebration at St. Louis, Mo., on April 7, 1941, on the subject America in

a World at War, which appears in the Appendix.]

THE TENNESSEE VALLEY AUTHORITY AND NATIONAL DEFENSE

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a press release by the Tennessee Valley Authority which appears in the Appendix.]

THE SUNDOWN PATROL—ARTICLE BY RICHARD L. NEUBERGER

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an article by Richard L. Neuberger entitled "The Sundown Patrol," which appears in the Appendix.]

IN DEFENSE OF THE PEOPLE—EDITORIAL FROM THE SATURDAY EVENING POST

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial published in the Saturday Evening Post of May 31, 1941, entitled "In Defense of the People," which appears in the Appendix.]

AMERICA FIRST COMMITTEE—LETTER FROM M. C. MIGEL TO GEN. ROBERT E. WOOD

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD a letter written by Mr. M. C. Migel to Gen. Robert E. Wood, in reply to a request from General Wood that Mr. Migel contribute funds to support the activities of the America First Committee.]

HEALTH CONDITIONS IN LOUISIANA MILITARY CAMPS

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial from the Shreveport (La.) Times of the issue of May 22, 1941, relative to health conditions in military camps in Louisiana.]

USE OF MUSICAL COPYRIGHTS—DECISIONS BY SUPREME COURT

[Mr. BONE asked and obtained leave to have printed in the RECORD two Supreme Court decisions relating to the use of copyrights in the musical field.]

MACHINISTS' STRIKES IN SAN FRANCISCO AND OAKLAND, CALIF.

Mr. TRUMAN. Mr. President, the Senate Committee on National Defense has been investigating certain labor controversies in the cities of San Francisco and Oakland. I believe at this time it is appropriate for me, as chairman of that committee, to make a statement to the Senate on some of the facts developed at our hearings during the past 2 days.

On Tuesday night the President proclaimed the existence of an unlimited emergency, and, in connection therewith, said:

When the Nation is threatened from without, however, as it is today, the actual production and transportation of the machinery of defense must not be interrupted by disputes between capital and capital, labor and labor, or capital and labor. The future of all free enterprise—of capital and labor alike—is at stake. A Nation-wide machinery for conciliation and mediation of industrial disputes has been set up. That machinery must be used promptly, and without stoppage of work. Collective bargaining will be retained but the American people expect that impartial recommendations of our Government services will be followed both by capital and by labor.

The Secretary of Labor said, with respect to the west coast strike:

In this case, all the machinery of the Government has been used to secure a just and fair program of working conditions. The machinists have wantonly disregarded this program and are in violation of their contract, which is a most serious disloyalty to union principles and to the program of the labor movements in this country. Moreover, the machinists made no substantial efforts to have any grievances they may have fully considered. There are methods set up whereby real grievances may be adjusted. These methods have not been invoked.

Mr. William Green, president of the American Federation of Labor, testified that the metals trade department had made a pledge that—

there be no strikes among metal trades workers in defense industries, that wage scales would be negotiated through collective bargaining and differences would be settled through mediation and arbitration.

Consequently, even if there had been no stabilization conference and no agreement upon zone standards, there should have been no stoppage in work.

The stabilization conference had before it the contentions of both the employers and the employees, and the evidence establishes that consideration was given to them.

The bulk of the employees involved in the strike are affiliated with the American Federation of Labor, for which Mr. William Green, president of the A. F. of L., spoke in testifying. Mr. Green spent nearly an hour before our committee and went into the matter in detail. This is the substance of what he said:

We must disavow the action of the machinists in the outlaw strike, in which they are engaged.

And Mr. Green called it an outlaw strike.

Their action cannot be approved or countenanced by the American Federation of Labor.

Mr. John Green, president of the Industrial Marine and Shipbuilders of America, affiliated with the C. I. O., likewise took the position that the strike was an outlaw strike.

One thousand one hundred and thirty-one machinist affiliated with the American Federation of Labor, and less than 500 machinists affiliated with the S. W. O. C.—that is the C. I. O. shipbuilding steel organization—are striking, and by their picketing activities and otherwise are preventing 10 times that many men from working on a total of approximately $500,000,000 of Navy and Maritime Commission work in San Francisco Bay.

The objectives of the strike appear to be to obtain $1.15 an hour and double time for overtime, as against $1.12 an hour and time and a half for overtime provided for in the zone standards; but also to obtain, incidentally, the closed shop. The closed shop did not become an issue, however, until the strike started.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. HATCH. The Senator says it appears to be that these are the two issues—wages of $1.15 instead of $1.12, and double time for overtime instead of time and a half. Perhaps the Senator is coming to this, but is it not a matter of fact that Mr. Hook stated positively to our committee yesterday that those were the only two issues?

Mr. TRUMAN. That is correct.

Mr. HATCH. That nothing else was involved?

Mr. TRUMAN. The Senator was present, and that is exactly what he said.

Mr. CLARK of Missouri. Mr. President, will my colleague yield?

Mr. TRUMAN. I yield.

Mr. CLARK of Missouri. Does my colleague intend to touch on the situation in St. Louis involving the jurisdictional strike in the Busch Sulzer Diesel-engine plant?

Mr. TRUMAN. That matter has not been before our committee.

Mr. CLARK of Missouri. I should simply like to suggest to my colleague that when he is talking about the strike in San Francisco Bay, an even more flagrant case is that having to do with the Busch Sulzer Diesel Engine Co. plant in St. Louis, because in that case there is no question of wages, or collective bargaining, or anything of the sort, or any question between the employer and the employee. No question as to conditions of labor is involved; but at the present time the company, under contract with the Navy Department in which speed is of the very essence, is being prevented from installing absolutely essential machinery before it can enter upon the performance of the contract by a jurisdictional dispute between, as I recall, the machinists and the carpenters. That seems to me to present an even more startling case than that which my colleague is now discussing.

Mr. TRUMAN. The strike referred to by my colleague is perfectly asinine. The committee of which I happen to be chairman is made up of Members of the Senate who are all friends of labor, and the hearings which we have held on this subject have been perfectly disgusting to us, because of what has been shown as to the manner in which the laboring men have acted. I do not think they represent the backbone of labor at all. I think that is true as to the situation in St. Louis. I think it is a quarrel between a couple of leaders.

Mr. CLARK of Missouri. If my colleague will permit a further word, the very unions which are holding up the performance of the contracts by a jurisdictional dispute in St. Louis do not even represent contending major labor forces. They are both affiliated with the American Federation of Labor, and there is a jurisdictional dispute between them. No question of wages, or hours of labor, or conditions of labor, collective bargaining, or anything of the kind, is involved; but the controversy is holding up a series of very essential naval contracts, as to which time is of the very essence.

Mr. TRUMAN. It is asinine, and they should not do what they are doing.

Mr. CLARK of Missouri subsequently said: Mr. President, in the course of the remarks of my colleague [Mr. TRUMAN], I made some reference to the jurisdictional strike in St. Louis, which is impeding the work of national defense. In that connection I ask unanimous consent to have printed in the RECORD an editorial

from the St. Louis Star Times of May 27, 1941, dealing with that subject.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Star-Times of May 27, 1941]

WHY NOT A FACT-FINDING BOARD?

In Washington today a battery of Government and labor officials is wrestling with the stubborn jurisdictional union dispute halting installation of machinery in the new Busch Sulzer Diesel Engine Co. plant. If all other approaches fail, it would seem that this absurd controversy might be settled on a simple fact-finding basis.

Why could not both unions involved (carpenters and machinists, each affiliated with the A. F. of L.) be asked to submit the dispute to an impartial board of engineers, which would decide the single question of which group of workmen would perform most efficiently the type of work required?

This is simple, perhaps, to the point of being naive. Anyone who knows anything about jurisdictional conflicts knows that at least one union in each case is not concerned with facts—it is concerned solely with power. It is out to get and keep as many jobs as possible for itself, even at the expense of fellow unionists and the labor movement generally. This has been the history of the lengthy quarrel between machinists and carpenters in the many areas which it has afflicted.

But Busch Sulzer has Navy contracts, in the execution of which speed is all important. Both unions can reasonably and fairly be asked to submit their dispute at this plant to a fact-finding board of competent industrial engineers, which would not be prejudiced in favor of either, but would simply examine the type of work, consider the special skills of carpenters and machinists, respectively, and render a decision on which should have the employment.

If unions refuse all conceivable instruments of mediation and arbitration and persist in intralabor fights which endanger the Nation, the eventual solution will be much more drastice. Pressure for congressional action outlawing jurisdictional strikes will become irresistible. Would not a fact-finding board be preferable?

Mr. TRUMAN. Mr. President, the wages which formerly prevailed were $1 per hour and double time for overtime, which, however, was very limited in amount because of the insistence of the Maritime Commission and the Navy that overtime be eliminated except where absolutely essential.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. HATCH. I should like to have the Senator empnasize again the point about double time. It is a fact, apparently, from the testimony which came before us, that these agreements have been in force on the west coast for a number of years, perhaps since 1908, providing for double pay for overtime. But practically all the testimony that I recall coming before the committee was to the effect that the double time was in reality never paid, that it was used as a means of spreading work among employees, and employees themselves benefited hardly at all from the provision for double time. Is that correct?

Mr. TRUMAN. The Senator is absolutely correct. It was a penalty for the purpose of spreading work during time when there was little work. It was inaugurated, I understand, during the early years of the depression; in fact, in 1929, if I remember correctly.

Mr. HATCH. As a matter of fact, the difference between double time and time and a half is largely mythical, is it not?

Mr. TRUMAN. That is true.

It is now contemplated to work a 48-hour week, for which, on the old basis, an employee would have received $56 per man per week, and for which, on the new basis, he will receive $58.24, so that it would appear that despite the change from double time to time and a half the men will receive for a 48-hour week an increase of wages amounting to $2.24. Consequently there is little basis for complaint that the men are being deprived of what they already had.

It is inherent in the negotiation of any zone standards for a situation as complex as shipbuilding, involving, as it does, so many different crafts and so many different localities, that some of the existing arrangements will have to be changed to conform to the zone standards. The very essence of zone standards is agreement on general conditions applicable to all.

The zone standards were negotiated, and then individual agreements were negotiated between the different unions and the employers, and in every city in the West, where the shipbuilding controversy was on, the men are at work, and are satisfied with the agreement, which was signed by these very unions which are striking.

Any attempt to make the zone standards conform to every condition of every agreement of every craft in every locality would destroy all possibility of negotiating zone standards. Negotiations of zone standards must be a give-and-take proposition. The unions cannot, on the one hand, take an increase in wage rates, and on the other hand refuse to make reasonable arrangements on overtime rates to conform to the national necessity for producing ships at maximum speed.

The question of the rates of wages to be paid for regular and overtime work is not, in this instance, a question between the employees and the employers, but is a question between the employees and the Government, because in the last analysis it is the Government and not the employers who will pay the wage rates, for these are cost-plus contracts, and the Government meets the pay roll.

The Under Secretary of the Navy and the Chairman of the Maritime Commission have informed the committee officially that it is their firm position that the Government should not and will not countenance any increase in the regular or overtime wage rates provided in the zone standards, and the zone standards provided time and a half.

The International Association of Machinists, through its vice president, Mr. Castleman, participated in the negotiations for the zone standards, and it appears from the testimony of Mr. H. S. Brown, president of the International Association of Machinists, that the international organization would not sanction the strike if all employers were willing to sign the so-called master agreement, containing as it does, provisions for closed shop. Mr. Brown, speaking for the international, agreed that the real issue, as he saw it, was whether there should be a closed shop.

Mr. H. S. Hook, speaking for Local 68 of the International Association of Machinists and its 1,131 members out on strike, testified that his local was not insistent on a closed shop.

Mr. Smith, for the C. I. O. machinists, Local 1034, stated that his union was striking for a closed shop, and for a $1.15 per hour, plus double time for overtime on the theory that his 500 men had not been represented in the stabilization conference, and that they did not consider themselves bound by the decision of those participating in the conference. There is no evidence that they were not permitted to set forth their position. The fact is that they walked out of the conference. It is unfortunate that they did not agree with the conclusions reached by the conference, including as it did representatives of the great majority of laborers involved, but it is inherent in the American way of doing things that the opinion of the majority should prevail. Five hundred machinists cannot be permitted to prevent the application of working agreements found to be fair by many thousands of workmen, who were also parties to the agreements.

Under all the circumstances involved here, the Senate committee is of the opinion that the zone standards agreed upon after such an extended investigation and negotiation should not be disregarded and set at naught; that the Government of the United States has taken no position either for or against the closed shop, and that the desperate need of the United States for ships ought not to be used as a weapon to obtain closed shops where for 25 years no closed shops have existed; and that any provisions as to which an agreement cannot be reached, other than those in the zone standards and other than a closed shop, should be submitted to arbitration.

The Senate committee believes that the machinists of San Francisco are loyal Americans and that they will give heed to the unlimited emergency proclaimed by the President and to the request of the President that the vital defense program of the Nation be not impeded by the stoppage of work on defense projects. The Senate committee will write each of the machinists out on strike as soon as the names and addresses are furnished as requested by the Senate committee, asking each person to answer, "Yes" or "No" whether he is prepared to return to work, and the committee requests such machinists, without waiting for the receipt of a formal communication from the committee, to send in their answers to the committee.

The United States must and will have ships, and it must have them and will have them now.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. HATCH. How long has this strike been going on?

Mr. TRUMAN. For about 2 weeks.

Mr. HATCH. Is it not nearly 3 weeks now?

Mr. TRUMAN. I think it is beginning the third week.

Mr. HATCH. It is beginning the third week.

Mr. President, in connection with what the Senator has said, I wish to say that in common, I think, with practically every other Senator on this side of the Chamber, I have voted for every piece of labor legislation that has come before the Senate during the present administration. I have always favored everything which would improve the conditions and the lot of the workingman in this country, but I was terribly shocked when this condition was revealed to our committee. As a matter of fact, these men were drawing a dollar an hour and not working many days a week when this emergency program started. Under the emergency program every day in the week is a work day for them, at $8 a day, and under the agreement that was reached they received an increase in wages of 12 cents an hour. The only difference at all which now exists, as I see it—because I do not think that double time has anything to do with the controversy—is the difference between $1.12 an hour and $1.15 an hour; 3 cents an hour, or 24 cents a day, involving at the outside, I think, some 1,600 men.

Mr. TRUMAN. That is the number of men on strike, but about 16,000 mer are out of work.

Mr. HATCH. I know. One thousand and six hundred men are out on strike, whose possible gain would be $400 a day, and for 2 or 3 weeks now 16,000 or 17,000 men have been without their daily wage of $8 a day, at a cost of some $350,000 or $400,000.

Like the Senator from Missouri, I cannot believe that any group of men is willing to pay such a cost as that in dollars and cents. It is hard for me to believe, Mr. President, that in a great emergency program, when the welfare of our country is involved, 1,600 men can or will tie up a vital defense industry.

Mr. President, I hope the men involved in this strike will take the suggestion of the Senator from Missouri, made over and over again in our committee, and go back to work, and go back to work now, and let the other 16,000 go with them.

Mr. HOLMAN and Mr. OVERTON addressed the Chair.

The VICE PRESIDENT. Does the Senator yield; and if so, to whom?

Mr. TRUMAN. The Senator from Oregon was on his feet first. I yield to him.

Mr. HOLMAN. Mr. President, for the benefit of the Senator from Missouri and other Members of this body, I should like to make the observation that during the past several months, while hearings have been held on subjects that have to do with the national defense, I have put the question to witnesses representing the highest authority in the military, naval, Air Corps, and procurement departments of our Government: To what extent are strikes and lack of cooperation on the part of civilians retarding the Nation's program for national defense? Invariably the answer was that strikes are seriously impairing the progress of the national program for defense. Mr. President, I wish to emphasize that point: These strikes, according to our highest authorities, are seriously retarding the program for national defense and aid to Britain. I wish to make the further observation that when using the word "labor" we must differentiate between those who labor and those who racketeer on those who labor. It is those who racketeer on labor who by intimidation and coercion force many honest and patriotic laboring men into unpatriotic and unjustifiable strikes in a time of national emergency.

Mr. TRUMAN. I thank the Senator. I now yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, I thought the Senator from Missouri had completed his statement, and I desired to address the Senate.

Mr. MEAD rose.

The VICE PRESIDENT. Does the Senator from Missouri yield the floor?

Mr. TRUMAN. With the permission of the Senator from Louisiana, I yield to the Senator from New York [Mr. MEAD], because he is a member of the committee and I think has something to say about the matter at this time.

Mr. MEAD. Mr. President, while I in no wise condone the strike, or the agitation which brought on the strike, I ask if it is not true that the record reveals that in the preliminary meetings or negotiations leading up to the development of the agreements, the Bethlehem Co. refused to participate and was rather reluctant to go along as enthusiastically as did the other employers on the Pacific coast? Does not the record reveal the fact that the Bethlehem Co. refused in many instances to participate in the deliberations, and was reluctant to accept the master agreement?

Having that in mind, and realizing that this difficulty existed in most part between the machinists and the Bethlehem Co., while not in any way condoning the strike, yet recognizing the fact that the master agreement provided improved working conditions and higher wage standards, vacations with pay and a higher hourly rate, which the men, in my judgment, should accept, I believe it must be admitted that there is to be found in the hearings ample basis for the immediate settlement of the strike. For instance, President Brown of the International Machinists Association said to us that he would withdraw the sanction for the strike if the Bethlehem Co. would agree to the master agreement. Representatives of the Bethlehem Co. told us they would agree to the master agreement, with the exception of the closed-shop provision. Mr. Hook, the business agent of the striking machinists' union, No. 68, said the closed-shop issue was not important, or words to that effect.

Mr. HATCH. Mr. President, will the Senator yield right there?

Mr. MEAD. Yes, I am glad to.

Mr. HATCH. As a matter of fact it developed that the strike was called before the closed-shop issue arose. That was developed in the hearings, was it not?

Mr. MEAD. The Senator is correct.

Mr. HATCH. It could not have been an issue for calling the strike.

Mr. MEAD. But, nevertheless, it was given to the committee as the issue by the international president.

Mr. HATCH. That is correct.

Mr. MEAD. That was given as the reason why he gave the sanction.

Mr. HATCH. Yes.

Mr. MEAD. In view of the fact that representatives of the unit, Machinists' Union, No. 68, that asked the international president for permission to strike, have explained to the committee that the closed-shop issue is not important, and in view of the fact that the international president said that the closed-shop issue is why he gave them the right to strike, and because he reiterated that he would withdraw the sanction to strike if the Bethlehem Steel Corporation would conform to the master agreement, and, further, in view of the fact that representatives of the Bethlehem Co. told the committee they would yield to the master agreement with the exception of the closed-shop provisions, which we are now told are not important, I cannot understand why this strike should continue.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MEAD. As the Senator indicated, there does not seem to be any reason or excuse for this strike.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. HATCH. Even if there is confusion about the closed-shop issue, does not that fact conclusively demonstrate that there is no reason for the men stopping work? They could go on with their work, call in the conciliation agency of the Government, the Mediation Board, and arbitrate this immaterial point without any trouble whatsoever. That is what should be done.

Mr. MEAD. That is what I suggested at the committee hearing. In my judgment this strike is an injury to the cause of labor. The men ought to accept the improved conditions in the master agreement and arbitrate the differences for which they now find reason to strike.

I wish to say to the chairman, who, in my judgment, deserves the congratulations of the Senate for his effort in this very connection, looking toward the improvement of our national defenses, that Mr. Hook also said that if it was the wish of the Government that the men forego double time and accept time and a half, he would accept that proposal. He also said to the committee that if the President wanted the men to go back to work he would use his efforts to bring them back to work.

We quoted the President's speech and the requests made by the Maritime Commission, the Office of Production Management, and the Navy Department with reference to double time. In my judgment the strike ought not to continue

another 24 hours, in view of the revelations made by the defense committee, under the leadership of the chairman, who has just completed his statement.

I wish to say a word of approval for President Green, of the American Federation of Labor; for Mr. Green, who represented the C. I. O. on the coast; and for John Frey, of the meta' trades union. They cooperated with our committee and worked tirelessly in an effort to bring the men back to work. They deserve our commendation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. HATCH. This is at least one instance in which the heads of organized labor apparently have done everything they can to prevent what they call an outlaw strike.

Mr. MEAD. That is quite correct.

Mr. HATCH. The Senator was speaking about what Mr. Hook said as to the willingness of the men to go back to work provided the President wanted them to do so. I am reminded of what the Senator from Texas [Mr. CONNALLY] said yesterday. Apparently Mr. Hook wanted the President of the United States to make a social call on each member of the union and personally invite him to go back to work. That seemed to be Mr. Hook's attitude.

Mr. MEAD. I am hoping that his attitude will change, and that, as the result of the work of our committee, the efforts of the President, and the airing of the matter here, he may see the light.

ACQUISITION AND USE OF MERCHANT VESSELS—CONFERENCE REPORT

Mr. OVERTON. Mr. President, in the absence of the senior Senator from North Carolina [Mr. BAILEY], who is unavoidably detained, and at his request, I move that the Senate proceed to consider the conference report on House bill 4466, which was submitted by the senior Senator from North Carolina on May 26 and which now lies on the table.

The motion was agreed to.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows:

On page 1 of the Senate engrossed amendments, line 8, strike out "that"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "*Provided further*, That such compensation hereunder shall be deposited with the Treasurer of the United States, and the fund so deposited shall be available for the payment of such compensation, and shall be subject to be applied to the payment of the amount of any valid claim by way of mortgage or maritime lien or attachment lien upon such vessel, or of any stipulation therefor in a court of the United States, or of any State, subsisting at the time of such requisition or taking of title or possession; the holder of any such claim may commence within 6 months after such deposit with the Treasurer and maintain in the United States District Court from whose custody such vessel has been or may be taken or in whose territorial jurisdiction the vessel was lying at the time of requisitioning or taking of title or possession, a suit in admiralty according to the principles of libels in rem against the fund, which shall proceed and be heard and determined according to the principles of law and to the rules of practice obtaining in like cases between private parties; and such suit shall be commenced in the manner provided by section 2 of the Suits in Admiralty Act and service of process shall be made in the manner therein provided by service upon the United States attorney and by mailing by registered mail to the Attorney General and the United States Maritime Commission and due notice shall under order of the court be given to all interested persons, and any decree shall be subject to appeal and revision as now provided in other cases of admiralty and maritime jurisdiction:"

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "*Provided further*, That if the Maritime Commission, after consideration by it of evidence submitted to it within ten days after the approval of this Act, shall find that on September 3, 1939, and continuously thereafter, any vessel was exclusively owned, used and operated for its exclusive sovereign purposes by a sovereign nation making claim therefor, such vessel may be taken under this section only by purchase or charter; and in determining said ownership, use and operation the Commission shall disregard (1) all contributions made in whole or in part at any time to the construction, repair, reconditioning, equipping or operation of said vessel, (2) all such matters, in nature similar to or dissimilar from, the foregoing clause as in the opinion of the Commission are immaterial or irrelevant to the determination of such ownership. Use of such vessel at any time since September 3, 1939, in commercial trade shall be presumptively deemed to show that said vessel is not owned, used and operated by a sovereign nation for its sovereign purposes. The final determination by the Maritime Commission shall be conclusive: *Provided further*, That if any vessel shall be found under the proviso next preceding to be exclusively owned, used and operated by any sovereign nation so that it can only be chartered or purchased, and such vessel shall be chartered or purchased, then the cash to be paid for said charter or purchase, to the extent that may be necessary, after payment of existing claims and liens of creditors against said vessel, shall be held for application upon such debt, if any, as may be due to the United States from the sovereign nation so found to have exclusive ownership to said vessel: *Provided further*, That the Maritime Commission and the Department of Justice are authorized to make just provisions out of funds provided in section 2 of this Act for employees displaced by the taking of any ship hereunder and report to the Congress their action within thirty days after the enactment of this Act."

And the Senate agree to the same.

J. W. BAILEY,
HATTIE W. CARAWAY,
BENNETT C. CLARK,
CHAS. L. MCNARY,
HIRAM W. JOHNSON,
Managers on the part of the Senate.

S. O. BLAND,
ROBERT RAMSPECK,
J. J. MANSFIELD,
RICHARD J. WELCH (by J. W. BAILEY, by request),
FRANCIS D. CULKIN,
Managers on the part of the House.

The report was agreed to.

OBSERVANCE OF SOIL-CONSERVATION WEEK

Mr. GILLETTE. Mr. President, the Governor of Iowa has designated next week for special observance as soil-conservation week. I ask unanimous consent to have his proclamation printed in the RECORD. In that connection, I invite attention to the fact that the distinguished Iowan who now occupies the chair, the Vice President, by his foresight, initiative, and labor, has contributed more than has any other citizen in behalf of the Soil Conservation Act.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION

Iowa people are to be highly commended for their fine response to the appeal for practical efforts at soil conservation embodied in law 2 years ago authorizing cooperation in conservation districts. Farmers in eight counties have taken advantage of this law, and educational work in controlling erosion and building soil fertility has been carried on in all other counties. Last year some 85 counties participated in soil-conservation week, largely under the leadership of the Iowa State College Extension Service.

The readiness with which farmers and land owners become conservation conscious demonstrates that Iowa is prepared to go on to greater triumphs in maintaining the great agricultural plant we possess and developing it to highest possible usefulness. The whole book filled with statistics as to grain, fruit, livestock, poultry, and dairy products is to be made still more imposing by improving farming as never before. Soil conservation is coming into its own as one of the essential sciences of production.

In recognition of this splendid work and in anticipation of things still greater to come, I, George A. Wilson, Governor, do hereby designate the week of June 2 to 7, 1941, inclusive, as

SOIL-CONSERVATION WEEK

I urge upon all who are interested in the welfare of our fair and fertile State to make special effort during the week designated to advance the cause of soil conservation in every possible way—by proper cultivation, by grasses, and special crops, by tree planting, by liberal fertilizing, not only on the largest farms but upon every kitchen garden.

In testimony whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Iowa. Done at Des Moines this 12th day of May in the year of Our Lord 1941, of the State of Iowa the ninety-fifth, and of the independence of the United States the one hundred and sixty-fifth.

[SEAL] GEO. A. WILSON,
Governor.

PRICES OF GASOLINE AND OTHER PETROLEUM PRODUCTS

Mr. GILLETTE. Mr. President, during the past 3 or 4 days announcement has been made of an increase in the price to the public of gasoline. In Iowa the increase amounts to 1⅜ cents a gallon; in the New York area, 2 cents a gallon; and in areas served by the Standard Oil Co. of Indiana, 1 cent a gallon. In connection with a statement of the facts which I have prepared, I have before me a press release issued by the Office for Emergency Management under date of May 23, calling attention to the fact that these increases in the price of gasoline are claimed by the industry representatives to be due to cleaning up distress gasoline stocks. In presenting these matters for the RECORD I wish to suggest that the distress gasoline stocks are reasonably concluded to be pooled surplus stocks of independent oil jobbers and producers which are controlled by the integrated oil companies; and they are now trying to get rid of them at substantially increased prices. I ask unanimous consent that the statement which I have prepared, together with the press release from the Office for Emergency Management, be printed in the RECORD.

There being no objection, the statement and release were ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED BY MR. GILLETTE

From January 15, 1941, on through March 21, according to the Chicago Journal of Commerce, the price of regular 72-octane gasoline, f. o. b. refineries in Oklahoma, from which Iowa gets its supplies of gasoline, was 4⅜ cents per gallon. Then on March 22, according to this publication, the market started rising. It kept on rising until 2 months later; the May 22, 1941, issue of the Chicago Journal of Commerce reported the price of regular 72-octane gasoline, free on board refineries in Oklahoma, at 5½ cents per gallon. This is a rise of 1⅛ cents to the wholesaler and distributor or tank-car buyer. Today this price is 5¾ cents, or a rise of 1⅜ cents.

The Standard Oil Co. (Indiana) raised the price of gasoline to the consumer one-half cent per gallon on April 5, 1941, and again on May 26, 1941, it raised the price of gasoline another one-half cent per gallon. That is a full cent rise in the price of gasoline to the public in their territory.

Other petroleum products, such as fuel oils and tractor fuels, have also been advanced correspondingly.

Early this year the New York Harbor price for gasoline in tank-car lots, 72-octane regular gasoline, according to the New York Journal of Commerce, was 5½ cents per gallon. On May 23, 1941, this same market is quoted in the New York Journal of Commerce at 7½ cents. Thus the tank-car buyers are paying 2 cents more per gallon on the East coast than earlier this year. Only a part of this has been passed on to the public as yet. But the consumer on the East coast is certainly going to be hurt worse on gasoline and fuel-oil prices than is the consumer in the Middle West.

OFFICE FOR EMERGENCY MANAGEMENT,
OF PRICE ADMINISTRATION,
AND CIVILIAN SUPPLY,
Friday, May 23, 1941.

Representatives of leading oil companies operating in the New England and Mid-Atlantic areas held a general discussion on recent price trends for gasoline, industrial fuel oil, and lubricants, with officials of the Office of Price Administration and Civilian Supply today.

Office of Price Administration and Civilian Supply officials have been concerned over recent price increases for such products along the eastern seaboard.

It was the consensus of the meeting, with some reservations, that no further substantial increases in gasoline prices are called for unless basic cost conditions change. All refiners and marketers present agreed to the request made by Office of Price Administration and Civilian Supply officials not to institute further increases of a substantial character on gasoline prices without prior consultation with Leon Henderson, Administrator of Office of Price Administration and Civilian Supply.

It was insisted by industry representatives that increases to date have been due to cleaning up of distress gasoline stocks and increases in costs.

It was stated by Office of Price Administration and Civilian Supply officials that a conference with crude-oil producers and buyers will be held in the near future to consider the price situation in that sector of the industry.

The meeting was conducted by Dr. J. K. Galbraith, head of the Price Division, and Quinn Shaughnessy, price executive in charge of the fuel section of the Price Division. Twenty-two companies were represented.

TRADE WITH AXIS POWERS IN ESSENTIAL WAR MATERIALS

Mr. GILLETTE. Mr. President, there is pending in the Senate, having been reported by the Commerce Committee, and now in the hands of the Committee to Audit and Control the Contingent Expenses of the Senate, a concurrent resolution whose purpose is an investigation into the charge that American companies dealing in essential war materials are selling them to the Axis Powers. I very much hope—and I am sure every other Senator will agree with me—that favorable action will be taken on that resolution.

In that connection I ask to have printed in the RECORD two newspaper articles dealing with this subject.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Coronet for May 1941]

HOW THE UNITED STATES AIDS THE AXIS—QUICK TO RECOGNIZE THE DANGER OF THE DICTATORSHIPS, AMERICA IS SLOW TO STEM THE FLOW OF GOLD TO THEM

(By Michael Evans)

Adolf Hitler sneers sarcastically at the "degenerate" democracies, and well he may. All our talk is of aid to Britain. We have offered the brimming dipper of American industrial production to the thirsty lips of an England fighting for her life.

But our dipper leaks and a hundred spurting streams gush to the aid of the dictators—to Hitler, to the Mikado's bewitched little militarists, to Mussolini, and to the cryptic Stalin.

Let's look at these leaks that honeycomb America's defense mobilization. Some exist because no one has thought to plug them. Others can never be plugged completely unless we enter the war as a full belligerent.

Do you remember Gen. Charles de Gaulle's fiasco at Dakar last September? There was a lot of mystery at the time, but now it is known that part of the stake for which De Gaulle gambled was a billion dollars or more in gold, stored in special vaults completed by the French only after the war's outbreak. De Gaulle wanted to get that gold before Hitler did. But he failed.

And here's where we enter the picture. Early in the New Deal, the United States Treasury posted an offer to buy gold from any source at $35 an ounce. The offer still stands. Of course, the Treasury would not knowingly buy stolen gold, but gold is the perfect international medium of exchange. Once it has been melted and cast into bars, no test can show whether it came fram a vault at Dakar or a mine in the Urals.

If Russia or Japan will obligingly recast those Dakar bars they can be shipped to the United States Treasury and every ounce will put $35 of badly needed dollar exchange into Hitler's pocket. You can't prove it, but some financial experts suspect that very thing has already happened.

The United States gold law is a hole in our armor against totalitarianism. It will be hard to close, but Germany's dollar famine makes it most important.

That's why technically neutral United States is a happy hunting ground for Nazi financial tricks. Look in any of the fifty-odd German-language papers published in the United States. You'll find it filled with ads calling on German readers to buy small food orders to be "shipped" to persons in Germany. Actually, of course, no food is shipped from the United States. The order is just cabled over and delivered from a Nazi storehouse. A messenger boy delivers the goods and gets a signed receipt for the folks back in America. The next day, some say, SS men come around and confiscate the foodstuffs. But that is another matter. From the Nazi standpoint, all that counts is the addition of a few more dollars to German currency reserves.

Sworn reports made to the United States State Department show that some $1,137,000 was collected last year in the United States for food orders and other German "relief" work. There are three big organizations soliciting Nazi funds here. They are Fortra, Inc., and the Hamburg-Bremen Steamship Agency, Inc., which deal largely in "food orders" and the Kyffhaueser League of German War Veterans. The Kyffhaueser League has headquarters in Philadelphia and also aids Nazi war prisoners in Canada and Jamaica. On the Pacific coast the United German Societies of Portland, Oreg., make some small collections.

Possibly the most important and certainly the most obscure phase of United States aid to dictators is that which stems from international corporate relationships and patent contracts.

Such a corporate agreement usually means dollars for the Nazi foreign-exchange fund. And more important, it means that German military experts have a constant check on what the United States Army and Navy are ordering to improve America's defenses.

We all know how the United States has aided Tokyo's war machine, how we have shipped $700,000 000 in iron and steel scrap, finished steel, machine tools, gasoline, copper, and zinc—a tidy catalog of the basic weapons of total war—to Japan from 1937 to 1940. We know that we've footed a big share of Japan's war bill by buying her silk, but we have the impression that the spigot of war aid to Japan has been closed at least half way by President Roosevelt's embargoes on aviation gas, iron scrap, and machine tools.

What we may not know is that last year we sold Japan more goods than any other countries except Britain, Canada, and France, and we bought more goods from her than from any country of the world except Canada. The plain fact is that the United States today is still the foundation stone of totalitarian Japan's economy.

One reason why America today is short of ships to fill Britain's desperate needs is the fact that for 6 years or more Japan and her scrap agents bought almost every American cargo vessel placed on the auction block, using them for scrap to feed the blazing steel mills of Nippon.

This sort of aid goes on despite table-thumping debate and columns of newspaper editorials.

Actually, no one really knows how many hundred agreements like that still exist. They were made in pre-war days because United States firms saw a chance to turn an honest dollar. They were legitimate transactions. But war gives a changed aspect to many routine commercial dealings.

These agreements keep bobbing up at critical bottlenecks. There was one in the beryllium industry. Beryllium, discovered only a few years ago, makes amazing light and strong new alloys for airplane parts—altimeters, cowl hinges, feed lines, magneto parts, valve springs, etc. The contract was between the Beryllium Corporation of America and the great electrochemical firm of Siemens & Halske in Germany. They agreed to exchange all patents, information, and techniques and divide sales territory.

The British discovered this agreement shortly before the war broke out. When they found themselves dependent on a German firm for this vital metal they cracked down.

There is an antitrust case which charges a patent pool, market division, royalty contract existed in the magnesium industry. Magnesium is another light material used in bomb casings, truck parts, fast-moving machine tools, and airplane construction.

The Government contends that Germany got a royalty of 1 cent a pound on America's production of magnesium, that United States magnesium could be sold to Britain only with German approval, and that although United States production never amounted to more than a quarter of Germany's, a big share of our output was shipped to the Reich.

The importance of such agreements is obvious. They provide Germany revenue. They provide a day-by-day check on the progress of United States technology. They offer a brake which can often be applied to United States defense production.

In the last war Germany lost her enormously valuable patents in the United States. They were confiscated and handed over to American firms. That won't happen on a large scale again. Germany has thoughtfully transferred patents to American holders this time. In United States hands, they can't be touched.

Meantime the Reich uses the United States as a base of operations from which to direct a far-flung trade and keep alive commercial connections despite the British blockade. Germany even uses American industry and American goods in a fight to keep United States business from taking over the pre-war Nazi markets in South America and elsewhere.

In Latin America German, Italian, or Japanese agents represent many United States firms. These hostile agents even use advertising appropriations of American products to subsidize totalitarian propaganda sheets in some cases or as a pressure device to force newspapers to take a pro-Axis line. Usually, a Government inquiry reports, the American firms have no knowledge that their dollars are being spent to foster anti-American causes south of the Rio Grande.

This only scratches the surface of the ways in which the United States contributes to the German war effort. The most direct method, of course, is through American investments and industry located within Germany and the conquered countries. It is hard to underestimate the value of these United States holdings to Hitler.

Hitler has within his grasp upward of $2,000,000,000 of American capital and property in the Reich and in France, the Netherlands, Belgium, Poland, and Scandinavia. Some estimates run much higher, one being that the United States has a frozen investment of $2,000,000,000 in Germany alone.

This stake is in the form of property—great industrial plants like the subsidiaries of General Motors and Ford, which are integrated right into German war production—and investments which Germany freely uses to finance her war. United States owners get no return whatever from their holdings except for an illegal trickle over the border.

A list of United States firms involved reads like a blue book of American industry. It makes no difference whether these firms like Hitler or not; whether they favor Nazi methods or not. The Germans have their plants and their money. They use both as they please.

The Nazi foreign-exchange headache increases the strong suspicion that the Germans have attempted to loot the stock holdings of conquered countries. Evidence is hard to get at. Even special experts of the Federal Reserve and the British Treasury, who have made every effort to prevent this form of robbery, can't be too sure of the situation. A few facts are known. The conquered countries held about $1,000,000,000 in United States stocks. They had United States bank balances of $800,000,000 to $1,000,000,000. As fast as each country was invaded, the United States froze these holdings, prohibiting any transactions without special United States Treasury permission. It is suspected, however, that where the Germans actually laid their hands on stock certificates they have smuggled out some, probably through Switzerland to South America, and then up to the United States. Here, it is thought, unknown quantities have been marketed privately with great care and probably at prices below the market The origin of the securities, of course, would be concealed.

In these and other complex international operations the Nazis find Switzerland a convenient stepping stone to the United States and other more distant neutrals. Six mouths before the outbreak of war it was authoritatively estimated that at least a third of Swiss holdings of United States securities and Swiss deposits in United States banks actually were German, held by Swiss dummies.

The United States was the first democracy to recognize the world menace of the dictators. It may be the last democracy to stem the flow of bright new dollars into totalitarian war chests, to stop selling matchless Yankee machines to antidemocratic armies, to ban from its soil the busy agents of its enemies, to break dictator-devised bottlenecks which constrict American defense production in a score of vital sectors.

[From the Washington Post of May 28, 1941]

NAZIS' LATIN DEALERS LINKED TO THREE UNITED STATES FIRMS

NEW YORK, May 28.—The New York Herald Tribune is able to shed light today on the mystery of German profits from the patent medicine trade of the 21 American republics.

Evidence has come to hand that manufacturers in the United States are supplying German dealers south of the Rio Grande with products exactly the same as those made in Germany, in similar boxes under exactly the same labels and trade-marks.

On one portion of the trade, estimated at $4,000,000 annually, Germany receives 75 percent of the profits, but in a larger trade, estimated as high as $20,000,000 a year, the terms of profit-sharing remain unknown.

The problem has puzzled Washington ever since the early days of the war, when American products began turning up under German labels in Latin America despite the British blockade which cut them off from Germany.

This trade not only keeps the German products before the market ready for a resumption of trade after the war, but also supplies Nazi agents in Latin America with funds for propaganda.

To date three companies have been found engaged in the German-label trade in Latin America—the Bayer Co., Inc., of New York; the Schering Corporation, of Bloomfield, N. J., and the Bilhuber-Knoll Corporation, of Orange, N. J.

Chief of these is the Bayer Co., Inc., manufacturers of aspirin products. This company has a contract with I. G. Farbenindustrie, the German dye trust, by which 75 percent of the profits from the sale of aspirin products in Latin America goes to the German trust, whether the products are manufactured in the United States or in Germany. The remaining 25 percent goes to the Bayer Co. in New York.

Until the war, the German company manufactured all or almost all of the aspirin products sold in Latin America. Recently the American company has taken over that trade, selling the same products under the same labels as those used by the German company.

What resulted is shown by two packages bought by Walter Kerr, Herald Tribune correspondent, in Caracas, Venezuela. Both contain "cafiaspirina," a combination of aspirin and caffein, and both are exactly the same except for the manufacturer's name.

In one case the label, translated from the Spanish, reads "Made by I. G. Farbenindustries, Aktiengesellschaft, Leverkusen, Germany, for La Quimica Bayer, Weskott & Cia., Caracas."

On the other box the label reads: "Made by the Bayer Co., Inc., New York, N. Y., U. S. A., for Farma Pan-Americanan, S. A. Caracas."

SUPPLIED FROM UNITED STATES

When the German sources of supply were cut off, Bayer in the United States began supplying aspirin products to German dealers in Latin America, and agreements were made governing the use of the Bayer trade-mark in that area.

The name of Bilhuber-Knoll was found on two packages in Caracas, one containing "bromural," a sedative, and the other "cardiazol," a heart stimulant. In each case the same product was bought under labels similar in all respects except that the name of the manufacturer was "Knoll A.-G. Ludwigshafen, Germany."

Questioned in his factory, Dr. E. A. Bilhuber, president of Bilhuber-Knoll and of E. Bilhuber, Inc., said he knew nothing about what happened to his goods after he sold them to shipping agents, but in any case his Latin-American trade was very small.

Dr. Bilhuber said the idea of imitating the German labels originated with the Latin-American buyer.

Dr. Bilhuber denied that he had any connection with Knoll, of Germany, although he admitted that before the last war he had acted as its agent in the United States. He also admitted that some of his products were made under patents obtained from the German company.

Officials of the Schering Corporation, four of whose hormone products were bought in Caracas under the same trade-mark as used by Schering A. G., of Berlin, told a somewhat different story. Dr. Julius Weltzien, president, said he sold his products, some in bulk and some in packages, to importers in Latin-American countries. Delta Pharmaceutical Co., Inc., a subsidiary, handles the sales.

These importers, called in most cases "Quimica Schering S. A.," own the trademarks they use and pay no royalties to anyone. They are owned by "a Swiss company," Dr. Weltzien said, adding that he had made sure of that before trading with them. Until recently, these companies were all owned in Germany.

SUGAR QUOTAS

The Senate resumed the consideration of the bill (S. 937) to amend section 204 of the Sugar Act of 1937.

Mr. ADAMS. Mr. President, I desire to make rather an introductory comment on the pending business, the so-called sugar bill. I realize that it is a difficult time, but there are certain items which I think should go in the RECORD. I hope

Senators will bear with me for a brief time, not for a full discussion, but in order that I may put certain essential facts before them.

Only 29 percent of American continental sugar consumption is produced within continental United States. More than 70 percent of the sugar consumption of the United States must come to the United States in ships.

Sugar is a vital essential of American life. It is almost as critical a material as is ammunition. Our country requires it.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. OVERTON. The Senator has just made the observation that only 29 percent of the sugar consumption of continental United States is produced in continental United States. Does not the Senator think a better way to phrase the statement is that only 29 percent of the sugar consumption of continental United States is permitted to be produced in continental United States and that continental United States is capable of producing much more than 29 percent?

Mr. ADAMS. That is the situation.

Mr. President, as I was saying, 70 percent of this vital essential to American life must come to our shores today by water, in ships. Never before has there been such hazard to water-borne commerce; but what do we find? We find that those charged with the administration of sugar production are restricting the production in the United States of this essential commodity. There is not, so far as I know, a single sugar-producing area, cane or beet, which is producing as much as it could or as much as it would.

I come from a State which at times has had as much as 246,000 acres of sugar-beet production. Today it is limited to 136,000 acres. In other words, the sugar-beet acreage in my State is reduced almost 50 percent. The same condition prevails throughout the country—reduction and repression and discouragement to American production of this crop which is a minority crop. We struggle and we spend money in order to dispose of surplus crops, but here is a crop of which we do not produce enough for our needs, the production of which would take over acreage now producing surpluses of other crops, and we restrict it.

To get back to the question of shipping, 12.7 percent of all the incoming shipping of the United States carries sugar. If molasses is included, 17 percent of the shipping coming to the United States carries either sugar or molasses; and, of that amount, 15 percent of the American sugar production has to come from the Philippine Islands. It so happens, by reason of the immediate shipping shortage, that the Philippine Islands will, in all probability, be unable to deliver to the United States their quota of sugar. They have an outside quota of 1,055,000 tons, of which 982,000 tons are tax-free and 73,000 taxable.

The Sugar Act provides that if the Philippine Islands are unable to market this tremendous quota, or any part of it, the deficit shall go—where? Where does the Sugar Act provide the deficit shall go? Who is to be given the privilege of producing that sugar? Is it to be the sugar-beet farmer, with his idle acres and his idle machinery? Is it to be the cane farmer, with his idle acres and his idle machinery? No. The Sugar Act provides that every single ton of the Philippine deficit shall go to foreign countries other than Cuba.

Those foreign countries at the present time have a statutory quota under the Sugar Act of some 27,000 tons. Only in one or two cases have the foreign countries even brought in their 27,000 tons. The particular foreign countries number 26 nations, including Germany, Italy, Japan, and China.

The Sugar Act provides that the deficit shall be allocated to foreign nations; then, if the foreign nations to whom the quota of the deficit is allocated do not fill it by July 1, that on September 1 it shall be reallocated among those foreign nations that have filled their quotas. There is no provision in the law by which a single ounce of Philippine deficit sugar can, in any way, be produced in the United States, even though foreign nations fail utterly to produce it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. CLARK of Missouri. The Senator uses the term "United States." As I understand, he means not only continental United States but also Hawaii, Puerto Rico, and all other possessions under the American flag?

Mr. ADAMS. Yes; the Senator is correct. No area under the American flag can produce a single ounce of the Philippine deficit. What we are seeking in this bill is to take out of the law this restriction so as to provide that the deficit may go to the producers of sugar under the flag.

The bill as written provided that the deficit should go to domestic sugar-producing areas. An amendment was offered in the Finance Committee, and is printed in the bill, which would give a priority to the foreign countries to the extent of 75,000 tons. I shall not today discuss that phase of the matter other than to say that it represents this practical situation: The only foreign countries of the long list of 26 which produce sugar and which are in a position to fill any deficit are 4, namely, the Dominican Republic, Peru, Haiti, and perhaps China. There are only 2 countries that will provide any substantial part of it, namely, Santo Domingo or the Dominican Republic and Peru. The statutory quota for the Dominican Republic is a shade over 3,000 tons. The statutory quota for Peru is slightly over 5,000 tons. If we have a deficit, as we may have, of 300,000 tons or more in the Philippine quota—and as delivery to the United States from the Philippines is 575,000 tons now less than its quota, it is readily understandable that at least 300,000 tons will not come—then the 300,000 tons of Philippine deficit will be divided between the Dominican Republic and Peru. They, with Haiti, have an aggregate quota of 10,000 tons. We will multiply their quota 30 times, during all of which time in my State and in other States of the Union the farmer has idle acres and idle machinery ready to produce beets and beet factories are closing.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I am glad to yield.

Mr. VANDENBERG. Is it not fair to say, from the record, that when the Sugar Act was written, with its provision allocating the Philippine deficit to foreign countries, no such situation was remotely in contemplation such as we now confront in this country? The deficit then contemplated was a relatively minor deficit related solely to dutiable sugar. There never has been a time under the act when there was any such deficit as we now confront in the Philippine situation, and those who wrote the law and those who voted for it never contemplated the kind of deficit which the Senator is now discussing. Therefore we have a right to assume that Congress is not violating the spirit of the Sugar Act when it reexplores this particular subject and undertakes to meet a new condition which was not remotely contemplated when the act was passed. Is not that true?

Mr. ADAMS. The Senator is absolutely correct, and the correspondence which took place, parts of which are before the Senate committee, indicate that the deficit under consideration was the dutiable part of the Philippine quota, amounting to from 73,000 to 75,000 tons. That was the only part of the Philippine quota that was even thought of as being subject to diversion to foreign countries.

Mr. VANDENBERG. Mr. President, will the Senator yield further?

Mr. ADAMS. I yield.

Mr. VANDENBERG. Is it not also true that the 75,000 tons preference which the committee's amendment still allows foreign countries exceeds any previous deficit which they have enjoyed, and, therefore, exceeds anything which they ever had any right to contemplate?

Mr. ADAMS. Yes; and I will say to the Senator that on page 18 of the committee hearings is a tabulation which shows that the allocations of the Philippine deficit which have been made from 1934 down to 1940, with a single exception covering dutiable sugar, have been filled but once and that was in 1934. The tabulation shows that the original quotas for foreign countries averaged about 25,000 tons, and when they had quotas added to them not a single year since 1934 has the aggregate of the 26 foreign nations ever filled the quota, even limiting the quotas within 75,000 tons, and 75,000 tons was allocated, I think, only once. In most years, including 1940, they did not even fill their own quotas. The foreign countries had a 24,000-ton quota in 1940, and they shipped in only 17,400 tons. They are not entitled to this quota; they cannot deliver it. Provision for it in the law—I do not know just how to phrase it, because I do not want to reflect on anybody, but it is a thing utterly incomprehensible from the standpoint of people interested in American agriculture.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. CLARK of Missouri. As a member of the Finance Committee, and one who has at various times been a member

of the subcommittee handling sugar legislation, I can bear witness to what the Senator from Colorado has said and what the Senator from Michigan has said: That the only thought in the mind of the Finance Committee, at least, and I think in the mind of the Senate on the passage of the measure, had to do with the possible deficit which might be created by the addition of certain duties to Philippine sugar growing out of the progressive steps indicated under the Philippine Independence Act, and that nobody had ever contemplated that lack of shipping would very much complicate the situation and bring about the Philippine deficit. If any such deficit had been contemplated, I think I am perfectly safe in saying, as one member of the Finance Committee who represents a constituency which has no interest whatever in sugar except as consumers, that no such provision ever could have been enacted into law.

Mr. ADAMS. The Senator is absolutely right. I have some personal knowledge of the drafting of the 1937 act. A bill was introduced in the Senate at that time by the Senator from Wyoming [Mr. O'MAHONEY] and myself which provided, as the Costigan-Jones Act did, for the allocation of deficits among all sugar-producing areas in proportion to their quotas. That provision was changed at the instance of the Secretary of State, who stated that there was a desire to have a limited amount of sugar to distribute to other foreign countries, specifying that it would not in any way impinge upon the Independence Act quota, and would merely be the part which the Sugar Act gave over and above the Independence Act quota, and which was a taxable sugar quota which would not come in. There is no question as to the understanding of those who drew the act, and of those who passed it, that it had no contemplation of application to a situation such as has now arisen.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. VANDENBERG. To what extent does Santo Domingo appear in the figures which the Senator has in his hands?

Mr. ADAMS. I will give the Senator the figures. The Santo Domingo quota, as it goes from year to year, is approximately 3,000 tons. The quotas were small enough so that they were stated in pounds. I have the figures here. The quota of Santo Domingo is a shade over 3,000 tons.

Mr. VANDENBERG. I was thinking particularly of Santo Domingo's prospective share of the deficit. Is not Santo Domingo one of the chief beneficiaries of the unlimited redistribution of the Philippine deficit?

Mr. ADAMS. Yes; it will be one of them. Here is the 1941 revision: Santo Domingo had an initial quota of 3,618 tons. The bill which is now pending, with an effort to correct this injustice to American sugar producers, was introduced in February. It has been pending ever since February; but on the 11th of April, while the bill was pending, the Secretary of Agriculture saw fit to allocate the Philippine deficit, and he allocated the entire taxable quota of the Philippine Islands, which amounts to 73,232 tons. Of that total he gave the Dominican Republic 9,654 tons, making an aggregate for the Dominican Republic of 13,272 tons; in other words, giving them four times their normal quota; and then there would be perhaps two or three hundred thousand tons to be further distributed.

Mr. VANDENBERG. That is what I want to ask the Senator. Suppose there were a deficit of 300,000 ton: How much would Santo Domingo get?

Mr. ADAMS. About 100,000 tons.

Mr. VANDENBERG. I call the Senator's attention, if he will allow me to do so, to what I think is a very significant exhibit. The Secretary of State is opposing the Senator's bill because, as he says in his letter, referring to foreign countries:

> These countries are suffering severely from the restriction of their European markets for sugar and other products as a result of the war.

In other words, he is pleading that we continue to give Santo Domingo this extraordinary and unanticipated privilege in our market because Santo Domingo has suffered from the European war in respect to its own sugar exports; but I call the Senator's attention to the fact that the sugar-market letter of Farr & Co., which is a very reliable and standard reference, points out that Santo Domingo has been, if anything, favored as a result of the war situation; and I read:

> This means that Santo Domingo has sold approximately 300,000 tons out of the current crop, leaving but 75,000 tons for sale all told.

In other words, the Santo Domingo situation, concerning which the very distinguished and able and sympathetic Secretary of State is worrying, is virtually nothing compared to the desperate situation in our own domestic sugar field. I respectfully suggest that the argument the Secretary of State makes in behalf of Santo Domingo is not only answered by the facts but would also be far better aimed at our own domestic difficulties.

Mr. ADAMS. Mr. President, the figures show how far the Agricultural Department has gone in favoring the Dominican Republic in the past. In 1937 the initial quota of the Dominican Republic was 3,300 tons. The Department gave them an aggregate quota of 32,000 tons, of which they failed to fill 6,200 tons; so they could not fill a 32,000-ton quota. In 1938 the Dominican Republic had 3,600 tons as an initial quota, and they were given an additional amount until they had 6,100 tons, and they failed to fill that quota by a small amount. Nineteen hundred and thirty-nine was an unusual year, in which they did fill their quota. In 1940 their initial quota was 3,500 tons, and that was reduced. There was no Philippine deficit in 1940. So, when we are thinking of the Philippine deficit, and reaching back to say that we should not take away from somebody something he had last year, it should be remembered that there was not an ounce of Philippine deficit allocated to any country in 1940. The Philippines filled their quota.

Mr. VANDENBERG. Mr. President, under the terms of the committee amendment, if the bill passes in that form, we shall not take away from any country anything it ever had at any time in the whole life and existence of the Sugar Act. Is not that correct?

Mr. ADAMS. Yes; that is correct; and the statement should be made and reiterated that the pending measure does not change the quota of any sugar-producing area on the globe. By this bill we neither increase nor decrease the quota. There has been some discussion as to whether or not the international sugar agreement was being violated. The international sugar agreement deals only with quotas, and this bill changes no quota. It does not change the Philippine quota. It merely provides, if the Philippines are not able to send to the United States the sugar which their quota authorizes them to send and which we need, how it shall be supplied. We are seeking to provide that the lands of the United States and the farmers of the United States shall produce a little more sugar for themselves, and not have to go to Peru and Santo Domingo for this emergency item.

The quota situation as the Department seeks to have it would accomplish outrageous results, as the Senator from Michigan has pointed out. It is one thing to allocate the 75,000 tons; and yet, when that amount has been allocated, we have never had the sugar. If we now add two or three hundred thousand tons, we shall find sugar prices in the United States skyrocketing as they did during the World War days. An amendment of this kind is essential to protect the American sugar consumer from a repetition of the conditions which led to the rationing of sugar on our tables and $25 sugar at the grocery store.

The Secretary of State has said that if we pass this bill we are repudiating the doctrine of hemispheric defense. In other words, if we give to Peru and Santo Domingo a larger quota than they have ever been able to fill, and then fail to give them every ounce of the additional Philippine deficit, we are repudiating the doctrine of hemispheric defense.

I understand that the principal sugar farms in Peru are owned by Germans; and we are seeking to preserve democracies. If there are two genuine dictatorships on this globe, one is in the Dominican Republic and the other in Peru. In Peru the legislative body was forced to pass an act abolishing itself.

Mr. VANDENBERG. That is just a little more frank than we are; that is all. [Laughter.]

Mr. ADAMS. I am talking about sugar.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Colorado yield to the Senator from Florida?

Mr. ADAMS. Certainly.

Mr. PEPPER. The Senator from Colorado has not observed any restraint on the efforts of the Senator from Michigan from time to time to express himself wisely and pertinently and persuasively on issues as they arose, has he?

Mr. VANDENBERG. And futilely.

Mr. PEPPER. If I may interrupt further, perhaps that is due to the fact that the Senator has not been able to persuade

his colleagues of the wisdom of his course.

Mr. VANDENBERG. To the fact that they were not free agents to be persuaded.

Mr. ADAMS. Mr. President, there is no sound reason back of the statement that compliance with the unreasonable provisions of the Sugar Act of 1937 in the matter of the allocation of the Philippine sugar deficit is a repudiation of hemispheric defense. I am sure in my own mind that the very able Secretary of State never saw or read the document which made that statement.

Mr. VANDENBERG. Mr. President, will the Senator yield again?

Mr. ADAMS. I yield.

Mr. VANDENBERG. My colleague the junior Senator from Michigan [Mr. BROWN] is not present today. He was the author of the amendment which is in the bill which saves this first 75,000 tons for foreign countries. I am sure he would say, if he were present—because I know what was in his mind, and I know what the Finance Committee thought when it adopted the amendment—that he thought the 75,000 preference was a complete and generous acknowledgment of the good-neighbor policy which the able Secretary of State promotes, and it was in a full-hearted desire to support the viewpoint of the Secretary of State, within reason, that the amendment was inserted in the bill. So I think it would be fairer to say that the bill, as it comes to the Senate, has been written with an anxiety to acknowledge the very thing for which the Secretary of State prays.

Mr. ADAMS. In my judgment, Santo Domingo, Peru, and the other foreign countries are not entitled to one single ton of the Philippine deficit, as a matter of right, so long as Americans stand in need of the opportunity to produce the sugar, and so long as America needs the sugar.

The next step, the fair thing, if we consider their right to consideration, is that every sugar-producing country in the world should have its proportionate share of the deficit. That was the Jones-Costigan provision, to give to the United States continentally, to Hawaii, to Puerto Rico, and to the foreign nations, their proportionate share of a shortage. That is the fair thing to do, adequately fair.

I was willing to go a step further, as the Senator knows. Naturally, the apportionment method would not give a great amount of sugar to countries which have contributed very little to the incoming sugar, and I was willing, so far as I was personally concerned, to give them a quota double what they had ever had, as a priority quota.

As the Senator has said, his colleague, together with my colleague and others in the Finance Committee, said, "No; let us go the whole way, give a priority so that foreign countries will have four times, in the aggregate, what their quota has been." That, when we eliminate the countries which do not produce sugar, will mean a quota 20 times what they would have had. Yet the Secretary of State says that the things he said in his first letter applying to the bill in its original form still apply, even with the amendment added. In other words, we cannot satisfy the people who write these letters in the Department of State unless we give to Peru and Santo Domingo every ounce of deficit from the Philippines, in the name of "hemispheric defense."

Consider the case of a boy from the beet fields of my State. He has been drafted. We have reached out with the strong arm of the Government and have taken him into the training camp. We have put a gun on his shoulder. We are taking other boys and putting them in the Navy, and putting them in airplanes. Their fathers are paying the taxes to meet the defense bills. The farm of the father is deteriorating because he cannot produce what his farm was designed to produce. His machinery is rusting; notes at the bank are coming due; actions to repossess his automobile and his machinery are proceeding. The sugar-beet factory in the neighborhood is closing; schools are short of support; churches are short of support; merchants are short of business. Yet this boy with the gun, this father who is paying the taxes, and who has the farm, are not to be considered, in the name of "hemispheric defense." The only hemispheric defense comes in giving the sugar production to the Indian in Peru and to the inhabitants of Santo Domingo. That is national hemispheric defense, while those who are to do the fighting are getting no consideration.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. McNARY. I am in full accord with the remarks now being made by the able Senator from Colorado respecting the deficit of about 72,000 tons in the quota from the Philippine Islands. I should like to know what the Senator thinks as to how it should be allocated among the various States. Probably allocation is physically impossible now because of the lateness of the season.

Mr. ADAMS. So far as my State is concerned, the delay in the consideration of the bill has been too great. The bill was introduced at a time when there was ample opportunity to plant and increase tonnage in the fields of Colorado and in the fields of Oregon. I understand there may be some places in the Senator's State where there is still a chance for some planting; but that opportunity has passed so far as my State is concerned. There are two considerations which lead to insistence upon the pending bill. The first is that, as a matter of principle, we should not depart from the stand we have taken merely because of the delay. The next consideration is more practical. Some beets can be planted, but there is overhanging the market a surplus of sugar in the United States. The cut in the beet acreage in my State was sought to be sustained largely by the argument that there was so much sugar in the warehouses that if we were permitted to produce a normal crop we would still further add to the surplus. If the deficit from the Philippine Islands can be allocated here, it can be filled out of the warehouses containing the surplus sugar so that next year rational planting can be had. It is perhaps too late for this year's planting, as I have said, but not too late to save ourselves from the imposition of unfair planting next year.

Mr. McNARY. Mr. President, the Senator from Colorado has made a very full and fair explanation in answer to the question I propounded. I did not know of the immense carry-over of sugar which might fill the shortage resulting from the deficit of Philippine sugar.

The Senator from Colorado is fundamentally sound in his position, of course, but I still think—and I may make this observation on my own part—that some of the Northern States probably still can plant sufficiently to make up the deficit, or a goodly portion of it, and I was simply making the practical inquiry by the question which the Senator has so very ably answered. I made reference to the Northern States. Michigan, one of the sugar-beet States of our country, with a late, wet season, could plant beets now beyond her quota, which would result in doing her part in the contribution toward this deficit.

Mr. ADAMS. Mr. President, I will give a few additional statistics. I know more of beet-sugar production than I do of cane-sugar production. The Senator from Louisiana [Mr. ELLENDER] will, in the course of the discussion, perhaps on Monday, give us more information concerning cane-sugar production. The Sugar Act provided for a minimum quota of 1,550,000 tons of beet-sugar production annually. It provided that in working out allocations, normal carry-overs should be taken into account.

No provision was made for taking into consideration abnormal carry-overs. The present abnormal carry-over is due to the administration of the sugar section. The quota limitations were taken off in 1939, and the increased overproduction is solely due to what was then done. The limitations were first made, and then were taken off, and the increase in warehoused sugar is due to taking off the limitations. Now, however, it is proposed to fix an acreage limitation upon the beet-producing area which will result in the production of 200,000 tons less sugar than the minimum amount fixed in the Sugar Act. Instead of producing 1,550,000 tons, the acreage proposed to be allocated will produce only 1,350,000 tons. It is now proposed to penalize the sugar-beet farmer and processor because of what has happened as a result of the mistake made by those administering the Sugar Act. As a result of that mistake, action is proposed to be taken which will penalize the 94 beet-sugar factories of the United States. I do not know how many of them will be closed. There will be 4 or 5 closed in my State.

The beet-sugar industry is, I think, quite different from any other industry in the country. The beets are grown in an area contiguous to the factory. It is a unified agricultural and manufacturing unit. The beets, by reason of the low price the producers get for them, must be produced within easy and cheap hauling distance of the factory. The factory is the center, and around about it must be an area of at least 10,000 acres producing sugar beets. If that area is cut to 6,000 or 5,000 acres, it will result in closing the factory. The factory cannot con-

tinue to operate with the production of beets on only five or six thousand acres. The factory cannot operate unless it receives enough beets to maintain it. About the factory grows the village with its churches, its schools, its libraries, and stores. So when the factory is closed, an agricultural and industrial unit is destroyed.

Mr. President, there has been much said about the price of sugar. No product which goes upon the American table is so cheap in proportion to its actual nutritive value as sugar. No product has so small a gap between actual cost of production and selling price. We have been given statistics within the last few days showing that the sugar-beet farmer was receiving only from 19 to 25 percent of the cost of his product. The farmer receives, roughly, 2 cents a pound for the sugar in his beets. The factory gets the other 2 cents. The sugar is sold on the market for a little over 4 cents. The margin between cost of production and selling price is very small.

The sugar beet brings about $6.50 a ton, or one-third of one cent a pound. There is not another agricultural product under the shining sun in this country that can be produced at one-third of a cent a pound. That is not all. The sugar beet is an expensive crop to raise. It requires fine land. It requires adequate water. The plants must be thinned out, the ground tilled, and the crop harvested. If one were to ask a producer of cabbage, a crop with a tremendous tonnage, to sell his crop at one-third of a cent a pound he would say, "You are crazy."

Recently we have heard it said that the potato farmer is facing ruin because he receive only 85 cents a hundred for potatoes. The sugar-beet farmer is receiving 33 cents a hundred delivered to the factory.

The price of sugar has gone down and not up since the passage of the original Sugar Act. I have before me a pamphlet issued by the board of directors of the Chamber of Commerce of the United States. I do not think that group is particularly interested in the beet-sugar industry or the American sugar industry. The pamphlet contains a tabulation showing that the wholesale price of sugar has gone down from $5.40 a hundred, the price in 1912, to $4.34 a hundred, the price in 1940. The retail price in that time has gone from $6.30 a hundred to $5.20 a hundred. The retail sugar price today is lower than it has been at any time.

Mr. President, much has been said of the cost of this sugar program to the Government. Let me give the Senate a figure or two concerning the cost to the Government of the program. We have voted—I among others—very willingly for crop loans. We have provided an 85 percent of parity loan price for major crops, not including sugar. We have provided insurance for certain major crops, so that farmers are guaranteed a good price by the Government if they raise the crops, and are insured in case they lose them.

So far as sugar is concerned, there is no guarantee of price. There is no guarantee of crop. What happens, which is said to be so expensive? On every 100 pounds of sugar marketed in the United States a tax of 50 cents is levied. The farmer is given 60 cents a hundred pounds. Therefore the Government gives to the farmer one-tenth of a cent a pound.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. ADAMS. I yield.

Mr. CONNALLY. On that point I wish to ask the Senator a question. Some of the sugar experts in the Department of Agriculture claim that the price of refined sugar in the export market is 2 cents a pound, but that under the Government sugar program the same sugar brings the domestic producer 4.95 cents a pound. Is that true?

Mr. ADAMS. That is not true; and I will tell the Senator why. It costs practically 4 cents a pound to produce refined sugar in the United States. If a producer wishes to sell it for 2 cents, he may do so; but people do not do such things.

Mr. CONNALLY. Does the same sugar which brings 2 cents a pound in the foreign market bring 4.95 cents a pound at home?

Mr. ADAMS. The figures are not accurate. However, not a pound of American sugar is exported, so in the first place the Senator is not talking about American sugar.

Mr. CONNALLY. I am talking about any kind of sugar.

Mr. ADAMS. Cuba and Java, with their tremendous production, are forced to market their sugar for what they can obtain for it. Raw sugar in America has gone down below $1, and the cost of refining is from $1 to $1.50. We do protect the American sugar producer. He cannot produce sugar in competition with tropical islands and cheap labor.

Mr. CONNALLY. I grant that; but the reason I asked the question was that I gathered from the Senator's argument that he was minimizing what the Government has done in behalf of sugar producers. If the foreign price of sugar is 2 cents a pound, and if under the legislation and the policy of Congress that same sugar brings the domestic producer 4.95 cents a pound, it seems to me we have done something for the sugar producers.

Mr. ADAMS. The Government in its tariff legislation has done much. The sugar industry could not live in the United States in open competition with foreign sugar any more than many other industries could live in competition with foreign production. I do not know of a single major industry in the United States that could live without tariff protection. Take wheat, of which we have a surplus. We know what has happened in connection with cotton. We have tried, with some difficulty, to keep the price at a living point; but if we should open the markets to cheaper foreign cotton, I do not know what would be the result. I am not an expert on the cotton situation, but I know that if American producers of steel, textiles, and various other products had to compete with foreign production, without any protection, our producers would go out of business. The cattlemen, sheepmen, and manufacturers of woolen goods would be forced out of business. If we are to maintain a high standard of living we must pay a little more. Consequently it costs the American consumer more to buy sugar here than he could buy it for in Cuba. Also, by reason of legislation, the consumer receives higher wages with which to buy sugar. If we want wages to go down to the level of wages in Cuba and Peru, we can remove the tariff protection.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. VANDENBERG. Is it not a fact that the retail price of sugar in the United States is lower than in any other country on earth?

Mr. ADAMS. With the exception of certain countries such as Cuba and Peru.

Mr. VANDENBERG. Every major country in the world pays a higher retail price for sugar than we do.

Mr. ADAMS. In many countries the retail price of sugar is from 13 to 15 cents a pound.

Mr. VANDENBERG. Exactly.

Mr. ADAMS. The point I had in mind was the cost to the Government of the Sugar Act, as distinguished from the tariff. The Government pays one-tenth of a cent a pound to the domestic producer of sugar. That is the difference between the 50 cents which the Government collects and the 60 cents which it pays. But that is not all the story. Since the inception of the Sugar Act the Government has collected in excise taxes $314,640,000, and has paid out in benefit payments $217,293,000, representing a net profit to the Government of $97,347,000. That is the amount which has gone into the Treasury as a result of the Sugar Act. The sugar industry is the one industry which takes no money out of the Treasury, but puts money in. Since the 1937 act—dealing with that alone—the Government has collected $212,017,000 in excise taxes and has paid out $132,222,000, or a net surplus to the Government of $79,795,000. Yet we are told that the sugar producers are robbing the Government and robbing the consumer. The consumer is getting his sugar more cheaply than he ever got it—and I say that advisedly—and the Government is profiting to the extent of millions of dollars by the process. So the arguments based upon the amount that is being shoveled out from the Treasury to the sugar producers should be turned around. The shoveling is back into the Treasury.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. ELLENDER. A while ago the Senator pointed out, among other things, some of the reasons assigned by Mr. Hull for having given the extra quota to Santo Domingo, Haiti, and other countries, and among the reasons suggested by him was the fact that those countries are now suffering severely from the restriction of their European markets for sugar and other products as a result of the war; also, that the enactment of the bill would amount to public notice that the United States is indifferent to the grave problems

confronting our neighbor republics, and so forth.

Does the Senator know that on the day the Department of Agriculture made the allocation of 73,000 tons of sugar the quota allotted to Peru, Santo Domingo, and Haiti was immediately filled by operators and refiners who had been carrying excess quota sugars from those areas since the turn of the year? In other words, quotas were allocated to those countries which are in such need of help while refiners at the port of New York and other places were carrying over stores from the previous year and utilized such sugars to fill the quotas for those countries. My guess is that the producers of sugar from those countries had already disposed of their product and American interests were partially responsible for causing these new allocations, while the Senator's bill was pending before the Senate Finance Committee.

Mr. ADAMS. The quotas were filled from bonded stocks in this country.

Mr. ELLENDER. That is exactly correct. I take those data from the Sugar Review of Lowry & Co., dated April 17, 1941.

Mr. ADAMS. That information is also contained in the report of the minority of the Finance Committee.

I think it would be interesting to have the list of countries or areas to which we allocate quotas under the Sugar Act. They are Argentina, Belgium, Canada, China, Hong Kong, Costa Rica, Czechoslovakia, the Dominican Republic, the Dutch East Indies, Guatemala, Haiti, Honduras, Mexico, Nicaragua, the Netherlands, Peru, Salvador, the United Kingdom, Venezuela, Brazil, British Malaya, Colombia, Dutch West Indies, France, Germany, Italy, and Japan.

All those countries share in the Philippine quota of sugar raised for the United States in the dependency of the Philippines. We are not permitted to take any part of the small amount that is allotted to Germany or the small amount that is allotted to Japan or to Italy. In the interests of "hemispheric defense" we must turn that over to some foreign country; that is to say, we are defending ourselves by letting American farmers go into bankruptcy. I say that advisedly, because in the finest agricultural areas in my State hundreds and hundreds of farmers are going upon the W. P. A. rolls by reason of the sugar situation—the reduction from 246,000 acres to 136,000 acres. When we have an economy based upon the larger amount, and when we have an average acreage production of 200,000, is it conceivably in the interest of hemispheric defense to destroy one of the greatest and most stable industries in the United States?

Mr. ELLENDER. Mr. President, will the Senator further yield?

Mr. ADAMS. I yield.

Mr. ELLENDER. In that connection it might be that our producers could get help from our Government to the same extent that such help is being extended to Cuba. Cuban producers are in rather bad shape. It was impossible for them to dispose of all their crops; and just a little while ago our generous Government made it possible to lend to Cuban interests $11,200,000 so that they could put in warehouses 400,000 tons of surplus sugar. Mr. President, that amounts to almost a cent and a quarter per pound loan the Government of the United States has made available to Cuban producers. The facts are, and the record shows, that 56 percent of the sugar produced in Cuba is owned by American interests; and only about 21 percent is owned by natives of Cuba. The rest of the sugar production of Cuba is controlled by foreign interests such as English, French, Spanish, and other foreign nationals. It is silly to assume that we are helping the Cuban people when as a matter of fact the help seems to inure to nonresidents of the island.

Mr. ADAMS. Mr. President, in returning for a moment to a discussion of the sugar-beet industry, it is the one industry in the United States in connection with which the Secretary of Agriculture regulates the price of farm labor. The Secretary of Agriculture tells the farmer in my State how much he is to pay for his farm labor; he tells him how many acres of beets he can raise; he tells him how he is to cultivate his land; he forbids his using certain kinds of labor. The result is that the raising of sugar beets takes practically more labor than any other crop; and when the acreage is reduced, not only is the crop reduced but a great number of laborers are thrown out of employment.

Not only is the farmer affected but a great army of farm laborers is thrown adrift.

The refinery, located near the farm, employs thousands of men, and they are thrown out of employment. It consumes coal and lime. The mines are affected. American sugar goes into cotton bags. One company in my State, not the largest in my State, consumes the cotton from 6,000 acres; and that is not the largest beet-sugar company in the country.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. TYDINGS. I read from the bill:

> Any portion of such sugar which the Secretary determines cannot be supplied by domestic areas and Cuba shall be prorated to foreign countries other than Cuba on the basis of the prorations of the quota then in effect for such foreign countries.

What are those foreign countries at present?

Mr. ADAMS. I read a few moments ago a list of 26.

Mr. TYDINGS. Would the Philippines be one?

Mr. ADAMS. Oh, no; it is the Philippine deficit we are dealing with. The Philippines are not a foreign country, and we are dealing with the Philippine deficit.

Mr. TYDINGS. Santo Domingo would be one?

Mr. ADAMS. Yes.

Mr. TYDINGS. What others?

Mr. ADAMS. Peru and Santo Domingo are the two countries which would get the benefit.

Mr. TYDINGS. Peru and Santo Domingo at present?

Mr. ADAMS. Yes.

Mr. TYDINGS. They would get the benefit under the bill, would they?

Mr. ADAMS. Under the bill as I introduced it, no part of the Philippine deficit would go to them. Under the amendment which was reported by the Finance Committee, they would get a 400-percent increase in their quota.

Mr. TYDINGS. What arrests my attention about it all is that this bill is apparently reported adversely. Is that correct?

Mr. ADAMS. What does the Senator mean by "correct"? Does he mean is it right? If the Senator asks if it is right, I say, "No." If the Senator asks if it is correct, I say, "Yes."

Mr. TYDINGS. I mean, is it the fact?

Mr. ADAMS. Yes; it is the fact.

Mr. TYDINGS. What is the chief argument against the bill? I do not desire to ask the Senator to argue on the other side, but will he state what is the chief argument against the bill?

Mr. ADAMS. I am not a member of the committee, so I shall have to speak more or less from hearsay. I think the opposition was made up of two parts. First, there was opposition by the State Department and by the Department of Agriculture, the State Department saying that if we permitted American farmers to take up the deficit, which they desperately needed to do, in preference to allowing the Peruvians and Santo Domingans to do so, it would be a repudiation of the hemispheric-defense policy; and the Department of Agriculture rather quoted what the State Department said, and simply said they could not approve.

The second argument—and I think it is the argument which probably was more effective—was that it would cut off some raw sugar from the refiners.

There are, as the Senator knows, a group of seaboard refiners. If the 75,000-ton deficit, or 100,000-ton deficit were allocated as the bill originally provided, the refiners would get the raw sugar which came from Puerto Rico and Hawaii, and the cane sugar which came from the United States; that is to say, they would get, roughly, 60 percent of that part of the deficit, while perhaps 40 percent or less than that would go to the beet producers; and, of course, they produce and refine it themselves. There would be a loss of from 30 percent to 40 percent. The refiners now get most of the Philippine sugar, but there is no limitation against any of these foreign countries bringing all their quota in as refined sugar; and, as the Senator knows, those of us who have been interested in the sugar situation, both from the standpoint of refiners and from the standpoint of beet-sugar producers and cane-sugar producers, dared the wrath of some of the leaders in our Government by putting in the sugar bill a restriction providing that not more than a certain proportion of the incoming sugar from the Philippines, from Cuba, Hawaii, and Puerto Rico, should come in as refined sugar. We went a long way. We jeopardized the whole sugar legislation to protect the refiners in that way.

If the deficit is allocated as we ask it to be, the refiners will get a little less sugar; but, as a matter of fact, under the sugar acts refinings have been increasing year by year, and the amount of sugar refined today is greater than it was when the sugar act was first passed. In the last year 4,600,000 tons were refined; so that if 40,000 tons were taken away from the refiners, it would be a very trifling concession of cost imposed upon them in order to reestablish thousands upon thousands of farm families in the West and in the South.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. ADAMS. I yield.

Mr. TYDINGS. What restriction is there in the bill about the importation from foreign countries of refined sugar as differentiated from raw sugar?

Mr. ADAMS. None. Foreign countries can send in every ounce of their sugar in refined form. As a matter of fact, in the case of Peru, for instance, and Santo Domingo, their customers were abroad, and they ship refined sugar rather than raw sugar.

Mr. TYDINGS. Where was the Santo Domingo sugar refined?

Mr. ADAMS. I cannot answer that. There are some refineries there just as there are refineries in Cuba and Peru.

Mr. TYDINGS. On one occasion when I was visiting in the West Indies it was the custom, as I recall, to transport raw sugar across the Caribbean to Puerto Rico, where it was refined. Whether that is still the case, I do not know, but, at any rate, under the bill, could any more refined sugar come in from Cuba than now comes in?

Mr. ADAMS. None at all. Cuba is excluded from the operation of the amendment, and its quota is fixed both as to raw and refined sugar.

Mr. TYDINGS. How would the refineries be hurt if, as the Senator has outlined, there would be a bar against the importation of refined sugar from these foreign areas?

Mr. ADAMS. I think the injury would be very trifling, I will say to the Senator from Maryland. It cannot be said that there would be no injury at all, because when the course of sugar is changed there might be a relatively small amount which would not go to the refineries, but it would not be more than one and a half or two percent of their refining and would affect perhaps 130 or 140 people.

Mr. TYDINGS. My concern and the reason I am asking the Senator these questions is that I have received, either today or a few days ago, from Baltimore, Md., a request to oppose this bill, on the ground that it would seriously injure the existing business of a sugar refinery located in Baltimore City, which employs some 800 persons. How well informed those interested in the refinery are as to the facts, I do not know, but I do know that they have had not altogether a rosy road in the last 5 or 6 years; their earnings have been very small, and I would be reluctant to impose on them, in these difficult times, a greater burden than that which they have been carrying. Therefore, I am particularly interested in knowing whether, if the bill were passed, more refined sugar would come in or less refined sugar would come in than now comes in as the result of the operations of the present law.

Mr. ADAMS. No more refined sugar would come in, but a little less raw sugar would come in. The Senator from New Jersey [Mr. BARBOUR] handed in a letter to the committee—I will not say that he wrote it—which indicated he had the same misinformation that has been given to the Senator from Maryland. In his letter he said:

> If enacted, S. 937 would result in the economic disruption of the cane-sugar-refining industry in New Jersey and other refining States.

The Senator presented that letter in the utmost good faith; somebody told him that; but the utmost that could happen to the refiners would be a reduction of 2 percent of their refining; and I am sure that the American Sugar Refining Co. and others are not on quite so narrow a margin as that. It would hurt to a very limited extent.

Mr. TYDINGS. Of course, it would not necessarily be fatal, but I will say to the Senator from Colorado that, as I understand the picture from the examination I made a year or 2 ago, of the particular refinery in Baltimore, which is supposed to be as fine a one as ever was built and which cost many million dollars, its earnings have been far from justifying the investment. In other words, it has had to go along on a very narrow margin, and has materially reduced the number of its employees both regular and part time. While I realize that there is no perfect solution for many of these problems, I want to make sure that the industry in Baltimore will not have to bear a larger burden of any necessary readjustment than it should bear, particularly in view of the fact that it has not been making money, as I recall, for some years.

Mr. ADAMS. I do not know anything about the Baltimore refinery, but I happened to read recently a statement of the American Sugar Refining Co. and find they have made very handsome profits during the past year.

Mr. TYDINGS. I cannot speak for the whole industry; it may be that for the past year conditions have been better than for other years; but I do know that the Baltimore refinery is one of the finest and most expensive ever constructed, that its business has gone steadily down, and it would be a real hardship if it were materially adversely affected.

Mr. ADAMS. The refineries have been increasing their output year by year since the passage of the Sugar Act, until they have reached 4,600,000 tons. It is true of the refining industry generally, as it is doubtless true, from what the Senator says, of the refinery in his State, that the plants were built and equipped for a much larger handling of sugar than is available. So they have a large overhead to carry, and the seaboard refineries could probably refine twice what they are now refining. They were built on that kind of a scale.

Mr. TYDINGS. The Senator has put his finger on a vital point; I appreciate his candor and fairness, and I hope those qualities characterize my own remarks, but the point is, with that kind of an overhead and an increasingly difficult situation because of wage increases, labor and other factors, any percentage of reduction in the business makes it a more difficult job to survive. My concern is that, in this readjustment, we do not lose sight of the fact that the refineries were built and equipped to do a job which they have not been permitted to do under our law.

Mr. ADAMS. Suppose the Senator and I should look at this question from the standpoint of a State that neither produces nor refines sugar and consider it on the basis of the welfare of the United States and the production of wealth in the country. In the case of sugar produced in the domestic sugar-beet area, every cent of the cost of its production and the cost of its refining is paid within the United States and becomes a part of the wealth of the community; that is, the farmer puts in his money, and the refining costs and the distributing costs and the profits benefit our own people, while in the case of sugar coming from Peru, the cost of raising the sugar, including the labor cost and the cost of shipping, are spent elsewhere. Some of it will come back, accrue to this country; namely, the part the refiners spend, but not a hundred percent. I imagine that the refiners spend from 1 to 1½ cents per pound in the process of refining. That would be spent here as distinguished from probably 5 cents, which is the cost of the sugar raised in the United States. The refining in the case of the beet industry takes more labor per ton than the refining on the Atlantic seaboard, because the sugar comes to the Atlantic seaboard refinery in a raw state.

Mr. TYDINGS. And in the beet area they start with the product as it is taken from the ground?

Mr. ADAMS. Yes; and all the cost is expended there. In the seaboard refineries when some type of brown sugar comes in, it undergoes a small number of processes for the elimination of impurities, but in the case of the beet factories they have to slice the beets, and the beets have to go through a number of more intricate processes. In the beet-sugar refinery 300 pounds of sugar, on an average, are obtained from a ton of beets; that is, they handle a much larger volume to obtain a ton of refined sugar, whereas from the raw sugar to the refined the reduction is only about 7 percent. Looking at it in that way, we might say there is more money involved in the beet than in the other process.

Mr. TYDINGS. I can see the Senator's point of view, and I think there is much to his argument; but let me put this point of view to him: When the original Sugar Act was passed, allocating sugar between the various possessions of the United States and the continent, and also what might come in from outside, from Cuba, and so on—under the situation which then existed, it seemed to indicate that Congress was in favor of making an allocation according to the factors then in existence. Now, with the coming of the world war which is now

in progress, the whole process of growing and marketing sugar, because of the loss of shipping, because of the countries involved in the war, and because of one thing and another, has been changed. Assuming the first equation and that the first sugar bill dealt with all the then diverse situations, and assuming that the first sugar bill was a sound bill, why should not, as a matter of logic, every factor, both domestic and foreign, be proportionately affected by the changed world conditions, and are we not in this bill—perhaps rightfully—attempting to take advantage of the situation by giving some profit to the interior, while taking it away from the exterior investments of our own country?

Mr. ADAMS. No.

Mr. TYDINGS. The Senator understands what I mean?

Mr. ADAMS. Yes; I agree with the Senator's premise. I have argued it with the Agriculture Department, because I have said before the Senator came in that, in my State, we have been raising 246,000 acres of sugar beets. We now are limited to 136,000 acres. In other words, the Department officials have been putting on the pressure and reducing our production. I have argued with them that when the Sugar Act was enacted it was with the idea of stabilizing the existing conditions. Now they are not stabilizing them, but they are restricting the production.

Mr. TYDINGS. Mr. President, will the Senator allow me to interrupt him at that point?

Mr. ADAMS. Certainly.

Mr. TYDINGS. The Senator said, earlier in his remarks, that in some cases the sugar refineries were built to do a job many times greater than that which they may do under existing law. In other words, a tremendous investment was made by them, a large financial outlay, in order to do a business which subsequent acts of Congress practically denied them the right to do. Like the Senator's farmers, as the thing unfolded, as the years went on, they were not permitted to do what they had spent their money to do, what they had invested in the business to perform. What they were attempting to do they were denied the privilege of doing by acts of Congress. Then came along the sugar bill.

Mr. ADAMS. But, of course, the denial was by the tariff, and not by the sugar bill.

Mr. TYDINGS. That is correct; but, whatever caused it, Congress did it. It took away from invested capital, which had invested in good faith, the opportunity to employ that capital and cause it to earn.

When the Sugar Act came along, assuming that the Senator's statements are to receive the weight to which they are entitled, the farmers were likewise penalized; that is to say, their acreage was reduced; and as their acreage was reduced, and as the sugar refineries' business had been previously reduced, they both came to a point where there was a reduction in opportunity to earn both on the producer's side and on the refining side; and that situation was frozen. Then, looking at that problem or that equation or that condition, the Sugar Act was written, and the Sugar Act has been in existence from that day to this.

Now conditions have changed. The world is not the same world that it was when the Sugar Act was originally passed; and my query now is, Why should not both the farmer in the interior and the refiner on the seaboard bear this new burden equally? Why give the advantage to the farmer in the interior, and put an extra burden upon the refinery and the working people in the refinery on the seaboard?

If the Senator's bill provided that they should both share equally this new burden, this new expense, this new situation, I think we could not very well argue against it; but what I see in the bill is that the change in the world situation is to result only in benefit to the farmer in the interior, while the workingmen on the seaboard are to have a poorer situation than that which they had under normal conditions.

Mr. ADAMS. That is not entirely correct. As a matter of fact, under the proposal 60 percent of the Philippine deficit will come into the United States as raw sugar, which will go to the refineries. We shall not receive a certain amount of this sugar from the Philippines. That condition is changed, beyond our control. The shipping situation and the war situation are creating that condition. The question, then, is simply, Who is to fill this deficit? Then it reduces itself to this question, Are we to have the deficit filled by the foreigner, or by the man who lives under the American flag?

Mr. TYDINGS. Mr. President, will the Senator allow me to interpose there? He has been most generous in yielding. I should like to see the farmer fill that deficit.

Mr. ADAMS. Do not overlook the fact that the Philippines are included in the distribution; Hawaii is included; the cane producers are included, as well as the beet producers.

Mr. TYDINGS. I understand.

Mr. ADAMS. Hawaii, Puerto Rico, and the southern cane producers bring in raw sugar which will go to the refineries.

Mr. TYDINGS. I should like to see the farmer get all the benefit that he can out of the situation, and I am disposed to vote for legislation which will accomplish that result; but I say we ought to be careful when giving the farmer the advantage which is rightfully his because of the situation in the world, not to do it at the expense of the workingman, who, too, must earn the money with which to buy bread to eat and to buy the farmer's produce.

Mr. ADAMS. Would the Senator be satisfied with an arrangement by which the beet-sugar factories would be permitted to produce the same amount of sugar they produced in 1933, and the refineries would be permitted to refine the same amount of sugar they refined in 1933?

Mr. TYDINGS. I will say to the Senator that I am not so familiar with sugar statistics as he is, because we have no sugar interest in our State at all except the refinery, and I am interested in the subject of sugar only as a collateral problem, whereas in the Senator's State sugar production is a great industry. I am glad it is, and I wish it well; but I cannot bind myself to a situation that I do not know about.

Mr. ADAMS. This is the situation: In 1933 the refineries of the United States were refining 4,128,000 tons. In 1940 the amount was 4,630,000 tons. That is, they increased the amount they refined 500,000 tons in the period covered by the Sugar Act. On the other hand, in 1933 the beet-sugar factories produced 1,736,000 tons, and this time they are to be allowed to produce 1,350,000 tons. In other words, they have been cut down in their production, while the refineries have been growing.

Mr. TYDINGS. I will say to the Senator—and it is as direct an answer as I am able to make, not having the figures—that taking as a basis the Sugar Act, of which I believe the Senator was one of the coauthors, whatever additional benefits come to the United States or its possessions as a result of world conditions I should want his farmers, as well as the workmen in the seaboard plants, to share in as equitably as possible; and whatever losses or disadvantages come to the United States or its possessions I think also ought to be shared as equally as possible. My sole contention is that I hope the bill will not be so arranged as to give all the advantages to one class, and throw all the disadvantages onto the other class. Inasmuch as we passed a Sugar Act which would be in existence today without amendment if it were not for present world conditions, which are unusual and could not be foreseen when the act was passed, I ask that the same philosophy which caused Congress to write it originally be carried into the new legislation, so that the whole country generally will bear equally whatever disadvantages and whatever advantages may accrue from the world situation.

Mr. ADAMS. I think we might increase even more substantially the production of cane sugar in the South and cane sugar in the Philippines.

Mr. TYDINGS. If that is equity, I should be for it; but, as I see the matter, while I am not familiar with all the figures, and I am not on the committee, the advantage is being given pretty much altogether to the one interest, with no corresponding advantage to the other.

Mr. ADAMS. The Senator does not want a sort of reverse curve; that is, he does not want to do injury to the American citizen for the benefit of the foreigner in order that there may be a minor, indirect benefit to the refiner.

Mr. PEPPER. Mr. President, will the Senator from Colorado yield?

Mr. ADAMS. Gladly.

Mr. PEPPER. I wish to ask the Senator to what years the bill will apply.

Mr. ADAMS. Only to the current year, because the Sugar Act will expire on the 31st of December 1941.

Mr. PEPPER. So it will affect primarily the marketing quotas of the various sugar-producing areas and not the acreage quotas?

Mr. ADAMS. In the major amount there will be some increase. There are some areas where the farmers can still plant beets, in the Pacific Northwest and in other northern areas. The major effect at this late date will be to permit

the marketing of an overhanging surplus, which would put restrictions on next year's crop planting.

Mr. PEPPER. I have asked the question of the Senator because, as the Senator knows from our previous conversation—and I think I speak the Senator's sentiment also—I am very much interested in seeing that an additional quota is given to the new producers in the several States who desire to produce sugarcane or sugar beets. I had intended to suggest an amendment to the Senator's bill to the effect that any additional quota which shall go to any domestic area under the terms of the act shall be allotted to new producers who are actual farmers desiring to produce sugarcane or sugar beets, as the case may be. But if the bill will primarily affect only the marketing quota, at least in my State, I think perhaps the farmer would not get any advantage from such an amendment, even if it were proposed and adopted.

Mr. ADAMS. There are stocks of sugar on hand in the Senator's State?

Mr. PEPPER. We have stocks of sugar on hand. I will merely say, in passing, that I heartily favor the bill, and I hope it will be enacted.

Mr. ADAMS. Mr. President, I have indulged myself longer than I had intended. I desired to place before the Senate and on the RECORD some of the reasons and some of the facts which have led me to feel that the pending measure should be enacted. I very earnestly ask Senators to give consideration to the arguments which have been presented.

DIVERSION OF WATERS OF NIAGARA RIVER—EXCHANGE OF NOTES BETWEEN THE UNITED STATES AND CANADA

Mr. GEORGE. Mr. President, I ask unanimous consent that there may be laid down, as in executive session, an executive message from the President. Since the matter is of vital public importance, I ask that the ban of secrecy be removed therefrom.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Without objection, and as in executive session, it is so ordered. The message will be read and the injunction of secrecy is removed therefrom.

The message was read, as follows:

To the Senate of the United States:

To the end that I may receive the approval of the Senate, I transmit herewith the texts of notes exchanged at Washington on May 20, 1941, between the Governments of the United States and Canada amending in its application of article 5 of the treaty signed on January 11, 1909, between the United States of America and the United Kingdom, to permit for the duration of the emergency, and in all events subject to reconsideration by both Governments on October 1, 1942, an additional diversion, for power purposes, of the waters of the Niagara River above the Falls.

I transmit also for the information of the Senate a report by the Secretary of State regarding this exchange of notes.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 29, 1941.*

[Enclosures: 1. Texts of notes exchanged at Washington on May 20, 1941. 2. Letter from the Secretary of State.]

The PRESIDING OFFICER. The message, with the accompanying papers, will be referred to the Committee on Foreign Relations.

SUFFERING AND STARVATION IN EUROPE

Mr. MCCARRAN. Mr. President, aside from the awfulness of the war, I suppose there is nothing in the world today that is attracting to a greater degree the attention of civilization than the conditions which prevail in Belgium and the other small countries of Europe. There starvation has reached a greater intensity than at any time in the history of the world. It is an unfortunate and unhappy condition when a great republic, with 130,000,000 inhabitants, is putting forth every effort possible to manufacture and transport engines for human destruction, and at the same time sitting by and refusing in any way to go forward with a movement to feed the hungry and the starving women and children, innocent civilians, in countries which in times past have been the greatest friends of this Republic.

Because of a blockade held and maintained steadfastly by the British Government, one of the belligerents in this unhappy war, neither Great Britain nor the United States is doing anything to feed the hungry or clothe the naked or lend succor to suffering ones who in times past never did us any harm, who in times past were our friends.

Mr. President, we lost one of the greatest friends the United States ever had when France went over to the Axis Powers because France was starved into submission. She submitted to the force of the dictator in Germany because starvation was setting in wholesale in France, not because France wanted to go with the Axis Powers, but because she had been receiving only promises, empty promises, if you please, given to her over the last year and a half by those who should have been, and in reality are, the friends of the French people.

No one could possibly know conditions in France and Belgium and the small countries of Europe better than John Cudahy, who has but recently been our Ambassador to Belgium, and who is familiar with all the conditions existing there. In an article published recently by a syndicate, he gives a picture so vivid that the American people should read it and know it. I therefore ask leave that the article by ex-Ambassador Cudahy to which I have referred be inserted in connection with the remarks I have just made.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BELGIANS STARVING—HOPE FOR UNITED STATES HELP—HUNDREDS OF THOUSANDS OF THE CHILDREN REPORTED IN PERIL OF MALNUTRITION DISEASES—CAPITAL CITY OF WRAITHS—EX-ENVOY DESCRIBES CONDITIONS IN BRUSSELS AND TELLS OF PLEA FOR HOOVER PLAN

(By John Cudahy, ex-Ambassador to Belgium)

BRUSSELS, BELGIUM, May 26 (via Berlin).—Belgium is hungry. Of 8,400,000 Belgians more than 8,300,000 are subsisting on starvation rations. In nearly every Belgian home there is cruel suffering. Some 2,000,000 young Belgians will be cursed for the rest of their lives by stunted and impoverished physique, weakened and degenerated brain, and discolored, embittered characters unless relief comes soon.

These are facts that even an American could read in the newspapers with concern as detached as that with which he learns of a flood in China. In Portugal and Spain and Germany I met people everywhere who told me harrowing stories of famine in Belgium and, because I have lived in the country and have a genuine affection for the people, I felt sympathy, but I cannot say my heart was really affected until I met my friend René Colin.

He was 10 years old when I went away from Brussels last July, a robust juvenile specimen with apple cheeks and sturdy legs. We were great friends. One of my first calls on my return to Brussels was in Rue de l'Industrie, where René's father kept a barber shop I always patronized. I shall not soon recover from the shock of my reunion with René.

A TIRED, LITTLE OLD MAN

It was not that his cheeks, now sunken in, had turned to pasty gray; nor that he had grown so thin that his neck resembled a pipestem, nor was it the heavy smudged shadows under his eyes. It was the complete metamorphosis of the pink, hearty, happy Belgian boy I had left only 10 months before into a dejected, tired, little old man that stood before me as spiritless as a wounded bird. He had given up school, his mother told me. Two weeks before he had fainted in the classroom and so she had decided to wait for better days before resuming his studies.

Renés father changed the subject to America. Like many Europeans, he was always talking about America and asking questions about that dreamland where everybody was rich and happy and where in great abundance were found all the good things of this earth.

"But I suppose even in America you feel the war?" he asked.

"Yes," I lied. "In a world of disaster like this no one can escape."

I thought of our elevators piled with grain cereals, stocks of frozen meats in our refrigerators, tier upon tier of bacon, ham, and lard, marketless surpluses of Wisconsin milk, cream, butter, and cheese. I thought of the great ranks of overeating American dyspeptics, the endless line of succulent "hot-dog" and hamburger stands stretching from New York to California, and the vast wilderness of waste from overloaded American tables, enough in itself to feed all famishing Belgium. And I was silent.

I went to see my friend, Dr. Nolf, at the office of the Red Cross, to tell him the story of René Clion. When I finished the doctor was standing at the window, his spectacles off, his handkerchief wiping his eyes.

"You must excuse me," he apologized. "I am ashamed. I am an old doctor and accustomed to human misery, but I have never seen anything like this now in Belgium."

Then he told me that René's case was only one of hundreds of thousands. Two million children of Belgium under 15 were all seriously underfed.

Brussels was a city of walking wraiths, but Dr. Nolf said his main worry was not about grown people. What concerned him above all was the blighting influence upon the rising generation, who could never grow without the materials for growth and who, because they could not get these materials, were rapidly developing diseases like rickets, edema, partial blindness, bronchial pneumonia, tuberculosis, pellagra, eczema, and anemia.

I went to see Elizabeth, the Queen Mother, at Laeken, the royal palace outside of the city where her son, King Leopold III, is a German prisoner of war.

Often the Queen drops in unheralded at the soup kitchens and always unofficially, as befits her status in enemy-occupied country. Every Belgian will tell you about her devotion to the people, her unrecorded benevolence, and her heroism at Ostend, where she administered to the wounded while bombs smashed close by and struck terror in the hearts of those of the royal household whose duty compelled them to stand by.

She spoke to me in a detached, uncomplaining way about this grieving, distressed land she knew so well in every part. You could detect her professional training when she mentioned maladies of nonnutrition. Children were her main concern, she said, and she could not hide her dread for their future lives.

Back in Brussels, I talked to Emile de Winter, secretary general in the Ministry of Agriculture, who gave me an inventory of Belgian food supplies. He said that bread, of rye and potato flour, now came entirely from German sources. There was oil in Antwerp for the manufacture of margarine to provide a quarter-ounce ration until the end of the summer. Potatoes were running very low and there was milk to supply 1 pint for children and one-half pint for the aged and for invalids.

There would be little milk next winter, since Belgium imported the great bulk of its stock feed from the Western Hemisphere, and most of the cows would have to be slaughtered when the pasturing season was over. Sixty percent of the swine had already been killed and three-quarters of the chickens, so there were very few eggs.

Meat could still be rationed, an ounce a day, but this was so unevenly distributed that some markets, like Hamur, Charlevoie, and Dinant, got only half the amount to which they were entitled. Beef and veal would soon become luxurious tidbits, as pork now was. The situation would be relieved a little by vegetables during the summer, but, he concluded, it was impossible not to be a pessimist about the future.

WHERE THE FOOD WENT

I asked him if the Germans had requisitioned much food in Belgium and, if so, whether they were still shipping much to Germany and living off the country. In answer to the first question, he said it was impossible to reply with accuracy because none of the burgomasters or commune officials had made an inventory of provisions in the country before the invasion, but he was of the opinion that the Germans had taken a great deal, not so much by requisition as by purchase by soldiers.

M. de Winter admitted that the German Army was being fed entirely from Germany now, and that Belgium in large part was living on German rations. He gave the following account of what had been shipped from Germany since the occupation: One hundred and forty thousand tons of rye, 30,000 tons of rye flour (enough together to make bread on the basis of the reduced ration for nearly 3 months), 50,000 tons of eating potatoes, and 12,000 tons of seed potatoes. He said the German Government had promised to ship 130,000 tons of potatoes for food and 43,000 tons of seed potatoes.

Meanwhile, the famished do not revolt. As in the great potato famine of 1848 to 1849, when a million of the fighting Irish race were buried beneath the old peat sod; and as in the Ukraine in 1932, where the toll of the famine was like a pestilence, the will to protest falls with dying strength.

It is a nasty world, this Europe after this first winter of war. My sleep is haunted by black dreams of another winter of want in Belgium. Yet no one despairs, and the courage and nobility of the people are an inspiration.

A banker who came to see me off on the train asked me timidly about the Hoover plan for children, but I told him that the American people were against the Hoover plan because they thought it would give aid to the enemy. He was mystified at this, and, being a banker, used earmarked gold to illustrate how all shipments to Belgium could be identified and thus safeguarded to their intended destination. He asked why, if that could be done with gold, the same thing could not be done with provisions. The train came then and I did not have to answer—and I was very glad the train came.

Mr. GEORGE rose.

Mr. PEPPER. Mr. President, I do not know whether the Senator from Georgia proposes to reply to the Senator from Colorado. I was about to ask unanimous consent that I might offer a resolution, out of order, but I thought that if the Senator from Georgia desired to make his comments following the address of the Senator from Colorado, I would defer until he made his remarks because what I am about to say will be on an extraneous subject.

Mr. GEORGE. Is the Senator from Florida inquiring of the Senator from Georgia whether he is about to talk on the sugar bill?

Mr. PEPPER. Yes.

Mr. GEORGE. I did not intend to. I should like to make one observation, if the Senator will permit me, while the distinguished Senator from Nevada is present.

Very naturally we would be less than human if we did not earnestly desire to take care of the actual pressing necessities of the people of occupied countries and areas in Europe, so far as we are able to do so, so far as is consistent with our means. I think it should be said, on the basis of the best information obtainable, that there is not a scarcity of food in Europe sufficient to result in starvation or great suffering. There is not an abundance of food there, of course, but, on the basis of the most trustworthy information obtainable, there is enough food in Europe at this time to maintain the populations there.

The question is as to the proper distribution of the food; and when the proper distribution of food in Europe is considered, I do not think we can afford to leave out of consideration the very clear responsibility for the lack of proper distribution of food in Europe and the responsibility for the monopolization and appropriation of food in Europe.

I am sure no one would wish for a moment to withhold any assistance which could be given by this country to those in Europe or elsewhere who are in need of the necessities of life—food and other things which they must have to sustain life properly. But in considering the question we cannot do so wholly upon a basis of sympathy for those who are in want without giving some consideration to the facts as they actually exist.

I merely wanted to call attention to this thought because it seems to me that most of us, in our strong sympathy, are concerned only with whether some of the peoples of Europe are properly fed, not concerning ourselves at all with any further problem, and bringing the sole responsibility to the people of the United States.

If there is sufficient food in Europe to sustain life on a fair basis, then the people of the United States certainly ought to be willing to consider whether that food is properly distributed, and if not, who is responsible for the maldistribution, and who is primarily responsible for conditions which exist.

The proper answer to that question would not relieve us of moral responsibility, but at a time when it is at least debatable whether our efforts might not be misdirected, and might not defeat other purposes which we sincerely and earnestly seek to foster and to advance, we should consider this question solely with reference to those fundamental considerations which, I humbly beg to submit, would seem to be proper to keep in mind in passing upon this very important question.

I merely wish to make that statement, Mr. President, because more and more the question will be thought of by the American people, and more and more a just, humane, and sympathetic people will be desirous of doing something. Sometimes we may be disposed to do something without full consideration of the possible consequences and the possible effect of our action upon other actions which we are also seeking to take at the same time.

Mr. McCARRAN. Mr. President, I am very much pleased that the able Senator from Georgia, the chairman of the Committee on Foreign Relations, has expressed himself as he has. The only information that comes to those of us who are, as he is, vitally interested in this all-important subject, comes from those who, we think, should have the best source of information at their disposal. That was the reason for my having inserted in the RECORD the article by ex-Ambassador Cudahy. It struck me that Mr. Cudahy, from his knowledge of Belgium, from his knowledge of European conditions, would certainly not have authored an article such as that which I have placed in the RECORD were he not possessed of the facts. His article draws a very vivid picture of conditions of starvation existing in Belgium.

Again, Mr. President, I think we will all agree that during the first World War the matter of distributing food properly to the suffering in Belgium was handled masterfully by one who was afterward elevated to the Presidency of the United States, Mr. Hoover. Today Mr. Hoover is pleading with the people of this country that they may give heed to his movement to distribute the necessary food to the needy Belgians and to the people of the smaller countries of Europ . He has submitted a plan whereby the Belgian Government, and the governments of other countries of Europe, because they have the money with which to buy, propose to purchase the necessities of life, and to take them over there under American supervision, so that in their distribution they will not go where America does not want them to go.

In keeping with the sentiments expressed by the able Senator from Georgia, and in keeping with the purposes of those of us who are trying to bring this matter to the attention of the American public, it seems to me most appropriate that the Senate itself should give great thought to the subject, because I think in the not

far distant future a resolution may be submitted here which should have the very grave thought, indeed the sympathetic thought, of the Senate and of the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 4466) to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes, and it was signed by the Vice President.

THE PRESIDENT'S ADDRESS ON THE NATIONAL DEFENSE

Mr. PEPPER. Mr. President, two evenings ago the President of the United States delivered a stirring message to the people of America and to the world. I believe the people of the United States and those who are the friends of democracy everywhere have been deeply moved by that message. The President called upon the people for unity of purpose and effort. I know of nothing which could so accelerate that response which the President hoped for, and which I believe every Member of this body hopes for, as a clear-cut expression from this body voicing approval of what the President said, and confidence in the President.

So, Mr. President, I send to the desk a proposed Senate resolution which I ask to have stated, and then when it is stated I shall ask unanimous consent that, out of order, it may be submitted.

The PRESIDING OFFICER. The resolution will be read.

The resolution — Senate Resolution 122—was read, as follows:

Resolved, That, being informed of the forthright and straightforward address by the President on the 27th instant, it is the sense of the Senate that the President was right and deserves the full confidence of the Congress and the country.

Mr. PEPPER. Mr. President, I ask unanimous consent that the resolution may be considered as submitted.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none.

Mr. PEPPER. Mr. President, I now propose to ask unanimous consent for the immediate consideration of the resolution. But I think it is only fair, before doing so, to suggest the absence of a quorum.

Mr. McCARRAN. Mr. President, I shall insist on the regular order, and that the resolution be referred.

Mr. PEPPER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bulow	Clark, Idaho
Aiken	Bunker	Clark, Mo.
Andrews	Burton	Connally
Ball	Byrd	Davis
Bankhead	Capper	Ellender
Bone	Caraway	George
Brown	Chavez	Gillette
Glass	McFarland	Shipstead
Guffey	McNary	Smathers
Gurney	Maloney	Smith
Hatch	Mead	Stewart
Hayden	Murdock	Taft
Herring	Murray	Thomas, Idaho
Hill	Norris	Thomas, Okla.
Holman	Nye	Truman
Hughes	O'Mahoney	Tydings
Johnson, Calif.	Overton	Vandenberg
Johnson, Colo.	Pepper	Van Nuys
Kilgore	Radcliffe	Wallgren
La Follette	Reynolds	Wheeler
Lee	Rosier	White
Lucas	Russell	Wiley
McCarran	Schwartz	Willis

The VICE PRESIDENT. Sixty-nine Senators have answered to their names. A quorum is present.

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. PEPPER. As I understand, there is an existing unanimous-consent agreement to vote on the pending bill Tuesday next at an hour fixed. Is that true?

The VICE PRESIDENT. It is ordered that not later than 2 o'clock on Tuesday, June 3, the Senate proceed to vote on S. 937 and all amendments thereto.

Mr. PEPPER. I thank the Vice President, for I desire to have it understood that by the resolution I have submitted I do not in any sense expect to encroach upon the unanimous-consent agreement.

Mr. President, I will say that in the absence of some Senators who have come into the Senate Chamber in response to the quorum call, I have said that a few days ago the President of the United States delivered a message which deeply touched the hearts of the people of this Nation. He aroused the hope of oppressed peoples all over the world that this Nation was taking a position which indicated the moral character and stamina of our foreign policy. Our President in that memorable address pleaded for unity on the part of our people. I believe that the people are responsive to that appeal; but I know of nothing which would give them greater encouragement, greater strength in that needed effort, than to have a declaration from the Senate of the United States that it, too, joins in those noble sentiments expressed by our President.

Accordingly I ask that the clerk first read the resolution, and then I shall submit a request.

The VICE PRESIDENT. Consideration of the resolution is not now in order.

Mr. PEPPER. I ask unanimous consent that the resolution be again read.

The VICE PRESIDENT. Without objection, the resolution will be read.

The resolution was again read.

Mr. PEPPER. Mr. President, out of order I ask unanimous consent for the present consideration of the resolution.

Mr. GEORGE. Mr. President, already other Senators have indicated that they would interpose an objection; and I rise for the purpose of saying that in my opinion, the resolution would precipitate an unnecessary and a most regrettable debate at this time. I believe that if the distinguished Senator from Florida will further consider the matter he will be willing either to have the resolution now go to the appropriate committee or else, if he wishes to have it take the other course, to have it lie on the table, under the rule, for such subsequent motion as may be made.

It seems very clear to me that while the resolution merely approves an address delivered by the Chief Executive of the United States, it is one which should go to the Foreign Relations Committee, because, of course, it is well known that the President was speaking not only on domestic and national questions, but particularly on international matters; and, therefore, it would seem to me that the resolution should very properly take one or the other of the courses I have suggested. The motion is not in order, except by unanimous consent; and at this time I am making my appeal to the Senator from Florida to consider the advisability of permitting the resolution to take its regular order; because under the primary rules of the Senate it is not in order at this time, and under any circumstances would go over on the objection of any Senator. More than one Senator indicated—one Senator so indicated from the floor, prior to the roll call—that he would interpose an objection to its immediate consideration. It would seem to me to be the part of wisdom to permit the resolution to take its regular course. I repeat, Mr. President, that it would seem most regrettable to throw into the discussions of the Senate mere approval or disapproval of what the President of the United States has said, even upon an official, and particularly upon a nonofficial occasion. It could be productive of no good, in my opinion, with all due respect to the Senator from Florida. It would promote no spirit of national unity to throw this matter open to discussion in this body at this time.

Therefore I express the hopes that the Senator will recognize that the objections made are, of course, good to the immediate consideration of the resolution, and that he himself will consent that the resolution either go to the Committee on Foreign Relations or for the time being lie on the table.

Mr. PEPPER. The Senator from Florida has no disposition to provoke conflict. In the opinion of the junior Senator from Florida, however, the regrettable fact is not that the sentiment of the Senate might be called for but that it is the opinion of the able Senator from Georgia that there is such a disunity in the sentiment of the Senate on these fundamental truths that were uttered in this eloquent and stirring address that he could not with confidence approach an expression of that sentiment at this crucial time. That is the danger spot, Mr. President. If that is true, the world and the Nation are entitled to know it, because sooner or later we will not be able to dodge these issues longer. If we do not believe in what the President said 2 days ago, the sooner we tell the world that the sentiment of the Senate will not support him in that policy, the less the danger of disappointing all the hopeful, the less the danger of some tragedy that might follow in the wake of such denial.

Mr. CHAVEZ. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from New Mexico?

Mr. PEPPER. I yield.

Mr. CHAVEZ. Of course, I do not agree with the Senator from Florida that there is any disunity when it comes to protecting American interests, but there is a difference of opinion. Does the Senator believe that it is because of Senators' belief in "the four freedoms" about which the President spoke?

Mr. PEPPER. Would the Senator be good enough to repeat the last part of his statement?

Mr. CHAVEZ. Certainly. I said that I do not believe there exists in the Senate of the United States the disunity the Senator speaks of, but if there is a difference of opinion in the Senate of the United States, is it not brought about because the Senate believes in "the four freedoms" about which the President spoke?

Mr. PEPPER. Does the Senator mean to ask if the disunity would be attributable to belief in those freedoms?

Mr. CHAVEZ. I do not believe that there is disunity, but I do believe that there is a difference of opinion, and, if there is a difference of opinion, is it not brought about because the Senate believes in "the four freedoms" about which the President spoke?

Mr. PEPPER. That may be a matter of opinion; perhaps in the opinion of the able Senator from New Mexico that may be true; in the opinion of other Senators it might not be true.

The only thing the Senator from Florida desires, Mr. President, is this: We have been seeing unofficial statements from various individual Senators that the address meant this and did not mean that; that it was spoken with authority or without authority. So much has been said by way of commentary that I suspected that the heart had been pretty well eaten out of it. I thought, therefore, it would be consoling to the people of America to have an expression from the majority of the American Senate that they had confidence in their President and they were willing to say to the world they thought he was right when he said what he said.

If that is not the sentiment of the Senate; if the Senate is not so unified that it can speak those sentiments, there may be nothing to do, of course, but allow the disunity to proceed and the country, perhaps, to go more rapidly toward the abyss which it approaches with gaining speed each passing day. In the light of the utterances by the able chairman of the Senate Foreign Relations Committee, that Senators have resolved to object, which they have the right to do, there is nothing, of course, that I can do except to make the motion and, in view of the statement that there will be objection, to acquiesce in the suggestion that was made by the chairman of the Foreign Relations Committee.

Mr. McNARY. Mr. President, I wish to make an inquiry as to the parliamentary status. Of course, the Senator from Florida is speaking by unanimous consent, and it is not my purpose to object to his making a speech. However, if he asks unanimous consent for immediate consideration of the resolution, I shall object, and the objection would carry the resolution over to the following legislative day, when it would come up automatically under the rule. If he desires to conform to the wishes of the Senator from Georgia, the chairman of the Foreign Relations Committee, that the resolution go to that committee, then I shall not make objection. Therefore, I address an inquiry to the Senator: Does he desire that the resolution be referred to the Senate Foreign Relations Committee?

Mr. PEPPER. I desire that the resolution lie on the table.

The VICE PRESIDENT. The resolution will lie on the table.

STATUS OF RETIRED JUDGES

Mr. KILGORE. Mr. President, out of order, I ask unanimous consent to suspend action on the pending bill and to proceed to the consideration of Senate bill 1050, which was reported by me from the Judiciary Committee on Monday last.

The VICE PRESIDENT. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (S. 1050) relating to the status of retired judges.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. ADAMS. Mr. President, the form of the request, I think, is not correct. I have no objection to laying aside temporarily the pending business, but that was not the form of the request.

Mr. KILGORE. I accept the modification of my request by the Senator from Colorado, and thank him for calling my attention to it.

Mr. McNARY. Mr. President, we have not had up the calendar today; the bill was just called to my attention a moment ago; I have not had time to peruse it, and I am not familiar with its contents. We will probably have a call of the calendar the first of next week. I shall object to considering the bill now, because, while it may be a very good bill, I have not had an opportunity to read it, and I have not had an opportunity to obtain the judgment of the other members of the committee. For that reason, I shall have to object to the consideration of the bill at this time.

The VICE PRESIDENT. Objection is heard.

EXECUTIVE SESSION

Mr. GEORGE. Mr. President, if no Senator wishes to address himself to the pending business, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Roy H. Ireland, to be postmaster at Wadena, Minn., in place of J. P. Mettel.

By Mr. GEORGE, from the Committee on Finance:

Walter L. Miller, of Harrisburg, Pa., to be Collector of Internal Revenue for the Twenty-third district of Pennsylvania, in place of William Driscoll.

By Mr. GEORGE, from the Committee on Foreign Relations:

Jay Dixon Edwards, of Oregon, now a Foreign Service officer, unclassified, to be a Foreign Service officer of class 8, effective as of May 16, 1941.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. HILL. From the Committee on Military Affairs, I report sundry routine nominations in the Army, and ask unanimous consent for their present consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. HILL. I ask unanimous consent that the reading of the nominations be dispensed with and that the names of the nominees be printed in the RECORD. As I have said, the nominations are routine ones in the Army.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

Mr. HILL. I ask unanimous consent that the President be notified forthwith of the confirmation of the Army nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The Chief Clerk read the nomination of Samuel B. Kemp, of Hawaii, to be Chief Justice of the Supreme Court, Territory of Hawaii.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Joseph H. Young to be United States marshal for the southern district of Georgia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. GEORGE. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, nominations of postmasters are confirmed en bloc.

That completes the calendar.

Mr. GEORGE. I ask unanimous consent that the President be notified of all confirmations of nominations made today.

The VICE PRESIDENT. Without objection, it is so ordered.

PROTOCOL CONCERNING FOREIGN COMPANIES IN THE COUNTRIES OF AMERICA

Mr. GEORGE. Mr. President, there remains on the calendar a protocol—Executive E, Seventy-seventh Congress, first session—concerning recognition of the juridical personality of foreign companies in the countries of America. I am loath to call up the protocol, because I do not see present the Senator

from Wyoming [Mr. O'MAHONEY], who raised certain objections the last time the protocol was before the Senate. The Senator from Indiana [Mr. VAN NUYS], who was chairman of the subcommittee which reported favorably on the protocol, is present, but I should dislike to call it up in the absence of the Senator from Wyoming. I ask, therefore, that it go over.

The VICE PRESIDENT. Without objection, the protocol will go over.

RECESS TO MONDAY

Mr. GEORGE. In conformity with the agreement heretofore made and ratified by the majority leader, I move that the Senate recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 10 minutes p. m.) the Senate took a recess until Monday, June 2, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 29 (legislative day of May 26), 1941:

ASSISTANT ATTORNEY GENERAL

Paul P. Rao, of New York, to be assistant attorney general in charge of customs, vice Hon. Webster J. Oliver, resigned.

SECURITIES AND EXCHANGE COMMISSION

Ganson Purcell, of New York, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1942, vice Jerome N. Frank.

Robert E. Healy, of Vermont, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1946. (Reappointment.)

CALIFORNIA DEBRIS COMMISSION

Col. Malcolm Elliott, Corps of Engineers, United States Army, to be a member of the California Debris Commission provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Debris Commission and regulate hydraulic mining in the State of California," vice Col. Roger G. Powell, Corps of Engineers, relieved.

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States, to rank as such from the dates set opposite their names:

TO BE LIEUTENANTS

Lt. (Jr. Gr.) William L. Sutter, August 30, 1940.

Lt. (Jr. Gr.) Gilbert R. Evans, September 1, 1940.

Lt. (Jr. Gr.) Wallace L. Hancock, Jr., September 1, 1940.

Lt. (Jr. Gr.) Adrian F. Werner, September 4, 1940.

Lt. (Jr. Gr.) Woodrow W. Vennel, September 30, 1940.

Lt. (Jr. Gr.) John Montrello, October 1, 1940.

COLLECTOR OF INTERNAL REVENUE

Walter L. Miller, of Harrisburg, Pa., to be collector of internal revenue for the twenty-third district of Pennsylvania, in place of William Driscoll.

BITUMINOUS COAL CONSUMERS' COUNSEL

Luther Harr, of Pennsylvania, to be Bituminous Coal Consumers' Counsel.

UNDER SECRETARY OF THE INTERIOR

John J. Dempsey, of New Mexico, to be Under Secretary of the Interior, vice Alvin J. Wirtz, resigned.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

Maj. William F. Brown to be a lieutenant colonel in the Marine Corps from the 1st day of March 1941.

The following-named captains to be majors in the Marine Corps from the 1st day of March 1941:

Peter P. Schrider
Robert H. Rhoads
Frank M. June

The following-named second lieutenants to be first lieutenants in the Marine Corps from the 2d day of June 1941:

John A. Saxten
Robert W. Shaw
Carlo A. Rovetta
Alfred L. Booth
Dorrance S. Radcliffe
Charles M. DeHority
Howard B. Benge
William P. Spencer
Richard B. Church
Nathan T. Post, Jr.
Alton D. Gould
John S. MacLaughlin, Jr.
Randolph C. Berkeley, Jr.

William P. Pala, a citizen of Pennsylvania, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

Harold R. Thorpe, a citizen of California, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

Robert A. Churley, a citizen of California, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

POSTMASTERS

ALABAMA

Catherine C. Hudson to be postmaster at Spring Hill, Ala., in place of Catherine Hudson. Incumbent's commission expired February 4, 1941.

Oscar H. McCollum to be postmaster at Atkins, Ark., in place of J. E. Darr, deceased.

CALIFORNIA

Ross T. Kemper to be postmaster at Arroyo Grande, Calif., in place of R. T. Kemper. Incumbent's commission expired February 6, 1941.

Thomas A. Gianella to be postmaster at Marysville, Calif., in place of T. A. Gianella. Incumbent's commission expired March 13, 1941.

Fred R. Carpenter to be postmaster at Middletown, Calif., in place of F. R. Carpenter. Incumbent's commission expired March 13, 1941.

Nellie A. Britten to be postmaster at Three Rivers, Calif., in place of N. A. Britten. Incumbent's commission expired February 6, 1941.

Maude A. Northey to be postmaster at Williams, Calif., in place of M. A. Northey. Incumbent's commission expired February 6, 1941.

COLORADO

Edward F. Baldwin to be postmaster at Nucla, Colo., in place of E. F. Baldwin. Incumbent's commission expired May 28, 1941.

Clarence A. Reynolds to be postmaster at Swink, Colo., in place of C. A. Reynolds. Incumbent's commission expired February 4, 1941.

CONNECTICUT

John L. Bradley to be postmaster at Cheshire, Conn., in place of J. L. Bradley. Incumbent's commission expired March 11, 1941.

Joanna Madeline Clifford to be postmaster at Colchester, Conn., in place of J. M. Clifford. Incumbent's commission expired February 18, 1941.

Everett F. Wilson to be postmaster at Mystic, Conn., in place of E. F. Wilson. Incumbent's commission expired February 18, 1941.

FLORIDA

Thomas West Gary to be postmaster at Bartow, Fla., in place of T. W. Gary. Incumbent's commission expired February 18, 1941.

Leslie A. Sherouse to be postmaster at Hawthorn, Fla., in place of L. A. Sherouse. Incumbent's commission expired February 18, 1941.

Frank H. Clyatt to be postmaster at Micanopy, Fla., in place of F. H. Clyatt. Incumbent's commission expired March 11, 1941.

William J. Bulloch to be postmaster at Monticello, Fla., in place of W. J. Bulloch. Incumbent's commission expired February 18, 1941.

Harry W. Craig to be postmaster at Tarpon Springs, Fla., in place of H. W. Craig. Incumbent's commission expired March 11, 1941.

Dorothy E. Franklin to be postmaster at Venice, Fla., in place of D. E. Franklin. Incumbent's commission expired March 11, 1941.

Paul A. Tompkins to be postmaster at Webster, Fla., in place of P. A. Tompkins. Incumbent's commission expired March 11, 1941.

GEORGIA

Orian A. Moorhead to be postmaster at Greensboro, Ga., in place of O. A. Moorhead. Incumbent's commission expired February 3, 1941.

Roy B. Allen to be postmaster at Lenox, Ga., in place of R. B. Allen. Incumbent's commission expired February 3, 1941.

HAWAII

Albertina M. Redfearn to be postmaster at Kaneohe, Hawaii. Office became Presidential July 1, 1940.

IDAHO

Mildred Richards to be postmaster at Mackay, Idaho, in place of Mildred Richards. Incumbent's commission expired February 16, 1941.

ILLINOIS

James R. Wick to be postmaster at Albion, Ill., in place of G. C. Jones, transferred.

Martin Ferentchak to be postmaster at Argo, Ill., in place of Nancy Michael. Incumbent's commission expired January 23, 1940.

Harold F. Mayer to be postmaster at Bartlett, Ill., in place of F. C. Watermann, deceased.

William W. McIntire to be postmaster at Belvidere, Ill., in place of W. W. McIntire. Incumbent's commission expired February 6, 1941.

Kenneth Henkhaus to be postmaster at Bethalto, Ill., in place of Kenneth Henkhaus. Incumbent's commission expired February 6, 1941.

Norbert C. Knapp to be postmaster at Glen Ellyn, Ill., in place of N. C. Knapp. Incumbent's commission expired February 6, 1941.

Harry F. DuQuoin to be postmaster at Greenview, Ill., in place of H. F. DuQuoin. Incumbent's commission expired February 6, 1941.

Guy R. Knappenberger to be postmaster at Kirkland, Ill. in place of G. R. Knappenberger. Incumbent's commission expired February 6, 1941.

George A. Boeke to be postmaster at Lena Ill., in place of G. A. Boeke. Incumbent's commission expired February 6, 1941.

Robert L. Davis to be postmaster at Lincoln, Ill., in place of R. L. Davis. Incumbent's commission expired February 20, 1941.

Harold Vogel to be postmaster at Minonk, Ill., in place of W. D. Hayes. Incumbent's commission expired May 29, 1940.

Arthur T. Ellis to be postmaster at Neoga, Ill., in place of A. T. Ellis. Incumbent's commission expired March 31, 1941.

Charlotte H. Eekhoff to be postmaster at Nokomis, Ill., in place of A. J. Eekhoff, deceased.

Bessie B. Kampmeier to be postmaster at Pearl City, Ill., in place of B. B. Kampmeier. Incumbent's commission expired February 6, 1941.

Peter L. Kelly to be postmaster at Piper City, Ill., in place of P. L. Kelly. Incumbent's commission expired February 6, 1941.

Monroe R. Hanneman to be postmaster at Silvis, Ill., in place of M. R. Hanneman. Incumbent's commission expired February 20, 1941.

Louis L. Eubanks to be postmaster at Sparland, Ill., in place of L. L. Eubanks. Incumbent's commission expired February 6, 1941.

INDIANA

Ozro Latshaw to be postmaster at Carlisle, Ind., in place of Ozro Latshaw. Incumbent's commission expired February 18, 1941.

Damon C. Thompson to be postmaster at Darlington, Ind., in place of D. C. Thompson. Incumbent's commission expired February 4, 1941.

Neola S. True to be postmaster at Demotte, Ind., in place of N. S. True. Incumbent's commission expired July 18, 1939.

Leander Franklin Adams to be postmaster at Depauw, Ind., in place of L. F. Adams. Incumbent's commission expired April 21, 1941.

Frank E. Louette to be postmaster at Goodland, Ind., in place of F. E. Louette. Incumbent's commission expired February 4, 1941.

Gertrude Armstrong to be postmaster at Hazleton, Ind., in place of Russell Armstrong, deceased.

Ethel L. Price to be postmaster at Howe, Ind., in place of E. L. Price. Incumbent's commission expired February 18, 1941.

Georgia M. Mougeotte to be postmaster at Lagro, Ind., in place of G. M. Mougeotte. Incumbent's commission expires June 29, 1941.

Ruth O. Storen to be postmaster at Lexington, Ind., in place of R. O. Storen. Incumbent's commission expired April 21, 1941.

Carl R. Kluger to be postmaster at Morristown, Ind., in place of C. R. Kluger. Incumbent's commission expired March 24, 1941.

Ralph H. Adams to be postmaster at Newport, Ind., in place of R. H. Adams. Incumbent's commission expired February 4, 1941.

Thomas J. Lemasters to be postmaster at Oakland City, Ind., in place of T. J. Lemasters. Incumbent's commission expired February 4, 1941.

Dawson M Liggett to be postmaster at Spiceland, Ind., in place of D. M. Liggett. Incumbent's commission expired February 18, 1941.

Mary H. Greene to be postmaster at Westfield, Ind., in place of M. H. Greene. Incumbent's commission expired February 4, 1941.

Lydia Rae Parker to be postmaster at Wheatfield, Ind., in place of L. R. Parker. Incumbent's commission expired February 4, 1941.

IOWA

George H. Abernathy to be postmaster at Blakesburg, Iowa, in place of G. H. Abernathy. Incumbent's commission expired July 1, 1940.

Ralph M. Griesy to be postmaster at Keystone, Iowa, in place of George Harder. Incumbent's commission expired April 28, 1940.

Norvil B. Richards to be postmaster at New Sharon, Iowa, in place of T. R. Osborne, retired.

Wayne O. Thomas to be postmaster at Rake, Iowa, in place of W. O. Thomas. Incumbent's commission expired March 30, 1941.

Elizabeth L. Fisher to be postmaster at Spencer, Iowa, in place of E. L. Fisher. Incumbent's commission expired March 2, 1941.

John N. Lichty to be postmaster at Toledo, Iowa, in place of J. N. Lichty. Incumbent's commission expired March 30, 1941.

George W. Montag to be postmaster at West Bend, Iowa, in place of G. W. Montag. Incumbent's commission expired March 30, 1941.

KANSAS

Edith Lawson Gray to be postmaster at Alden, Kans., in place of E. L. Gray. Incumbent's commission expired February 3, 1941.

Charles E. Hanlon to be postmaster at Caney, Kans., in place of C. E. Hanlon. Incumbent's commission expired February 16, 1941.

Elnathan B. Gray to be postmaster at Jewell, Kans., in place of M. M. Schafer, resigned.

George W. Ryan to be postmaster at Lincoln, Kans., in place of G. W. Ryan. Incumbent's commission expired February 3, 1941.

Vernon T. Hill to be postmaster at Logan, Kans., in place of V. T. Hill. Incumbent's commission expired February 3, 1941.

KENTUCKY

Fulton L. Gosney to be postmaster at Alexandria, Ky., in place of F. L. Gosney. Incumbent's commission expired February 18, 1941.

Henry W. Stewart to be postmaster at Campbellsburg, Ky., in place of H. W. Stewart. Incumbent's commission expired March 10, 1941.

George M. Beasley to be postmaster at Russellville, Ky., in place of G. M. Beasley. Incumbent's commission expired February 18, 1941.

Leonard Horton to be postmaster at Waynesburg, Ky., in place of C. B. Reynolds, deceased.

LOUISIANA

James C. Howell to be postmaster at Jackson, La., in place of J. C. Howell. Incumbent's commission expired February 18, 1941.

John Gordon Hewitt to be postmaster at Mansfield, La., in place of J. G. Hewitt. Incumbent's commission expired February 18, 1941.

Lowery L. Matthews to be postmaster at Vidalia, La., in place of L. L. Matthews. Incumbent's commission expired February 18, 1941.

MARYLAND

John C. Frasch to be postmaster at Edgewood, Md., in place of J. C. Frasch. Incumbent's commission expired February 16, 1941.

MASSACHUSETTS

James E. Bellew to be postmaster at Mansfield, Mass., in place of J. E. Bellew. Incumbent's commission expired February 9, 1941.

John E. Higgiston to be postmaster at Milford, Mass., in place of J. E. Higgiston. Incumbent's commission expired March 24, 1941.

Kathryn C. Smith to be postmaster at Petersham, Mass., in place of K. C. Smith. Incumbent's commission expired February 9, 1941.

Leah D. Burke to be postmaster at West Falmouth, Mass., in place of A. W. Baxter, deceased.

MICHIGAN

Fred Clair McOmber to be postmaster at Allegan, Mich., in place of Clair McOmber. Incumbent's commission expired February 18, 1941.

William J. Schindehette to be postmaster at Bay City, Mich., in place of W. J. Schindehette. Incumbent's commission expired February 9, 1941.

John D. Campbell to be postmaster at Douglas, Mich., in place of J. D. Campbell. Incumbent's commission expired February 9, 1941.

Clarence S. Goodrich to be postmaster at Elsie, Mich., in place of C. S. Goodrich. Incumbent's commission expired February 18, 1941.

Edward J. Weipert to be postmaster at Ida, Mich., in place of E. J. Weipert. Incumbent's commission expired February 9, 1941.

Christopher C. Lerg to be postmaster at Lake City, Mich., in place of C. C. Lerg. Incumbent's commission expired February 9, 1941.

Frank M. Gierke, Sr., to be postmaster at Manistique, Mich., in place of F. M. Gierke, Sr. Incumbent's commission expired February 18, 1941.

Harrison D. Sweet to be postmaster at Marcellus, Mich., in place of H. D. Sweet. Incumbent's commission expired February 9, 1941.

Marguerite M. Ryan to be postmaster at Mattawan, Mich., in place of M. M. Ryan. Incumbent's commission expired February 18, 1941.

Ethel A. Hruska to be postmaster at Nahma, Mich., in place of E. A. Hruska. Incumbent's commission expired February 18, 1941.

Mark B. Hawes to be postmaster at Parma, Mich., in place of M. B. Hawes. Incumbent's commission expired February 9, 1941.

Carl S. Schmid, Jr., to be postmaster at Petersburg, Mich., in place of C. S. Schmid, Jr. Incumbent's commission expired February 9, 1941.

Fred B. Wadsworth to be postmaster at Pittsford, Mich., in place of F. B. Wadsworth. Incumbent's commission expired February 9, 1941.

Charles A. Vogelheim to be postmaster at Rogers City, Mich., in place of C. A. Vogelheim. Incumbent's commission expired June 3, 1940.

Regina K. Bresnahan to be postmaster at Roscommon, Mich., in place of R. K. Bresnahan. Incumbent's commission expired February 9, 1941.

Edgar L. Erskin to be postmaster at Vestaburg, Mich., in place of E. L. Erskin. Incumbent's commission expired July 1, 1940.

MINNESOTA

Mervill W. Monroe to be postmaster at Browns Valley, Minn., in place of J. L. Paul, deceased.

Carmon J. Auble to be postmaster at Chisholm, Minn., in place of C. E. Berkman. Incumbent's commission expired July 16, 1939.

MISSISSIPPI

Leo G. Ford to be postmaster at Bay St. Louis, Miss., in place of L. G. Ford. Incumbent's commission expired March 16, 1941.

George Y. Banks to be postmaster at Columbus, Miss., in place of G Y. Banks. Incumbent's commission expired February 24, 1941.

Mercer L. Gewin to be postmaster at De Kalb, Miss., in place of M. L. Gewin. Incumbent's commission expired February 24, 1941.

Nathan B. Williams to be postmaster at Fernwood, Miss., in place of N. B. Williams. Incumbent's commission expired April 21, 1941.

Dewey W. Tullos to be postmaster at Mize, Miss., in place of S. C. Tanner. Incumbent's commission expired February 20, 1939.

Aubrey O. Hammack to be postmaster at Scooba, Miss., in place of A. O. Hammack. Incumbent's commission expired February 24, 1941.

Albert F. Zachry to be postmaster at Stonewall, Miss., in place of A. F. Zachry. Incumbent's commission expired February 24, 1941.

MISSOURI

Susan T. Fulbright to be postmaster at Doniphan, Mo., in place of S. T. Fulbright. Incumbent's commission expired March 28, 1940.

Ernest P. Goggins to be postmaster at Elvins, Mo., in place of E. P. Goggins. Incumbent's commission expired February 16, 1941.

Earl J. Vinyard to be postmaster at Leadwood, Mo., in place of E. J. Vinyard. Incumbent's commission expired February 16, 1941.

Edgar L. Todd to be postmaster at Morehouse, Mo., in place of Edgar Todd. Incumbent's commission expired February 16, 1941.

William Goebel Ray to be postmaster at Purdy, Mo., in place of W. G. Ray. Incumbent's commission expired February 16, 1941.

Ercelle W. Johnson to be postmaster at Ridgeway, Mo., in place of E. W. Johnson. Incumbent's commission expired February 25, 1941.

Martin C. Mikkelsen to be postmaster at St. James, Mo., in place of M. C. Mikkelsen. Incumbent's commission expired February 16, 1941.

James D. Evans to be postmaster at Stoutland, Mo., in place of J. D. Evans. Incumbent's commission expired April 22, 1941.

Herbert Frank Nelson to be postmaster at Sweet Springs, Mo., in place of H. F. Nelson. Incumbent's commission expired February 16, 1941.

Frank E. Lafferty to be postmaster at Trenton, Mo., in place of F. E. Lafferty. Incumbent's commission expired April 22, 1941.

Willa B. Dodge to be postmaster at Union Star, Mo., in place of W. B. Dodge. Incumbent's commission expired February 16, 1941.

Ethel L. Lauderdale to be postmaster at Wellington, Mo., in place of E. L. Lauderdale. Incumbent's commission expired April 22, 1941.

MONTANA

Kenneth LeCompt to be postmaster at Arlee, Mont., in place of Kenneth LeCompt. Incumbent's commission expired March 16, 1941.

George A. Wright to be postmaster at Havre, Mont., in place of G. A. Wright. Incumbent's commission expired February 24, 1941.

Abbie J. Yandell to be postmaster at New Deal, Mont., in place of Abbie Yandell. Incumbent's commission expired March 16, 1941.

Guy R. McClarren to be postmaster at Ryegate, Mont., in place of G. R. McClarren. Incumbent's commission expired February 24, 1941.

Marvin E. Corkill to be postmaster at White Sulphur Springs, Mont., in place of M. E. Corkill. Incumbent's commission expired February 24, 1941.

NEBRASKA

Mary B. Packwood to be postmaster at Cook, Nebr., in place of M. B. Packwood. Incumbent's commission expired February 4, 1941.

NEW JERSEY

Stephen N. Roche to be postmaster at Gibbstown, N. J., in place of Samuel Munyan, retired.

Rachel E. Berger to be postmaster at Ringoes, N. J., in place of R. E. Berger. Incumbent's commission expired April 12, 1940.

NEW YORK

H. Bertram Miller to be postmaster at Amenia, N. Y., in place of H. B. Miller. Incumbent's commission expired February 4, 1941.

Otis J. West to be postmaster at Bayville, N. Y., in place of O. J. West. Incumbent's commission expired June 25, 1940.

Eugene A. Westcott, Jr., to be postmaster at Cleveland, N. Y., in place of E. A. Westcott, Jr. Incumbent's commission expired March 24, 1941.

Augustus W. Dymes, Jr., to be postmaster at Croton on Hudson, N. Y., in place of A. W. Dymes, Jr. Incumbent's commission expired February 4, 1941.

Fred W. Odwell to be postmaster at Downsville, N. Y., in place of F. W. Odwell. Incumbent's commission expired February 4, 1941.

Henry J. Hoogkamp to be postmaster at East Greenbush, N. Y., in place of H. J. Hoogkamp. Incumbent's commission expired February 4, 1941.

John E. Savage to be postmaster at Holland, N. Y., in place of Cort Kramer, retired.

Joseph J. Reilly to be postmaster at Irvington, N. Y., in place of J. J. Reilly. Incumbent's commission expired March 31, 1941.

Isidore F. Linehan to be postmaster at Mamaroneck, N. Y., in place of I. F. Linehan. Incumbent's commission expired February 4, 1941.

William A. Eggison to be postmaster at Marcy, N. Y., in place of W. A. Eggison. Incumbent's commission expired March 24, 1941.

Orville E. Velley to be postmaster at Millerton, N. Y., in place of O. E. Velley. Incumbent's commission expired February 4, 1941.

James H. Mackin to be postmaster at Oswego, N. Y., in place of J. H. Mackin. Incumbent's commission expired April 1, 1941.

James Boylan to be postmaster at Peekskill, N. Y., in place of James Boylan. Incumbent's commission expired February 4, 1941.

Bert E. Holden to be postmaster at Peru, N. Y., in place of B. E. Holden. Incumbent's commission expired February 12, 1941.

Maryan Batt to be postmaster at Woodmere, N. Y., in place of Jack Batt, deceased.

NORTH CAROLINA

Perry C. Millikin to be postmaster at Halifax, N. C., in place of P. C. Millikin. Incumbent's commission expired March 23, 1941.

Ada G. Badgett to be postmaster at Pilot Mountain, N. C., in place of A. G. Badgett. Incumbent's commission expired February 18, 1941.

Oliver L. Ammons to be postmaster at Robbinsville, N. C., in place of O. L. Ammons. Incumbent's commission expired February 12, 1941.

William R. Holmes to be postmaster at Shallotte, N. C., in place of W. R. Holmes. Incumbent's commission expired February 18, 1941.

Theodore T. Thomas to be postmaster at Tarboro, N. C., in place of T. T. Thomas. Incumbent's commission expired March 23, 1941.

NORTH DAKOTA

Mildred L. Feldmann to be postmaster at Wildrose, N. Dak., in place of C. H. Larson, removed.

OHIO

Cleo M. Richter to be postmaster at Pickerington, Ohio, in place of P. B. Mason, deceased.

OKLAHOMA

Wilson G. Gray to be postmaster at Anadarko, Okla., in place of W. G. Gray. Incumbent's commission expired February 9, 1941.

Dora E. Senter to be postmaster at Bristow, Okla., in place of D. E. Senter. Incumbent's commission expired February 25, 1941.

PENNSYLVANIA

George N. Horlacher to be postmaster at Allentown, Pa., in place of G. N. Horlacher. Incumbent's commission expired February 18, 1941.

Eugene C. Wonder to be postmaster at Chalfont, Pa., in place of E. C. Wonder. Incumbent's commission expired March 13, 1941.

Milton M. Brooke to be postmaster at Confluence, Pa., in place of M. M. Brooke. Incumbent's commission expired February 18, 1941.

William G. Walker to be postmaster at Coplay, Pa., in place of W. G. Walker. Incumbent's commission expired February 18, 1941.

Margaret M. Wink to be postmaster at Eddington, Pa., in place of M. M. Wink. Incumbent's commission expired February 18, 1941.

Paul W. Koblarchick to be postmaster at Ellsworth, Pa., in place of Henry Bourns, retired.

Harry W. Fee to be postmaster at Indiana, Pa., in place of H. W. Fee. Incumbent's commission expired March 13, 1941.

Carl E. Reisch to be postmaster at Lemoyne, Pa., in place of C. E. Reisch. Incumbent's commission expired February 18, 1941.

Frank E. Neumeyer to be postmaster at Macungie, Pa., in place of F. E. Neumeyer. Incumbent's commission expired March 13, 1941.

John M. Hartman to be postmaster at Millersville, Pa., in place of J. M. Hartman. Incumbent's commission expired February 18, 1941.

Horace H. Cornell to be postmaster at Newtown, Pa., in place of H. H. Cornell. Incumbent's commission expired February 18, 1941.

John P. Johnson to be postmaster at Pocono Pines, Pa., in place of J. P. Johnson. Incumbent's commission expired February 6, 1941.

Carl D. Kohl to be postmaster at Stroudsburg, Pa., in place of C. D. Kohl. Incumbent's commission expired February 6, 1941.

TENNESSEE

John E. Malone to be postmaster at Adamsville, Tenn., in place of J. E. Malone. Incumbent's commission expired March 20, 1941.

Joseph A. Muecke to be postmaster at Kingston, Tenn., in place of J. A. Muecke. Incumbent's commission expired March 10, 1941.

Mumford S. Stewart to be postmaster at Mount Pleasant, Tenn., in place of M. S. Stewart. Incumbent's commission expired February 2, 1941.

Ernest P. Lassiter to be postmaster at Smithville, Tenn., in place of E. P. Lassiter. Incumbent's commission expired February 2, 1941.

TEXAS

Ralph B. Martin to be postmaster at Camden, Tex., in place of R. B. Martin. Incumbent's commission expired April 27, 1941.

Shelley G. Tarkington, Jr., to be postmaster at Cuero, Tex., in place of S. G. Tarkington, Jr. Incumbent's commission expired February 6, 1941.

James E. Heaton to be postmaster at Cushing, Tex., in place of J. E. Heaton. Incumbent's commission expired February 6, 1941.

David P. Slaughter to be postmaster at Howe, Tex., in place of D. P. Slaughter. Incumbent's commission expired February 6, 1941.

Helen C. Wallace to be postmaster at Kyle, Tex., in place of N. C. Schlemmer, resigned.

John H. Watson to be postmaster at McDade, Tex., in place of J. H. Watson. Incumbent's commission expired April 27, 1941.

Allen Tolbert to be postmaster at Midland, Tex., in place of Allen Tolbert. Incumbent's commission expired February 6, 1941.

Benjamin E. Ramsey to be postmaster at Newton, Tex., in place of B E. Ramsey. Incumbent's commission expired February 6, 1941.

Una B. Walker to be postmaster at Pecan Gap., Tex., in place of U. B. Walker. Incumbent's commission expired February 6, 1941.

William C. Wallis to be postmaster at Richardson, Tex., in place of W. C. Wallis. Incumbent's commission expired February 6, 1941.

Wade H. Taylor to be postmaster at Seminary Hill, Tex., in place of W. H. Taylor. Incumbent's commission expired March 13, 1941.

Sallie V. McAdams to be postmaster at Stratford, Tex., in place of S. V. McAdams. Incumbent's commission expired February 6, 1941.

Farris A. Brown to be postmaster at Talco, Tex., in place of F. A. Brown. Incumbent's commission expired April 27, 1941.

Harold D. House to be postmaster at Three Rivers, Tex., in place of H. D. House. Incumbent's commission expired February 20, 1941.

Floyd K. Rose to be postmaster at Tomball, Tex., in place of F. K. Rose. Incumbent's commission expired February 20, 1941.

WEST VIRGINIA

John R. Fortney to be postmaster at Morgantown, W. Va., in place of J. R. Fortney. Incumbent's commission expired February 3, 1941.

WISCONSIN

James F. Horan, Jr., to be postmaster at Friendship, Wis., in place of J. F. Horan, Sr. Incumbent's commission expired August 26, 1939.

John D. Costello to be postmaster at Racine, Wis., in place of J. D. Costello. Incumbent's commission expired February 9, 1941.

Walter J. Amend to be postmaster at Ripon, Wis., in place of W. J. Amend. Incumbent's commission expired February 9, 1941.

Alfred H. Bernhard to be postmaster at Waupun, Wis., in place of A. H. Bernhard. Incumbent's commission expired February 18, 1941.

Oscar L. Ringle to be postmaster at Wausau, Wis., in place of O. L. Ringle. Incumbent's commission expired February 18, 1941.

WYOMING

Anna Edith Morgan to be postmaster at Sunrise, Wyo., in place of A. R. Craven, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 29 (legislative day of May 26), 1941.

SUPREME COURT, TERRITORY OF HAWAII

Samuel B. Kemp to be chief justice of the Supreme Court, Territory of Hawaii.

UNITED STATES MARSHAL

Joseph H. Young to be United States marshal for the southern district of Georgia.

POSTMASTERS

MINNESOTA

John A. Peterson, Belview.
Jarl I. Sundseth, Halstad.
Jeannette Schilling, Newport.
Alice F. Lane, Olivia.
Cornelius W. Vahle, Tracy.

NEW YORK

Marie Delaney, Rosendale.

PENNSYLVANIA

James F. McAleer, Folcroft.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS IN THE REGULAR ARMY

Paul Ernest Ruestow, to be major, Air Corps.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO AIR CORPS

First Lt. Charles Albert Piddock.
Second Lt. Karl Tweeten Rauk.

PROMOTION IN THE REGULAR ARMY

Lloyd Baxter Bennett, to be colonel with rank from May 12, 1941, Infantry (colonel, Army of the United States).

APPOINTMENT IN THE REGULAR ARMY

TO BE SECOND LIEUTENANT, COAST ARTILLERY CORPS

John Farley Splain.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO AIR CORPS

First Lt. Perry Bruce Griffith.
Second Lt. John Patrick Dwyer.
Second Lt. Edward Aloysius Murphy, Jr.

APPOINTMENTS IN THE REGULAR ARMY

TO BE MAJOR GENERALS

William Bryden
Richard Curtis Moore
Henry Harley Arnold
Henry Conger Pratt
Walter King Wilson
Ernest Dichmann Peek
Frederic Harrison Smith
Philip Bradley Peyton

TO BE BRIGADIER GENERAL

Henry Harley Arnold

Maj. Gen. George Howard Brett, to be Chief of the Air Corps, with the rank of major general, for a period of 4 years from date of acceptance.

Brig. Gen. Courtney Hicks Hodges, to be Chief of Infantry, with the rank of major general, for a period of 4 years from date of acceptance.

Col. William Nichols Porter, to be Chief of the Chemical Warfare Service, with the rank of major general, for a period of 4 years from date of acceptance.

Addison Dimmitt Davis, to be assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

Larry Benjamin McAfee, to be assistant to the Surgeon General, with the rank of brigadier general, for a period of 4 years from date of acceptance.

PROMOTIONS IN THE REGULAR ARMY

The nominations for promotion in the Regular Army of Maj. Warren Hayford 3d, and others, which were referred to the committee on the 23d instant.

(NOTE.—For a full list of the names of the persons whose nominations for promotion in the Regular Army were referred to the committee on May 23, 1941, and which were today confirmed, see Senate proceedings of May 23, 1941, under the caption "Nominations," beginning on p. 4382 of the CONGRESSIONAL RECORD.)

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 29, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

Rev. Daniel W. Justice, D. S. T., M. A., pastor of Trinity Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, from whom our lives have come and unto whom our spirits look for guidance in all goodness, we unite our hearts in the strength of quietness and the beauty of holiness this lovely day of new mercies. As we go forth to our work and into the world, give us, we pray, dependent but brave and trustful hearts. We are not creatures of perfect knowledge, but day by day help us to ponder the pattern of life we are weaving. Give us the grace, through Jesus Christ, to do justly, to love kindness, and to walk humbly with our God.

As we face difficult tasks, may we use the strength Thou dost supply.

If our undertakings are blessed and prospered of Thee, let us give heed that Thy word may also prosper in our hearts.

If we should be called upon to go through the valley of personal sorrow or of collective sacrifice in days to come, let not our hearts be troubled, but, more than ever, let us believe in Thee and console one another.

Let none of us refuse any opportunities of service which may come to us today, nor fall prey to any temptations that may lie in wait for us.

Let not any mistake of yesterday be repeated in the experiences of today, nor the life of today become any evil example to any life of tomorrow.

Kind Lord, as our people gather on the morrow to honor our dead, may we all be still and know that Thou art God, for we purpose in our hearts that they shall not have died in vain.

Merciful Father, in these trying days bless the nations of the world created of one blood by Thee. May goodness overcome evil; may love conquer hate; for surely Thou needest men as brothers to bring the Kingdom of God on earth.

On this day and always we beseech Thee to guide by Thy Spirit our President, our Speaker, and each Member of our Congress, in all of their counsels.

Bless our loved ones, our homes, our churches, our communities, and all interests dear to each heart. In the Name of our Lord we humbly but gratefully pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following date the President approved and signed bills and a joint resolution of the House of the following titles:

On May 28, 1941:

H. R. 327. An act for the relief of Paula Liebau Anderson;

H. R. 336. An act for the relief of Della B. Birnbaum;

H. R. 682. An act for the relief of Julius Springer;

H. R. 694. An act for the relief of the Fairchild Aerial Surveys, Inc.;

H. R. 696. An act for the relief of J. K. Love;

H. R. 819. An act for the relief of Littlefield-Wyman Nurseries;

H. R. 1151. An act for the relief of Foot's Transfer & Storage Co., Ltd.;

H. R. 1678. An act for the relief of W. A. Facht;

H. R. 2672. An act to authorize the Secretary of the Interior to enter into an agreement fixing boundary lines on Wind River Indian lands, Wyoming;

H. R. 3362. An act to amend the act of May 24, 1940 (Public, No. 520, 76th Cong.);

H. R. 3404. An act authorizing the Secretary of the Interior to convey the right, title, and interest of the United States in certain property;

H. R. 3514. An act to authorize the Secretary of the Interior to effect an exchange of certain tribal land of the Santa Ysabel Indian Reservation, Calif., for other land of equal value;

H. R. 3538. An act to amend the act entitled "An act granting certain lands to the city of Biloxi, in Harrison County, Miss., for park and cemetery purposes," approved April 28, 1906;

H. R. 3987. An act to provide relief for, and to promote the interests of, the landowners on the Uintah Indian irrigation project, Utah, and for other purposes; and

H. J. Res. 105. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. KUNKEL].

THE LATE ISAAC H. DOUTRICH

Mr. KUNKEL. Mr. Speaker, it is my sad duty to announce the death of one of my predecessors in office, the Honorable Isaac H. Doutrich, of Harrisburg. Mr.

Doutrich served with great honor and distinction in this body in the Seventieth, Seventy-first, Seventy-second, Seventy-third, and Seventy-fourth Congresses.

Mr. Doutrich was born in the Nineteenth Congressional District, which he served, on a farm near Middletown, in Dauphin County, Pa., the son of Eli and Caroline Doutrich. He engaged in the retail clothing business, operating stores in various cities throughout eastern Pennsylvania, and built up one of the largest and most successful businesses in the State. He was the president of Doutrich & Co., retail clothing store in Harrisburg. He is survived by one son, Paul D. Doutrich; one daughter, Mrs. D. Bailey Brandt; and one sister, Mrs. Owen L. Underwood, of Pottsville. His wife, the former Miss Lena Erb, of Palmyra, had predeceased him.

In addition to his many business activities, Mr. Doutrich had for many years found time to serve the public in various ways. He was very public spirited and actively and generously supported civic and philanthropic works. He was city councilman of Harrisburg in charge of parks and public property, and did much to develop the beautiful and extensive park system which is one of the proudest possessions of the city of Harrisburg today.

During his service in the House of Representatives, Mr. Doutrich was a member of the Committee on the Post Office and Post Roads, and he also served for a time on the Indian Affairs Committee.

Mr. Doutrich had been seriously ill for some time preceding his death. He will be mourned by his many friends throughout the United States and particularly by those in the Ninteenth Congressional District for whom he labored so long and so well. The country has lost an outstanding citizen and a true American, and I join with the thousands who mourn his passing.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I have just been informed of the death of a former colleague of ours, Isaac H. Doutrich, at Harrisburg, Pa. I had the privilege and the honor of serving in the House with this gentleman for a number of years. Mr. Doutrich was a man who was always interested in the things that were vital and essential to the welfare of his country. He gave of his time to the duties of the office in a way that would do credit to any Member of Congress.

The Pennsylvania delegation always considered Mr. Doutrich as a man who was kind, considerate, diligent in doing those things which were assigned to him, and I am sure the delegations from every State join me when I make that statement. I knew him not only as a Member of Congress, but I traveled back and forth with him to the State of Pennsylvania. I often had the privilege of discussing questions with him and he always appealed to me as a sincere individual, as a man who desired to do the best he knew how. He was interested in doing that which was for the best interest of his district, his State, and his Nation. He served in that manner.

His passing will be regretted by many of the older Members of the House. We have lost a great American citizen, we have lost a good friend. He has gone to his reward, but I feel confident that some day we will have the privilege, if we live the right kind of life, of joining him around that great white throne, where we may all sing those hallelujahs and where our life's troubles will be ended, and where joy and happiness will reign forever.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to have inserted in the Appendix of the RECORD the contents of a leaflet put out by the Association of Consistent Americans in my district.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. GIBSON]?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the loyal Americans of Polish extraction at a program commemorating the one hundred and fiftieth anniversary of the Polish Constitution.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DAY]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

[Mr. LECOMPTE addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I made by electrical transcription urging the establishment of a public-utility district at Baker, Oreg.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a reply that I made to an editorial on that same election, together with a letter I wrote supporting that project.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PIERCE. Mr. Speaker, I want you to know that I appreciate the complimentary words of my colleague from Mississippi. I do not deserve all those kind words. I deeply appreciate the cooperative spirit of my colleagues. You all know I have a partner, my wife, who is my secretary and untiring helper. Her aid has made possible much that I have accomplished.

I entered this House later in life than most men. I was well toward 72 when I was sworn in as a Member of this body. When I finish my present term I will have served 10 years in this body, and a total of 30 years in public life. I went into Oregon almost 60 years ago, as a farm hand and teacher, without money and without relatives or friends in that section. I have been highly honored by the people of that State. It has been a great privilege to serve in this body and meet so many colleagues who have treated me so well. I appreciate you, each and every one. I thank you all. [Applause.]

INTERSTATE PETROLEUM PIPE LINES

Mr. COLE of Maryland. Mr. Speaker, by direction of the Committee on Interstate and Foreign Commerce, I ask unanimous consent that I may have until midnight tonight to file a report to accompany the bill (H. R. 4816) to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GALE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement on the ninth annual Eucharistic Congress.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the Missouri Retail Hardware Association.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, Mrs. Rosella H. Werlin, a distinguished lady of Galveston, has written a short historical sketch of Galveston which is quite

interesting. I ask unanimous consent to extend my own remarks in the RECORD and include this article.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that the Committee on Immigration and Naturalization be permitted to sit during the session of the House next Wednesday.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on next Wednesday, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial by Roy L. Smith, editor of the Christian Advocate.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

(Mr. LAMBERTSON asked and was given permission to extend his own remarks in the RECORD.)

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial published in the Chilton Times-Journal entitled "Action on the Home Front."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, in one to include a resolution adopted by the board of governors of the Oregon Bar Association and in the other to include two news releases by the Bonneville project.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

REPRESENTATIVE WALTER M. PIERCE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Speaker, I would consider myself derelict in my duty if I did not add a word of congratulation and respect to the tribute already paid to my distinguished colleague the gentleman from Oregon [Mr. PIERCE] on his arriving tomorrow at the eightieth milestone in his life's work. Of course, I have known Governor PIERCE for a good many years. While it is true that he serves in this body on the opposite side of the aisle from where I sit, I recognize and have recognized down through the years the fine, outstanding service he has rendered to our State of Oregon and the Nation.

Governor PIERCE represents that type of citizenry who came to the great State of Oregon in the far West in the early days, who crossed great expanses of prairie and mountains that were not yet traversed by railroads, to hew out of the wilderness and build there in the West homes, schools, and a civilization.

While he is a member of the great party now in control here, nevertheless in my own State, even while it was very strongly Republican, he was elected not only to local offices in his own county but later to the State legislature, where he served with distinction, and still later he was elected Governor of the State of Oregon. Then the people of my State selected him to serve here in this body.

I wish to add my word of appreciation and congratulation to my distinguished colleague and particularly to express my personal feeling of gratitude for the interest he has shown in me as a new Member and the kindly offices he has rendered me in my short service in this body. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIE. Mr. Speaker, Congress and the country are united in support of an immediate speed-up of our national-defense program, and for this reason I feel certain that the President's timely appeal of Tuesday evening for an all-out defense effort will receive a loyal response from Americans in all walks of life.

But let us not be deceived. Adequate national defense is not going to be accomplished by the appropriation of funds by Congress and the ordering of more planes and guns and ships.

Real national defense can only be achieved if we stamp out and forget those class hatreds and intolerances which have been too much in evidence in recent months. America can only be defended when we all realize that we are Americans—working, living, and sacrificing for the same high ideal. [Applause.]

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter of former Congressman Pettingill in the New York Herald Tribune of May 26.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TABER. Mr. Speaker, I ask unanimous consent that I may proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, under the notorious leadership of Howard Hunter and David Lasser, the W. P. A. is letting down the bars. I have from a welfare officer in western New York a communication from the W. P. A. district office reading as follows:

> We have received authorization from the State office to accept all male and female cases of persons on relief whether they have a small budget and receive a small amount of relief weekly, semimonthly, or monthly; where they received hospitalization without any home relief; where they have received medical care without home relief or hospitalization; or where they have received clothing and surplus commodities without home relief, hospitalization, or medical care.
>
> If you have any such persons on your relief rolls, we now can accept them. Our interviewers will call on you with the necessary forms within the next day or two.

These folks are out soliciting trade just like the rest of these relief rackets. America has no hope for her future until we put an end to these racketeering performances. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—INDUSTRIAL RESEARCH

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers and illustrations, was referred to the Committee of the Whole House on the state of the Union and ordered to be printed with the illustrations:

To the Congress of the United States:

One of the greatest resources in the arsenal of democracy is our national ability and interest in industrial research. For the vigorous prosecution of our defense program and for the assurance of national progress after the emergency we rely heavily on the continued vitality of research by industry in both pure and applied science.

Our people can justly take pride in the record of the accomplishment by American industry contained in the report on Research—A National Resource, Part II, Industrial Research, which I am transmitting for the information of the Congress. This document is one of a series on our research resources being prepared by the National Resources Planning

Board with the assistance of scientific councils and committees. The National Academy of Sciences and the National Research Council are responsible for the organization and presentation of this volume.

The report presents a clear record of how successfully we have translated our old-time Yankee ingenuity for invention into American genius for research. Our scientists have uncovered and explained the secrets of Nature, applied them to industry, and thus raised our standard of living, strengthened our defense, and enriched our national life.

The following significant paragraph in the report sums up the great changes that have come about through industrial research:

More efficient and economical methods have conserved our resources; new materials have made possible better products; and new products have contributed to the health, pleasure, and comfort of the general public. Such changes have not taken place without some temporary misfortunes. Here and there industries have disappeared and people have been temporarily thrown out of work, but the net result of 40 years of organized industrial research in this country has been the enrichment of life to an incalculable degree.

I commend a careful reading of this report to the Members of the Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 29, 1941.*

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I want to congratulate the gentleman from Indiana [Mr. GILLIE] upon his patriotic and timely remarks, and I hope that each and every Member here who has the interests of our country at heart will follow suit. We need many more men like him, not only here but throughout the entire Nation, to bring home the real need of cooperation and unity.

As to the remarks of the gentleman from New York [Mr. TABER] with respect to Mr. Howard Hunter, Administrator of the Work Projects Administration, who happens to be a Chicagoan, I wish to say that Mr. Hunter is a gentleman of ability. He has served the Government and the people ably and well in various capacities, and if he has any fault it is a fault of the heart, because I know it is his aim to aid and assist the poor, unfortunate people who actually need help, but who through technicalities many times have been deprived of the assistance which Congress intended them to have. He is a man whose policies and activities should be approved and not criticized. [Applause.]

EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the Nebraska State School Boards Association.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

(Mr. KING asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the American Legion Monthly.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a statement made before the House Committee on Flood Control.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

REPRESENTATIVE WALTER M. PIERCE

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I rise to add my congratulatory words to those that have been spoken about my next-door neighbor in the Old Office Building, the gentleman from Oregon, Governor PIERCE. During these years, I have learned to love him and admire his stalwart character and pioneer spirit. Governor PIERCE began his public life in my district. He was a school teacher in Franklin County, Kans. That was by the side of the old Santa Fe and Oregon Trails, which blazed the "path of empire" to the West. I know that he was a great teacher, because that county has never failed in a primary or election to give me a big majority. [Laughter and applause.]

Mr. PIERCE. Oh, that was when I stopped over there on my way to Oregon. I stayed there one year.

Mr. GUYER of Kansas. That is the only mistake I have known Governor PIERCE to make. It was the great loss of Kansas and the great gain of Oregon.

Governor PIERCE was a fine example of the young poineers of both Kansas and Oregon which made up the citizenship of those two great American Commonwealths.

We join in congratulating him upon reaching his ripe age with the spirit and strength of seasoned manhood so that he may enjoy and see the prosperity and cultivated civilization of the great West.

Governor PIERCE possesses good American blood, the kind that has left its impress upon American history. His father was a cousin of Franklin Pierce, the fourteenth President of the United States.

I am sure that there is no man in the House of Representatives with more friends to wish him many more happy years, and no one who deserves it more. [Applause.]

WIDOW OF A. J. CHITTY

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report upon the bill (S. 991) for the relief of the widow of the late A. J. Chitty.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the statement.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 991) entitled "An Act for the relief of the widow of the late Artis J. Chitty" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, as follows: In lieu of the figures "$5,000" insert "$7,500"; and the House agree to the same.

JOHN M. COFFEE,
LOUIS J. CAPOZZOLI,
Managers on the part of the House.

PRENTISS M. BROWN,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the disagreeing vote of the two Houses on the amendment of the House to the bill (S. 991) for the relief of the widow of the late Artis J. Chitty, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

In consideration of this Senate bill, your committee believed that the amount recommended in the bill was excessive and therefore reduced the amount to be paid to the widow of the late Artis J. Chitty, from $10,000 to $5,000. The late Artis J. Chitty, was killed on August 22, 1940, in the State of Washington while in the performance of his duty as a United States marshal.

At the conference an agreement was reached on a compromise in the amount of $7,500. The House conferees agreeing to this amount, because it was learned, that besides his widow, the late marshal was also survived by a minor daughter. Also, had the widow the right under law to file a claim with the United States Compensation Commission, the maximum award payable by the Commission, namely, $7,500, would have been paid.

JOHN M. COFFEE,
LOUIS J. CAPOZZOLI,
Managers on the part of the House.

Mr. COFFEE of Washington. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

GRANTING PENSIONS TO CERTAIN UNREMARRIED DEPENDENT WIDOWS OF CIVIL WAR VETERANS

Mr. LESINSKI. Mr. Speaker, by direction of the Committee on Invalid Pensions, I call up the bill (H. R. 1091) to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veterans subsequent to June 26, 1905, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the dependent unremarried widow of a Civil War veteran who is barred from the receipt of pension because her marriage to the veteran occurred subsequent to June 26, 1905, but who is otherwise entitled to such pension either under the act of May 1, 1920 (41 Stat. 585), or under the act of June 9, 1940 (46 Stat. 528), shall be entitled to pension in her own right under said acts at the rates and under the conditions specified therein and to the additional pension provided for minor and helpless children in the act of May 1, 1920, provided she married the veteran 10 years prior to his death and lived with him continuously from the date of marriage to the date of his death except where there was a separation which was due to misconduct of or procured by the veteran without the fault of the widow: *Provided*, That if pension has been granted to an insane, idiotic, or otherwise helpless child of the veteran or to a child or children of the veteran under 16 years of age, the widow shall not be entitled to the pension authorized in this act until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow by this act, then the difference between said amounts will be paid to the widow: *Provided further*, That no pension shall be payable under this act to a widow under 60 years of age.

SEC. 2. Payment of pension as provided by this act shall be effective from the date of receipt of application in the Veterans' Administration, in the form prescribed by the Administrator of Veterans' Affairs, but not prior to the date of enactment of this act. Pension under this act shall not be paid to the widow of a veteran of the Civil War who has remarried either once or more than once, and upon the remarriage of such a widow her pension shall be terminated. The penal and forfeiture provisions of the pension laws providing pensions for veterans of the Civil War and their widows and dependents shall be applicable to the provisions of this act.

SEC. 3. No agent, attorney, or other person shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for preparing or assisting in the preparation of the necessary papers in the application to the Veterans' Administration for benefits under this act. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for such preparation or assistance shall be guilty of a misdemeanor, and each and every offense shall be punishable by a fine of not more than $500 or imprisonment at hard labor for not more than 2 years or by both such fine and imprisonment.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

PENSION FOR DISABILITY OR DEATH RESULTING FROM SERVICE IN UNITED STATES COAST GUARD

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1094) to grant pensions for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes, which I sent to the desk.

The Clerk read as follows:

Be it enacted, etc., That the provisions of the laws administered by the Veterans' Administration granting pension and other benefits to veterans and their dependents are hereby extended to the officers and enlisted men of the United States Coast Guard and their dependents for disability resulting from personal injury or disease contracted in line of duty, or for aggravation of a preexisting injury or disease contracted or suffered in line of duty, when such disability was incurred in or aggravated by active service in the United States Coast Guard on or after January 28, 1915, and before July 3, 1930, and for death resulting from such injury or disease, under the same regulations and restrictions as provided by law for officers and enlisted men of the United States Coast Guard who incurred disability in line of duty on and after July 2, 1930, or who died as the result of such disability.

SEC. 2. The administrative, penal, and forfeiture provisions governing the granting of benefits, including accrued pension, under Public Law No. 2, Seventy-third Congress, approved March 20, 1933, as amended, and the Veterans Regulations promulgated thereunder, as amended, are hereby made applicable to the benefits granted under this Act: *Provided*, That in no event shall the benefits herein provided be awarded for any period prior to the date of enactment of this act and the date of commencement of pension granted hereunder shall be from the date of filing application in the Veterans' Administration under such regulations as the Administrator of Veterans' Affairs may prescribe.

SEC. 3. This act shall not be construed to reduce any pension or compensation under any act, public or private.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

PENSIONS AND INCREASE OF PENSIONS TO VETERANS AND DEPENDENTS OF DECEASED VETERANS OF THE INDIAN WARS

Mr. LESINSKI. Mr. Speaker, by direction of the Committee on Invalid Pensions, I call up the bill (H. R. 1095) to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes," and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of March 3, 1927 (U. S. C., title 38, sec. 381; 44 Stat. 1361), is hereby amended to read as follows:

"SECTION 1. That any person who served 30 days or more, or for the duration of one of the campaigns cited in section 1 of the act of March 4, 1917, even though such campaign was of less than 30 days' duration, in any military organization, whether such person was regularly mustered into the service of the United States or not, but whose service was under the authority or by the approval of the United States or any State or Territory in any Indian war or campaign, or in connection with, or in the zone of, any active Indian hostilities in any of the States or Territories of the United States from January 1, 1817, to December 31, 1898, inclusive, the determination as to what constitutes the zone of active Indian hostilities to be made by the Administrator of Veterans' Affairs, and who is now or may hereafter be suffering from any mental or physical disability or disabilities of a permanent character which so incapacitate him for the performance of manual labor as to render him unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Administrator of Veterans' Affairs may provide, be placed upon the pension roll of the United States and be entitled to receive a pension not exceeding $60 a month and not less than $20 a month, proportioned to the degree of inability to earn a support, and in determining such inability each and every infirmity shall be duly considered and the aggregate of the disabilities shown shall be rated, these rates to be fixed as follows: $20 a month for one-tenth disability, $25 a month for one-fourth disability, $35 a month for one-half disability, $50 a month for three-fourths disability, and $60 a month for total disability: *Provided*, That any such person who has reached the age of 62 years shall, upon making proof of such fact, be entitled to receive a pension of $30 a month; and in case such person has reached the age of 65 years, $60 a month: *Provided further*, That any such person who is now or hereafter may become, on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, shall be given a rate of $100 a month: *And provided further*, That no one while an inmate of the United States Soldiers' Home or of any National or State soldiers' home, and while the Government of the United States contributes toward defraying the expense incurred in providing such inmate with domiciliary care shall be paid more than $50 per month under this act."

SEC. 2. Section 4 of the act of March 3, 1927 (U. S. C., title 38, sec. 381c; 44 Stat. 1363), is hereby amended to read as follows:

"SEC. 4. The pension or increased rate of pension herein provided for shall commence from the date of filing application therefor after the date of enactment of this act in such form as may be prescribed by the Administrator of Veterans' Affairs, or the date of the inception of the requisite condition as shown by the evidence, whichever is the later: *Provided*, That as to veterans who hereafter apply for and receive pension under the provisions of this act, increased pension by reason of disability requiring the regular aid and attendance of another person shall be effective as of the date of inception of the requisite condition as shown by the evidence, but not earlier than the date of the original application for pension hereunder."

SEC. 3. The act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section numbered 6 to read as follows:

"SEC. 6. The dependent unremarried widow of any person who rendered service as described in section 1 of this act, who is barred from receiving pension because her marriage to the veteran occurred subsequent to March 3, 1917, but who is otherwise entitled to pen-

sion under section 2 of this act, shall be entitled to pension in her own right and to the additional pension provided for minor and helpless children in said section 2: *Provided*, That she has attained the age of 60 years, was married to the veteran 10 or more years prior to his death, and lived with him continuously from the date of marriage to the date of his death, except where there was a separation which was due to or procured by the veteran without the fault of the widow: *Provided further*, That if pension has been granted to an insane, idiotic, or otherwise helpless child of the veteran or to a child or children of the veteran under 16 years of age, the widow shall not be entitled to the pension authorized by this section until the pension to the child or children terminates, unless such child or children be a member or members of her family and cared for by her; and when these conditions are fulfilled and the pension is granted to the widow, payment of pension to such child or children shall cease; except that in the event the amount being paid to such child or children is less than the amount authorized to the widow by this section, then the difference between said amounts shall be paid to the widow: *Provided further*, That any widow otherwise entitled to pension under this act who has attained or who shall hereafter attain the age of 70 years shall be entitled to and paid a pension at the rate of $40 per month: *Provided further*, That the widow otherwise entitled under this act who was the wife of the veteran during the period of his service in an Indian war or campaign shall be entitled to and shall be paid a pension at the rate of $50 per month. Payment of pension or increase of pension at the rates provided in this section shall commence as provided in section 4 of this act. Pension and increase of pension under this section shall not be paid to the widow who has remarried either once or more than once since the death of the veteran, and upon the remarriage of such a widow her pension shall be terminated."

SEC. 4. The act of March 3, 1927 (U. S. C., title 38, secs. 381–381d; 44 Stat. 1361–1363), is hereby amended by adding a new section numbered 7 to read as follows:

"SEC. 7. Nothing contained in the provisions of this act shall be construed to discontinue, diminish, or reduce any pension heretofore granted, nor to abridge or deny rights under any law in effect on the date of enactment of this act, nor be held to affect or diminish the additional pension to those on the roll designated as the Army and Navy Medal of Honor Roll, as provided by the act of April 27, 1916, but any pension or increase of pension herein provided for shall be in addition thereto."

SEC. 5. Section 5 of the act of March 3, 1927 (U. S. C., title 38, sec. 381d; 44 Stat. 1363), is hereby amended to read as follows:

"SEC. 5. No agent, attorney, or other person shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for preparing or assisting in the preparation of the necessary papers in the application to the Veterans' Administration for benefits under this act. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for such preparation or assistance shall be guilty of a misdemeanor, and each and every offense shall be punishable by a fine of not more than $500 or imprisonment at hard labor for not more than 2 years, or by both such fine and imprisonment."

Mr. ROBSION of Kentucky. Mr. Speaker, the House has under consideration H. R. 1091, H. R. 1094, H. R. 1095, and H. R. 2855. I wish to express my appreciation to the distinguished chairman [Mr. LESINSKI] and to the other members of his committee for their action in favorably reporting these bills, and to the Speaker of the House and the Members of the House as a whole for permitting these bills to come up and be considered at this time.

Tomorrow is Memorial Day, the day when business is hushed in tribute to our honored dead. The American people will gather in the great cities of the dead, in the quiet country churchyards, and under spreading trees strew with flowers the graves of our departed defenders and mingle our tears with the tears of the widows, orphans, and other dependents of those of our defenders who lie buried. It is most fitting indeed that the House of Representatives on today should pass these measures to aid our disabled defenders and the widows and orphans of those who have passed on and in that way express the Nation's gratitude in a substantial way.

Flowers placed on the graves of our defenders and eloquent eulogies are fine and noble. If the Senate passes these measures and they are signed by the President, providing food shelter, and clothing for our disabled defenders and for the dependents of those who have passed on, it will give more substantial and higher expression to our gratitude.

The clouds now hang heavy over our beloved country. Millions of our young men may be called upon to fight and die for this Nation. The Congress has already appropriated and authorized to be expended more than $40 000,000,000 in the name of national defense. I have said many times on the floor of the House that in my opinion there could be no more effective expenditure of money for national defense than to care for our disabled defenders and to provide for the widows and orphans of our deceased defenders.

It has been well said that an ungrateful nation—a nation that fails to protect its protectors and defend its defenders—may some time find itself without protectors or defenders. This action today will be an inspiration to those who may be called upon in the months to come to protect and defend our country. They will not hesitate to fight for a grateful nation—a nation that will care for them if disabled in their country's service and a nation that will provide food, clothing, and shelter for their widows and minor children if they should give their lives.

My only regret is that we do not have an opportunity today to again pass the Rankin bill for the World War veterans and their dependents. I am very happy to give these bills my earnest support, and I trust that they may become law. [Applause.]

Under the present law, before the widow of a Civil War veteran can secure a pension she must prove that she married the veteran prior to June 27, 1905, nearly 36 years ago. Under H. R. 1091 a Civil War widow who is now 60 years of age and in needy circumstances and who married the veteran and lived with him for a period of 10 years and up to the time of his death is entitled to pension of $30 per month, increased to $40 on attaining the age of 70.

H. R. 1094 would grant pension for disability or death resulting from service in the United States Coast Guard before June 2, 1930. This is a very meritorious bill and has been approved by the Treasury Department and the Veterans' Administration. It should be, and I am confident it will be, passed.

H. R. 1095 proposes to increase the rates of pension paid to veterans of the Indian wars and dependents of such veterans, and make the rates correspond with those payable to veterans of the Spanish War and their dependents. There are only a very few of these veterans still with us, and only a very small group of dependents. This increase is merited and should be granted.

H. R. 2855 provides for the restoration of pension to certain dependent parents who have remarried. This bill corrects an inequality now existing under present laws. It affects only a comparatively small group of cases, particularly peacetime death cases, where the death of the veteran was due to service. It should be passed.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

NEVERMORE

Mr. RICH. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, before I came to Congress I made a request of my Congressman at that time, who represented the district I now have the honor to serve, the Honorable Edgar R. Kiess, after the World War, for a cannon to be placed on the public-school grounds of Woolrich, Pa. We received the cannon, made a large concrete base, and placed it thereon. After we painted the cannon black and the concrete aluminum and thought we had a monument erected as a relic of the World War, one evening an uncle of mine, Mr. S. E. Rich, of Woolrich, Pa., took a can of black paint and a little stencil brush and on the side of the cannon facing the street he wrote in large letters, "Nevermore." On the south side of that cannon, approaching it from the right, he wrote the word "Nevermore." On the north side of the cannon, approaching it from the left, he wrote the word "Nevermore." Everybody who comes to our community looks at that monument, and it was with a heart filled with joy they read the word "Nevermore" from any side they chose to look at it. It seemed to tell the people that war had ceased and would be no more.

That all happened after we sent the boys to Europe in 1918 to make the world safe for democracy, and now, with hearts heavy and saddened, we feel that those who lost their lives in Flanders Field died in vain; that the world is not safe for democracy; and those who fought and died, and those who fought and were crippled, and those who fought and still maintain their good health, all fought in vain. That war cost America many lives, sacrifices, sorrows, broken hearts, wounded, and gave us the Unknown Soldier who now rests under the great mass of marble at Arlington.

With a lesson like that, it seems so foolish, so unnecessary, and so unjust that we call upon the American people

to try to police the world and do the same thing over again. I am not a pacifist and I do not like the things Hitler does. I do not believe it is the duty of America to become involved in the affairs of Europe or Asia except what we can do in America by peaceful means in trying to settle disputes, in trying to settle wars, and in trying to make people happy. Why should we give every ounce of energy, spend billions of dollars, have great armies and great navies to fight battles on foreign soil? I am for the defense and protection of America 100 percent. I want to be as loyal an American as any man who lives in America, and I must say I do not like the policy laid down by President Roosevelt, by Wendell Willkie, and those who are trying to get us into foreign entanglements by war. I believe that America wants peace; at least, 80 percent of the Americans do not want a foreign war; and my heart has been so heavy since I heard the President's address Tuesday night, when he declared an unlimited national emergency exists, then assuming the great powers that the laws passed the past 8 years gave him before he made such a declaration. Congress passed a Neutrality Act. The President declared zones which our ships should not enter. Is he now going to send any of our ships into these forbidden zones to become a prey for submarines or targets for the airplanes—to be sunk only to arouse the American people to the fact that we should enter this war? I hope such will not be the case.

Mr. President, I have opposed most of this legislation giving you vast powers because I do not want to place this responsibility in your hands. I wanted to assume my share of the responsibility. I wanted the Congress to assume its share of responsibility in case of national emergency. But since the majority of the Congress has seen fit to grant that power to you, I implore you to keep us from entering the field of danger. I implore you, for the mothers and fathers and sons of America, that we do not enter the field of war and ask you to fulfill your promise.

I am calling your attention to the promise you made to the American people at Boston on October 20, 1940:

> And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again and again and again; your boys are not going to be sent into any foreign wars.

God forbid that you betray the American people now. I and millions of Americans do not want war, Mr. President. Use your good office now to throw out feelers for stoppage of the terrible war that is going on in Europe and Asia. Do it now, Mr. President; do it now. The American people want peace. Let us preserve our democracy, our freedom, and our independence. We can do it by peaceful means, I am sure, or I would not request it. God bless and save America. [Applause.]

By unanimous consent, the pro forma amendment was withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESTORATION OF PENSION TO CERTAIN DEPENDENT PARENTS

Mr. LESINSKI. Mr. Speaker, by direction of the Committee on Invalid Pensions I call up the bill (H. R. 2855) to provide for restoration of pension to certain dependent parents upon termination of remarriage, and for other purposes and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, we wish 10 minutes time on our side on this bill.

Mr. LESINSKI. That will be agreeable.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph LV, subparagraph (b), part I, Veterans Regulation No. 2 (a), as amended by paragraph 2 of Veterans Regulation No. 2 (d), is hereby amended to read as follows:

"(b) Pension to a dependent mother or father shall continue during dependency until death or remarriage of the mother or father, whether dependency arises prior or subsequent to the death of the veteran: *Provided, however*, That pension or compensation discontinued or disallowed by reason of remarriage may be recommenced or awarded upon proof of dependency, if it is shown that such remarriage has been terminated by death or divorce without fault on the part of such mother or father."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That pension or compensation payable to a dependent mother or father under any law administered by the Veterans' Administration shall continue during dependency whether dependency arises prior or subsequent to the death of the veteran on whose account the benefit is payable. The fact of remarriage of the mother or father shall not operate to terminate such pension, provided that dependency exists notwithstanding such remarriage.

"SEC. 2. Paragraph IV (b), part I, Veterans Regulation No. 2–Series (U. S. C., title 38, ch. 12, appendix), is hereby repealed and any provision of law inconsistent with this act is also repealed."

Mr. SHORT. Mr. Speaker, I move to strike out the last word and ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The gentleman from Missouri is recognized for 10 minutes.

SHOULD THE UNITED STATES ENTER THE EUROPEAN WAR?

Mr. SHORT. Mr. Speaker, ever since I have been a Member of this body I have consistently supported by both my voice and my vote legislation for the benefit of veterans of all wars. I know it is a tremendous burden to the taxpayers of the country, but I think it is a good thing to make the American people conscious that wars are expensive enterprises and that the people will eventually have to pay for them. The best way to avoid taxes is not to enter another war.

I congratulate the various committees of the House that have dealt with these pieces of legislation for the benefit of our veterans of all wars, and I intend to continue to support legislation to take care not only of the disabled veterans but of the widows and orphans as well.

Mr. Speaker, if not at this very moment, the American people will soon be confronted with this question: Shall we enter another European war?

I want to give the Members whatever benefit there may be from my reflections on this question that I have been seriously disturbed about and have considered very much in recent months.

The United States of America should not enter the present European War for at least two impelling reasons:

First. It is not our war; and

Second. We are not today adequately prepared to fight a successful war on European soil.

Let us discuss briefly these two reasons for our nonintervention. First: Recently it has been repeatedly said that this is our war. Such a statement is absolutely false. The present conflict in Europe broke out without our advice or consent so far as the American people know. It was Great Britain and France who declared war upon the German Reich after being clearly forewarned by Colonel Lindbergh that it would be utterly impossible for them to compete with Germany's air force. If this is really our war we should have been in it from the start and should never have cowardly hidden behind the skirts of any other nation. Our first line of defense is not Great Britain or any other country, but our first, last, and only dependable line of defense is ourselves. When war began in Europe no one in the United States admitted that it was our war nor did the British or French people claim that it was our war. Only after months of insidious propaganda over the radio, on the screen, and through the press; only after this administration passed one law after another bringing us closer to actual involvement—and all in the name of peace—has it been said that this is our war. Now we are told that it is a war for humanity, democracy, and civilization. These are high-sounding terms but they are old stuff. We were persuaded to enter the first World War in 1917 out of high idealism to make the world safe for democracy and to end war. Though we got 2,000,000 men to France, spilled their blood, and spent our treasure; though we came out of the conflict without a dollar indemity or a square acre of territory, we did not achieve either objective. All we got was 10 years depression, 10,000,000 men unemployed, and $13,000,000,000 of bad war debts we will never collect, and four cemeteries in France.

This war, like all wars, is an economic conflict, the result of selfishness and greed and a battle to control the seven seas and to dominate the world's trade.

It is merely one of the chapters in the endless struggle among nations of the Old World.

Washington and Jefferson both warned us against entangling alliances and against attempting to solve Europe's problems or to police the world. Both major political parties in the campaign last year solemnly pledged the American people that American boys would never again be sent to Europe unless we were attacked. No nation has yet attacked us. No American ship has been sunk; no American life has been lost. Yet we have called other people dirty names, hurled epithets and insults at the leaders of other countries, and displayed not only an unneutral but a hostile attitude toward one of the sides in the present war. Last October before the election both Mr. Roosevelt and Mr. Willkie solemnly pledged the fathers and mothers of America that their sons would not be sent to fight in any foreign war. These pledges should be more than "campaign oratory," for no man is better than his word. Pledges should be kept and promises should be fulfilled.

Now for the second reason why we should not enter Europe's war. While all Americans are united in the program for national defense and while we are making noticeable progress, in spite of inexcusable and unjustifiable strikes in defense industries, anyone who is actually acquainted with our present state of preparedness knows that we could not successfully fight a war on European soil. When we entered the last war our national debt was $1,000,000,000. Today our national debt, including authorizations for the present defense program and certain contingent liabilities, is in excess of $100,000,000,000. The first line of defense of any nation is its own financial solvency. In the last war Japan, Russia, and Italy were on our side and we had France and Belgium where we could land troops. Today Belgium and France are occupied by Germany and the other three powerful nations mentioned are her allies.

America is by no means impotent. We have vast natural resources, an enormous reservoir of skilled labor, and the greatest industrial plant in the world, and could win in a long-drawn-out conflict, but not without the expenditure of billions of dollars and the sacrifice of many millions of the best flower of our young manhood. While we cannot fight a winning war in Europe so far from our own bases of supply, no nation in Europe or combination of nations in Europe can successfully attack us on our home ground. We cannot get over there and they cannot get over here, so why enter a war in Europe exposing our west coast to a rear attack from Japan who would certainly fight us if we entered a war in Europe? It simply does not make sense.

Regardless of our inherent or inherited prejudices and in spite of where our sympathies might lie in the present European struggle, our first allegiance and our first duty is to the United States and our own people. The wisest thing we could do at this hour is to center our thought, attention, prayers, and energies upon our own country and not upon some foreign land. The moment we enter this world struggle our economy will be bankrupt; our democracy will die; our Republic will be supplanted by a totalitarian state. The civil liberties of the people will be destroyed and a military despotism established. America should put forth all her effort to make herself impregnable and invincible to attack from abroad and remain in a position to exert a moral influence to bring about, by example, peace in the world.

By unanimous consent, the pro forma amendment was withdrawn.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes."

Mr. LESINKI. Mr. Speaker, we have no further bills to offer.

ESTABLISHMENT OF MARINE SCHOOLS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1311) to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco, and its immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman tell us what the bill does and the necessity for it?

Mr. BLAND. Mr. Speaker, the bill which I am asking to have passed at this time was introduced by Senator DOWNEY in the Senate. A companion bill was introduced in the House by the gentleman from California [Mr. BUCK].

It deals with the location of one of the four existing nautical schools and simply extends the area within which the school may be located. It provides that the port of San Francisco, specified in the first paragraph of the first section of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, shall be construed as embracing, in addition to the city of San Francisco, any city, town, municipality, or other locality on San Francisco Bay or the San Pablo Bay or waters tributary thereto.

It is my information that conditions are such that it is necessary to move the school. The Legislature of California is now in session and will soon adjourn. It is desired to have this bill passed before that time. The gentleman from California, the ranking member on the Committee on the Merchant Marine and Fisheries [Mr. WELCH] is in approval of the bill and the House bill has been unanimously reported by the committee.

Mr. WELCH. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from California.

Mr. WELCH. Mr. Speaker, this school was located at Sausalito, on San Francisco Bay, for many years. It became necessary for the Government to take over this location for national-defense purposes and, therefore, the school ship has to be moved to another part of the bay. This bill simply defines the port of San Francisco by including San Pablo Bay and tributaries thereto.

Mr. BLAND. That is correct.

Mr. WELCH. And it is for legislative purposes only?

Mr. BLAND. That is correct. The House bill was considered by the committee this morning and unanimously ordered to be reported favorably with the recommendation that the bill should pass. The Senate bill (S. 1311) is identical with the House bill, which the committee ordered to be reported today. Therefore, I am asking that we take up and pass the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, is amended by adding at the end thereof the following new paragraph:

"The port of San Francisco specified in the first paragraph of this section shall be construed as embracing, in addition to the city of San Francisco, any city, town, municipality, or other locality on the San Francisco Bay or the San Pablo Bay, or waters tributary thereto."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

AUTHORIZING SECRETARY OF TREASURY TO RELEASE CERTAIN INTERESTS IN LAND IN MONMOUTH COUNTY, N. J.

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 578) authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J., and, Mr. Speaker, I will make the statement at this time that this is to relinquish the right-of-way over certain property granted to the Coast Guard and no longer needed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to convey by quitclaim deed, to the estate of James A. Bradley, deceased, all the right, title, and interest of the United States in and to property owned by the estate of James A. Bradley, deceased, which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J.

Mr. BLAND. Mr. Speaker, this bill was considered by the Committee on the Merchant Marine and Fisheries this morning. We had a letter from the Member of the House in whose district the property is located, the gentleman from New Jersey [Mr. SUTPHIN], and he agreed with the statements made by the Coast Guard authorities that it was desirable to relinquish the right-of-way now owned by the Coast Guard. When the right-of-way was originally granted to the Coast Guard it was the only way to get into the Coast Guard property. The road was granted without any charge whatsoever. It was donated. Since that time roads have been located, and there is no further need for the right-of-way. The purpose of this bill is to relinquish that right-of-way which was originally donated.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Montana [Miss RANKIN]?

There was no objection.

Miss RANKIN of Montana. Mr. Speaker, it was called to my attention during the last war that no provision was made for suspending the statute of limitations during the war period. Some Members of Congress have expressed a fear that activities of a very questionable character are going on in our defense program. There may be no opportunity to check them until after the war emergency.

In order that the same situation may not arise during the confusion created by expansion in our present military defense, I am offering a bill to suspend, during the time of war or national emergency, the operation of any statute of limitations on prosecutions for Federal offenses, so that for the purpose of computing the period within which prosecutions must be brought for an offense punishable under the laws of the United States, there shall be excluded any period during which the United States is at war or in a state of confusion over preparations for military defense.

This is necessary if we are to give all our attention to military defense and, at the same time, feel secure that profiteers, or those who take advantage of the opportunity to commit crimes, trusting that they will be outlawed before they can receive the attention of the people, will not be able to take the profits of their crime with impunity.

AUTHORIZING SPEAKER TO SIGN ENROLLED BILL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House today the Clerk be authorized to receive a message from the Senate on the bill H. R. 4466, and that the Speaker be authorized to sign the enrolled bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I take this time to advise the leadership on the other side and our colleagues in the House of the program for next week.

On Monday the bills on the Consent Calendar will be called, after which the appropriation bill relating to the Department of Labor and the Federal Security Administration will be called up for consideration, and general debate will continue the balance of Monday. What the committee will decide on Tuesday, so far as general debate on that bill is concerned, I do not know; however, that bill will take Monday and Tuesday and may go into Wednesday.

On Thursday the military appropriation bill will come up for consideration.

Those two appropriation bills will probably take the greater part of next week. If it is possible the Cole bill, introduced by the gentleman from Maryland, relating to the extension of pipe lines for the transmission of petroleum and by-products, will be called up for consideration. I would like to get that bill considered and disposed of next week, because I understand that whatever differences there are either have been or will be adjusted, and it is a matter of extreme importance.

There are three rules from the Committee on Rules relating to bills reported out of the Committee on Naval Affairs. I understand there is no opposition to them, but I make that statement with reservations. If it is possible to take up those bills or any one of them, it is my intention to do so.

Mr. MICHENER. Does the gentleman have the numbers of those bills?

Mr. McCORMACK. Yes; I was just going to state them. They are H. R. 4823, H. R. 4473, and H. R. 3536. If it is not possible to take up all of these bills, then if it is possible to take up any one of them I do not want to be bound by the order in which I have read the numbers of the bills as to the order in which they may be taken up.

The important thing next week is the fact that there are two appropriation bills to be considered, together with these other bills. If it is possible to take them up, as many of them as possible will be considered, particularly the Cole bill, which I understand is likely to be reported out of the committee on Monday. I do not know that it can be done, but it may be possible to consider that bill by unanimous consent if everybody is satisfied, and from the evidence I have to date I believe practically all differences but one have been ironed out, and the probability that that difference will be adjusted satisfactorily is very good.

I also wish to announce that on Tuesday the Private Calendar will be called.

Mr. MICHENER. The Private Calendar will be called the first thing?

Mr. McCORMACK. Yes; the calendar will be called first, before the consideration of the appropriation bill proceeds.

Mr. BLAND. If the gentleman will yield, does that include omnibus bills on the private calendar?

Mr. McCORMACK. No; not omnibus bills.

[Here the gavel fell.]

The SPEAKER. Under a previous order of the House, the gentleman from Nebraska [Mr. COPELAND] is recognized for 20 minutes.

AGRICULTURE AND THE ST. LAWRENCE SEAWAY

Mr. COPELAND. Mr. Speaker, the administration will shortly present to the House and Senate for their approval a resolution permitting the United States to pay two-thirds or more of the cost of building a seaway from the great Lakes to the sea. A resolution permitting the President to make the agreement and start the work on a project, two-thirds of which will lie in Canada. A resolution that appears to be a deliberate attempt to avoid the necessity of securing a two-thirds vote of the Senate for approval of a treaty. This is a matter to be handled by treaty only, for it can well effect control of border waters and our sovereignty over Lake Michigan. All this in the name of national defense.

In a recent interesting and instructive discourse before this body, the gentleman from Missouri [Mr. PLOESER] established some very pertinent facts as to why the proposed St. Lawrence seaway project should not be launched at this time. It is labeled a national-defense project, both because of its water transportation and power possibilities; but, by what stretch of the imagination, can any project be called essential to our national defense when it cannot be completed in less than 8 years?

We are burdening our taxpayers with a financial load for which our most astute financiers are unable to discover a satisfactory method of repayment, and it naturally follows that Canada is also being burdened with a like obligation. Admitting that our financial stability and resources exceed those of our good neighbor to the North, what would be the result if they should find themselves either unable or unwilling to pay their proportionate cost? I would not accuse them of future failure to meet their obligations, but there comes a time, especially during wartime, when a nation's obligations sometimes surpass its ability to pay, and we are rapidly reaching that point in our own United States. England claimed to have reached such a point, and the world knows England's answer to our demands for repayment of the interest on her debt to America, to say nothing of the principal loans to her in the last World War.

At the present time, we exercise total sovereignty over Lake Michigan, and any agreement made which would permit this

project would seriously affect our control over this lake. Even though we retain control over its surface, it would result in joint control between the United States and Canada over the necessary withdrawals of water.

While some may say this is farfetched, let us assume that at some future date, international difficulties should encompass the United States or Canada with some foreign power; whose obligation would it then be to protect this waterway against foreign naval encroachment?

There are many arguments both for and against this proposed seaway, but, in my judgment, the arguments against far surpass any arguments for. It is impossible in the limited time at my disposal to discuss them all, and my primary interest at this time is the interest of the great mass of the American farmers in the Middle West, and humbly I shall endeavor to develop this one factor, as it appears to me and the vast majority of agricultural interests.

Grain interests in the States immediately tributary to the proposed St. Lawrence seaway have abandoned their original argument that the seaway would largely contribute to restoration of American export markets for wheat and other farm products. Thus, while President Roosevelt is urging the Congress to ratify an "agreement" with Canada for development of the seaway in the name of "national defense," the agricultural interests are forced to admit that its completion would neither assure added profits to farmers in the way of reduced grain shipment rates nor operate to restore world markets.

Accordingly, these interests, still insistent that the seaway should be constructed, have developed the argument that it would promote industrialization of the Great Lakes area and thus enlarge the home market for agricultural products. Specifically they assert that a deep-water avenue to the sea would promote shipbuilding around the great inland seas, and accordingly the farmers would sell more crops.

By what system of logic this conclusion is arrived at is not clear. It does not follow that location of shipbuilding docks in Great Lakes ports will increase the national consumption of wheat, rye, oats, or any other farm product. The national-defense program now calls for shipbuilding, and ships will be built, but the location of the yards and the location of any other particular industry will have no immediate effect upon agricultural consumption.

The position now held by the agricultural proponents of the seaway was set forth in a telegram to Senator VANDENBERG, of Michigan, from the Michigan Great Lakes Tidewater Commission. The telegram urged the Senator to support the President's position on the seaway proposal.

The farmers of the Midwest—

It set forth—

have lost their world market, and in all probability will never regain it. American agriculture must depend largely upon industrial localities to furnish them a home market. Shipbuilding would become an important industry around the Great Lakes if a deep-water avenue to the sea were provided. A great industry that has never existed before would take its place around these great inland seas. Michigan has the raw material consisting of iron, copper, coal, and limestone, and, above all, a food supply ample to sustain an industrial population of 50,000,000 people. Michigan has the factories that manufacture the machinery that goes into boats and also has the manpower available.

I am certain that not one of this House would be averse to the proposition of added industries on the Great Lakes. In fact, shipyards there might be a permanent aid toward solving our unemployment. But not under the misleading label of our present emergency or national defense. If we need additional ships in this crisis, we need them now, not 7 or 8 years from now, and we need to build them in yards from which they can reach the sea, not 6 months of the year, when ice does not block the canals, but 12 months of the year. We need to build them where one act of sabotage cannot bottle up the production of many shipyards, on waters 2,000 miles from the sea.

The concentration of industry in a particular area or the massing of manpower in a particular city does not necessarily mean increased food consumption or direct benefits to agriculture or any other particular industry. The law of supply and demand will continue inexorably to operate, especially in relation to food products.

In thus conceding that completion of the seaway cannot assure a restoration of export markets for American agricultural products, the proponents of the seaway in effect substantiate the arguments which for years have been advanced by its opponents. It should be noted in this connection that supposed reduction in ocean freight rates on American exports of grain was basically the end sought by agriculturists through construction of the seaway.

Enthusiasts saw an opportunity to regain our export markets and promote the welfare of the American farmer by savings of 6, 8, or even 12 cents a bushel on ships via the seaway. Notwithstanding steadily decreasing demands for American grain abroad and the fact that for more than a decade the average total charge for moving wheat from the head of the Lakes was only 5½ cents, and that the cost of handling grain at Montreal was only three-fourths of a cent a bushel, or a total of a little more than 6 cents for the entire movement from the farm to a ship at Montreal, the argument of savings on shipments continued until now to be the chief prop of the seaway proposal insofar as agriculture was concerned.

Such arguments apparently failed to take into consideration the relation between possible savings and the cost of the waterway—as yet undetermined, but estimated to range between $600,000,000 and $1,000,000,000—the loss to the railroads in grain freights from the Midwest to the seaboard, and finally the fact that the American farmer cannot control world prices, as was demonstrated in 1929 when cuts on rail freight rates here were followed by lower quotations on wheat in the Liverpool market.

WHAT BENEFIT TO AGRICULTURE?

Proponents of the proposed treaty argue that a Great Lakes-St. Lawrence waterway would be a great advantage to agriculture in the Midwest. Let us compare the grain rates by rail of the farmers in the United States with those of Canada in order to get their grain to points on the Great Lakes where they could use the proposed waterway. The following data will serve to illustrate the lower rail cost of transporting the grain of the Canadian farmer to the Lake.

Let us consider the rate on wheat only for comparable distances. The Canadian farmer, from Winnipeg, Canada, to Port Arthur, a distance of 424 miles, pays a ton rate of $2.80, while the American farmer will pay, from Yankton, S. Dak., to Duluth, a distance of 424 miles, a ton rate of $5.30. The Canadian farmer, from Virden, Canada, to Port Arthur, a distance of 604 miles, will pay a ton rate of $3.66, while the American farmer will pay, from Helena, Ark., to Chicago, a distance of 607 miles, a ton rate of $7.30. The Canadian farmer, from Grenfell, Canada, to Port Arthur, a distance of 704 miles, a ton rate of $3.80, while the American farmer will pay, from Oklahoma City to Chicago, a distance of 775 miles, a ton rate of $7.80. The Canadian farmer, from Rush Lake, Canada, to Port Arthur, a distance of 912 miles, a ton rate of $4.40, while the American farmer will pay, from Salina, Kans., to Chicago, a distance of 641 miles, a ton rate of $6.20. The Canadian farmer, from Maple Creek, Canada, to Port Arthur, a distance of 1,017 miles, a ton rate of $4.60, while the American farmer will pay, from Helena, Mont., to Duluth, a total of 1,138 miles, a ton rate of $8.90, or from Twin Falls, Idaho, to Duluth, a total of 1,630 miles, a ton rate of $12.20. These rates were collected approximately 5 years ago, but we are advised that they are yet relatively and comparatively and substantially the same.

CANADIAN SUBSIDIES

When we take into account the many governmental aids and subsidies given to the Canadian railroads to aid them in the transportation of Canadian grain, the lower wages paid to Canadian railway labor, and the much lower taxes upon the railroads in Canada than on the railroads in this country, it is clearly impossible for American railways to meet Canadian rail rates on grain.

How can a Nebraska farmer pay twice as much per mile as the Canadian farmer to get his wheat to the lake port and then pay an extra 10 cents per hundred pounds tariff at Liverpool, compete with the Canadian farmer? How can a farmer in Nebraska, Iowa, Idaho, Kansas, the Dakotas, Montana, Colorado, Wyoming, Tennessee, Missouri, Oklahoma, or Arkansas, carry all of these handicaps and use the St. Lawrence seaway in competition with the farmers of Canada; especially so, when the land in this country is more expensive and the cost of farm labor is higher? How can they compete?

MISSISSIPPI SYSTEM

The hope of the farmer of the Middle West to reach world markets lies not in

a seaway through Canada, but in low barge service to the Gulf and out to the sea upon the Illinois, Mississippi, Missouri, and the Ohio Rivers and their tributaries. These rivers penetrate the wheat fields of the United States and reach the sea through our own country. This is a navigation system that has been developed through projects upon which we have already spent millions of dollars, and which is, in a large measure, completed. We certainly cannot solve the problem by spending hundreds of millions of dollars to bring cheap foreign-flag ships to the wheat fields of our strongest competitor, for in many instances they will bring in import loads that will compete directly with our American farm products and they naturally will reload with products such as Canadian wheat, which can be bought at a delivered price with which the American farmer cannot compete.

Mr. Speaker, every farmer in the Middle West producing corn, wheat, oats, rye, or livestock, and every producer of coal, steel, or ore, every railroad, every truck, would be financially hurt by this seaway project. American laborers would be hurt and we want nothing to do with any project that would make them compete with slave labor or the underprivileged, underpaid laborer of Europe. At this time, in principle, as well as in fact, we are definitely committed to the national policy of all-out aid to Britain and her allies, and at this time we are also in the process of building an impregnable national defense, and all our time, our manpower, and our resources should be devoted to this defense program. We are facing an emergency now, not 8 years from now. Let us finish first these obligations we have assumed and relegate projects, such as the St. Lawrence seaway, to future discussion, where they properly belong. [Applause.]

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein comment by Mr. Raymond L. Hoadley that appeared in the New York Herald Tribune under date of May 29.

The SPEAKER pro tempore (Mr. SANDERS). Is there objection to the request of the gentleman from California?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4466) entitled "An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes."

COAST GUARD ACADEMY

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a report of the Board of Visitors to the Coast Guard Academy for the year 1941, and certain exhibits attached thereto.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I am deeply grateful to my friend and colleague the gentleman from Virginia [Mr. BLAND] for the kind remarks he made on this floor yesterday relative to my selection as chairman of the Board of Visitors to the Coast Guard Academy for this year.

I am placing in the RECORD as a part of my remarks the report of the Board of Visitors for this year. I call the attention of the Members of the House to this report, to the splendid curriculum of the Academy, and to the fine training the boys attending the Academy receive. As far as I am concerned, I have not realized before this what a fine institution we have at New London, Conn., and what a splendid opportunity it furnishes for the young men of the country to become officers in this great organization, which antedates both the Navy and the Army.

Mr. Speaker, the report of the Congressional Board of Visitors to the Coast Guard Academy, 1941, is as follows:

CONGRESSIONAL BOARD OF VISITORS TO THE COAST GUARD ACADEMY, 1941

The PRESIDENT OF THE SENATE,
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to the act of July 15, 1939 (Public, No. 183, 76th Cong., 1st sess.), the following Senators and Members of the House of Representatives were designated in January this year to constitute the 1941 Board of Visitors to the Coast Guard Academy:

Senators: Hon. CARL A. HATCH, of New Mexico, appointed by the President of the Senate. Hon. BENNETT CHAMP CLARK, of Missouri, appointed by Hon. JOSIAH W. BAILEY, of North Carolina, chairman of the Committee on Commerce, United States Senate, and ex officio member of the Board of Visitors, to serve in his stead. Hon. CLAUDE PEPPER, of Florida, and Hon. RALPH O. BREWSTER, of Maine, appointed by the chairman of the Committee on Commerce, United States Senate.

Members of the House of Representatives: Hon. SCHUYLER O. BLAND, of Virginia, chairman of the Committee on the Merchant Marine and Fisheries, House of Representatives, member ex officio; Hon. FRANCIS D. CULKIN, of New York; Hon. ROBERT RAMSPECK, of Georgia; and Hon. FRANK W. BOYKIN, of Alabama, all appointed by the chairman of the Committee on the Merchant Marine and Fisheries. Hon. WILLIAM J. FITZGERALD, of Connecticut, and Hon. LEWIS D. THILL, of Wisconsin, appointed by the Speaker, House of Representatives.

In accordance with previous arrangement, a special car was available on the Colonial Express, leaving Washington at 9 a. m. May 2. Senators HATCH and PEPPER and Representatives CULKIN, RAMSPECK, FITZGERALD, and THILL departed on above train and arrived New London at 3:38 p. m. Those present witnessed a special evening parade and review of the cadet battalion at retreat. Later in the evening, at 8:32 p. m., Senator BREWSTER and Representative BLAND arrived, they not having been able to leave earlier in the day. The Superintendent of the academy, Capt. James Pine, entertained the Board at a dinner at the Mohican Hotel, which was attended by a number of academy officers and other senior officers located in New London. Senator BREWSTER and Representative BLAND were able to arrive before the dinner was completed.

The next morning, May 3, the Board met at 9:30 a. m., and following the custom of choosing a chairman alternate years from the Senate Members and House Members, Representative ROBERT RAMSPECK, of Georgia, was elected chairman. Commander (E) Ellis Reed-Hill, United States Coast Guard, continued to act as secretary to the Board.

The chairman invited Capt. James Pine, Superintendent of the Academy, to be present at the meeting. The meeting was also joined by Prof. G. E. Russell, Massachusetts Institute of Technology; Dean J. W. Barker, Columbia University; and Judge T. W. Swan, United States circuit court of appeals, these three gentlemen being members of the advisory committee of the Coast Guard Academy and representing a quorum of said committee.

Captain Pine addressed the meeting and explained that of the five recommendations made by the previous Board of Visitors, each of said recommendations covering the need for appropriations for new construction, four of the items had been authorized, and that the items for extension of the library and extension of the cadet barracks appropriations had been set up, contracts let and work already commenced, and that in connection with the proposed new infirmary and ordnance buildings and boathouse and wharves, the appropriations had been made and the contracts were in the process of being let. He stated that no funds had been made available for item 5, which recommended a sailing vessel to replace the schooner *Chase*, of $200,000. He stated, however, that the magnificent gift of the schooner *Atlantic* by Mr. Gerald Lambert had supplied the academy with this need but due to the present conditions of emergency there would not be available this year any Coast Guard cutters to take the majority of cadets on the very necessary summer cruise. The *Atlantic* would be satisfactory for handling the second class which makes a short cruise in a sailing vessel, but could not possibly be used to accommodate the major portion of the corps. He explained to the Board that the Coast Guard had entered into negotiations with the Danish Minister tending toward the purchase of the *Danmark*, a Danish training sailing ship. This vessel, he explained, was ideally suited for the purpose of training Coast Guard cadets and could accommodate 120 cadets. It was further developed that the *Danmark* could probably be purchased for $350,000, but could not be replaced in this country for less than several times such amount.

The Superintendent then explained to the Board the need for a chapel at the academy; which had been provided for in the original plans but which had not been built due to the shortage of funds. He explained that at present chapel services were held in McAllister Hall and that said auditorium seated a maximum of not over 306, which would not be large enough for next year's cadet corps.

The Board expressed the desire to meet the chaplain, and Commander W. J. Moore, Chaplain Corps, United States Navy, entered and gave a short talk, explaining that he was detailed to and serving part time at the academy and part time at the submarine base. He went into the matter quite extensively, explaining the very great need for a

suitable chapel, to be built as such and not to be in any way a makeshift arrangement. He especially emphasized the tangible advantages to a cadet corps in having such an institution part of their cadet life and the advantages that the chapel would serve in memorializing outstanding events in the history of the school and the service. He complimented highly the solidarity of the battalion of Coast Guard cadets and spoke from experience and knowledge of the other two Government military academies. He left with the Board a memorandum, which is attached hereto.

A number of the members of the Board questioned the Superintendent, and it was developed that a suitable chapel would probably cost in the neighborhood of $250,000 or $300,000, and that in the case of the ship *Danmark* said vessel would be of sufficient size to handle all of the cadets this year and would be of definite permanent value to the Coast Guard. Some discussion was had as to whether or not the *Danmark* could be purchased under the terms of H. R. 4466 should it become law. It later developed that the provisions of said bill would probably not provide for the purchase of such a vessel.

The advisory committee was invited to explain to the Board its origin and the part it had played in developing the curriculum now in effect at the Coast Guard Academy. This was done, and the Board was much impressed with the splendid contribution this group of prominent educators had made in raising the Coast Guard Academy to its present high standing, which includes accrediting by the Association of American Universities and the authorizing the granting of bachelor of science degrees. A copy of the committee's recent report to the commandant of the Coast Guard, following its spring meeting, was produced for the information of the Board and is attached hereto.

Appreciation for the high type of educational institution maintained by the Coast Guard for the instruction and preparation of its young officers is expressed by the Board, a majority of whose members had not previously seen the Academy. The Board is pleased with what it finds as regards the administration of the academy, with the curriculum so ably and intelligently supervised by the advisory committee, with the maintenance of the buildings and grounds, and with the splendid type of American youth composing the cadet corps.

The Board recommends:

That the Danish training ship *Danmark* be acquired through proper procedure from the Danish Government for use in national defense as a training ship by the Coast Guard Academy.

That there be constructed with all reasonable dispatch a suitable and appropriate chapel at the Coast Guard Academy.

That, because the Coast Guard Academy offers an excellent opportunity for an education and career to qualified young men throughout the country; and because better material obtained insures a more efficient operation of the academy and a higher class product, the Coast Guard make a thorough study to reach a still larger number of prospective suitable candidates with information regarding the opportunities in the yearly competitive examination held throughout the United States, and refer this study with recommendations to the committees of Congress having appropriate jurisdiction.

The following motion was passed unanimously:

"That the chairman of the Board be authorized to appoint subcommittes of this Board to make recommendations for the promotion of the welfare of the Coast Guard Academy and of the Coast Guard, and to deal with any other matters within the jurisdiction of the Board."

ROBERT RAMSPECK,
Chairman.
CARL A. HATCH.
CLAUDE PEPPER,
RALPH O. BREWSTER.
SCHUYLER O. BLAND.
FRANCIS D. CULKIN.
LEWIS D. THILL.
WILLIAM J. FITZGERALD.
ELLIS REED-HILL, *Secretary.*

UNITED STATES COAST GUARD ACADEMY,
New London, Conn., May 3, 1941.

Memorandum.
From: The Academy Chaplain.
To: The Congressional Board of Visitors.
Subject: Necessity of an academy chapel, report on.

1. The Congressional Board of Visitors is informed that the United States Coast Guard Academy has no chapel, designed as such, for the service a chapel affords to such an institution as the United States Coast Guard Academy.

2. The use of the McAllister Engineering Building auditorium as a chapel is a makeshift, and within the calendar year may be found to be very inadequate even as to seating capacity for the academy personnel and authorized visitors to the academy.

3. Far more important, however, than as to seating capacity in the need of a chapel is its service to morale, direct recognition of religious belief, and the stimulation of esprit de corps of the entire United States Coast Guard Service, ashore and afloat, to be had only through memorial channels fixed in a carefully designed chapel. We need a real chapel at the United States Coast Guard Academy.

4. A site is in mind. Groundwork as to preliminary planning is in existence. The temper of the entire battalion of cadets is ripe for making varied and constant use of a real chapel. At West Point and at Annapolis the Army's and the Navy's great regimental chapels are indispensable to the esprit de corps of those services.

It is particularly important that in such an organization as is the United States Coast Guard, an organization founded and maintained to enforce the law of the land, to save life, and with a record as inspiring as it is long, should have a chapel second to none in significance and beauty of construction.

J. W. MOORE,
Commander, Chaplain Corps,
United States Navy.

APRIL 17, 1941.

Rear Admiral R. R. WAESCHE,
Commandant, United States Coast Guard
Headquarters, Washington, D. C.

DEAR ADMIRAL: The Advisory Committee of the Coast Guard Academy held its annual meeting in Washington on April 10 and 11, 1941, and herewith makes its report to you as follows:

ITEM NO. I. CRUISE

This appears to our Advisory Committee to be one of the most important educational problems now facing the Coast Guard and the Coast Guard Academy. The transfer of 10 lake-class cruising cutters to British control and the probable unavailability of other cruising cutters makes the assignment of Coast Guard cutters for the practice cruise an impossibility. From the educational viewpoint we have always considered, and we now strongly reaffirm, that the entire curriculum contemplates practical work in deck and engineering duties, and the discipline and indoctrination in seamanshiplike qualities which can only be given on the practice cruises. There is no substitute. Conditions at the academy during the progress of construction work will make the use of the academy a practical impossibility this coming summer.

The suggestion for sending the first-class cadets in small groups of five or six to the remaining cruising cutters has certain possibilities and certain drawbacks. The adequacy of the training to be received by such small groups would depend entirely on the sympathetic understanding of commanding officers. Certain questions also occur to us as to the possible supervision which would be given to the development of the cadet notebooks on engineering and deck exercises under such divided responsibilities. The consequent dispersion of the cadets would tend to defeat one of the objects of the cruise, namely, the development of esprit de corps under the leadership of the first class.

Another suggestion has to do with securing from the Maritime Commission the complete assignment to the Coast Guard of either the *American Seaman* or the *American Sailor* for the period of the usual academy practice cruise of 10 weeks. Although the engine-room equipment of the converted cargo ships is not by any means equivalent to that on a Coast Guard cutter, we believe that this suggestion offers the only acceptable substitute for a cutter cruise. We recommend that immediate steps be taken to secure the assignment of one of these vessels.

As to the second-class cruise, which has previously been made with the *Chase* and certain 175-foot Diesel cutters of the *Argo* class, we believe this to be an invaluable training complementing the practice cruise. The following quotation from a memorandum of Coast Guard Academy for Sailing Training Ships" is endorsed by the advisory committee: the Academy staff entitled "The Need of the

"It is the considered opinion of the Superintendent and faculty of the Coast Guard Academy that training in sail is essential to the proper instruction of cadets in preparation for their future duties as commissioned officers of the Coast Guard. This opinion is based upon the considerations of the duties that these officers will be called upon to perform.

"Coast Guard cutters are relatively small, ranging in size from patrol boats to ships of about 2,000 tons. Most of the work of the service is performed in coastal waters, where shoals are treacherous, currents swift, and violent storms with heavy seas are to be expected. Since calls for assistance are usually a result of severe weather the cutters must be prepared to perform their duties under difficult circumstances. Under these conditions ability in seamanship is essential not only to the safety of the boats and ships of the service but to the adequecy of the protection afforded to ships in distress. The reputation of the Coast Guard in the final analysis depends upon the ability of its officers in seamanship. This ability can only be acquired through training in handling all types of boats and cutters and a thorough knowledge of the causes of disaster to ships in distress. The specialized knowledge required of officers of the Coast Guard is thus broader in scope and more detailed in character than that required of any other seagoing group of men.

"While it is true that steamers have largely replaced sailing ships in commercial trade the fact remains that there are several hundred thousand small boats, yachts, and sailboats in operation and that from these vessels come most of the calls for assistance, to which the Coast Guard must respond. The responsibility of the Coast Guard for the safety of this class of vessels has recently been emphasized by the creation of the Coast Guard Auxiliary. It is now most necessary that Coast Guard officers should know more about the operation of yachts and small craft generally than ever before because they are required to instruct small-boat operators in seamanship and navigation upon which the

safe operation of their boats so largely depends. In this, as in other phases of Coast Guard work, the duties performed by naval officers are fundamentally different. Whereas the average naval officer must be prepared for duty aboard large combatant ships operating in fleets and squadrons, Coast Guard officers act in a field where ships of relatively small size perform independent duties in which they are thrown upon their own responsibility under the most severe conditions.

"The training of cadets in seamanship begins in the small boats of the Service propelled by oars, by sail, and by motor. Each cadet must become a proficient oarsman; he must learn to handle a small boat under sail and he must understand how to run a motorboat engine and be able to handle all types of boats under all conditions of wind and weather. This work continues during the 4-year course at the Academy.

"The next phase of a cadet's training in seamanship is learning to stand a watch at sea. Cadets are taught to stand lookout, wheel, and lifeboat watches, to act as officer of the deck and to handle vessels of the Service underway and in coming to anchor. In the performance of these duties alertness is of the utmost importance. It has been found through years of experience that unremitting observation of changes in wind, sea, and weather are more necessary in a sailing ship than in a boat or ship propelled by machinery. The constant attention required in a ship under sail instills a habit of alertness that can be acquired in no other way and that once acquired will never be lost.

"For this reason, as soon as cadets have become proficient in handling pulling boats they are placed in small sailboats and when they have been taught the elementary principles are encouraged in racing tactics until their proficiency becomes sheer instinct.

"The next step in their training is to accustom the cadets to larger vessels both under sail and under power. In these more extended cruises are possible; piloting and navigation are introduced and the cadets begin to apply the theoretical knowledge acquired in the classroom to practical uses.

"It has been found both practicable and economical to extend the benefits, already outlined, of training in watch standing under sail to ships approximating in size the larger cutters. This can only be done in larger sailing ships and while there is a certain artificiality in continuing training under sail in these larger vessels it has been found that only by this means can the alertness that is the basic characteristic of a competent watch officer be carried over to the more complex routine established on a cruising cutter. It was noticeably apparent that when cadets were sent on summer cruises on board cutters having no sails there was a tendency among them to stand watch in a perfunctory manner. The benefits of their training under sail in small boats were lost before they were able to adjust themselves to the duties of watch officer on steam cutters.

"This condition was remedied when the *Gloucester* type schooners *Chase* and *Dobbin* were obtained to supplement the practical training on steamers during the summer cruise. The loss of these two vessels during the hurricane of 1938 has caused a notable decline in alertness on watch, and it is urgently hoped that this deficiency may be remedied by the acquisition of the square-rigged sailing ship *Danmark*. The availability of this fine, modern sailing ship built for training purposes appears a practicable solution to the problem of training in sail at a reasonable cost.

"It has been estimated that it would cost at least $750,000 to duplicate the *Danmark* at the present time if suitable building facilities were available. The possibility of obtaining this ship at less than half this cost is one that should require no further arguments.

"The experience of the Coast Guard Academy of the desirability of training in sail is amply confirmed by the opinion of other nations in training seamen. Norway, Sweden, Denmark, Germany, and numerous other countries have reverted to training in sail after having tried with less satisfactory results to substitute steamers for this purpose."

The Advisory Committee agrees with the statements contained in the above memorandum and strongly recommends the purchase of the *Danmark* for assignment to the academy for use on practice cruises.

ITEM NO. II. ADDITIONAL INSTRUCTORS AND PERSONNEL

Because the prospects of obtaining additional Regular officers as instructors for the 100 additional cadets are extremely small at the present time, it is apparent that needed additional instructors will of necessity be temporary or Reserve officers. A minimum of 4 will be required to meet the known additional teaching load:

Mathematics	1
English and Spanish	1
Engineering	1
Navigation	1

If Mr. Smith, who was recommended by the Advisory Committee, be appointed the work in mathematics would be provided for. The Committee met Mr. Santa Cruz and has a very favorable impression of him, with nothing unfavorable except possibly his desire to accept appointment for but 1 or 2 years. He seems suitable for the English and Spanish assignment. The Committee understands that the Superintendent has met another possible candidate, but the Committee has not met him. It is possible that a retired officer could handle the engineering, and a Reserve officer the navigation.

In previous reports the committee has pointed out the need for revision of the act of April 16, 1937 (professors' bill) in order to remove the restrictions on the number of civilian instructors to be appointed to the academy. The present fixed numbers of five professors and three civilian instructors should be revised to include the other well-known ranks of associate professor and assistant professor without regard to the number in each grade; and the law should state merely the total number of civilian teachers allowed. The difficulties of undertaking further revisions of this bill at this time are recognized, but the urgency of the present situation requires that these revisions be made at once, and the advisory committee so recommends.

In earlier reports the advisory committee pointed out the necessity of relieving part of the extra load now to be placed on the teaching staff by the detailing of additional technical and clerical enlisted men as assistants. Further study of the present situation makes it apparent that something must be done soon to detail the necessary ratings (or civil-service personnel) which the superintendent will list, after completion of the study by the academic board, of the individual loads to be placed on the members of the teaching staff. We recommend serious consideration of this matter and the appropriation involved.

ITEM III. COURSE OF INSTRUCTION

The basic features of the course of instruction as presented in this committee's report of 1934 are still sound and in operation. Some revision of the details will be necessary because of (a) the present emergency and (b) changes in the duties of the Coast Guard. These revisions are:

(1) The desirability of including special instruction relating to aids to navigation. The basic sciences serve as foundation material in this field, but it is desirable that illustrative examples and numerical problems be drawn from the practices of the lighthouse engineering section. We note with approval the assignment of a subboard of the academic board to study this phase of instruction; but we recommend against the introduction of a special or additional course in aids to navigation.

(2) The Coast Guard officers assigned to the teaching staff are heavily overloaded in the summer, and there is need for equalizing the staff load between the summer and academic terms.

(3) The desirability of closer coordination of English and history throughout the curriculum has been suggested. The committee would welcome recommendations from the academic board.

(4) Both the shortage of available officers and the probable increase in the cadet corps to about 350 during the present year emphasize the desirability of simplifying the course of instruction wherever practicable in order to employ all instructors and plant facilities to the best advantage. Larger sections in some subjects and the use of assistants in laboratory work are examples of revisions in the schedule, but not in the course, which should not reduce the value or the content of the curriculum but might well increase its effectiveness.

The Advisory Committee notes with approval the present procedure of the academic board and the superintendent in studying these problems.

ITEM NO. IV. COMMENCEMENT EXERCISES

Three suggestions relative to the commencement exercises at the Academy are made by the committee:

(a) That diplomas be presented by the Superintendent. It is normally the function of the president of an educational institution to present degrees and the certifying diploma. The position of superintendent corresponds to that of president, and it is fitting that this ceremony be performed by him.

(b) That the Commandant of the Coast Guard administer the oath of office to the graduates as a group before the presentation of diplomas and commissions.

(c) That the Secretary of the Treasury, or his representative, present the commissions.

It is also suggested that a slightly different method of handling diplomas and commissions be followed. It is desirable that each man receive his own diploma and commission from the hands of the awarding officer. This may be done by placing the certificate in a simple wooden rack consisting of a baseboard with vertical dowels inserted to act as separators. The diplomas may occupy the right end of the rack and the commissions the left end. They are so placed in the vertical files that the order of their removal is that of the order of their presentation. As a double check, each certificate may have a small slip of paper, inserted beneath the ribbon, on which the recipient's name is typed. The executive officer may preside at the rack, handing to the superintendent and the Secretary in turn each man's diploma and commission.

The administering of the oath to the graduates as a group forms an impressive ceremony. The executive officer orders the graduates to arise and receive the oath of office from the Commandant. The latter administers the oath in sections of such length as may be easily repeated, each individual, at the start, inserting his name after the opening word "I."

ITEM NO. V. PROBLEMS OF "ADAPTABILITY"

The selection of cadets for admission to the academy and the retention under instruction only of those who give promise of general fitness for a career in the Coast

Guard service present problems grouped under the heading "Adaptability." They should be considered under two classifications: (1) Selection of candidates for cadetships; (2) adaptability of cadets under instruction.

(1) The selection of candidates involves (a) the character of entrance examinations to test the candidate's scholastic attainments and (b) some attempt to appraise his general fitness to become an officer. The records show that since 1932 less than 40 percent of the candidates admitted to each fourth class have been graduated. Academic failures and low adaptability marks account for most, though not all, of those who drop out of the Academy. Hence the desirability is obvious of devising, if possible, some method of selection which will eliminate at the outset as many as possible of those who are doomed to fail. The suggestion that our entrance examinations might be improved by the addition of a test on the combined subjects of physics and chemistry is approved by the Advisory Committee.

In principle the Advisory Committee believes that the entrance examinations should be prepared by an independent group of experts such as the College Entrance Examing Board. This would prevent "cram" schools from coaching candidates of indifferent mental attainments so that they can pass with high marks; it would also tend to greater uniformity in the entrance examinations of different years. It would probably entail expense. Prof. George W. Mullins, of the College Entrance Examining Board, has expressed the desire of the board to cooperate with the Academy and his expectation that the board would furnish its services at cost, which he roughly estimates at four or five dollars per candidate examined. Whether the necessary funds for such expense can be found or whether it would be feasible to require each candidate to pay a $5 examination fee are matters upon which the Advisory Committee expresses no opinion. In any event any arrangement with the College Entrance Examining Board could not be put into operation before 1942.

A subboard of the Academic Board has recommended "that prior to appointment as a cadet each candidate be examined by a traveling board consisting of at least two Coast Guard officers and one senior medical officer who are serving, or have served, at the academy." The Advisory Committee understands that this proposal contemplates that the traveling board will pass upon the candidate's "adaptability" and that its judgment will be in addition to the adaptability mark provided by the present examination procedure. In principle we approve of the recommendation of the subboard. Commander Ellis Reed-Hill has expressed the view that it is impracticable to combine with the present procedure an additional examination by the proposed traveling board. Lack of opportunity for thorough consideration of this objection has prevented the Advisory Committee from reaching any conclusion as to it. This subject, as well as other recommendation of the subboard, will be taken up for further consideration at the next meeting of the Advisory Committee.

(2) Adaptability of cadets under instruction. The lack of any reliable objective method of measuring traits of character and personality essential to officer personnel makes the solution of this problem most difficult. The advisory committee notes with gratification that the subcommittee of the academic board is giving the subject careful study. Its recommendations will be considered by the advisory committee at the next meeting.

ITEM NO. VI. CONSTRUCTION

The report on progress of building construction at the academy, as presented by the Superintendent, was received with much interest. With the early completion of the barracks extension by September 1, the present crowding of cadets will be greatly ameliorated, although the committee notes the fact that the quartering of three men in a room will still be necessary to a considerable extent.

The plan to give preference to the barracks construction over library construction is commended.

The authorization, recently received, to proceed with plans and construction for a building to house a new infirmary and armory is very gratifying to the committee. The space now devoted to infirmary and gunnery should furnish much desired space for class rooms, and gunnery will be placed where it belongs, in the armory.

The proposed plans for the water-front development, as presented by the Superintendent, appear to provide unusual and excellent facilities for boating and sailing.

The need for improvements at the athletic field is appreciated and, as future construction when appropriations are available, these improvements are recommended. The present conditions at the field are dangerous to players and spectators by reason of the extreme narrowness of the field and the presence of the bleachers. By the removal of the bleachers and the construction of a field house and grandstand combined, this dangerous condition would be removed and a real need met. The field house can be placed to advantage on the low land to the east of the field, permitting the erection of a welded steel grandstand on the roof of the house. A plan similar to that adopted by Waterbury, Conn., at the high-school athletic field, is recommended.

The committee considered in detail next year's requirements for auditorium facilities. McAllister Hall, now used for this and chapel services, seats 306 at the present time. By adding movable seats, the capacity may be expanded to 340 seats. Even then, the hall will be inadequate for chapel services. As a tentative arrangement, the committee suggests that a plan be studied by which the present stage would be moved backward into the present roof space above the engineering laboratory, allowing additional seating capacity. Such a step should be considered as an emergency provision, and the committee feels strongly that the erection of a suitable chapel should be seriously considered as soon as present emergency conditions end.

The chapels at the other two Government academies play a very important part in academy functioning and a similar edifice at New London is much needed and to be desired. The crypt beneath the chapel could furnish opportunity for the housing and protection of service memorials.

No educational institution of the size of the Coast Guard Academy can operate efficiently without the use of a suitable auditorium. With McAllister Hall now inadequate for next year's enrollment, studies of possible extensions, or new construction, should be undertaken at once. Any proposed plan should be made with a view to providing an auditorium that will be satisfactory for years to come.

J. W. BARKER,
H. E. CLIFFORD,
G. E. RUSSELL,
T. W. SWAN,
H. L. SEWARD, *Chairman*,

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 10 minutes.

Mr. WOODRUFF of Michigan. Mr. Speaker, the country at last has the truth about the Roosevelt administration's foreign policy. Mr. Roosevelt's fireside chat to the world on Tuesday, May 27, was without any question of doubt a declaration of war. It was a declaration of undeclared war. It could not be construed as anything other than a declaration of war, because never in the history of this Nation has any President referred to the head of another nation with whom we were supposed to be at peace in such terms of personal abuse and defiance as Mr. Roosevelt directed at Hitler.

The President's fireside chat made it apparent that he has been advised by someone that he now possesses the power to short circuit the Congress and to declare war, or to begin war, or to bring on those conditions or incidents which will cause some other nation to declare war or begin war against us. It can no longer be doubted that Mr. Roosevelt believes he now has the power to short circuit the Congress, to send the United States Navy in convoys, or patrols, into waters where they can hardly avoid violent and hostile contact with the German boats and war planes, without asking the leave of Congress, and without consulting the people.

Mr. Roosevelt himself has said, not so long ago, that "convoying means shooting, and shooting comes very close to war." In his speech he set at naught, without apology or explanation, the assurances of the majority leader of the Senate, the chairman of the Senate Foreign Relations Committee, and other administration spokesmen in the Congress, that he would not think of engaging American naval ships in convoy work without coming to Congress for permission to so do.

In declaring for absolute, unequivocal and unlimited freedom of the seas, Mr. Roosevelt laid down the gage of war. We are bound to get into a shooting war, and the question now is not will we, but where, how, and when. The moment may not be far distant. There can be no question but that the administration expects the necessary incident to occur that will precipitate the Nation into armed conflict.

To insist upon freedom of the seas at this time is to insist upon a right that is historical and traditional. But, to look at the question frankly and honestly, the Nation finds itself in the position of an individual who insists upon his right to walk down a public thoroughfare. On each side of the thoroughfare at various points are groups shooting at each other, dropping bombs, launching torpedoes, and so forth. The citizen faces the certain fate of getting shot at, if not shot, by insisting on his right to traverse the public thoroughfare between these two warring groups. The question then becomes not one of right, but of the wisdom in exercising the right at a moment when the highways of the seas are the scenes of hostile gunfire, bombing, and torpedo operation.

No one would have to ponder long to determine how foolish it would be for any citizen to thus insist upon his rights to the public thoroughfare, warring groups notwithstanding, especially if he had no weapon by which to protect himself—not even so much as a club.

The United States is now going to embark—rather is embarked by the action of the President—on what may be a two-ocean war with a one-ocean Navy. We do not have enough trained men to make up an army of half a million, let alone three or four million. We do not have the equipment even to train a million men, let alone 4,000,000. We have not the equipment to prepare an army of half a million men for active battle work. We have neither the naval nor the merchant ships to convey airplanes or men to any European base. Every military and naval expert has agreed time and again that it will take an army of 4,000,000 men to compose an expeditionary force that would mean anything in Europe now. Military necessities require that there be provided with each man seven tons of impedimenta, such as supplies, munitions, and instruments of war. That means that to send an expeditionary force of 4,000,000 men to England's aid would require the transport of 28,000,000 tons of military equipment and supplies. There are not enough ships afloat in the world, if we had them all, to carry any such expedition across the Atlantic Ocean. If we had the trained men, and if we had the equipment for them, and if we had the ships to get them across, there is no place we could land them in Europe. If we could land them in Europe, it is obvious that if we have not enough ships to get enough aid to Britain now, we would not have enough ships to keep a line of communications open with an army of 4,000,000 men engaged across the Atlantic or Pacific in battle operations.

These are some of the naked and awful facts which cannot be replaced by Presidential wishful thinking, and which cannot be rendered innocuous by ignoring them. It is all well and good to breathe defiance and talk about exercising our freedom of the seas everywhere in the world, but it is distinctly something else to have the trained armies and the ships and the guns and the submarines and the airplanes with which to enforce that freedom of the seas everywhere in the world. Some authorities insist that we can do the job with airplanes. They say it would require anywhere from eighty to one hundred thousand long-range bombers, as many more fighters, and perhaps a quarter or a third as many more scout planes. Military officials say frankly that it would be 2 or 3 years before we could possibly provide such a force of airplanes.

Finally, the President of the United States does have the power to plunge this Nation into war. He has declared an unlimited emergency, whatever an unlimited emergency may mean. Presumably it means an emergency due to the imminence of war. However that may be, the President of the United States does have the power and the opportunity to plunge this country into war. Regrettable as it may be that he has done so, or may do so, he has taken us in so far now that we must subordinate everything to the building of an adequate national defense. Mr. Roosevelt's talk to the world has made that doubly necessary now.

My devotion to a proper national defense is established by an unbroken record of support of every proposed appropriation for equipment and supplies for our Army and Navy over a period of 23 years as a Member of this House. What a pity—yes, what a tragedy—that this administration, prior to a year ago, failed to ask the Congress for appropriations with which adequately to equip our armed forces to successfully meet the emergency which long before that had become apparent to the world.

I propose to support every move in this Congress to provide a properly equipped American Army and Navy. I shall vote for any appropriation necessary to provide a national defense so powerful that no nation or no combination of nations will ever dare attempt to set a hostile foot on our shores. This does not, however, include appropriations for the purpose of arming nations in every part of the world whenever it pleases a President to believe such action contributes to our national defense.

A dispatch from London within the last few minutes announces that Foreign Secretary Anthony Eden today announced officially that Britain is fighting to establish in the post-war world President Roosevelt's four freedoms—"freedom of speech * * * everywhere in the world," "freedom of religion * * * everywhere in the world," "freedom from want * * * everywhere in the world," "freedom from fear * * * everywhere in the world."

Eden warned also that Britain will impose drastic peace terms on Germany, which he characterized as "the worst master Europe has yet known." He further stated he counts upon the united support of the British Empire, the United States, and South America in reaching these objectives.

Unquestionably, Eden and the other members of the British Government count upon this country to carry on the heavy end of this program. Inasmuch as Great Britain apparently is not capable of insuring unaided the four freedoms to her own people in the British Isles, to say nothing of other portions of the British Empire, it appears that Mr. Roosevelt took on rather a large contract when he announced his four-freedoms program to a joint session of the Congress on January 6, 1941. After all, is not it about time the Congress and the country woke up to what we are being let in for?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. PITTENGER] is recognized for 10 minutes.

ST. LAWRENCE SEAWAY

Mr. PITTENGER. Mr. Speaker, I listened last night on the radio to an attack on the proposed St. Lawrence seaway project, and I listened with a great deal of interest today to the remarks of my distinguished colleague the gentleman from Nebraska [Mr. COPELAND] from the great Midwest. I expect to answer that speech of his sometime next week. In the space of 10 minutes one does not have time to get started. But I do say to this distinguished and noble-looking group of statesmen on my right this morning who work for their country and have the welfare of their country at heart, and who come mostly from the Atlantic seaboard, and also to this group on my left of hard-working Republicans who want to do the right thing, that there is a little map, which has been prepared by a department of the Government, called the Great Lakes-St. Lawrence project, and I commend it to the attention of every Member of the House. The map is prepared by the Department of Commerce, and is found in part 1 of the St. Lawrence survey. I commend that to the attention of every Member of the House.

When you begin to talk about the St. Lawrence seaway, the first thing to do is to find out what the project is. We already have from the Gulf of St. Lawrence 2,687 miles inland, a 14-foot seaway, to the head of navigation on Lake Superior at Duluth. The St. Lawrence project is, simply, a project to deepen a channel already built, to a depth of 14 feet, so that boats of a draft of 27 feet can travel up through the Great Lakes from Lake Ontario to Lake Erie, to Lake Huron, to Lake Michigan, to Lake Superior. There has been more propaganda about the St. Lawrence seaway than about any other measure that has ever been in Congress since I have served in this body.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. PITTENGER. Yes.

Mr. BENDER. Is it not a fact that most of the Great Lakes are not navigable from about November 15 to about May 1?

Mr. PITTENGER. Oh, we have ice up there in the winter time, but during the open season for a period of several months, the Great Lakes are the busiest bodies of water in the world. They are sending this summer, during the shipping season, from the district which I represent at the head of Lake Superior, about 80,000,000 tons of iron ore, and I think that completely answers one of the bunk propaganda arguments that the railroads are advancing against the seaway, along with a few other selfish interests, to the effect that it is frozen over all the year. During the shipping season it is utilized every hour of the day and night.

Mr. Speaker, the Members of this House are being propagandized by the greatest propaganda factory in the world. The railroads are behind the opposition. I thought the other day that I had all of the objections that have been offered to the proposed seaway, but my distinguished colleague from Nebraska [Mr. COPELAND] pulled a few more rabbits out of the hat this morning, and I quit counting after I reached 1,700 different objections to having the St. Lawrence seaway project deepened to 27 feet.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. Yes.

Mr. WHITE. Is it not a fact that we have a very long coast line on the Great Lakes in our own country?

Mr. PITTENGER. They are the greatest inland body of water in the world.

Mr. WHITE. And will not the failure to construct this seaway operate to keep those people along that coast line from having shipyards and all of the things they now have along the seacoast?

Mr. PITTENGER. If we could have this project which the President is advocating deepened to 27 feet, it would remove those objections against building boats in our shipyards on the Great Lakes.

Mr. WHITE. It would be a great thing industrially for the Nation?

Mr. PITTENGER. Oh, yes; for the whole North American Continent.

Mr. GEHRMANN. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. GEHRMANN. I was much surprised to hear the gentleman from Nebraska [Mr. COPELAND] say that we would be competing against slave labor from Europe by permitting goods to go up the St. Lawrence. Does it make any difference, if we do not have any tariff wall, whether it lands in the Great Lakes or whether it lands in the ports of the East?

Mr. PITTENGER. Oh, the gentleman from Nebraska got his figures mixed up. That same argument could be used against the port of New York just as well. It is no argument at all for or against the St. Lawrence seaway.

What I wanted to say was this: There is a railroad lobby, well financed, that is reaching every Member of this House, through every avenue of approach, to head off a project that means as much to the general welfare of the people of this country as the building of the Panama Canal, namely, the St. Lawrence seaway project.

I had a letter from a coal dealer down in Kentucky, and so did you all. He says this will cost him some taxes. As I understand the argument of the opponents of the seaway, they are arguing first for delay. They say this is no time to go into an expensive problem like this. We had better put it off. It is the fine defeatist hand theory to ruin and to put to one side this great engineering project. A plea for delay is always a plea for defeat. It lacks the element of sincerity.

I want to make my position clear on that argument, as well as many others. While this country is engaged in a national-defense program, while it is engaged in furnishing munitions, foodstuffs, and other things to nations across the water, this is no time to neglect our domestic economy. Now is the time to build domestic economy while at the same time we are carrying out these other lines of conduct.

Mr. WHITE. Will the gentleman yield further?

Mr. PITTENGER. Yes; I yield.

Mr. WHITE. Right along the line of what the gentleman said, in this great emergency when we are short of steel and short of shipyards to furnish the necessary ships to carry ocean trade, would it not be a great thing if along the coast of these Lakes, for instance, at Gary, Ind., where they could fabricate steel, those people could participate in this shipbuilding program?

Mr. PITTENGER. Yes. There is no question about that. But the whole trouble with this propostion is that the railroads have got everybody hypnotized. Now, who owns the railroads? J. P. Morgan & Co., Kuhn, Loeb & Co.; and the rest of the international bankers. They are the ones who are out to defeat this project, because they have certain selfish interests they want to protect. Jesse Jones has loaned, through the Reconstruction Finance Corporation, some $600,000,000 to the railroads. They have paid back around $342,000,000. But this Congress is faced with a group of industrialists who have been the beneficiaries of Congress for years and who are now outmaneuvering Congress in doing the one thing it ought to do, that is, carry out the recommendation and request of the President, that the St. Lawrence seaway be undertaken. Those railroads, industrialists, and bankers have a mortgage on most everything. Under S. 2009 last year they took a mortgage on our water. They do not have any water down in Texas. The next thing they will want is a mortgage on the Atlantic Ocean. When those boys put everything under the Interstate Commerce Commission they upset the situation as far as freight traffic is concerned in a tremendous way.

Mr. WASIELEWSKI. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. WASIELEWSKI. Is it not true that the length of the St. Lawrence waterway is about 2,500 miles, but there is a bottleneck of about 40 miles that should be completed under the project now put forward?

Mr. PITTENGER. The distance is a little over 2,700 miles, I understand.

Mr. WASIELEWSKI. But there are only a few miles to be deepened?

Mr. PITTENGER. Only a few miles to be deepened and one or two more locks to be constructed. It is a comparatively simple project. It is a continuation of what we have been doing in this country for years and years.

Mr. BENDER. Will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. BENDER. The gentleman would not insinuate that all the labor organizations that nave asked us to vote against this project are controlled by the railroad interests?

Mr. PITTENGER. I will answer that question by telling the gentleman that the railroad brotherhoods can make mistakes the same as some of the rest of us, and in my opinion the railroad brotherhoods are being grossly misled, just as they were misled in the passage of S. 2009 in the last session of Congress.

[Here the gavel fell.]

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Ohio [Mr. BENDER] is recognized for 30 minutes.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield, Mr. Speaker, to the gentlewoman from Ohio.

MEMORIAL DAY AND NATIONAL TRADITIONS

Mrs. BOLTON. Mr. Speaker, we are on the eve of Memorial Day, the day on which the people of this country pause to acknowledge their debt to our soldier dead. It is a custom we of the North copied from the heartbroken women of the South, and since the Spanish War in which the Blue and the Grey merged into a common olive drab and khaki it has been a national day of drawing together in reverent gratitude to the men whose lives were sacrificed for the Nation.

This year the day will bring to all our people a more than usual poignancy standing as we do upon the possible threshold of war. It will bring the shadow of Europe's carnage darkly between us and the sun. It should unite us in a common desire to keep this Republic at peace.

Our traditional holidays are very dear to our people. I think perhaps nothing the President has done for some time has given greater joy to more people than his announcement that Thanksgiving Day experiments have failed.

Now, there has come to my attention Senate bill 1242, and I should like to call it to the attention of the House. I trust most earnestly it is nothing more than a casual gesture, for it is something that no earnest-minded person could believe would be considered seriously in this body. It is a bill to designate our Independence Day, the 4th of July, "Democracy Day." Let me recall to you that this July day has been a tradition with us, the day upon which we celebrate the declaration of our independence of England, our separation from the mother country. This separation was definitely symbolized in our flag, the red stripes representing the blood of our mother, the white stripes the pure separation from her for the sake of liberty.

I ask you to read our history. In it you will find no mention of democracy. Among the founding fathers and the early people of this country the word was unknown. You will find Jefferson constantly referring to the Republic and the republican form of government. I ask you to read world history, and you will find that no democracy as such has ever survived. So I would call your attention to this bill and suggest that we are a Republic, that our Constitution specifically guarantees the republican form of government to the separate States, and I would suggest that before we do anything more than smile at the suggestion of the bill S. 1242 we consider these things with earnestness, because we want the Republic of the United States to endure so long as the world exists. [Applause.]

WHAT LIES AHEAD?

Mr. BENDER. Mr. Speaker, these are days when things happen with lightning speed. Tremendous events of vital importance to the people of America are taking place almost constantly. Affairs in Europe, war disasters in the Far East, problems in the Mediterranean have brought the people of our country to the brink of war. We are faced with issues of the first magnitude. Much as we should like to avoid their implications, even the most confirmed isolationist must concede that this is impossible. In times like these the men and women whom you

have elected to Congress owe you the duty of the utmost good faith.

Today the Capital of the United States is the focal point of international attention. Our position as the most powerful nonbelligerent in the world, our determination to keep the democratic form of government, and the personalities of our national leadership have made Washington the greatest center of political thinking on the face of the globe.

Our country is a democracy, but it is a democracy only by virtue of the men and women in it. We know that there are forces in our own Nation bent on changing our way of life. There are Nazi sympathizers and Communist fellow travelers who are seeking to alter the American way of life. The one effective weapon which can prevent them from succeeding is the determination of every good American to resist their efforts. This means more than conversation. It means a willingness to do our part in civilian defense—to cooperate in every legitimate effort to solve our problems quickly and fairly.

Today it is obvious that our preparations are still lagging. A few days ago we were informed that American defense production is still lagging far behind Nazi Germany. Our people know that the industrial plant of the United States is the greatest in the world. We can build more of everything than our closest competitors. Given the need, we have the ability and the capacity to build more planes, more tanks, more ships than all our potential enemies combined. Then why have we not done it? You may well ask this question.

I have asked it frequently. Dozens of Congressmen on both sides of the floor have asked it, too. There is only one answer—lack of planning. We plunged into this national-defense effort on a tremendous surge of emotion. Emotion is a great stimulant; but it is all too far from being a constructive agency. The great camps we built to house our selective-service draftees give conclusive proof of my charge. They were not planned. They grew, like Topsy. We have had evidence presented to show that some of these camps were still being planned while contractors were building barracks. A United States Senate committee has just finished its investigation of expenditures at Camp Blanding, Fla. A camp expected to cost $9,000,000 finally runs up to $20,000,000 before it is completed.

What is true of our camp projects is equally true of other aspects of our defense program. Ask any small manufacturer to tell you how to go about getting a Government contract. He will not know the first thing about it. And if he comes to Washington seeking enlightenment, he will find the same kind of red tape and confusion which gave Government business a black eye in the days of the World War. Today Washington is full of rumors that there are sharp differences of opinion between the heads of our various national departments and the business leaders who have been asked to take a hand in our national-defense efforts. Only 2 weeks ago a famous national magazine described the Cabinet leaders of our national-defense program as sick, aged, and blundering.

Despite all our talk of collective bargaining, our national leadership has not yet evolved an effective plan for dealing with labor disputes which threaten our entire defense machinery.

All this I ascribe to ineffective planning. For more than 6 months past the need for a central coordinator to push plans ahead, to gather together all the many strands of the huge web of mass production, has been obvious to everyone except the administration. The President has persistently refused to vest this authority in one man. He has created three-man committees and five-man War Cabinets. But the one basic solution he has consistently ignored. I for one believe that there are many men in the United States who would be eminently able to perform this task. My own choice and the choice of millions of others would be Wendell Willkie. He has the enthusiasm, the training, the boundless energy necessary for this undertaking. But some man, Willkie or another, must eventually be delegated to do just this job.

Very close to this entire question of national defense is another major issue of the day—the operation of the Selective Service Act. We have had 8 months of experience to guide our future course. The President has just set July 1 for the registration of young men who have become 21 since we first registered our sons last year. Have we learned anything since we began this huge transplanting of a million and a half men? I believe we have.

The men in charge of our draftees tell us that they regard men over 30 as less desirable rookies than their younger brothers. They tell us that the dislocation of family ties is far less serious in young men than it is when they have passed 30. Very well; I believe that we should act upon this conclusion.

We should pass legislation permitting the temporary deferment of men over 30. We should instruct our draft boards to listen more sympathetically to family pleas than they have been doing so far.

And I think, too, that we owe it to our young men to clear up some of the misunderstandings that have cropped up in the course of the last year. Our Federal Government when it set up its program under the Selective Service Act, apparently believed that things would just work out. They printed a long series of folders dealing with many anticipated problems. You remember the talk in our newspapers about the Federal Government assisting young men who were called to the draft. Something was going to be done to help them keep their automobiles, pay their insurance, and generally soften the blow to their normal civilian lives.

Most of this was just talk. Consult your friends whose sons have been called to the colors and find out how many of them were able to keep their automobiles. Find out how many of them have managed to keep up their insurance payments. These matters are of real importance to the individuals concerned. But there are still other difficulties in the operation of our highly selective service which should be called to the public's attention.

I have had complaint after complaint that draft board officials are making up their rules as they go along. Some of them tell young men that their parents will be provided for by sons-in-law. They are discouraged from filing appeals by statements that anybody who appeals is a slacker. Yet at the same time prominent public officials of a pronounced New Deal tinge have managed to get their relatives, including sons and nephews, deferred on the ground of some peculiar indispensability.

These things are not trivial. I believe that every American father and mother is entitled to receive the same consideration from the draft board as the son or nephew of a prominent public official. Anything less than this is the kind of undemocratic favoritism which everyone condemns as un-American. I believe that the people of this country should demand that the selective-service regulations of the Federal Government be administered fairly.

While we are talking about these important matters, there is still another highly controversial issue which I regard as vital to the future of our country—the problem of labor legislation. We have read a great deal in the newspapers lately about strikes in key industries. All of us know that a few of these strikes were engineered by men who are completely opposed to the American point of view. For these strikes, none of us can have any sympathy.

There are other strikes, however, in which labor is seeking to receive a fair share of the appropriations voted by Congress for national defense. When a company makes a great deal of money from Government contracts, I believe that it owes a direct responsibility to its workers to share some of its profits with its employees. The history of intelligent business management demonstrates over and over again that companies which have this kind of policy do best in the long run. I believe sincerely that we cannot solve every labor problem by one broad formula. But I do believe that we must set up a labor machinery which will help fair-minded managers and fair-minded workers to solve their own problems.

I favor a 30-day cooling-off period during which meetings would be required by law in the effort to solve any labor controversy. I believe that such a period of negotiation and discussion should precede every lock-out and every strike. Where there are existing labor contracts, I believe that this 30-day period should come before the expiration of the contract. I do not believe that labor unions should be prevented from seeking new members or seeking agreements with their employers looking toward the establishment of a closed-shop arrangement.

Here is a place where Biblical precepts ought to be invoked. Here is certainly a specifically human problem in which the Golden Rule can find definite appli-

cation. If both employers and workers would remember the fundamental teaching of all moral law; if they would keep in mind that in their dealings with each other, they should "do unto others as they would have others do unto them," we should be much closer to a solution of our labor difficulties than we are now.

These problems are of major importance to the entire Nation. Every one of them becomes of more pressing concern each day. The President of the United States has proclaimed an unlimited national emergency. I believe that this proclamation was designed to rouse the people of our country from the indifference with which millions still regard events abroad. I do not believe that this proclamation was necessary. But, like every other American who places his country first, I am ready to do my share. This is a battle which the people of the United States cannot afford to lose. We have taken our stand by the side of Great Britain. I believe that Great Britain owes us and owes the world a clear-cut statement of its war aims. Those who argue that there is only one war aim—to beat Hitler—forget that in 1918 there was only one war aim—to beat the Kaiser. The kind of post-war world which this single aim achieved led us directly to Nazi Germany. It built the same machinery of destruction which we had in 1914. We do not want and must not have a repetition of this experience.

The people of our country are ready to do their part, to end the squabbling which has stymied our defense production, to go all out in aid of democracy. We have the right to demand two things of our national administration. We have the right to demand that every nonessential Government expenditure be cut to the bone. We have the right to demand constant and accurate information as to just what is happening both at home and abroad. [Applause.]

Mr. CANFIELD. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Mr. Speaker, midway between the armistice ending World War No. 1 and the rise to power of Hitler I recall a dramatic and unprecedented scene in 1925 in the Chamber of the House of Representatives—in which I am honored to be a Member—which illustrated at that time world sentiment and desire for peace among nations. It was the meeting of the Interparliamentary Union, a body composed of members of the parliaments of every great nation in the world, including Great Britain, her dominions, Germany, Italy, France, Japan, and China. It was the first and only time that the House Chamber was used by any legislative body other than the House itself.

The one and only theme discussed in that assembly of world statesmen was how to break down armaments and insure universal peace. This objective was sought by every man and woman in that momentous gathering, the only differences of opinion being as to methods. Nothing could have better illustrated or evidenced the hope and yearning for peace. The world was weary of bloody, useless wars. This feeling was so strong in our own country that the man who dared to advocate a greater army or a larger navy as measures of preparedness to meet future dangers was regarded with suspicion.

You will recall the old hymn in which we ask:

When comes the promised time,
When wars shall be no more,
Oppression, lust and crime
Shall flee Thy face before?

There is only one answer, and that is wars will cease only when peace reigns in the hearts of men. We in America have discovered that peace cannot be treatyized into the hearts of men and nations.

It did not take 2 decades after the World War for men to resume the nefarious and destructive pursuits so inimical to the ways of peace.

On Memorial Day in 1919, just a few months after the cessation of hostilities, President Woodrow Wilson addressed a great throng in a cemetery near Paris. Listen as I repeat a portion of his message, words expressing the fears then in his heart:

There is here and there an attempt to insert into the counsel of statesmen the old reckoning of selfishness and bargaining, and national advantage, which were the roots of this war; and any man who counsels these things advocates a renewal of the sacrifice which these men have made.

I mention these things to show how quickly public sentiment may change in a few years. We must always reckon with the unruly wills and affections of sinful men, especially those who covet power even at the point of the sword; and when that time comes the watchman waketh in vain unless peace-loving people are prepared to meet the armed foe.

Someone has referred to the American people as "the resolutionizing sons of revolutionary fathers."

True, we have been given to conferences and to resolutions, but at the same time no nation on the face of the earth can point to a more sincere, a more consistent record of action toward world peace. Now, however, we are convinced that unless there is a definite and supporting peace mind in the world there can be no lasting peace.

Today our people are united for measures of national defense—for defense of our freedom, for defense of our homes and our flag, for the protection of which we will keep faith with the honored dead who fought and died to preserve and perpetuate this Republic, our heritage, which Thomas Jefferson once said is "the world's best hope." [Applause.]

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by making some observations with reference to an old Confederate soldier who recently died and to incorporate some remarks I made on the ninetieth anniversary of General Grant.

The SPEAKER pro tempore (Mr. KELLY). Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

There was no objection.

Mr. MYERS of Pennsylvania. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from West Virginia [Mr. RANDOLPH] may be permitted to extend his own remarks in the RECORD and to include a speech that he recently delivered at an airport dedication.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. MYERS]?

There was no objection.

Mr. MYERS of Pennsylvania. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and to include a speech which I recently delivered before a joint session of the Pennsylvania Legislature.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. MYERS]?

There was no objection.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter written to me concerning H. R. 3318, to extend domiciliary and hospital care to World War veterans of the United States merchant marine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

Mr. HEALEY. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and to include a resolution adopted by the Western Massachusetts Association of Mayors, Selectmen, and County Commissioners, and, further, to include a resolution adopted by the City Council of the City of Everett, Mass., and the City Council of Malden, Mass.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. HEALEY]?

There was no objection.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 4466. An act to authorize the acquisition by the United States of title to or the use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills of the House of the following titles:

H. R. 179. An act for the relief of Frank E. Nichols;

H. R. 250. An act for the relief of Otto Meyer and Leigh Kelly;

H. R. 713. An act for the relief of Elizabeth Hessman;

H. R. 816. An act to provide for the reimbursement of certain members or former members of the United States Coast Guard

(formerly the Bureau of Lighthouses) for the value of personal effects lost in the hurricane of September 21, 1938, at several light stations on the coast of Massachusetts, Rhode Island, Connecticut, and New York;

H. R. 926. An act for the relief of Hazen G. Chamberlain, doctor of medicine, and Cuba Memorial Hospital;

H. R. 1684. An act for the relief of Charles E. Allison;

H. R. 1688. An act for the relief of Herman E. Schorr;

H. R. 1731. An act for the relief of Beulah Bell Nolte and George C. Nolte;

H. R. 1732. An act for the relief of Floyd Wilday, Vera Wilday, and James M. Wells;

H. R. 1771. An act to authorize the Secretary of the Interior to convey certain property to Washington County, Utah, and for other purposes;

H. R. 1801. An act amending the act of February 27, 1936 (49 Stat. 1144);

H. R. 2054. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Ben White, Arch Robinson, Lee Wells, W. S. Wells, A. J. McLaren, A. D. Barkelew, Oscar Clayton, R. L. Culpepper, W. B. Edwards, the estate of John McLaren, the estate of C. E. Wells, and the estate of Theodore Bowen;

H. R. 2107. An act to authorize the Secretary of the Navy to sell equipment and supplies to and perform work for the Commonwealth of the Philippine Islands;

H. R. 2426. An act for the relief of H. B. Wilson;

H. R. 2569. An act for the relief of Charles R. Woods;

H. R. 2828. An act to extend the times for commencing and completing the construction of a bridge across the Susquehanna River at or near the city of Millersburg, Pa., and to authorize its construction by the Dauphin County, Pa., Authority.

H. R. 3084. An act for the relief of Hugh C. Russell;

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 3309. An act for the relief of Louis J. Banderet;

H. R. 3629. An act for the relief of Irene Trauernicht;

H. R. 4073. An act for the relief of Marijo McMillan Williams;

H. R. 4105. An act to authorize the Secretary of the Navy and the Secretary of the Treasury to exchange certain equipment in part payment for new equipment of the same or similar character;

H. R. 4305. An act to authorize the attendance of the Marine Band at the diamond anniversary to be held at Columbus, Ohio, September 14 to 19, inclusive, 1941;

H. R. 4368. An act authorizing a reduction in the course of instruction at the Naval Academy;

H. R. 4466. An act to authorize the acquisition by the United States of title to or use of domestic or foreign merchant vessels for urgent needs of commerce and national defense, and for other purposes;

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; and

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941.

ADJOURNMENT

Mr. O'BRIEN of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 17 minutes p. m.), under its previous order, the House adjourned until Monday, June 2, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary will hold public hearings on H. R. 4394, to amend the Bankruptcy Act (respecting referees), on Monday, June 2, 1941, at 10 a. m., in room 346, House Office Building, before the Special Subcommittee on Bankruptcy and Reorganization.

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will hold public hearings on H. R. 3487, entitled "A bill to amend further the Civil Service Retirement Act, approved May 29, 1930" and other retirement bills pending before the committee. Hearings will be held Tuesday, June 3, 1941, at 10 a. m., in room 246, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold hearings on Tuesday, June 3, 1941, at 10:30 a. m., on the following bills: S. 1544, to provide for cooperation with Central American republics in the construction of the Inter-American Highway, and H. J. Res. 191, to authorize the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries, to be held in the United States as soon as practicable, in 1941 or 1942; to invite Regional Commissions III and IV of the International Meteorological Organization to meet concurrently therewith; and to authorize an appropriation for the expenses of organizing and holding such meetings.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10 a. m. Wednesday, June 4, 1941, to sider H. R. 4873 (ALLEN, Louisiana), a bill to promote the national defense by limiting the entry of certain aliens into the United States. Also private bills.

COMMITTEE ON PATENTS

The Committee on Patents of the House of Representatives will hold a further public hearing on the subject of Royalty Payments, covered in House Joint Resolutions 32, 73, and 123, on Tuesday, June 10, 1941, at 10 a. m., in the committee room, 1015 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

577. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to authorize payment to janitors and custodians of the public schools of the District of Columbia for services rendered for local boards of the selective-service system; to the Committee on the District of Columbia.

578. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

579. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Civil Service Commission, amounting to $2,846,430, for the fiscal year 1942 (H. Doc. No. 235); to the Committee on Appropriations and ordered to be printed.

580. A communication from the President of the United States transmitting supplemental and deficiency estimates of appropriations for the Department of the Interior for 1941 and prior fiscal years, amounting to $6,463.57, together with a draft of a proposed provision pertaining to an existing appropriation (H. Doc. No. 236); to the Committee on Appropriations and ordered to be printed.

581. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations for the Navy Department and the naval service, for the fiscal year ending June 30, 1941, totaling $114,091,080, together with a proposed provision pertaining to an appropriation of the Navy Department for the fiscal years 1941 and 1942 (H. Doc. No. 237); to the Committee on Appropriations and ordered to be printed.

582. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to amend an act entitled "An act to authorize an appropriation for roads on Indian Reservations"; to the Committee on Indian Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4887. A bill to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for performance of Coast Guard duties; without amendment (Rept. No. 661). Referred to the Committee of the Whole House on the state of the Union.

Mr. COFFEE of Washington: Committee of conference on the disagreeing votes of the two Houses. S. 991. A bill for the relief of the widow of the late Artis J. Chitty (Rept. No. 662). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREWRY: Committee on Naval Affairs. H. R. 4836. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; with amendment (Rept. No. 663). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 2308. A bill to ratify a lease entered into by certain Mission Indians of California; with amendment (Rept. No. 677). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of Maryland: Committee on Interstate and Foreign Commerce. H. R. 4816. A bill to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense; with amendment (Rept. No. 685). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. FENTON: Committee on Claims. H. R. 189. A bill for the relief of William F. Kimball; with amendment (Rept. No. 645). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 732. A bill for the relief of Rinzo Takata; with amendment (Rept. No. 646). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 1532. A bill for the relief of Bernard E. Wareheim; with amendment (Rept. No. 647). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. H. R. 1548. A bill for the relief of Mrs. C. H. Bivins, Henrietta Bivins, and Irvin Tatum; with amendment (Rept. No. 648). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 1743. A bill for the relief of the estate of William Sandlass; with amendment (Rept. No. 649). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 2212. A bill for the relief of Raymond W. Reed and Ross Reed; with amendment (Rept. No. 650). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 2861. A bill for the relief of Cascade Investment Co.; with amendment (Rept. No. 651). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 2888. A bill for the relief of H. E. Buzby; with amendment (Rept. No. 652). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 3121. A bill for the relief of the Automatic Temperature Control Co., Inc.; with amendment (Rept. No. 653). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 3607. A bill for the relief of Anton Waytashek; with amendment (Rept. No. 654). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. H. R. 3801. A bill for the relief of W. A. Batchelor and wife; with amendment (Rept. No. 655). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 4045. A bill for the relief of Tony Cirone; with amendment (Rept. No. 656). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 4414. A bill for the relief of Andrew Wichmann; with amendment (Rept. No. 657). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4556. A bill for the relief of L. S. Jones; without amendment (Rept. No. 658). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 4459. A bill to validate payments of retired pay made to Pay Clerk Ray Bellamy Veirs, United States Navy, retired, for the period September 1, 1939, to November 15, 1940, and for other purposes; without amendment (Rept. No. 659). Referred to the Committee of the Whole House.

Mr. SCOTT: Committee on Claims. S. 212. A bill for the relief of Arvy A. Lothman; without amendment (Rept. No. 660). Referred to the Committee of the Whole House.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 4359. A bill authorizing and directing the Secretary of the Interior to cancel patent in fee issued to Lizzie Smith; without amendment (Rept. No. 664). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 191. A bill for the relief of Franklin Stencil; with amendment (Rept. No. 665). Referred to the Committee of the Whole House.

Mr. BOGGS: Committee on Claims. H. R. 1855. A bill for the relief of Laura McStay; with amendment (Rept. No. 666). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2434. A bill for the relief of Margaret S. Holton; with amendment (Rept. No. 667). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 2463. A bill for the relief of the heirs of Donald Crump and Mrs. John N. Crump and for the relief of Emma Jane Crump and Mildred Lounedah Crump; with amendment (Rept. No. 668). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 3032. A bill for the relief of J. G. Fox; with amendment (Rept. No. 669). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 3086. A bill for the relief of Harold E. Marquis; with amendment (Rept. No. 670). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3116. A bill for the relief of Ernest Melotte and Mary Melotte; with amendment (Rept. No. 671). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 3725. A bill for the relief of Robert P. Sick; with amendment (Rept. No. 672). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committe on Claims. H. R. 3772. A bill for the relief of the Sachs Mercantile Co., Inc.; without amendment (Rept. No. 673). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 4182. A bill for the relief of Mollie S. McHaney; with amendment (Rept. No. 674). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 851. A bill for the relief of Edson E. Downs; without amendment (Rept. No. 675). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. S. 1156. A bill for the relief of Jess W. Harmon; with amendment (Rept. No. 676). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 1354. A bill for the relief of Herman R. Allen; with amendment (Rept. No. 678). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 1397. A bill for the relief of Jose J. Perez; with amendment (Rept. No. 679). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 2431. A bill for the relief of the Carr China Co.; with amendment (Rept. No. 680). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. H. R. 2712. A bill for the relief of Branchland Pipe & Supply Co.; with amendment (Rept. No. 681). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 3003. A bill for the relief of Lueberta Wilson; with amendment (Rept. No. 682). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 3270. A bill for the relief of John K. Blackstone; without amendment (Rept. 683). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3647. A bill for the relief of the San Diego Consolidated Gas & Electric Co.; with amendment (Rept. No. 684). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WHITTINGTON:

H. R. 4911. A bill authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes; to the Committee on Flood Control.

By Mr. DAVIS of Tennessee:

H. R. 4912. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.; to the Committee on Interstate and Foreign Commerce.

By Mr. FULMER:

H. R. 4913. A bill to authorize the Secretary of Agriculture to designate employees of the Department of Agriculture to make arrests for violation of the laws relating to and the rules and regulations established for the protection of lands acquired under or transferred for administration under title III of the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

H. R. 4914. A bill to amend the act known as the Perishable Agricultural Commodities Act, 1940 (46 Stat. 531), approved June 10, 1930, as amended; to the Committee on Agriculture.

By Mr. HEALEY:

H. R. 4915. A bill to enable certain legislative employees to obtain transfer to a position in the classified civil service within 1 year after separation from active duty with the armed forces of the United States; to the Committee on the Civil Service.

By Miss RANKIN of Montana:

H. R. 4916. A bill suspending during the time of war or national emergency the running of any statute of limitations on prosecutions for Federal offenses; to the Committee on the Judiciary.

By Mr. BARRY:

H. R. 4917. A bill to classify civil-service employees; to the Committee on the Civil Service.

By Mr. DREWRY:

H. Res. 220. Resolution providing for the consideration of H. R. 4839, to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their senate concurrent resolution relative to funds in order to immediately begin the construction of a road to connect State Highway Route No. 39 with Fort Dix; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their senate concurrent resolution relative to an appropriation for the construction of a relief highway between Denville and the Picatinny Arsenal, in Morris County; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 4918. A bill for the relief of Anna J. Krogoll; to the Committee on Claims.

H. R. 4919. A bill for the relief of Merrill G. McKay; to the Committee on Military Affairs.

By Mr. CULLEN:

H. R. 4920. A bill for the relief of the estate of Mary Migliaro, deceased; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 4921. A bill for the relief of Antonio or Anthony Maurin; to the Committee on Immigration and Naturalization.

By Mr JOHNSON of Indiana:

H. R. 4922. A bill granting a pension to John A. Nail; to the Committee on World War Veterans' Legislation.

By Mr. KILDAY:

H. R. 4923. A bill for the relief of George Knox and Orion Knox; to the Committee on Claims.

H. R. 4924. A bill granting an increase of pension to Oscar F. Pridgen; to the Committee on Invalid Pensions.

By Mr. WOODRUM of Virginia:

H. R. 4925. A bill for the relief of the Blue Ridge Overall Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1234. By Mr. COFFEE of Washington: Petition of the International Fishermen and Allied Workers of America, J. F. Jurich, president, George Lane, secretary-treasurer, Seattle, Wash., pointing out that House bill 3 (Hobbs) provides for the detention and supervision of certain aliens ordered deported, but whose deportation cannot be effected; and that such a bill is not compatible and cannot be reconciled with those beating the war drums today; alleging that such a measure is aimed at the labor leaders who are militantly protesting this legislation is inimicable to the Constitution and helps in the destruction of civil rights; urging that the Members of Congress talk and act against such a bill and averring that the Hobbs bill is a repetition of the repression of aliens occurring during the preparation for the World War and adding that the democratic and constitutional rights of the American people are now in grave danger; and therefore insisting that this Hobbs bill (H. R. 3) be decisively defeated by the Congress; to the Committee on the Judiciary.

1235. Also, petiton of Local No. 2-198 of International Woodworkers of America, North Bend, Wash., alleging that native-born American citizens are discriminated against in the aircraft industry because they are not "second-generation Americans"; averring that such discrimination is intended to split unions and showing that under such rulings both Sidney Hillman and William Knudsen, Directors of Office of Production Management, would be disqualified; insisting that such discrimination is a dangerous precedent and would set up a class B of Americans; that it would create disunity and deprive our Nation from much of its skill amongst craftsmen; and therefore urging that prompt steps be taken to correct the situation; to the Committee on Immigration and Naturalization.

1236 By Mr. HOUSTON: Petition signed by 51 residents of Sedgwick, Kans., objecting to the United States of America convoying ships to or through the war zones, to American soldiers fighting on foreign soil, and to American soldiers delivering or convoying materials to nations at war; to the Committee on Foreign Affairs.

1237. By Mr. JOHNSON of Indiana: Petition of Gladys Z. Murphy, of Cicero, Ind., and 50 others, in regard to Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1238. By Mr. LAMBERTSON: Petition of John R. Carter and seven other citizens of Wakarusa, Kans., protesting against every action which tends to lead us closer to participation in war; to the Committee on Foreign Affairs.

1239. Also, petition of C. G. A. Berggren and three other citizens of Leonardville, Kans., urging support of the Tolan bill (H. R. 1052); to the Committee on the Judiciary.

1240. Also, petition of Henry B. Schurr and 22 other citizens of Wakarusa, Kans., protesting against every action which tends to lead us closer to participation in war; to the Committee on Foreign Affairs.

1241. Also, petition of R. J. Henderson and 20 other citizens of Topeka, Kans., urging the passage of House bill 4000, a bill to stop the sale of all alcoholic beverages, including beer, ale, or wine, inside the army and naval camps; to the Committee on Military Affairs.

1242. By Mrs. NORTON: Petition of the One Hundred and Sixty-fifth Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to provide the necessary funds to construct a road connecting Fort Dix with Route No. 39; to the Committee on Appropriations.

1243. Also, petition of the One Hundred and Sixty-fifth Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to provide the funds to construct a relief highway between Denville and the Picatinny Arsenal in Morris County; to the Committee on Appropriations.

1244. By Mr. RICH: Petition from citizens of McKean County, Pa., favoring the passage of House bill 4000; to the Committee on Military Affairs.

1245. Also, petition from citizens of McKean County, Pa., opposing House bill 3852 and Senate bill 983; to the Committee on the District of Columbia.

1246. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution No. 41 relative to investigation by Congress of the feasibility of growing guayule rubber in California, and if found feasible to subsidize the same; to the Committee on Agriculture.

1247. By Mr. SABATH: Petition of the House of Representatives of the State of Illinois, urging the enactment of a law to permit or require common carriers of passengers to extend special and reduced fares to persons serving in our military and naval forces during the existing emergency; to the Committee on Interstate and Foreign Commerce.

1248. By Mr. VREELAND: Concurrent resolution of the Senate of New Jersey, memorializing the President and the Congress of the United States to provide the necessary funds to construct a road connecting Fort Dix with Route No. 39; to the Committee on Appropriations.

1249. Also, concurrent resolution of the Senate of New Jersey, memorializing the President and the Congress of the United States to provide the funds to construct a relief highway between Denville and the Picatinny Arsenal in Morris County; to the Committee on Appropriations.

SENATE

MONDAY, JUNE 2, 1941

(Legislative day of Monday, May 26, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O God of grace, who dost ever teach us that striving after noble ends is not like barren labor spent for naught, but hath in it the breath of immortality: Be with us now in this moment of dedicating prayer, to the awakening and opening of our souls, to the calming and strengthening of our spirits, that, holding communion with the invisible things of God, we may stand in our lot with a gracious poise, whate'er that lot may be; that we may be wise of heart to find and assimilate the profit of life's discipline, attuned to hear, whene'er it speaks, the voice of our dear Lord.

If in the world the trust men had in one another is dislodged, if courage has gone out to meet its tasks and brought back no faint measure of success, then do Thou open wide the doors of understanding, that we may see and know that every lie is doomed, however long it lasts, that every imposture falls into the dust to be trodden under foot of men, that truth and righteousness can alone prevail through the Saviourhood of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 29, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on May 29, 1941, the President had approved and signed the following act:

S. 15. An act to provide for the completion and delivery of the Boca Dam, in the Little Truckee River, in accordance with the contract between the United States and the Washoe County Water Conservation District.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 578. An act authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J.; and

S. 1311. An act to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 991) for the relief of the widow of the late Artis J. Chitty.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1091. An act to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26 1905;

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1095. An act to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; and

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes.

CALL OF THE ROLL

Mr. GUFFEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gillette	Overton
Aiken	Green	Radcliffe
Ball	Guffey	Reynolds
Bankhead	Gurney	Rosier
Barbour	Hayden	Russell
Bone	Herring	Schwartz
Brewster	Hill	Shipstead
Bridges	Holman	Smathers
Brooks	Hughes	Smith
Brown	Johnson, Calif.	Stewart
Bulow	Johnson, Colo.	Taft
Bunker	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Byrd	Lee	Tobey
Capper	Lucas	Truman
Caraway	McCarran	Tunnell
Chavez	McFarland	Tydings
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Mead	Wallgren
Danaher	Murdock	Wheeler
Davis	Murray	White
Ellender	Norris	Wiley
George	O'Mahoney	Willis

Mr. HILL. I announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Mississippi [Mr. HARRISON], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from South Carolina [Mr. BYRNES], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from New Mexico [Mr. HATCH], the Senator from Arkansas [Mr. SPENCER], the Senator from Utah [Mr. THOMAS], and the Senator from Massachusetts [Mr. WALSH] are detained on important public business.

The Senator from Virginia [Mr. GLASS] is necessarily absent.

Mr. McNARY. The Senator from Vermont [Mr. AUSTIN] is absent due to the illness of his mother.

The Senator from Nebraska [Mr. BUTLER], the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. NYE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from North Dakota [Mr. LANGER] is absent due to the serious illness of his mother.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

SENATOR FROM TEXAS

Mr. CONNALLY. Mr. President, the Senator-designate from Texas, Hon. ANDREW JACKSON HOUSTON, is present and prepared to take the oath of office, his credentials having already been filed and accepted by the Senate at a prior session.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath will be administered to him.

Mr. HOUSTON, escorted by Mr. CONNALLY, advanced to the Vice President's desk, and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

PERSONAL STATEMENT BY SENATOR LANGER

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement made to a group in Fargo, N. Dak., by the junior Senator from North Dakota [Mr. LANGER], on May 24 last.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

To the People of North Dakota:

During my public life, my political enemies have charged me time after time with crookedness, dishonesty, and corruption. Although the United States Government has spent many thousands of dollars, the present Governor additional thousands, and my political enemies many thousands more bringing some twenty-odd civil and criminal cases against me, the courts and juries have always decided for me in each civil action and have invariably established my innocence in every criminal case.

In spite of these charges, you folks have twice elected me attorney general, twice Governor, and finally United States Senator. Now these enemies have renewed the charges in the United States Senate.

The Senate has designated two distinguished citizens: Samuel Hood, a graduate of Southern Methodist University, an attorney and counselor at law; and Elbert Smith, an accountant of note, to again reinvestigate me.

I hereby ask anyone claiming to have evidence involving me in crookedness or dishonesty that such evidence be presented to the two United States Senate investigators. The press will announce the places in North Dakota where testimony will be taken.

I challenge my political enemies to substantiate the charges made against me.

WILLIAM LANGER,
United States Senator from North Dakota.

THE LATE SENATOR SHEPPARD, OF TEXAS

The VICE PRESIDENT laid before the Senate a letter transmitting a resolution of condolence adopted by the central council, the American Legion, of Dallas, Tex., which letter and resolution were ordered to lie on the table and to be printed in the RECORD, as follows:

CENTRAL COUNCIL,
THE AMERICAN LEGION,
Dallas, Tex., May 21, 1941.

UNITED STATES SENATE,
Washington, D. C.

GENTLEMEN: There is attached a resolution of sympathy adopted by the central council of the American Legion, Dallas, Tex.

Very truly yours,
E. L. TUTT, *Chairman.*

RESOLUTION OF SYMPATHY

Whereas Almighty God has called to his eternal reward our friend and brother, the Honorable MORRIS SHEPPARD, United States Senator from Texas; and

Whereas our country has lost a most valuable citizen and each of us a beloved friend; and

Whereas our deepest sympathy extends to the bereaved family, we knowing that their loss is greater than ours: Be it

Resolved by the central council of all American Legion posts in Dallas, Tex., in session assembled, That this resolution of sympathy be forwarded to Mrs. Sheppard and family;

That the council charter be draped in mourning for 30 days;

That a copy of this resolution be spread on the minutes of this council; and

That a copy of this resolution be forwarded to the United States Senate, to Texas department headquarters of the American Legion, to the fifth district commander of the American Legion, and to the local press.

By authority of the central council, the American Legion.

TOM BAMFORD,
WALTER G. EVANS,
Committee.

DALLAS, TEX., *May 6, 1941.*

EXPANSION OF HIGHWAY FACILITIES FOR NATIONAL DEFENSE

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Post Offices and Post Roads:

To the Congress of the United States:

Anticipating that the development of the national-defense program would have some effect upon the highway system of the country, I requested the Administrator of the Federal Works Agency nearly a year ago to make a survey of our highway facilities from the viewpoint of national defense and to advise me as to any steps that appeared necessary, particularly with respect to the adequacy of ingress to and egress from urban centers, the servicing of existing and proposed Army, naval, and air bases and the possible necessity for the strengthening of bridges and the widening of roads in strategic areas. This survey has been completed and a report has been submitted to me indicating the need for additional funds to aid in relieving traffic congestion in numerous areas.

The survey, at the time of its completion, indicated that there were 204 areas in which access roads and highway bridges in military, naval, and industrial areas were of the utmost importance. It is estimated that the cost of providing this type of facility in the 204 areas will aggregate $177,600,000, and will involve 2,594 miles of highways. Means have been found for financing the construction of about 1,090 miles at a cost of $54,400,000, leaving 1,504 miles of the original program costing $123,200,000 to be financed. It is estimated that 100 additional areas have become involved and that the over-all cost of providing these facilities will now reach a figure of $350,000,000. The work thus far provided for has been financed by the Work Projects Administration, by Federal-aid highway funds, and by contributions of counties or States. It is my hope that readjustments in highway programs now authorized may release additional funds for meeting in part these new requirements.

It was believed that the amount recommended by me for community facilities would cover many of the more urgently needed access roads. The increase in the number of areas involved will now prevent the use of any considerable portion of that amount for highway improvements. It is clearly evident that the financial requirements for community facilities and access roads are greatly in excess of local resources and present available Federal funds and that

additional funds will be required immediately to relieve the existing traffic congestion in important areas. In many instances it may be necessary for the Federal Government to bear the entire expense of providing these facilities, but local participation should be encouraged to the fullest possible extent. I recommend that $100,000,000 be authorized specifically for assisting in the development of access roads.

It has been estimated by the Federal Works Agency that $458,000,000 will be required as a minimum for strengthening the entire strategic network of highways of more than 75,000 miles. It is my belief that no necessity exists for undertaking such an extensive program now. Some progress is being made in this work under the normal highway program. There is a need, however, for giving immediate attention to strengthening bridges in key areas where existing structures are inadequate to accommodate rolling equipment of the Army. It may also be necessary to give some consideration to the widening of the surface of some highways in these key areas. Much of this work should be accomplished within presently authorized funds, but in some areas obligations already incurred will not permit the diversion of funds to these more important needs. I recommend the authorization of an additional $25,000,000 to strengthen bridges and widen surfaces in key areas.

Any appropriation made for access roads should be available for use only in areas certified by the War or Navy Departments or the Office for Emergency Management. No attempt should be made to apportion funds for access roads in the manner in which funds are apportioned under the Federal Highway Act. All plans for highways should be coordinated insofar as practicable with State planning agencies. Concerning the improvements within key military areas, the authorizing legislation should provide for matching in the same manner now followed with respect to Federal-aid highway construction and provision should be made for the determination of the needs through certification thereof by the War or Navy Departments or the Office for Emergency Management, and without regard to the usual apportionment formula.

The Federal Works Administrator will soon submit to the Congress a draft of a bill authorizing appropriations for the purposes herein indicated, and it is hoped that this matter may have early consideration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 2, 1941.*

Mr. HAYDEN. Mr. President, I wish to state, for the benefit of the Senate, that I have been at work on a bill to carry out the general purpose of the message. I expect to introduce the bill some time today.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATES, DEPARTMENT OF THE INTERIOR (S. DOC. NO. 61)

A communication from the President of the United States, transmitting, as proposed amendments to House bill 4590, the Interior Department appropriation bill, supplemental estimates of appropriations for the Department of the Interior, fiscal year 1942, amounting to $4,241,500 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

BOULDER CANYON PROJECT ADJUSTMENT ACT

A letter from the Secretary of the Interior, dated May 29, 1941, reporting that, pursuant to law, "the Boulder Canyon Project Adjustment Act today has taken effect for all purposes"; to the Committee on Irrigation and Reclamation.

THE NEAL STORAGE CO.

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation for the relief of the Neal Storage Co. (with an accompanying paper); to the Committee on Claims.

AMENDMENT OF LAW RELATIVE TO APPROPRIATION FOR ROADS ON INDIAN RESERVATIONS

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend an act entitled "An act to authorize an appropriation for roads on Indian reservations" (with an accompanying paper); to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

Petitions of sundry citizens of Tompkins County, N. Y., praying for the enactment of the bill (H. R. 2475) to prohibit prostitution within such reasonable distance of military or naval establishments as the Secretaries of War and Navy shall determine to be needful to the efficiency, health, and welfare of the Army and Navy; to the table.

A resolution of the Senate of the State of Texas; to the Committee on Interstate Commerce.

"Senate Resolution 148

"Whereas there is now pending in the Congress of the United States House Resolution No. 4816, the purpose of which is to give the right of eminent domain to interstate oil pipe lines; and

"Whereas the citizens of the State of Texas are interested in the same right being given to interstate gas pipe lines which afford a market for Texas gas, which is an essential fuel in defense industries: Now, therefore, be it

"Resolved by the Senate of the State of Texas, That the Congress of the United States be requested to amend said House Resolution 4816 so that it will include gas pipe lines and give said pipe lines the right of eminent domain in the event said act is finally passed; and be it further

"Resolved, That the secretary of the Senate of Texas be instructed to forward copies of this resolution to each Member of Congress from Texas and to the Secretaries of the Senate and House of Representatives of the United States."

A resolution of the House of Representatives of the State of Texas; to the Committee on Foreign Relations:

"House Simple Resolution 309

"Whereas it appears from present reports that a serious effort in now being made to induce the Congress of the United States to take the necessary steps toward completion of the Great Lakes-St. Lawrence seaway and power treaty; and

"Whereas the House of Representatives of Texas, although actuated by every desire to cooperate with the Government in its plans for our national defense, firmly believes that such a development would not be in the public interest in any manner, but would be hostile to the best interests of the State of Texas and of the United States, as it would disrupt and demoralize the transportation systems of the United States, land and water, and would disastrously affect the economic welfare of the country, and would particularly work a hardship on the Texas ports, and would cause irreparable injury to the public industries and labor of this State and Nation: Therefore be it

"Resolved by the house of representatives, That it go on record as being strongly opposed to this project; and be it further

"Resolved, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas, be memorialized and requested to use their utmost influence in opposition to said project; and be it further

"Resolved, That a copy of this resolution be sent to Col. Edwin A. Halsey, Secretary of the United States Senate, the Honorable SAM RAYBURN, Speaker of the United States House of Representatives, and to each Senator and Representative in Congress from the State of Texas.

"HOMER LEONARD,
"Speaker of the House."

A resolution of the Legislature of Puerto Rico; to the Committee on Territories and Insular Affairs:

"I, Ildefonso Sola Morales, secretary of the Senate of Puerto Rico, certify that in the meeting of the Senate of Puerto Rico held on March 12, 1941, was adopted the following:

" 'Resolution to request of the Congress of the United States the amendment of section 30 of the Organic Act of Puerto Rico entitled "An act to provide a civil government for Porto Rico, and for other purposes," as approved March 2, 1917, as said section was amended by an act of Congress approved June 1, 1938, by adding to said section a proviso to read as follows:

" ' "The office of any senator or representative shall also be declared vacant if the electors of the district for which he was elected, or of the whole island in case of a senator or representative-at-large resolve to withdraw from said senator or representative his certificate of election because he is not carrying out the mandates of the people or is not honorably discharging the duties of his office."

" '2. To request the Congress of the United States to amend section 36 of the organic act of Puerto Rico, entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, as said section was amended by an act of Congress of June 5, 1934, by adding to said section a proviso to read as follows:

" ' "The office of resident commissioner shall also be declared vacant if the electors of Puerto Rico resolve to declare that office vacant because said resident commissioner is not carrying out the mandates of the people or is not honorably discharging the duties of his office."

" '3. To request the Congress of the United States to amend the Organic Act of Puerto Rico, entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917, as subsequently amended, so that the Legislature of Puerto Rico will be authorized to establish by law, at the regular session following the approval of the amendments set forth in subsections 1 and 2 of this resolution, the procedure to be followed by the electors of Puerto Rico to declare vacant the office of any senator or representative, or of the resident commissioner, in the cases specified herein.

" '4. Also to request that the Organic Act of Puerto Rico be amended in such manner that, in case a vacancy occurs in the office of a senator or representative, or of the resident commissioner, because the electors have withdrawn the election certificate from the said senator, representative, or resident commissioner, the vacancy may be filled in the manner prescribed by sections 30 and 36, respectively, of the organic act of Puerto Rico.

"'5. To communicate the terms of this resolution to the President of the United States, the Secretary of the Interior, the Director of the Division of Territories and Island Possessions, the Speaker of the House of Representatives of the United States, the President of the United States Senate, and the Resident Commissioner of Puerto Rico in Washington.

"'6. To request the Resident Commissioner of Puerto Rico in Washington to introduce in the House of Representatives of the United States a bill amending the Organic Act of Puerto Rico in the terms specified in this resolution."

"I further certify that said resolution was adopted by the following vote:

"In the affirmative: Messrs. Barreto Pérez, Berríos Berdecía, Bonet Santos, Colón Díaz, Dávila Díaz, Géigel-Polanco, Palmer, Isern Aponte, and the President pro tempore, Mr. Susoni, 9.

"In the negative: Messrs. Del Río, García Veve, Iriarte, Méndez, Ochart, Padrón Rivera, and Villanueva, 7.

"[SEAL]

"ILDEFONSO SOLA MORALES,
"Secretary of the Senate of Puerto Rico."

By Mr. CAPPER:

A memorial of sundry citizens of Arcadia, Kans., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Memorials of sundry citizens of Wichita, Kans., remonstrating against the use of American ships for convoy purposes through war zones and also against the sending of American soldiers to fight on foreign soil; to the Committee on Foreign Relations.

Petitions of sundry citizens of Lenora, Lehigh, and Canton, and members of the Mennonite Church, of Sterling, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

Memorials of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A resolution of the directors of the Manistee, Mich., Board of Commerce, favoring the prompt enactment of legislation for the development of the St. Lawrence River; to the Committee on Foreign Relations.

A memorial of sundry citizens of Detroit, Mich., remonstrating against the enactment of legislation curtailing the use and possession of firearms by citizens; to the Committee on the Judiciary.

A memorial of sundry citizens of Detroit and vicinity, in the State of Michigan, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Education and Labor:

"Senate Concurrent Resolution 45

"Concurrent resolution memorializing the Federal Security Agency to assist in the financing of the training of nurses in the State of Michigan

"Whereas the demand on the nursing profession in the State of Michigan for Federal defense has caused an acute shortage of nurses in this State; and

"Whereas a number of the hospitals in the State have sufficient equipment and teachers to conduct schools of nursing; and

"Whereas a shortage of funds prevents such hospitals from conducting such schools; and

"Whereas the induction of nurses in the Federal service has caused a shortage of nurses in Michigan and many demands are being made for nursing service from our already inadequate number of nurses in Michigan: Now, therefore, be it

"Resolved by the senate (the house of representatives concurring), That the Federal Security Agency be respectfully requested to assist in the establishment of nursing schools and in the training of nurses in those qualified hospitals in the State of Michigan which desire to establish such schools; and be it further

"Resolved, That the secretary of the senate be instructed to transmit copies of this resolution to Hon. Paul V. McNutt, Administrator of the Federal Security Agency, and Hon. Arthur H. Vandenberg and Hon. Prentiss M. Brown, United States Senators.

"Adopted by the senate on April 30, 1941.

"Adopted by the house of representatives on May 16, 1941."

A resolution of the Senate of the State of Michigan; to the Committee on Mines and Mining:

"Senate Resolution 47

"Resolution memorializing the Congress of the United States to make an investigation into safeguarding the copper mines in Michigan in case of invasion, and providing for a training camp in the Upper Peninsula

"Whereas the possibility of planes flying from Greenland to Fort Wilkins, at Keweenaw Point, in the Upper Peninsula, should be carefully investigated and studied, especially in view of the fact that there is at the present time but one road leading to Fort Wilkins, and Portage Canal between Hancock and Houghton is vulnerable, thus leaving the copper mines in the Upper Peninsula without protection in case of possible invasion; and

"Whereas steps should be taken to strengthen defense facilities, and in accomplishing this result it may be considered advisable to establish a training camp for called men in the Upper Peninsula: Now, therefore, be it

"Resolved by the senate, That the Congress of the United States is respectfully requested to thoroughly investigate the necessary safeguarding of the copper mines and the desirability of establishing a training camp in the Upper Peninsula; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the Senate and Speaker of the House of Representatives of Congress, and to the Michigan Members in the Senate and House of Congress.

"Adopted by the senate on May 19, 1941."

By Mr. BARBOUR:

Two concurrent resolutions of the Legislature of the State of New Jersey; to the Committee on Military Affairs:

"Concurrent resolution memorializing the President and the Congress of the United States to provide the necessary funds to construct a road connecting Fort Dix with Route No. 39

"Whereas Brig. Gen. I. J. Phillipson, commanding general of Second Corps Area, has determined that the construction of a road from route No. 39 to Fort Dix is an urgent military necessity and has placed the construction of such route in the No. 1 position on the priority list for the construction of military highways in the State of New Jersey; and

"Whereas the construction of such route is of vital necessity from a military standpoint: Therefore be it

"Resolved by the Senate of the State of New Jersey (the House of Assembly concurring):

"1. The Legislature of the State of New Jersey does memorialize the President and the Congress of the United States to provide the necessary funds in order to immediately begin the construction of a road to connect State highway route No. 39 with Fort Dix.

"2. Copies of this resolution, when adopted and signed by the President of the Senate and attested by the Secretary, shall be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from the State of New Jersey."

"Concurrent resolution memorializing the President and the Congress of the United States to provide the fund to construct a relief highway between Denville and the Picatinny Arsenal in Morris County

"Whereas a very serious traffic condition exists between Denville and the Picatinny Arsenal in Morris County, which condition will seriously impede the delivery of vital war necessities; and

"Whereas considerations of military necessity require that the serious congestion occurring daily on all access roads to this very important arsenal should be relieved at the earliest possible date: Therefore be it

"Resolved by the Senate of the State of New Jersey (the House of Assembly concurring):

"1. The Legislature of the State of New Jersey does memorialize the President and the Congress of the United States to provide at the earliest date possible funds for the construction of a relief highway between Denville and the Picatinny Arsenal in Morris County in order to relieve the serious congestion occurring daily on access roads to the arsenal.

"2. Copies of this resolution, when adopted and signed by the president of the senate and attested by the secretary, shall be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from the State of New Jersey."

(The VICE PRESIDENT laid before the Senate two resolutions identical with the foregoing, which were referred to the Committee on Military Affairs.)

SALE OF LIQUOR IN ARMY CAMPS—RESOLUTION OF PENNSYLVANIA CONFERENCE OF THE PRIMITIVE METHODIST CHURCH

Mr. DAVIS. Mr. President, at the request of the Pennsylvania Conference of the Primitive Methodist Church, I submit and ask to have printed as a part of my remarks a letter and resolution forwarded by that organization to me urging the passage of Senate bill 860.

There being no objection, the letter and resolution were ordered to lie on the table, and to be printed in the RECORD, as follows:

PENNSYLVANIA CONFERENCE OF THE PRIMITIVE METHODIST CHURCH

May 24, 1941.

Senator JAMES DAVIS,
Senate Office Building,
Washington, D. C.

DEAR SIR: By order of the Pennsylvania Conference of the Primitive Methodist Church of the United States of America, I am forwarding the enclosed resolutions adopted at the annual conference in Nanticoke, Pa., April 29, to May 5, 1941.

Also the request that it be printed in the CONGRESSIONAL RECORD.

Yours truly,

W. C. HALL.
W. F. PAUL.
J. ILEY.

Whereas it is known that the young men of our country have been called to the work of defense; and

Whereas we recognize that such service given for our country necessarily means a great change in environment from the home life to camp life, thereby causing the possibility of homesickness, loneliness, and discouragement; and

Whereas such loneliness and discouragement may lead to temptation, to dissatisfaction, and to discontent to such an extent as to break down their morale through intoxicants, gambling, and vice, and thereby bringing shame and heartache to their parents, and dishonor to the Nation: Therefore

The Pennsylvania Conference of the Primitive Methodist Church now in sixty-ninth session at Nanticoke, Pa., from April 29 to May 5, 1941, strongly urges the passage of the Sheppard bill No. 860 now before Congress, the purpose of which is the prevention of the sale of all intoxicants of every kind in the Army camps.

We furthermore urge that the Government demand that no intoxicants, gambling places or places of ill-repute be permitted to operate within 5 miles of any military camp, also that no man in uniform be permitted to visit any of these places, as it reflects on the honor of the Nation, and tends to destroy the morale of our military forces.

Committee:

W. C. HALL.
W. F. PAUL.
J. ILEY.

FARM LABOR SHORTAGE—RESOLUTION OF VERMONT LAND USE PLANNING COMMITTEE

Mr. AIKENS. Mr. President, I ask unanimous consent to have printed in the RECORD a statement and a resolution adopted at the meeting of the Vermont Land Use Planning Committee on May 24, 1941.

There being no objection, the statement and resolution were ordered to be printed in the RECORD, as follows:

The farm-labor situation at present is critical in this area. On April 1, 1941, the Agricultural Marketing Service reported that the supply of farm labor in Vermont was 71 percent of normal and that the demand on the same date was 99 percent of normal. Likewise, the Agricultural Marketing Service reported that wage rates in New England were higher than in previous years. The April 1 rate per month without board was $63.05. This was the highest since 1931 and was 67 percent higher than the average from 1910 to 1914.

In Vermont, as in all agricultural areas, labor is an important item of farm expense. It makes up, on the average, between 21 to 22 percent of the total expenses on a farm, according to surveys made in recent years by the Vermont Extension Service. Furthermore, the Vermont farmer needs a type of labor that is skilled in the care of dairy cattle and the work incidental to the dairy industry—a relatively skilled type of labor.

There are reports of farmers in some areas of the State selling their cows or reducing the size of their herds to meet the shortage of farm labor. While this condition is not widespread at present, it may be later on if farm labor conditions continue as they are at present.

The greater part of the available farm help in Vermont which is leaving the farm is going into industry and a smaller part going into the Army through enlistments and selective service. Surveys taken earlier in the year indicate that about two out of three men leaving farms go into industry. It is reported that some defense industries in the State are at present following a policy of hiring and training only men under 40 years of age, and that they especially encourage farm help to take industrial jobs. Furthermore, it is understood that the Office of Production Management has requested that labor employed in defense industries receive special consideration for deferment under the selective service.

Recently the Federal Government has requested that the production of dairy, poultry, and certain other farm products be stepped up considerably as a defense measure. These products constitute about 75 percent of those produced on Vermont farms. This in effect places the Vermont farming industry on a defense-industry basis.

Based on this situation, the Vermont Land Use Planning Committee adopted the following resolution, with instructions that copies be sent to the Secretary of Agriculture, the Vermont delegation in Congress, Governor Wills, of Vermont, and to the head of the Vermont selective service organization:

"*Resolved*, That this committee believes that the production of dairy and poultry products, as well as all other farm products, is of vital importance in the defense of our Nation and are heartily in favor of the new food-for-defense program. There is, however, a serious farm-labor problem in Vermont and the Northeastern States at present, which is becoming more acute from day to day. We feel that this labor problem will have an adverse effect on this food-for-defense program, inasmuch as farmers are being forced to lower the production capacity of their farms to be in line with the labor available.

"We therefore request the Secretary of Agriculture to take the steps he feels proper with the Office of Production Management and the War Department to work out arrangements whereby more consideration will be given farm workers essential to national defense under the Selective Service Act, and whereby defense industries located in the Northeast will follow a general policy, which they apparently do not now follow, of hiring and training men over 40 years of age as well as younger men, and will be required to refrain from soliciting on encouraging the migration of northeastern farm labor into these industries. We well that such action would help to keep some of our farm help available in this area."

REPORT OF COMMITTEE ON APPROPRIATIONS—INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. HAYDEN. Mr. President, by direction of the Committee on Appropriations, I report back, with amendments, the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, and I submit a report (No. 366) thereon. I give notice that I expect to call up the bill in the Senate immediately after the vote on the sugar bill at 2 o'clock tomorrow.

The VICE PRESIDENT. Without objection, the report will be received, and the bill will be placed on the calendar.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May 29, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 166. An act to provide a right-of-way across Camp Wallace Military Reservation, Philippine Islands;

S. 167. An act to provide a right-of-way across Camp Wallace Military Reservation, Philippine Islands;

S. 840. An act to create the grade of aviation cadet in the Air Corps, Regular Army, and to prescribe the pay and allowances therefor, and for other purposes;

S. 1063. An act to provide increased pay for certain military personnel while engaged on parachute duty;

S. 1371. An act to authorize the training of enlisted men of the Army as aviation students; and

S. 1541. An act authorizing overtime rates of compensation for certain per annum employees of the field services of the War Department, the Panama Canal, the Navy Department, and the Coast Guard, and providing additional pay for employees who forego their vacations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUFFEY:

S. 1576. A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes", approved October 6, 1917 (40 Stat. 385); to the Committee on Mines and Mining.

By Mrs. CARAWAY:

S. 1577. A bill for the relief of Harry Roland Burgess; to the Committee on Naval Affairs.

By Mr. DAVIS:

S. 1578. A bill relating to the promotion of certain officers of the line of the Navy; to the Committee on Naval Affairs.

By Mr. REYNOLDS:

S. 1579. A bill to authorize the President of the United States to requisition certain property for the use of or disposition by the United States; to the Committee on Military Affairs.

By Mr. HAYDEN:

S. 1580. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Post Offices and Post Roads.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 1091. An act to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905;

H. R. 1094. An act to grant pension for disability or death resulting from service in the United States Coast Guard before July 2, 1930, and for other purposes;

H. R. 1095. An act to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; and

H. R. 2855. An act to provide for payment of pension to certain dependent parents notwithstanding remarriage, and for other purposes.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENTS

Mr. HAYDEN. Mr. President, by direction of the Committee on Appropriations and in accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my

intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, the following amendments, namely:

On page 1, line 11, after the word "Columbia", insert the following: "including a special assistant to the Secretary of the Interior to be appointed without reference to civil-service requirements, at a salary of not to exceed $5,000."

On page 25, line 18, after the word "*Provided,*" insert the following: "That in addition to the amount herein appropriated, the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of $600,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further,*".

On page 25, line 19, after the word "appropriated", insert the following: "or this contract authorization."

On page 34, line 4, after "binding", insert the following: "*Provided,* That interest or other charges heretofore or hereafter collected on loans shall be credited to said revolving fund and shall be available for the purposes of this paragraph."

On page 44, after line 26, insert the following new paragraph:

"In aid of the construction, maintenance, and operation of the Hulah Dam and Reservoir project on the Caney River, Oklahoma and Kansas, authorized by the act of June 22, 1936 (49 Stat. 1571), as amended, for the control of floods in the Verdigris River Valley, the Osage Tribal Council be, and it hereby is, authorized, upon payment of just compensation therefor, and with the approval of the Secretary of the Interior, to release and relinquish to the United States of America such right, interest, and control in and over the minerals reserved to the Osage Tribe by the act of June 28, 1906 (34 Stat. 539), as amended, as may be found by the Secretary of War to be necessary for the construction, maintenance, and operation of said Hulah Dam and Reservoir project. Construction of said project may be undertaken when the amount of money to be paid to the Osage Tribe as just compensation for the release and relinquishment herein authorized has been agreed upon by the Secretary of War, the Secretary of the Interior, and the Osage Tribal Council. The amount agreed upon as just compensation for the release and relinquishment herein authorized shall be paid by the Secretary of War out of appropriations made for flood control, general, to the Secretary of the Interior for disbursement in the manner provided by section 4 of the act of June 28, 1906 (34 Stat. 539), as amended, for the disbursement of royalties received from the leasing of minerals owned by the Osage Tribe."

On page 81, line 22, after "$1,500,000" and before the semicolon insert the following: "*Provided,* That such part of the storage capacity of the Cascade Reservoir, and the costs thereof shall be reserved for other irrigation or power developments in and adjacent to the Boise project, as shall be determined by the Secretary of the Interior."

On page 88, line 12, after the figure "$31,750,000" and before the semicolon insert the following: ": *Provided,* That in addition to contracting hereunder in the manner authorized by section 12 of the Reclamation Project Act of 1939, the Bureau of Reclamation is authorized to obligate the United States by entering into contracts in connection with this project for the procurement of materials and supplies for power transmission lines, the total obligations under such contracts not to exceed $10,000,000."

On page 90, after line 7, insert the following new paragraphs:

"In addition to the sums appropriated under the caption 'General Fund, Construction', the Secretary of the Interior may also incur obligations and enter into contracts for construction work on the following-named projects and in not to exceed the following sums, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof:

"Gila project, Arizona, $500,000;

"Colorado-Big Thompson project, Colorado, $1,500,000;

"Boise project, Idaho, Anderson Ranch, $500,000;

"Tucumcari project, New Mexico, $1,550,000;

"Lugert-Altus project, Oklahoma, $1,150,000;

"Provo River project, Utah, $1,150,000;

"Yakima project, Washington, Roza division, $1,100,000;

"In all, $7,450,000."

On page 91, after line 3, insert the following new paragraph:

"Fort Peck project, Montana: For the purposes of carrying into effect the provisions of the act of May 18, 1936, entitled 'An act to authorize the completion, maintenance, and operation of the Fort Peck project for navigation, and for other purposes' (52 Stat. 403), the Bureau of Reclamation may enter into contracts for the procurement of materials and supplies and for the purchase of the necessary interest in lands, the total of the obligations under such contracts not to exceed $500,000."

On page 92, line 4, after the words "set forth", insert the following: ": *Provided further,* That of said sum, $250,000 shall be available on approval of an allocation therefor by the President, to the Secretary of State, acting through the American Commissioner of the International Boundary Commission, United States and Mexico, for the continuing of the investigations authorized by the Act of August 19, 1935: *And provided further,* That the Secretary of State on the international features of the project, shall, with the approval of the President, direct changes in the general project plan, and shall designate what features of the project he deems international in character, which features so designated shall be built, after consultation with the Bureau of Reclamation on general design, by the American section of the International Boundary Commission, United States and Mexico, and shall be operated and maintained by said Commission insofar as in the opinion of the Secretary of State this is necessary because of their international character; and that, otherwise, the construction, operation, and maintenance of said project shall be pursuant to the Federal Reclamation Laws, except that in addition to the nonreimbursable allocation to flood control or navigation which may be made by the Secretary of the Interior under section 9 (b) of the Reclamation Project Act of 1939, there shall be an allocation, likewise nonreimbursable, under said subsection by the President after advising with the Secretary of State and the Secretary of the Interior, to the protection of American interests from drought hazards resulting from the uncontrolled and unregulated flow of the international portion of the Rio Grande below Old Fort Quitman, Tex., of such part of the total estimated cost of the project as he may find to be properly so allocable, and except that all revenues received by the United States in connection with the construction, operation, and maintenance of the project shall be covered into miscellaneous receipts in the Treasury."

On page 92, line 12, after the word "available" and before the period, insert the following: "*Provided,* That the Secretary may, in his discretion, enter into agreements with other Federal agencies or with States, counties, irrigation, construction, or reclamation districts or other political subdivisions or water users' associations for the protection of any such works and for reimbursement from this appropriation for amounts expended by them in furnishing protection for any such works."

On page 114, line 23, after the figures "$80,500" and before the period, insert the following: "*Provided,* That employees of the Mammoth Cave Operating Committee who have had not less than 2 years' service with that Committee at the time of the approval of this act, may, in the discretion of the Secretary of the Interior, be employed by the National Park Service in the administration, protection, and development of said national park."

On page 122, after line 23, insert the following new paragraph: "Hereafter appropriations made for the National Park Service shall be available for any expenses incident to the preparation and recording of title evidence covering lands to be donated to the United States for administration by the National Park Service."

On page 122, after line 23, insert the following new paragraph: "Hereafter fees incident to admission to the national parks and monuments and other areas in the national-park system, charged and collected with the approval of the Secretary of the Interior, shall be exempt from all Federal tax on admissions."

On page 123, line 17, after the word "Columbia", insert "*Provided further,* That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $3,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction, reconstruction, and improvement of roads and trails shall be considered available for the purpose of discharging the obligation so created."

On page 124, line 20, after the word "Congress" and before the period, insert the following: "*Provided further,* That in addition to the amount herein appropriated the Secretary of the Interior may also approve projects, incur obligations, and enter into contracts for additional work not exceeding a total of $6,000,000 of which $2,000,000 shall be for the Natchez-Trace Parkway and shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof and appropriations hereafter made for the construction and maintenance of the Blue Ridge, Natchez-Trace, and George Washington Memorial Parkways shall be considered available for the purpose of discharging the obligation so created."

On page 137, line 25, after the figure "1941", insert the following: "*Provided,* That hereafter all such migratory bird hunting stamps not sold at the end of the fiscal year for which issued shall be turned over to the philatelic agency and therein placed on sale until disposed of or until the Congress otherwise provides: *Provided further,* That such stamps shall shall be usable as migratory bird hunting stamps only during the fiscal year for which issued."

On page 149, after line 17, insert a new section reading as follows:

"SEC. 8. Hereafter jurisdiction or authority over any lands in the State of Arizona shall not be acquired by or transferred to the Secretary of the Interior, except by act of Congress. This provision shall not prevent exchanges of lands heretofore authorized by law."

Mr. HAYDEN also submitted amendments intended to be proposed by him to the bill (H. R. 4590) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1942, and for other purposes, which were ordered to lie on the table and to be printed.

(For text of the amendments referred to, see the foregoing notice.)

VIRGINIA (MERRIMAC)-MONITOR COMMISSION

Mr. BYRD submitted the following concurrent resolution (S. Con. Res. 13), which was referred to the Committee on the Library:

Resolved by the Senate (the House of Representatives concurring), That sections 5 and 6 of House Concurrent Resolution 32, which passed the House of Representatives on the 31st day of July 1939 and the Senate on the 2d day of August 1939, establishing the Virginia (Merrimac)-Monitor Commission, is hereby amended to read as follows:

"SEC. 5. That the Commission shall, on or before the 15th day of April 1943, make a report to Congress for such enabling legislation, if any, as the Congress may desire.

"SEC. 6. That the Commission hereby created shall expire within 4 years after the adoption of this concurrent resolution."

WRANGELL ISLAND

Mr. REYNOLDS submitted the following resolution (S. Res. 123), which was referred to the Committee on Foreign Relations:

Resolved, That the Secretary of State is requested to make a report to the Senate at the earliest practicable date with respect to whether or not the United States has a valid claim to sovereignty over Wrangell Island.

AID TO STRICKEN PEOPLES OF EUROPE

Mr. THOMAS of Oklahoma. I desire to ask unanimous consent to submit a resolution. Prior to doing so, I desire to occupy a minute or two of time.

Mr. President, several days ago I said that a resolution would be submitted in the Senate urging the Secretary of State to work out with the British Government and the accredited representatives of stricken and hungry countries of Europe some formula whereby the lives of millions of defenseless and destitute people might be saved.

On the former occasion I said that approximately 40 Senators felt so deeply about it that they had signed their names to the resolution. The resolution I am about to submit actually has 37 signatures of Senators. Other distinguished Senators who are not in Washington at the moment have signified their intention of supporting it. Thus, it is seen that there is in this body substantial support for this humanitarian resolution. That support cuts across party lines.

If, by raising our voice, we can save the defenseless, hungry, unarmed millions—save them from starvation or from the pestilences that unfailingly follow mass malnutrition—we shall have done something Christian, compassionate, and merciful in a war-torn world. No other nation is able to help; hence, unless we raise our voice in their behalf, they surely will perish.

It was the intention to have this resolution submitted at a little later date, when some of the absent Senators who have indicated they would support it returned to the city.

But this matter is urgent and permits of no procrastination. While we go about our deliberations in this land of plenty, whose warehouses are bursting with food, many millions in Europe are actually starving. I am not giving voice to a theory. Conditions in some of the foreign lands are almost too terrible to relate. The current issue of Life magazine contains an article by John Cudahy, former Ambassador to stricken Belgium. The article was cabled to that publication from Berlin. Former Ambassador Cudahy, in this completely informative article, deals at length with the very problem for which this resolution seeks to provide a remedy.

Many of us are so moved by the tragic urgency of the appalling condition in friendly little Belgium that we are unwilling to sit by longer if by voice or act we can help in the institution of a program to save the lives of innocent noncombatants—babies, children, mothers, infirm, and aged.

Mr. President, in recent years I have been in foreign countries a number of times, and in the nation of Belgium I found a more friendly attitude toward the United States than in all the other nations I visited.

On behalf of the 37 Senators, I now ask permission to submit the resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS of Oklahoma. As I stated, the purpose is to try to find a formula for the saving of the lives of those in Belgium, where the situation is most acute, in Poland, in Norway, in Holland, and in the other countries now being ground under heel by invading aggressors.

Mr. President, feeling that the presentation of this matter would be incomplete without putting in the CONGRESSIONAL RECORD the article Belgium Is Hungry, by former Ambassador Cudahy, I ask unanimous consent that the article may be printed at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BELGIUM IS HUNGRY—LIFE'S SPECIAL CORRESPONDENT IN BERLIN, FORMER UNITED STATES AMBASSADOR TO BELGIUM, DESCRIBES THE PLIGHT OF 8,300,000 BELGIANS WHO LOOK TO AMERICA TO SAVE THEM FROM STARVATION

(By John Cudahy)

A LETTER FROM HERBERT HOOVER

I am grateful to you for allowing me to read Mr. Cudahy's article. I am in hopes that it will appear at an early moment. I believe it may possibly save the lives of more children than any one man has ever saved before by a magazine article.

Yours faithfully,

HERBERT HOOVER.

BERLIN (by cable).—Belgium is hungry. Of 8,400,000 Belgians, more than 8,300,000 are subsisting on starvation rations. In nearly every Belgian home there is cruel suffering. Some 2,000,000 young Belgians will be cursed for the rest of their lives by stunted and impoverished physique, weakened and degenerated brain, and discolored, embittered characters unless relief comes soon.

These are facts which even an American could read in the morning newspapers with concern as detached as that with which he learns of a flood in China. In Portugal and Spain and Germany I met people everywhere who told me harrowing stories of famine in Belgium, and because I have lived in the country and have a genuine affection for the people I felt sympathy, but I cannot say my heart was really affected until I met my friend, René Colin. He was 10 years old when I went away from Brussels last July, a robust juvenile specimen with apple cheeks and sturdy legs. We were great friends. When he saw me in Frère-Orban Square opposite the Embassy, he would leave his playmates and escort me along the gravel path to the end of the little park with an air of weighty responsibility like a traffic officer and, when he came to the Chancellery, it was very flattering the way he always understood my American French. We were such good friends that one of my first calls on my return to Brussels was in Rue de l'Industrie, where René's father kept a barber shop I always patronized.

I shall not soon recover from the shock of my reunion with René. It was not that his cheeks, now sunken in, had turned a pasty gray, nor that he had grown so thin that his neck resembled a pipestem, nor that he had heavy smudged shadows under his eyes. It was the complete metamorphosis of the pink, hearty, happy Belgian boy I had left only 10 months before into a tired little old man that stood before me, as spiritless as a wounded bird. He had given up school, his mother told me by way of explanation for her son's being at home in the middle of this weekday morning. Two weeks before he had fainted in the classroom, and so she had decided to wait for better days before resuming his studies. René's father changed the subject to America. Like many Europeans, he was always talking about America and asking questions about that dreamland where everybody was rich and happy and where, in great abundance, were found all the good things of this earth.

"But I suppose even in America you feel the war?" he asked.

"Yes," I lied, "in a world of disaster like this no one can escape."

I thought of our elevators piled with grain cereals, stocks of frozen meats in our refrigerators, tier upon tier of bacon, ham and lard, marketless surpluses of Wisconsin milk, cream, butter, and cheese. I thought of the great ranks of overeating American dyspeptics, the endless line of succulent hot-dog and hamburger stands stretching from New York to California, and the vast wilderness of waste from overloaded American tables, enough in itself to feed all famishing Belgium. And I was silent.

There is something revolting and depraved in the spectacle of suffering inflicted upon a child. It is like witnessing the slapping of a blind man's face and I felt hurt and grieved and at the same time bitterly resentful. So I went to see my friend, Dr. Nolf, at the office of the Red Cross to tell him the story of René Colin. I must have put some of the vehemence I felt into words, for when I finished the doctor was standing at the window, his spectacles off, his handkerchief wiping his eyes.

"You must excuse me," he apologized. "I am ashamed. I am an old doctor and accustomed to human misery but I have never seen anything like this now in Belgium."

Brussels is a city of walking wraiths, but Dr. Nolf said his main worry was not about grown people. What concerned him above all was the blighting influence upon the rising generation who could never grow without the materials for growth and who, because they could not get these materials, were rapidly developing deficiency diseases like rickets, edema, partial blindness, bronchial pneumonia, tuberculosis, pellagra, eczema, and anemia. Only a physician who had specialized in pediatrics could realize the effect of non-nutrition and most children, he said, were now eating only one-third of what medical opinion had always considered minimum for the maintenance of health and normal growth. He showed me a study by his colleague, Dr. van Vyve, which indicated that of the large number of children examined, between the ages of 3 and 6, 78 percent were below normal in stature and weight, and 84 percent of those between 6 and 14 were below standard.

We went to the Quartier Marolles, that picturesque old quarter with the narrow streets sloping down from the Palace of Justice hill, their cobblestones worn smooth by the grinding poverty of generations, all so graphically described by former Ambassador Brand Whitlock. The principal of a large primary school we visited said forced fasting had reduced attendance by one-third. For the past 2 months he had given little thought to curriculum, since all his energy was devoted to devising methods of providing his pupils with something to eat. A daily ration came from Secours d'Hiver (winter help) in large tin containers which looked like ashcans, and we went to the refectory to inspect this ration, a pale green mess said to be a mixture of potatoes and rutabaga. It would be the main meal of the pupils for the day and, in many cases, their only meal. Most of the pupils come to their lessons without breakfast, the principal said, and there were few who got three meals a day. Lucky ones, where there were not too many in the family, had a slice or two of bread in the morning or evening. The principal said he was engaged in a back-to-the-wall defense against famine and some of his fighting measures were to curtail school hours.

In the classrooms heavy apathy was apparent in the listless bearing of the pale, pinched-faced boys with their dark-circled eyes. The teachers said they made no attempt to maintain the scholastic standards of that far-off day when young Belgians came to work with nourished brains sustained by healthy nervous systems. All they attempted was to maintain routine for the sake of order and discipline. After 15 minutes of mental concentration, yawns would pass through the class like a breath of contagion, and the students would doze off into semiconsciousness. Sometimes one would faint from sheer weakness, so quietly that it was hardly noticeable. Organized sport has been abandoned, but that is no hardship, for few have the interest or desire to play. Many parents put their children to bed in an effort to curb their appetite and conserve energy.

The same distressing story came from other schools. A directress of a large institution for girls said the most serious consequences of nonnutrition were noticeable between 12 and 18 years, the period of greatest bodily growth. She gave me a tabulation by a Belgian authority on child feeding of 10,000 Belgian children between the ages of 3 and 18 years which showed that the index of their vitality has fallen to a dangerous depth. This was especially true in the cases of those between 13 and 18 years. She spoke with the professional authority of an expert dietitian when she explained how essential was a regimen of proteins such as eggs, milk, and cream, with their minerals of calcium, iron, phosphorus, and natural salts. Above all, she explained, fats are required for the assimilation of vitamins; an ordinary daily diet contained three ounces of animal fat, and if less than two ounces were eaten it meant a failure in health.

At the orphanage of St. Vincent de Paul in Marolles, where a sister of charity met me in a little reception room adjoining the oratory, two of the children had succumbed that morning because they were delicate and the debilitating effect of reduced feeding had been too much for them. Others would follow, the sister said factually, her face alight with that strange compassion one often sees on the faces of those who live their lives for others.

I found the same invincible courage everywhere I went, especially among the people whose evenings, when I lived among them, were filled with dinners of many courses drenched with fine old Burgundy. (No people on earth ever ate more, or with more gusto, genuine enjoyment, and good appetite than the Bruxellois.) One of the oldest and best-known houses in the Leopold Quarter was that of Prince Eugene de Ligne, where often 60 people would sit at table. The great house had been turned into a soup kitchen and now plain pine tables and chairs stood in the tapestried dining room. Under the tall palm trees in a great conservatory there was another long service table where rations were ladled out every day to starving hundreds. The rest of the house was given over to administration. Princess de Ligne told me that, to make room, her family had moved to the stables in the rear. The salon where she sat, its paneled walls framed in gold rococo and hung with oil paintings, was a strange setting for the office of a soup kitchen. She looked very proud as she told me how all the women who were her friends, and who had never known what work was, were hauling supplies, scouring the countryside for anything edible, and giving their money, effort, and selves to help Belgium in her extremity.

"NOTHING BUT POTATO PEELS"

"I should be grateful," Princess De Ligne told me, "if we could only be sure of our bread and our potatoes. Bread is poor enough—four slices a day and made of rye with potato flour, but it has not failed us as yet. But it is getting harder and harder to find potatoes and today they cost nearly 4 cents apiece." She described that daily train of human misery passing the door which once had seen the comings and goings of so many gay parties and the spectacle of children fainting or vomiting from famine. Of the latter, the princess remarked: "It is too sad, often the whole contents of their stomachs are nothing but potato peels." Her whole fight, she declared, was concentrated now upon saving the young. "This sounds terribly hard," she said. "But now things have grown so desperate that I believe we must let old people fall by the wayside. After all, they have lived their lives, their day is over and the rising generation is the one which must carry on or Belgium will be lost forever."

All Brussels soup kitchens were organized under the direction of Secours d'Hiver, of which the moving spirit was Paul Heymans, the well-known economist and former Minister of Economic Affairs, Agriculture, and Middle Classes. This organization was supported by funds collected half from private contributors and half from the state. It was difficult enough to collect money, M. Heymans told me, generous as the people were, but his troubles in finding supplies were far more serious because the country had been cleaned out of nearly everything humanly consumable. And while the law permitted each individual to buy a loaf of bread every 4 days at a cost of what could be reckoned as 30 cents, no one could find bread at twice that price. Pressing demand and meager supplies had raised the cost of all foodstuffs to fantastic figures, regardless of any law.

M. Heymans said the average Belgian lives now on a daily ration of four slices of bread, one potato, two lumps of sugar or its equivalent and, from time to time, a 1-ounce nugget of meat. This was the entire shrinking ration upon which the nation must somehow keep body and soul together, except for a pint of skimmed milk a day for each of the children, one-half pint for invalids and the old. It was not a happy prospect and in another war winter, famine casualties would be tenfold those of the battlefield.

A PATHETIC HUNGER PROCESSION

We drove to Parvis de Saint Gilles, central emergency feeding station for the starving city, and stood with the manageress watching the pathetic hunger procession troop by to the long table where gentlewomen stood ladling out the scanty fare. A little white-haired old lady dropped out of line, bearing in her hand a small sprig of muguet (lily of the valley). She was a very little and a very old lady and she looked very weary with the accumulated troubles of all her years, but she might have been a queen in the simple grace with which she presented her offering to the manageress. It was May 1 and the muguet is worn on this day in Belgium as a symbol of good luck. When the little old lady resumed her place many were smiling and for a moment the spirit of fellowship transcended the mean poverty of the scene.

I went to see Elizabeth, the Queen Mother, at Laeken, the royal palace outside of the city where her son, the King, is a German prisoner of war. Often the Queen drops in at the soup kitchens, but always unofficially as befits her status in an enemy-occupied country. Every Belgian will tell you about her devotion to the people, her unrecorded benevolence, and her heroism at Ostend, where she administered to the wounded while bombs smashed close by and struck terror in the hearts of those of the royal household whose duty compelled them to stand by.

She was more a disembodied spirit than a substantial being—this frail lady, whose strength was the strength of gentlewomen throughout the ages. About her was the same strange serenity of the sister of charity in Marolles—like one who, in suffering all, suffers nothing. She spoke to me in a detached, uncomplaining way about this grieving, distressed land she knew so well in every part. You could detect her professional training when she mentioned edema, rickets, and other maladies of nonnutrition. Children were her main concern, she said, and she could not hide her dread for their future lives. She related a story of a mother she knew who had died of starvation because she would not take bread which might feed her children. This she told unemotionally, not as an appeal to sympathy but as an illustration of what was occurring in many Belgian homes. There were compensations, she told me in her soft-spoken way as I rose to go; sometimes the grace of people shone through the encompassing darkness like a great light.

FAMINE IS CLOSING IN

Back in Brussels I talked to M. Emile de Winter, secretary general on the ministry of agriculture, who gave me an inventory of Belgian food supplies. He said that bread, of rye and potato flour, now came entirely from German sources. There was oil in Antwerp for the manufacture of margarine to provide a quarter-ounce ration a day until the end of the summer. Potatoes were running very low and there was milk to supply 1 pint a day for children and one-half pint for the aged and for invalids. There would be little milk next winter since Belgium imported the great bulk of its stock feed from the Western Hemisphere and most of the cows would have to be slaughtered when the pasturing season was over. Sixty percent of the swine had already been killed and

three-quarters of the chickens so there were very few eggs. Meat could still be rationed an ounce a day, but this was so unevenly distributed that some markets, like Namur, Charleroi, and Dinant, got only half the amount to which they were entitled. Beef and veal would soon become as luxurious tidbits as pork now was. The situation would be relieved a little by vegetables during the summer, but, he concluded, it was impossible not to be a pessimist about the future.

I asked him if the Germans had requisitioned much food in Belgium, and if so, whether they were still shipping much to Germany and living off the country. In answer to the first question he said it was impossible to reply with accuracy because none of the burgomasters or commune officials had made an inventory of provisions in the country before the invasion, but he was of the opinion that the Germans had taken a great deal, not so much by requisition as by purchase by soldiers. That checked with my view, for I had a vivid recollection of Brussels' shops filled with Germans in uniform, their pockets bulging with bundles of kreditmarks. Under this process of acquisition, shelves had been laid pretty bare when I left Belgium 2 months after the Germans came. And these scouring methods had only been brought to an end in December when the commanding general issued an order that no German soldier could thereafter buy any Belgian goods.

M. de Winter admitted that the German Army was being fed entirely from Germany now, and that Belgium in large part was now living on German rations. He gave the following account of what had been shipped from Germany since the occupation: 140,000 tons of rye, 30,000 tons of rye flour (enough together to make bread on the basis of the reduced ration for nearly 3 months), 50,000 tons of eating potatoes and 12,000 tons of seed potatoes. He said further that the German Government had promised to ship 130,000 tons of potatoes for food and 43,000 tons of seed potatoes.

After I finished my questions, M. de Winter had a few questions of his own about the possibility of Belgium getting food from the United States. I answered with what was meant to be a fair statement of American feelings on the subject. I pointed out that, on the one hand, the United States was openly an enemy of Germany and that it was believed by many that our cause was identical with that of Britain. Therefore we could do nothing to weaken the blockade. All German-occupied territory was for blockade purposes considered a part of Germany and it was argued that to feed Belgium would be assisting German war economy. It was distressing to think of the hunger-suffering Belgian children, but who was responsible for their starving? To feed them would be in effect to countenance criminal aggression. Moreover, there was no assurance that the Germans would not appropriate any and all provisions shipped.

On the other hand, I said that it was true that the same arguments had been advanced during the last war, when Herbert Hoover distributed nearly a billion dollars worth of supplies under the hungry eyes of German soldiers who hitched their belts tighter month after month. Now, again Mr. Hoover proposes to set up an American soup kitchen for the feeding of 1,000,000 indigent adults and 2,000,000 children in Belgium. This will call for a monthly sum of 45,000 tons of flour, milk, fats, and soup materials to provide 1,500 calories for each person a day. Guaranties have been given in writing by the German Government that none of this food will directly or indirectly be taken by Germans nor will the German Army requisition provisions of like character. To give double assurance, Mr. Hoover states that he will confine shipments to 10 days' supply so that at no time would it ever be possible to seize more than enough to feed the German population for 1 day.

THE GERMANS HAVE NOT INTERFERED

Meanwhile, two Americans of much skill and experience in famine-relief expeditions, Mr. William C. McDonald and Columba P. Murray, Jr., have been waiting in Berlin for word to organize their mission in Belgium. These same two men for a year and a half have supervised dealing out the food supplies from the Hoover-sponsored Commission for Polish Relief to hungry Poland, where two depots have been set up in Krakow and Warsaw for distribution to Poles, Jews, and Ukrainians. They tell me there has been no interference with their operations by German military forces nor has there been any attempt by Germans to seize any supplies. Herbert Hoover points to this example in Poland as proof of what may be expected from the German Army in fulfillment of its undertaking in Belgium. He insists that if we had a moral obligation to feed starving Belgians a generation ago, we have the same obligation now.

So matters stand, and the controversy between high-spirited, well-nourished Americans is energetically batted back and forth while René Colin and 2,000,000 other Belgian boys and girls continue to be tortured by hunger. I went to ask Cardinal van Roey, Archbishop of Malines, about the workability of the Hoover plan at the archbishopric near the ancient cathedral where the sainted Cardinal Mercier lies at rest after his indefatigable labors during the last war.

The primate, in maroon cassock and cardinal beret contrasting with his white hair, spoke with deep emotion. He was an austere commanding figure when he said defiantly that the Belgian people would rather starve a thousand times if relief meant any jeopardy of independence. I did not have to acquaint his eminence with details of the latest Hoover plan. He knew the proposal and authorized me to state to the American people that it had his unqualified approval. He said the plan should be given a trial and he was certain it would meet with success, for the methods suggested had stood the test of experience. In the last war the Germans had respected their commitments and there was no reason to suppose that they would be less faithful to their pledged word now. The cardinal added that there was no present prospect of relief unless America came forward as it had done before.

This was evident from an economic survey. Even before the war, in this little industrial country, each inhabitant ate a daily bread portion of 1 pound. Two-thirds of all its cereals came from foreign sources and three-quarters of these importations were from Canada, the United States, and Argentina. Butter and dairy products were brought from Holland. Now even the thrifty Dutch are feeling the pinch of scarcity and are made to pay through the nose. So there was no hope of help from that quarter. There remained Russia and the granary of the great Ukraine but the story of the Belgian negotiations with Russia is a discouraging one. Two months ago a commission filled with high hope went to Moscow confident that they could purchase Russian wheat, for they had a great treasure of gold stored in American bank vaults which the former finance minister told me had a value of $175,000,000. In Moscow a shock awaited them, for the Russians placed no value upon this American gold. What they wanted for their wheat was technical machinery which Belgian factories alone could produce, and also some of the more useful commercial metals of the country. In the end, after weeks of negotiations, the commission came back with nothing more than the promise of 10 days' wheat ration in exchange for the only available zinc in Belgium. It will be a year before the complicated machinery which the Russians demand in immediate exchange for more wheat can be shipped from Belgium.

THAT CURIOUS "KREDITMARK"

While Belgian gold lies idle, German paper money purchase de luxe delicacies such as butter and eggs. That curious currency kreditmark which proclaims its inherently spurious character by the threat of punishment for counterfeiting which is written on its face, and which has back of it nothing but the fiat of an occupying army, now has an exchange value twelve and a half times that of the Belgian franc.

If you have enough of these pieces of paper you can wax fat in the midst of want because there has grown up a criminal traffic in edibles that has all the features of our prohibition era. In famishing Belgium, as in Spain and Poland, the rich can eat without too much trouble. Each one has his favorite food bootlegger. In the famous Filet de Bœuf anyone who has enough paper money can still find excellent beef with sauce béarnaise, lobster au champagne, and other "creations" of the celebrated Pierre André, along with the best of Burgundy and champagne. But the reason the rich can eat is because the poor cannot; and the reason the poor cannot is because ordinary labor gets 40 francs ($1.20) a day and the skilled artisan is paid only twice that amount.

When the military government was installed in Brussels, prices were fixed by decree to guard against inflation, and severe penalties were announced for any evasion of the law. Also a ration was prescribed and, according to this schedule, prices are not unreasonable. A loaf of bread costs the equivalent of 15 cents, butter costs 50 cents, meat 60 cents, and potatoes 15 cents a pound. Actually these commodities cannot be found in any open market and the prices the law allows are a grotesque travesty of tragic reality. As an indication of prices based on the law of supply and demand, a loaf of bread costs 40 francs which is the equivalent of $1.50; meat, $1.75 a pound; and butter $1.50 a pound. Only one thing is not dealt with in these undercover black markets. Milk is distributed openly and at the very resonable price fixed by law: one and a half francs (4 cents) a pint.

BELGIUM EATS BOOTLEG FOOD

Belgian law provides penalties for violation of rations for both buyer and seller, and severe jail sentences are often inflicted But the traffic goes on unrestrained, just as it did in our prohibition days. For much as men crave whisky and beer, the will to eat is more imperious and will not be denied, law or no law. The hostess who provided a very comfortable dinner the night before I left Brussels told me she faced a long term behind bars if she got caught. But, of course, everyone is doing it, and there is no moral stigma attached to eating, if you can. Trafficking goes on at night, and the whole business is strikingly reminiscent of our bootleg days, with the same contempt for law and with respectable people getting disrespectable in the same respectable way. Meanwhile, the famished do not revolt, for the will to protest fails with dying strength.

There are ugly stories going the rounds in Belgium, such as the one of a man on, believe it or not, Philanthropy Street, who ate too well and whose neighbors accordingly beat him up so badly that he was carried off to the hospital. And that of a group of Belgians who were caught digging Dutch potatoes over the border in Limburg. When the police came to arrest them they offered determined resistance and said they would rather be shot than gnawed to death by empty entrails. The police let them go—with some of the potatoes. Priests are countenancing, so gossip runs, preemptory action on the ground that the right to live transcends the right to

property. Bands of desperate, hungering men hold up farmers' wagons at night and make off with everything edible they can get their hands on. Near Liege, organized sorties systematically sack the countryside, and there are thousands of itinerant mendicants who rove the highways off from Brussels, Bruges, and Ghent begging for bread at day and sleeping wherever night descends upon them.

It is a nasty world, this Europe after this second winter of war. My sleep is haunted by black dreams of another winter of want in Belgium. Yet no one despairs, and the courage and nobility of the people are an inspiration, as I told a banker friend who came to see me off at the train.

"Yes; we will go on," he said. "The Belgians are brave and no one will raise his hands in surrender. But no one dares to think of the future"—and his own hands went up to the heavens—"for that way madness lies."

The banker asked me timidly about the Hoover plan, but I told him what I had told the Secretary General of Agriculture, that the American people were against the Hoover plan because they thought it would give aid to the enemy. He was mystified at this and, being a banker, used earmarked gold to illustrate how all shipments to Belgium could be identified and thus safeguarded to the intended destination. He asked why, if that could be done with gold, the same thing could not be done with provisions. At that moment the train came, so I did not have to answer. I was very glad the train came.

Mr. THOMAS of Oklahoma. I ask that the resolution as submitted be referred to the Committee on Foreign Relations.

There being no objection, the resolution (S. Res. 124) submitted by Mr. THOMAS of Oklahoma (for himself, Mr. AIKEN, Mr. ANDREWS, Mr. BALL, Mr. BANKHEAD, Mr. BARBOUR, Mr. BILBO, Mr. BREWSTER, Mr. BROOKS, Mr. BROWN, Mr. BULOW, Mr. BURTON, Mr. BUTLER, Mr. CAPPER, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DANAHER, Mr. DAVIS, Mr. GILLETTE, Mr. HOLMAN, Mr. JOHNSON of Colorado, Mr. LA FOLLETTE, Mr. MCCARRAN, Mr. MALONEY, Mr. NYE, Mr. REED, Mr. REYNOLDS, Mr. SHIPSTEAD, Mr. SMITH, Mr. TAFT, Mr. THOMAS of Idaho, Mr. TOBEY, Mr. VANDENBERG, Mr. WALSH, Mr. WHEELER, Mr. WILEY, and Mr. WILLIS) was referred to the Committee on Foreign Relations, as follows:

Whereas the small democratic countries of Belgium, Norway, Poland, and the Netherlands, have been invaded and occupied; and

Whereas these small countries, which are allied with Great Britain in the cause of democracy, resisted to the limit of their strength the onrush of invading forces; and

Whereas the usual economic processes of these small countries have been completely dislocated as a result of being occupied by invading forces for a year; and

Whereas Yugoslavia and Greece have been invaded recently and their lands occupied by invading armies and France, Finland, Spain, and Denmark are admittedly facing increasingly serious food shortages; and

Whereas the food supplies of all these nations will be dangerously exhausted before the next harvest, particularly in the countries first invaded, due to domestic usage during the war, to requisition of native food supplies by the Germans, and inability to secure their usual imports; and

Whereas no relief can be brought to them unless there be international action through which their native supplies can be protected and imports be made through the blockade; and

Whereas starvation has already begun in Belgium; and

Whereas the American Committee on Food for the Small Democracies recently made a proposal of a trial feeding in Belgium by which 3,000,000 children, women, and unemployed men should be fed on the spot by soup kitchens, requiring monthly 25,000 tons of breadstuffs and 20,000 tons of meat, fats, beans, peas, and rice for soup materials and milk and cocoa for children; and

Whereas the Germans agreed to furnish the soup kitchens 25,000 tons of breadstuffs monthly, to refrain from requisitioning imported and native food supplies, and not to attack mercy ships; and

Whereas 20,000 tons per month of soup materials and special food for children is not available on the continent of Europe and must be imported through the food blockade; and

Whereas there are enormous food surpluses available in the United States and elsewhere in the Western Hemisphere; and

Whereas most of the small invaded countries have money with which to purchase the food needed to keep their people alive until the next harvest and have signified their desire to use funds for that purpose; and

Whereas the trial feeding proposed for Belgium was to be administered and the guaranties safeguarded by a neutral commission; and

Whereas it was proposed there should be no large supply of imported foodstuffs on hand at any one time so that if the Germans violated their agreement, the German Nation could not benefit from a military standpoint, and the experiment could be abandoned on an hour's notice if it were violated; and

Whereas the exiled Belgian Government strongly urged the British Government to agree to this trial feeding and was willing to finance it; and

Whereas the British Government has not as yet agreed to the proposed Belgian trial feeding; and

Whereas the nature of this proposal offers hope that international agreement may be obtained for the relief of these stricken nations; and

Whereas the specter of mass starvation among friendly and noncombatant women and children is a tragedy that the compassionate heart of America wants to avert; and

Whereas Belgium, Norway, Poland, and the Netherlands and most of the other nations facing starvation have lived in friendship with the United States during our entire national existence, and have sent us millions of our most useful and helpful American citizens, and now have no means whatever of securing the necessary agreements by which this disaster can be averted: Now, therefore, be it

Resolved, That the Senate of the United States does express the conviction that immediate steps should be taken to formulate some plan to prevent this impending tragedy of mass starvation in the various countries heretofore named, by the institution of a system of complete guardianship of relief guaranties through some neutral agency or government; and be it further

Resolved, That the Senate of the United States respectfully urge that the Government of the United States, through the Secretary of State, endeavors as quickly as possible to work out, in cooperation with the British Government and the accredited representatives of the other governments concerned, the setting up of systematic and definite relief for all stricken and hungry countries, beginning with Belgium where the need is now the most acute; this relief to be based on agreements by the belligerents for the protection of the native and imported food supplies, with rigid safeguarding of such relief so that no military advantage whatever may accrue to the civil populations or armed forces of the invading nations.

WAR AND PEACE—ADDRESS BY SENATOR JOHNSON OF CALIFORNIA

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an address delivered May 31, 1941, by Senator JOHNSON of California dealing with the question of war and peace, which appears in the Appendix.]

ADDRESS BY SENATOR THOMAS OF UTAH AT UTAH STATE AGRICULTURAL COLLEGE

[Mr. TRUMAN asked and obtained leave to have printed in the Appendix of the RECORD an address delivered by Senator THOMAS of Utah at the commencement exercises of the Utah State Agricultural College, at Logan, Utah, on May 31, 1941, which appears in the Appendix.]

STATEMENT BY SENATOR MCKELLAR ON STOPPING HITLERISM

[Mr. STEWART asked and obtained leave to have printed in the RECORD an interview by Senator MCKELLAR, published in the Memphis Commercial Appeal, endorsing President Roosevelt, which appears in the Appendix.]

BROADCAST BY POPE PIUS XII

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an address by Pope Pius XII dealing with social questions.]

ON OUR WAY, WHERE?—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alf M. Landon at Simpson College, Indianola, Iowa, on June 2, 1941, which appears in the Appendix.]

LETTER FROM CHARLES R. FENWICK ON FEDERAL ACQUISITION OF LAND

[Mr. BYRD asked and obtained leave to have printed in the RECORD a letter under date of March 24, 1941, from Hon. Charles R. Fenwick, of Virginia, on the question of the acquisition of land by the Federal Government for military purposes, which appears in the Appendix.]

NATIONAL-DEFENSE PRODUCTION—ARTICLE BY RICHARD L. STOKES

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Richard L. Stokes, published in the St. Louis Post-Dispatch, on the subject Lagging Production Hampers Army-Navy Efforts for Defense, which appears in the Appendix.]

SALE OF STEEL TO JAPAN

Mr. GILLETTE. Mr. President, last week the Office of Production Management issued a news release calling attention to the efforts being made to secure a reduction of 20 percent in the domestic use of steel, in the interest of national defense. In that connection, and in connection with a resolution which is pending before the Committee to Audit and Control the Contingent Expenses of the Senate, I wish to read a brief letter so that it may appear in the RECORD. I received this letter this morning from New York. It is as follows:

MAY 31, 1941.

Hon. GUY M. GILLETTE,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Let me respectfully bring to your attention the fact that the United States Steel Export Co., of 30 Church Street, New York City, has for some time past been conducting an office in Manila, P. I., for the purpose of selling steel to the Japanese Government. I know whereof I speak.

The president of the United States Steel Export Co. is a Mr. Wolf; the manager in charge of the Manila office is Edward E. Kephart.

That is to say, while there is a dearth of steel for American defense purposes, an American corporation is supplying steel to Japan.

You may call upon me to prove the foregoing statements. I am not supplying you with information and then running away from it. I am ready to back up my statements, under oath, and in public.

Very truly,

HYACINTHE RINGROSE.

In the same connection, referring to dealing in essential war materials with the Axis Powers, I ask unanimous consent that there be printed in the RECORD two articles from the newspaper PM, entitled "American Oil to Japan" and "U. S. A. Continues to Fuel Japan's War Machine."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

AMERICAN OIL TO JAPAN

We have never felt any other way, here on PM, than against selling oil to our enemies, the Fascists.

A week or two ago, in line of business, we sent telegrams to the 16 largest oil companies in this country, and asked each its policy. We thought their answers might be news. They were. Thirteen of them replied. Eight of these thirteen reported: Yes, indeed, they were selling oil to Japan. But did we know how legal it all was? Our own State Department licensed it. A few of them went even further and suggested that they were selling oil to Japan not simply with State Department permission but only upon State Department urging.

This sent us back over an old trail we've hunted before: The tortuous trail of United States foreign policy as blazed by the State Department—whose heads cannot seem to agree toward what point in the compass they are heading.

No newspaper ever really gets to the bottom of anything. That's the scholar's job 20 years later. But, to the best of our ability, we sought all pertinent facts on United States foreign policy on oil to Fascist Japan. And we found them. They are spread out on these pages.

The facts:

That it is our national policy to sell oil to the Fascists.

That this national policy is explained as the purchase of peace in the Orient so that we may better help wage war on Fascism in Europe.

That there's no way that this policy can escape being called appeasement. For "appeasement" is by definition the purchase of peace by concessions to the enemy, and that's our policy all over.

Mr. Chamberlain bought a little peace at Munich. The United States of America is buying a little peace in the Orient.

It has now been proved that Mr. Chamberlain drove a very bad bargain. Only history can tell what price we will pay for the peace we are now buying in Asia.

All these statements are unequivocal.

The only area in which there remains room for argument is the area of motive.

Just why are we buying peace in Asia—when buying peace has proved so fantastically expensive for our side? What are the motives of those who advised the President to make this bargain with Japan? The bargain is that we fuel the Japanese planes that bomb the Chinese—to whom we have promised the resources of this country with which to fight the Japanese planes that are fueled by our oil—in exchange for the Japanese not attacking the Dutch East Indies and cutting off our supply of rubber.

This bargain is no different in kind from the bargain Al Capone used to drive in Chicago—cash payments in exchange for Al Capone's not throwing "pineapples" through store-front windows.

It's a strange thing that in this complicated world there is room for argument. Granting certain assumptions, the facts do not show that a present and temporary policy of selling oil to Japan is not wholly inconsistent with a policy of opposition to fascism. This is curious, but quite true—if you can swallow a few things.

The assumptions that have to be accepted are:

That we cannot defend the Dutch East Indies from the Japanese. (It's not an assumption, but a fact, that if the Japanese take the Dutch East Indies they can cut us off from our present supply of rubber.)

That time is working on our side. That is, that each month that passes finds Japan weaker, America stronger.

Both of these, to repeat, are assumptions. Neither of them can be proved. On both points there is strong and expert evidence that the assumption is false.

The American Navy believes the Pacific Fleet can defeat the Japanese Navy now. The British have been fortifying and reinforcing Singapore for a year.

If Japan can achieve a peace with China and free its fighting divisions to move south there is a good case for believing that a year from now Japan—vis-a-vis the United States of America—will be relatively stronger, not weaker, particularly if in the meantime Hitler forces our hand on the other side of the world.

But I record these assumptions to show that, if you accept them, your position as an anti-Fascist is not wholly irreconcilable with the purchase of a year's time at the end of which you think we will be better off than we are now. (Not forgetting, of course, that Neville Chamberlain at Munich may have thought Britain would be better off at the end of a year.)

Of course, the immorality of the position, even granting that it has promising practical possibilities, is fantastic. It is the kind of deep spiritual immorality which makes it so easy for Fascists to make the charge of hypocrites stock. It is also the kind of irresponsible immorality that makes it so very, very hard for us Americans to keep from being ashamed of ourselves—sending bandages to bind up the wounds made by our scrap iron, dropped from planes, hoisted into the air by power bubbling from our wells. I would not know how to tell a Chinese mother, whose baby had just been blown dead in her lap, that I was really her friend. What would those suave gentlemen in the State Department say to her—the ones who make fine anti-Fascist speeches from time to time?

Even putting practical politics and the feelings of decent men to one side, I still don't really get it. How can those who argue so solemnly for the purchase of peace with the bodies of Chinese peasants—and what an inexpensive commodity for an American to pay in—still reconcile their policy with the totality of this crisis? There is not one who is not a fool who doesn't believe this is the real thing. They may not have been there, but they are close enough to the news of Europe and Asia to know that this is not just another war—that this is the show-down. Yet these are not show-down tactics. This was the way it used to be played when war was a game by which you hoped to get rich.

How do they reconcile their policy with the President's own fine ringing words, "America has said that China shall have our help"? How do they reconcile their advice to the President with his own definitions of the crisis, the challenge, the totality of conflict?

This crisis is the end of our world or the beginning of it. There's no more choice left on that score. Only the day before yesterday Secretary Hull laid a cornerstone toward the beginning of a new world structure based on freedom of trade in a responsible peace. This is a sorry way to begin building that structure, purchasing peace by giving oil to those who would burn it down.

This is a democracy, and I know of no sizable group of its citizens who approve of fueling the war machine of democracy's enemies—fueling it that it may kill Chinese today, Americans tomorrow. Yet, this policy is being pursued in our name. Your name and my name are signed to it.

It's a fair question: What are we going to do about it?

RALPH INGERSOLL.

UNITED STATES OF AMERICA CONTINUES TO FUEL JAPAN'S WAR MACHINE—OUR EXPORT POLICY IS INFLUENCED BY PEACE IN PACIFIC AND RUBBER SUPPLY

(By Lowell L. Leake)

Democratic America continues to fuel the Japanese war machine in an effort to appease Fascist Japan despite the record of appeasement failures.

There are two fundamental reasons given for this appeasement in the Pacific:

To avoid action in the Pacific that would interfere with American help for Britain in the war for the Atlantic.

To conserve the sources of certain materials needed by America, chiefly rubber, which Japan might cut off in event of open conflict.

We supply oil directly to the Japanese Navy. Three tankers serving that Navy left San Francisco in April loaded with petroleum products. Three others have left since January 1.

Twenty-seven more loaded oil tankers bound for Japan, but not chartered by the Navy directly, left San Francisco, and 24 left Los Angeles (San Pedro) in the first 4 months of this year. At least 100 freighters carrying miscellaneous materials, including some oil products in drums, have left the 2 California ports in that same time. And the end is not yet.

The final responsibility for this appeasement-with-oil policy rests with a heavily burdened President—not with the Department of State or the Office of Export Control, as many believe.

The British are cooperating in this policy by selling oil to Japan from the Dutch East Indies. Of the oil Japan gets from this source, British-controlled companies supply about 75 percent. United States firms supply the other 25 percent.

IT'S APPEASEMENT

These facts stand out in a study of the workings of the American Neutrality Act, our munitions-control system, and the more recent export-control regulations. They reveal a gradual reduction in exports instead of a sudden, complete end of them—a modified form of appeasement.

Export of oil and other materials of war is controlled by the Office of Export Control and the Division of Controls in the State Department. The Treasury and Commerce Department, in which is the Maritime Commission, have taken unusual steps which have the effect of supplementing the control.

As a result, shipments of some war materials have dwindled to the vanishing point. Some are sharply decreased. They will be cut further as old export licenses, good for 1 year, expire. Reduced figures should be quite evident in another month.

Still we are sending oil and some other materials to Japan—and to Russia and other transshipment points—and at the same time America lends money, sends planes, guns, and munitions to the free people of China against whom the Japanese are sendng their bombers.

More important, oil is going to Japan to help her build a reserve. That reserve will be used in actual warfare against China if Japan's oil supply is cut down; or it will be used in actual warfare or a threat of war against Great Britain or America.

Such a war, if started, could not last long without oil. And there isn't enough oil in the Netherlands East Indies to fuel such a war even if the Japanese seized the Dutch oil. That is aside from the prospect that the oil wells would be sabotaged before actual seizure. Repair would require about a year.

AND RUBBER

Rubber, as well as oil, would be one of the stakes in such a war. War in the East would tie up the major part of our crude rubber sources in the East Indies and Malay States. We have about 6 months' supply. Some can be had in Brazil, a little in Liberia. We can use a greater proportion of scrap. We can produce synthetics, after 6 months or so.

Even today we are using about 10,000 tons more rubber a month than we import, thus cutting into reserves. This is partly the result of shipping shortages. Critical as the rubber story is for us, it still is not so critical as is the shortage of oil to Japan.

These facts on the physical phases of the question from trade, shipping, diplomatic, and political sources help point up the importance of defense material shipments to Japan, and the problem facing the administration:

Japan produces about 5,500,000 barrels of petroleum annually. She uses about 35,000,000 barrels while fighting China. Forty million is imported from all sources, about 35,000,000 of it from the United States of America. Japan had built up a reserve of about 15,000,000 barrels by October of 1940.

The British need oil and ships, oil if the Iraq field production is lost even temporarily. We need ships. Diversion of ships and oil going from the Dutch East Indies to Japan so the ships and oil would go instead to the Red Sea would give the British needed oil, and give the British and the United States of America needed ships. But so far, American and British firms have not been asked (at least not publicly) to make this diversion.

Japan has been this country's biggest customer for copper. Her war machine must have the metal. Her purchases from the United States of America declined only 24,000,000 pounds in 1940 from the 249,000,000 pounds bought in 1939. That despite embargoes, licenses, and shipping shortages. Current months show sharply reduced shipments, not only in copper but in other vital minor metals such as zinc, lead, tin, nickel, mica, and manganese.

Japan is increasing the cost of national defense of this country by bidding against the United States of America in Latin America and elsewhere for the products she and we need most.

These are the political phases of the problem that are under consideration:

Japan's war against the Chinese has bogged down. There are suggestions from high political and military sources that fighting cease. There are two interpretations. One, that Japan is war-weary and facing economic ruin. Two, that Japan is clearing the decks for action southward, or any action that will keep the United States of America busy—in line with the wishes of Adolf Hitler and Josef Stalin.

The administration, failing to embargo oil for the wars of Japan, is doing what it condemned when Republicans voted 10 to 1 against fortifying Guam and expanding the Navy "for fear it would offend Japan." This was 2 years ago. The tactics were soundly condemned in the President's closing campaign speeches of last fall.

In his vital decisions of policy on these exports to Japan and elsewhere, the President acts on the advice of the Export Control Administrator, the Army and Navy Departments, the Office of Production Management, the Treasury, the Commerce Department, and the State Department, whose chief is the cautious Cordell Hull, a bitter foe of fascism.

THE OTHER SIDE

So-called "isolationists" and "interventionists" both oppose oil shipments to Japan by American and British-controlled firms. The isolationists have asked for congressional investigations. Their purpose is not only to stop the shipments, but to picture this world war as "the same as the first World War" in which "business as usual" determined many actions. If they are successful in their second purpose, they will increase isolationist sentiment, or stop the increase in interventionist sentiment.

Many who approve an all-out effort to help the British win the war in the Atlantic tolerate the Japanese appeasement policy in the Pacific. For example, Raymond Clapper, an ardent advocate of an all-out effort in the Atlantic, questions criticism of that policy. And, for a time, the Christian Science Monitor vigorously called for a complete embargo on oil shipments to Japan. On the strength of additional facts, explanations, and argument, its criticism of the Japanese oil policy softened. On the other hand, the Committee to Defend America by Aiding the Allies wants a complete embargo. These are examples of the differences of opinion among nonisolationist groups.

In short, it is easy to write, "Stop shipping oil to Japan." It is not easy for a responsible leader of 130,000,000 persons to make a decision he feels may endanger their No. 1 objective: Victory in the war for the Atlantic. Especially is it not easy if he and his advisers have facts not known to the public which they cannot make public. They have such facts.

WHAT TO DO?

What to do about it?

Americans who have decided to wage an all-out war against fascism must make other decisions. They must decide if they want to risk trouble in the Pacific that might slow up their help in the battle of the Atlantic.

Or do they want to postpone the explosion of the time bomb behind their backs by immersing it in oil? The Navy at least does not fear that time bomb—a war-weary Japan.

Americans must answer this question: "Can Japan make serious trouble for us in the Pacific without the American oil we send her?"

They must decide if they want an end now to:

Business as usual.

Politics as usual.

And a substitution of diplomacy with guns for diplomacy with oil.

THE EMERGENCY IN DEFENSE PRODUCTION

Mr. VANDENBERG. Mr. President, it is some proof of the possibilities of unity in this national emergency when I can find myself in agreement with Pearson and Allen's Washington Merry-Go-Round column and with at least half of Walter Lippmann's Today and Tomorrow column on the same morning. But that is of far less consequence than the things which these distinguished columnists have said in this particular instance.

I present for the RECORD the Pearson and Allen column, which clearly demonstrates that the full emergency which America confronts is an emergency in defense production for ourselves and for aid to Britain. This article, coming certainly from a friendly source, puts its finger on the bottleneck—to wit, the White House. After outlining what is described as "administrative chaos," these commentators say that "the President's method of trying to solve" the situation is to "pile new agencies and assistants on top of the old, without removing the debris." This is in no sense, of course, intended as a personal criticism of the President. It is intended only to point out that the President himself is trying heroically to do too much:

All the balls are still in the President's hands.

These friendly columnists continue:

He can't keep them all juggling at the same time; no one man could.

Then, after naming several available leaders for top responsibility, they say:

But there has got to be somebody to tie them all together, to give the whole a steady, smashing, directive drive, day in and day out.

There isn't now and there won't be until Franklin Roosevelt relinquishes some of the balls he has been trying to juggle.

Mr. President, I respectfully suggest that this is coming to be a widely held opinion among those who are presumed to know. In my own humble opinion, it is the crux of the full emergency which the President has proclaimed, and it requires no added Executive authority to remedy. It merely requires effective action by the President himself, no matter whose toes are stepped on. What Mr. Baruch did for President Wilson in the first World War, some successor to Mr. Baruch must do for President Roosevelt in this defense emergency. We cannot wait much longer for the closely integrated organization of defense production which the production itself requires.

I ask that the full Pearson and Allen article be printed in the RECORD at this point as part of my remarks.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Without objection, it is so ordered.

The article is as follows:

One year ago this week, as France began to crumble, President Roosevelt launched the gigantic national-defense program. The 12 months which have passed have seen $40,000,000,000 appropriated and stupendous changes in the economic structure of the country.

A huge powder and shell industry, with an output greater than the United States total at the end of World War I, has been created literally from the ground up. Plane production has been pyramided from a few hundred to well over 1,600 a month. Hundreds of warships are under construction, and new cargo vessels every week are splashing into the basins of roaring shipyards along the Atlantic, Gulf, and Pacific coasts. Guns, automatic arms, tanks, and many other types of mechanized equipment are pouring from production lines in an ever-mounting flood.

Taken as a whole, the picture is breathtaking, impressive. In 1 short year a mighty war industry has been created where none existed before. But when the details are examined closely, the picture is not so rosy.

These ominous things stand out in closeup: Shortages in essential raw materials, due to stupidity and timidity of responsible officials and the cupidity of profit-minded businessmen; also ugly time-wasting strikes, contract breaking, and costly racketeering by self-seeking so-called labor leaders; also

demoralizing obstruction by bureaucratic brass hats in the Army and Navy.

Then there is the fact that, of the forty billions appropriated, approximately one-third is still uncontracted, while, even more startling, only about five billions have actually been paid out for completed work. Finally, of four billions earmarked for new defense plants, only about half has been allocated, and of this sum only $400,000,000 actually has been expended.

But, overshadowing all else, two grave deficiencies stand out:

1. The lack of a dynamic boss of the whole defense program to keep all its component parts forging ahead in unison at high speed.

2. The lack of a carefully formulated new program to meet the titanic Nazi war resources, which today outstrip ours, vast though they seem, by at least 2 to 1.

MISSING MR. BIG

As one high military expert just back from Europe expressed it, "Our rate of production is too slow and our program too small." But if the defense program were under the direction of a single competent head, he would know what is needed and would act to get it.

Plenty of expert information is available. Several detailed programs have been prepared. But all these data get nowhere because there is no centralized authority to do something about it.

O. P. M. Chiefs Knudsen, Hillman, Biggers, Nelson, Batt are abundantly aware that the defense program is sorely inadequate to meet the menace of Nazi might. But, overburdened with their immediate job of mobilizing the colossal war industries machine, they have neither the time nor the responsibility to formulate new programs.

This power is dispersed among a number of overlapping and conflicting authorities—Army and Navy brass hats, jealous of their prerogatives and resentful of outside prodding; dollar-a-year generalissimos, like Samuel R. Fuller, chief of raw materials, who is so industry-minded that he is blocking expansion of power, steel, copper, and other essential facilities; remnants of the old National Defense Commission, which for months has held up hundreds of millions of dollars' worth of new plants in a hair-splitting wrangle over the amortization provisions of last year's Defense Tax Act.

To date only 13 out of 480 pending "certificates of nonreimbursement," to start new plants have been approved. Unless the President himself pushes the button, nothing happens.

DELAYED BOMBERS

For 6 months military authorities have known that the chief United States and British air need was long-range, heavy bombers to strike at the vitals of the Axis. But nothing was done—until several weeks ago, when Roosevelt finally got around to ordering action.

There are other examples of this kind equally grave. One is the failure to require subcontracting of Army and Navy orders on a sufficiently large scale really to accelerate the productive tempo.

There are thousands of plants all over the country, tooled and staffed, eager for defense subcontracts (orders to supply parts to major contractors). Experts estimate that by this means defense output could be tripled and quadrupled. But big contractors, supported by industry-minded brass hats and certain $1 men, have persistently opposed subcontracting.

For months the issue has been argued in inner circles, and only now steps are being taken to do something drastic.

OVERWORKED JUGGLER

The President's method of trying to solve this administrative chaos is to pile new agencies and assistants on top of the old, without removing the debris.

Recently, in an apparent effort to keep himself better informed regarding the brain-whirling defense maze, he added to his personal staff Dr. I. Lubin, deputy to Sidney Hillman. A brilliant analyst, Lubin knows the ins and outs of the defense, will be invaluable. But this does not solve the fundamental problem of centralized, dynamic control of the defense machinery.

All the balls are still in the President's hands. He can't keep them all juggling at the same time. No one man could. Wilson tried it, but had to make Bernard Baruch his defense czar.

It takes a superman just to direct the diplomatic and military strategy of the Nation in such fretful times. Physically and mentally it is impossible for one man to cope with these mighty foreign problems while at the same time trying to run a gigantic industrial program. The economic, social, labor, and financial questions are too complex.

There are outstanding, patriotic, and devoted chiefs in the O. P. M. Given a production job, there is no man in the United States better capable of executing it successfully and speedily than Knudsen. The same goes for Hillman, Biggers, Nelson, Stettinius, Batt, others in their fields. But there has got to be somebody to tie them all together, to give the whole a steady, smashing, directive drive day in and day out.

There isn't now, and there won't be until Franklin Roosevelt relinquishes some of the balls he has been trying to juggle.

Mr. VANDENBERG. Mr. President, I now turn to Mr. Lippmann and that portion of his comment which refers to the Far East and to what he himself describes as—

the object of rendering impossible a war in the Pacific—a war which would be a ruinous and a foolish war.

That is Mr. Lippmann speaking. I remind the Senate parenthetically that Mr. Lippmann is another of the columnists who has been and is wholly friendly to the President's general foreign policy. I also remind the Senate, with apologies for the personal reference, that I was the author of the Senate resolution, about 2 years ago, which proposed—only a relatively few hours before it happened—that we abrogate our old commercial treaty with Japan for the purpose of seeking a new one which should realistically assess the new situation which has developed in the Far East during the last few years.

There is ground for the hope and belief—

Says Lippmann—

that some such constructive policy in the Pacific is not excluded—

Referring to the Presidential program. Continues Mr. Lippmann:

All the world, excepting only Hitler, has much more to gain than it has to lose from a well-conducted diplomatic move to avert war in the Pacific. And since Japan shows no signs of wishing to start such a costly war just to please Hitler, there is reason to hope that the effort can succeed.

Mr. Lippmann speaking:

In making the effort we shall be acting at last as a great power in our own right—

Mr. Lippmann speaking:

neither timidly shrinking from our responsibilities nor basing our action simply and solely upon the role of an auxiliary of Britain.

A successful effort of the sort Mr. Lippmann envisions—and what I am saying should be read always completely in connection with the full context of Mr. Lippmann's article—a successful effort of the sort Mr. Lippmann envisions, if there be the remotest possibility of its success, would do more to simplify and sustain our own defense prospectus, and to ruin Axis strategy, and to help the world cause to which we adhere, than literally months of effort in speeding up our guns and tanks and planes.

I ask that Mr. Lippmann's comment be printed at this point in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Thus we are now in a position to turn to the Japanese with the object of rendering impossible a war in the Pacific—a war which would be a ruinous and foolish war. This war cannot be averted by weakness, fear, or indecision. It can be averted by resolute action and a candid recognition of our own and of Japan's vital interests. Having made our military dispositions so that we are able to check a Japanese intervention in the World War, having reached the necessary strategical agreements with Britain, Australia, the Netherlands, and China, having taken firm control of all of our many means of economic warfare, we should open up the prospect of serious negotiation in the Far East based upon an honorable peace in the Chinese war, a new commercial treaty with us and with the Netherlands, and a political settlement which would include Russia, based upon the liquidation of all imperialism in China—Japanese, British, and American. If the response from Japan is favorable, we should of our own free will right the wrong done to Japanese pride by placing her immigration upon a quota basis.

There is ground for the hope and belief, judging by the things the President did not say in his address, that some such constructive policy in the Pacific is not excluded. All the world, excepting only Hitler, has much more to gain than it has to lose by a well-conducted diplomatic move to avert a war in the Pacific. And since Japan shows no signs of wishing to start such a costly war just to please Hitler, there is reason to hope that the effort can succeed.

In making the effort we shall be acting at last as a great power and in our own right—neither timidly shrinking from our responsibilities nor basing our action simply and solely upon the role of an auxiliary of Britain. As a great power and acting in our own right, though of course in consultation with the British Commonwealth of Nations, we can have much to say to France, and perhaps also to Spain and Portugal, that Britain alone cannot say, that the Latin countries need to hear and that they may in fact be glad to hear.

SUGAR QUOTAS

The Senate resumed the consideration of the bill (S. 937) to amend section 204 of the Sugar Act of 1937.

Mr. ELLENDER obtained the floor.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MEAD. I have received a telegram from the Port of New York Authority in opposition to the pending bill. The telegram explains the opposition of the Port of New York Authority to the bill in these words:

NEW YORK, N. Y., *June 2, 1941.*

Hon. JAMES M. MEAD,

Senate Office Building:

Pursuant to its duty in safeguarding and promoting the commerce of the port of New York, the Port of New York Authority urges

that you oppose S. 937, which we understand will come to vote on June 3. Mandatory change in sugar quotas will be detrimental to port workers engaged in handling and refining raw sugars, as well as to continued efforts to improve commercial relationships with American republics.

PORT OF NEW YORK AUTHORITY,
J. E. RAMSEY, *General Manager.*

I also have a communication from the Long Island Federation of Women's Clubs, Inc., together with a resolution adopted at their recent convention, in opposition to the pending bill, which I ask to have printed in the RECORD.

There being no objection, the communication and resolution were ordered to be printed in the RECORD, as follows:

LONG ISLAND FEDERATION
OF WOMEN'S CLUBS, INC.,
May 16, 1941.

Senator JAMES M. MEAD,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MEAD: Enclosed is a copy of the resolution on sugar legislation passed unanimously in convention by the Long Island Federation of Women's Clubs on May 16, 1941. The Federation comprises 174 clubs, representing approximately 35,000 women.

We are convinced that any expansion of the domestic sugar-growing industry is contrary to the national interest, and hope that you will do your utmost to see that bill S. 937 is defeated.

Very truly yours,
MARION O. NAUER, *Secretary.*

Whereas Brooklyn, L. I., is an old and important cane sugar refining city which gives employment to hundreds of men and women who receive the high American wage; and

Whereas this cane sugar refining industry gives employment indirectly to hundreds of other workers employed in the railroad and other supplying industries; and

Whereas the present Federal sugar legislation which governs our entire American sugar system, expires at the end of 1941; and

Whereas the cane sugar producer-refiners in the Tropics and beet sugar producers at home who receive heavy subsidies from the American consumers are attempting to increase their share in the American market at the expense of our home refining industry; and

Whereas our home refining industry receives no price benefits of any kind under the Sugar Act, and cannot possibly compete with groups receiving large subsidies, cash or otherwise: Therefore be it

Resolved, That as a means of maintaining home industry and home employment, the Long Island Federation of Women's Clubs recommend that when Congress formulates sugar legislation this year, this legislation shall not result in a transfer of sugar work from here to the western beet sugar localities or to the Tropics; and be it further

Resolved, That this resolution be sent to all the Congressmen from New York State, to the United States Senators from New York, and to all members of the House Agriculture Committee, and to all members of the Senate Finance Committee.

Proposed by illuminati:

BERNICE D. LAWRENCE,
(Mrs. William Hays),
President.

EVE G. SWIFT,
(Mrs. William E.),
Secretary.

Mr. ELLENDER. Mr. President, it is not my purpose at this time to discuss fully the sugar situation. I have been of the opinion that a new sugar bill should be considered by this Congress, and I for one will do what I can to have the present Congress enact a sugar bill which will result in a more equitable distribution of the sugar quotas for the continental producers of our Nation.

The pending bill does not in any manner change the existing quotas. Its enactment will not in any manner permit the sugar farmers of my State to harvest any additional sugarcane in 1941. It may, however, increase their marketing quotas, which in turn may help them next year, but there is no immediate help for them contained in the pending measure.

I have before me the inventories of carry-overs of Louisiana and Florida sugarcane, from the crop of 1940, as follows: Louisiana sugarcane, 76,000 tons, Florida sugarcane, 79,000 tons, or a total carry-over into 1941 of 155,000 tons.

Since that amount has been carried over from the crop of 1940, it has been and is now being marketed during the present year 1941. After deducting those carry-overs from the States of Louisiana and Florida, Louisiana will be able to market this year from sugar produced this year, only 270,351 tons, and Florida only 5,443 tons, or a total of approximately 275,000 tons, although the amount those two States can produce this year is in excess of 500,000 tons.

The sugar producers and factories of those two States will benefit by the enactment of the pending bill only to the extent that they will be able to market in 1941, such additional sugar as is prorated to them out of the Philippine deficit which is brought about by lack of shipping bottoms.

As I pointed out, the pending bill does not in any manner change the existing quotas. Not a ton of sugar that is now allocated to offshore areas belonging to the United States, to Cuba, and to other foreign countries that are benefiting under the Sugar Act in its original form, will in any manner be disturbed. The Philippine quota will not be disturbed if the producers in those islands can secure sufficient bottoms to ship their quota of sugar to this country. It is only in the event that Philippine Island producers are unable to ship the quota fixed by the law that this measure will become operative.

All the bill seeks to accomplish is to change that section of the act, which, as presently written, provides that if at any time the Philippines cannot supply any part of its quota, then that deficit will be distributed among foreign countries other than Cuba. The bill provides, in effect, that any portion of the Philippine deficit over and above 75,000 tons be allocated to continental producers and American offshore producers, such as the Hawaiian Islands, instead of giving it all to foreign countries. Under the terms of the bill, the first 75,000 tons shall be distributed among the various foreign countries which are entitled to quotas under the terms of the Sugar Act of 1937.

Mr. President, I am surprised and disappointed that any Senator should object to such procedure. A little while ago a telegram from some federation of women's clubs was read by the distinguished Senator from New York [Mr. MEAD]. I am confident that when that resolution was passed by those good women they did not have the facts at hand because, if they had had the facts, they would not have taken such action.

Mr. President, I make this contention, and I challenge contradiction: If sugar is permitted to be sent into this country from foreign countries, those foreign countries may send every pound of it in a refined state, which would deprive the refiners of America of the opportunity of processing a single, solitary pound.

I am sure that Senators are familiar with the present Sugar Act. In section 207 of the present law it is stated that not more than 29,616 short tons, raw value, of the quota from Hawaii for the calendar years 1937, 1938, and 1939—and it has been recently amended to include 1940—may be filled by direct-consumption sugar. That means that, although the total sugar quota of the Hawaiian Islands may be increased, they may not ship any more refined sugar than the amount specified in the law, or 29,616 short tons.

With reference to Puerto Rico, not more than 126,033 short tons of refined, raw value, may be shipped. No matter how much the quota of Puerto Rico may be increased, not more than 126,033 short tons may be sent to this country in a refined state.

That same section places like restrictions on every country which is entitled to a fixed quota, with the exception of foreign countries. So, Mr. President, it can readily be seen that if the quota from the Philippines cannot be filled by the Philippine Islands, and if any amount—whether it be 200,000 or 300,000 tons—is transferred to the Dominican Republic, to Peru, or to any other foreign country other than Cuba, such country may ship that sugar to this country in a refined state. If such sugar is distributed as the pending bill now provides, the restrictions in the present sugar law will be enforced, so that the restrictions applicable to Hawaii, Puerto Rico, the Virgin Islands, and Cuba will prevail.

Much has been said about the amount of labor that would be lost by reason of increasing the quota of the beet-sugar producers. As has been pointed out, the beet-sugar producers do not produce any raw sugar. They produce direct-consumption sugar, or refined sugar. But let us not forget that, no matter what amount is distributed among producers in continental United States and United States possessions, only 41 percent plus will be allocated to the beet area, and no more. The rest of the sugar must come from sugarcane. It must come from our island possessions and from Louisiana and Florida. The refineries would then have every ounce of that sugar to refine, with the exception of such amount as may be allocated to the beet areas.

With respect to labor, I have before me some facts and statistics showing that 8 man-hours of labor are required for the production of 100 pounds of beet sugar. To produce 100 pounds of seaboard refined sugar requires one and a quarter man-hours. Stop and think what that means to the laboring man, the manufacturer, and the seller of goods in this country. If continental United States

could produce at least 40 percent of our consumption requirements, I know very well that labor, manufacturers, and everybody concerned in this country would benefit tenfold in comparison to the benefits resulting from permitting Peru, the Dominican Republic, and some of the island possessions to furnish our sugar.

Mr. President, I have no respect for some of our American financiers who invest their millions in sugar or other commodities in Santo Domingo, Haiti, and other foreign countries, using peon labor to produce their goods, and then sell such goods in competition with goods produced under our high standards of living. I think it is absolutely wrong; it results in great injustices to our people, and if there be a way to stop it, I shall be one of the first to attempt to stop it.

Whenever an American goes out of our country and invests his money in Cuba, in the Dominican Republic, or in Haiti or in South America, let those countries take care of his interests. Such persons should not come here, to the Halls of Congress, or try to get telegrams and petitions signed and sent to Congress and ask for relief. They should be treated as foreigners.

Why, do Senators know that until just a few years ago the amount of sugar produced in the Dominican Republic was little or nothing? Let me read from the reports of Farr & Co. They are members of the New York Stock Exchange, and they are the publishers of a manual. I read from their manual of sugar companies for 1940. I ask the Members of the Senate to listen to this:

The sugar industry of the Dominican Republic.

I quote a paragraph at page 185:

The growth of sugar production during the past 30 years is shown by comparing the crop of 47,000 long tons in 1903–04 with the output of 449,817 tons in 1935–36. This progress has been chiefly due to the introduction of American capital, notably through the South Puerto Rico Sugar Co. and the West Indies Sugar Corporation, the latter being successor company to the Cuban-Dominican Sugar Corporation.

Listen to this:

The six mills operated by these two companies in the Dominican Republic during 1938–39 were alone responsible for over 78 percent of the country's entire crop.

I ask Senators to stop and think of that. Here are two concerns that are owned and controlled by American capital. They left the United States. They might have gone to the Philippines; they might have gone to Hawaii; they might have gone to some other island possessions of ours; but, instead, they went to Santo Domingo, and today those corporations control 78 percent of the output of that island.

Those companies no doubt have connections with the refining companies in America. If there is an allocation of the excess sugar from the Philippines, I wonder to what companies this sugar will be sent. Other Senators know as well as I do that it will be sent to those companies' own concerns in this country; and the major portion of our refining interests will get little, if any, of this sugar.

Senators, as was pointed out here last Thursday, Santo Domingo is not badly off with respect to its sugar production and the sales of its sugar. The facts show that most of its sugar has been sold to the British Isles, and just about 75,000 tons surplus remain out of this crop; and now our benevolent Government is attempting to rescue, not the Dominican Republic, not the people of that island, but a few rich Americans who decided to take some of their wealth and invest it in the Dominican Republic. I say they should look to the flag of the Dominican Republic for protection, and not come here and try to have their sugar sent into our country, in preference to sugar produced here at home.

Mr. President, the same thing applies, as I have pointed out on many occasions, with respect to the Cuban sugar interests. As I stated here last Thursday, 56 percent of the sugar produced in Cuba is owned and controlled by American capitalists, who left our shores to invest some of their money in Cuba. Why? For no other reason than that they could use cheap labor in Cuba, make their sugar cheaply, and then sell it back to America. Whenever it is said that we are attempting to help the people of Cuba or to help the people of the Dominican Republic, it should be remembered that we are not doing any such thing. We are helping the big interests in our country who have seen fit to invest their millions in foreign lands.

As was pointed out by the Senator from Colorado [Mr. ADAMS] last Thursday, a good deal of the sugar production in Peru is controlled by German interests. I have here photographs of various sugar mills that have been built in Peru, and every one of them bears the stamp of the German manufacturer, Krupp, who is now turning out munitions to fight the democracies. I have not seen the picture of an American mill there, nor have I been able to find that any of the mills came from the United States. On the contrary, they have been put up by German interests and probably controlled by them; and today we are being asked to help Peru. Why? So as further to bind our relations with them—for reasons of hemispheric solidarity, about which we hear so much talk. What a joke.

I found that of the factories located in Peru, one of the largest is owned and controlled by American interests. They have gone out there. My advice is to let them stay out there, and let them get along as they can under the flag of Peru, and not come here for help at the expense of our own producers at home.

Mr. President, the refiners should not be selfish in this matter. I cannot for the life of me see why they should interfere. Many of us recall that when the 1937 Sugar Act was passed by the Congress we had a great deal of difficulty in inducing the President of the United States to sign that measure. I know that that is so because I took part in the effort; and I want to say to the Senate that one of the chief objections urged against the signing of the Sugar Act of 1937 was because of the so-called unholy alliance between the American refiners and the sugar producers of this country.

It will be recalled that, insofar as the refining interests are concerned, their rights under the Sugar Act were to terminate on March 1, 1940; and as to producers, the act was to be effective until December 31, 1940. It was because of that provision in the bill, which, in effect, separated their interests to some extent, that we were able to go to the President and state to him that in the event any new sugar legislation should be placed on the books we would use our efforts to separate the refining interests from those of the continental producers. In other words, the effect of those different dates of expiration was to separate the two matters, so that each would be considered at different times by Congress and independently one from the other. We acted in good faith in 1937. Therefore, I do not like the attitude of the refining interests who through Senators from their States and by means of telegrams and petitions seek to defeat the pending bill. Their attitude is not fair. They should join hands with us and try, in a measure, to reciprocate for the good of the industry as a whole.

Mr. President, there are many facts I could bring out to show why the Senate and the House of Representatives should help our continental producers, as well as the domestic island producers. I shall simply go over a few of the high points in anticipation of the introduction of a bill in the future, because, as I said at the outset, I believe that the Congress should by all means pass a complete sugar bill at this session.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. VANDENBERG. Before the Senator leaves the specific pending proposal and goes to the general subject, I should like to suggest to him that he ought to emphasize one further fundamental point in respect to the pending bill. There cannot be any argument about the equity, so far as equity is concerned, of permitting sugar producers to have the Philippine deficit. The only persuasive voice that has been raised against this bill is that of the Secretary of State, Mr. Hull, who insists that to reallocate the Philippine deficit would be unfair to our South American neighbors.

Mr. President, what I want the Senator to emphasize is that the Senate Finance Committee has written an amendment into the pending bill, as the Senator has already indicated, which allocates the first 75,000 tons of the Philippine deficit to the South American neighbors for whom the Secretary of State so earnestly pleads. I want the Senator to emphasize the fact that the 75,000 tons which are now voluntarily allocated to South American countries and islands are several thousand tons more than they ever have had under any sugar act or that they ever contemplated or anticipated under the Philippine deficit section of the Sugar Act. In other words, it seems

to me, with great respect I say it, that the Secretary of State, instead of sending to us his veto of this bill, should have accepted the action of the Senate Finance Committee in allocating the first 75,000 tons of Philippine deficit to South American countries as a complete cooperation upon the part of the Senate in seeking to further his good-neighbor policy, should have applauded our attitude as being a complete implementing of his purposes, and should withdraw his letter of condemnation of the pending bill.

Mr. ELLENDER. I thank the Senator, and I think there can be no question as to the accuracy of his statement. The excess, if there should happen to be one, will not be distributed among the 37 foreign governments that may be entitled to it, but, as was so forcefully pointed out by the Senator from Colorado [Mr. ADAMS] last Thursday, there are but 2 countries that will obtain the major part of the allocation. Those countries are Peru and the Dominican Republic. The entire amount of sugar which was allocated in the past and which can be allocated under the Sugar Act to Haiti, Santo Domingo, and Peru aggregates, as I recall the figure, about 10,000 tons. If this bill should not be passed, and there should be a deficit of as much as 300,000 tons of sugar, the 3 countries referred to would not be able to fill the quota. So, it goes without saying, that there will be nobody to fill it, unless the quotas are suspended by the President. Certainly China will not fill it; nor will Germany or any other foreign country. All of those countries need all the sugar they produce for their own requirements. As the Senator from Michigan has correctly pointed out, the 75,000 tons which under this bill will be allocated and which are in excess of what they have ever had, will go to 2 countries. I doubt if those 2 countries will be able to fill a quota greater than what would be represented by that amount, because, as the Senator knows, under the act, if an allocation is made to all the foreign countries concerned, and some of them cannot use up their quotas, the deficit has to be reallocated to those that may be able to fill such quotas as may be allocated to them.

Mr. VANDENBERG. Mr. President, may I say a further word to the Senator?

Mr. ELLENDER. Certainly.

Mr. VANDENBERG. What distresses me is that the State Department should take this particular situation as an occasion to make it appear that those of us who are supporting the pending measure are, in some way, colliding with the good-neighbor policy, and in some way disrupting the very splendid efforts of the State Department to encourage inter-American amity. The thing it seems to me that ought to be said—and I repeat it, because to me it is the only issue in the pending bill—is that the amendment inserted in this bill by the Senate Finance Committee was inserted for the deliberate and specific purpose of doing everything the State Department has ever wanted by way of a good-neighbor policy in respect to the production of sugar among the countries to the south of us. It gives them everything they ever anticipated or that they ever got——

Mr. ELLENDER. And more.

Mr. VANDENBERG. Or that the authors of the Sugar Act ever intended they should have or that anybody's imagination ever contemplated they ever could hope to get. Why should we be expected to go further than that, when the alternative is the slow disintegration of our entire domestic sugar industry through this process of violent, arbitrary repression?

Mr. ELLENDER. I agree entirely with the views expressed by the Senator from Michigan.

Mr. O'MAHONEY. Mr. President, will the Senator permit me to interrupt him?

Mr. ELLENDER. Gladly.

Mr. O'MAHONEY. I listened with a good deal of interest to the question propounded by the Senator from Michigan. Logically it is impossible to conceive of any answer to the Senator's question except the one he suggests, namely, that the State Department should applaud the Finance Committee for having suggested that amendment.

Here it is proposed, as the Senator from Michigan has pointed out, that under this bill the foreign countries other than Cuba, for whom the Department of State's solicitude has been expressed, shall not, in any circumstances, receive less than they have received in previous years. Since there can be no logical explanation for the position of the Department, it seems to me, that, as we search for a reason for their attitude, can be found only in a desire to destroy the sugar industry in this country.

I have been very loath to come to that conclusion. From the beginning of the sugar legislation in 1934 down to this hour, on the floor of the Senate and outside, in my State and in other States, I have declared over and over again my confidence in the purpose of the Department of Agriculture to sustain this domestic industry against the suspicions and charges of some, who were not as much in sympathy with the Secretary of Agriculture as I was, that the real, hidden purpose was always hostile to the sugar industry.

Here we are confronted with no reasonable explanation of the attitude of the State Department and the Department of Agriculture, except that it is their desire to build up new sources of sugar supply in other countries outside of our borders, which, if they are built up, will make it impossible for the producers of sugar in Florida and in Louisiana and in the entire beet area of this country to survive. It will mean the end of the sugar industry in this country; and then the consumers of sugar in the United States will find themselves dependent upon the good will of suppliers of sugar from outside the United States. I can see no other explanation.

Mr. GEORGE. Mr. President, I should like to ask a few questions.

Mr. ELLENDER. Will the Senator permit me to continue for a moment?

Mr. GEORGE. Yes; go ahead; but I did not want the statement of the Senator from Wyoming to go unchallenged that the purpose of the Sugar Act was to destroy the beet-sugar industry or the cane of the American cane producers.

Mr. ELLENDER. This fight, this effort to destroy the sugar industry, has been going on for quite a while. All the hearings that I have ever read on the subject matter laid stress on the great amount that it cost the American people, the consumers of sugar. I grant that some benefits have accrued, and, if given a chance, sugar can be produced in larger quantities and more economically. We have been hampered in many ways under the present Sugar Act.

Mr. VANDENBERG. Mr. President, the first Sugar Administrator, Dr. Weaver, let the cat out of the bag with his famous statement to the people of this country that the ultimate purpose was to give the sugar industry a shot in the arm, and then to slide it out of existence when it did not know what was going to happen to it.

Mr. ELLENDER. Mr. President, in order to carry further the argument made by the distinguished Senator from Wyoming [Mr. O'MAHONEY], as I have just indicated, it has been pointed out time and again by the Secretary of State and by the Secretary of Agriculture that Congress should not do as much as we have done for sugar because sugar cannot be successfully grown in this country and it is costing the consumer too much. Let me point out a few facts and figures from a table of import duties and equivalent ad valorem rates by schedules for the dutiable list of the Tariff Act of 1922 and for the dutiable list of the Tariff Act of 1930, calculated upon the basis of 1928 imports. Listen to this:

In the case of chemicals, oils, and paints, when the act of 1922 was in force, there was shipped into this country a total value of $93,161,563 of those commodities. Under the act of 1922 the American public paid in taxes $27,688,949, or 29.72 percent of the value of those articles. Under the 1930 act the amount of the tax was increased to $29,748,153, or 36.09 percent of the value. Just stop and think of that.

Now, let us take earthenware and glassware. Under the 1922 act the consumer paid 48.71 percent over and above the amount the party who made the product and shipped it in here got for it, and under the 1930 act the amount paid by the consumer was 53.73 percent. Just stop and think of that.

The only difference between the two is that in the case of the little one-half-cent excise tax that is placed on sugar the Government collects the tax, and if the farmers perform under certain rules and regulations which are set out by the Department of Agriculture they get a part of the tax; but in the other case no questions are asked, and the manufacturer collects the tax.

Mr. CONNALLY. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. CONNALLY. In all fairness, is it not true, however, that under the sugar legislation and under the tariff duties also—in other words, our whole scheme for treating sugar—sugar in the export

market is worth only about 2 cents a pound, as I recall—the Senator probably knows the exact figures—whereas the domestic price of the same sugar is about 4¾ cents?

Mr. ELLENDER. No sir; that is not correct.

Mr. CONNALLY. What are the figures?

Mr. ELLENDER. The sugar that sells for 2 cents a pound must be raw sugar, as I understand. The same quality of raw sugar was sold in Louisiana last year at 2.64 cents per pound. Of course, the bounty was paid out of the half-cent tax, which meant close to a dollar per ton, subsidy.

Mr. GEORGE. Mr. President, let me ask the Senator a question. There is a tariff of $37 a ton on sugar imports, is there not? All dutiable sugar coming into this country pays a tariff of $37 per ton?

Mr. ELLENDER. Only full-duty sugar, which pays $1.875 per hundredweight. Not all, but under the present act——

Mr. GEORGE. I am talking now about the present act.

Mr. ELLENDER. I understand that; but very little sugar pays that amount, because all the quotas are fixed under the law.

Mr. GEORGE. I will get to that phase of the subject if the Senator will permit me. As a matter of fact, however, the sugar producers in this country are protected by a tariff of $37 per ton, plus $10 tax, or $47 per ton. Is not that true?

Mr. ELLENDER. That is true with reference to full-duty sugar. There is such a law on the statute books.

Mr. GEORGE. All right. Now, just a minute. Let us see how cruelly the sugar producers have been treated. The Peruvian producer, for instance, gets less than 1 cent a pound for his sugar, or, say, roughly, a cent a pound; so the sugar producer in this country now has the protection of 200 percent, $47 per ton, which is, roughly, two-thirds of the total value of a ton of sugar. So the sugar producer gets, roughly, the protection of 200 percent against the foreign producer who is required to pay the duty.

Mr. ELLENDER. The Senator is not arguing against that, is he?

Mr. GEORGE. Oh, no; I am not arguing against that; but I do not think anybody could say that the Senator's argument or some other arguments that have been heard here have been altogether fair, because there has been no disposition on the part of the Government to destroy the sugar producers in this country.

Roughly speaking, $47 per ton is the protection given today to the American producer. I am not talking about any direct or indirect bounties that are paid him. He has that protection against the foreign producer. Very well. There has been no reduction in the acreage of sugar producers in the United States until 1941, has there?

Mr. ELLENDER. Oh, my; yes.

Mr. GEORGE. I mean, under the Sugar Act.

Mr. ELLENDER. Why, of course, there has been in all sugarcane-producing States.

Mr. GEORGE. I have the statement of the Department of Agriculture that this is the first year since the program began in which there has been an acreage reduction.

Mr. ELLENDER. That information is absolutely wrong insofar as it affects Louisiana.

Mr. GEORGE. But it comes from the authentic files of the Government. In 1941 there is a reduction in acreage, due, as it is said by the Department of Agriculture, to three successive bountiful crops, which did result in a surplus.

I take it that the Senator will not controvert the statement that the sugar producer has received either parity or near parity since the program went into effect.

Mr. ELLENDER. No; not the Louisiana producer.

Mr. GEORGE. Again I must say to the Senator that I propose to put into the RECORD tomorrow figures from the Department of Agriculture in which that statement is definitely made.

Mr. ELLENDER. I should like to see the statement. The 1937 Sugar Act was intended to permit the Department to let just so much sugar come in as we would consume, plus a little carry-over to protect the price, so that the price would not go sky-high. But it has not worked that way. The Department has so administered the act as to have in the United States just about twice as much carry-over as they should, and that had the effect of keeping the prices down below normal levels.

Mr. GEORGE. I did not desire to argue that point with the Senator. I thought there would be no dispute on the essential facts in this case, to wit, that there is a tariff of $37 a ton on sugar, plus a $10 tax—that is, $47 a ton on the dutiable sugar except that coming from Cuba.

Mr. ELLENDER. But——

Mr. GEORGE. I understand there has been a differential.

Mr. ELLENDER. There is a difference as to Cuba. On sugar from Cuba only 90 cents is paid, and Cuba ships into this country 30 percent of our sugar consumption.

Mr. GEORGE. I understand that, but I am talking about the full dutiable sugar.

Mr. ELLENDER. Let us make it full dutiable, then, not all the sugar that is consumed, because under the trade agreement the tariff on the Cuban sugar is only 90 cents. That is what it is today.

Mr. GEORGE. I understand that.

Mr. ELLENDER. That covers almost one-third of what we consume.

Mr. GEORGE. We do not make all our production in the United States, do we?

Mr. ELLENDER. What is the question?

Mr. GEORGE. We do not make full production in the United States, do we?

Mr. ELLENDER. I guess not. Even though we were permitted to plant all we could, I doubt if we could plant in continental United States in excess of 50 percent of our consumptive requirements, but I am working for the right to produce 40 percent of what we need.

Mr. GEORGE. Therefore we are always going to import some sugar?

Mr. ELLENDER. Yes.

Mr. GEORGE. Therefore, when the Jones-Costigan Act was proposed, the sugar people drew the act and came to Congress and asked the Congress to pass it, and they took into consideration the history of production in outside countries, as well as in our own, because they were then seeking to stabilize the industry; and that was fair and that was right. What was really given to some of the little South American countries was a mere token. It was a token grant in quota to them. We promised them, however, that if there should be a deficit in 1937, it was written into the law that, if there should be a deficit in the Philippine quota, they would have certain advantages.

Mr. ELLENDER. Let me say——

Mr. GEORGE. Wait a moment; I wish to ask the Senator some questions, because he is making a statement, and I think we should clear it up.

Mr. ELLENDER. I have the floor, and I will answer questions, of course.

Mr. GEORGE. The Senator may proceed, if he does not wish to answer my questions.

Mr. ELLENDER. I will answer the Senator's questions if he will permit me.

Mr. GEORGE. I wish to ask the Senator again, have not the producers of sugar in this country, particularly the beet-sugar producers, received parity or near parity since this program was put into effect?

Mr. ELLENDER. As I recall, they did receive parity under the Jones-Costigan Act, but under the 1937 act, from that year until now they have not received parity.

Mr. GEORGE. They have not?

Mr. ELLENDER. No.

Mr. GEORGE. Plus all the payments made?

Mr. ELLENDER. That is correct.

Mr. GEORGE. Let me ask another question, because I wish to offer some things for the RECORD tomorrow, and I am trying to understand what facts should not be in dispute. There was no reduction in beet-sugar acreage there until the year 1941 since this program was started, was there?

Mr. ELLENDER. That is correct; that is my understanding.

Mr. GEORGE. Before 1941 was there any reduction in cane-sugar acreage, due to the program, since the program went into effect?

Mr. ELLENDER. The Senator will remember that last year and the year before, when we were forced to plow up a considerable acreage of cane, I made a fight here for 2 or 3 days, and the acreage that was then planted was much less than we had planted in the previous year.

Mr. GEORGE. That has reference to Louisiana sugar?

Mr. ELLENDER. Yes.

Mr. GEORGE. Certainly there has been no decrease in the Florida acreage?

Mr. ELLENDER. I am quite certain there was a decrease.

Mr. GEORGE. Last year or this year?

Mr. ELLENDER. Not last year. I believe there was some understanding whereby Florida was permitted to carry over some of its sugar by suffering a penalty. What that understanding was, I do not know.

Mr. GEORGE. Let me ask the Senator another question or two. The Senator's State also produces cotton, and I think the Senator will agree that since this program was inaugurated we have not received parity or anything near parity in the price of cotton.

Mr. ELLENDER. That is correct.

Mr. GEORGE. I think the Senator will agree that our planted acreage in cotton has gone down from forty-odd million to twenty-odd million.

Mr. ELLENDER. That is correct.

Mr. GEORGE. I very humbly beg to submit that when we consider this program as it has affected the sugar producer we should take into consideration the benefits, whatever they are, which have been received, and that there is far greater warrant for the rather strong assertion made by the distinguished Senator from Wyoming, that the Department of Agriculture, or the administration, wants to destroy the American cotton producer, than there is for the assertion that it is the policy of the Government, or the intent or purpose of the Government, to destroy the domestic-sugar producer.

I have heard the argument made here, and it has been pointed out and brought to my attention, that the sugar producers had a just cause for complaint, because in the Jones-Costigan Act there were given just small quotas, based upon the past history of other countries with which we are not now doing any business at all. I think that when it is considered that if we are going to stabilize this industry we have to consider not only the producers in the United States but the producers who have always furnished sugar to this market. When that fact is taken into consideration none of the small quotas given to any of these other producing States is a matter of any very great moment to our own producers, if the sugar program is worth anything to the sugar producers in the United States.

I know what was said to me when the Jones-Costigan Act was before us; what was said in committee and on the floor of the Senate time after time by the representatives of sugar producers, to wit, that it was a demoralized and a chaotic industry; that it lacked stability; that there was but one way to stabilize it—by resort to something like the program written out in the Jones-Costigan Act. I know very well that practically all of us who were interested in the production of other farm crops in the United States cooperated with the sugar producers. I know that when we compare the prices which have been received by cotton producers, let us say, and the prices which have been received by sugar producers, it will be found that the sugar producer has gone far above the cotton producer in his climb toward a parity price under this whole program.

In all fairness, I think there is another thing which ought not to be left out of mind. There are two definite interests in this country which have to do with sugar. We have the beet-sugar interest. Beet sugar is a consumption sugar when it is made. We have the beet-sugar factories in the West, in the areas where the sugar is produced. Then all around the Gulf and all up the Atlantic coast we have the cane-sugar refineries. When we balance the actual labor involved in all the western production of sugar against the labor involved in the refining of cane sugar we have almost an equal balance.

Mr. ELLENDER. What does the Senator mean by that statement? A balance of what?

Mr. GEORGE. I mean as to employees, the persons engaged in working in the refineries in both areas.

Mr. ELLENDER. In the refineries only?

Mr. GEORGE. Yes; in the refineries, in both areas.

Mr. ELLENDER. What about the field labor involved in the production of sugar cane, and of sugar beets, and the matter of transportation of the cane and beets, and the farm and mill supplies?

Mr. GEORGE. I have not included the producers in Louisiana or Florida.

Mr. ADAMS. Mr. President, may I make a suggestion there?

Mr. GEORGE. I shall be glad to have the Senator do so.

Mr. ADAMS. The Senator is quite correct as to refineries, but it should be kept in mind that the seaboard refineries are refining three times as much sugar as comes out of the beet refineries. In other words, the labor is equal in the aggregate, but the amount of sugar turned out in the Atlantic refineries is three times as great as the amount produced in the beet refineries. It requires three times more labor per pound in the beet refineries than it does in the cane refineries.

Mr. GEORGE. That may be true, but it is not the point I am trying to make. What I am trying to say is that when the Jones-Costigan Act was passed, to stabilize a great industry in the United States, to try to bring some sort of order out of chaos, and when producers in other parts of the country who were not engaged in producing beet sugar or cane sugar were, I dare say, willing to lend their aid and support to the stabilization of this industry, it was then recognized that there existed a balance in the refining industry of the country which ought not to be thrown out of kilter and which ought not to be seriously and unnecessarily disturbed. That also had a great deal to do with the fixing of the quotas, particularly of the quotas for Cuba.

It seems to me there is far more involved here than the mere desire of the State Department that the good-neighbor policy, or policy of friendliness, should not be disturbed, because, if I am able to appreciate the necessity for this legislation at all, it must undoubtedly look to the final allocation to the domestic producers of all the Philippine quota in the event of a total shortage of Philippine sugars, or in the event of the final independence of the Philippine Islands, and that will throw out of balance and out of kilter the competing, or the complementary, as one may wish to put it, refining industry in the United States. A large amount of labor, relatively, is involved in both types or kinds of refineries.

Also, if we are to do any trading with Central or South America, or with countries in any other part of the world, we must do a little business with them. I had hoped that the day had gone by when we would have addressed to us arguments based upon the assumption that trade was a "one-way street," and that we could somehow sell all we want to make in the United States, even though we did not do any substantial trading with any one of our customers.

Mr. ELLENDER. Mr. President, the Senator knows, as I pointed out awhile ago, that even though we were permitted to plant all the sugarcane and sugar beets we possibly could in continental United States, we could hardly produce more than 50 percent of our consumption requirements. Granting that that is true, is it the Senator's view that we should give up the growing of that sugar crop, the production of that amount of sugar, to foreign countries?

Mr. GEORGE. No; that is not the theory on which this bill was written. The original Jones-Costigan Act, and all the subsequent sugar acts, have been written on the basis of a definite allocation to the American producer. There was a token quota given to certain little countries, such as Peru, Haiti, and the Dominican Republic. In tonnage it was exceedingly small. But there was the definite promise made in the 1937 legislation, written definitely, textually into the bill, that in the event of failure of the Philippine Islands to supply their quota, it should be distributed in a certain way.

Mr. ELLENDER. The Senator is a member of the Finance Committee.

Mr. GEORGE. Yes.

Mr. ELLENDER. When that matter was before the Finance Committee did the Senator imagine even remotely that the Philippine quota would not ordinarily be filled, at least to the extent of their duty-free quota?

Mr. GEORGE. I assumed that they would be able to fill their quota, because my recollection is that they wanted a larger quota.

Mr. ELLENDER. Is it not true that the reason they cannot fill that quota today is because of the war which is now going on?

Mr. GEORGE. That may be one of the reasons, but under this measure we are making a new rule for distribution of sugar. We may pass it over lightly here, but there is no way to rub out what the propagandists will do in Central and South America when they point not to mere language, but to what the American Congress does by repealing its own law, making a new rule for the distribution of a relatively small amount of sugar, because it is a relatively small amount of

sugar. There cannot be very much sugar left over this year from the Philippine quota if the reports I have received since this measure came to the Senate floor are correct.

Mr. ELLENDER. As was pointed out on two or three occasions today, and also last Thursday, under the pending measure 75,000 tons is allocated to these foreign countries over and above this token quota that the Senator refers to.

Mr. GEORGE. Yes; but not exceeding 75,000 tons; is that not correct?

Mr. ELLENDER. Yes; that is correct, not exceeding 75,000 tons; but that is in addition to what they are now getting.

Mr. GEORGE. Yes.

Mr. ELLENDER. Another thing the Senator must not overlook, as I tried to point out awhile ago, is that if this measure goes through, all the sugar that is allocated to these foreign countries, every pound of it, can enter here in a refined state. There is no inhibition in the present law in that respect.

Mr. GEORGE. That is true. And there is not any differential in the present tariff laws against refined as compared to raw sugars. That is one of the reasons, let me say to the Senator, why much American capital has gone abroad and found investment in sugar plantations and refineries. That is one of the reasons. They could not only grow the sugar, but they could refine it; and, having an advantage over the domestic refineries all along the Gulf and the Atlantic, they had an extra inducement to make an investment in refineries in Cuba and other sugar-producing countries. I agree to all that. There is no question about it. I do not agree with the Senator's premise that no American capital ought under any circumstances to find investment in any other country.

Mr. ELLENDER. I did not mean it in that light.

Mr. GEORGE. I hope not.

Mr. ELLENDER. I said let them invest in foreign countries, but let them receive protection under the flags of the countries in which they choose to invest, and not come to us for help in making those investments pay to the detriment of our farmers at home.

Mr. GEORGE. I do not quite agree with that philosophy, because I can conceive of no other way in which American trade and commerce can be expanded except through the expansion, in one way or another, of our own facilities in outside countries. That question is wholly beside the point.

I thought I should make some observations because apparently our friends in the sugar areas—and I have been in complete sympathy with them all the time—seem to be assuming that no consideration ought to have the least weight except on the side of allocating all the Philippine deficit, whatever it may amount to, to producers in the domestic area or in our insular possessions.

I wish to call attention again to the fact that, according to the statements that were repeatedly made, we had a very sick sugar industry prior to the Jones-Costigan Act. The Congress undertook to help that industry. Senators from every part of the country—especially from the farm areas—undertook to help it. That industry does not consist alone of one kind or type of refining. Fortunately, or unfortunately, we have cane-sugar refineries and we have beet-sugar refineries. Beet sugar is produced in the form of direct-consumption sugar, or refined sugar. When we are endeavoring to help one agricultural product we should try not to upset the fair and reasonable balance which may exist between the manufacturers of the two kinds of sugar.

I have every sympathy with the beet producers and with the cane producers of Louisiana and Florida. I confess that we should have a different picture if the United States could produce all its sugar, or if any responsible spokesman for the producers had ever undertaken to show that it was feasible, at prices fair to the American consumer, to produce all the sugar we need. But we have not that sort of a picture.

Mr. ELLENDER. Let me point out to the Senator that with all the help which the sugar industry has received from the Government, to which the Senator has referred, the price of sugar has gone down instead of up. The figures will show that prior to the first World War the retail price of refined sugar was around 5.9 or 6 cents a pound. As of 1940, the latest yearly figures available, the price in the United States averaged 5.3 cents a pound. In 1939 the price was 5.10 cents a pound. Today refined sugar is quoted at 4.95 per pound.

Mr. GEORGE. I am not contending, and I have heard no one else contend——

Mr. ELLENDER. The Senator suggested that we ought to take the consumer into consideration.

Mr. GEORGE. Yes. I think we should always take the consumer into consideration.

Mr. ELLENDER. Certainly. However, the Senator has pointed out the tariff on sugar, and the tax of half a cent a pound. I presume the Senator argues that the tendency is for the price to go up and remain at an abnormally high level when protection of that nature is given an industry.

Mr. GEORGE. No; I was not making that argument at all. I was simply trying to point out the handicap under which the little countries producing dutiable sugar labor. I thought when we gave them a little token of a quota, with a duty of $47 a ton and taxes stacked up against them, we ought not to want to take back the token or destroy it, or prevent a fair and just allocation of whatever surplus quota might result because the Philippine Islands cannot fill their quota.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. VANDENBERG. The Senator does not contend that the bill takes back any token?

Mr. GEORGE. No; but it breaks the promise which was made.

Mr. VANDENBERG. It gives foreign producers three or four times what they ever had or ever expected, yet the Senator thinks that the bill breaks a promise.

Mr. GEORGE. I think so.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for a moment?

Mr. VANDENBERG. How large a token must we give before we reach the maximum of good neighborliness and can begin to think about ourselves?

Mr. GEORGE. We should be on very good ground if we should live up to the provisions of the Sugar Act of 1937, or any fair modification of it.

Mr. ELLENDER. Even under abnormal conditions? When the Senator voted for the bill in 1937 I do not suppose he dreamed that we might be at war, or that because of war we could not obtain enough ships to import sugar into the United States from normal sources of supply. I do not suppose any Member of the Senate anticipated such a condition.

Mr. GEORGE. I did not dream of the war; but I dreamed of the time when the Philippines would be entirely free and their entire quota would become dutiable, and when there would necessarily have to be a rewriting of the Sugar Act.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me? I should like to address two inquiries to the Senator from Georgia.

Mr. ELLENDER. Before we get away from the price discussion I should like to read the comparative prices of sugar——

Mr. GEORGE. Mr. President, I am not complaining about the price. If it costs the American consumer somewhat more I shall not raise any objection so long as the price is just and reasonable. That was not my purpose. I agree with the Senator that prices before the outbreak of the war were lower than they had been previously. There is no question about it.

Mr. ELLENDER. I intended later in the course of my argument to draw a comparison between the price of sugar and the prices of other commodities over a period of 20 years. I have before me a comparative statement.

Mr. O'MAHONEY. Mr. President, will the Senator permit me to interrupt at this point? The Senator from Georgia disavows that argument. He is not making any attack on the bill on that basis.

Mr. GEORGE. Not at all.

Mr. ELLENDER. I yield.

Mr. O'MAHONEY. As I understand, the Senator agrees that under the Sugar Act the consumer has been very well protected from increased prices.

Mr. GEORGE. Yes; I agree without the slightest hesitation.

Mr. O'MAHONEY. That, of course, was one of the purposes of the act.

Mr. GEORGE. Yes.

Mr. O'MAHONEY. As one of those who have been instrumental in the introduction of sugar bills from time to time, I have always been very grateful for the effective assistance we have had from the senior Senator from Georgia. However, it seems to me that the discussion today, and the discussion which went on

before the committee, go very far afield. It was not until the colloquy between the Senator from Louisiana and the Senator from Georgia that the Senator from Georgia developed the only logical arguments that could be advanced for the position which he has taken. If I correctly understand his position, it is this: First, that we should not transfer the anticipated Philippine deficit to domestic-producing areas—that means domestic cane and beet-sugar producing areas, as well as the insular producing areas under the flag of the United States—because allegedly we promised in the act that if there should be any Philippine deficit, it should go to countries other than Cuba. Does the Senator contend that?

Mr. GEORGE. No; I did not. I was calling attention to those facts, but my real position is that, in prospect of a deficit in the Philippine quota, assuming that the Philippines had finally effected their independence, I would not contend for the position which has been rather clearly stated by the Senator from Wyoming. But I would think that it would call for a reconsideration of the Sugar Act, with such reasonable allocations as would not throw out of balance the interests that now are involved in the production of refined sugar in the United States in the first place, and that would not overlook all the basic considerations that were in mind at the time of the passage of the Jones-Costigan Act and of the later acts.

Mr. O'MAHONEY. As we now understand the Senator's position, he is not particularly concerned about transferring the Philippine quota to foreign countries other than Cuba? In resisting this bill it is not his purpose to build up the industry in Peru?

Mr. GEORGE. Not at all.

Mr. O'MAHONEY. Or to build up the industry in the Dominican Republic?

Mr. GEORGE. Not at all.

Mr. O'MAHONEY. Then is it the Senator's contention that this transfer would introduce an element which would unstabilize the sugar industry in this country?

Mr. GEORGE. Ultimately carried to its logical conclusion, I think it would.

Mr. O'MAHONEY. But the Senator will grant, will he not——

Mr. GEORGE. Not this particular resolution.

Mr. O'MAHONEY. Not this particular resolution?

Mr. GEORGE. No; I do not think so.

Mr. O'MAHONEY. The Senator agrees——

Mr. GEORGE. I think the amount of the deficit will be inconsequential this particular year—reasonably small.

Mr. O'MAHONEY. Later on I will give the Senator facts and figures which I think will indicate that there is reason to apprehend a serious deficit. For example, it was only Thursday or Friday last that we read in the newspapers the suggestion of the British Food Administrator that because of the lack of shipping facilities the people of America should cut down the consumption of sugar. He has suggested to our consumers that we sacrifice the consumption of sugar in this country in order that the sugar from areas outside the United States may go to Britain.

Mr. GEORGE. Yes; I am aware of that.

Mr. O'MAHONEY. That is an indication of a belief upon the part of one of the most responsible officials in the British war administration, that the shipping problem is becoming so great that it will be impossible to carry sugar to Great Britain.

Our contention is simply that if the domestic producing areas of the United States, the beet-sugar areas throughout the Middle West, in the Rocky Mountain west, on the Pacific coast, in Louisiana, in Florida, in Hawaii, and in Puerto Rico are permitted to produce what they can produce, it will not be necessary for us to follow the suggestion of the British food administrator and to ration ourselves in sugar, because we have the capacity to increase the output of sugar in this country.

I am sure the Senator from Georgia does not want to foster sugarless days here if it can be avoided.

Mr. GEORGE. Oh, no; not at all; and I am not very much disturbed by the suggestion made by the British food administrator.

Mr. O'MAHONEY. Of course, it is an expression of a hope and a wish on his part.

Mr. GEORGE. But if the data which have been furnished me by the Department of Agriculture are correct—if the Senator will permit me to read them at this time—I cannot see how there will be any appreciable deficit in the Philippine quota this year. This is stated:

> There have already been received from the Philippines, as of May 15, 486,372 tons of sugar. As of that date, there was approximately 185,000 tons reported afloat.

Additional information, which does not come from the Department of Agriculture, indicates a booking of approximately the latter figure since these figures were furnished me. So if these figures be correct, there cannot be any very consequential deficit this year.

Mr. O'MAHONEY. Now, trespassing further upon the time of the Senator from Louisiana, let me read to the Senator from Georgia the letter of April 5, 1941, addressed to the Secretary of Agriculture, the Honorable Claude R. Wickard, by the Maritime Commission.

> As of March 25—
>
> Says the Maritime Commission—
>
> there remain approximately 635,000 tons of duty-free Philippine sugar to be brought into this country in accordance with established quotas.

Mr. GEORGE. That was March 15?

Mr. O'MAHONEY. March 25. Now observe:

> While we cannot give you an accurate estimate at this time, it is apparent from the demands for ships and space that consideration should be given to the reallocation of quotas if this can be done so that the quantity of sugar to be transported from the Philippines can be reduced and the ships made available for the transportation of other strategic commodities which are urgently required in the defense effort.

There, Mr. President, is the testimony of the Maritime Commission that the shipping is needed for strategic commodities other than sugar. We appear before the Senate and the administration with what seems to me a perfectly modest and reasonable request, namely, that the sugar-producing areas of the United States be permitted to produce their sugar so that the consumers in the United States will not be confronted with this shortage which is so imminent, according to testimony from the United States Maritime Commission upon the one hand, and from the British administrator of foods upon the other.

Mr. GEORGE. I call attention to the fact that the figures of the Department of Agriculture, furnished me from the Department, were as of May 15—60 days later than March—and show the rapid disappearance of any possible Philippine deficit.

Mr. O'MAHONEY. Even under the figures the Senator has presented there is a substantial proportion of the Philippine sugar which has not yet been brought in.

Mr. GEORGE. That is true.

Mr. O'MAHONEY. Since there is a substantial proportion of the sugar, is it not a matter of common sense that we should deal with the realities which surround us? We know there is a lack of shipping. We know we cannot safely depend upon supplies brought in from foreign countries. Yet, while we see this crisis in shipping develop, the State Department and the Department of Agriculture tell us, "Why, let us depend upon new sources of supply in the Dominican Republic and Peru."

Mr. President, I simply contend that that does not make good common sense. It is easy enough to get this argument off upon the technicalities of quotas and prices and capacity to produce here and capacity to produce there; but the substantial, basic fact is that the United States in its sugar-producing areas can produce more sugar than is now being produced; and we ask in this bill that they be permitted to produce that sugar. Those who oppose are merely saying, "No; let the consumers in the United States be dependent upon possible sources from beyond the seas."

Mr. ELLENDER. Mr. President, as I pointed out a while ago, in my opening remarks, there will be in warehouses in this country on December 31 over 175,000 tons of sugar produced in Louisiana and Florida, which under the law could not be sold before January 1, 1942, even if there were a famine, unless the President of the United States should under the present law dispense with the quotas. If we have favorable weather, we may have as much as 200,000 tons or more on hand. That is the situation we face. This proposed amendment to the present law, as I have pointed out, will not

help the grower or producer of sugar, but may simply make marketable such sugar as we already have on hand this year.

I do not care to go into any more detail with respect to the point raised by the distinguished Senator from Georgia except to say that we must not put cotton and other surplus commodities in the same category as sugar. One of the reasons why we have not been able to do more than we have for the cotton farmer is the enormous surplus of cotton in our warehouses. We produce considerably more cotton than we consume. That condition does not exist with respect to sugar. We are permitted under this bill to produce in continental United States about 29 percent of what we consume, the remainder we have to bring in from across the seas.

Now, with respect to the price of sugar, resolutions which have been sent here by some of the folks back home, especially those in the Northeast, in an effort to try—I will not say to misrepresent the facts or anything like that—but in order to make the picture appear in as favorable light for the refiners as they can make it, appeal to the consumers on the ground that the passage of the bill will mean an increase in the cost of sugar to them. That has been one of the main arguments advanced against sugar legislation.

I will now set forth what the facts show. The price of sugar, as I intended to point out a while ago, in 1939 in British Guiana was 9.75 cents; the American price was 5.10; in Canada the price was 6.30 cents against the American price of 5.10 cents.

In the United Kingdom the price was 5.36 cents, in Portugal 8.49 cents, in Norway 7.69 cents, in Finland 8.43 cents, in Rumania 10.25 cents, in The Netherlands 11.19 cents.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield for a question.

Mr. BROWN. It is never fair to compare the price of sugar in England on the same basis as the price in the United States, because in England if the consumer paid in the price of sugar what he was actually paying for his sugar, the price would be very much higher than 5.36 cents or whatever the price was the Senator named, because the industry there is heavily subsidized by the British Government.

Mr. ELLENDER. I am glad the Senator brought that out; I have a note here to that effect, which I was about to read to the Senate.

Mr. President, I do not desire to burden the Senate by going into details. I ask leave at this time to file, in connection with my remarks, and have printed in the RECORD the retail price per pound of sugar in various countries for 1939 and 1940. The 1940 prices are preliminary and do not cover all countries officially listed by the Department of Commerce for 1939.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

TABLE 6.—*Retail price of refined sugar in selected countries (on or nearest May 1, 1939)*

[Compiled in the Foodstuffs Division of the Bureau of Foreign and Domestic Commerce from reports submitted by the foreign service officers of the U. S. Government]

Country	Retail price per pound (United States cents)	
	1939	1940
Exporting:[1]		
Brazil	2.95	2.83
British Guiana	9.75	8.41
Cuba	3.84	4.45
Dominican Republic	6.00	6.00
Peru	2.40	2.14
Hungary	9.60	9.50
Australia	6.21	5.38
Philippine Islands	3.52	------
Netherland Indies	3.38	2.89
Union of South Africa	6.27	5.77
Principally self-supplying:[2]		
Argentina	4.75	4.50
Ecuador	2.71	6.00
Guatemala	4.00	------
Mexico	2.88	2.35
Panama	7.50	7.50
India	6.01	5.30
Japan	5.56	50.80
Bulgaria	[4] 12.49	------
France	[4] 7.68	------
Germany	13.64	13.64
Italy	[4] 15.62	(?)
Netherlands	[4] 11.19	(?)
Rumania	[4] 10.25	(?)
Sweden	5.47	4.76
Yugoslavia	13.86	13.28
Importing:[3]		
Chile	4.52	4.80
Honduras	3.92	4.90
Uruguay	3.58	4.07
China	3.70	4.41
Finland	[4] 8.43	------
Ireland	[4] 5.85	------
Norway	[4] 7.69	------
Portugal	[4] 8.49	------
Switzerland	[4] 4.74	------
Turkey	[4] 9.44	------
United Kingdom	5.36	8.11
Canada	6.30	7.10
United States	5.10	5.23

[1] Only excise taxes included for countries in this group. See table 3.

[2] Although import duties form a varying but, in many instances, important part of retail price, only excise duties are included for the countries classified as self-supplying. Import duties shown in footnote, table 4.

[3] Includes both import duties and excise taxes.

[4] Same figure for 1940—no export as of May.

25 countries of which 12 higher, 2 decreased, 11 same. Record production.

Mr. ELLENDER. Mr. President, as to the cost of sugar itself, contrasted with what the consumers pay for other commodities, I have a table before me which was worked out on the basis of the number of calories in various foods and the price per 1,000 calories. In 1939, milk was selling at 12.3 cents per quart; the number of calories in a quart of milk is 314. In a pound of sugar the number of calories is 1,815. So, in order for milk to be on the same basis as sugar, with sugar selling at 5.43 cents per pound, milk would have to sell at less than 1 cent a quart in order that the same caloric value might be obtained.

I have here figures showing a similar relationship with respect to ham. The prevailing price for ham in 1939 was 46.4 cents per pound. Ham would have to sell at 3.8 cents per pound in order to have the same food value as sugar. I have before me the figures for several other commodities, and I will ask that they be printed in the RECORD at this point as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SUGAR IS A CHEAP FOOD

The table below shows the cents value per thousand calories of important foods and the ratio of their caloric content to the price and value of food calories contained in a pound of sugar:

Commodity	Average retail price in 1939 (cents)	Caloric content	Cents per 1,000 calories	Price at which commodity should sell if based on food value and price of sugar
Milk.....quart...	12.3	314	39.17	0.93
Ham.....pound...	46.4	1,281	36.22	3.80
Eggs.....dozen...	32.7	1,200	27.25	3.56
Corn.....can...	10.6	445	23.82	1.32
Beef roast..pound...	29.8	1,559	19.11	4.63
Lamb.....do....	28.2	1,615	17.46	4.80
Bacon.....do....	32.1	2,370	13.54	7.04
Cheese.....do....	24.8	2,080	11.92	6.18
Macaroni...do....	14.3	1,624	8.81	4.82
Potatoes...do....	2.5	304	8.22	.90
Bread.....loaf...	8.7	1,174	7.41	3.49
Rice.....pound...	7.7	1,591	4.84	4.73
Sugar.....do....	5.43	1,815	2.99	5.43

Source: Retail Costs of Foods, U. S. Department of Labor, and Manual of Dietetics, by Rose.

Mr. ELLENDER. Mr. President, since the question has been raised as to the amount the consumer has been paying in the past for the protection which the sugar producer has been getting, let me now present to the Senate facts and figures as to the comparative rise in value of other commodities, to show the extent to which the consuming public has had to pay for them in contrast to what it has had to pay for sugar. For the 10 years between 1891 to 1900 the average retail price of sugar was 5.74 cents per pound; for the 10-year period 1929 to 1938 the average price was 5.61 cents a pound, showing that during that period of time the price of sugar decreased 2.26 percent from the earlier period.

Let us take butter. During the same period of time, that is, the 10 years from 1891 to 1900, butter was selling for 25.75 cents per pound; for the period 1929 to 1938 it sold for 37.59 cents per pound, or an increase of 45.98 percent.

Going further, the price of ham has increased 193.74 percent and the price of bacon 171.88 percent.

I merely point out these facts and figures to show to the consuming public that, although sugar is protected, as has been pointed out, the protection afforded the sugar producer, including the tax of half a cent a pound, has not affected the price to the consumer, strange to say.

Mr. President, in connection with my remarks, I ask leave to print in the RECORD at this point a short statement which goes into the subject in more detail.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The American housewife is paying less for her sugar than she paid in any of the years between 1900 and 1914 (1) in spite of the fact that the costs of production have increased greatly in the United States since 1901; (2) that the standard of living of the American people is much higher than it was

at any time previous to the first World War; (3) that farmers are being required by Government regulations to pay increased wage rates to their employees; and (4) that the industry pays a tax of one-half cent on each pound of sugar manufactured in the United States.

This statement might raise some doubt in the mind of the reader of this article but he will find listed below the average price paid for sugar in the period 1901–13 as compared to the average price paid in 1938 and 1939.

Year and price:		Cents
1901–13	10 pounds	59
1938	do	53
1939	do	54

In order to more clearly emphasize the fair treatment which has been accorded to the consumer of the United States by the producers of sugar, let us glimpse at the retail price paid by consumers for sugar and other necessary foods during the period 1891-1900 (so-called gay nineties) as compared to the period 1929–38.

Average retail prices in United States

Foods	10 years, from 1891 to 1900	10 years, from 1929 to 1938	Increase (+) or decrease (−)
			Percent
Sugar (refined) pounds	$0.0574	$0.0561	−2.26
Butter do	.2575	.3759	+45.98
Lard do	.0953	.1432	+50.26
Potatoes peck	.2229	.3825	+71.60
Bacon pounds	.1323	.3597	+171.88
Round steak do	.1254	.3519	+180.62
Ham do	.1549	.4550	+193.74

Mr. ELLENDER. This picture shows that in the case of the most important foods purchased by the American consumer in the period 1929–38 the retail price paid for these foods increased above the average paid in the period 1891–1900 in every instance, with the single exception of sugar.

Perhaps the facts presented above do not fully answer the contention often heard that American consumers pay a higher price for sugar produced on the continent than they would have to pay if they purchased all of their sugar from Cuba. In that case it is necessary to point out one additional fact which will brand such a contention as misleading and inconsistent with actual experience.

No doubt, a majority of the housewives in the United States remember the years following the first World War when, at times, they were forced to pay as high as 25 cents a pound for sugar. It is sufficient to say here that during this same period of high prices Cuba supplied a greater percentage of our consumption requirements than it or any other individual area has ever supplied to the United States. For the years 1920–24 Cuba supplied 56 percent of our consumption requirements, and the average price for this period was $1.08 for 10 pounds. In this period continental producers furnished approximately 23 percent of our consumption requirements. In contrast, during the years 1935–38 only 32 percent of our consumption requirements was furnished by Cuba, and the price paid for sugar averaged 56 cents per 10 pounds. Over this period there was a 43-percent decrease in the Cuban share of the continental sugar market and a 48-percent decline in the price paid for sugar. In this same period continental sugar producers furnished 31 percent of our sugar requirements as compared to 23 percent in the period 1920–24; therefore it is evident that with a 35-percent increase in the share of our market by continental producers the price of sugar declined 52 cents per 10 pounds, or approximately 48 percent.

Mr. ELLENDER. Mr. President, there is a good deal more that could be said on this subject. As I have pointed out on several occasions, I am convinced that the sugar producers in continental United States, although they have benefited to a large extent, have not received a just proportion of our total sugar quota, and I——

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield for a question.

Mr. CONNALLY. Earlier in the Senator's remarks I interrupted him to ask him about the price of sugar in the export market as being 2 cents a pound, whereas, under the sugar program in the United States, the price of the same sugar is 4.95 cents a pound. The Senator said the 2-cent price was not for refined sugar but was for raw sugar. The Department of Agriculture advises me that 2 cents a pound is the price of refined sugar in the export market.

Mr. ELLENDER. Where is that information from, Senator?

Mr. CONNALLY. I do not know where it is from. It just says "in the world market." I suppose that means anybody's sugar in the world market.

Mr. ELLENDER. For what year are those figures?

Mr. CONNALLY. I do not know. The Department did not say. What I am trying to show is that I think it is a little unfair for the sugar people to charge the Government with hostility toward them when, under our own program of the Jones-Costigan Act and the tariff, combined, and the bounty which we pay them, they are getting 4.95 cents a pound instead of 2 cents a pound. It seems to me that is a pretty substantial benefit.

Mr. ELLENDER. I am not familiar with the figures which the Senator has just presented.

Mr. CONNALLY. They were given to me by the sugar expert in the Department of Agriculture. I do not recall his name at the moment, but the Senator no doubt will.

Mr. ELLENDER. Dr. Bernhardt, I presume. I do not believe those conditions prevail today, Mr. President. I do not think they reflect present conditions.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. O'MAHONEY. My request is prompted by the remark of the Senator from Texas.

There is not any doubt that the world price of sugar has fallen to great depths. These is not any doubt that the passage of the Sugar Act was beneficial to the sugar industry and to all phases of it; and there is no contention here, so far as I know, that that act is in any way hostile to the domestic sugar industry. During the colloquy today between the Senator from Louisiana and the Senator from Georgia [Mr. GEORGE], in response to a statement made by the Senator from Michigan [Mr. VANDENBERG] with respect to the fact that the bill as it is now presented allots to foreign countries other than Cuba, the ones which have been mentioned in the argument, much more sugar than they ever before sent into the United States, I pointed out that there was no possible logical explanation of the refusal of the State Department and the Department of Agriculture to approve this bill except that the charges are true which have been made upon this floor and elsewhere that there is a deep-seated hostile purpose against the domestic sugar industry, because it seems to me all the facts taken together mean only one thing—that if we desire to protect consumers of sugar in this country we must be certain that they have a supply of sugar which is easily available, and which is not subject to the dangers to which sugar shipments from foreign countries are subject.

Mr. ELLENDER. The Senator knows the reason why I asked the distinguished Senator from Texas as to the date of his data. They evidently are figures applicable to a time long before the present war emergency. The price of bottoms alone has increased to a little over a cent and a half a pound, just for the transportation of sugar from the Philippines here; and the cost of transportation of sugar from Cuba has gone up an amount which I do not recall, but I think it is three times what it used to be before this emergency. The same thing is true with regard to sugar from Java and sugar from other parts of the world where it is produced cheaply. There is no doubt about that.

Mr. President, I desire further to point out the inequality in the distribution of acreage to continental producers in contrast to, let us say, producers in our island possessions. In this particular amendment we are not taking away from the islands—that is, Hawaii, Puerto Rico, and the Virgin Islands—any part of their quota. We are not decreasing it. On the contrary, if this bill should be enacted, they would have the same percentages provided in the present act, although I think it is wrong to do that, for the reason I am about to state; and I feel confident that if this matter had been brought to the attention of those who handled the Jones-Costigan Act this condition would have been remedied.

All of those representing the beet-producing States as well as those from Louisiana and Florida asked for a larger quota. In Louisiana many years ago we produced cane on as many as 360,000 acres. In 1939 and 1940 we were reduced to 253,000 and 265,000 acres per year, respectively. A farmer can make a sugar crop for practically the same amount of money, with the same overhead and everything else, on 15 acres as on 10 acres, because he has to have the same equipment to operate a 10-acre farm as a 15-acre farm, or a larger farm. That is why I think there is an injustice there that should be corrected when we consider permanent sugar legislation.

I have data before me showing that the total acreage in the parts of Florida

and Louisiana where sugar is produced is 12,131,840 acres. The cultivable lands amount to 2,099,348 acres, of which only 13.2 percent is in sugarcane. In the case of the beet area, only 1.05 percent of the cultivable land is in beets. In Hawaii, one of our possessions, out of 440,579 cultivable acres, 31.4 percent is in cane; and the records show that under present conditions they could not expand the production of sugar much further.

Take the case of Puerto Rico, another island possession: That island has 23.06 percent of its cultivable area in sugarcane. And, again, the facts show that it has reached the point where it could not efficiently or economically produce much more sugar than it is now planting. The Virgin Islands have 24.7 percent of their cultivable acreage devoted to sugarcane.

Those are facts that should be considered the next time we deal with sugar legislation, and we should make a more equitable distribution of quotas—make it so that in Florida and in Louisiana and in the beet States more people can be put to work, more money can be earned and spent in this country than by letting Peru and other countries produce with American capital a part of our consumptive requirements.

Mr. LUCAS. Mr. President, will the Senator yield on that question?

Mr. ELLENDER. I yield for a question.

Mr. LUCAS. The Senator has been discussing the matter of acreage limitation in Louisiana and Florida, where cane sugar is grown. How does the acreage limitation under the pending bill compare with the average acreage limitation during the last 5 years under previous sugar legislation?

Mr. ELLENDER. There was no sugar legislation prior to 1934.

Mr. LUCAS. I say, during the last 5 years?

Mr. ELLENDER. Insofar as Louisiana is concerned, for the few years prior to 1934 I may say that there has been some increase, for the reason that our State suffered a great loss because of sugarcane diseases. But if we go back 30 years, as I pointed out awhile ago, it will be found that we planted as many as 360,000 acres of sugarcane in rotation.

Mr. LUCAS. What year was that?

Mr. ELLENDER. Between 1904 and 1911, as I remember. Of course, there have been increases and decreases over the intervening years, because of tariff legislation, and sometimes on account of some freeze or storm which may have occurred. But during the last 3 years our acreage has been considerably curtailed, compared with the greatest amount we planted in the past.

Mr. ADAMS. Mr. President, may I make a statement as to the beet acreage?

Mr. LUCAS. I am talking only of cane, because the Senator from Louisiana discussed the question of sugar production in Florida and Louisiana. That is all I am interested in at the moment, I may say to the Senator from Colorado.

The information I am seeking is indicated in the question. The Senator was discussing acreage limitation. We have been fooling around in Congress for the last 6 or 7 years with sugar quotas and with sugar legislation, and I am just wondering what there is in the pending sugar bill, so far as acreage limitation is concerned, which further decreases the acreage limitation in Louisiana and Florida as far as production of sugar is concerned.

Mr. ELLENDER. If the bill shall be enacted and Louisiana shall be allotted any amount of sugar which the Philippines cannot ship to the United States, it will mean that we can reduce the carry-over this year, which will permit our farmers to plant more sugarcane for next year. It will not affect this year's crop insofar as the farmer is concerned, because in Louisiana we usually plant cane in August, September, and October of each year, sometimes a little later than that, for harvest in the fall of the next year.

As I pointed out a while ago, we will be faced at the end of this year with a possible carry-over of, let us say, 200,000 tons, depending on how much the present crop of sugarcane yields. If we can cut that down to an appreciable extent by virtue of the pending bill, it will mean that when acreage allotments are made in the next few months for next year's plantings, we will be given a greater acreage to plant.

Mr. LUCAS. If I understand the Senator correctly the proposed legislation—and I am not at all familiar with it—does not deal with acreage limitation.

Mr. ELLENDER. No, not as such.

Mr. LUCAS. In other words the sugar planter of Florida and Louisiana will be able, under the proposed legislation, to plant just as many acres of sugar as he did during the past year?

Mr. ELLENDER. It depends. Sugar acreage is fixed each year, under the law, depending on the amount of carry-over, the yields, and so forth. Another thing, the sugar law will expire on December 31.

Mr. LUCAS. The Senator is discussing acreage limitation. It may be that it has nothing to do with the pending bill——

Mr. ELLENDER. I grant that a good deal of the debate this afternoon had little or nothing to do with the pending measure, that is, in its details. I have been discussing other phases of the sugar problem which were brought about because of the questions propounded to me during the discussion.

Mr. LUCAS. I am sorry I took the Senator's time.

Mr. ELLENDER. I thank the Senator for his interest.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CLARK of Missouri. I do not like to interrupt the Senator, but there has been an interruption, and I should like to ask him to clear up a matter which is very much confused in my mind.

I heard the statements pro and con before the Finance Committee on the pending bill, and I voted to report the bill out of the committee, and I intend to vote for it in the Senate, on the theory that it is a question of distributing a more or less unexpected deficit which has arisen from the failure of the Philippines to fill their quota due to changes in the shipping situation.

I do not know whether the Senator from Louisiana read it or not yesterday, but in all the public press of yesterday there was published a sort of pronunciamento from Lord Woolton, the food dictator of Great Britain, in which, among other demands he made on the United States, he demanded that the American consumers should cut down their consumption of sugar in order to make more sugar available to be sent to Great Britain.

It has been my observation that whatever is the settled opinion of the British Government soon becomes the settled opinion of this Government, and any demand made by a responsible official of the British Government will soon be a demand made by this administration. I should like to ask the Senator why, if it is necessary to ship more sugar to Great Britain, this question arises at all. Why should not the American producer of sugar, as a defense measure if nothing else, be permitted to produce all the sugar he possibly can and let the Government or Great Britain or somebody else—of course, we will have to pay for it in any event—buy some of this sugar and send it to Great Britain instead of repressing sugar production in this country, which might at any time become necessary from a defense standpoint?

I do not wish to inject the subject into the Senator's remarks, but I am very anxious to have information on that point.

Mr. ELLENDER. I, too, was very much surprised at the note in the article—that the British should ask us to curtail our sugar consumption when, as a matter of fact, there is more sugar said to be available in the Americas than we can use and as much as England can use if they take the surpluses from Cuba, Santo Domingo, Peru, and other countries. In my opinion, the difference is simply this—that if we provide it for England we will have to pay for it and ship it to them——

Mr. CLARK of Missouri. We will have to pay for it anyway, apparently; but the point I am making is why should not the American sugar producer, as a matter of defense, if nothing else, be permitted to build up his own domestic production to the highest extent compatible with our own domestic consumption without cutting the present allotments and fill the necessities of Great Britain with some of this Santo Domingo and Peruvian sugar, which is about to be thrown on the market, apparently, instead of cutting down both the American consumption and production? Why should not the American sugar consumer be allowed to consume all he can pay for so long as there is a surplus in this country as well as everywhere else?

Mr. ELLENDER. That is what we have been arguing for several years, but it seems we cannot get very far in that direction. I have been contending ever since I have taken my seat in the Senate that continental producers should be permitted, under any law, to plant and produce at least 40 percent of our requirements. That could be done very simply.

In the past 10 years our sugar consumption in this country has grown from 4,200,000 tons a year to almost 7,000,000 tons at present. We eat more candy, more cake, more ice cream, than the average European does. Yet this additional consumption, this enormous amount of sugar, is not being allocated to continental producers. Instead, we have to share that extra market at home with Cuba and other foreign countries.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. LUCAS. The Senator states we are not being able in this country to sell the surplus we might produce because of the acreage we have in this country on which we produce, that we are denied that because tropical countries are sending sugar to this country. Does the Government pay any subsidy to the producers of sugar in Louisiana and Florida and other sugar-producing States as a result of the fact that the tropical countries do and can ship sugar into this country? Do they get any subsidy for that?

Mr. ELLENDER. Yes.

Mr. LUCAS. What is that subsidy per acre? Can the Senator tell me?

Mr. ELLENDER. It is 60 cents per 100 pounds of manufactured sugar, and sometimes the average tonnage on an acre may be 20 tons of cane, and those 20 tons may produce a ton and a half of sugar.

Mr. LUCAS. Would the Senator agree to eliminate that subsidy provided you could turn the sugar acreage loose in Louisiana and Florida?

Mr. ELLENDER. If we could establish a quota system whereby just enough sugar from offshore areas would come into this country, which if added to our production would keep our supply just about equal to or a little above our demand, and thereby maintain a stable price, I would say, "Yes." The sugar industry could not exist, of course, unless either that were done or we had a tariff, any more than our steel mills or our shoe manufacturers could exist without such protection being afforded them. In fact, no form of manufacture competing with countries having lower wage standards could exist unless protected in that way. The same principle applies to the sugar producer as applies to any other manufacturer.

For instance, as I pointed out earlier today, manufacturers of rayon in this country are protected to the extent of 52.33 percent under the Tariff Act of 1922 and 53.62 under the Tariff Act of 1930. In other words, if rayon is shipped from Japan or Germany, and the price of that rayon is $100 when it reaches our shores, the shippers of that rayon would have to pay a tariff on it of 53.62 percent. The reason for that is to protect our own labor. We have better schools here than they have in Japan; we have better roads and other facilities, all of which account for a greater tax burden. Our living conditions are better. Therefore, it costs more to produce any kind of commodity here than it does in these other countries.

Mr. LUCAS. Mr. President, will the Senator yield again?

Mr. ELLENDER. Yes.

Mr. LUCAS. Assuming that we followed the theory of the Senator from Louisiana, and that we did turn the acreages loose that are capable of producing sugar in Louisiana and Florida, what would happen to the sugar producers of the Philippines, of Puerto Rico, of Cuba, and other tropical countries which are depending on the American market at the present time for a place in which to sell their sugar?

Mr. ELLENDER. If we assume that we will have a quota system, if we assume that we will have a law similar to the one which is now on the statute books, of course, the greater amount of sugar we permit Louisiana and Florida to produce the less will be allotted to Cuba and offshore areas, unless, of course, consumption in the United States increases in the same proportion as production. There is no doubt about that. As I pointed out a while ago, it would not make much difference, let us say, to Puerto Rico and to Hawaii if we maintained their present acreage allocation, because they have almost reached their peak of production. Insofar as the producers in Louisiana and Florida are concerned, and in the beet-sugar areas, we can plant quite a lot more sugar. But there is no intention on my part to endeavor to decrease the production of sugar in any land over which the flag of the United States flies. I do not desire to take any plantings away from any of them. But sugar is a commodity of which we do not produce a sufficient amount to take care of our own necessities, and we are being called upon to share the production of it with foreign countries. If we were to be permitted under a new act to plant, let us say, the equivalent of 300,000 tons more of sugar in Louisiana, Florida, and in the beet area, we could draft a bill to provide that all offshore areas, including Cuba, would obtain the same minimum acreage that is now allocated under the 1937 Sugar Act. Such an amount is obtained from the increased sugar consumption in our country in the past few years. I believe we are entitled to furnish such increases, at any rate until we can obtain a further increase when the Philippine Islands become independent in 1946. Under the present act the amount fixed for Cuba and for the United States is on a basis of 6,682,670 short tons. In 1941 our consumption will probably be in excess of 7,000,000 tons.

Mr. LUCAS. Over what period does the Senator base that conclusion?

Mr. ELLENDER. In the last 3 or 4 years there has been a gradual increase in sugar consumption in this country. As I pointed out a little while ago, 12 or 13 years ago our national consumption was four million six hundred thousand-some-odd tons. This year it will be about 7,000,000 tons. What we could provide under a new bill would be to allow to all offshore producers the amount that we allocated to them under the 1937 act, using the figure of 6,682,670 short tons as a basis, and simply take the surplus of sugar due to increased consumption and distribute it among the continental producers. What would be wrong with that?

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. NORRIS. Is that not just about in substance what the bill proposes to do?

Mr. ELLENDER. The pending bill would not now affect the producer. It would affect him only next year if the bill is passed.

Mr. NORRIS. I understand that; but would it not allow our producers of sugar to take care of our additional needs arising from present world conditions?

Mr. ELLENDER. Yes. It would have practically the same effect, depending, of course, on the size of the Philippine deficit.

Mr. NORRIS. Yes; that is the effect of it.

Mr. ELLENDER. Granting that there would be a shortage, let us say, because of the Philippines not being able to ship 300,000 tons of their quota, under provisions of the bill we would give to the foreign countries 75,000 tons of that deficit, and we would distribute among our own producers—not only continental producers but producers in our island possessions—225,000 tons.

Mr. NORRIS. I understand that, and it seems to me to be more liberal than anyone has a right to expect us to be.

Mr. ELLENDER. There is no question about that. We are being generous to foreign producers in giving them 75,000 tons in excess of their present quota.

Mr. LUCAS. Mr. President, will the Senator again yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. I have not had an opportunity to read the bill, and I am merely seeking some information about the sugar question. If I understand the Senator correctly, the bill simply seeks to provide for what he contends will be an increased consumption during the next year. In other words, you leave the tropical countries in their present status, so far as acreage is concerned, and because you believe there is going to be an increased consumption of sugar during the next year, or because there has been an increase in consumption of sugar, you propose to increase the production of beet and cane sugar in this country.

Mr. ELLENDER. My remarks had to do with future legislation. The pending bill does not in any manner change any of the quotas allotted to any of the countries named in the act.

Mr. LUCAS. I understand that.

Mr. ELLENDER. This is its effect: Suppose the Philippines have 300,000 tons of their quota that they cannot ship here because of lack of shipping bottoms. If the pending bill is passed foreign countries except Cuba will obtain 75,000 tons of the 300,000-ton Philippine deficit, and 225,000 tons will be distributed among our continental and off-shore sugar-producing areas. In other words, the continental beet- and cane-sugar areas

and Hawaii, Puerto Rico, and the Virgin Islands will get their pro rata of that amount, on the same basis as is fixed in the Sugar Act of 1937. The domestic beet area would get 41.72 percent; the mainland cane-sugar area would get 11.31 percent; Hawaii would get 25.25 percent; Puerto Rico would get 21.48 percent; and the Virgin Islands would get 0.24 percent.

Mr. BROWN. Mr. President, will the Senator yield to me for a moment to say a word to the Senator from Illinois?

Mr. ELLENDER. I yield.

Mr. BROWN. The bill attempts to dispose of an unexpected deficit in the Philippine quota. Under the Sugar Act of 1937, it was assumed that the Philippine Islands would be able to produce and ship to the United States, in round figures, 1,000,000 tons of sugar. That quota is divided into two parts, namely, duty-free sugar and dutiable sugar. There is not much doubt that the Philippines would ship in all the quota of nondutiable sugar. The amount of nondutiable sugar is gradually decreasing each year, and the allotment of such sugar will disappear in 1946, when the Philippine Islands become entirely free from the United States.

Both the Ways and Means Committee of the House and the Senate Finance Committee saw that there was a probability that the dutiable sugar quota of the Philippines, which must be shipped over our tariff wall, would not be filled every year.

We now have a situation in which, because of the difficulty of obtaining ships to carry the sugar, and because of the fact that the freight rate from the Philippine Islands to the United States has risen from $8 to $32 a ton, it is estimated that there will be a deficit of from 200,000 to 300,000 tons.

Mr. LUCAS. That is, during the next year?

Mr. BROWN. During the present year. Of course, no one can predict what will happen in the future; but if the present shortage of bottoms and the present high freight rates continue, that condition will continue.

It was never supposed that the deficit would be more than a few tens of thousands of tons. Therefore we said in the original law, "We will let the foreign countries have the excess allotment." But here is a windfall in the form of an excess allotment of 200,000 to 300,000 tons of sugar production that no one expected to be allotted to foreign countries. Only two foreign countries are in a position to utilize it. The Senator must realize that Santo Domingo and Peru are the only countries which can do very much toward supplying the deficiency.

The bill provides that the first 75,000 tons of the Philippine deficit may be allotted to Santo Domingo, Peru, and other foreign countries. With the exception of 1 year, those countries have never had that much added to their American quotas.

In the Finance Committee we said that the original bill had no such provision. The junior Senator from Michigan [Mr. BROWN] suggested that we give foreign countries as much as they had any reason to expect out of the Philippine deficit.

But when we get above 75,000 tons—and there may be a deficit of from 150,000 to 300,000 tons of such sugar—that production should go to American producers. As the Senator from Louisiana has just said, American production includes the beet area, the cane area of continental United States, the Hawaiian Islands production, the Puerto Rican production, and the Virgin Islands production. We say that whatever there is above 75,000 tons should be divided among American producers according to the present quota percentages.

The particular reason for that at the present time, in addition to the reasons I have given, is that from 1940 to 1941 the American beet-sugar acreage has been reduced from 990,000 acres to 820,000 acres, or a reduction of 18 percent. We say that when such a situation arises, when we have an extraordinary deficit from the Philippines, we ought to take care of the American farmers, the Hawaiian farmers, and the Puerto Rican farmers—producers in the offshore islands as well as producers on the mainland. We ought to give them the deficit.

I will say further to the Senator from Illinois that the great difficulty now is a shortage of ships. How are we to get the sugar from Santo Domingo and Peru? We can get it only by using ships. If we want to release ships and let them be used in the effort to get materials to England and across the water, possibly to China, we ought not to use the ships in the transfer of sugar from foreign nations, but we ought to produce the sugar within the limits of the United States.

Those are the reasons for the bill.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. The Senator from Michigan has made a very plausible argument, and I think I understand the purport of the bill. I thank the Senator.

As I understand, the State Department has made an adverse report on the bill. Is that correct?

Mr. BROWN. That is correct.

Mr. LUCAS. Why does the State Department object under the circumstances outlined by the Senator from Michigan?

Mr. BROWN. That is a very difficult question for me to answer without going a long way back into the history of sugar legislation.

Mr. LUCAS. I do not care to take the time of the Senator to do that.

Mr. BROWN. I hope that possibly tomorrow, after the Senator from Georgia shall have spoken on the subject, I may have an opportunity to answer his argument. I do not know whether or not I shall have such an opportunity. However, the argument of the Secretary of State and of the present Secretary of Agriculture is that it is necessary that we show the friendliest of feeling toward the South American countries.

Mr. LUCAS. We do that by increasing their quotas by 75,000 tons, do we not?

Mr. BROWN. We think we do so fully by giving them a greater allotment than they have ever received. As I understand, the ordinary quota of Peru is about 6,000 tons, and that of Santo Domingo about 3,000 tons, making a total of 9,000 tons, which is the amount of sugar which they have a right to expect, by reason of the sugar act, to ship into the United States.

We are adding 75,000 tons to that amount. The argument of the Secretary, as he expresses it, is based upon hemispheric defense. He fears that if the American farmer should produce excess sugar the countries of South America would be deeply offended. Of course, the only countries that could possibly be offended are Santo Domingo and Peru. I think the Senator from Colorado [Mr. ADAMS] very clearly pointed out the situation in those democracies.

I will say to the Senator that I hope to have the opportunity in my own time to go a little further into the background of sugar legislation.

Mr. LUCAS. I thank the Senator from Michigan. I confess that I did not thoroughly understand the purport of the proposed legislation. I now understand it.

Mr. ELLENDER. Mr. President, just before I was interrupted, I placed in the RECORD some data showing the proportionate acreage of each country that is devoted to the production of sugar. I desire at this time to introduce like data showing the ratio of population on each island and country to the amount of sugar quota allotted. I ask that the data be incorporated in the RECORD.

There being no objection, the data referred to were ordered to be printed in the RECORD, as follows:

Sugar-producing areas under 1937 act, population

Area	Date	Total population	1941 sugar quota (tons)
Cuba	1938	[1] 4,227,587	1,959,947
Hawaii	1940	[2] 423,330	961,764
Philippines	1939	[3] 16,000,303	1,055,895
Puerto Rico	1940	[2] 1,869,255	818,166
Virgin Islands	1940	[2] 24,889	9,141
United States:			
States producing cane	1940	[4] 4,261,294	430,794
States producing beets	1940	[4] 56,157,496	1,589,100

[1] Moody's "Governments and Municipals, 1940," p. 1779.

[2] "Sixteenth Census of the United States, 1940, Territories and Possessions, Population." Preliminary Report, Oct. 13, 1940. The figures for Hawaii and Puerto Rico are revised. Information from the Bureau of the Census.

[3] Commonwealth of the Philippines, "Census of the Philippines: 1939," Special Bulletin No. 1.

[4] "Sixteenth Census of the United States, 1940, Final Population." Press Release, December 4, 1940.

Mr. ELLENDER. In other words, Mr. President, for the purpose of comparison, the Cuban sugar quota in tons amounted to approximately 46 percent of its population. The Hawaiian quota amounted to over 200 percent of its population. The Philippines amount to almost 7 percent, Puerto Rico to 43 percent, and Virgin Islands to 38 percent. On the other hand, the continental sugar-beet quota amounts to less than 3 percent of the population of that area, and the continental cane-sugar quota amounts to slightly over 10 percent.

I have here, Mr. President, some data with reference to trade balances, and I should like to have that placed in the RECORD as a part of my remarks.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

PURCHASES OF SUGAR-MILL MACHINERY BY THE CONTINENTAL SUGAR INDUSTRY PROVIDE ANOTHER YARDSTICK OF PURCHASING POWER

The heavy goods which an industry buys is often used as a yardstick of its importance to the commerce of the Nation. An interesting study has been made of this subject, first, to compare the sugar-mill machinery bought by Cuba as compared to Louisiana and, second, as compared to the continental sugar industry:

	Louisiana	Beet area	Cuba
1937	$4,079,000	$10,979,000	$521,000
1938	2,981,000	6,821,000	198,000
Total	7,060,000	17,800,000	719,000

Total continental area for 2 years	$24,860,000
Total Cuba for 7 years	1,744,342

The above figures show that in the 2 years on which the latest official statistics of the United States Department of Commerce are available, Cuba purchased in the United States only $719,000 worth of sugar-mill machinery. In the same period the Louisiana sugar industry alone purchased $7,060,000, or practically 10 times the Cuban purchases, and the combined Louisiana and beet areas purchased 34 times as much. At first the reaction of the reader might well be that these 2 years may not be representative. But looking further into the reports of the Department of Commerce, we find that the continental area in 2 years bought 14 times more than the Cuban industry bought from the United States during the 7-year period 1932–38.

Cuba—Trade in merchandise with principal countries

[Thousands of pesos]

Country	General imports			General exports		
	1937	1938	1939	1937	1938	1939
Total	129,572	106,007	105,862	186,071	142,678	147,676
United States	88,847	75,152	78,381	150,158	108,363	111,190
United Kingdom	6,321	4,490	3,065	20,011	19,602	17,983
Germany	5,845	4,681	3,391	3,136	2,755	1,471
Siam	4,285	2,947	2,141			
India	3,154	2,034	2,062		1	1
France	2,897	2,778	2,273	2,304	2,053	1,753
Curacao			2,238	30	25	
Spain	1,854	1,586	1,340	610	1,292	2,205
Belgium	1,825	1,322	1,094	2,389	2,054	1,398
Mexico	1,510	722	770	38	32	25
Chile	1,210	991	588	187	670	520
Netherlands	1,043	600	616	829	589	1,392
Canada	1,011	815	980	662	335	635
Japan	737	502	379	69	197	122
Italy	457	672	987	209	52	390
Sweden	567	959	975	923	189	297
Norway	497	489	449	302	309	1,965
Argentina	404	213	225	557	709	468
Venezuela	355	242		50	24	246
Colombia	83	12	6	230	52	270
Puerto Rico	10	5	429	441	203	65
Percent of total:						
United States	68.6	70.9	74.0	80.7	75.8	75.3
United Kingdom	4.9	4.2	2.9	10.8	13.7	12.2
Germany	4.5	4.4	3.2	1.7	1.9	1.0
France	2.2	2.6	2.1	1.2	1.4	1.2
Japan	.6	.5		(1)	.1	
Italy	.4	.6	.9	.1	(1)	.3

[1] Less than 500.

Source: Bureau of Foreign and Domestic Commerce.

Indicators of consumer purchasing power of sugar-producing States[1]

POPULATION, VALUE OF RETAIL SALES, AMOUNT OF WAGES PAID, NUMBER OF PASSENGER AUTOMOBILES REGISTERED, NUMBER OF RESIDENTIAL TELEPHONES, AND NUMBER OF FAMILIES WITH RADIOS, AS OF VARIOUS DATES

State	Population[2]		Retail sales, 1935	Wages paid in certain industries, 1935[3]	Number of passenger automobiles registered, 1936	Number of residential telephones, 1935	Number of families with radios, 1938
	1940	1930					
			Millions of dollars	*Thousands of dollars*			
Cane producing:							
Florida	1,897,414	1,468,211	425.81	157,413	282,585	79,966	297,900
Louisiana	2,363,880	2,101,593	344.39	163,650	199,011	73,904	297,400
Total	4,261,294	3,569,804	770.20	321,063	481,596	153,890	595,300
Beet producing:							
California	6,907,387	5,677,251	2,329.01	1,169,472	1,899,853	780,018	1,719,800
Colorado	1,123,296	1,035,791	302.56	124,049	250,327	111,402	233,500
Idaho	524,873	445,032	140.17	45,077	93,248	33,813	98,700
Illinois	7,897,241	7,630,654	2,173.07	1,664,263	1,428,621	933,060	1,857,100
Indiana	3,427,796	3,238,503	780.51	535,598	746,748	308,251	816,800
Iowa	2,538,268	2,470,939	650.03	214,309	603,170	370,761	577,800
Kansas	1,801,028	1,880,999	448.26	137,896	444,157	247,704	367,800
Michigan	5,256,106	4,842,325	1,388.24	1,209,841	1,200,697	370,679	1,122,200
Minnesota	2,792,300	2,563,953	820.01	336,982	615,465	318,551	555,900
Montana	559,456	537,606	189.46	62,580	113,787	34,193	114,600
Nebraska	1,315,834	1,377,963	359.76	111,745	346,764	173,057	284,100
Nevada	110,247	91,058	43.53	16,375	26,339	9,002	28,500
New Mexico	531,818	423,317	88.75	24,236	67,445	13,562	62,300
North Dakota	641,935	680,845	150.21	30,584	118,463	47,011	119,600
Ohio	6,907,612	6,646,697	1,956.94	1,409,050	1,503,763	621,440	1,641,500
Oregon	1,089,684	953,786	335.85	150,866	253,884	98,675	285,400
South Dakota	642,961	692,849	147.56	35,714	147,512	63,168	132,900
Texas	6,414,824	5,824,715	1,289.26	441,901	999,923	355,407	1,033,500
Utah	550,310	507,847	132.10	61,122	90,670	36,972	111,009
Washington	1,736,191	1,563,396	528.71	261,295	380,956	172,309	443,300
Wisconsin	3,137,587	2,939,006	871.83	473,377	615,175	326,309	612,700
Wyoming	250,742	225,565	82.68	25,036	54,248	18,570	49,800
Total	56,157,496	52,250,097	15,208.90	8,602,398	11,995,915	5,443,074	12,269,800
Grand total	60,418,790	55,819,901	15,979.10	8,923,461	12,477,511	5,597,864	12,865,100

[1] U. S. Bureau of Foreign and Domestic Commerce, Consumer Market Data Handbook, 1939.

[2] U. S. Bureau of the Census, Final Population Figures for the United States, by States: 1940, Press Release, Dec. 4, 1940, p. 3.

[3] A total wage income figure for all industries on which figures are available. Figures are not available on incomes of farmers, professional men, persons employed in domestic service, and many other occupations. The same, p. VIII.

Mr. ELLENDER. Mr. President, I have some further data showing the ownership of the sugar properties and the mills in the various countries. I have before me a table showing the ownership of sugar land and mills on the island of Cuba. The table shows that of 174 mills, 67 of them are owned and controlled by United States citizens, and the 67 mills produce 56.81 percent of the entire sugar production on the island. The Spanish control 14.17 percent; the Canadians, 4.54 percent; the English, 1.78 percent; the French, 0.93 percent; the Dutch, 0.57 percent; and Cuban citizens control only 21.20 percent of the entire production on the island. I ask that that table and other data attached be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

OWNERSHIP OF SUGAR LANDS AND MILLS

CUBA

Information concerning the ownership of sugar lands in Cuba can best be obtained, apparently, through presentation of the available data on ownership of the mills, since the sugar mill typically owns or controls a large area of land.[1]

One estimate of the ownership of the mills by nationality is presented below.

Cuba: Sugar mills by nationality of ownership or control, 1939: [2]

Nationality	Number of mills	Production	Percent of production
		Pounds	
United States	67	3,320,971,875	56.81
Cuban	55	1,239,636,125	21.20
Spanish	33	828,581,975	14.17
Canadian	10	265,260,450	4.54
English	4	104,629,850	1.78
French	3	54,246,725	.93
Dutch	2	33,891,000	.57
Total	174	5,847,218,000	100.00

Some other estimates credit American interests with owning an even larger share of the Cuban sugar industry. For example, one authority says that 75 percent of the sugar mills are controlled by American capital.[3] Another survey states that of the 160 mills which were active in 1934, 70 may be classed as definitely American; 5 as mixed Cuban-American; 12 as Canadian. The North American mills produced approximately 68.1 percent of the sugar made in Cuba in 1934.[4]

Through the 1920's most of the American-owned mills "belonged in legal theory to widely scattered security holders in the United States." But the liquidations and reorganizations that resulted from the huge deficits due to the depression in the sugar industry have greatly reduced the number of owners. Most of the mills of the Cuba cane group—the largest consolidation of mills in the island—were sold at auction in February 1934, to a banking group headed by the Central Hanover Bank & Trust Co. In 1934 nine mills were controlled by the National City Bank, eight of them through the General Sugar Estates, Inc. Even more mills are operated by the Royal Bank of Canada, mostly through the Sugar Plantations Operating Co. The Chase National Bank of New York, the First National Bank of Boston, and the Canadian Bank of Commerce are other banks operating mills.

The American Sugar Refining Co., the United Fruit Co., the Cuban American Sugar Co., and Hershey Corporation are American refining companies, or holding companies to which refineries belong, which own mills in Cuba. Two mills were acquired by Armour & Co. through collecting accounts for fertilizer.[5]

American investments in Cuban sugar were estimated to amount to $240,000,000 in 1936.[6]

Mr. ELLENDER. I also ask that a similar table and attached data with respect to Hawaii, Puerto Rico, the Virgin Islands, and the Philippines be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

OWNERSHIP OF SUGAR LANDS AND MILLS

HAWAII

Hawaiian sugar is produced in large part by corporations. "There are 39 mill companies, each of whom receives a percentage allotment under the Government sugar plan. The mill quotas are, to all intents and purposes, practically the same as quotas for agricultural operations" since the planters whose land does not actually belong to the mill companies, produce about 12 percent of Hawaiian sugar, and have their sugar ground by some one of the mill companies.[7]

In 1939, 37 companies produced a total of 968,392 short tons of sugar. A table showing the production of each of these companies is presented below:

Hawaiian sugar production, 1939 [1]

[Short tons, commercial value]

Name of mill and production:	
Olaa Sugar Co., Ltd	45,453
Waiakea Mill Co	16,619
Hilo Sugar Co	28,413
Onomea Sugar Co	26,156
Pepeekeo Sugar Co	13,015
Honomu Sugar Co	9,579
Hakalau Plantation Co	18,754
Laupahoehoe Sugar Co	19,916
Kaiwiki Sugar Co., Ltd	9,663
Hamakua Mill Co	16,354
Paauhau Sugar Plantation Co	12,594
Honokaa Sugar Co	25,080
Kohala Sugar Co	38,646
Hutchinson Sugar Plantation Co	15,823
Hawaiian Agricultural Co	34,142
Wailea Milling Co	5,406
Pioneer Mill Co., Ltd	43,748
Wailuku Sugar Co	20,603
Hawaiian Coml. and Sugar Co	73,386
Maui Agricultural Co	40,386
Kaeleku Plantation Co., Ltd	7,540
Oahu Sugar Co., Ltd	64,921
Ewa Plantation Co	53,313
Waianae Co	8,295
Waialua Agricultural Co., Ltd	53,936
Kahuku Plantation Co	21,069
Waimanalo Sugar Co	9,670
Lihue Plantation Co., Ltd	68,543
Grove Farm Co., Ltd	11,126
Koloa Sugar Co., The	15,050
McBryde Sugar Co., Ltd	22,554
Hawaiian Sugar Co	25,346
Gay and Robinson	7,544
Waimea Sugar Mill Co., The	3,415
Kekaha Sugar Co., Ltd	37,335
Kilauea Sugar Plantation Co	11,285
Kipu Plantation	3,104
Total	968,392
96° raw value equivalent	994,172

According to the testimony of Ernest W. Greene, of the sugar producers of Hawaii, more than 15,000 stockholders owned the stock of 37 sugar-producing companies.[1] Little information has been found concerning the nationality of these owners. Apparently a few Hawaiian families are the dominant owners, however.

"Several of the large estates are heritages from members of the former Hawaiian royalty. * * * Others were inherited from owners who acquired the land when it was much cheaper than at present. Many large estates, instead of being broken up and distributed among the various heirs, are incorporated and kept intact as single large holdings * * *."[2] A few families own or control most of the land and big businesses."[3]

PHILIPPINES

There are a large number of individual sugar planters in the Philippines—nearly 20,000 in 1937. These sell their sugar to the mill companies or centrals usually as individuals or through cooperative agencies. There were 46 centrals in the Philippines in 1937, which had an annual milling capacity of about 12,000,000 tons of cane.[4]

There are conflicting estimates as to the nationality of the dominant owners of both land and mills. One authority states: "Investments in sugar centrals were valued in 1935 at $84,000,000, and investments in land and improvements $181,000,000. Of the total capital invested in centrals, approximately 45 percent was owned by Filipinos, 30 percent by Americans, and 25 percent by Spaniards.

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[1] Twenty-five percent of the cane raised is on directly administered mill property. Seventy-five percent is raised by planters who sell to the mill in return for the value of a specified part of the raw sugar produced from it. Ninety percent of this planter-grown cane is on land owned or controlled by the mills. Lynsky, Myer, Sugar Economics, Statistics and Documents (United States Cane Sugar Refiners' Association, 1938) p. 72.

[2] Based on the apparent nationality of the reputed ownership or stock control of organizations owning or leasing sugar mills.

Anuario Azucarero de Cuba, 1939, compiled and edited by Cuba Economica y Financiera, p. 47.

[3] Moody's Governments and Municipals, 1940, p. 1780.

[4] Commission on Cuban Affairs, Problems of the New Cuba (1935), p. 227.

[5] The same, pp. 228–229. See also the testimony of Congressman FRED L. CRAWFORD, of Michigan: "Any man who checks the stock ownership as best he can of the plantations and mills in Cuba knows it is an absentee ownership, and as the earnings are made they flow out of Cuba to certain consolidated interests, located mostly in the United States, tied in very closely with the National City Bank, the Chase National Bank, the Royal Bank of Canada, the National Shawmut Bank, Hayden, Stone & Co., and a few lesser lights." CONGRESSIONAL RECORD, vol. 84, pt. 1, p. 180 (January 10, 1939).

[6] Dickens, P. D., American Direct Investments in Foreign Countries—1936 (U. S. Department of Commerce, 1938), p. 13.

[7] Lynsky, M., Sugar Economics (1938), p. 50.

[1] Data from Hawaiian Sugar Planters' Association, compiled in Sugar Division, U. S. Department of Agriculture.

[1] Extension of Sugar Act of 1937, 76th Cong., 3d sess., hearings before Senate Committee on Finance, October 1940, p. 76.

[2] Hawaii, Territorial Planning Board, First Progress Report (1939), p. 51.

[3] Freeman, O. W., the Economic Geography of Hawaii (1927), p. 36.

[4] Joint Preparatory Committee on Philippine Affairs, Report (1938), vol. I, p. 40; Lynsky, M., Sugar Economics, p. 66.

Most of the investment in cane lands and in improvements have been made by Filipinos; the remainder has been provided principally by Americans and Spaniards."[8]

On the other hand, a Philippine publisher states that Spanish interests control most of the Philippine sugar industry.[9]

The production of the Philippine sugar centrals in 1938–39 is presented below:

Output of Philippine sugar companies under 1938–39 allotments[1]

[Short tons]

Mill district	Allotment	Production
Arayat	20,491	21,881
Asturias	34,143	23,378
Bacolod-Murcia	94,969	88,235
Bais	83,857	58,966
Balanga	8,353	6,747
Bamban	54,791	53,765
Bearin	23,560	21,093
Binalbagan	100,988	89,088
Bogo-Medellin	18,693	18,330
Calamba	96,986	87,118
Calatagan	11,062	10,472
Calumpit	10,476	10,276
Cebu	16,048	13,275
Danao	19,893	13,367
Del Carmen	131,214	132,877
Don Pedro	63,397	61,250
El Real	9,686	9,275
Hawaiian-Philippine	120,338	111,953
Isabela	61,404	59,663
Janiuay	13,246	9,544
La Carlota	151,701	148,619
Leonor-Lourdes	9,700	651
Lopez	37,601	22,703
Ma-ao	91,194	81,742
Mabalacat	7,509	6,062
Manapla	124,349	81,617
Manaoag	8,491	6,627
Mindoro	19,401	20,438
Norte	8,316	6,525
Ormoc-Rosario	23,866	10,032
Palma	18,530	15,563
Paniqui	18,486	19,229
Pasudeco	146,247	153,230
Pilar	29,787	28,425
San Carlos	77,397	51,350
San Isidro	21,028	18,066
Santa Aniceta	10,321	7,863
Santos-Lopez	27,186	20,926
Sara-Ajuy	14,009	12,649
Talisay-Silay	98,347	86,778
Tarlac	125,657	122,979
Victorias	90,862	79,594
University	18	
Total	2,153,598	1,902,221

[1] Philippine Sugar Administration. Compilation reproduced in Sugar News (April 1939), p. 172. Statistics are limited to the centrifugal grade of sugar. The individual production of muscovado and other low-grade sugar by 40 mills is given for 1937–38 in Sugar News (May 1939), p. 198; the total amount reported is 57,726 tons, tel quel.

Lynsky, M., Sugar Economics, Supplement, 1939, p. 349.

See also Sugar Reference Book and Directory, 1939 (Russell Palmer, publisher), pp. 129–130.

OWNERSHIP OF SUGAR PRODUCING LAND

PUERTO RICO

Owners of all sugar lands by country of residence, 1935[1]

Country of residence	Thousands of acres	Percent
Puerto Rico	273.8	86.1
Continental United States	40.0	12.6
Spain	2.5	.8
France	1.5	.5
Other	.2	(2)
Total	318.0	100.0

[1] Smith D., and Requa, W. M., Puerto Rico Sugar Facts (Association of Sugar Producers of Puerto Rico, 1939) p.124. The figures are based on data furnished by producers.

[2] Less than 0.05 percent.

[8] Joint Preparatory Committee, vol. I, p. 40.

[9] Statement of Porfirio U. Sevilla in CONGRESSIONAL RECORD, vol. 84, pt. 14 (Aug. 4, 1939), p. 3879.

Comparatively little information has been found concerning the amount of sugar land owned by corporations. According to one statement, however, 77 percent of the sugar production in Puerto Rico is on corporate farms.[1] In 1938, payments of $10,000 or more were made, under the Sugar Act of 1937, to at least 11 corporations in Puerto Rico.[2]

Even less information has been found concerning the ownership of stock in these corporations. In the case of Rubert Hermanos, Inc., one of these 11 corporations, which is said to own over 12,000 acres, the dominant owner of the stock is reported to be Manuel Gonzales, a Spaniard.[3] Since the table above lists Spanish holdings of sugar land at 2,500 acres, it is possible that adequate knowledge of the stock ownership of agricultural corporations would give a different picture of the percentage of sugar land owned by natives and by foreigners.

No direct information has been found on the ownership of the sugar mills in Puerto Rico by nationality. However, the table on the ownership of the land may give a clue to the ownership of the mills since the mills or associated growers produce a substantial part of the cane. A large proportion of both the milling and the growing is done by corporations. Little information has been found, however, on the ownership of the stock in these corporations. One source states that the ownership of some of the large corporations "is said to be closely held by a few individuals."[4] Another source states that purchases of the stock of the "so-called 'American companies' indicate an increasing percentage of Puerto Rican ownership among these producers."[5]

The production of the Puerto Rican sugar mills in 1939–40 is presented below:

Puerto Rican sugar production, 1939–40[1]

[Short tons, raw value]

Name of mill and production:	
Aguirre-Machete	101,851.61
Boca Chica-Mercedita	56,387.33
Cambalache	49,317.57
Canovanas-Fajardo	99,939.90
Caribe	9,159.10
Carmen	16,453.45
Coloso	45,229.13
Constancia Ponce	8,664.68
Constancia Toa	25,677.23
Eastern Sugar Association	101,117.16
El Ejemplo-Roig	40,518.15
Eureka	25,045.16
Guamani	11,572.80
Guanica	103,127.55
Herminia	2,305.15
Igualdad	26,623.46
Juanita	28,466.71
Lafayette	29,831.02
Monserrate	15,055.22
Pellajas	5,433.26
Plata	19,272.12
Playa Grande	9,407.76

[1] Data from Sugar Division, U. S. Department of Agriculture.

[1] Statement of E. W. Rising, vice president of Western Beet Growers' Association, in Extension of Sugar Act of 1937, 7th Cong., 3d sess. Hearings before Senate Committee on Finance, October 1940, p. 30.

[2] Department of Agriculture, Press Release No. 68–41. Only those companies with "Inc." or "Ltd." in their titles were included in the 11.

[3] New York Times, March 27, 1940.

[4] Lynsky, Myer, Sugar Economics, Statistics and Documents (1938), p. 56.

[5] Smith, Dudley, and Requa, W. M., Puerto Rico Sugar Facts (Association of Sugar Producers of Puerto Rico, 1939), p. 18.

Puerto Rican sugar production, 1939–40—Con.

Name of mill and production—Continued.	
Plazuela	23,885.88
Rochelaise	11,475.14
Rio Llano-Soller	15,858.57
Rufina	32,039.65
Santa Barbara	3,776.51
San Francisco	7,132.05
San Vicente	39,402.71
San Jose	17,536.62
Victoria	21,760.03
Los Canos	20,732.23
Total	1,026,074.91

OWNERSHIP OF SUGAR LANDS AND MILLS

VIRGIN ISLANDS[6]

In 1932 half of the sugarcane on island of St. Croix, the island best suited for agriculture, was raised by about 600 small-farm renters paying from $7 to $12 annual rental an acre for their land. Homesteading was begun in the fall of 1932. By 1939, total of 3,639 acres of land had been purchased by the United States Government on which 380 homestead families had been established. Under an amortization plan homesteaders are purchasing their plots of about 6 acres each at an annual rate which is less than they previously paid for rental. The Government-owned Virgin Islands Co. has cleared and put into cultivation 3,000 acres of old cane land.

There were 3 sugar mills in the islands in 1930. Only 1 of 300-ton capacity was in operation, however. In the fall of 1934 the Government purchased the 2 idle mills and a distillery and put these into operation for the benefit of the islanders.

Mr. ELLENDER. I also ask to have incorporated in the RECORD a table showing the number of farms in the sugar-producing countries, islands, and the various States so as to contrast them. For instance, let us take Hawaii. In Hawaii, there are only 59 farms and Hawaii is permitted to send into the States 25.25 percent of the 55.59 percent of our sugar consumption. The table also shows various other facts and figures contrasting the farm areas, the number of farms, and other data which I am sure will be interesting to Senators. I ask that the table be incorporated in the RECORD in connection with my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

AVERAGE SIZE OF SUGAR FARMS

There are a number of estimates of the average size of sugar farms in the areas affected by the Sugar Act of 1937. Although these show some variations, they agree that Florida and Hawaii are, in general, areas with large-scale sugar farms. In Cuba and Puerto Rico large-scale farms are also very important. Louisiana, the sugar-beet area, and the Philippines have many small farms producing sugar, although there are some large farms in each area. The average acreage in all crops per farm in the Virgin Islands in 1940 was 6.72.[7]

One estimate of the acreage and production of cane sugar per farm in the areas supplying the United States market is given below.

[6] United States Department of the Interior, General Information Regarding the Virgin Islands (1939), pp. 31–32.

[7] Sixteenth Decennial Census of the United States, Virgin Islands—Agriculture, Bureau of the Census, Press Release, July 15, 1940, p. 2.

Acreage and production of sugar on domestic, Philippine, and Cuban sugarcane farms[1]

Area	Number of farms	Acreage in sugarcane		Production of sugar	
		Total	Per farm	Total	Per farm
Domestic areas (1938-39):		*Acres*	*Acres*	*Tons*	*Tons*
Louisiana	11,600	[3] 270,000	23.3	[4] 400,112	34.5
Puerto Rico	[2] 11,381	[5] 303,055	26.6	[6] 851,959	74.9
Florida	[2] 27	[3] 24,300	900.0	[4] 56,884	2,106.8
Hawaii	[3] 59	[7] 236,302	4,039.0	[7] 941,293	15,954.1
All	23,067	835,657	----------	2,250,248	----------
Philippines (1933-34)	[8] 18,200	[7] 755,854	41.5	[7] 1,621,294	89.1
Cuba (1936-37)	[9] 24,991	[9] 2,149,771	86.0	[4] 3,374,524	135.0

[1] Smith, D. and Requa, W. M., Puerto Rico Sugar Facts (Association of Sugar Producers of Puerto Rico, 1939), p. 123.
[2] Farms for which proportionate shares were established.
[3] Crop Reporting Board, U. S. Department of Agriculture, General Crop Report as of July 1, 1939, p. 38.
[4] Based upon Willett & Gray statistics.
[5] Annual Report of the Treasurer of Puerto Rico, 1939.
[6] Association of Sugar Producers of Puerto Rico data. Survey of sugarcane farms by Agricultural Adjustment Administration shows 1,216,939 tons—106.9 per farm—would have been made if all cane had been used for sugar.
[7] Agricultural Statistics, 1939.
[8] Agricultural Adjustment, 1933-35, p. 222.
[9] Secretario de Agricultura, Memoria Annual, 1936, p. 147.

Beet-sugar producing area

"The sugar-beet farm is characteristically a family enterprise."[1] There are about 63,000 farmers growing beets for sugar. In general, there are small farms in the eastern unirrigated area, and relatively larger farms in the western irrigated areas.[2]

[1] Lynsky, Sugar Economics, p. 32.
[2] Mulliken, Agricultural Labor in the Sugar Industry, pp. 5-6.

Mr. ELLENDER. Mr. President, I also have before me a table showing the populations for 1920 and 1930 in the counties producing sugar in the United States and a comparison of the number of employees and wages paid, retail sales, and so forth, which, I think, will be of interest, and I ask that the table be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

The size of the market provided by the 330 sugar-producing counties in 21 States of the United States is shown by the following figures, which require no explanation but provide an interesting study:

	Year	Sugar counties	Total, United States	Percent of United States
Population	1920	15,242,798	105,710,620	14.22
Do	1930	20,072,653	122,775,046	16.35
Number of employees	1935	3,459,551	17,603,219	19.65
Wages paid	1935	$4,319,040,000	$20,424,969,000	21.15
Retail sales	1932	$9,996,770,000	$49,482,880,000	20.20
Do	1933	$4,777,700,000	$20,576,623,000	23.22
Do	1938	$6,096,460,000	$33,161,280,000	19.71
Residential phones	1929	2,417,118	11,288,880	21.41
Do	1930	2,759,878	13,177,885	20.94
Do	1935	2,235,808	10,718,626	20.86
Automobiles	1930	4,560,096	19,780,000	23.05
Do	1936	4,923,006	22,295,072	22.08

Mr. ELLENDER. Mr. President, a while ago the Senator from Georgia stated, as I understood him, that he had figures from the Department of Agriculture showing that there has been an increase in the acreage in Louisiana since the act of 1937 was placed on the statute books. At the time I did not have the figures available, but I now have them. During the first year of the operation of the act of 1937 which was the year 1938, there were in cultivation in Louisiana, including cane grown for seed, 292,000 acres; that was reduced in 1939 to 253,000 acres, and in 1940 there were in cultivation 265,000 acres.

With the presentation of that data, Mr. President, I have concluded my discussion of the pending legislation, and will now take my seat unless more questions are asked.

DISASTER LOAN CORPORATION, ELECTRIC HOME AND FARM AUTHORITY, AND RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1438) to extend the operations of the Disaster Loan Corporation and the Electric Home and Farm Authority, to provide for increasing the lending authority of the Reconstruction Finance Corporation, and for other purposes.

Mr. BROWN. I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. GLASS, Mr. BROWN, and Mr. TAFT conferees on the part of the Senate.

ARTIS J. CHITTY—CONFERENCE REPORT

Mr. BROWN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 991) for the relief of the widow of the late Artis J. Chitty, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment, as follows: In lieu of the figures "$5,000" insert "$7,500"; and the House agree to the same.

PRENTISS M. BROWN,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.
JOHN M. COFFEE,
LOUIS J. CAPOZZOLI,
Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION

Mr. GEORGE. Mr. President, I should like to inquire if there are other Senators who wish to continue the discussion of the pending bill. I am advised that the Senator from Wyoming [Mr. O'MAHONEY] desires the floor. He is absent from the Chamber for a moment. In the meantime, as we have a very short executive calendar, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. SMATHERS, from the Committee on the Judiciary:

John Bright, of New York, to be United States district judge for the southern district of New York, to fill a new position; and

Simon H. Rifkind, of New York, to be United States district judge for the southern district of New York, to fill a new position.

By Mr. MALONEY, from the Committee on Banking and Currency:

Robert E. Healy, of Vermont, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1946 (reappointment).

By Mr. MEAD, from the Committee on Post Offices and Post Roads:

Several postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Jay Dixon Edwards, of Oregon, to be Foreign Service officer of class 8.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Walter L. Miller to be collector of internal revenue for the twenty-third district of Pennsylvania.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTER

The legislative clerk read the nomination of Roy H. Ireland to be postmaster at Wadena, Minn.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. GEORGE. I ask unanimous consent that the President be notified of the confirmation of the nominations which have just been passed upon by the Senate.

The VICE PRESIDENT. Without objection, the President will be notified.

Mr. GEORGE subsequently said: Mr. President, following the calling of the Executive Calendar, a request was made

that the President be immediately notified of the confirmation of all the nominations. I should like to withdraw that request with respect to the collector of internal revenue for the twenty-third district of Pennsylvania—that is, to withdraw the request that the President be immediately notified of the confirmation of that nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

SECURITIES AND EXCHANGE COMMISSION

Mr. MALONEY. I ask unanimous consent for the present consideration of the nomination of Judge Robert E. Healy to be a member of the Securities and Exchange Commission, which was favorably reported by me somewhat earlier today.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nomination will be read.

The legislative clerk read the nomination of Robert E. Healy, of Vermont, to be a member of the Securities and Exchange Commission.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MALONEY. I ask unanimous consent that the President be notified.

The VICE PRESIDENT. Without objection, the President will be notified.

That completes the calendar.

SUGAR QUOTAS

Mr. GEORGE. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 937) to amend section 204 of the Sugar Act of 1937.

Mr. ADAMS. Mr. President, there seems to be a sort of indeterminate gap. I inquire if the Senator from Wyoming is going to take the floor?

Mr. O'MAHONEY. I should like to know what the understanding is with respect to the manner in which the debate is to be conducted tomorrow. The unanimous-consent agreement which was reached, as I understand, calls for a vote at 2 o'clock tomorrow afternoon upon the bill and all amendments thereto, but there has been no agreement with respect to the division of time.

Mr. ADAMS. I understand from the junior Senator from Michigan that he has had a conference with the acting chairman of the Finance Committee, and that there was, at least, an understanding as to how the division of time would be worked out.

Mr. GEORGE. I may state to those interested that Senators representing the majority views of the Finance Committee have not taken any time except by way of questioning the proponents of the measure. Tomorrow during the 2 hours it had been my hope that the Senator from Texas [Mr. CONNALLY] would speak. He probably will not speak for more than 30 minutes, as he advises me, unless interruptions prolong his statement. If I should have anything to say on the bill, it would not exceed 15 or 20 minutes. I, therefore, said to the Senator from Michigan that I thought there would be no difficulty in his obtaining a hearing of 30 minutes. Beyond that, there has been no arrangement made. I feel quite certain that unless there are others who desire to speak—and I have had no advice to that effect—then within the 2 hours not more than an hour will be taken by those who will speak in opposition to the measure.

Mr. O'MAHONEY. The Senator from Michigan was called from the Chamber because of a committee meeting, and it is, therefore, impossible for him to be here this afternoon. I merely wanted to be quite certain that he would have the opportunity which he desires to speak sometime tomorrow. I should dislike very much to have the hour of 2 o'clock arrive and the Senator from Michigan not have had opportunity to address himself to this question. As a member of the Committee on Finance, he has participated in all the discussions in the committee, and is thoroughly familiar with the measure from the point of view of those who are supporting it.

Mr. GEORGE. Unless there are other Senators who desire to speak—of which I have no knowledge or notice—I am satisfied that the Senator from Michigan will be able to have the time he desires to use. He said he did not wish to speak more than 30 minutes.

Mr. O'MAHONEY. That was my understanding.

Mr. GEORGE. If I should speak at all, I should certainly endeavor to accommodate myself to that agreement with the Senator from Michigan, and would forego any speech rather than deprive him of the opportunity of speaking; but the Senator from Texas [Mr. CONNALLY] expects to address the Senate tomorrow.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. GEORGE. Certainly.

Mr. CONNALLY. I do not expect or desire to occupy more than 30 minutes, but it seems to me the opponents of the bill ought not to be cramped. All the time up to the present moment, except for some questions, has been consumed by the proponents of the bill.

Mr. O'MAHONEY. I will say to the Senator from Texas that I have no desire to cramp the opponents of the bill; but I want to be sure that an opportunity is extended to those of us who support the bill to respond to any arguments which may be advanced against it. I am frank to say, as I have intimated two or three times, that it has been rather difficult for me to understand why there should be any opposition at all to this measure.

Mr. CONNALLY. I congratulate the Senator on his enthusiasm.

Mr. O'MAHONEY. The Senator has all the time there is from now until tomorrow in which to discuss the subject from his point of view. I assume that the Senator does not intend to speak this afternoon.

Mr. CONNALLY. No; I do not.

Mr. ADAMS. Mr. President, while the matter is being worked out I have a series of rather categorical statements which I should like to read into the RECORD, summarizing some of the things which have been presented by myself and other Senators. They, perhaps, would be appropriately handed in for printing in the RECORD, but, as parts of them are in my own handwriting, I think I had better read them. They are numbered paragraphs, statements of fact in reference to the pending measure, Senate bill 937:

First. The bill makes no change in any quota under the Sugar Act.

Second. The pending bill distributes the Philippine deficit which may occur—less 75,000 tons as to which priority is given to foreign areas—among all areas under the United States flag in proportion to statutory quotas.

Third. The bill does not increase the cost to the United States Treasury. Excise taxes and benefit payments are the same whether sugar is marketed from the Philippines or from domestic areas.

Fourth. The net cost to the Treasury, whether sugar is produced in the United States or in the Philippines, is one-tenth of a cent per pound.

Fifth. The Sugar Act produces a net surplus to the Treasury above all expenses and benefit payments. This surplus since 1937 amounted to $81,993,000. The surplus for 1940 is $21,520,000.

Sixth. Refining of raw sugar in American refineries increased from 4,128,808 short tons in 1933, the year before the first Sugar Act, and 4,182,368 tons in 1934, the first year of the Sugar Act, to 4,630,068 tons in 1940.

Seventh. The beet-sugar industry produced 1,736,000 tons in 1933, but was limited to 1,550,000 tons in 1941.

Eighth. The retail price of sugar per pound has declined during the period of the Sugar Acts from 6.3 cents in 1912, 7.2 cents in 1927, and 5.5 cents in 1934, to 5.1 cents in 1940. The wholesale price per pound has declined from 5.81 cents in 1927 to 4.34 cents in 1940. The average retail price in 51 cities from August 1940 through January 1941 was 5.1 cents per pound, or equal to the average in 1932, the lowest in the history of the sugar industry.

Ninth. Sugar-beet acreage has been reduced by the Agricultural Department under the provisions of the Sugar Act to 820,000 acres for 1941 from 990,000 acres in 1940, from an average of 989,000 acres during the previous three years, and from 1,030,000 acres in 1939.

Tenth. Wages of labor in beet fields are fixed by the Agricultural Department, which has made two increases of approximately 20 percent each since the enactment of the Sugar Acts.

Eleventh. Child labor is prohibited by the Sugar Act.

Twelfth. Soil-conservation practices are required under the Sugar Act.

Thirteenth. Continental United States produces only 29 percent of its sugar consumption.

Fourteenth. More than 70 percent of the United States sugar consumption is received by sea-borne commerce.

Fifteenth. Seventeen percent of shipping coming to the United States is required to carry sugar and molasses.

Sixteenth. Allocation of the Philippine deficit to the United States will release ships for national defense and carrying aid to Britain.

Seventeenth. Sugar is an essential commodity. Every ton added to the American production reduces the hazard

of shortage of sugar, with consequent rationing and high prices, as experienced in the first World War period.

Eighteenth. Foreign countries to which the Philippine deficit would be allocated under the existing law have never filled their quotas since 1934.

Nineteenth. Reliable trade sources indicate that foreign areas will not be able to fill the Philippine deficit if allotted to them, and probably will not even be able to fill the deficit of 73,000 tons in dutiable quota already allotted.

Twentieth. Every dollar paid by consumers for American-produced cane and beet sugar is spent in and stays in the United States. Of the dollar paid for foreign-produced sugar, only the cost of refining and selling is spent and stays in the United States. Of the 5 cents paid for foreign sugar, less than 2 cents stays in the United States.

Twenty-first. Failure to pass Senate bill 937 will mean increased sugar prices to consumers in the United States. Due to ship sinkings and war demands, ocean freights have increased greatly. Some have quadrupled; all have at least doubled. The price of sugar has recently risen to compensate for these increased freights. The Philippine sugar quota is necessary to provide an adequate supply. If all deficits in the Philippine quota are to be allocated to foreign countries, to the exclusion of producers under the American flag, the consumer in the United States must not only bear the increased cost of ocean freight but must take the hazard of a sugar shortage, with its high prices and rationing.

Twenty-second. That higher prices must be paid by American consumers if foreign producers are allotted the Philippine deficit is clear from a few facts. To illustrate, in the case of Peru, whence the larger share must come, the tariff to be paid is 1.875 cents a pound. The excise tax is 0.53 cent. The freight will be 1 cent a pound. The cost of refining will be 0.820 cent at a minimum, though the spread in the New York market between refined and raw sugar on Saturday was $1.60 a hundred, indicating that the refiner was selling the refined sugar for $1.60 more than he was paying for it. But the Tariff Commission figures showed that the actual cost of refining was 82 cents a hundred, and the sugar refiners, in a statement made about that time, said that there should be figured the 7 percent shrinkage in the reduction of raw sugar to refined sugar. So, in their own statement they said that the actual cost of refining was 62 cents. This would indicate the loss which they would suffer, if they lost only the refining of 40,000 tons, which seems to be the probable amount. These figures show a total cost to the Peruvian producer of 4.22 cents, and that is without any computation as to the cost of production.

Therefore, in order to compete today in the New York market, where refined sugar is selling at $4.95 a hundred, it would be necessary for Peru to produce its sugar for 73 cents a hundred, which is impossible even with its cheap Indian labor.

It may be noted that the cost of producing raw sugar, as found by the Tariff Commission, is 3.006 cents in Puerto Rico, 2.974 cents in Hawaii, 1.676 cents in Cuba. And Peru cannot hope to produce sugar at as low a price as the Cuban figure. The result is that Peru cannot export sugar into the United States and sell it except at a loss, unless sugar prices are raised.

Twenty-third. Well-informed sugar authorities say that foreign countries are not able to supply the Philippine deficit; that sales already made by Peru, the Dominican Republic, and Haiti so far deplete their stocks that their available sugar production will not be sufficient to supply the 73,000 tons already allotted to foreign countries.

Twenty-fourth. Claims that the refiners will be seriously injured if the Philippine deficit is allotted to domestic producers is refuted by the facts.

The American sugar refiners in 1940 refined 4,650,000 tons of sugar. They employed, according to the report which came in from the Committee on Finance, 14,000 people. If the deficit in Philippine sugar was 100,000 tons over and above the 75,000 tons, all but 41 percent would go through the American refineries. So that they would be deprived of 41,000 tons, which is less than 1 percent of their refinings. Thus not to exceed 140 men of their employees would be affected in the 23 refineries, or less than 10 to a refinery.

On the other hand, if the deficit were allotted to the domestic sugar industry, at least 2,000 families would be put to work, many of them kept off W. P. A. Many beet-sugar refineries would be kept open which would otherwise be closed. In producing 100,000 tons of sugar by domestic producers, at least 10 times as much would be expended in the area under our flag as if allocated to the foreign producers.

The refiners gave a statement of their cost being 62 cents a hundred. This would indicate that the amount paid for refining 100,000 tons would be $1,240,000, while in the production of a similar amount of beet sugar the expenditure of $10,000,000 would be required.

Mr. President, I have simply submitted these figures which I have gathered so that they might be available. I have one other statement of fact which I should like to add.

That the sugar-refining industry has not been on the decline is indicated by statistics from the official reports of the American Sugar Refining Co., the major refining company in the United States, which show that in 1938 this company earned $410,000; in 1939 it earned $2-770,000; in 1940 it earned $3,444,680, indicating, along with the fact that the number of tons refined by them has been increasing, that their profits have also been increasing. I do not mean to say that the profits are at all exorbitant or out of line for the services rendered, but I merely state the figures so that there may be no idea that the refining industry is in a decline in the United States.

Mr. O'MAHONEY. Mr. President, I am very happy the Senator from Colorado [Mr. ADAMS] has inserted in the RECORD the list of facts with respect to the sugar legislation. They tend, I think, to dispel a number of misapprehensions with respect to sugar legislation in general, and certainly with respect to the measure which is now before this body.

The issue here is not at all whether we should or should not have a sugar act, but whether, in a great international crisis which everyone seems to understand confronts us, the producers of sugarcane and sugar beets under the American flag should be given the opportunity of producing all the sugar of which their areas are capable. Certainly that is a very simple proposal, and one which should not be open to any misunderstanding whatsoever. Yet I have no doubt, from what has transpired here today, and my feeling as to what is likely to be said tomorrow, that the discussion will go far afield, into many subjects which are not at all germane to the issue.

THE A B C OF THE SUGAR ISSUE

This bill proposes only that, if, as now seems very likely, the Philippine Islands are unable to ship into continental United States the amount of sugar allotted to them by the law, our own domestic and insular producers be permitted to supply the deficit, after Latin-American countries are allowed to send in all they have ever shipped in under the act.

In simple A B C, it is urged that, instead of reducing the production of sugar beets and sugarcane in the United States at a time when there is an acknowledged shortage of shipping, we take advantage of our own capacity to produce, using our own resources instead of creating an artificial shortage when no one can guarantee that the shortage can be made up by the foreign nations toward which the State Department wishes to make a gallant if empty gesture.

Last year, for example, the beet-producing States planted 990,000 acres of sugar beets, but this year, under the order of the Department of Agriculture, they may plant only 820,000 acres. Thus, as the Nation is poised precariously on the brink of war, we are confronted by the prospect of a twofold shortage of sugar, arising, first, from the action of the Department of Agriculture in cutting down domestic production, and, second, from the fact that the Philippines are not likely to be able to send in all their quota. This likelihood is so great that already the Department of Agriculture has allocated to certain South American countries a prospective deficit of 73,000 tons.

A refusal to permit our own American producers to make up the much greater deficit that is to be expected just does not make common sense. Because it does not make common sense, the opponents of this bill are advancing all sorts of irrelevant arguments and raising all sorts of false issues, going even so far as to attack the basic Sugar Act itself.

The pending measure should be called a bill to protect the consumers of the United States by permitting the producers of the United States to furnish all the sugar which they are capable of furnishing. Attempts to divert the issue by discussions of what has or what has

not been done for the sugar farmer are, as I see it, altogether devoid of merit.

Perhaps it would be appropriate in the circumstances, since I have joined with the senior Senator from Colorado in presenting the bill now pending, for me to take advantage of this opportunity to discuss some of the fundamental facts of the sugar problem. It is not a difficult one to understand. Indeed, I feel that it is one of the easiest to comprehend of all of the problems which come before Congress in these difficult days.

The sugar law will perhaps go down in the history of the past 8 years as one of the most successful of all the measures enacted by the present administration for the protection of the American farmer, the sugarcane workers and the American consumer. In 1933 there was no question about the depressed condition of the sugar industry.

THE STABILIZATION AGREEMENT

Processors as well as producers were at their wits' end to know what to do. For months, the leaders of this industry had endeavored to work out some form of a stabilization agreement. Refiners, processors, and producers, both domestic and foreign, devoted all their ability and ingenuity to the task, for all had been overtaken by disaster—Cuban planters and refiners, Atlantic coast refiners, Latin-American planters, all our insular growers and the continental growers of sugar beets and sugarcane as well—all were in the economic depths.

A stabilization agreement was worked out and in 1933 it was presented to the Department of Agriculture for approval. It was rejected because in the opinion of the Secretary, it seemed likely to favor the refiners at the expense of all others who were engaged in or served by the industry. The formula which was finally enacted into law in the Jones-Costigan Act, and continued in the present law, operated in a manner to protect the producer, the refiner, the worker, and the consumer. Processors as well as producers joined together to secure the enactment of that measure, and, under the wise direction of the gentleman who now graces this body as its presiding officer, the Vice President of the United States, steps were taken in the enactment of that measure to make certain that the conconsumer would not be penalized by the benefit payments which the law prescribes are to be made to the producer.

Those benefit payments were not enacted merely as an idle gesture to dig something out of the Treasury and give it to the farmer. They were not intended to be a subsidy to the farmer, that is to say a grant of something that was not earned. Not at all! They were designed to guarantee to the producer of a staple agricultural product a fair price for that product under conditions that would prevent exploitation of the consumer, secure improved working conditions for the laborer, and stabilize the market for the processor.

We all know that the farmer is receiving a progressively smaller share of the national income, and that the decline in the share received by him has been evident for two decades at least. The sugar farmer, like other farmers, suffered in this decline. The theory of the sugar bill was that a processing tax should be levied upon the processing of sugar, and that from the proceeds of the tax the benefit payment to the producer would be made. It was justified because it was a transfer from the processor to the producer of excess profits obtained by the processor in the refining of sugar, and because the producer had been receiving what was acknowledged to be an unduly small share of the sugar consumer's dollar.

This tax is not a burden upon the consumer. It is paid by the industry itself. It is levied in such a manner, and paid in such a manner, and the provisions of the act are such, that it would be impossible for those who refine sugar to add it permanently or successfully to the price the retail purchaser pays. Indeed, it is impossible to use this law as an instrumentality for exploiting the consumers of sugar in the United States.

The law prescribes—and this should be understood by every person who is at all interested in this debate—that the Secretary of Agriculture in making his consumers' estimates shall bear in mind the interest of the consumer, and that the estimates which govern the quotas—in other words, the estimates which govern the amount of sugar which is to be available—shall be so fixed that the price to the consumer shall not get out of line.

Section 201, the first section of title II, which establishes the quotas, provides:

> And in order that the regulation of commerce provided for under this act shall not result in excessive prices to consumers, the Secretary may make such additional allowances as he may deem necessary in the amount of sugar determined to be needed to meet the requirements of consumers, so that the supply of sugar made available under this act shall not result in average prices to consumers in excess of those necessary to maintain the domestic sugar industry as a whole.

In other words, in the drafting of this legislation care was taken to protect the consumer, while providing that the farmer should receive a more equitable share of the proceeds of the sugar industry.

This provision of the law has been repeatedly used to prevent an unwarranted rise in the price of sugar to the ultimate consumer. If, after having made his estimate of consumption for the ensuing year, the Secretary has seen indications that the cost to the consumer might be increased, he has not hesitated to raise his estimate. Thus by increasing the supply, he has successfully kept the price in line for the consumer.

At the outbreak of the present war in the fall of 1939, when American consumers, remembering their experience in the World War, began to lay in supplies of sugar and the price began to skyrocket, the Department resorted to another provision of the law and asked the President to suspend all the sugar quotas—both foreign and domestic. The price immediately reacted and the quotas were restored.

THE SUGAR INDUSTRY PAYS THE TAX

Not only is this true, but the tax raises more money for the Federal Government than the program costs. The surplus of 1940 of tax receipts above all expenditures, including both benefit payments and administrative costs, was more than $20,000,000. The receipts from the sugar tax ordinarily run about $68,000,000 annually while the total cost of administering the law aproximates $47,600,000.

So all statements that the American beet and cane farmers are receiving a gratuity from the Treasury are without the slightest foundation in fact. The truth is that the Sugar Act is the first and most successful legislative effort of this Government to adjust a large-scale, highly organized manufacturing industry to the needs of the individual farmer who produces its raw material.

Not only has this law given the flesh-and-blood farmer who has to deal with huge corporate organizations, a more equitable share in the consumer's dollar without penalizing the consumer, but it has greatly improved the condition of labor throughout the industry. Child labor has been abolished and the standard of living of the workers on both the plantation and the farm has been raised.

Conditions for the laborer on the large plantations of Hawaii and Puerto Rico are vastly better than on the sugar baronies of Cuba, San Domingo, and other countries where sugar is produced and to which it is apparently the desire of some to transfer our own domestic industry. Those who are accustomed to denounce American production of sugar beets and sugarcane as an artificial industry that ought to be suppressed in favor of the plantations of Latin-America are merely arguing, though no doubt without realizing it, that the American consumer should prefer the sugar produced by the exploited and oppressed workers of the West Indies to that which can be produced by the cooperation of self-respecting American farmers and workers.

Why was it necessary to pass such legislation? Because there was too much sugar in the world just as there has been too much coal, too much cotton, too much of all the things with which our economic life is carried on, so that the prices went tobogganing and producers in whatever field they were operating, in many instances, were not receiving the cost of production.

The world price of sugar, as was pointed out on the floor earlier today, was and is today, unless recent events of the war have caused a change, far below that which was necessary to maintain the sugar industry. All we sought to do in the original legislation was to regulate it in such a manner that all factors of the industry could stay in the industry at a profit. The result was that the producers, the farmers, got a better price for their sugar, the refiners had a stable market, and were not under the necessity of competing with distressed sugar from off-shore areas. Workers in the refineries worked under better labor conditions and received higher wages because they had more certain employment. Workers in the cane fields in the South and in the beet fields in the West received a proper share.

The legislation was successful. When it was passed no one dreamed that there

would be a world war; no one dreamed that there would be a shortage of shipping. In 1937, when the present law was passed, the provision was written into the bill, as the Senator from Georgia [Mr. GEORGE] has said, by which deficits of sugar from the Philippines could be allocated to foreign countries other than Cuba. There was no thought at that time that that deficit would be at all substantial. There was no thought at that time that there would be any demand from foreign countries for any substantial portion of the deficit sugar. The facts as demonstrated by the recent hearings before the Finance Committee show that the distribution of the deficit was altogether insubstantial. Peru and the Dominican Republic, which had the largest share in the deficit, were allocated comparatively small amounts. I have before me the record of the hearings. According to the letter which the Secretary of Agriculture filed with the Finance Committee, the highest original quota received by Peru was 5,967 tons. The largest share it had in the distribution of the Philippine deficit was in 1938, when it was awarded 57,605 tons. In 1938 the Dominican Republic had an original quota of 3,580 tons. In 1937 it shared in the Philippine deficit to the extent of 32,143 tons.

The bill before the Senate does not take away any of that quota. The amendment proposed by the Senator from Michigan [Mr. BROWN] carefully safeguards that amount, and more, too. So there can be no possible danger that either of the countries referred to—or, indeed, any other country—will suffer any loss whatsoever. That is not what we are dealing with. We are dealing with a much more important question, as I see it, and that is whether, in the event the Philippine deficit exceeds by three or four or five times the highest deficit of any previous year—as there is every reason to believe it will—the people of the United States will have to pay excessive prices for their sugar; and whether domestic producers of sugar beets and sugarcane will be given the opportunity to come to the aid of the consumer by producing what they can produce.

We are confronted with an emergency. Is this merely so much talk, so much argument for the purpose of putting over a measure? The facts before us are so clear that no one can doubt what the result is likely to be.

I asked the Maritime Commission for specific information with respect to the shipping problem and shipping charges. The response came to me about an hour ago. I have before me a table sent to me by the Maritime Commission, which shows the rate which is being paid and the rates which have been paid during the past several months for the transportation of Philippine sugar. Let those who are interested in the consumer bear this in mind.

In September 1939 the shipping rate on sugar from Manila and other principal Philippine ports to United States Pacific coast ports and overland points was $4.50 per unit of 2,240 pounds. That was in September 1939. A week had not passed before the rate had jumped to $5.40 for the same unit. The next month the rate was $8.50. In July 1940 the rate had gone up to $11.50. On the 7th of January 1941 the rate was $13.50; on the 8th of February, $15.50; on the 17th of February, $16.50; and on March 8 it had reached $18.50 per unit of 2,240 pounds.

Is anybody so naive as to believe that these rates will not be reflected in the price the American consumer pays, if we blindly declare that the American farmer must continue to reduce his beet and cane acreage in this emergency?

The rates on sugar which I have quoted are duplicated in respect to every other commodity that is being transported on the high seas. The situation was so grave that the President of the United States called the attention of the Maritime Commission to what was likely to happen; and in February 1941 he addressed to the Chairman a letter which was mimeographed and distributed generally to all interested in shipping. In that letter he said:

> I particularly request that you give all assistance and cooperation to the Office of Production Management in expediting the shipment of materials which are essential to our production program.

It was recognized that the shipping problem would become increasingly difficult. In following the instructions of the President the Maritime Commission sent out circulars in February and March, directed to shipowners and conferences—"conferences" being the polite name for combinations in restraint of trade on the high seas.

On May 1, 1941, the secretary of the Maritime Commission issued a release addressed to all conferences operating outside the European war zone, in which he said:

> Despite our circular letters of February 25 and March 11, referred to above, there are proposals being made by certain ocean carriers further to increase transportation costs by means of higher berth freight rates, full cargo freighting agreements, and charter contracts.

I shall not read all the circulars which I have received from the Commission. For months the Maritime Commission has been directing its efforts toward finding a solution to the problem of increasing shipping charges on the high seas. I have before me a graph which shows in particularly effective manner how the time-charter rates have soared under the pressure of this emergency.

In July 1939 the average charge was about a dollar a ton. In September 1940 the average charge, after having gone up, settled to $2 a ton; but from September 1940 to date the rise has been precipitous—almost a vertical line from January to May. The present average charge for all commodities is $11 a ton.

SHIPS FOR SUGAR OR STRATEGIC COMMODITIES?

As I have already indicated earlier in this debate, the Maritime Commission only last April, foreseeing the shortage of shipping and the need of all available cargo space for very necessary strategic commodities vitally needed in the national-defense effort, recommended the reallocation of the undelivered Philippine quota to other areas if possible. Here is the opportunity to do what the shipping experts of this Government desire. Pass this bill and the American producers, here in continental United States, as well as in Puerto Rico, the Virgin Islands, and Hawaii, will furnish at least a portion of the sugar you should not bring in from the Philippines if you want those other Philippine commodities which the Maritime Commission knows to be urgently required in the defense effort.

Let me read from the letter of the Maritime Commission directed to Secretary Wickard of the Department of Agriculture on April 5, 1941:

> As of March 25 there remained approximately 635,000 tons of duty-free Philippine sugars to be brought to this country in accordance with established quotas. While we cannot give you an accurate estimate at this time it is apparent from the demands for ships and space that consideration should be given to the reallocation of quotas if this can be done, so that the quantity of sugar to be transported from the Philippines can be reduced and the ships made available for the transportation of other strategic commodities which are urgently required in the defense effort. A reduction in the required importation of sugar from the Philippines will make tonnage available for the transportation of rubber, tin, ores, wool, and other strategic commodities which must be brought to this country in large quantities from the Straits, the Dutch East Indies, the Philippines, and Australia.
>
> We are preparing an estimate of the amount of shipping space that will be available for Philippine sugar during the remainder of the year.

There is a dearth of shipping. The charges for shipping commodities are steadily increasing. If we are dependent for our sugar supply upon distant areas, whether they be partly under our jurisdiction, as in the case of the Philippines, or altogether outside our jurisdiction, as in the case of Peru and the Dominican Republic, the result is certain to be that the consumers of the United States will have to bear the burden.

BILL WILL PROTECT SUGAR CONSUMERS

We do not need to guess about this matter. We know from experience what happens in wartime. We know that during the World War the price of sugar went up. In 1917 it rose from 8 cents a pound in January to 10 cents or a little more. The average price for 1917 was 9.3 cents. The average price year by year during that crisis went steadily upward, until in 1920 it was 19.4 cents. The average that year was brought down simply because under the pressure of increased prices there had been an increased production of beet sugar.

In 1920 the highest price which I find noted in the chart was for the month of June, when the consumers in the United States paid 26.7 a pound for their sugar. We have the situation of a deficient supply, deficient shipping, and increased charges for shipping. Are we to expect any other results than higher prices to consumers? The sugar farmers of the United States are capable of producing more cane and more beets than they are permitted to produce under the quota system; but even though they were to produce all they are capable of producing, in all probability they still would be un-

able to produce more than 40 percent of the total requirements of our consuming market. So, no matter what happens, we are dependent upon foreign sources for more than half our supply.

Under such circumstances, which no one can dispute, it is altogether beyond my ability to comprehend why we should deliberately say, "We will not take advantage of our own resources." The production of beet sugar was initiated during one great war when lack of shipping, blockades, and one thing and another were shutting off from the European Continent supplies of sugar; but in the United States we have the largest sugar market in the world, and our own producers are not being given the opportunity which they desire to produce as much as they can.

Mr. NORRIS rose.

Mr. O'MAHONEY. I yield to the Senator from Nebraska.

Mr. NORRIS. The Senator from Wyoming has just made a statement which no one can contradict; everyone must admit it to be true. That statement is that, no matter what happens to this bill or any other bill, it is impossible for the American producers of sugar, both beet and cane combined, to produce half of what the American people consume every year. By reason of the existing war conditions in the world, the shipping situation is such that the Philippine Islands are unable to send us their quota. Under such circumstances I am unable to understand why we should deliberately still further limit the American producer in his effort to make up the deficit, and why we should give to foreign nations and foreign peoples the right to furnish our requirements of sugar. I am like the Senator from Wyoming in that respect; I cannot comprehend how any American can take an attitude which brings about such a result.

WHY LIMIT DOMESTIC PRODUCER NOW?

Yet the bill is intended to cure that very situation. It has been adversely reported by the committee. We see lined up against it a large number of Senators, whose attitude seems to be that under such dire circumstances, when the deficit, if we are to have the sugar at all, must be made up by somebody, we are justified in saying to the American producer, "You may not produce the sugar," and to the foreign producer, "You may produce it." It is something past my comprehension. It seems to me so unjust, so unfair, and so indefensible that I do not see how anyone can give a valid reason for taking such a course.

I agree with the Senator from Wyoming and the Senator from Colorado. So far as I am able to see with my limited vision there is absolutely no valid reason why the bill should not become law.

Mr. O'MAHONEY. I thank the Senator for his comment upon this measure. As the Senator from Colorado pointed out last week, the argument is made that somehow or other this proposal would interfere with the program of hemispheric defense. No one has made that vague charge clear.

Mr. NORRIS. Mr. President, it is not possible for anyone to make it clear. I think all of us will agree that we need a vast amount of additional shipping facilities to help Great Britain. All of us are in sympathy with that course. We want to do it; and if we should enact this bill the effect would be to release a considerable amount of both American and foreign shipping to carry out the aid we want to give to Britain and at the same time to do justice to our own producers of sugar, both beet and cane.

Mr. O'MAHONEY. Mr. President, under the administration of the Sugar Act the greatest care is exercised to make certain that everyone who is affected by the sugar industry or who has a part in it is treated fairly. Wages, hours of work, and all such things are watched. But we have no control over the wages paid in Peru or in the Dominican Republic.

When we talk about the Dominican Republic or about Haiti we are talking about lands which once were very great producers of sugar, but which when slavery ended ceased to be successful producers of sugar. When the owners of the plantations in Santo Domingo and Haiti were no longer able to drive their sugar workers with the lash the profit went out of the business and it practically disappeared. Is it now proposed to build it up again? If it is built up again, it will be built up at the expense of the workers in the United States; and those who are employed upon the plantations of Santo Domingo and Haiti will not be assured anything comparable to the wages paid by the sugar industry in the United States.

I said a moment ago that when the time comes to write the history of the last 8 years the Sugar Act will probably be set down as a real achievement because it was successful in doing three things: It gave the producer a more equitable share of the return from the sugar industry; it guaranteed good working conditions and good wages to the workers in the sugar industry; and, finally, it protected the consumer from exploitation. I think there is no other act for which so much can be claimed. In addition to those three factors, the refiners prospered; but now the eastern refiners object to this measure because they say it would destroy the stabilization of the industry.

POSITION OF AMERICAN REFINERS

Mr. ADAMS. Mr. President, will the Senator allow me to read a paragraph from the annual report of the American Sugar Refining Co., the leading opponent of the bill, off the floor?

Mr. O'MAHONEY. Certainly.

Mr. ADAMS. In the report of that company it is said:

> We are hopeful that Congress, in passing on new sugar legislation, will still recognize the unfairness of allowing sugar refined under the wage and other standards prevailing in the Tropics to displace sugar refined by American workmen in this country.

I should like, following the same theory, to change a word or two and thus meet the present situation:

> We are hopeful that Congress, in passing on new sugar legislation, will still recognize the unfairness of allowing sugar produced under the wage and other standards prevailing in the Tropics to displace sugar produced by American workmen in this country.

Mr. O'MAHONEY. I am very happy the Senator has called attention to that, and I want to take this opportunity to say that the sugarcane-refining industry, if this formula which has proved so successful is broken down, as it can be broken down only by the efforts of the refiners, may look forward to an early time when sugar refined by poorly paid workers in the Tropics will be coming into the United States. Then, as in the past, they will turn to the Representatives in Congress of the sugar-producing areas, the Representatives of the agricultural areas, and ask for their assistance to stabilize the industry once again.

I remember very well—the Senator from Louisiana referred to it this morning—when the beet farmers of the West and the sugarcane farmers of the South were accused of being in an unholy alliance because they stood with the refiners under the protection of the Sugar Act to prevent refining in insular areas at low wage scales to increase its competition with refining in the United States. Now they cannot be accused of being in an unholy alliance. If there is any unholy alliance now, the beet farmers of America and the cane farmers are not in it; the alliance is between the refiners and the State Department or, perhaps, the Department of Agriculture.

The opposition to the proposal contained in this bill, that if there is a deficit in the sugar quota from the Philippines the American beet farmer and the cane farmer may be permitted to do the best they can to take up a part of it, comes from the seaboard refiners. I think, Mr. President, it does not speak well for the foresight of these gentlemen that they enter into the effort to defeat this proposed legislation.

Of course, it is clear what they want. They see what the situation is, they realize that shipping rates are rising and that ship bottoms are lacking. They now see that the opportunity for furnishing the sugar market in America will depend upon two sources, either from the increased production which American farmers are capable of making or from importations from South American countries, from Santo Domingo, from Peru, and elsewhere. They know that the shipping from those areas may be likewise impeded. In those circumstances what is likely to be the effect upon the price of sugar? The Secretary of Agriculture cannot increase his estimate of consumption then and produce any result, because he cannot admit sugar from the Philippines as the ships to transport it in sufficient quantities are not available. Can he get it from Cuba? Can he get it from any other place? The source of supply will be obstructed and restricted, and the natural and inevitable effect will be an increase in the price of sugar to the consumer, and then it will be a long day, perhaps, before we will have any other sugar legislation to take the place of the present law when it expires at the end of the year. Mr. President, I submit that it is not common sense in a crisis such as we are now confronting to say that American producers shall not be permitted to

do their best to supply the amount of sugar that the people of the United States will naturally consume.

I have turned this matter over in my mind in every possible way, in the hope of finding some reasonable ground upon which to base an understanding of the opposition to the measure, but I confess, like the Senator from Nebraska [Mr. NORRIS], I am utterly unable to find any explanation. It does not exist, Mr. President, unless as I said earlier in the day, there is a purpose somewhere to destroy the sugar industry in the United States or at least to hamper it and restrict it to its present size, so that it may not grow, and thereby to make the United States dependent for the greatest proportion of its sugar upon sources outside its own jurisdiction. When we understand that the whole trend of modern science and industry has been to develop new sources of materials, to increase the ability of every land to support itself, and when we further realize that the reverse of that is to make every nation dependent upon the productive capacity of other nations, we can understand that, in such circumstances, the wage scales and the living conditions of the cheaper producing countries will be the ones to control. That is the road to a lower standard of living.

Mr. President, I cannot believe it is the purpose of this administration or the purpose of the Senate of the United States or of the Congress to invite such a condition in the sugar industry. I cannot believe that it will be the purpose of the Congress not to take advantage of the opportunity that is now here to protect American consumers from high prices to the extent possible by using all the productive capacity of America.

Mr. GEORGE. Mr. President, before the Senator takes his seat, I should like to ask him, as he has given very great study to this question, how important is the fixing of quotas to the successful operation of our present sugar program?

Mr. O'MAHONEY. Under the conditions which existed prior to the war it was very essential, because otherwise, without the quotas, the whole industry would have been destroyed.

Mr. GEORGE. Would that not happen again unless quotas were continued?

Mr. O'MAHONEY. If there were a return to the former conditions, with normal shipping and huge production throughout the world, yes; but I hope the intelligence of America and the intelligence of the world, for that matter, will rise to the point where it can prevent a return of those conditions.

Understand, now, with respect to the quota system, I am ready to acknowledge that it is a stopgap. It was intended to cure a situation for which there was no other cure.

Mr. GEORGE. Is there any other answer, now or in the future, so far as we can now see, at least, if we totally abandon the quota system?

Mr. O'MAHONEY. No; if we should abandon the quota system, then, in my opinion, we should have a restoration of the conditions which existed before the quota law was enacted.

Mr. ADAMS. Mr. President, may I point out one difference in the situation which existed?

As the Senator will recall, the source of the near destruction not only of the American sugar industry but of the Cuban sugar industry was the fact that the Philippines, which originally had produced less than 100,000 tons and which had been limited by legislation to 300,000 tons, at one time were given a free hand, and they began to pyramid their sugar production coming into this country tax-free until it reached practically a million and a quarter tons. It was the Philippine tax-free production from the tropical islands, with cheap labor, which was destroying Cuba as well as the United States, because Cuba could not compete with tax-free Philippine sugar produced under similar conditions when Cuba had to pay the full tariff rate, less the 20 cents differential. Now the Philippine Independence Act has prescribed a tax-free quota of 850,000 long tons, as I understand, and we would not again have unrestricted tax-free importation from the Philippines.

Mr. O'MAHONEY. The Senator is quite right. Of course, it is also true that before the establishment of the quota system the tariff was not effective to keep down the importations of Cuban sugar; and under the tariff system, with the high tariff, Cuba was sending into the United States a much larger quantity of sugar than it has been sending in under the quota system. If the quota system were taken away, I suppose we should have Cuban sugar pouring in again.

Mr. GEORGE. That is exactly what I was getting at. I was asking for information from those who have given great study to this subject; but I certainly have governed my own vote heretofore for sugar legislation upon the theory, first, that the tariff did not effectively meet the situation; second, that a quota system was highly serviceable and was apparently necessary at that time in the light of all that we knew about the situation and how to meet it.

It undoubtedly is true that the offshore producers—for instance, Cuba—have not only restricted the expansion of sugar production but in the case of Cuba they are actually producing less since the Jones-Costigan Act and the 1937 act, and they are selling us much less sugar than they did prior to that time. That is true of all the South and Central American producers that had a market in the United States.

I grant that we might impose quotas without the consent of anybody else; but I think my friends will agree with me that it is a rather high-handed business for the United States to undertake to impose quotas without nay consultation or any agreement or any reason for our act being given to the countries which are to be affected by the imposition of the quotas.

Mr. O'MAHONEY. What country will be affected by the imposition of the quota and what quota is the Senator talking about?

Mr. GEORGE. Cuba is affected. I am talking about the present quota system or any other quota system.

Mr. O'MAHONEY. But this bill does not affect the Cuban quota.

Mr. GEORGE. Oh, no; I know it does not. I am getting around to that. I simply wanted to know how important the Senator regarded the quota system as being.

Mr. O'MAHONEY. I regard it as very important.

Mr. GEORGE. I do, too. I regard it as vital, because I should hope that our country never would arbitrarily fix quotas upon such nearby neighbors as Cuba and other nations in this hemisphere which, under ordinary circumstances, are great customers of ours, and whose trade and commerce we need. They, in turn, need our assistance and our trade and our commerce to support their very economy.

It seems to me, therefore, that it is highly important—now I am coming to the final question I wanted to ask the Senator—that we do nothing now that would say to the Central and South American countries—we may confine it, if we wish to do so, to Peru, Santo Domingo, and Haiti—"We will change the scheme under which we start out if at some time after we have begun working under that scheme we find it highly advantageous to us to do so." Why should we do that, especially when the Sugar Act will expire in December, when the proponents of the bill cannot possibly get any benefit for their producers except an indirect benefit, as the distinguished Senator from Colorado [Mr. ADAMS] contends, from the proposed change in the Sugar Act that they now wish to make? Why not at least leave us in good grace with the producers in the Western Hemisphere—the producers who would seek to get into our market, and, without some quota system, would utterly demoralize it, because they would be compelled to get in? Why not leave the matter as it is until this particular law expires in December of the current year, and then undertake to make a reallocation and redistribution along the lines the Senators have discussed?

I am persuaded that there is a great deal of force in the fundamental thought that Senators have of trying to build up the production of sugar here and to give our producers some opportunity to expand their production. I think we shall have an opportunity to do that in December. Even if we do not do anything else, we shall have to extend the present law. I know the Senator has very well said that the quota system is not involved here, but I very frankly submit to the Senator that it is involved to this extent:

The Jones-Costigan Act was reenacted in 1937, when there was a revision of the Sugar Act, due, in part, as I recollect, to the decision of the Supreme Court in the processing-tax cases. At any rate, there was an act in 1937 into which the particular provision which is now sought to be repealed was inserted. We fixed the quotas for the countries that had been participating in our market. We fixed a very low quota, it is true, for Peru and Santo Domingo. We reduced the quota of Cuba. Cuba actually suffered a pretty sharp reduction in her quota, and it had the effect of stopping the expansion of sugar production right off our shores,

in a country which was not a part of us but which was very intimately associated with us.

Mr. O'MAHONEY. And that was a good thing for Cuba.

Mr. GEORGE. I think it was a good thing for Cuba, but we cannot always keep the Cubans persuaded that it is a good thing perhaps if they think we are ready to "get out from under" when it seems highly advantageous to us to do so.

Undoubtedly Central and South American countries looked at the Sugar Act of 1937 and said, "If the Philippines do not fill their quota, we are going to get little more of the American market." They cannot plant any more sugarcane this year and send it here; nor can the American beet-sugar producers or the American cane-sugar producers plant now and market more sugar this year. The only thing on earth that can happen, after the Secretary of Agriculture has reached the period when he can determine that there is a shortage in the Philippine quota, is an increase of the marketing quota, allowing the producers of beet and cane in the United States to sell a part of their accumulated surplus.

I grant that would be to the benefit of the industry, and indirectly it would be for the benefit of the cane producers, but actually, so far as the present current year is concerned, no one is going to increase production from this date on, whether in the United States, its insular possession, or elsewhere. The only way by which additional sugar can come in to make up a possible Philippine deficit will be by an increase in the marketing quotas. The stocks are already here.

The distinguished Senator from Louisiana spoke of the fact that really we would not benefit the island peoples, or the Peruvians, because they would not get a chance to ship in any of their sugar, since the sugar is already here. He is exactly right, because under the quota system there must be a licensing system, and the licensing system now in effect permits the holder of the license which has the earliest date upon it to dispose of a percentage of his quota if there is increase in the marketing possibilities. Of course, the sugar is here in bond, and all that can happen to the beet producers and to the cane producers in the United States in the domestic area, or in any of our insular possessions, is the granting of permission this year, under the proposed law, to market a larger percentage of the surplus now on hand.

I grant that would be of some general benefit, but I am getting to the point that there is no practical benefit to the grower of beets or cane from the proposed legislation, without additional things occurring; first, a decision as to whether we are going to continue the sugar legislation, which will be in effect only until December, and will then expire unless we do continue it; second, if we are to continue it, would we not have a much better chance of maintaining a fair and equitable quota system without undue friction with our neighbors in Peru and elsewhere? Would we not have a much better chance of retaining a fair and equitable quota system which would be helpful to us and helpful to them at the same time, and then try to give to the domestic producers in the United States some additional advantages in our own market, which is, of course, the underlying thought of the Senators from the West who have been urging the enactment of the pending bill? With their effort I have every sympathy, and I can see some very strong reasons for it, but I think we are hazarding too much and that we will put ourselves in an awkward position, so that propagandists can highly prejudice our interests, and the interests of all the Western Hemisphere, based upon an action we may take here which will not materially help our producers, assuming it would do justice—and no fair argument could be brought against doing justice to our own producers so far as possible—assuming we do all that we will have the opportunity to do, either in the extension of this act, which we must consider prior to December, or in the passage of some other Sugar Act.

Therefore I have asked the Senator these questions, because I wanted to get his answers, since I knew he had given far more study to the sugar question, and to the quota system as applied to sugar, than I had had opportunity to give. But I always had in my mind what I regarded as the great value of the quota system in an attempt to formulate some type of effective sugar legislation.

Mr. O'MAHONEY. Mr. President, we have always very much appreciated the fact that the Senator has taken that view. In this instance, however, it seems to me perfectly clear that there is not the slightest basis for any misunderstanding upon the part of anyone in Latin America, because the bill, with the amendment suggested by the Senator from Michigan, makes it clear that no possible harm can be done. More than twice or three times the amount which foreign countries, other than those in Europe, ever sent to the United States is provided for in the measure. So that I cannot understand why the Senator has any apprehension whatsoever which gives ground for the fear that there is an intention to promote a new sugar industry where one does not now exist. If that transpired, then we would add to the difficulties which proceed from the large world supply, which was the cause of the undermining of the industry.

Mr. ADAMS. Mr. President, may I add a little information?

Mr. O'MAHONEY. The Senator always adds a great deal of information.

Mr. ADAMS. The Senator from Georgia very correctly spoke of the stocks coming from foreign countries being sent to this country in bond, and he said they necessarily draw on those stocks. When the quotas were recently allotted to the foreign producers the three countries—Peru, the Dominican Republic, and Haiti—were given quotas amounting to 27,000 tons, the aggregate of the statutory quotas, and the added quota of the Philippine deficit. That was filled almost immediately, filled from stocks in bond in the United States.

I have been inclined to assume that there is in bond in the United States the remainder of the available sugar from Peru, Santo Domingo, and Haiti, and that sugar, together with the sugar already turned in, will be 30,000 tons short of the amount which they will have received as their quota from the original statutory quota plus the 73,000 tons of Philippine tax-free sugar. In other words, if we are correct in the assumption that they have sent in, in reliance upon the statute, the sugar to fill the quota, they still would be short 30,000 tons, or enough to fill the quota which would be given them by the amendment reported by the Committee on Finance. That includes sugar on the ocean. There is on the ocean a small amount of sugar.

RECESS

Mr. GEORGE. Mr. President, the hour is late, and I presume no other Senators wish to address themselves to the pending measure. Therefore, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, June 3, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 2 (legislative day of May 26), 1941:

DIPLOMATIC AND FOREIGN SERVICE

Jay Dixon Edwards to be a Foreign Service officer of class 8, effective as of May 16, 1941.

SECURITIES AND EXCHANGE COMMISSION

Robert E. Healy to be a member of the Securities and Exchange Commission (reappointment).

COLLECTOR OF INTERNAL REVENUE

Walter L. Miller to be collector of Internal Revenue for the twenty-third district of Pennsylvania.

POSTMASTER

Roy H. Ireland, Wadena, Minn.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 2, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Saviour of mankind, we praise and confess Thee our gracious Lord and King. Do Thou lead us to a high plane of Christian faith and life that our influence, example, and service may be for Thy glory and for the good of our country. Deliver us from the follies and consequences of sin and clothe us with power that we may maintain the moral order of our democracy. Warn our people, O Lord God, against the heresy that material possessions determine the greatness and permanence of nations. Teach us that we cannot dispense with the heart and soul of things and survive. Encourage us to cherish the dream to live by the divine vision which the prophets saw from afar when war shall be no more; give us the determination to believe in its possible attainment and to shape our national life by our unconquerable faith. We thank Thee, our Father in heaven, that all that human nature needs and yearns for in

times of distress is the strong Son of God, whose heart pulsed with love, who saw another's thought, who read the depths of the human breast, and who smiled the answer to the unspoken prayer. We pray in His holy name. Amen.

The Journal of the proceedings of Thursday, May 29, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 29, 1941:

H. R. 3828. An act for the relief of Sophrania Holmes; and

H. R. 4125. An act to amend Public Law No. 783, Seventy-sixth Congress, so as to relieve 3-year Regular Navy, Marine Corps, or Coast Guard members and certain members of the Reserve components thereof from selective training and service.

On May 31, 1941:

H. R. 3205. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1942, and for other purposes;

H. R. 4534. An act to amend the act approved June 28, 1940, entitled "An act to expedite the national defense, and for other purposes," in order to extend the power to establish priorities and allocate material; and

H. R. 4632. An act authorizing vessels of Canadian registry to transport iron ore on the Great Lakes during 1941.

THE LATE CHARLES B. TIMBERLAKE

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. HILL].

Mr. HILL of Colorado. Mr. Speaker, it is my sad duty this morning to announce to the House the death of a former Member of Congress from the Second District of Colorado, the Honorable Charles B. Timberlake, of Sterling, Colo., who passed away at his home last Saturday, May 31, 1941.

Mr. Timberlake was a Member of this House for 18 years, serving from 1915 to 1933. He was a member of the Ways and Means Committee and no doubt many Members on the floor today will recall Mr. Timberlake and the privilege they had of working with him as a Member of this body.

Mr. Timberlake homesteaded in Colorado in 1887 where he engaged in farming and stock raising. He had a real part in the development of agriculture in the irrigation sections of Colorado. He was a part of the very life of the State he loved. He served as county superintendent of schools, as county clerk, and as register of the United States Land Office.

As a Member of Congress he interested himself in the serious problems facing agriculture. The farmers' difficulties were his opportunities to serve them. Mr. Timberlake loved the good folk of his district, visiting them at every opportunity. He drove about over the district where he enjoyed the acquaintance of the farmers and their families. No farm home was too lowly, no distance too far to travel, to visit personally with his constituents in their own homes. He wanted to know what they were thinking and let them have a part in their own representative government.

Mr. Timberlake was born in Ohio in 1854 of Scotch-English ancestry. His people were Quakers and he embraced this faith early in life.

He loved fair play and had a discerning mind and an understanding heart. No one ever asked for favors and found Mr. Timberlake cold or indifferent to his appeal. He loved people. His counsel was appreciated and his advice was carefully given.

Congressman Timberlake was a part of the early history of his adopted State. He represented the new West. He was a patriot of the old school and loved his country with a zeal that seldom has been equaled and never surpassed.

He passed on at a mature age, kingly and majestic in his declining years, honored and beloved by all who knew him. The world is a better place because he lived. Now he is gathered unto his fathers—a servant appreciated by his people; whose memory will be an inspiration to us to give the same unselfish service and patriotic devotion as that given by our departed friend and public servant, Mr. Timberlake.

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR. Mr. Speaker, I served with our former colleague from Colorado, Mr. Timberlake, for 18 years in this House. He was as faithful and loyal a son of Colorado as we have ever had. He was conscientious. He gave the best that was in him for all those 18 years. He was on the Committee on Ways and Means, and he was an earnest student of the problems of our country. He especially reflected the sentiments of the farmers. He was one of them. He was really a very splendid character and citizen. He was kind-hearted; everybody liked him. He certainly played the game of life manfully and loyally. No one ever tried harder than he did to serve his constituents. He looked after all their wants in detail. Day in and day out throughout his entire career he tried to not only comply with the wishes of his constituents but to serve them as faithfully as possible. He well deserved all of the tributes and commendations that my colleagues are extending him. Colorado will always look upon him as one of her most faithful and loyal sons.

WORK RELIEF AND RELIEF APPROPRIATION BILL

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that on Monday next or on any succeeding day thereafter it be in order to consider the bill making appropriations for work relief and relief; further, that the day the bill is considered the entire day be devoted to general debate, to be confined to the bill, and that general debate conclude with the adjournment of the House that day.

Mr. TABER. Reserving the right to object, Mr. Speaker, I am opposed to this bill but I shall not object to making it in order to consider it because that is a matter of procedure. I have been assured by the majority and the majority leadership that we shall have reasonable debate upon the bill, and that on the day the bill is considered an effort will be made, if it is desired, to have the House meet at 11 o'clock so that we may be sure of having ample opportunity to discuss the bill fully.

With that statement, Mr. Speaker, I withdraw my reservation of objection.

Mr. RICH. Reserving the right to object Mr. Speaker, how much will the bill contain?

Mr. WOODRUM of Virginia. The bill has not been reported yet, of course, as the gentleman knows.

Mr. RICH. What amount does the gentleman figure will be needed for relief?

Mr. WOODRUM of Virginia. I had not exactly figured yet, until we report the bill.

Mr. TABER. If the gentleman will yield, the Budget estimate is approximately $886,000,000.

Mr. RICH. It seems to me that when the country is now spending twenty, thirty, forty, or maybe fifty billion dollars for national defense and to give away to foreign countries, with all that work going on, why is it not possible to put every man in this country who wants a job at work in some industry, or give him an opportunity to go to work? Let us make the fellows who want jobs work now, if they want to work, and if they do not want to work, something else ought to be done with them. We can take care of those that are in need, but it does not seem to me you ought to ask for such a large appropriation.

Mr. WOODRUM of Virginia. I may say to the gentleman that we will bring the bill in with full opportunity for debate. Of course, as always, there is a difference of opinion. Some will think it is too much and some will think it is not sufficient. However, we will have plenty of opportunity for debate.

Mr. RICH. The gentleman from Virginia, I know, is always trying to keep appropriations down. I hope the gentleman works with hammer and tongs on these men to stop this political lollygagging to get votes back home by handing out money. It is just about time we stopped.

Mr. MAY. Reserving the right to object, Mr. Speaker, and I do not intend to object, may I inquire of the gentleman from Virginia whether or not the rule of the House which requires that all points of order be reserved when a bill is reported applies to this bill as it does to other appropriation bills?

Mr. WOODRUM of Virginia. This is not an appropriation bill; it is a legislative bill. That is the purpose of asking unanimous consent. Unless consent were granted, we would have to go to the Committee on Rules and get a rule making the consideration of the bill in order.

Mr. MAY. I merely wanted to be sure that if any points of order could be made against the bill—if any of us desired to make them—we would not be precluded from doing so.

Mr. WOODRUM of Virginia. The purpose of this request is to make the consideration of the bill in order, so that it will not be necessary to get a rule for it.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

[Mr. TABER addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. MAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I have in my hand a copy of the letter of the Comptroller General, the Honorable Lindsay C. Warren, with respect to the controversy between himself and the Tennessee Valley Authority, which has just been mentioned by the gentleman from New York [Mr. TABER]. It is my purpose to consult the Joint Committee on Printing and ascertain the cost of printing the report of the Comptroller General and his letter in connection therewith in the RECORD, and tomorrow morning I shall hope to be prepared to submit the request.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. MAY. My time has expired, I take it.

The SPEAKER. The time of the gentleman has not expired, but the Chair desired to ask the gentleman a question. Does the gentleman intend to print simply the letter or the entire document?

Mr. MAY. I wanted to print the full document and the letter in connection therewith.

Mr. RANKIN of Mississippi. Mr. Speaker, the gentleman has not made that request.

Mr. MAY. I have not asked to print it, but have said that I would be prepared to make the request tomorrow morning.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, it is a little puzzling to me that this letter from the Comptroller General should be brought to the floor of the House, or brought to the attention of the House, by two men who have always been outstanding enemies of the Tennessee Valley Authority, the gentleman from New York [Mr. TABER] and the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN of Mississippi. For a question.

Mr. MAY. It is not a question, but I wanted to state that the Comptroller General sent it to me.

Mr. RANKIN of Mississippi. The gentleman from Kentucky [Mr. MAY] and the gentleman from New York [Mr. TABER] have both fought the Tennessee Valley Authority for the last 8 years—the greatest development of modern times, one that has done more for the power consumers of America and today is doing more for our program of national defense than any other one thing this Government has ever created.

I am going to investigate that letter myself, and I think you will find that the Tennessee Valley Authority is not holding out anything but is giving all the information this Congress wants, and you will find that the Tennessee Valley Authority has been put under every possible scrutiny and has shown a clean bill of health every time it has been called upon. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a telegram.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD and to include therein an article in the June issue of the Country Gentleman on Guayule rubber.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a memorial address delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE GREAT LAKES-ST. LAWRENCE SEAWAY AND POWER PROJECT

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I have received many inquiries from Members of Congress, members of the press and other interested persons as to when the bill will be introduced for the construction of the Great Lakes-St. Lawrence seaway and power project. In reply to all I will say that I have today introduced a bill for this proposed development.

For several weeks a resolution has been pending with the Committee on Rivers and Harbors to have the St. Lawrence measure incorporated as a project in the omnibus rivers and harbors bill. Owing to the issues involved in this measure, and the great public interest that has been manifested, I thought it the better plan to have it considered in a separate bill.

The Committee on Rivers and Harbors will be called to meet on Monday, June 16, to commence hearings upon the bill. Proponents and opponents will be granted equal opportunity to be heard.

Representatives of the Federal Government and of the State of New York are expected to appear. Representatives of the railways and other interested parties have advised me of their opposition. I will request all interests desiring to be heard, both for and against, to furnish me the names of their witnesses at least 2 days before the hearings are to begin.

We hope to have all material issues fully developed, but, for obvious reasons, unnecessary duplications in the printed hearings will be guarded against insofar as practicable. The cooperation to this end of the committee, and of those presenting the evidence for and against the bill, will be appreciated. [Applause.]

LABOR AND NATIONAL DEFENSE

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, in spite of the fact that we are moving deeper and deeper into the war, labor continues to strike against national defense and Congress does nothing about it. The man in the street is beginning to wonder if the Government has the competency to accept the challenge thrown down by the gangsters in labor. The fathers and mothers of the young men whom we are drafting into the Army are beginning to wonder if the Government has the will to deal with this situation. The young men that we are drafting into the service to bleed and die in defense of the country are beginning to wonder if a government that has not the spirit to defend itself against the gangsters here at home is a government that is worth defending against the gangsters from abroad. All this talk about referring employer and employee disputes to these conciliation and mediation boards that have been set up, with the expectation of getting a judicial determination of any of the questions involved, is asinine. The members of these boards are as partisan as those of the National Labor Relations Board. [Applause.]

[Here the gavel fell.]

THE LATE CHARLES B. TIMBERLAKE

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was on objection.

Mr. CROWTHER. Mr. Speaker, the distinguished gentleman from Colorado [Mr. HILL] has notified us of the passing of a former Member of this House, the Honorable Charles B. Timberlake. The gentleman from Massachusetts [Mr. TREADWAY] and myself are, I think, the only minority members of the Ways and Means Committee who had the honor and privilege of serving for a long period of years with Mr. Timberlake. He was chairman of the sugar schedule during the writing of the Hawley-Smoot bill.

Mr. Timberlake was a stanch protectionist, and he had at heart the interest of the beet- and cane-sugar producers of our own country and valiantly supported their cause. He was immensely proud of his State. He thought Colorado was probably the finest State of the whole 48 comprising the Union. He was a stanch

Republican, partisan to a degree, a lovable character, and was an indefatigable and a zealous worker, and tireless in his efforts for his country and his party.

Two years ago, in 1939, it was my privilege to contact him on the streets of his home city, Sterling, Colo. Although he had nearly lost his eyesight—in fact, was almost blind—he still was the same cheery, optimistic, breezy westerner, 84 years young, and still loyal to his Colorado. I, with the other Members of the House who served with him and those who knew him only as a former Member of the House, regret his passing and extend to his immediate family our heartfelt sympathy in their bereavement.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I was detained in the Committee on Ways and Means when the gentleman from Colorado [Mr. HILL] made the announcement of the death of our former colleague, Mr. Timberlake. I rise to confirm the statement made by my associate, the gentleman from New York [Mr. CROWTHER]. We both served with Mr. Timberlake on the Ways and Means Committee. I came here in the Congress previous to his first service, so that I knew him throughout the entire length of his service in Congress. During the years preceding his service on the Ways and Means Committee he made a record for himself in his knowledge of general problems affecting his State and his record aided him in becoming a member of the Ways and Means Committee within a comparatively short time after he entered Congress. What has been said to his credit and honor has been confirmed by all associated with him from the time he entered Congress in 1915. I join with the others in expressing my personal regret at his death. The country and the State of Colorado have lost a splendid citizen and the Congress a former Member of ability. His memory will be revered.

THE LATE EUGENE A. DINGLER

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts I present the following resolution (H. Res. 221), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved that there shall be paid out of the contingent fund of the House to Sara M. Dingler, mother of Eugene A. Dingler, late an employee of the House, an amount equal to 6 months' salary compensation, and an additional amount not to exceed $250, to defray funeral expenses of the said Eugene A. Dingler.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to ask the majority leader whether we are going to consider Calendar Wednesday business this week.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is my intention to have Calendar Wednesday business considered this week, and I am glad the gentleman from Massachusetts made the inquiry. I am informed by the committee having the call that the bills to be considered are S. 1558, the cotton-crop insurance bill, and S. 1300 and H. R. 4849, two minor pieces of legislation.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. TABER. Then it is not the intention to complete the labor-social security appropriation bill prior to Wednesday?

Mr. McCOMACK. Unless it is completed by then; no.

Mr. TABER. We will not be expected to complete it on Wednesday if we do not complete it before that time?

Mr. McCORMACK. Exactly.

Mr. TABER. And if not completed on Tuesday it will go over until Thursday?

Mr. McCORMACK. That is correct.

Mr. TABER. And the military bill will come up on Friday?

Mr. McCORMACK. It is all according to what the situation will be in relation to the labor-Federal security appropriation bill. Of course, if it is not finished on Tuesday and will take a short time on Thursday, then we can proceed with the military appropriations bill.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter addressed to me by the administrator of the Federal Works Agency, at Albany.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BEITER. Mr. Speaker, I ask unanimous consent that on Friday next, after the completion of the business on the Speaker's table, I may address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. McLEAN. Mr. Speaker, I ask unanimous consent that on tomorrow, after the completion of matters on the Speaker's table, I may be permitted to address the House for 30 minutes on the subject of daylight saving.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks and include an account of a patriotic meeting in McCurtain and Atoka Counties in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the New Orleans Times-Picayune, relative to a recent Supreme Court decision in connection with the congressional primaries in Louisiana in 1940.

The SPEAKER. Is there objection?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered by General Hines at the Arlington Memorial Cemetery on May 30.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I also ask unanimous consent to extend my remarks in the Appendix in connection with the exercises held at the Arlington National Cemetery on May 30 and to include in those remarks a printed copy of the program that was held on that day.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. PLOESER was granted permission to extend his own remarks in the RECORD.)

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a letter addressed by the women of De Pere, Wis., and Green Bay, Wis., to the President of the United States, and one directed to me in connection with that.

The SPEAKER. Is there objection?

There was no objection.

KEEP OUT OF WAR

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I wish to call attention to two letters, one addressed to the President by the women of Green Bay, Wis., and De Pere, Wis., and the other a letter directed to myself. It contains the signatures of 1,000 women, and I quote briefly from one letter addressed to me:

This is a purely spontaneous effort made by volunteer women workers, without any organized backing of any kind. It represents the unhesitating and undoubted sentiment and opinion of every woman called upon with but one exception out of a thousand.

We beg you to use this information to help you make it clear to our Government that the women of America are overwhelmingly opposed to war and to the proposals referred to in this petition.

[Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein statements from the Washington Star and the New

York Times with reference to the late Honorable Charles B. Timberlake, formerly a Representative from the Second Congressional District of Colorado.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter from the Secretary of the Louisiana Farm Bureau Federation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDMISTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech by Thomas J. Culhane on the history of Mother's Day, which was founded by a distinguished West Virginia woman, Miss Anna Jarvis.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address I made at Norfork, Ark., at the Norfork Dam celebration.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Hon. John Scott, of the Federal Power Commission.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOXEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein an address that I delivered yesterday over the Columbia Broadcasting System from Arlington Memorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a radio address which I recently made.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Times entitled "The Meaning of Crete"; also a letter from the head of the agricultural economics department of the South Dakota State College, on the subject Unemployment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RISING GOVERNMENT EXPENDITURES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RICH. Mr. Speaker, I want to call your attention to the fact that later in the day we shall have before us the labor-social security appropriation bill, and before the week is over we shall have a bill appropriating about $10,000,000,000 more for the Army. Next week the relief bill will come up carrying some $800,000,000. It seems to me that most legislation we consider is appropriation after appropriation. In fact we are now spending four times as fast as we get in revenue into the Treasury. It is a terrible fact for us to think about.

This Congress has so far made appropriations just about as large as any Congress has ever made. It is extravagant and not at all judicious. Certainly it has no business ability. If it has it has not displayed it, in my judgment.

Where are you going to get the money? Where are you going to get the money to take care of this vast sum you are spending? Keep on and we shall have inflation and the dollar will not be worth a nickel, it will be just as bad as Germany's when they devalued and their money went out of existence. This is going to happen to the American dollar if you do not do something to cut down the normal expenses of the regular operation of the Government. You are going to go bust. That is just what is going to happen. Are you going to do it? Are you going to be as silly in the operation of our Government in the next 3 years as you have in the past 8 years—8 years of extravagance, 8 years of inefficiency in government, 8 years of squandering and adding debt upon debt, 8 years of promises to the American people that you were going to soon cut down expenses, 8 years of a promise to balance the Budget, 8 years of the greatest deficits the world has ever known, 8 years of digging the grave of a sound government?

America, it cannot go on much longer. Write your Congressman and compel him to vote economy before it is too late. After we go to bankruptcy it is too late. America, wake up. Do it now.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address I made on Memorial Day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INTERCEPTION OF TELEPHONE MESSAGES, ETC.

Mr. SABATH, from the Committee on Rules, presented the following report (H. Res. 222) on the bill (H. R. 4228) to amend the Judicial Code by adding thereto a new section authorizing, for the purpose of detecting or preventing certain crimes, the Federal Bureau of Investigation of the Department of Justice, when specifically authorized by the Attorney General of the United States, to intercept, listen in on, or record telephone, telegraph, or radio messages or communications; and making such authorizations and communications, and testimony concerning same, admissible evidence; and for other purposes (Rept. No. 687), which was read, referred to the House Calendar, and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 4228, a bill to amend the Judicial Code by adding thereto a new section authorizing, for the purpose of detecting or preventing certain crimes, the Federal Bureau of Investigation of the Department of Justice, when specifically authorized by the Attorney General of the United States, to intercept, listen in on, or record telephone, telegraph, or radio messages or communications; and making such authorizations and communications, and testimony concerning same, admissible evidence; and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE LINDBERGH PLAN

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, to those who have been inclined to follow along in the general direction of Colonel Lindbergh and his group I wish to call attention to a little call to service that developed last Thursday night in Philadelphia. Replying to the President, Colonel Lindbergh had the audacity to call for a new leadership. The present occupant of the White House has by democratic election been made the President and has nearly 4 years of his term yet remaining. Mr. Lindbergh's suggestion can mean only one of two things, either overthrow of the Government or impeachment. There is no other way to get new leadership, of course. If the President should be impeached, they would be no better off, for Vice President WALLACE would be no improvement for the appeaser. He, as President, would follow the same policy. [Applause.] If WALLACE in his turn should be impeached, they would still find no improvement, for Secretary Hull would be next to fill the office, and he would again follow the same policy. It would take them a long time to follow through on that route, and they would not have succeeded before the next election; so then they would be thrown back on the overthrow of the Government. Gentlemen, steer clear of the colonel. Such is the only possible terminal of the Lindbergh logic.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an address delivered by Mr. Virgil Jordan, of the Industrial Conference Board.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF LABOR—FEDERAL SECURITY AGENCY APPROPRIATION BILL, 1942

Mr. TARVER, from the Committee on Appropriations, reported the bill (H. R. 4926) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1942 (Rept. No. 688), which was read a first and second time, referred to the Union Calendar, and ordered to be printed.

Mr. TABER reserved all points of order on the bill.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—SURVEY OF HIGHWAY FACILITIES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Roads:

To the Congress of the United States:

Anticipating that the development of the national-defense program would have some effect upon the highway system of the country, I requested the Administrator of the Federal Works Agency nearly a year ago to make a survey of our highway facilities from the viewpoint of national defense and to advise me as to any steps that appeared necessary, particularly with respect to the adequacy of ingress to and egress from urban centers, the servicing of existing and proposed Army, naval, and air bases and the possible necessity for the strengthening of bridges and the widening of roads in strategic areas. This survey has been completed, and a report has been submitted to me indicating the need for additional funds to aid in relieving traffic congestion in numerous areas.

The survey, at the time of its completion, indicated that there were 204 areas in which access roads and highway bridges in military, naval, and industrial areas were of the utmost importance. It is estimated that the cost of providing this type of facility in the 204 areas will aggregate $177,600,000 and will involve 2,594 miles of highways. Means have been found for financing the construction of about 1,090 miles at a cost of $54,400,000, leaving 1,504 miles of the original program costing $123,200,000 to be financed. It is estimated that 100 additional areas have become involved and that the over-all cost of providing these facilities will now reach a figure of $350,000,000. The work thus far provided for has been financed by the Work Projects Administration, by Federal-aid highway funds, and by contributions of counties or States. It is my hope that readjustments in highway programs now authorized may release additional funds for meeting in part these new requirements.

It was believed that the amount recommended by me for community facilities would cover many of the more urgently needed access roads. The increase in the number of areas involved will now prevent the use of any considerable portion of that amount for highway improvements. It is clearly evident that the financial requirements for community facilities and access roads are greatly in excess of local resources and present available Federal funds and that additional funds will be required immediately to relieve the existing traffic congestion in important areas. In many instances it may be necessary for the Federal Government to bear the entire expense of providing these facilities, but local participation should be encouraged to the fullest possible extent. I recommend that $100,000,000 be authorized specifically for assisting in the development of access roads.

It has been estimated by the Federal Works Agency that $458,000,000 will be required as a minimum for strengthening the entire strategic network of highways of more than 75,000 miles. It is my belief that no necessity exists for undertaking such an extensive program now. Some progress is being made in this work under the normal highway program. There is a need, however, for giving immediate attention to strengthening bridges in key areas where existing structures are inadequate to accommodate rolling equipment of the Army. It may also be necessary to give some consideration to the widening of the surface of some highways in these key areas. Much of this work should be accomplished within presently authorized funds, but in some areas obligations already incurred will not permit the diversion of funds to these more important needs. I recommend the authorization of an additional $25,000,000 to strengthen bridges and widen surfaces in key areas.

Any appropriation made for access roads should be available for use only in areas certified by the War or Navy Department or the Office for Emergency Management. No attempt should be made to apportion funds for access roads in the manner in which funds are apportioned under the Federal Highway Act. All plans for highways should be coordinated insofar as practicable with State planning agencies. Concerning the improvements within key military areas, the authorizing legislation should provide for matching in the same manner now followed with respect to Federal-aid highway construction and provision should be made for the determination of the needs through certification thereof by the War or Navy Department, or the Office for Emergency Management, and without regard to the usual apportionment formula.

The Federal Works Administrator will soon submit to the Congress a draft of a bill authorizing appropriations for the purposes herein indicated and it is hoped that this matter may have early consideration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 2, 1941.*

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech recently delivered by Hon. Henry T. Lummus, justice of the Supreme Court of Massachusetts, before the Law Society of Massachusetts, on May 21, 1941. I have the necessary estimate to conform with the rules.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

AUTHORIZING THE ADDITION OF CERTAIN LANDS TO THE PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the first bill on the Consent Calendar, H. R. 1595, to authorize the addition of certain lands to the Plumas National Forest, Calif.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

DISCHARGE OR RETIREMENT OF ENLISTED MEN

The Clerk called the next bill, H. R. 2277, to provide for the discharge or retirement of enlisted men of the Regular Army and of the Philippine Scouts in certain cases.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. MAY. Mr. Speaker, reserving the right to object, this bill has been given very careful consideration by the Military Affairs Committee. We have worked out all of the conflicts between it and a bill which has passed the Senate and which is now on the Speaker's table. The House bill conforms to the Senate bill. This bill has been passed over once. We would like to have considered and passed the Senate bill in lieu of the House bill.

Mr. COLE of New York. My reason for asking to have it go over is at the request of the gentleman from Minnesota who is out of the city on official business today. He is unable to be here to take care of a phase of the bill in which he is interested.

Mr. MAY. Is the gentleman a member of the Military Affairs Committee?

Mr. COLE of New York. The gentleman from Minnesota is a member of the Naval Affairs Committee.

Mr. MAY. I think this applies to the Navy as well as to the Army.

Mr. COLE of New York. Not as the House bill is worded. It applies only to the Army and the Philippine Scouts.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. COLE]?

There was no objection.

CHANGING TIME OF APPOINTMENT OF PRESIDENTIAL ELECTORS AND THE ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS

The Clerk called the next bill, H. R. 145, to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE ACROSS MISSISSIPPI RIVER AT OR NEAR DUBUQUE, IOWA

The Clerk called the next bill, H. R. 2811, to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that this will be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ALLEN]?

There was no objection.

AMENDMENT TO FEDERAL EXPLOSIVES ACT

The Clerk called the next bill, H. R. 3019, to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I have had this matter up on several occasions, and I believe that in the course of the next 2 weeks we can get together on certain minor amendments which will obviate an objection. We are hopeful of doing that, and for this reason I ask unanimous consent that the bill go over without prejudice.

Mr. McCORMACK. Mr. Speaker, in view of the statement of the gentleman that they are hopeful of adjusting some minor differences, I shall not object, but I do want to call attention to the fact that this is a very important piece of legislation. It is very necessary that the bill pass as soon as possible.

The bill is an amendment to the act of 1917 which went into action when war was declared, and this goes into operation on the declaration of an emergency. Its purpose is to license all manufacturers and distributors and users of explosives which my friend knows is very necessary. It enables the Government to follow explosives purchased or manufactured that might be used for sabotage purposes and that is one of the important main reasons for the passage of the bill. It is my understanding that about 70 percent of all nonmilitary explosives are used in the mineral industry, and while I shall not object to the request of the gentleman from Michigan because of his expression that he is hopeful at least, if not confident, that minor differences will be adjusted, I hope that those who are trying to adjust the differences will try to keep the necessity for the passage of this legislation in mind and that 2 weeks from today their differences will be adjusted.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

ESTABLISHMENT OF OVERTIME RATES FOR EMPLOYEES OF THE FIELD SERVICES OF THE NAVY DEPARTMENT AND THE COAST GUARD

The Clerk called the next bill, H. R. 1608, establishing overtime rates for compensation for employees of the field services of the Navy Department and the Coast Guard, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. TABER, RICH, and COLE of New York objected.

INDIANS IN CALIFORNIA

The Clerk called the joint resolution (H. J. Res. 147) for the relief of the Indians in California.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Mr. Speaker, in view of the fact that this case has already been argued before the Court of Claims, and the Department of Justice strongly opposes this legislation, I object to the consideration of the joint resolution.

Mr. RICH. Mr. Speaker, I object.

Mr. COLE of New York. I object, Mr. Speaker.

STATUE OF COMMODORE JOHN BARRY

The Clerk called the next business, Senate Joint Resolution 31, authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. SHANLEY. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. I object, Mr. Speaker.

SLUM CLEARANCE IN ALASKA

The Clerk called the next bill, H. R. 93, to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAM T. PHEIFFER. Reserving the right to object, Mr. Speaker, does this bill in any way provide for contributions of funds from the Treasury of the United States for this purpose?

Mr. DIMOND. The bill itself does not so provide, but the bill would give to the Legislature of Alaska the same power and authority that has heretofore been given to the Legislatures of all the States as well as the Legislature of Puerto Rico and the Legislature of Hawaii, to participate in whatever benefits can be obtained under the United States Housing Act. That is all it does. This is merely an enabling bill.

Mr. TABER. But it would enlarge the power of the United States Housing Authority if the legislature should pass that kind of legislation.

Mr. DIMOND. I think not. Alaska is already included under the scope of the Housing Act, but, since Alaska is a Territory, the Legislature of Alaska at this time does not have the authority to create such a corporation as is contemplated by the act. Alaska is just as much under the Housing Act as any State. It was necessary to pass special acts which would extend such power to the Legislature of the Territory of Hawaii and the Legislature of Puerto Rico, and we are simply seeking by this bill to give to the citizens of Alaska the same rights as are now enjoyed by citizens in every other part of the United States.

Mr. WILLIAM T. PHEIFFER. The purpose of my inquiry, I may say to the gentleman from Alaska, was amplified by my colleague from New York, with regard to broadening any expenditure of public funds from the Treasury in connection with housing projects. Can the gentleman estimate approximately how much would be involved, or has he any figures on that point?

Mr. DIMOND. No. To answer the gentleman from New York, nobody can say what the amount will be, if anything. No amount has been set up. I can give the gentleman an estimate, however, and this estimate is based upon relative populations. The Housing Act at this time covers approximately 130,000,000 people. We have about 75,000 in Alaska, so if you take the proportion of 75,000 to 130,000,000 you can see what an infinitesimal additional amount, if any, would be required for Alaska.

May I say further to the gentleman that in all probability no additional amounts will ever be appropriated by reason of the fact that 75,000 people in Alaska may come under the scope of this bill, because Congress will appropriate so much money and, if this bill is passed, it will simply enable the citizens of Alaska to share with the States in whatever benefits may obtain under congressional appropriations.

Mr. RICH. Reserving the right to object, Mr. Speaker, speaking of slum clearance, when the Housing Act was first put through it was the idea to go into cities and put that policy into effect. In Alaska where would they have an opportunity for slum clearance, and what would the proposal be up there?

Mr. DIMOND. I am pleased that the gentleman has asked that question, because it is a question that must have occurred to other Members.

There is one principal need for it in Alaska and that is in some cities of Alaska where Indians and other natives of Alaska reside. Some of them live under indescribably bad conditions, just as bad as the slums in any of the cities in the States. The white people of Alaska do not need any such aid and there would be no demand for it, but there is a chance under this program to give aid to people who need help, the submerged natives, you may call them,

who need help just as much as any of the people who live in slums in the United States.

Mr. RICH. In the United States we speak of a city as having a population of 10,000. In what reference would that apply to Alaska?

Mr. DIMOND. Juneau has a population, including its environs, of about 8,000 at this time.

Mr. RICH. Then it is not a city as we speak of a city in connection with slum clearance.

Mr. DIMOND. It is not as large a city as many of the cities, even the small cities of the States, but the conditions there are no different from the conditions that exist in the States.

Mr. RICH. I do not see how you can make this bill applicable to Alaska when it deals with cities of 10,000 people or more.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. RICH. I should like to find out to what cities in Alaska this bill might apply.

Mr. WOLCOTT. I was going to tell the gentleman that.

Mr. RICH. Then I yield to the gentleman.

Mr. WOLCOTT. I believe the gentleman is wrong in his interpretation of the act when he says it does not apply to cities of less than 10,000. It applies to rural sections as well as to urban sections. No one fought more vociferously or loudly than I the increase in the authorization of this act when it was before the House 2 years ago. We prevented an expansion of the act. They asked for authority to loan another $800,000,000 and increase the authority to $43,000,000 annually for annual contributions. We successfully fought it. They have their original $800,000,000, but they cannot loan up to $800,000,000 because they have only $28,000,000 to finance the loans, so it restricts the operation of the loans to about $650,000,000.

I think there is gross discrimination against Alaska unless we pass this bill. Alaska is a Territory of the United States, the same as Hawaii. The bill now applies to Hawaii. We made it apply to Hawaii, and it applies to all the States; and although I am very much opposed to the bill and a further extension of it, I have consented to go along with this measure because I think, without this bill, we take a very discriminatory stand against one of our Territories.

Mr. DIMOND. Mr. Speaker, as the gentleman from Michigan [Mr. WOLCOTT] has so forcefully said, the refusal to pass this bill cannot be otherwise construed than as a discrimination against Alaska and the citizens of Alaska, because in its very essence the bill is designed to give to the citizens of Alaska the same rights and privileges with respect to the national law on housing which have already been conferred upon the citizens of the 48 States and upon the citizens of Hawaii and Puerto Rico. The fact that Members may be opposed to the whole plan embraced in the United States Housing Act has no bearing upon the question here involved, for the question now presented is whether the citizens of Alaska shall be accorded equality of treatment with the citizens of the 48 States and those of Hawaii and Puerto Rico. The gentleman from Michigan [Mr. WOLCOTT], I infer from his remarks, is opposed to the United States housing setup, and yet he urges the enactment of this bill to prevent discrimination against Alaska. That attitude is perfectly consistent and reasonable in all of its parts, because no one can offer a reason or a justification for denying to Alaska what is given to the 48 States, to the Territory of Hawaii, and to Puerto Rico.

In this connection, may I invite the attention of the House to the fact that all Federal tax laws, including income-tax and other internal-revenue laws, operate in Alaska just the same as they do in the States and in the Territory of Hawaii. No suggestion has ever been made that citizens of Alaska be exempted from any of the burdens imposed upon the citizens of the States. We are willing and, indeed, eager to accept our share of all national responsibilities whether in the nature of taxes or otherwise. By that same spirit and purpose, we are deserving of whatever benefits are afforded by the Federal Government to the citizens of the several States and the citizens of Hawaii and Puerto Rico.

Our citizens in Alaska are just as faithful and just and loyal as are the citizens of other parts of the Nation. Fundamental concepts of justice and fair treatment demand the enactment of this bill.

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I have just made.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

ORGAN PIPE CACTUS NATIONAL MONUMENT IN ARIZONA

The Clerk called the next bill, H. R. 2675, to permit mining within the Organ Pipe Cactus National Monument in Arizona.

Mr. COLE of New York. Mr. Speaker, reserving the right to object, I understand this bill opens up some 300,000 acres of a national monument, located in the State of Arizona, to mining prospecting and, unless there is some further explanation in justification of the bill, I must object to it.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. Yes.

Mr. MURDOCK. The Organ Pipe Cactus Monument contains 400 square miles of land lying along the border of Arizona and Mexico. It would open up the region to mining in exactly the same way that a public law passed in the Seventy-fourth Congress, on June 22, 1936, opened up a monument in the Territory of Alaska. All we are asking is that the Arizona area be opened up to prospecting and mining. I do know that certain nature lovers are objecting to this sort of thing, saying it would create a precedent. It would not create a precedent. Here is a precedent.

I know that others are saying it would mar the beauty of a natural feature. It would not. I want to say to you that this bill was drawn originally by the Senator from Arizona [Mr. HAYDEN], a native son of Arizona, and whose father might rightfully be called Father of Arizona. There is no man alive who knows more about our part of the West or cares more about it than the Senator himself. I think I stand high in my regard for all pertaining to Arizona. I do not want to do anything that would mar the beauty of that great natural feature.

The saguaro cactus has a blossom which is the State flower of our State. I have recently called attention of Members to that. The giant cactus and Organ Pipe cactus are unique to Arizona. I hold both in due respect, but I maintain that those who would deny the right of prospectors and mining men to go into this vast area and seek any mineral wealth there would lock up a great natural resource at a time when we want to develop such resources. The objection is ill founded and unwarranted, and I hope the gentleman will withdraw his objection so that the bill may be passed.

Mr. COLE of New York. Mr. Speaker, I understand this territory, which was created as a national monument some 4 years ago, has been prospected by explorers for at least four centuries since the Spanish conquest, and no minerals of any value were found. It has been surveyed by the United States Geological Survey, and their report is that there are no mineral deposits of any consequence. Therefore, it seems this bill has no justification from a defense standpoint.

Since the bill has been introduced and placed on the calendar, a great many persons interested in the conservation of plant and animal life have registered a protest against the bill for the reason that the activity of any great number of prospectors would endanger the growth of the rare species of fauna and flora. Therefore, in view of the fact there is no economic or defense justification for establishing this precedent, which certainly it does, because no national monument in continental United States has yet been opened to prospecting, I must object. But before objecting I shall yield further to the gentleman from Arizona.

Mr. MURDOCK. A gentleman representing the National Parks Association saw me a few days ago. I asked him whether he had ever seen this monument. He said he had not been there. I pointed to two pictures on my office wall of typical giant cacti. He said he had never seen them. It did not surprise me at all that he had not been on the Organ Pipe Cactus Monument, for very few have.

Mr. Speaker, this area lies on the border of Mexico and Arizona, along the path between Nogales and Yuma, which region the Spanish explorers called El

Camino del Diablo, meaning the highway of the devil. Such great explorers as Juan B. Anza, Padre Kino, and Padre Garces had great difficulty, although they were men of the desert, in crossing this region. They sanctified it by crossing and recrossing it but in 1850, 400 Mexicans, trying to get from Sonora, Mexico, to the gold fields of California, lost their lives right in there from the dangers of that part of the desert. It is a region occupied by rattlesnakes, coyotes, and Gila monsters and jack rabbits. [Laughter.]

Only hardy prospectors would venture in there without roads, and the objectors do not want any roads built there. I tell you candidly these people who objected are the same people who objected 3 years ago to tunneling under a national park. They said it would deface nature. Let me ask you gentlemen how much more will it deface nature to tunnel hundreds of feet under a park than to fly an airplane thousands of feet over a park? As a matter of fact, airplanes flying over a national park do foul the air to a certain extent, and the noise of the plane motors may frighten wildlife. Would these people forbid airplanes flying over national parks and monuments? How foolish. These criticisms and objections to this bill are unfounded, and I wish the gentleman would withdraw his objection.

Mr. COLE of New York. Mr. Speaker, this monument was created and named the Organ Pipe Cactus Monument especially for the purpose of preserving this unusual type of vegetation. Those interested in opposition to the bill claim that by opening the area to prospecting it would destroy this very plant which the monument was created to preserve. Therefore, Mr. Speaker, I object.

FEDERAL CROP INSURANCE

The Clerk called the bill (H. R. 4595) to amend the Federal Crop Insurance Act.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I understand that it is the intention of the Agricultural Committee to take this bill up on Calendar Wednesday, and as there should be some discussion of it, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ESTATES OF INDIANS DYING INTESTATE WITHOUT HEIRS

The Clerk called the bill (H. R. 4533) to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs.

The SPEAKER. Is there objection?

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CERTAIN OIL AND GAS LEASES, WYOMING

The Clerk called the bill (H. R. 1817) authorizing the Secretary of the Interior to issue oil and gas leases on certain lands.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, I reserve the right to object to make some inquiries of the author of the bill. I understand the bill authorizes the Government to enter into gas and oil leases with certain persons who have been developing properties in Wyoming since 1918, the development of which the Government has claimed has been illegal. The Government has instituted legal proceedings against these people. This bill would authorize the Government to enter into oil and gas leases with the very persons who are now being prosecuted. The leases would provide for one-eighth royalty to the Government of future production of both gas and oil, but the bill also specifies that the leaseholders shall pay to the Government for the gas and oil recovered out of the property since 1918 a royalty of 4 cents per barrel of oil. This would indicate that the author of the bill or those interested in the bill take the position that the average price of oil since 1918 has been 32 cents per barrel, which, of course, is not the fact. I wonder what further explanation the gentleman may have?

Mr. McINTYRE. Mr. Speaker, the purpose of this bill is this: On the area involved valid locations were made, leases were made to operators, and they claim they have certain accrued vested rights. Subsequently the Department withdrew this particular area from mining location. However, there were at that time these accrued vested rights and the operators continued to take the oil out for some years. No royalty was due the Government under those locations. The operators did not obtain a patent, as they should have, on the land. A controversy arose. There is litigation as to whether or not the Government can cut them out now entirely. This compromise was worked out between the Government attorneys and the operators and the original locators as a settlement of the controversy. The 4 cents back royalty is simply to be paid for the oil already taken out in the past at a time when no royalty was paid to the Government at all.

Mr. COLE of New York. Is it the gentleman's position that the oil operators are not obligated to the Government to pay anything in royalty for the period from 1918 up to the date of the proposed leases?

Mr. McINTYRE. I think that is correct. However, I will say this: At least, it is the contention of the operators, and I think I am correct in that statement. This has been worked out as a sort of settlement of the whole controversy. For all oil taken out hereafter the Government will get 12½ percent royalty, but for the oil taken out in the past no royalty was paid at all, and before the operators can get their leases now they have to come in and make this back payment of 4 cents per barrel. That is not 4 percent, but is 4 cents per barrel.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield.

Mr. CASE of South Dakota. I may say that I have had some personal knowledge of this case, because a great many people who are interested in these lands live across the line in South Dakota. What the gentleman from Wyoming [Mr. McINTYRE] has said in response to the gentleman's inquiry is substantially correct as to this back payment. In effect, this represents payment where there is no legally established right on the part of the Government to demand payment. The 12½ percent, of course, is the customary percentage that would apply from now on to the granting of the permit, but in many of these cases the Government has no established claim, and no moral claim in some instances, to the payment of royalty on the back production. The 4 cents a barrel represents a compromise figure that has been agreed upon and is satisfactory to the people involved as well as the Government attorneys.

Mr. COLE of New York. The letter from the Department to the committee in connection with this bill states in reference to the pending litigation that "the proceedings are fully justified in law." This would indicate that the Government feels that these people have been operating their oil and gas wells without legality.

Therefore, Mr. Speaker, until we can get further information, I ask unanimous consent to have this matter go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

OIL AND GAS LEASES ON CERTAIN LANDS

The Clerk called the next bill, S. 178, authorizing the Secretary of the Interior to issue oil and gas leases on certain lands.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, this bill is similar to the one just considered, and I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Clerk called the next bill, S. 1300, to amend the Soil Conservation and Domestic Allotment Act, as amended, with respect to the making available of conservation materials and soil-conserving or soil-building services.

The SPEAKER. Is there objection?

Mr. CRAWFORD. Mr. Speaker, I reserve the right to object.

Mr. WOLCOTT. Will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. WOLCOTT. May I ask the majority leader whether he included this bill in the list of bills that may be considered on Calendar Wednesday this week?

Mr. McCORMACK. Yes. Of course, if there is no objection to its passage today, the majority leader would be very glad to see it disposed of.

Mr. WOLCOTT. Mr. Speaker, in view of that, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PUBLICATION OF INVENTIONS IN THE NATIONAL INTEREST

The Clerk called the next bill, H. R. 4784, to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, at the request of one of the minority members of the Committee on Patents, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

UNITED DAUGHTERS OF THE CONFEDERACY

The Clerk called the next bill, H. R. 2688, granting an extension of patent to the United Daughters of the Confederacy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That a certain design patent issued by the United States Patent Office of date November 8, 1898, being patent No. 29,611, which was renewed and extended for a period of 14 years by Public Law No. 242, Sixty-ninth Congress, approved May 18, 1926, is hereby renewed and extended for an additional period of 14 years from and after the passage of this act, with all the rights and privileges pertaining to the same, being generally known as the insignia of the United Daughters of the Confederacy: *Provided, however*, That no person who has manufactured the design of said patent between the 18th day of May 1940 and the date of the passage of this act shall be held liable for infringement of this patent by reason of the continued manufacture and sale thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOLIDAY LEAVE FOR PER DIEM EMPLOYEES OF THE DISTRICT OF COLUMBIA

The Clerk called the next bill, H. R. 1642, granting to regular employees of the District of Columbia not paid on an annual or monthly basis the same benefits with respect to holiday leave with pay as are enjoyed by similar employees of the Federal Government.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act providing compensation for certain employees," approved January 29, 1938, is amended to read as follows:

"That hereafter whenever regular employees of the Federal Government or of the District of Columbia whose compensation is fixed at a rate per day, per hour, or on a piece-work basis are relieved or prevented from working solely because of the occurrence of a holiday such as New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day, or any other day declared a holiday by Federal statute or Executive order, or any day on which the departments and establishments of the Government or of the District of Columbia are closed by Executive order, they shall receive the same pay for such days as for other days on which an ordinary day's work is performed."

SEC. 2. The amendment made by this act shall not be effective to grant to any employee of the District of Columbia any compensation for any holiday or day on which the departments and establishments of the District of Columbia were closed prior to the date of enactment of this act, to which such employee would not otherwise be entitled under existing law.

With the following committee amendments:

Page 1, line 4, strike out the word "January" and insert the word "June."

Page 2, line 4, after "Labor Day", insert "Armistice Day."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE CLASSIFICATION ACT OF 1923

The Clerk called the next bill, H. R. 1073, to amend the Classification Act of 1923, as amended.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, reserving the right to object, this is a bill of very wide import, and I believe it is too important to take up on the Consent Calendar. I therefore ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, it is my understanding, then, for the RECORD, that the gentleman asks that it be passed over, rather than object to the bill, because the gentleman believes it should be taken up under a rule?

Mr. KEAN. I think it is a good bill, probably.

Mr. McCORMACK. In other words, I wanted the RECORD to show that if it were pressed there would be objection made to the present consideration not because of opposition to the bill but because the gentleman feels it should be brought up under a rule, so that the chairman of the committee may go to the Rules Committee and present a clear case of necessity in relation to the issuance of a rule.

Mr. KEAN. That is my position.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OF SECTION 8 OF THE COPYRIGHT ACT OF MARCH 4, 1909

The Clerk called the next bill, H. R. 4826, to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 8 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, as amended, is hereby amended by striking out the period at the end of the section, inserting a colon and adding "*Provided*," followed by the following paragraphs:

"That whenever the President shall find that the authors, copyright owners, or proprietors of works first produced or published abroad and subject to copyright or to renewal of copyright under the laws of the United States, including works subject to ad interim copyright, are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States, because of the disruption or suspension of facilities essential for such compliance, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by authors, copyright owners, or proprietors who are citizens of the United States or who are nationals of countries which accord substantially equal treatment in this respect to authors, copyright owners, or proprietors who are citizens of the United States: *Provided further*, That no liability shall attach under the Copyright Act for lawful uses made or acts done prior to the effective date of such proclamation in connection with such works, or in respect to the continuance for 1 year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

"The President may at any time terminate any proclamation authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUNISHING WILLFUL OBSTRUCTION OF RECRUITING

The Clerk called the next bill, H. R. 4868, to amend section 3 of title I of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes."

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I merely want for the RECORD to determine if possible the legislative intent.

The bill as it is now drawn recites that whoever during the national emergency or when the United States is at war shall willfully obstruct or interfere with the operation or success of the armed forces may be punished by a fine of $10,000 or imprisoned for 20 years, or both. There are, of course, a great many mothers of draftees and members of the draftee's immediate family who might subordinate their defense effort to a personal concern for their immediate relative. Is it the intent of the committee and the Congress that this amendment would apply to immediate members of the family who have advised other members of the family not to enlist, or to make statements in connection with conscientious objections which they might have or to press appeals before appeals board for deferment?

Mr. McLAUGHLIN. In answer to the gentleman's question I may say that the Judiciary Committee in the consideration of this bill gave attention to that question; and I may say that it is not the intention of the Judiciary Committee that the bill if passed, shall make it unlawful for any mother or relative in good faith to counsel with any young man who is considering enlistment in the Navy or to discuss it with him. If in the good judgment of the mother or relative it is felt

the enlistment would not be in order, that statement might be made with impunity to the young man considering enlistment. I may say further that the United States district court of New Jersey in the case of *United States* v. *Nearing* (252 Fed. 223), passed upon that identical question and held that advice or counsel by a relative against enlistment does not constitute a violation of the act.

Mr. WOLCOTT. Are we then to understand that advice and counsel by members of the immediate family will not be a violation of this law in keeping with the decisions of the courts and in keeping with the intent of Congress in enacting this bill?

Mr. McLAUGHLIN. That is correct.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. MICHENER. Am I correct in stating that the matter to which the gentleman has referred is already a part of the law and would be in no way affected by the passage of this bill?

Mr. McLAUGHLIN. The gentleman is asking for an interpretation of the law. He is asking whether under the wording of the law advice by a parent or near relative to a young man considering enlistment not to enlist would constitute a violation of the act.

Mr. MICHENER. I realize that.

Mr. McLAUGHLIN. And I have advised him.

Mr. MICHENER. I heard the advice.

Mr. McLAUGHLIN. I may say to the gentleman from Michigan that I am speaking for the Judiciary Committee and I believe advisedly when I say that it is not the intention of the Judiciary Committee that such a thing shall constitute a violation of the law.

Mr. MICHENER. That is true, but what I am calling attention to is simply this, that there is not a single new thing in this bill except—I do not have the law before me, but the gentleman can quote the law—except to make it apply now.

Mr. McLAUGHLIN. That question was not raised, but I may say to the gentleman that that is exactly the case. This amendment simply makes the law which applied in time of war applicable if the amendment is adopted, to a time of emergency.

Mr. MICHENER. The reason I make this observation is because this is one of the bills which came to the committee merely providing that after a punctuation mark about three words should be stricken out. In other words it came to the committee in such form that the committee knew nothing about its effect. The committee adopted the other method and wrote a bill saying, "The section shall be amended to read as follows," putting in the amended section. The minute the committee introduced the clean bill there was much opposition throughout the country, especially from the Press Gallery, as to the passage of so stringent a bill at this time. I want the RECORD to show that this does not change the law as it now stands, except as to this particular emergency, which is recognized in this bill as a war emergency.

Mr. McLAUGHLIN. The gentleman is correct, and I thank him for his contribution. The bill merely adds to the words in the present law "when the United States is at war" the following words "or during a national emergency declared by the President to exist."

Miss SUMNER of Illinois. Mr. Speaker, reserving the right to object, if this bill means what I interpret it to mean, it is much more dangerous than the gentleman from Michigan said. Of course, it refers only to false reports, but if one makes a remark or a statement he is put on his own responsibility to be sure that it is correct. According to the way I interpret it, if the President declares an emergency, which he has already declared, then that would be true.

Mr. WOLCOTT. I may say that the false report does not apply to the emergency. It applies only when the United States is at war.

Mr. McLAUGHLIN. I may say that the part referring to false report is not affected by this amendment.

Miss SUMNER of Illinois. If I make a false statement since the declaration of an emergency by the President which tends to cause disloyalty or mutiny, then I am subject to the fine under this bill, am I not?

Mr. McLAUGHLIN. The act which is amended has two parts. The first part having to do with false reports refers to a situation which exists when the United States is at war. The second part providing against willful causing or attempting to cause insubordination or disloyalty refers, if the bill is amended, to a situation which exists when the United States is at war and also to a situation which exists during a national emergency declared by the President to exist.

Miss SUMNER of Illinois. If I say anything willfully or intentionally which would cause disloyalty to the Commander in Chief I would be subject to this fine, would I not?

Mr. McLAUGHLIN. The law is not changed in that respect in any way except that it makes the law that is amended applicable at a time when an emergency exists on a declaration of the President as well as to the situation if we are at war.

Miss SUMNER of Illinois. It seems to me that under this language, when Colonel Lindbergh the other night stated that we need new leadership, and those of us who want peace, would be subject to fine and imprisonment under this bill.

Mr. McLAUGHLIN. If that is the law today it would be the law when the bill is amended as suggested.

Miss SUMNER of Illinois. Regardless of what the law is, if this bill becomes the law, that is the law then.

Mr. McLAUGHLIN. I have tried to explain to the gentlewoman that it is the second part of the bill which is amended, not the first part.

Miss SUMNER of Illinois. When we pass this bill we make the sentence contained on page 2 law and under that law Colonel Lindbergh, when he made certain statements, would be subject to fine and imprisonment?

Mr. McLAUGHLIN. I may say to the gentlewoman that the Judiciary Committee is not of that opinion and was not of that opinion when the bill was brought out.

Mr. YOUNG. Mr. Speaker, reserving the right to object, it seems to me that this is an extremely drastic measure and is subject to some clarification. It should not be considered in the House of Representatives without full debate and consideration; therefore, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. YOUNG]?

There was no objection.

AUTHORIZING SECRETARY OF WAR TO CONVEY CERTAIN LANDS TO WEST VIRGINIA

The Clerk called the next business, House Joint Resolution 22, authorizing the Secretary of War to convey certain lands to the State of West Virginia.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas in the prosecution of the Tygart River Reservoir project, near Grafton, W. Va., certain residual lands lying beyond the limits of the reservoir area of the Tygart River Reservoir were acquired for the reason that the cost of such residual lands was much less than the cost of providing access roads thereto; and

Whereas the State of West Virginia is desirous of owning for public purposes the aforesaid residual lands: Therefore be it

Resolved, etc., That the Secretary of War is hereby authorized and directed to grant and convey by quitclaim deed to the State of West Virginia at such price as he shall deem reasonable such lands acquired by the United States in the prosecution of the Tygart River Reservoir project as the Secretary of War deems not necessary for the operation and maintenance of the said Tygart River Dam and Reservoir, under such conditions, restrictions, exceptions, and reservations as the Secretary of War deems necessary for the protection of the lands of the United States adjoining those to be conveyed to the State of West Virginia and for the operation and maintenance of the Tygart River Dam and Reservoir.

With the following committee amendment:

Page 2, line 2, strike out "price" and insert "consideration."

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING OFFICERS AND ENLISTED MEN OF THE UNITED STATES NAVY AND MARINE CORPS TO ACCEPT SUCH MEDALS, ORDERS, DECORATIONS, AND PRESENTS AS TENDERED THEM BY FOREIGN GOVERNMENTS

The Clerk called the next bill, H. R. 4687, to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by foreign governments.

Mr. GORE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. GORE]?

There was no objection.

RANK OF OFFICERS ORDERED TO PERFORM SPECIAL OR UNUSUAL DUTY

The Clerk called the next bill, H. R. 4823, providing for the rank of officers ordered to perform special or unusual duty, and of commanders of special naval units afloat.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in addition to those officers who may be serving in the grade of vice admiral by virtue of the provisions of section 18 of the act of May 22, 1917 (40 Stat. 89; U. S. C., title 34, sec. 212), any naval officer designated by the President to perform special or unusual duty, or to command a naval unit afloat organized for the purpose of performing a special or unusual mission may, within the discretion of the President, have the rank, pay, and allowances of a vice admiral while so serving.

With the following committee amendment:

At the end of the bill insert a new provision, as follows: "In time of war or national emergency the provisions of this act shall be applicable only to officers on the active list of the rank or grade of captain and above. At all other times the said provisions shall apply only to officers of the rank or grade of rear admiral."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATION, INSPECTION, DISINFECTION, AND CLEANING OF RAILWAY CARS AND OTHER VEHICLES ENTERING THE UNITED STATES FROM MEXICO

The Clerk called the next bill, H. R. 4849, to provide for regulating, inspecting, cleaning, and, when necessary, disinfecting railway cars, other vehicles, and other materials entering the United States from Mexico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That to prevent the introduction of insect pests and plant diseases the Secretary of Agriculture is authorized and directed to promulgate such rules and regulations as he may deem necessary to regulate the entry into the United States from Mexico of railway cars and other vehicles and freight, express, baggage, and other materials which may carry such pests and to provide for the inspection, cleaning, and, when necessary, disinfection of such vehicles and materials; to carry out the activities required to accomplish this purpose, the Secretary of Agriculture shall use such means as he may deem necessary, including construction and repair of buildings, plants, and equipment for fumigation and disinfection or cleaning of vehicles and materials; the cleaning and disinfection of vehicles or materials necessary to accomplish the purpose shall be carried out by and under the direction of authorized inspectors of the Department of Agriculture, and the Secretary of Agriculture shall make and collect such charge as will cover, as nearly as may be, the average cost of materials, facilities, and special labor used in performing such disinfection, and fees so collected shall be covered into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, this completes the call of the bills on the Consent Calendar.

HULAH DAM, OKLAHOMA

Mr. DISNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the next bill on the Consent Calendar, Calendar No. 139, the bill (H. R. 3936) in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. CASE of South Dakota. Reserving the right to object, Mr. Speaker, as I understand this bill, H. R. 3936, in aid of the construction of the Hulah Dam and Reservoir project, Oklahoma, attempts to do substantially what was proposed to do by a Senate amendment to the War Department civil functions appropriation bill. The language of the bill provides that the fund shall be paid to the Indian tribe concerned for certain mineral rights that may be lost by the flooding of certain lands.

When the War Department subcommittee wrote the War Department civil functions appropriation bill we provided that at least 10 percent of the money available for flood-control projects should be made available for the starting of projects on which construction had not previously been started. One of the reasons the House conferees did not agree to the Hulah project amendment when we came back to the House from the conference with the Senate was that there was no evidence before us as to what the mineral lands would cost, and it was impossible to tell whether or not the funds for other new flood-control projects would be jeopardized.

Many Members of the House have been before the subcommittee asking at different times that funds be allotted for new flood-control projects, and we have assured them that we were protecting them by insuring that at least 10 percent of the flood-control money should be available for new projects.

I state this so that I may have a proper understanding in asking the gentleman from Oklahoma if he cannot tell us how much money would be involved in paying for the mineral rights at Hulah out of flood-control money?

Mr. DISNEY. It would be a relatively small amount. I cannot give the gentleman the exact amount. However, this is the history of it.

The surfaces are owned by white people who have come in and bought the surfaces from the Indians. The Indians own in common the oil and gas rights for the entire county of Osage, which is the Osage Reservation.

May I say first that the authorization of this Hulah Dam was made some time ago, and appropriations have been made for it by the House and Senate; that is complete.

Mr. CASE of South Dakota. The gentleman means that appropriations have been made for flood-control projects, not specifically for this project?

Mr. DISNEY. Not specifically for this project; but they are subject to use by Army engineers for this particular project. I am advised almost officially, I may say unofficially, that they are ready to go forward on this work. The reports of the Army engineers indicate that this and three other such projects in the Nation are ready to be proceeded with.

The Interior Department and the War Department have agreed upon this process for the settlement of the value of these mineral rights, which can be determined from a scientific standpoint by expert engineers. They have agreed upon the appointment of a committee in which the tribe has had membership. This committee has worked out a report. I may say in passing that the committee is composed of experts, most of whom are from the United States Geological Survey, all capable of ascertaining the value of the oil and gas mineral rights.

I do not know the amount the committee has worked out as the value, and I do not know that the Army engineers will agree to the amount, but it will be relatively small because the oil and gas value there is comparatively small because the wells are small and all old; so I do not think that would be a serious defect.

Mr. CASE of South Dakota. The gentleman will understand, of course, that I want to have the Indians paid for their mineral rights. At the same time, as a matter of good faith with the Members of the House who have expected that some of their flood-control projects would be started out of the money for new flood-control projects, it would hardly be fair to permit something to go through that would earmark a large part of the money for new projects on one particular project. This bill makes it mandatory to make this payment. It uses the word "shall." Section 3 reads:

The amount agreed upon as just compensation for the release and relinquishment herein authorized shall be paid by the Secretary of War out of appropriations made for flood control, general, to the Secretary of the Interior,

And so forth.

Mr. DISNEY. I talked to General Schley about this, and he said:

Of course, the War Department is not going to pay any unconscionable sum for these oil and gas mineral rights. The Army engineers are not going to build the project until that question is settled. If the Secretary of War and the Secretary of the Interior cannot get together on the amount, the thing will go in the basket and nothing will be done.

Mr. CASE of South Dakota. The gentleman puts his finger upon another phase of the problem. In the amendment of the Senate that came before the conferees it was apparent there would be three parties consulted, the Indians, the Secretary of the Interior, and the Secretary of War. It seemed to us that it would be possible for the Secretary of the Interior, who administers the Indian Office, and the Indians, to agree on an amount, and the two of them could outvote the Secretary of War.

Mr. DISNEY. That is not the language of this bill.

Mr. CASE of South Dakota. That is a point that should be made clear for the record. As I understand the gentleman, now, the bill before us, as worded as as it will be worded by the committee amendments, does not permit two of the three to outvote the third but requires an agreement to the three that the amount is proper, and the Secretary of War, as represented by General Schley or the Board of Engineers, administering the flood-control funds, must be satisfied that the amount is correct. And if the Army engineers are not satisfied, they will not agree and construction will not be started.

Mr. DISNEY. Yes.

Mr. CASE of South Dakota. Then I have no objection to the bill.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, and I believe that under the circumstances I am forced to object, we have not had any time at all to study this bill. None of us have copies of the bill or the report. This involves a rather complicated matter of mineral rights and Indian affairs, to which I believe we should at least give some consideration before we consent that the bill be considered. For that reason, I hope the gentleman will not press his request.

Mr. DISNEY. I shall not press it. I may say to the gentleman that I have here a copy of the bill as reported by the Committee on Indian Affairs, a copy of the Senate bill as it passed the Senate, and a copy of the House bill as amended to conform to the Senate bill. I thought the gentleman had received it and probably studied it. I mailed it to him last week.

Mr. WOLCOTT. I do not like to object to the consideration of the bill because I really do not know enough about it. I made the statement that the only reason I would object to it at this time is that we have not had time to study it.

The SPEAKER. The gentleman from Oklahoma withdraws his request.

COAST GUARD

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4887) to authorize the construction of Coast Guard cutters necessary in the interest of national defense and for the performance of Coast Guard duties.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Virginia if there is any emergency involved in this legislation.

Mr. BLAND. There is an emergency in that there is need for these Coast Guard cutters. They are intended to perform services that are now not being adequately performed. There are three of the Coast Guard cutters especially adapted to the purpose of breaking ice in Arctic waters. This bill grows out of an estimate that was sent to the House some time ago by the President. The Appropriations Committee considered that authorizing legislation is needed. I, possibly, should not say it was considered by the Appropriations Committee, but I understand that members of the Appropriations Committee very properly said that there was no authority for the appropriation, and asked that it be given consideration.

Mr. MARTIN of Massachusetts. And this is the authorization?

Mr. BLAND. This is the authorization, yes.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. McCORMACK. As I understand, some of this organization is for the building of ice cutters.

Mr. BLAND. There are three to be constructed for use in Arctic waters. They will be particularly needed with reference to national-defense purposes which involve certain functions in Greenland and that general region. One of them can be, and will be, used for the breaking of ice in the northeastern part of the country and at Boston and on the Great Lakes.

Mr. MARTIN of Massachusetts. How long will it take to build these ships?

Mr. BLAND. I am not able to answer that question, but I should say probably a year or a little more.

Mr. MARTIN of Massachusetts. Is the present equipment insufficient?

Mr. BLAND. The present equipment is not sufficient, and, of course, the gentleman knows that there have been Coast Guard cutters supplied under the lend-lease bill. There is need for these cutters to take their place, as well as for additional purposes.

Mr. MARTIN of Massachusetts. What I am trying to ascertain is how we are going to be prepared next winter before these ships can be delivered to take care of the needs of America.

Mr. BLAND. I am not able to answer that, but I think every effort will be made to get them as soon as possible and that is what I am trying to do. What they are going to do in the meantime I do not know.

Mr. MARTIN of Massachusetts. I am not objecting to the legislation, but——

Mr. BLAND. I know that.

Mr. MARTIN of Massachusetts. I am wondering if we are going to be in a position where we will not be prepared next winter to meet the needs of America.

Mr. BLAND. I should say we would be prepared as completely as present Coast Guard cutters may meet those needs, but there will be additional needs in excess of the uses made of the Coast Guard cutters in the past. The plans for the proposed ships will be so drawn that they will more nearly adequately serve naval purposes than the vessels that have been transferred.

Mr. MARTIN of Massachusetts. The shipyards are not so crowded that these vessels cannot be built?

Mr. BLAND. I do not know about that. I think they will have to crowd them in somewhere because they need them so badly. We are providing additional shipyard facilities, and I expect in the order of priorities these vessels will have, and certainly ought to have, priority. The report of the committee was unanimous.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the interest of national defense, and to provide necessary facilities for the Coast Guard for the performance of its prescribed duties, the Secretary of the Treasury is hereby authorized to construct and equip 13 Coast Guard cutters, 3 of which shall be especially designed for ice breaking in the Arctic regions.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amount as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF MEDALS, ORDERS, DECORATIONS, AND PRESENTS FROM FOREIGN GOVERNMENTS

Mr. GORE. Mr. Speaker, I asked that Calendar No. 136, the bill (H. R. 4687) to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by foreign governments, go over. I have now talked to the gentleman from Virginia [Mr. DREWRY], a member of the committee, who has satisfactorily explained the provisions of the bill, and I ask unanimous consent that we may go back to that measure and consider it.

Mr. KEAN. Mr. Speaker, reserving the right to object, I have a newspaper clipping here with a photograph of a noted member of the marines, Capt. James Roosevelt, with a couple of decorations. He has never seen service, and I just wonder how he got those and what they are.

Mr. DREWRY. I may say to the gentleman I do not know what they are or for what they were received.

Mr. KEAN. He has not been authorized under this bill to accept any decorations?

Mr. DREWRY. Certainly not under this bill. This is a measure that is always put through by the Congress to allow men who receive decorations from foreign governments to accept them. It used to be that every man who received such a decoration had to have a separate bill to allow him to receive it. This took so much time and wasted so much time, we might say, that we now put them in a blanket bill. This is the way it has been done for several years.

Mr. SUTPHIN. Mr. Speaker, there is authority on the statute books at the present time for Army officers to accept these decorations.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That those officers and enlisted men of the United States Navy and United States Marine Corps who have on the date of the approval of this act been tendered medals, orders, decorations, and presents by foreign governments in appreciation

of services rendered are hereby authorized to accept them.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUE OF COMMODORE JOHN BARRY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to return to Senate Joint Resolution 31, authorizing the President of the United States to present to Eire on behalf of the people of the United States a statue of Commodore John Barry, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the President of the United States be, and he is hereby, authorized and directed to present to the Irish Nation, now known as Eire, a statue of Commodore John Barry in honor of the bicentenary in 1945 of the birth of Commodore John Barry.

SEC. 2. There is hereby authorized to be appropriated the sum of $20,000, or so much thereof as may be necessary to effectuate the purposes of this joint resolution.

SEC. 3. The statue to be presented shall be executed by a sculptor to be chosen by a committee of three members, who shall serve without compensation or remuneration. This committee shall be appointed by the President. The design and cost of the statue within the limit set shall be approved by the committee.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Paul Roberts and a telegram.

The SPEAKER. Is there objection?

There was no objection.

LABOR-FEDERAL SECURITY APPROPRIATION BILL, 1942

Mr. TARVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4926, making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1942, and for other purposes. Pending that, I ask unanimous consent that general debate continue throughout the day, to be equally divided and controlled by the gentleman from Michigan [Mr. ENGEL] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Georgia that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4926.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4926, with Mr. DOXEY in the chair.

The Clerk reported the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. TARVER. Mr. Chairman, I yield myself 30 minutes. The subcommittee on the Federal Security Agency-Labor Department appropriations devoted 6 weeks of very careful and earnest work to the preparation of this bill. There have participated in the work of the subcommittee the gentleman from South Carolina [Mr. HARE], the gentleman from Texas [Mr. THOMAS], the gentleman from Iowa [Mr. HARRINGTON], the gentleman from Michigan, [Mr. ENGEL], and the gentleman from Wisconsin [Mr. KEEFE], and myself. At this time I pay tribute to the ability and fairness with which the members of my subcommittee have cooperated in this work. In the conduct of our investigations and in the formulation of the bill there has been an entire absence of any semblance of partisanship. Every member of the subcommittee has contributed his part to what we have done. The subject matters covered by the bill are so numerous and the bill itself is so complex in character that, as the chairman of the subcommittee, I have felt that the Committee of the Whole will be benefited if all of my colleagues on the committee participate in the presentation of the various subject matters in the bill. Therefore I announce at this time that the gentleman from South Carolina [Mr. HARE] will undertake a more detailed explanation than I shall be able to submit of the appropriations for the National Youth Administration; that the gentleman from Texas [Mr. THOMAS] will undertake to explain to the House the provisions of the bill relating to the Railroad Retirement Board, the National Mediation Board, and the National Labor Relations Board; that the gentleman from Iowa [Mr. HARRINGTON] will undertake similar services in connection with the items of appropriation for the Employees Compensation Commission, Howard University, Freedmen's Hospital, and the Columbia Institution for the Deaf; and that the gentleman from Michigan [Mr. ENGEL] will undertake to discuss for the enlightenment of the Committee of the Whole the items of appropriation relating to the Civilian Conservation Corps. The gentleman from Wisconsin [Mr. KEEFE] will perform a similar service in connection with the appropriations for the Public Health Service and the Bureau of Education.

Aside from the efforts of the subcommittee itself to do a good job in the preparation of this bill, we have had the assistance of one of the most capable employees connected with the Committee on Appropriations of the House of Representatives who has given his service in that capacity for the last 12 years, one of the most efficient and capable servants of the House. This is the last bill which will be submitted to the House of Representatives in the preparation and submission of which this gentleman has cooperated. He has answered the call of his country in this period of emergency by accepting a commission in the Navy with the rank of lieutenant. Before a great many days have passed he will be actively engaged in the naval service. I feel sure that I speak the sentiments of every Member of this House who is acquainted with the type of service he has rendered and who is familiar with the sacrifice which is involved in his surrendering his position here, accepting a position at considerably lower compensation in the naval service of his country, in saying that our best wishes will follow this gentleman in his entering into the naval service, with the belief that he will distinguish himself there with the same measure of ability and capability which he has shown in his service here. I, of course, have reference to a man who is known and loved by every Member of this House, Jack K. McFall. [Applause.]

The bill which we bring before you today carries a total, in direct appropriations, of approximately $1,192,000,000.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I would dislike to refuse to yield, but I would at least like to begin presentation of the bill before yielding to the gentleman.

The exact amount carried in the bill is $1,191,776,000. In addition to this amount of direct appropriation there is proposed the reappropriation of $8,080,000. The bill, insofar as direct appropriations for comparable purposes are concerned, is approximately $35,000,000 above the appropriations made for the current fiscal year, and at the same time it is approximately $31,000,000 less than the Budget estimates which have been submitted to and passed upon by our subcommittee.

It should be recalled in the same connection that there are in the bill approximately $181,000,000 worth of so-called national-defense items, as compared with only $133,025,000 for these items during the current year. So while the bill does represent an increase of some $35,000,000 over the amounts made available for the present fiscal year, there is in reality a very considerable decrease in nondefense items.

I shall undertake to make use of the tabular statement which is set out in the back of the committee report in discussing some of the major items of increase and decrease and the changes which have been proposed by the committee.

Under the heading of "Solicitor's Office" in the Department of Labor there is an apparent increase shown by this tabular statement over the appropriations for the present fiscal year of some $771,000 and over the Budget estimates for the next fiscal year of some $352,000. I wish to call the attention of the committee to the fact that that apparent situation does not in reality exist, because it is brought about merely by the transfer of the legal staff of the Wage and Hour Administration from the Wage and Hour Administration to the jurisdiction of the Solicitor's Office of the Department of Labor. There is, in fact, no increase in the appropriations made for the Solicitor's Office. As a matter of fact, there is a decrease of some $7,000 in the amount of these appropriations as compared with the appropriations made for the present fiscal year.

There has been a decrease below the Budget estimates in the traveling-expense fund for the Department of Labor in the amount of $215,500. That is brought about by a decrease below the Budget estimates which is being proposed by the subcommittee on this bill in the appropriation for the Wage and Hour Administration. If that reduction in the administrative expenses of the Wage and Hour Administration is approved by the Congress then the traveling-expense item which is related thereto, should also be diminished in proportion, which is the effect of the recommendation made by our subcommittee for a decrease of $215,500 in this item.

I think perhaps it might be wise, while it will involve diverting attention to another portion of the bill, that I undertake to discuss at this time the action which has been taken by the subcommittee in connection with the appropriation for the Wage and Hour Administration. If you will examine the tabular statement on page 48 of the report, it will seem apparent that there has been a considerable reduction in the amount of the appropriation for the Wage and Hour Division for the next fiscal year as compared with the amount made available for the present fiscal year. That, however, is not a correct appraisal of the provisions of the bill. That situation is brought about by reason of the transfer of the legal staff of the Wage and Hour Division, both in the field and in Washington, to the jurisdiction of the Solicitor's office, a circumstance to which I have already made reference in explaining the apparent but not real increase in the appropriation made for the Solicitor's office.

Here is the situation with regard to the Wage and Hour Administration appropriation: Last year the Congress reduced the amount of the Budget estimates for the Wage and Hour Administration by approximately $400,000, leaving to that organization approximately $7,000,000 to carry on its work for the present fiscal year. We have been advised that there would be an unexpended balance in the appropriation for the Wage and Hour Administration of $750,000. In other words, despite a reduction of $400,000 which was made by the Congress below the Budget estimates, the Wage and Hour Administration has, nevertheless, failed by $750,000 to expend the moneys which were in fact made available. So that if the Congress last year had appropriated the full amount of the Budget estimates for the Wage and Hour Administration, as was earnestly insisted in certain quarters ought to have been done, then that Administration would have had for the present fiscal year $1,150,000 more than it has actually needed to carry on its administrative work.

The Budget proposed that for the next fiscal year that there should be allowed some $563,000 in addition to the amount which was actually appropriated for the present fiscal year; in other words, taking into consideration the unexpended balance of $750,000 that they will have this year it was proposed by the Budget that there should be made available to the Wage and Hour Administration an amount in excess of $1,300,000 above the funds which have been actually expended or will have been actually expended by the end of this fiscal year. The committee could find no justification for that proposed action. It has, however, in the pending bill made provision for the appropriation of substantially the identical amount which was made available for the present fiscal year for the Wage and Hour Administration.

There is presented here, however, a broad question of policy which, it seems to the committee, should be decided by the Congress at this time. The Wage and Hour Administrator, General Fleming, proposes, according to his evidence, as you will find by reading the hearings, to investigate periodically the plant of every employer of labor coming within the jurisdiction of the Wage and Hour Administration in the United States. It is a tremendous and, to our mind, unnecessary program of inspection. No other agency charged with the administration of statute laws has ever found it necessary to resort to an investigation of every possible source of violation of those statutes. The Division of Public Contracts, enforcing the provisions of the Walsh-Healey Act, charged with substantially similar duties with regard to Government contracts of $10,000 or more, has found it possible to bring about efficient administration of the Walsh-Healey Act, not by wholesale inspection of every plant coming within the jurisdiction of the Division of Public Contracts, but by spot inspection of some 25 percent of the industries concerned; and further, by, of course, investigating always any complaints which may have been submitted. Our committee has, therefore, decided that first we, and thereafter the Congress passing upon our recommendation, should determine at this time whether or not it is the policy of the Congress to have the Wage and Hour Administration undertake to investigate periodically the plant of every employer in the United States. To our mind it is not a desirable thing to do. Take, for example, the plants that are highly organized by union labor. It may reasonably be anticipated that in those plants any infraction of the wage-hour law or any other law affecting the labor in those industries will be promptly reported and complained of to the administrative authorities.

For example, there is no reason why anybody should apprehend that in the automobile industry any employees are receiving less than the minimum wages provided by the Fair Labor Standards Act. We want to determine as we have already determined so far as we are concerned whether or not it is your purpose to have the Wage and Hour Division conduct this wholesale periodic investigation of every employer's plant in the country. We have not, frankly, provided sufficient funds in the bill for that purpose. We doubt that if the entire Budget estimate should be approved by the House and by the Congress it would provide sufficient funds for that purpose, although the Wage and Hour Administrator insists that that would be true. So, if any Member of the House feels that the program upon which the Wage and Hour Administrator desires to embark of inspecting each and every one of these plants at periodic intervals is a proper program and one which should be financed by the National Government, he should offer an amendment to restore the amount we have deducted from the Budget estimate, some $563,000, and upon the basis of that amendment let the House determine whether or not it wishes to permit the wholesale inspection program which was proposed by the Wage and Hour Administrator.

There were two items that involved national defense which were submitted by the Budget, the estimate being transmitted after the regular Budget had been transmitted for expenditure by the Division of Labor Standards. One of these items proposed to increase the regular appropriation for apprentice training by $425,000. It appeared from the evidence before our committee that this additional item of appropriation had not been sought originally by the Division of Labor Standards, but that the Division of Labor Standards in response to a request from the Office of Production Management had submitted this additional request to the Budget where it had been approved.

It appears that the Office of Production Management is impressed with the belief that it is desirable to train some 500,000 apprentices in connection with the pending emergency. Apparently the officials of that Office had not thought through the question of just how it might be possible to bring about this vastly expanded training program. As a matter of fact there are only 51,000 apprentices enrolled in apprenticeship courses which have been approved by the Division of Labor Standards. One hundred and twenty-five thousand apprentices are being trained through all instrumentalities everywhere in the United States, but there are only 51,000 whose training is being serviced by the Division of Labor Standards. So it seemed impossible to the committee that merely by the appropriation of a considerable amount of additional money we could expand the apprentice-training program almost overnight so that it would include 10 times as many trainees as are at present included. The committee having no desire to hamper the national-defense program but on the contrary desiring to do everything in its power to advance the interests of that program and its effectiveness went into this subject matter thoroughly with the officials of the Division of Labor Standards. In our judgment they were unable to justify the making of the additional appropriation of $425,000 requested. So the committee cut down the amount of the Budget estimate from $425,000 to $300,000 which in our judgment should be an ample additional amount for the apprentice-training program for the next fiscal year.

The supplemental estimate of $353,000 for use by the Division of Labor Standards in health and safety work of that bureau in the national-defense industries was similarly reduced by the committee by 50 percent, the amount allowed being $176,500. It seems that industry

is now performing for itself substantially the service which it is contemplated shall be rendered through the making of this $353,000 additional appropriation, but has served notice on officials of the Bureau of Labor Standards that it is proposing to decrease its cooperation in the future by using its employees who have been engaged in this work in activities supposed to be more directly in the interest of their employers.

At this time when it is understood that the defense industries of this country are making huge profits in the execution and carrying out of their Government contracts, it seemed to the committee that industry itself should continue to bear at least a large portion of this burden of making its plants safe for its employees and of preventing industrial accidents. As a matter of fact, the Government has the right to require under provisions of the Walsh-Healey Act that industry handling Government contracts in excess of $10,000 shall conform to certain regulations regarding the safety and health of their employees. It seemed to us, therefore, that we should at least require the assumption of one-half of this additional burden by industry, and for this reason we reduced the amount of the appropriation proposed by 50 percent, as I have indicated.

Mr. Chairman, if there is one service in the Department of Labor which is generally approved by the people of the United States, regardless of party, it is the service being rendered by Mr. Steelman's organization, the Conciliation Service. I realize that many people throughout the country, and a large number of my colleagues, and myself for that matter, are considerably disturbed because of the strike situation in the defense industries, but at the same time in all fairness I think we ought to realize that it is only the cases in which strikes result and in which the impediment of manufacture for the defense program comes about that are called to our attention through the press and the hundreds and thousands of cases in which strikes are threatened and which do not come about or which after they have existed for a brief period are settled, are rarely given any prominence in newspaper reports.

As a matter of fact, Mr. Steelman's organization has settled 95 percent of the labor troubles of all kinds, complaints, threatened strikes, and disputes, which were brought to its attention during the last calendar year before they ever reached the strike stage. That is work which, in my judgment, is exceedingly worth while. This is an organization which ought to be supplied with all necessary funds to carry on without hindrance to the full measure of its capacity to accomplish benefit.

Mr. Steelman's evidence before our subcommittee is set out with all possible detail in the hearings. He thought that his organization ought to have an additional amount of $325,000 for this defense conciliation service for the next fiscal year. The Budget had estimated $183,000, which was sufficient to take care of only the employment of 18 additional conciliators. The committee did not allow the full amount which Mr. Steelman had in mind, but effected a compromise agreement by which $92,000 was added to the Budget estimate providing for the employment of 45 additional conciliators. So we bring before you the bill containing a provision for this purpose of $275,000 instead of $183,000 as estimated by the Budget.

The Bureau of Labor Statistics submitted estimates for its regular activities which were approved by the committee substantially without change. There are two items, both of which are defense items, presented to the subcommittee in the Budget estimates and transmitted some time after our hearings had begun and after the subcommittee had already decided we would—with or without Budget estimates—take some action in an effort to meet what appears to us to be a very pressing need.

While they are under two separate heads, these estimates are intended to cover the cost of the making of some investigation to determine just how we may deal with the employment situation which, in the judgment of most people, including ourselves, is certain to arise after the period of this emergency has been concluded. Millions of men who are today employed in defense industries will be released from that service and a determination is necessary of just how these men may be taken care of and whether, if they are going to be taken care of by a public-works program or some other method, a program can be devised that will be commensurate with their needs and in which they might be properly employed. These are some of the questions that ought now, in our judgment, to be receiving the attention of an appropriate Government agency. We should not wait until the conclusion of this emergency—whether that conclusion may occur in a short while or after a long while—before we try to make some adequate investigation of that problem.

It was called to the attention of our committee, for example, that in the airplane industry there are now employed some 800,000 workers, the normal needs of the industry being less than 100,000. Those extra workers who are not needed in normal times will at the conclusion of the emergency be unemployed. That is only one example of the many millions who will be on the unemployment rolls after this emergency is ended. So we have approved Budget estimates submitted, as I have said, subsequently to the determination by the committee that it would make some provision for this subject matter, appropriating to the Bureau of Labor Statistics $96,500 for post-defense economic reconstruction problem studies and $190,000 for occupational outlook studies.

In the first-mentioned item we exceeded the Budget estimate of $60,000 by $36,500. Another defense item sent up in House Document No. 211 for the Children's Bureau has been disallowed by the committee.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield myself an additional 15 minutes.

Mr. Chairman, this estimate was for $878,000 to enable the Children's Bureau to carry on in the large concentrations of population that have taken place around cantonments and defense-industry sites, medical and nursing service. The mothers and the children located in those areas according to the evidence of officials of the Children's Bureau are insufficiently cared for under present conditions. This is a type of service, in addition to the character which we accord under title V of the Social Security Act, under which act grants are made to the States for maternal and child health purposes to be matched by the States under the provision of the law. It was not proposed to have the amounts allocated from this proposed appropriation matched by the States.

It was related to the committee that in these concentrations of population which have come about around defense industries and around cantonments and military reservations, mothers are giving birth to children without medical and nursing care and that other conditions relating entirely to the maternal and child population of those areas exist which deserve and should require the attention of the National Government.

It is a rather difficult matter for anyone to be inclined to deny approval of an item which is presented from that angle, yet it appears that the provision of professional and nursing service for mothers in such areas is, if it is done by Congress, the entrance into a field into which the Federal Government has never entered before; it is the provision of a type of service which would not only be desirable in the areas to which it is intended particularly to apply but would be desirable in many large centers of population throughout the United States. There are many mothers and children in slum areas in the great cities who do not receive the medical and nursing attention that would be desirable—mothers and children in whose cases the heads of the families concerned are not able to bear the expense which would be necessary to furnish the needed type of service; yet it appears that in these concentrations of population around defense-industry areas the heads of the families concerned are usually well-paid workingmen—men who are in fact drawing better wages than the average worker in industry throughout the United States. It seems doubtful, even in the name of national defense, if the Federal Government ought to undertake to furnish physicians and nurses for the family of such a man when he is able to pay therefor. Certainly if it did do it, then there would be all the more reason why it ought to furnish the same type of service to the hundreds of thousands and even millions of mothers and children who because of poverty are not able to have furnished to them that type of service in other areas of the country.

This is not a question relating at all to the health of the military or naval forces of the United States or to the health of workers in defense industries. This is a proposal to embark upon a new program which, if once started, must be ultimately expanded almost beyond conception.

Therefore, we feel that despite the many arguments which appeal to us and appeal to any person, I think, in behalf of the institution of a program of this type, it is a matter of such importance that it

ought not to be appropriated for by the Congress until a legislative committee of the House having jurisdiction has had an opportunity to consider it and to submit to the House and to the Congress legislation which will authorize it.

The appropriation is not now authorized by law. That of itself would not prevent its being included in this bill, because we hope to secure a rule for the consideration of those items of national defense in the bill which are not authorized by law. But at the same time, the fact that it is not so authorized and that it involved such a complete departure from anything that has ever been undertaken by the Government heretofore has, in the opinion of the subcommittee, justified the elimination of this estimate.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I should like to ask the gentleman a question on the technicality involved. As I understand the existing law, if you made an appropriation to the Children's Bureau, that appropriation would simply go for the purpose of hiring welfare workers who work under the various county judges in the State and do nothing but investigational work.

Mr. TARVER. As the gentlewoman will note, we appropriate at a later point in the bill $5,820,000, which is the total amount authorized by law for grants to States for maternal and child-health purposes, which sums, of course, have to be matched by the States. The Congress cannot go above the amount of $5,820,000 for that particular purpose in the absence of additional legislation authorizing that departure, unless the Committee on Rules should grant and the House approve a rule which would authorize the consideration of legislative matters.

Miss SUMNER of Illinois. My point is that from my experience the gentleman's committee did a very wise thing, because, in giving them more money, you would simply add to the number of welfare workers who are making investigations, and that is not the need. Investigations are not needed so much as are medical services.

Mr. TARVER. The proposal here is to use the fund in a manner different from that in which it is used under the regular appropriation for child and maternal health under title V of the Social Security Act, in that it is proposed to provide a number of physicians and nurses to go into these areas and actually to render medical and nursing service to people in need thereof, without regard to the financial need of the beneficiaries. The question of whether or not they are able to pay for it is apparently not involved. It is simply a question of whether or not they have such services available.

There seemed to be an impression that the Government might be able to hire physicians at $3,200 a year or some approximate amount to go into these areas and serve these people when private physicians would not go there in response to the needs of the people for service. That seems to be an idea that is probably not supported by logic.

I do not find it possible to discuss every feature of the pending bill in the time which I would be justified in consuming. I do, however, wish to make some general references to the appropriations for the Civilian Conservation Corps and for the National Youth Administration, and for the Office of Education under the Federal Security Agency.

The Civilian Conservation Corps is a subject matter which is very dear to the hearts of most of the Members of the House. I am one of them, and I thoroughly believe in it. I want to see it continued. I want to see it made permanent, and I have voted heretofore that it should be made permanent.

At the same time, there are in the hearings some startling facts revealed by the examination made of Mr. McEntee, the Director of the corps, as to the possibility of continuing the corps at anything like the level which is projected in connection with the estimates for the next fiscal year.

We have provided for the present fiscal year approximately $280,000,000, which was intended to take care of an enrollee membership of 264,000. The number has not reached that average by any means. The proposal of the estimates originally submitted for the next fiscal year was to provide for an enrollee membership of 259,500, including junior enrollees, veteran enrollees, Indians, and territorials. The amount estimated as necessary for this purpose was $270,000,000.

It develops, according to the evidence of Mr. McEntee, that there is no reasonable hope that there will be recruited for the Civilian Conservation Corps for the next fiscal year an average of more than 200,000 junior enrollees. Adding to this figure the 22,500 veteran enrollees and 10,000 Indians and territorials for which provision is made, it makes a total possible enrollment of 232,500 instead of 259,500, as estimated for by the Budget.

As a matter of fact, the enrollee strength of the Civilian Conservation Corps at the end of April of this year, just after an enrollment period, when the corps sought 56,000 recruits and got only 40,000, was 197,000 as against 242,000 for the same month during the last calendar year, 1940, and some 71,000 enrollees left the corps during the month of April 1941.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Michigan.

Mr. HOOK. Has the gentleman any statistics available as to the number that the camps will be reduced?

Mr. TARVER. The number of camps authorized for the present fiscal year is 1,500 and they have had 1,481, as a matter of fact. The appropriation originally submitted by the Budget for the next fiscal year was intended to provide 1,365 camps. The committee has provided in this reduced appropriation $247,000,000 approximately for funds which will provide 1,236 camps.

May I say to the gentleman and to all others who are interested, and I know most of our colleagues are deeply interested, that it seemed to the committee that there is no reason on earth for providing for a larger number of camps than can be equipped with manpower. If you are not going to have, on account of the selective-service program that is going on, the vocational educational training, the N. Y. A. program, the employment of youth in industry, the apprentice-training program, and various other activities for youth between the ages of 17 and 23½, I believe, enough enrollees in the Civilian Conservation Corps, to provide 1,365 camps, it would be very foolish for the Congress to appropriate the money necessary to carry on those camps.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Michigan.

Mr. ENGEL. I have before me a copy of the Muskegon Chronicle of Friday, May 30, commenting upon the C. C. C. enrollment in that area. The national-forest officials were appealing for enlistments, and in this article I find the following:

> The C. C. C. at Grand Haven, Mich., has a capacity for 200 young men but only 50 are at the camp.

Again quoting from the article—

> Camps having a capacity of 1,200 men have a shortage of approximately 500 men, according to W. I. White, supervisor of the national parks.

This is in Michigan.

Mr. TARVER. I thank the gentleman for his contribution.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from South Carolina.

Mr. HARE. Of course, the committee, as the chairman well knows, was loath to see any reduction in the number of camps, and the reduction in the number of camps is not due to the appropriation but is due to failure to receive enrollees. If the number of enrollees per camp, which is fixed by statute, had been reduced or should be reduced, commensurately, then there would be no necessity for reducing the number of camps; in other words, if the number of enrollees per camp were reduced by legislative act——

Mr. TARVER. I understand what the gentleman has in mind; that is, the operation of camps of less than 200 enrollee strength, which, as a matter of fact, is going on right now. Very few of these camps have 200 enrollees. Of course, the Director of the Civilian Conservation Corps claims that would cost too much in the provision of administrative personnel. However, that is certainly a subject matter which I hope will receive the attention of the Civilian Conservation Corps in connection with the diminution of the number of enrollees, so that as few as possible of existing camps may be abandoned.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HARE. Mr. Chairman, I hope the chairman of the committee will take all the time he needs.

Mr. TARVER. Under the rules of the House I am not allowed to take over 1

hour, and I have almost consumed that much time.

Mr. HARE. The gentleman is more familiar with the facts in connection with this bill than any other member of the committee, and I am sure he will be able to answer any questions that may be propounded. And now going back to the subject we were discussing, if it were determined that the minimum number of enrollees per camp should be reduced, then the number of camps could be increased accordingly.

Mr. TARVER. Oh, yes, indeed.

I may now make brief reference to two or three other subject matters. In the regular appropriations for the National Youth Administration, provision was made, as I recall, for some $101,000,000. The Budget, however, subsequently sent up another estimate recommending the transfer from this appropriation of $10,000,000 to the Office of Education, or that is, recommending that the Federal Security Administrator be given power to transfer it for the purpose of giving vocational training to N. Y. A. workers in work centers in N. Y. A. projects, and with the evident purpose of carrying into effect an agreement which was made between the Office of Education and the N. Y. A. last year, under which the State vocational education authorities under the direction of the Office of Education, were to have control of all matters relating to the education of N. Y. A. trainees. This committee has approved the Budget recommendation with this change, that instead of vesting the Federal Security Administrator with discretionary power to make such transfer, we made a transfer under the provisions of the bill, of this $10,000,000 directly to the Office of Education, and we also reinserted in the bill a provision which had been left out by the Budget, language which makes effective the agreement reached between the two offices as to their respective functions, in the youth-training program as it relates to N. Y. A. trainees, assuring that all matters regarding their educational training will be under the control of State vocational education authorities instead of under the jurisdiction of the N. Y. A. That is the only amount by which we have reduced the N. Y. A.

We have increased the appropriation for the program in the Office of Education by two considerable amounts. Last year that office had $41,000,000 for vocational courses of less than college grade for the defense-training program. The amount recommended in the Budget and the amount recommended in this bill is $52,400,000. It developed—and I shall be glad if gentlemen will look at the pages of the hearings relating to this subject—that in the matter of the distribution or allocation of $27,000,000 plus, of the $41,000,000 made available for this fiscal year, some six or seven States have gotten more than half of it, and the rest of the States have obtained in most instances comparatively small amounts. The reason for that has been that the other States in which there were not large defense industries were not equipped to accord training to their youth and that the amount for equipment in the bill would have to be vastly increased if this program were to be extended geographically, so as to more fairly include all the youth of the country. So we have appropriated $8,000,000 over the Budget for equipment, making the total amount $20,000,000 instead of $12,000,000. The purpose of that reappropriation of an unexpended balance of the $41,000,000 is to enable this education to be extended through a training program, so that the youth of the agricultural sections of the country located long distances from defense industrial centers may be enabled to receive some of the same type of training that has been accorded to those in the defense-industry areas. Ten million dollars was recommended by the Budget for the rural youth training program, and it appears that they trained this year 125,000 individuals, but they had 165,000 individuals that wanted training, but could not get it on account of lack of funds. It appeared that it would require slightly in excess of $15,000,000 for attention to the full needs of the rural training program for the next fiscal year, and it further appeared that this one item of defense training, where the Budget had not recommended ample funds to take care of the rural-youth training was the one that was neglected by the Budget. Therefore, we added to the appropriation for the rural-youth program $5,000,000 above the Budget, but not above the estimated need of the Office of Education for the orderly carrying on in an effective way of this rural youth training procedure. These items exceeded the Budget by some $13,000,000 in connection with the appropriations for the Office of Education.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. TARVER. Yes.

Mr. HARE. It was brought out in the hearings that where rural youth had received defense training, they proved to be more efficient in industry than any other type of youth.

Mr. TARVER. Yes; and we had in mind not only the carrying of opportunity to the rural youth of the country but opportunity to the Government to make use of the services of these millions who are scattered throughout the country, and who will be well worth while for the National Government in this emergency if they could get training. They cannot get training unless we find some means of spreading out this program, and not permitting it to be carried out in a few areas only.

Mr. Chairman, I have consumed more of the time of the committee than has been justified. Of course, it is impossible to discuss in detail all of the items of this bill. I am thankful for the consideration and attention that has been given to me by the committee and I assure them that my colleagues will amply explain the items that I have not been able to refer to. [Applause.]

I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ENGEL. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, for the past several years the New Deal administration has had its eyes set on Federal control of the oil industry. It is a $10,000,000,000 industry and one that any new dealer would covet to control. A number of bills establishing a Federal oil administrator, with dictatorial powers, have appeared in the recent sessions of Congress. The President, using his power of authority given him under his declaration of an unlimited emergency, has, with one stroke of his pen, set up this agency.

The Secretary of the Interior, Hon. Harold Ickes, was appointed Federal Petroleum Coordinator. He is given broad powers over the production, distribution, and marketing of oil. It is true that the Executive order reads that he is to cooperate with every agency dealing with this vital commodity and make suggestions, but no one who has ever watched the workings of a New Deal agency believes he will be satisfied with making suggestions. Rigid rules and regulations will soon be the order of the day.

Recently Mr. Ickes suggested that it may be necessary to have gasless Sundays in the near future in order that our national-defense program be not hampered by a shortage of gasoline. The Secretary did not state that there would be a shortage of gasoline and oils in the United States, but there might be sectional shortages because of transportation. It is true that we have transferred one-fifth of our oil tankers from the intercoastal trade to Great Britain, and we must now depend more on tank-car, pipe-line, and truck transportation. The movement of oil from the Gulf coast amounts to 1,250,000 barrels a day and required the services of about 250 oil tankers. Since 50 of these tankers have been transferred to Great Britain, it will be necessary to secure additional transportation facilities.

These transportation facilities can be readily expanded and, I believe, insure our citizens a continuous normal supply of gasoline. I did not oppose the transfer of the oil tankers to Great Britain, but I am greatly disappointed to learn that these tankers which formerly were used to transport oil from the southern ports of the United States to Atlantic coast points are now hauling Venezuelan oil to Great Britain. We are advised that the oil fields in Venezuela are largely owned and controlled by American capital. Even this does not suffice for the loss of our American market. It seems to me that when our Government transferred these ships, which were used solely in supplying our eastern-coast trade, they should have insisted that they be used in transporting gasoline produced in this country. In fact, Great Britain should insist on this as a reward for our generosity.

There is an ample supply of motor fuel in the United States for national-defense and all domestic demands. Much of the capacity for production and refining of crude oil is not now being fully utilized. It is generally agreed that we could produce 25 percent more gasoline overnight.

Mr. Fayette B. Dow, appearing before the Ways and Means Committee on May

9, 1941, for the American Petroleum Industries Committee, The National Petroleum Association and Western Petroleum Refiners' Association, stated in response to questions from myself (p. 770, committee hearings) as follows:

Mr. CARLSON. Mr. Dow, there are some people in this country who believe that we ought to place a tax on gasoline and oils in order to conserve them. In your position, with your knowledge of the petroleum industry, can you safely state to this country that there are sufficient supplies for any emergency?

Mr. Dow. We have today the largest reservoirs of crude oil in our history. We could increase our production with no new important discoveries 30 percent overnight. We have a shut-in refining capacity today, and a capacity of good refineries that is greater than the entire refining capacity of the country in 1918. We are abundantly equipped to deal with the situation.

Mr. CARLSON. As a matter of fact, new fields are being discovered all the time; 125 new fields in Texas last year; 46 in Oklahoma; 33 in Kansas; all out in the midcontinent field.

Mr. Dow. That is true. And back of that are our enormous measures of coal which we know how to convert into any liquid, from the lightest aviation gasoline at the top down through the fuel oils, when the time comes to do it.

Mr. CARLSON. And these very States are at the present time operating under a proration agreement. Kansas, for instance, is producing 220,000 barrels of oil a day when, as a matter of fact, they have a 5,000,000 barrel capacity.

Mr. Dow. That is correct.

New oil fields are being developed in every oil-producing area. The development and expansion of midcontinent field has been so great and so rapid that the States comprising this area found it necessary to enter into a several-State compact to control the marketing of crude oil. These States, through this compact agreement, have kept the oil industry from a general demoralization. In reality the voluntary State compact has prevented chaos in this great industry.

During the year 1940 there were discovered 204 new oil-producing fields in Texas, Oklahoma, and Kansas. Texas led with 125 new fields, Oklahoma 46, and Kansas 33. These States are in what is known as the midcontinent field. The proration agreement among the States has resulted in real hardship to many producers. Some of the larger wells are given a production quota of less than 1 percent. The State of Kansas, which has an estimated potential production of 5,000,000 barrels daily, is limited to a production of 232,000 barrels in the compact agreement. Is it any wonder the oil producers of our Nation protest the importation of oil from Venezuela, Mexico, and other foreign countries. Now insult is being added to injury by transferring our own tankers to haul Venezuelan oil. [Applause.]

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. Yes.

Mr. CRAWFORD. I wish to get a little clearer statement of the gentleman's presentation. Does the gentleman feel that we should under the circumstances which now exist, and under the world-wide undertaking that the President has involved us in, export any of our petroleum products?

Mr. CARLSON. Yes; I think we could well export petroleum products at the present time. My information leads me to believe that our potential oil production is so great that England might well secure some oil here. In fact, we are importing large quantities of gasoline into this country from Colombia, Mexico, and Venezuela at the present time.

Mr. CRAWFORD. I had been under the impression that we were doing the smart thing by conserving our petroleum products to the limit and letting other countries send petroleum products to us if they deem it advisable to do so. It seems to me we have certainly undertaken a world-wide role, particularly insofar as offshore areas are concerned that can be involved in the Western Hemisphere. Also in connection with the Philippine Islands. As to who will control the Dutch East Indies oil I do not know, but suppose the world controlled ships in such a way that oil goes to Japan and Russia and leaves us in a position where we must parallel our action with Britain and protect a great portion of China, a large part of India and that portion of the Malay States which is under British control, together with all of Latin America. Have we sufficient oil reserves to carry out that kind of an obligation? That is the question that is in my mind.

Mr. CARLSON. According to the statement made by Mr. Dow and others who have studied this, we have practically unlimited supplies of oil in this country. In fact, in the oil-producing area, in territories where we have been getting oil for years we find that by drilling deeper we get new wells that we had never thought of securing.

Mr. CRAWFORD. I know that has happened, but to me this present world situation is largely a war of oil, and it seems to me it is a pretty precious commodity to have plenty of.

Mr. CARLSON. That is true. The gentleman mentions the fact that Japan may get control of the oil in the East Indies. The gentleman might as well mention the fact that Japan is now securing shiploads of oil and gasoline in this country.

Mr. CRAWFORD. That is true.

Mr. CARLSON. It seems to me it is one of the things that we might start thinking about.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. I yield.

Mr. WHITE. Speaking of the abundance of oil, does the gentleman know that the petroleum experts in the Department of the Interior are authority for the statement that of all the known resources that have been discovered in the history of this country we have used up over half of them.

Mr. CARLSON. I will admit that is not the information I have in regard to oil, but I will accept the gentleman's statement.

Mr. WHITE. I will state for the gentleman's information that that fact was presented before the Public Lands Committee, of which I am a member, by an expert from the Interior Department.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, I would feel exceedingly derelict in my duty as a member of this subcommittee were I not to join with our chairman in just saying a word in recognition of the splendid talents and magnificent service rendered by Jack McFall to the Appropriations Committee. [Applause.] He is going to leave shortly to enter the service of the United States Navy. We are going to miss him. I know of no one in the whole Government that has such a grasp on the affairs that are embodied in this great, complicated bill now before us. His advice and counsel in the preparation of this bill and in the conduct of the hearings have been exceedingly valuable. Jack, we wish you well. We know that you will make the same outstanding contribution to the work of the Navy that you have to the work of this committee. [Applause.]

Mr. Chairman, in the consideration of a bill of the magnitude of the one now before the Committee, it is utterly impossible to encompass its scope within any ordinary limitations of time. So I am going to try in the short time I have taken this afternoon to give to the Committee the benefit of some reflections that have occurred to me as a result of 6 weeks' consideration of the various items comprising this bill.

Let me say at the outset that I have been simply amazed at the tremendous number of activities that are springing up in this country in Government service in an effort to deal with the problem of youth. Separate, if you will, the service that is being rendered by the Army, the Navy, the Coast Guard, and relate our thought specifically to these civil affairs of government, and we see the Civilian Conservation Corps dealing with one part of the youth problem; the National Youth Administration dealing with another portion of this youth problem; the Office of Education in its various activities, particularly in the administration and direction of the vocational educational system of the country, dealing with another element of that problem; the Women's Bureau and the Children's Bureau and all of the other bureaus that are dealing in a greater or less degree with this problem of youth and youth opportunity, education, and employment.

I think that problem is one that ought to attract not only the attention of the Congress but the entire Nation. I can visualize some very severe conflicts of opinion that are going to arise sooner or later out of the activities of these various agencies. I can see a conflict in existence right now between the Office of Education and the National Youth Administration. I can see a conflict between the Civilian Conservation Corps and the National Youth Administration, all directing their efforts and energies toward the same objective, of training the youth of this Nation to take their proper place in our society and to be able to work and earn their livelihood. With it all there seems to be a growing feeling that the educational work and

the youth training that is being conducted by the Civilian Conservation Corps and the National Youth Administration are, to some degree, treading upon the prerogatives of the academic colleges and schools that are guided to some extent by the Office of Education. This conflict is manifested very definitely in the pending bill, where $10,000,000 has been taken from the National Youth Administration regular appropriation and transferred to the Office of Education for no purpose under the sun except to try to harmonize and settle the dispute as to their proper functions in this field and to try if they can to separate those functions so that there will not be too much overlapping of activity.

I think it is fair to say that for a number of years there has been a decrease in the opportunities available to young people in all forms of industry. This has been due to many causes, some of which in themselves are excellent. I want to direct your attention for just a few moments to the fact that among these factors in the curtailment of opportunity for young people has been the extension of the life of the whole population from an average expectancy of 43 years in our own lifetime until the present, when the average man now has an expectancy of life of around 62 years. Mr. Chairman, just let this simple fact sink into our minds in connection with this problem of youth and its related problems that we are facing in this country today. The average expectancy of life within the lifetime of men on this floor has been increased from 43 to 62 years. This increase in life expectancy has likewise increased the period of the work life of the people of this country.

Second, we have by legislation and by propaganda, and very properly so, placed a ban on child labor, but this ban has been accepted by industry with a vengeance so that the tendency has increasingly been to take fewer and fewer persons into industry under 25 years of age in the past.

Facts will show that this tendency was well under way all through the 1920's when industry was employing more and more people. Third, we have extended the opportunities in school for young people—again in itself an excellent thing. Unfortunately, however, most of this has been of an academic character. The net result of all of these forces has been to take manual and physical work out of the lives of the young people in America. Generation after generation of young people have grown up in our country without knowing how to work or having an opportunity to learn how to work. A further factor in this whole situation has been the automatization of industry, bringing in its wake increased use of machinery and a lessening of need of manpower. All of the foregoing factors, in addition to taking work out of the lives of young people, have resulted in vast unemployment among young people. At the present moment we are witnessing a vast expansion of employment, and I am happy to say that among those benefiting are great numbers of young people. I am, however, not deluding myself into thinking that this present situation is either going to absorb all of the young people or that it is going to be permanent. I think we have got to give this matter of what happens to young people after they have left school the most serious sort of consideration. The Government has established for the aid of unemployed young people two agencies—the National Youth Administration and the Civilian Conservation Corps. There have been criticisms of both of these agencies. However, with all of the criticism I think they have rendered a very solid and valuable service to the Nation. I feel especially that the National Youth Administration has been practical and very wise in the planning and execution of its work. It has provided young people with opportunity to acquire, through work, experience which has resulted in hundreds and thousands of them securing employment. It has also provided hundreds of thousands of them with work whereby they were able to continue their efforts to get an education. The record of its accomplishment has laid a foundation for constructive and sound planning in this whole field. I, for one, feel that we should take advantage of this experience as well as to have the foresight in this whole situation to make the necessary moves which are indicated with respect to the future. I should like to make so bold as to suggest that this is a matter to which Congress should give very serious thought.

First, that we work out a plan which includes the best of all that has been done, with such additions and changes as would improve our services to young people. Economy and good Government practices would indicate there should be one agency handling this problem and handling all of this problem. I feel that such an agency should have as its function very definitely the training of young people for earning a livelihood.

We must work out a plan to unify the groups dealing with the youth problem, create within the Government one single agency to deal with the problem of youth, youth employment, and youth activities. I believe that were this to be done much of the criticism that has been leveled at some of these agencies due to duplication of effort would be eliminated. Too often we have seen one agency jealous of its prerogatives seeing to it that no other agency is permitted to trespass upon any of its fields. This sort of thing should be eliminated and in place of all the separate independent agencies dealing with the problem of youth, youth employment, youth experience, and education, we should establish in this country today one great agency of government to deal with this problem and to deal with it by eliminating the nonessentials and the things that are proven to be wrong by experience in all of these agencies, and to take into this new agency the things that have proven by experience to be worth while.

Second, I think such a change should provide for the physical and health needs of the young people; and in this connection I refer to the tremendous sums that are being appropriated now to the Public Health Service and other related agencies to deal with the question of health among the young people of this Nation. I feel that this problem is so intimately related to the question of employment and the question of youth opportunity that the subject of health of youth might likewise be incorporated into this whole proposal which I have suggested. The results of the selective draft examinations indicate that we have among our young people a vast number who are physically deficient.

It is poor economy from every standpoint to allow young people to grow up physically disabled when these deficiencies might easily and without too great a cost be corrected. We should have as the core of this agency useful productive work out of which is produced needed facilities of a public character. Young people have proved in the last 5 years great capacity for the creation of tangible and social wealth, useful and needed by our Nation. It is my position that young people constitute the greatest wealth a nation has. That wealth must be conserved and utilized and made available in the greatest possible degree to the future adult population that must make up our Nation. There will be those who will say that the schools are left out of this plan. I do not so desire my remarks to be interpreted. The academic school program should be utilized and integrated into this program in order to develop a definite related program. Whatever they can do to implement and supplement the effort of such an agency should, of course, be made available to these young people.

I think the time has come when we should recognize that youth in America and the individual young people making up this body of our people should be treated as a whole, a unit, if you please, and that this Nation should produce the facilities to deal through one agency in a well-rounded manner with this matter of education and training to offer every opportunity to young people to find employment and to make themselves self-supporting.

At the present time there are in America approximately 21,700,000 young people between the ages of 16 and 24. Of these, from 13,000,000 to 14,000,000 are either employed in industry or are in some institution of learning. From seven to eight million are either at home or in the labor market looking for work. The most conservative figures are that approximately 3,600,000 to 4,000,000 of these are either unemployed or working for a Government agency, the N. Y. A., the C. C. C., or what not.

At no time should there be idle young people in this country, but certainly now that we are in an emergency none of them should be idle. They should be employed and be a part either of industry or in preparing themselves to be a working part of our economy. They should be given the opportunity for an education that will fit them into this program, and we must not look, Mr. Chairman, to what is taking place just today. We must look ahead. What is to be the lot of these millions of young people when this great

war is over, when they are sent back to civilian life from the training centers of the Navy, of the Coast Guard and the Army, and the training centers of N. Y. A. and C. C. C.? It seems to me that it is time that the Congress should begin to think of the creation of some centralized agency that can harmonize all the differences in these organizations that we have set up and look to the future to the end that a centralized agency may be established that will deal effectively with the problem I have discussed.

Let me call attention to one or two other things that I have observed in connection with the hearings on this bill. I see my friend the gentleman from Massachusetts [Mr. HEALEY] is here, and I want to say just a few things about the Walsh-Healey Act which the gentleman knows I am interested in. The Walsh-Healey Act, which the gentleman assisted in preparing, was passed by the Congress amid a great blare of trumpets. It was intended by its proponents to demonstrate to the Nation that the Congress intended to take up the torch of labor, and as to those contracts over $10,000 entered into with the Government to furnish supplies to the Government, certain standards must be maintained—8 hours a day, not over 40 hours a week, payment of the prevailing wage, provision for the abolishment of child labor, and another provision. Let me read it:

That no part of such contract will be performed nor will any of the material, supplies, or equipment to be manufactured or furnished under such contract be manufactured or fabricated in any plant, factories, buildings, or surroundings, or under working conditions that are unsanitary or hazardous or dangerous to health or the safety of employees engaged in the performance of such contract. Compliance with the safety, sanitation, and factory inspection laws of the State shall be prima facie evidence of compliance.

There was a legislative declaration that, so far as Government orders were concerned, the Congress of the United States laid down a promise to men working in industry furnishing those materials that they would have safe and sanitary factory conditions in which to work. The proponents of this legislation prior to its enactment on the floor of the House and subsequent to its enactment proclaimed that here was the Magna Carta of labor. Here was the first step that was going to insure to labor throughout the country that we would insist not only on fair labor standards but we would insist upon decent and sanitary, as well as safe places, in which to work. I think the gentleman will agree with that statement.

What have you done about it since the enactment of the Walsh-Healey Act? I agree with the purposes reflected in that legislation, but what have you done about it? I have had occasion to question the head of the Labor Standards Division, Mr. Zimmer, who is in charge of this activity, at some great length. We find that there are many States in this Nation that have no standards of safety whatsoever. They have no State laws. There are some that have.

A contract goes to a manufacturer in a State that has no standard as to safety or sanitation. What do you do about it? You said there should be something done about it in the Walsh-Healey Act. We are appropriating millions of dollars to this organization in the Department of Labor to do something about it. What have they done? I will tell you what they have done. Nothing. That is what they have done.

Have they established a single standard in the Department of Labor that provides for factory standards of safety and sanitation? Not one. Read the hearings, read the testimony of Mr. Zimmer. What, then, becomes of Congress' talk about the torch that was taken up and proclaimed so loudly in the public press and on the floor of the House as to how under the Walsh-Healey Act you were going to provide safe places for men and women to work? You passed the law but you have not established a single standard, not even a minimum standard under which manufacturers shall be required to cooperate before a Government contract is given to them.

Mr. HEALEY. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Of course, the gentleman knows, because he has made a study of this particular feature, that more man-hours have been lost in the defense program through industrial accidents than from any other cause. It was because of the fact that we knew of the constant recurrence of these industrial accidents and because we had evidence at the time of the hearings on this particular bill of those things and because we wanted to establish a standard for a decent, healthy, safe, sanitary place to work in that that provision was written in the bill.

Mr. KEEFE. All right you wrote it in the bill.

Mr. HEALEY. Let me continue. Of course, as the gentleman knows, the act itself has never received sufficient appropriation for its complete enforcement. It has been a difficult time enough to have enforced the wage-and-hour provision. In the administration of this act some standards should be set up by industrial factory engineers as a minimum standard. I agree to that.

Mr. KEEFE. Does the gentleman agree with my statement?

Mr. HEALEY. I have not finished.

Mr. KEEFE. I do not want the gentleman to take too much time.

Mr. HEALEY. The gentleman directed his remark to me and I am trying to answer it. In my own State we have a very high degree of a minimum requirement for sanitary and safe conditions. We enforce it. Of course, compliance with the minimum that is required under my State law satisfies this act.

Mr. KEEFE. Yes; but the gentleman well knows that this law was designed to protect workers in those States where they have no such standards.

Mr. HEALEY. I am for that.

Mr. KEEFE. I am for it, too.

Mr. HEALEY. I am for that, and I should like to see something done about it. The gentleman can do something by providing sufficient funds to enforce the act and to make provision for the setting up of a decent standard.

Mr. KEEFE. Let me say to the gentleman that you have had all the funds in the world necessary to do that. That is not the question at all, and if the gentleman will read the hearings he will find that that is not the question. That is not the complaint, as to lack of funds. The complaint is that the Department thought there was no enabling right in the legislation that gave them the right to establish these standards, a misconception of the law entirely. Because they felt that Congress had not given them the right specifically in the law to establish standards, they have not done one single thing about establishing standards.

In a long conference which I had subsequent to this hearing with the Secretary of Labor at my office, she finally admitted that they were in error, that they had had a misconstruction of their duties and their responsibilities, and she gave me assurances that something would be done about it to the end that there will be some standards established in those States that have no labor standards at all and that are competing in industry with States like the gentleman's and mine, that do have labor standards.

When the Walsh-Healey Act was put on the statute books, we thought it was to put all these people on a parity so that we would be able to give to labor, whether in Mississippi, Texas, Wisconsin, Oregon, or Massachusetts, a fair, decent place in which to work, that would be safe and sanitary. It just has not worked out that way. I call the attention of the gentleman to it because if that law means anything at all it means exactly what I have said, namely, that while we have not given the authority to establish standards in the Walsh-Healey Act, yet the Government does not have to enter into a contract unless those standards are complied with.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I yield myself 15 additional minutes.

We have agency after agency in this Government, the Children's Bureau, and numerous other bureaus, that are allocating public money, but they set up the standards with which the States must comply or else they do not get the money. Consequently, we can establish standards, if this law means anything at all, minimum standards that must be complied with, or else the Walsh-Healey law in that respect is absolutely impotent and does not fulfill the purpose its sponsors claimed for it when it was enacted into law.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. The gentleman is addressing himself to a most vital and important problem. I concur heartily with the gentleman. I believe it is most important in this defense program, where over 200,000,000 man-days were lost because of accidents. We talk of strikes, and I am against anything that would hinder our national-defense program, but for every day lost because of strikes in our defense program,

4 days are lost because of accidents. I am glad the gentleman is addressing himself to this problem.

Mr. KEEFE. I should like to address myself now to one other problem that may be of some interest to the Members of Congress and that impresses me as a result of sitting day after day on these hearings. I want to speak to you for a moment about unemployment compensation. I know there are men here on the floor of the House who are interested in that subject.

Unfortunately there is a great deal of misapprehension about the subject of unemployment compensation. We are all familiar with the fact that the present law provides for a tax of 3 percent of pay rolls to be paid by the employer to provide funds with which to pay unemployment compensation under approved State laws. The agencies in the States function to administer the laws under standards under a program laid down by the Social Security Board.

In my own State, which pioneered in this field, we adopted what is known as the merit-rating system of unemployment compensation with individual employer reserves. We took the position in Wisconsin that if unemployment compensation meant anything at all it should be an encouragement to an employer to maintain steady employment. Men were not being thrown out of work or going out of work just to get the benefit of unemployment compensation. So when we enacted our law in Wisconsin, which has been pointed to as a model, we provided that an employer should have his funds set apart in a reserve fund credited to his individual account, and when his individual reserves reached a point equal to 10 percent of his expected annual pay roll, he then could take credit for 2.7 percent of the tax and would be required to only pay the 0.3 percent excise tax, paid for administrative purposes.

Do you know what that has done in Wisconsin? It has been the greatest single factor I know of to stabilize employment. Both employers and employees want that type of law retained on the statute books. The employers there spell out their employment and keep men on the pay roll that might not otherwise be necessary to have on the pay roll, in order that they will not have to draw upon their individual reserves and in order that they make take advantage of the 2.7 percent credit which they receive for maintaining continuity of employment. It is clear that under such a system the employer has an incentive to keep his men employed so as not to reduce his individual reserve account and force payment of the full 3-percent tax.

That gives some control over the situation to the States. What is the program now? I cannot tell you exactly what it is going to be because I was not able to dig it out of either Mr. McNutt or Mr. Altmeyer, Chairman of the Social Security Board. If you will read the testimony, however, I believe you will be convinced that the program in store for employers in this country and for States that have the individual reserve merit rating system of unemployment compensation, is that they are face to face with a proposal that will require that the entire 3 percent be paid into a Federal pool to be administered entirely federally, and to remove the State control over those funds entirely.

Oh, they do not propose to do it all at once. The first proposal is that instead of three-tenths of 1 percent for administration purposes, they propose to take 1 percent, making the exemption that the employer may receive 2 percent instead of 2.7 percent. I understand from a speech by one of the members of the Board, delivered sometime ago up at Hershey, Pa., that they propose to feel out public opinion on the subject, and the first step is to take 1 percent, and then pay the administration expenses out of that, the balance to be thrown into a Federal pool, to be federally administered. When that is accomplished, I suppose the next step will be to take the entire 3 percent tax and pour it into a Federal pool to be administered federally with no exemption for individual employer experience. I am convinced that is the attitude of the present Board. They are no longer interested in having the State administer this program, but they feel that unemployment is a proposition that is Nation-wide in character, knowing no State boundaries, and if there is unemployment in Oklahoma and no unemployment in Wisconsin, there is no reason why the employer in Wisconsin should not be taxed to pay the unemployed in Oklahoma. This means the ultimate transfer into a Federal pool of all these unemployment taxes which will run up into hundreds of millions of dollars gradually to be disbursed under gradually enlarging payments to the unemployed, all under federalized control.

Now, I am warning the Congress this afternoon of what is in store for it Mr. Altmeyer told our committee that he did not know exactly what the program is. Mr. McNutt told our committee that a program had already been passed upon and was lying upon the President's desk. Mr. Altmeyer told us that the program, whatever it might be, would be submitted to the Ways and Means Committee just as soon as they finished their tax bill, and the only reason it has not been there before now is because of their necessities in considering this tax measure.

I want the Congress of the United States to know and the people of this country to know what is in store. You people who believe in stimulating employment and encouraging employers to stabilize employment and to give employment and to keep people employed, ought to view this threat to the merit-rating system of employment with individual reserves to the employers, with very great alarm. I hope that no such bill comes before this Congress and I hope the Congress will do nothing to destroy the system in my State that has achieved the acclaim of employer and employee alike and has been pointed to by every State in the Union as a model that they wish they all might follow.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield for a question?

Mr. KEEFE. I yield to the gentleman.

Mr. CRAWFORD. May I submit the question in this form: If company A, whether it be a proprietorship, a partnership, or a corporation, through proper management holds down its turn-over of labor to the absolute minimum, or, let us say, to the vanishing point where not a single man is discharged during the 12-month period, and also holds down all accidents, eliminating all trouble of that kind, and builds up a perfect performance with reference to its reserves, and then finds itself facing a situation where those reserves are forced into a Federal pool to be distributed according to some Federal formula, does the gentleman know of any activity on the part of the Federal Government that would more completely destroy the incentive of company A than for a situation of that kind to develop?

Mr. KEEFE. I do not know of anything that would be more compeling on the part of an employer in my State, who has maintained continuity of employment without touching his reserves set up for unemployment compensation and keeping men on the pay rolls so that he can maintain that reserve—I do not know of anything that would cause that employer to turn men out of employment when they were not necessary more than the program the gentleman has suggested

Mr. CRAWFORD. That would be the exact result of what I have suggested.

Mr. KEEFE. And that is exactly what we fear in my State will come about, so that the incentive that is found in the merit system of employment with individual reserves to the employers will be wiped out and we will return to the status where employers fire every man the moment he is not needed.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman.

Mr. HARE. In view of the gentleman's statement I assume he would subscribe to the philosophy that when the Federal Government undertakes to rob the State of any of its prerogatives it has a tendency to destroy the ambition and the initiative of the State toward the betterment of its people.

Mr. KEEFE. I may say to the gentleman that there is some justification, perhaps, for that statement, but I am addressing myself particularly to this one problem right now, and like the expert medical witness on the witness stand, I am not qualifying to answer every other question, but am confining myself to this one issue, and as to this issue I think there can be no question but what they are destroying the incentive of employers with respect to steady employment. And let me call your attention to another thing that, perhaps, you do not know. You collect the three-tenths of 1 percent on the pay rolls of America for the purpose of providing the administration expense of unemployment compensation. This is what the tax is levied for. In the last year, I may say to the gentleman, you collected nearly $120,000,000 from this three-tenths of 1 percent and the cost of administration was only about $66,000,000. The balance of it went into the Public Treasury. You therefore are using nearly $54,000,000 of money, levied in excise taxes to provide for the administration expenses of unemployment com-

pensation, to pay general operating expenses of the Government. It seems to me that the Congress could well afford to give some consideration either to the question of some reduction in the amount of that tax or the placing of those excess funds into a special fund to provide additional unemployment compensation. It seems to me that we do not give the type of consideration to a situation of this kind that we ought to. I am simply giving you the benefit of a few observations that have occurred to me as a result of listening to this testimony.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. O'CONNOR. The gentleman is making a very marvelous and informative speech, and I am mighty glad that he has covered the questions he has and unemployment insurance. I think it is a good thing, but I have heard a lot of criticism directed against this set-up on the ground that it lacks mutuality. In other words, here is the employer, say a private individual, who contributes to this fund. What happens to him if later on he goes broke, if later on he arrives at an age where he is not self-supporting and unable to support himself? He goes out of employment. There is nothing in the fund to enable him to get along. I would like the gentleman's view on the question of whether or not this set-up should not embrace a principle of mutuality as between the employer, where he is an individual, and the employee, so far as the employer is concerned.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I yield myself 5 minutes more. I might say to the gentleman that I have one other thing that I want to discuss briefly before I finish. The gentleman's suggestion is prompted by his interest in the subject of old-age pensions. I assume that in proper time the Government will see fit to provide for a federalized system of old-age pensions that will take care of exactly the situation that the gentleman has in mind.

Mr. O'CONNOR. Would not the gentleman favor the Townsend plan in that connection? Would it not answer the whole thing?

Mr. KEEFE. I tell the gentleman right now that I have been in favor of a system of federalized pensions on a pay-as-you-go basis for at least 15 years. I am not wedded to any specific plan. I am, however, in favor of a system of Federal pensions that will provide a decent competence for the aged people of this country upon which they can live, instead of the measly $18 or $19 a month they are now accorded in the present contributing system under the social-security program.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I have several things yet I want to say. I would be very glad to yield to my distinguished friend if I have the time.

Mr. McCORMACK. To make this observation, that last year I put an amendment into a bill that passed this House to amend the Security Act. The amendment passed the House and the Senate struck it out, and it was kept in conference. If it had become a law, it would have saved the employers of this country on their payment of unemployment-compensation taxes $165,000,000 to $200,000,000 a year, and on the business that we are doing this year it would have saved the employers of this country $250,000,000. It was the employers of the country who ganged up against the amendment that I introduced and which the House passed.

Mr. KEEFE. I am very glad to hear the gentleman say that he has favored a bill that would save somebody $165,000,000 a year. I am not familiar with the bill, and, so far as I have been able to observe, I have not seen any bill introduced here that would save anybody anything. The bills introduced have always been for spending. I cannot yield any further, but I would like to have the gentleman write me a note and tell me what that bill is.

Mr. McCORMACK. Oh, I am not writing notes, and the gentleman was sitting right here in the House when the bill was under consideration. It passed the House, and those it was intended to benefit—and my remarks are not directed to the gentleman—defeated it, and it was Wisconsin influence in the main that defeated my amendment.

Mr. KEEFE. I am happy to state that if it is the amendment I have in mind which would emasculate the merit-grading system of unemployment compensation, I was one of those who helped defeat it, and I hope I shall be successful in defeating it another time if it ever comes up again.

Mr. McCORMACK. But the gentleman did not help defeat it. It passed the House. So the gentleman is doing a little boasting that he is not entitled to do.

Mr. KEEFE. The gentleman means that the matter was passed, due to the fact that the majority leader had so much influence in the House that the poor little efforts of the gentleman from Wisconsin were inconsequential, of course. [Laughter.]

Mr. McCORMACK. The gentleman from Massachusetts was not majority leader at that time.

Mr. KEEFE. Well, he almost was that, as I observed him [laughter and applause], with all due deference to the Speaker.

Now, I recognize the facetious character of the interpolation which the gentleman has put into these remarks. I want to say one other thing. The chairman of our committee called attention to the fact of the great problem arising out of the administration of the wage-hour law and submitted for the consideration of the Congress the question as to whether or not we want to embark upon a program of minute inspection of every plant in the United States by agents of the wage-and-hour law or whether we want to embark upon a program that will be similar to that indulged in by the Division of Public Contracts. That leads me to the consideration of one other thought that has impressed me.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I yield myself 2 additional minutes.

I wish the Congress would give some attention, in its legislative character, to the duplication of effort which it appears to me is very obvious in the activity of the inspectors of the Wage and Hour Division, the Division of Public Contracts, and the Children's Bureau. It is impossible for me to understand why it is necessary to have one inspector go into a plant to enforce the wage-hour law, another inspector following along to inspect the wage conditions under the Walsh-Healey Act, and another inspector to follow him along to see whether or not the sanitary conditions are such and such, and another to see whether the child-labor provisions are being complied with. It seems to me if we are ever going to have any economy in Government, that duplication of effort of that kind should be eliminated, and that it might be possible to train a man in the Wage and Hour Division, who could administer the Walsh-Healey Act in all of its activities, instead of having three inspectors climb through a man's plant and go through his books. One man could do the job, with great resultant saving in travel expense and salary. If you want an opportunity to save money there are legion of opportunities to be found in the departments for which we are appropriating in this bill. I regret that the cuts are not larger than they are. The appropriations for printing, the appropriations for travel, the appropriations for communication could be cut immeasurably if some of these activities were decentralized from Washington and put out into the field. I know the heads of some of these divisions would be delighted, as was stated before our committee, to decentralize some of the agencies, in the interest of real economy. [Applause.]

[Here the gavel fell.]

Mr. HARE. Mr. Chairman, I yield 11 minutes to the gentleman from Washington [Mr. SMITH].

WOODEN-SHIP BUILDING PROGRAM—STEEL SHORTAGE

Mr. SMITH of Washington. Mr. Chairman, the longer the present war lasts and the more it spreads the greater become the need and importance of merchant-marine shipping. Of course, this fact was demonstrated in the first World War, but merchant shipping is becoming even a more important factor in this war, indeed, it may prove the decisive factor. In the first World War we built a great many wooden merchant ships and many of them were constructed in shipyards in the Pacific Northwest, where the labor and raw material were available in abundance. We built some of these merchant ships at Grays Harbor, Wash., in my congressional district. These ships were utilized extensively and successfully. Only in a very few instances where green timber was used, leakages and damage to cargo resulted. As a whole, the wooden shipbuilding program in the first World War proved highly serviceable. As I have indicated, it is the opinion of experts that the outcome of the Battle of the Atlantic may well depend upon our speed and capacity in offsetting the heavy British merchant-marine

losses, now averaging 5,000,000 tons a year. Obviously, we should also increase our own merchant-marine fleet, as a part of our own national-defense program in order to meet our own requirements in case of future emergency. Shipbuilding is a matter of first and paramount importance.

Mr. Chairman, it is nearly a year ago since I commenced in my contacts with officials of the National Defense Council, the Office of Production Management, and the United States Maritime Commission, to point out the importance of merchant shipping and particularly the desirability and advantage of constructing wooden ships. I contended that they were just as serviceable, less costly, could be constructed more rapidly and repaired more easily. Aside from these considerations, in regard to some of which there may be valid grounds for differences of opinion, I particularly contended that we did not have the supply of steel to build our merchant ships exclusively of steel and that our supply of steel would probably not be adequate for our great war-munitions program. Frankly, while my statements were received with courtesy and some evidence of interest, they were clearly discounted and I was given to understand that there was no possibility of a steel shortage and no serious thought was being given to any extensive wooden shipbuilding program. I felt confident that these eminent gentlemen were mistaken and I told some of them so.

Mr. Chairman, what has happened? The United States Maritime Commission and the Bureau of Ships, United States Navy, have restricted their shipbuilding activity almost entirely to steel construction, and there has been little or no wooden construction. In the meantime the demands for steel for munitions have been enormous—and we are hardly started—until it is now becoming a recognized fact that we will soon be facing a serious shortage of steel, the very condition which I pointed out last summer and last autumn and this spring was likely to occur.

Mr. Chairman, I desire to read from an editorial entitled "The Scandal of Steel," published in the New Republic, May 19, 1941, and let me say that this liberal publication is supporting full-out aid to Britain and our own national-defense program 100 percent.

I read:

THE SCANDAL OF STEEL

It is hard to speak moderately about the steel situation. For many months, this country had been warned that present plant capacity was inadequate. All the facts were set out repeatedly; they were summarized in the New Republic's special supplement on democratic defense (February 17). At that time the New Republic showed we needed at a minimum of 13,000,000 tons more than we could produce with existing capacity, and warned that within a few months the disparity might be as much as 30,000,000 tons. These figures were hotly disputed. Irving S. Olds, chairman of the United States Steel Corporation, insisted that existing capacity was quite adequate; spokesmen for the industry talked about an increase of only 2,000,000 tons. Mr. Gano Dunn, senior consultant in the production division of the O. P. M., made a report on the basis of which President Roosevelt, immediately after our supplement appeared, announced that there was nothing to worry about.

That was in February; but now in May, the industry suddenly admits that the New Republic and other critics were right and that it was wrong. A shortage of at least 20,000,000 tons is now seen for next year. It is explained that the industry did not realize the national income would be expanded. This is utterly ridiculous—every competent economist in the country knew in February this fact which the steel business did not find out until May. The industry's leaders further say that they did not expect so much steel would be needed to help Britain. In the name of heaven, what did they expect? Did they think we were playing tiddly-winks?

What is true of steel is also true of aluminum. For many months we were told that aluminum facilities were adequate and there was no need of expanding capacity. Now we suddenly hear of a shortage of alarming proportions. As a result, there will be no aluminum whatever for civilian use next year—a gross hardship on the American people and one that could have been avoided with any degree of intelligent foresight.

We should like to see a congressional investigation to determine who is responsible for these appalling blunders. It should include the names of those individuals in the State Department who conspired with men in the metallurgical industries to continue month after month to send vast quantities of iron and steel to Japan so that she could more effectively wage war on China. Mistakes on a scale like this become crimes; the men responsible should be publicly exposed.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Washington. I yield to the gentleman from Alabama.

Mr. PATRICK. I want to state that the gentleman is eminently correct. It is no consolation to us Democrats to have to bring this out in the presence of the Republicans, but it is certainly true. I will ask if the gentleman is seeing enough realization and activity yet to properly reflect a full understanding of this situation, or if there is not still some lack of recognition of this appalling fact?

Mr. SMITH of Washington. I am happy to note that the distinguished gentleman from Alabama agrees with me, and, of course, he is correct. These matters transcend politics. I think it is about time that not only the Congress, but the whole country become aroused, as to those vital matters in regard to which we should act. I believe I am offering constructive criticism based upon facts, concerning the manner in which our shipbuilding program is being handled.

Mr. PATRICK. I want to compliment the gentleman on his very clear statement of a fact that I think is becoming more alarming as the days go by.

Mr. SMITH of Washington. I thank the gentleman.

Mr. Chairman, there is no method of undoing what has already been done, but we can turn around and get headed in the right direction on this shipbuilding program. There is no reason why merchant ships should be constructed exclusively of steel. I recently saw a British man of war undergoing repairs in one of our navy shipyards and the hole torn in her side would not have been much larger in a wooden merchant ship. If any ship, wood or steel, is hit by a modern torpedo it is going to be seriously damaged and if hit in the right place it is going to sink, whether it is made of wood or steel.

We are told that the Nazi U-boat menace is growing in seriousness daily. In another step to make good British losses President Roosevelt recently directed Read Admiral Emory S. Land, Chairman of the Maritime Commission, to create a pool of not less than 2,000,000 tons of additional available shipping to be placed at the disposal of Great Britain.

Mr. Chairman, that can be accomplished only to the extent that we deprive our own shippers in this country, in the Pacific Northwest, on the Atlantic coast, and in the Gulf States of bottoms which are needed for our own coastwise trade.

Owners and operators of vessels are being called upon to submit to the transfer of these ships sorely needed by our own industries, for long-voyage trade for the aid-to-Britain program.

In his fireside chat to the Nation last Tuesday night, President Roosevelt stressed the immediate importance of the merchant-marine shipbuilding program, and, in my opinion, it was one of the most important parts of his address. I quote the President's statements which bear out my contentions:

During the first World War we were able to escort merchant ships by the use of small cruisers, gunboats, and destroyers; and this type of convoy was effective against submarines. In this second World War, however, the problem is greater, because the attack on the freedom of the seas is now fourfold: first—the improved submarine; second—the much greater use of the heavily armed raiding cruiser or hit-and-run battleship; third—the bombing airplane, which is capable of destroying merchant ships seven or eight hundred miles from its nearest base; and fourth—the destruction of merchant ships in those ports of the world which are accessible to bombing attack.

The battle of the Atlantic now extends from the icy waters of the North Pole to the frozen continent of the Antarctic. Throughout this huge area there have been sinkings of merchant ships in alarming and increasing numbers by Nazi raiders or submarines. There have been sinkings even of ships carrying neutral flags; there have been sinkings in the South Atlantic; off West Africa and the Cape Verde Islands; between the Azores and the islands off the American coast; and between Greenland and Iceland. Great numbers of these sinkings have been actually within the waters of the Western Hemisphere.

The blunt truth is this—and I reveal this with the full knowledge of the British Government—the present rate of Nazi sinkings of merchant ships is more than three times as high as the capacity of British shipyards to replace them; it is more than twice the combined British and American output of merchant ships today.

We can answer this peril by two simultaneous measures; first, by speeding up and increasing our great shipbuilding program; and second, by helping to cut down the losses on the high seas.

Therefore, Mr. Chairman, in conclusion I desire to emphasize the logical and most effective method of successfully meeting the U-boat challenge and preparing ourselves for the future, is an all-out shipbuilding program. We should immediately utilize the idle wooden shipyards of the Pacific Northwest, where the

raw materials are plentiful and the idle ship carpenters and mechanics are ready to go to work and assist in turning out the ships which are so sorely needed. [Applause.]

[Here the gavel fell.]

Mr. ENGEL. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I agree with the gentleman who has just spoken [Mr. SMITH of Washington]. One of the criticisms above all party lines, a criticism that is truly justifiable, is the fact that we did not start a year and a half ago to build sufficient merchant ships. Whether they were built out of steel or wood or concrete, or whatever we can build them out of, is immaterial. What we have needed from the beginning is ships, and we need them today, more, and still more ships, if we are going to help England, if we are going to transport war supplies to the other side. I think a serious blunder has been made from the very beginning in not realizing this situation and in not building every available ship that we could in every available shipyard, whether it is in my district at Newburgh, N. Y., or whether it is someone else's district, wooden ships, steel ships, or concrete ships; whatever they are made out of we need them more than anything else. This is no criticism of Admiral Land. I think he is a very able executive and knows his business.

Mr. SMITH of Washington. Mr. Chairman, will the gentleman yield for a brief comment?

Mr. FISH. I yield, but I have not much time.

Mr. SMITH of Washington. I also am in agreement with what the distinguished gentleman from New York said in reference to Admiral Land, whom I respect and whose judgment I regard very highly. I feel very confident the gentleman will agree with me that if Admiral Land were given the proper encouragement and support he would favor wooden as well as concrete ships, not a program of steel ships exclusively which the program has been limited to thus far.

Mr. FISH. I do not know who is to blame, possibly Congress is somewhat to blame in not making large enough appropriations. I am convinced nevertheless that Admiral Land is the best qualified and most experienced man we could have as head of the Maritime Commission.

Mr. McCORMACK rose.

Mr. FISH. I am not criticizing anyone and am not blaming anyone. This is merely a statement of facts describing a situation that I know the distinguished majority leader realizes exists and about which he can enlighten us. I yield to the distinguished gentleman from Massachusetts.

Mr. McCORMACK. I believe the statement of the gentleman from New York is a very fair one. I should like to make this observation that in a democracy public opinion is a very powerful influence. A year and a half ago we could not have gotten an appropriation through to provide for any such program of action such as we can now because public opinion would not have supported it then whereas it will support it now. Public opinion plays a very important part in a democracy and we legislators have got to realize it and recognize that we can get appropriations through today that we could not a year and a half ago.

Mr. FISH. That is a very fair statement on the part of the majority leader and I want to spend the balance of my time talking about that very thing, public opinion. Public opinion is the greatest single force in America, especially today when we are on the brink of war. Few people will deny the fact that the American people are overwhelmingly opposed to war, according to the polls approximately 80 percent. I propose to the Members of Congress on both sides that we try to ascertain public opinion on this, the greatest of all issues that has confronted America since the birth of the Republic, that transcends all party lines and all family and social relationships and affiliations, because it affects the security and the destiny of our country. The Congress alone can declare war. We in America do not recognize any undeclared war. Under our democratic processes and under the Constitution, the Congress has the sole power of declaring war. Before we drift further toward war—and we are on the brink of war now—we ought to find out definitely what the people back home are thinking about. What I propose is to read a letter into the RECORD that I have sent to one of the largest newspapers in my district asking them to conduct a poll or referendum and submit to their readers the simple question: "I am in favor of having the United States go into the war—I am not in favor of having the United States go into the war." I would make it as simple as it possibly could be made and have a free and untrammelled poll of public opinion on this vital issue.

[Here the gavel fell.]

Mr. ENGEL. Mr. Chairman, I yield 3 additional minutes to the gentleman from New York.

Mr. FISH. I am trying to divorce this whole question from partisanship or from any statement that the President of the United States has made or from his fireside chat.

I have made innumerable statements to the effect that I believed the President would keep us out of war and that I believed he intended to keep his promises; and I still do. I approve heartily and enthusiastically of a large part of the speech President Roosevelt made over the radio the other night, his fireside chat; particularly those parts about national defense, adjustment of labor troubles, strikes, and lockouts, and speedier and more production. In those respects it was an excellent speech upon which the American people can be united. There are other parts I disagree with, such as creating more war hysteria and fear that Hitler was coming over here. Why, if you believed that part of his speech you should look under your bed every night to see if Hitler was not there. That part which attempted to create war hysteria and fear I am opposed to; but the general effect of his speech I was in favor of, except as to seizing Dakar or go looking for trouble 6,000 miles from our shores in the name of defense.

What I am proposing now has nothing to do with partisanship or with the President's views, but with the American people, with public opinion, with what the American people are thinking about back home and what they would like us to do if we have to face this greatest of all issues, war or peace. If anybody is thinking of putting us into war by the back door or indirectly in defiance of the Constitution and our democratic processes it would not only be un-American but it would be utterly dishonorable and dishonest. If anybody wants to take us into war there is only one way to do it, and that is the honorable, decent, honest, and above-board way of submitting a war resolution to Congress and asking Congress to vote it up or vote it down. All other issues of the past, the lend-lease bill, the repeal of the arms embargo, and conscription—are all water over the dam. We face only one issue in America, war or peace. Should we not ascertain public opinion? Should we not find out what the people are thinking about back home to help us formulate our own views?

Mr. PATRICK. Mr. Chairman, will the gentleman yield for just a second?

Mr. FISH. For a very brief question; yes.

Mr. PATRICK. Why should any such appeal be made when there is no effort or move now before us to get in the war?

Mr. FISH. I am very glad the gentleman has said that, for I thought the gentleman was advocating war. Is the gentleman in favor of going into the war?

Mr. PATRICK. No.

Mr. FISH. That is what I wanted to hear the gentleman say.

Mr. PATRICK. But the gentleman says we are on the brink of war.

Mr. FISH. I believe everyone admits that. I did the gentleman a great injustice, because every day when I heard him speak I thought he was advocating our country going into war. Now he says he is not in favor of going into war and that relieves me. I like the gentleman, but I hated to see him get up here and indicate that he was in favor of war as a part of his daily exercise.

Mr. PATRICK. And I am not in favor of us being asleep and being tied, bound, and gagged.

Mr. FISH. I am with the President in making this country invincible on land, sea, and in the air, and I will support every appropriation of that nature which the majority leader brings in to make this country invincible on land, sea, and in the air.

Mr. Chairman, I would like to read into the RECORD a letter that is self-explanatory and which has only one objective, to find out what the people back home are thinking about, so that we can measure public opinion fairly.

Mr. PATRICK. There is no effort to declare war.

Mr. FISH. I cannot yield any further. This is addressed to the Editor, the Newburgh News, Newburgh, N. Y., and I am sending a similar letter to every paper in my district. It reads as follows:

We are at the brink of war. Congress alone, under the Constitution, may declare war. An undeclared war is an invention and creation of totalitarian nations and a negation of democratic processes and of our constitutional form of government.

The issue of war or peace is clear cut. It should be discussed and debated throughout the Nation. It is the greatest issue with which the American people have been confronted since the birth of the Republic. It transcends all political, social, and family affiliations.

I have no quarrel with any American citizen who wants to go in or stay out of the war. That is his or her right as a free sovereign American.

I, therefore, believe it would be perfectly proper for your newspaper to ascertain the views of the readers through a poll or referendum, and I can assure you that as the Representative in Congress from the Twenty-sixth Congressional District I would be very much interested in learning the sentiments of the readers of your newspaper on this greatest of issues in a free and untrammeled poll.

The time has come for a definite referendum on the war or peace issue, and to date there have been no such polls taken in the district, or if there have I know nothing about them. My suggestion would be that the poll should be extremely simple, submitting two questions: ( ) I am in favor of the United States entering the war. ( ) I am opposed to the United States entering the war.

With assurances of my cooperation in behalf of the people of the district, I am,

Sincerely yours,

HAMILTON FISH.

Mr. Chairman, I propose also to send out a poll of my own over my frank asking the people of my district how they feel on this issue of going in or staying out of the war. As Representatives we all would like to know how our own people feel first and how they feel in some other district or State afterward. Whether we determine our final decision on public opinion in our district is up to us to decide, but it is a vital issue upon which we should secure public opinion, and the people back home have a right to be heard before it is too late. [Applause.]

[Here the gavel fell.]

Mr. HARE. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, we have been hearing much about the issue being one of peace or war. This spurious argument has divided the American people to such an extent that it has created in me a bilious reaction which prompts me to denounce any such issue at this time.

The gentleman from New York [Mr. FISH]—and he and I agree on many things—is too fair-minded a gentleman to rest on that argument, although others I know would not be as fair-minded. To try to present to the American public that this issue is war or peace is inconsistent with the truth and the facts.

We are Americans of this generation. Whether we like it or not, we are here. I wish this generation was not confronted with the danger that is confronting us, but the fact is we are here and the danger is here. We are a member of a generation of Americans when our country is faced with probably the greatest danger in the constitutional history of our country and a period which constitutes in the known history of the world one of the greatest dangers that has ever confronted mankind.

Mr. Chairman, this generation of Americans is on trial. We have inherited from past generations of Americans a Government. The fundamental law of our land and what we stand for is found in the Constitution of the United States. It is a Government of laws and not of men. It is a Government that recognizes its origin in God Himself. It is a Government of delegated powers. It is a Government wherein the dignity and the personality of the human being exists as a matter of right. It is a Government the underlying principles of which constitute what is known as the democratic processes of government. It is the Government that the Father of our Country created and passed on to succeeding generations and which we of this generation have inherited. We have a duty from the past generations of Americans and a duty to future generations of Americans to preserve our institutions and our Government in our day and for generations of Americans yet unborn.

The problem with us is not one of peace or war alone. It is the problem of defending our Government, assuring for ourselves and for future generations the benefits of the institutions of Government that we possess. We have certain obligations. We are living in a world where mass production exists, a world in which the inventive genius of man has brushed aside all distance. We are living in a world in which conditions exist that past generations were not confronted with. We have to view them realistically. We have to view them in a practical manner. We will some day in the future be judged as to whether or not we are the first generation of Americans in the constitutional history of our country that failed in the trust that the fathers of the Constitution, and past generations have imposed upon us.

We are not faced alone with the issue of war or peace. We are faced with the law of self preservation. We are faced with the problem of preserving our own institutions of Government and of taking such steps short of war as are necessary to assure the continuance of our institutions. Sticking our heads into the sand like an ostrich is not going to meet this menace.

We are today meeting the forces of hypocrisy, we are meeting the forces of paganism, we are meeting the forces of world destruction, forces determined on world conquest, determined on the imposition of paganism, the destruction of religion of all creeds. We are faced with an ideology that advocates domination by forces of hate over a civilization in which we believe with its origin in love of God and love of neighbor. That is the duty we have, of preserving our country, under existing conditions, and of taking such steps that this generation should take in order that we will not be recorded in history as a generation of Americans that failed.

Mr. Chairman, a year and a half ago I said on the floor of this House that Hitler was attacking religion, the origin of our civilization, and our way of life. My distinguished friend from New York answered me by saying that the gentleman from Massachusetts has made the most warlike speech in defense of religion that he had ever heard since the World War. I did not answer the gentleman at the moment because he read my mind correctly. I will do anything I can to defend and preserve my country. I will also do anything I can to defend and preserve my right to possess and exercise a free religious conscience.

Our country is involved. We have everything that decent men and women stand for involved. A great man in the Vatican yesterday, Pope Pius XII, the head of a great church, spoke. He agreed with the conditions necessary for peace submitted recently by the great President of our country. We all know that decency in the future world stands for the defeat of the vicious forces of destruction and paganism that are running rampant under the leadership of Hitler. [Applause.]

[Here the gavel fell.]

Mr. ENGEL. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, it is quite apparent that the majority leadership is not interested in sampling public opinion, as was suggested by the distinguished ranking member of the Committee on Foreign Relations, the gentleman from New York [Mr. FISH]. He said that this generation is on trial. Every generation is on trial. That is exactly what they told us 20 years ago during the last war.

We would like to have the facts. We would like to know the truth. Jesus said, "Ye shall know the truth and the truth shall make you free." The American people do not have the truth. The left hand is not permitted to know what the right hand is doing.

Here in America we have one policy for Japan and another for Russia. The majority leadership say that Christianity and civilization are threatened, and yet Godless Russia is being implemented by the United States of America—and Russia is in league with Hitler. While Japan is an ally of Hitler she is implemented in her fight with China by the United States of America. Russia and Japan, Hitler's pals, are aided by the United States of America, while at the same time we aid Great Britain and China.

The people of Ohio want no part of Europe's wars. Defense, yes. Defense of America, yes; but not the defense of everyone everywhere throughout the world.

We Americans are idealists. We are not seeking anybody's property. We are not seeking to build an empire. We are interested in American institutions and in this form of government. Our hearts go out to the oppressed everywhere. We were sent here last year for the purpose of keeping this country out of war. Republicans and Democrats alike. Our

people back home expect us to keep faith with them. [Applause.]

[Here the gavel fell.]

homa [Mr. RIZLEY].

minutes to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Chairman, I yield to no man in my desire and determination to substantiate and carry out the great principles on which this Nation was builded and on which it has thrived, in keeping with what the distinguished majority floor leader has just said. I believe many things entered into what made this Nation great. Among them, of course, were our methods of free enterprise and of carrying on business. So even though it is out of order, I take this time, Mr. Chairman, to say a little about the oil industry, which has made my State great and which is as important to Oklahoma as any business or any industry could possibly be.

DOES THE OIL INDUSTRY NEED A DICTATOR?

It is significant that of all the great industries depending upon the exploitation of natural resources oil is the only one that has not required the special favors of government. It is the only one that has kept off relief. The reason for this is because the oil industry has labored unceasingly to achieve the kind of stabilization that the Government has tried to establish at huge expense for every other natural resource.

The fight to save the oil business and to support the jobs and living standards of thousands of workers and those dependent indirectly upon it, has cost the Government absolutely nothing. All of this has been accomplished, and yet the prices to the consumer for an increasingly improved product are generally the lowest in history. And yet, notwithstanding these salient facts, the first major Executive order issued under the so-called unlimited national emergency, was to name a "czar" for the oil industry, supposedly for the reason that the oil industry is incapable of adequately supplying the national-defense requirements.

When we recall the continued and consistent effort of this administration to take over this $10,000,000,000 industry during the past few years when there was no national emergency, we may well wonder—and it might be pertinent to inquire—just how far the administration intends to go, in taking over private business.

My State of Oklahoma is a great oil-producing State. Next to agriculture, no other industry or business has contributed so much to the upbuilding and growth of the great State of Oklahoma as has the oil industry.

It is my humble opinion that we need no "czar" for the oil industry. If the President will just indicate, or permit Mr. Knudsen to indicate, what he wants from the oil industry to meet the needs of national defense, it will be forthcoming.

If industries, such as the oil industry, that have survived in spite of the New Deal are to be placed in control of a director or dictator, then is it not pertinent to inquire, and will not every American who is worthy of his heritage be wondering just what powers are to be seized under this unlimited emergency, just why it is necessary to seize them, and just what use may be made of them once they are seized?

For reasons that may have been completely sufficient, the President failed to be specific in his declaration of a great emergency; and because of the proclamation's vagueness and because of the country's lack of definite information, many serious questions arise in the minds of the American people.

Has the President decided to employ all of the powers or only those powers that have been conferred upon him so generously by recent Congresses? Or does he consider the present crisis sufficiently grave to warrant the ignoring of all limitations imposed upon him in congressional enactments?

Not until the President has fully revealed his intentions, will the country know what he has in mind.

I think the American people can still be trusted and are entitled to the full confidence of the Chief Executive. If they cannot be trusted, and if the President lacks sufficient confidence in them—and I might also say in the Congress itself—then we had better stay out of this or any other war. And until the American people know what the President has in contemplation, they will have reason for regarding every departure, even under the so-called unlimited emergency, with the greatest concern. [Applause.]

Mr. HARE. Mr. Chairman, I yield 10 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS of Arkansas. Mr. Chairman, in addition to what our distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], said a few moment ago, may I state that no one in this country wants war. I dare say no one in the war-stricken countries wants war. But there are ideals we hold and for which we would go to war if neccessary to maintain.

The gentleman from New York [Mr. FISH] said a few minutes ago, "Find out what your people back home say about the President's policy." I can say to the gentleman from New York that I know what public opinion is in my district, and I know how the people from my State feel. They are 100 percent for the President and the policies advocated in this emergency.

In the bill under consideration there are a number of matters that are very important. I particularly wish to call attention to one or two matters on which I desire to comment.

Matters concerning the Conciliation Board and the National Mediation Board are very important to the people of this Nation. I believe it is very noticeable to the public how slow we are about tackling the problems of strikes in this country. This great leader we have in Congress, the gentleman from Texas [Mr. SUMNERS], called upon the American Nation on two different occasions in this Congress. Other leaders have made attempts to get public sentiment aroused in order that we may have in this country ways and means worked out so that our national-defense program will not be held up or delayed because of strikes.

This is a responsibility that belongs, certainly, to the Executive, but is just as much a responsibility of the Congress and of the entire citizenship of the United States. In the report on this bill at page 8, the committee says:

> A very large proportion of the work of the conciliators is unheralded and unsung. The spectacular is always news. Hence it is that when a conciliator fails to adjust a threatened dispute between labor and industry and it reaches the strike stage it becomes a matter of front-page notoriety.

In that connection, Mr. Chairman, I wish to give to the House the benefit of a very interesting editorial which recently appeared in the El Dorado Daily News, from my home city, El Dorado, Ark. It bears the title "Fifty Strikeless Years," and reads as follows:

> Only the unusual is interesting. The sensational divorce case gets the eye while thousands of married couples make successful but inconspicuous marriages. The lawbreaker struts his little hour in print, while the law-abiding plod along to an inscribed gold watch and oblivion. So with labor relations—it's the turbulent strike and the clash on the picket line that get the headlines.
>
> But when an industry goes strikeless for 50 years, that's also news, or it ought to be. On May 29 at Cincinnati, two unions and an employers' association are celebrating that happy relationship. They are the Molders and Foundry Workers' Union and the Manufacturers' Protective and Development Association, who together make the Nation's stoves.
>
> In 1891 the union and the associated employers began meeting to negotiate industry-wide agreements. Since that time there has never been a strike or a lock-out in the industry.
>
> Some magic formula? No. Union and employer leaders agree that there's no trick to it but mutual fairness and mutual trust and confidence, gradually built up over the years.

Mr. Chairman, I wish it were possible that every individual who bears a relationship as employer or employee could have the benefit and knowledge of this unusual experience. This should be an example to all who threaten any further delay in our industries and production of our national-defense materials, and a challenge to lay aside their selfish and unscrupulous acts and feelings and show their true patriotic American spirit by likewise preserving that same mutual fairness, trust, and confidence. Without it, we cannot work together, and we will continue to have friction and disunity that certainly should not exist in this country faced as we are with the national emergency.

Let us take heed by this example that strikes in our industries can be outlawed by fair play and mutual trust. Our people do not mind paying for the increased defense program; our boys do not mind going into training and serving for $21 per month, but it is disheartening and discouraging to the entire public, when selfish and unscrupulous leaders of management and labor take advantage of the national crisis and permit continuous and unnecessary strikes that are costing this Government millions of dollars, as well as an inestimable loss of production.

Our Nation has adopted a policy; first, to prepare our country to defend the Western Hemisphere and our rights of the sea; second, all-out aid to those democracies who are defending their liberties and their freedoms from the aggressive dictators. The President of the United States has proclaimed an unlimited national emergency requiring the strengthening of our defense to the extreme limit of our national power and authority.

The issuing of the proclamation is a warning that all America should wake up that this Nation is threatened from without, and that it is the production and transportation of machinery that will save this country, and save those whom we seek to aid from falling into the catastrophe that has already befallen many other countries.

He has called upon our loyal workmen as well as employers to merge their lesser differences in the larger effort to insure the survival of the only kind of government which recognizes the rights of labor or of capital.

Thus management and labor have been challenged by our great leader to see that our articles of defense have undisputed right of way in every industrial plant in the country without delays. The challenge of patriotism has been issued and we have reached the crossroads where those who are in positions of leadership should and must think first of the security of our Nation.

A commanding officer in one of our camps recently expressed the feeling of the boys in training by stating that we have called into service the young men of this Nation and if it appears to the best interest of this Nation because of continuing and threatening strikes delaying the production of those defense materials so vitally and badly needed, that we would be justified in enacting legislation also drafting both capital and labor, something we had better be thinking about.

It is a moral wrong for capital to expect or require excessive profits in this emergency and likewise a moral wrong for labor to make excessive demands when our Nation is in grave danger. It is high time that everyone in this country work together for our common good, so that we may hold our place in the nations of the world and preserve the institutions so dear to the American people.

There is no place in our industries, or in our organizations, or in this Nation, for communistic leaders, saboteurs, or those who indulge in un-American activities. Let us with one accord join together to clean out now and to eliminate those who seek to destroy or delay our program and those who do not wish to cooperate and to sustain the policies of this Government and assist in full preparedness by mutual fairness, trust, and confidence, as so vividly exemplified by this sustained and happy relationship. [Applause.]

Mr. TARVER. Mr. Chairman, there are no further requests for time on either side of the House.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DOXEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4926) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, had come to no resolution thereon.

Mr. TARVER. Mr. Speaker, there are no further requests for time on either side of the House, and I ask unanimous consent that general debate on the bill H. R. 4926, the Department of Labor-Federal Security Agency bill, do now close.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 223), which was referred to the House Calendar and ordered to be printed:

Resolved, That notwithstanding the provisions of clause 2, rule XXI, it shall be in order to consider, without the intervention of any point of order, in connection with the consideration of the bill (H. R. 4926) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes, the appropriations and language providing for the National Youth Administration and the appropriations and language for all items specifically earmarked for national defense for such year.

Mr. FISH. Mr. Speaker, I would like to take just a minute to ask the chairman of the Rules Committee if it is the intention to bring up any other rules during this week.

Mr. SABATH. This rule will come up tomorrow and I really am not in position to know what other rules may be called up.

Mr. FISH. The gentleman expects to bring this rule up tomorrow morning?

Mr. SABATH. Yes; that is my understanding.

Mr. McCORMACK. Mr. Speaker, I do not want to be bound by any colloquy that the gentleman from New York may have with the gentleman from Illinois——

Mr. FISH. I thought there was a little mix-up in the signals.

Mr. McCORMACK. Of course, the rule just presented is necessary to waive points of order with respect to the bill we have had under consideration today, but I stated last week that, if it were possible to bring up the Cole bill with respect to the extension of pipe lines, I would try to do so. Then there were three rules reported out with respect to bills from the Committee on Naval Affairs, but one of the measures was passed today by unanimous consent. I doubt very much whether it will be done, but I do not want to be precluded from bringing up any of those bills, and I want it understood that, if a rule is reported out for the Cole bill, which I am led to believe will not be highly controversial, I want that bill considered this week.

Mr. FISH. I have no objection, but I wanted to know the facts.

Mr. MICHENER. The general program, as outlined by the majority leader earlier in the day, is the one that will be adhered to.

Mr. McCORMACK. Yes; as related to what I stated last week. The only change may be with respect to Calendar Wednesday, and, of course, it would be necessary to have unanimous consent, and I think it would perhaps take less time to call the calendar.

Mr. SABATH. And I was correct in stating that the rule waiving all points of order on the pending appropriation bill will be called up tomorrow.

ELECTION TO A COMMITTEE

Mr. DOUGHTON. Mr. Speaker, I send to the desk House Resolution 224 and ask its immediate consideration.

The Clerk read as follows:

Resolved, That HALE BOGGS, of the State of Louisiana, be, and is hereby, elected a member of the standing committee of the House of Representatives on Banking and Currency.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RESIGNATION FROM A COMMITTEE

The Speaker laid before the House the following communication which was read:

JUNE 2, 1941.

DEAR MR. SPEAKER: I herewith submit my resignation from the following committees: Claims, Expenditures in the Executive Departments, War Claims, Election of President, Vice President, and Representatives in Congress.

Sincerely yours,

HALE BOGGS.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY NAVY DEPARTMENT

Mr. CLARK, by direction of the Committee on Rules, reported the following resolution (H. Res. 196), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 3536, a bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, one concerning a bill on the calendar today, and one to include a letter given at the Agricultural Department Auditorium on May 23.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain excerpts from a committee report to the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House heretofore made, the Chair recognizes the gentleman from Michigan [Mr. ENGEL] for 40 minutes.

CONSTRUCTION OF ARMY CAMPS

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a table compiled by myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGEL. Mr. Speaker, I desire to discuss this afternoon the construction cost of the cantonment at Fort Dix, N. J. This will be the seventh cantonment I have discussed on the floor of the House of Representatives.

Fort Dix was an advertised competitive-bid lump-sum project. In making this report I desire to make certain comparisons between Fort Dix, a competitive-bid project, and 3 cost-plus-fixed-fee projects. The 3 cost-plus-fixed-fee projects I desire to compare with Fort Dix are Camp Edwards and Camp Devens, in Massachusetts, and Camp Meade, in Maryland. I had also intended to compare Fort Belvoir, Va., and Indiantown Gap, Pa. However, I was not able to obtain the essential information at the last 2 places regarding the cost of the 63-man barracks, which I took as a typical building.

ESTIMATE

The original amount estimated for the project at Fort Dix was $13,441,375. The total field estimate as of December 31, 1940, estimated the amount required to complete this project at $18,224,410, or approximately 36 percent more than the original estimate. Every increase over estimate on this project represented new work as all contractors completed the work contracted for within the amount bid.

CAMP SITE

The camp site was selected during the World War and at that time covered an area of 6,848 acres. The present reservation is composed of 29,000 acres, with trespass rights to approximately 70,000 additional acres. World War facilities, such as roads, sewers, water lines, and so forth, were all used wherever possible.

CAMP CAPACITY

Fort Dix was a World War camp which had a camp capacity at that time of 42,806 men, who were housed in 1,414 buildings. The present camp capacity will be approximately 27,953 officers and men, who will be housed in 1,237 buildings.

RATIO OF LABOR TO MATERIAL

The 3 weekly reports for the week ending March 15, 1941, cover the work of the 14 separate contracts which were let under a competitive system to do the work. These reports show:

First. That the present estimated total cost for work contracted to be done up to March 15, 1941, aggregated $13,342,589.

Second. That the accumulated expenditures plus obligations on these 14 contracts aggregated $12,960,884 to March 15, 1941.

Third. The accumulated expenditures plus obligations for labor aggregated $5,074,750.

Fourth. The accumulated expenditures plus obligations for other than labor, including construction quartermaster overhead, aggregated $7,884,132.

Using this method of computing the ratio of labor to material we have labor 37 percent, material and other expenses 63 percent. This includes only the camp construction quartermaster overhead and not the remaining 11 percent that the Army charged against the project. According to the quartermaster's method of figuring, the ratio of labor to material is labor 45 percent, material 55 percent. All contracts were let on a competitive bid basis after having been advertised. The bid was based on building plans and specifications. The lowest bidder got the job in every case. In the case of the contract awarded to the L. C. A. Construction Co. for the hospital group there was no advertising, but the bidders were obtained by invitation, the L. C. A. Construction Co. being the lowest bidder.

LUMBER, EQUIPMENT, ETC.

In view of the fact that the contractor furnished all lumber, machinery, and bought all material, I was, of course, not interested, nor did I obtain the price that he paid for such material or rental. However, I am informed that the contractors rented very little equipment, and what they rented was at a rate that was less than the A. G. C. schedule. All lumber was furnished by the contractor, but the camp construction quartermaster inspected all lumber both as to quality and moisture content. All scrap lumber was sold by the contractor on the job as his own material, and I found no scrap lumber afterwards.

RAILROADS

A short railroad siding was built at a cost of about $15,000, 100-pound relay rail was used.

NUMBER OF MEN

At the peak of the employment period an all-time record of 5,655 men were employed. Being a competitive-bid job, I did not go into the question of the number of carpenters, laborers, and so forth.

OVERTIME

The total amount of overtime paid by all contractors up to April 23, 1941, was $233,946.59. It will be remembered, of course, that this being a competitive-bid project any premium paid for overtime came out of the contractor and not out of the Government.

COMPETITIVE-BID LUMP-SUM PROJECT

Fort Dix was one of the few projects let on advertised competitive bids. I have a copy of the bids of the three lowest bidders on each project. The following will give a list of the contractors who were successful bidders, their addresses, a brief description of the work, date of the contract, the amount of the contract, and the estimated cost of the entire contract as given in the weekly report of March 15:

Name	Address	Brief description of work	Date of contract	Amount of contract	Present estimated cost
A. A. LaFountain, Inc.	Hackensack, N. J.	Hospital group, miscellaneous buildings; utilities.	Sept. 13, 1940	$1,713,000	$1,918,100
Andrew Christensen	Elizabeth, N. J.				
August Arace & Sons, Inc.	do				
Geo. A. Fuller Co.	New York, N. Y.	National Guard cantonment and R. R. C.	Aug. 28, 1940	5,527,882	5,581,000
O'Driscoll & Grove, Inc.	do	Troop housing and Air Corps hangar.	Oct. 15, 1940	1,157,096	1,199,400
Pittsburgh-Des Moines St.	Pittsburgh, Pa.	Water storage tank (500,000 gallons).	Nov. 19, 1940	44,490	44,490
Guy Villa & Sons, Inc.	Westfield N. J.	Water line, New Lisbon, Fort Dix.	Dec. 12, 1940	73,555	73,555
Karno-Smith Co.	Trenton, N. J.	Miscellaneous units, R. R. C.	Dec. 13, 1940	1,407,874	1,447,000
Pittsburgh-Des Moines St.	Pittsburgh, Pa.	Water storage tank (500,000 gallons).	Dec. 31, 1940	52,885	52,885
O'Driscoll & Grove, Inc.	New York, N. Y.	Increase to cantonment hospital.	do	468,000	468,000
John W. Thompson	Trenton, N. J.	Construction railroad spur.	Dec. 9, 1940	15,193	15,193
Chas. S. Moses	Edgewater Park, N. J.	Additional sewage treatment.	Jan. 22, 1941	81,610	101,610
W. F. Hindley	Trenton, N. J.	Alterations, infirmaries, National Guard camp.	Feb. 4, 1941	6,574	6,574
B. Bornstein & Son	Philadelphia, Pa.	Housing increase, 51st Ordnance Company.	Nov. 9, 1940	29,200	29,200
J. A. J. Construction Co.	Brooklyn, N. Y.	General hospital (1,000-bed).	Jan. 9, 1941	1,828,000	1,848,000
Artesian Well & Equipment Co.	Rochelle Park, N. J.	Drilling, 1 to 3 wells, as required.	Jan. 31, 1941	58,550	58,550

COMPARISON BETWEEN LUMP-SUM COMPETITIVE BID PROJECTS AND COST-PLUS-FIXED-FEE PROJECTS

No study of costs of cantonment or other Army projects would be complete without a comparison between a lump-sum advertised competitive bid project and cost-plus-fixed-fee projects. Such comparison, of course, would not be fair unless one compared the hourly wage of the workers who did the majority of the work, the number of employees on the project while at its peak, the amount of overtime, the ratio of labor to material, and other information. I am including in my remarks a table compiled by me

which makes this comparison. I have taken a typical building, that is, a 63-man barrack, and compared the cost of that barrack at Fort Dix, N. J., where we had a lump-sum advertised competitive bid project, and Camp Meade, Md., Camp Edwards, and Fort Devens, Mass., all three of which were cost-plus-fixed-fee jobs. I had intended including in the comparison, Indiantown Gap, Pa., and Fort Belvoir, Va. However, I was not able to obtain the cost figures of the 63-man barracks in these 2 projects. The 4 projects—Fort Dix, Camp Meade, Camp Devens, and Camp Edwards—are all in the same zone, and a 63-man barrack requires exactly the same amount of material and labor in 1 as in all 4 camps. The 63-man barrack where the men sleep is the most common building in a cantonment. For every 170-man mess hall there are three 63-man barracks.

COMPARATIVE COST OF 63-MAN BARRACKS

At Fort Dix, N. J., where we had advertised competitive bids, it cost $9,822 to build a 63-man barrack. At Fort Devens it cost $15,000, at Camp Edwards approximately $15,000, while at Camp Meade it cost $17,364. This included, of course, the 11-percent Army overhead. The last three were fixed-fee cost-plus jobs. It is interesting to note that at Fort Dix the competitive bid lump-sum project where it cost $9,822 to build a 63-man barrack, carpenters were paid $1.37½ an hour, while at Camps Meade and Devens they were paid $1.25 an hour and at Edwards $1.17½. At Dix unskilled labor received 80 cents an hour, while at Meade and Edwards they received 62½ cents an hour and at Devens 58 cents an hour. At Dix plumbers received $1.75 an hour, while at Meade they received $1.37 an hour, at Devens $1.20 an hour, and at Edwards $1. Fort Dix had the highest wage scale of the 4 projects, and the cost of the 63-man barrack was $9,800. With a lower wage scale for Fort Devens, Camp Meade, and Camp Edwards, the same type of barrack built of the same material in the same zone, with the same amount of labor, cost $15,000 to $17,000.

COST OF 63-MAN BARRACKS AT OTHER POINTS

Army estimates recently submitted to the Appropriations Committee give the estimated cost of a 63-man barracks in the zero zone at $10,700 each plus 11 percent, or a total of $11,877. This estimate was made according to the testimony, by an expert who followed the scientific method of figuring costs in this zone. I also called attention to the fact that the Corps of Engineers submitted estimates for a 63-man barracks to be built at Tuskegee, Ala., for the Air Corps at a unit cost of $8,250 plus 11 percent Army overhead or, adding the Army overhead, at a cost of $9,075. This, of course, was in a southern zone where the cost is slightly lower than in the zero zone in which the 4 projects are that I am discussing.

DATE OF CONTRACTS AND PERCENTAGE OF COMPLETION

It will be noted that the 14 advertised competitive-bid contracts at Fort Dix were dated from August 29, 1940, to February 5, 1941. Edwards received notice to proceed on September 17, 1940, Devens on October 16, and Meade on September 26, so that there was not to exceed 30 days' difference between the average dates of letting the contract at Dix and the remaining 3. It will also be noted that Fort Dix was 90 percent complete on March 14; Meade, 84 percent complete on March 1; Devens, 95 percent complete on March 7; and Edwards, 98 percent complete on March 7.

It has been contended that too much time would be wasted in advertising for bids. I want to call attention to the fact that one contract, upon which the successful bidder was O'Driscoll & Grove and the amount was $1,157,096, was advertised on October 7, bids opened on October 10, the award was made and notice to proceed issued on October 15. Another contract for $1,447,000, given to Karno-Smith Co., was advertised on November 27, bids opened on December 9, the contract awarded on December 13, and notice to proceed issued December 14. The J. A. J. Construction Co. contract for a 1,000-bed general hospital was advertised on December 28, 1940, bids were opened on January 6, 1941, the contract awarded on January 9, and notice to proceed issued on January 10, 1941. Work was started on this contract on January 13, 1941.

NUMBER OF MEN EMPLOYED AT PEAK

Every contractor recognizes the fact that when you employ more men than the job warrants it means inefficiency and delay. At Fort Dix, where the cost of inefficiency came out of the contractor because of the competitive-bid jobs, they had 5,655 men employed at the peak of the job. At Meade they had 19,990 men employed, at Devens 14,439, and at Edwards 18,343. This was at the peak of employment. There is no doubt in my mind but what the large number of men employed on these last 3 jobs brought about waste and inefficiency instead of speeding up production. The question naturally arises, What would the contractors at Meade, Devens, and Edwards have done and how many would they have employed had the wages paid and the price of inefficiency through over-employment have come out of a lump-sum bid? You and I know that we probably would have had less than half the men employed and had the same production with greater efficiency.

OVERTIME

At Camp Dix, where overtime came out of the contractor because he had to keep expenses within the amount he bid, the total premium paid for overtime by 14 contractors was $233,946. At Camp Meade the premium paid for overtime was $1,808,320. At Devens it was $1,350,000, while at Edwards it was $1,000,000. In the last 3 jobs the added cost because of premium paid for overtime came out of the Government and not the contractor. Again the question arises, How much premium for overtime would the contractors have paid had the money come out of the contractors' lump-sum bid instead of out of the Government? You and I know that no such overtime would have been paid had the contractor been compelled to pay it out of a lump-sum competitive bid.

RATIO OF LABOR TO MATERIAL

At Fort Dix, N. J., where the extra cost of labor came out of the contractor, the ratio of labor to material was, labor 37 percent, material 63 percent. Using the same method of computing the percentage of labor to material for Meade, Devens, and Edwards, where the inefficiency of labor, overtime, and overstaffing of labor came out of the Government, we find an entirely different result. At Meade the ratio of labor to material and other expenses was, labor 65.5 percent, material and other expenses 34.5 percent. At Devens, labor 68 percent, material and other expense 32 percent. At Edwards the ratio of labor to material was labor 45 percent, material and other expense 55 percent.

ESTIMATED AND ACTUAL COST

It is further noted that while the actual increase in the cost at Dix over the original estimate was 36 percent, Meade was increased 150 percent, Devens 100 percent, and Edwards over 300 percent. While part of the increase of Meade, Devens, and Edwards was due to increased facilities, attention is called to the fact that every lump-sum contract was carried through at its original bid at Dix and that the 36-percent increase in the cost of Dix, I am informed, represented a 36-percent increase in the facilities provided at Dix.

COMPARISON OF ESTIMATE AT EDWARDS

It is interesting to note that at Camp Edwards, a fixed fee job, the original Army estimate was $7,240,000. The job is actually costing $29,000,000 or four times the original estimate while the camp capacity was actually increased 22 percent. But more interesting even than this is the estimate which the contractor made as to the cost of Camp Edwards on December 8, 1940. I have a copy of his estimate, which shows a break-down of the unit cost of each type of building, also the material used in each type of building, cost of the material, labor, and so forth. I have the estimate showing what the contractor said every nail, board, and hour's labor would cost that went into Edwards, including the contractor's fee and $2,360,000 worth of buildings and utilities added to the original contract. This detailed and itemized estimate which the contractor at Camp Edwards made on December 8, 1940, shows that Edwards could have been built for $19,691,108 even in the face of advanced building costs. When we add the Army overhead of 11 percent, or $2,166,000, to this sum it gives us a gross building cost for Edwards of $21,857,118, or approximately 75 percent of what it was actually built for. Should we take off the Army overhead and engineering of 11 percent, taking the original Walsh Construction Co. figures of $19,691,000 and add the usual 5-percent architectural fee which in this case would amount to $1,000,000, we would have the construction cost of $20,691,000. This would be nearly $9,000,000 less than the actual cost of this project or approximately 70 percent.

ESTIMATED COST OF A CANTONMENT ON A CUBIC FOOT BASIS

Contractors who are experts in this type of Army cantonment construction inform me that these types of buildings

should be built in normal times for 15 cents per cubic foot. If we should add 20 percent to this estimate because of the emergency we would have approximately a cost of 18 cents per cubic foot. A 63-man barracks, I am informed, has 52,000 cubic feet. At 18 cents per cubic foot it should cost approximately at the maximum and not to exceed $9,360. If we add the usual 5 percent architectural fee which should be adequate in view of the fact that we are following standard plans, we would have a cost of approximately $9,828 for the zero zone. This again would be somewhere around 35 percent less than what it has actually cost to build these barracks under the cost-plus-fixed-fee basis.

CONTRACTORS' AND ENGINEERS' ESTIMATE

At each project that I visited I asked the construction quartermaster, the contract engineer, and the contractor what each of them thought that that project could have been built for in normal times. In each case they gave me a rough estimate of what they thought the job should have and could have been built for. Those estimates range from 63 percent up to 90 percent of the present cost. There is only one project where the estimate ran as high as 90 percent, the one other project was 81 percent and the remainder ran from 60 to 70 percent of the actual cost. I believe a general average would show that the projects could have been built for approximately 70 percent of what it actually cost to build them. This would be in accord with the contractor's estimate of Edwards made on December 8, 1940.

OVERHEAD CHARGED AGAINST THE PROJECT BY THE ARMY

The Army charges against each project 11 percent for Army overhead, engineering, and contingencies; 4 percent of this is charged for engineering, 2 percent for administration overhead, and 5 percent for construction quartermaster overhead. This 11 percent when applied to the $800,000,000 construction program amounts to $88,000,000. Out of this 11 percent overhead there was paid the engineer's fixed fee, engineering costs, and the cost of the camp construction quartermaster. The balance of the 11 percent remained in the Army headquarters. It does not include contractor's overhead. At Camp Edwards, which is perhaps typical, the contractor's overhead, including taxes and insurance, amounted to 5.7 percent of the total cost of the project. This covered the contractor's own engineering crew, general administration, accounting, timekeeping, time checking, material checking, equipment rentals, checkers, and so forth. The camp construction quartermaster's total overhead was only seven-tenths of 1 percent, while the contract engineer's overhead, including the fixed fee, was 1.5 percent. Thus it will be noted that the total field expense for overhead paid out of the 11 percent charged against the job by the Quartermaster Corps, including the camp construction quartermaster's expense and the architect-engineer expense and fee, amounted to 2.2 percent. The remaining 8.8 percent remained somewhere in the Army headquarters. It is a well-known fact that the usual architect-engineer fee for jobs including the drafting of plans is 5 percent. There was no drafting of building plans here, because all cantonment building plans had been drafted and were simply duplicated, as they were the same type of building in each camp. I see no reason why the Army should charge against any project a percentage greater than 5 percent, which is the usual architectural fee. In the case of Edwards, 2.2 percent would have covered the contract-engineer's expense and the camp construction quartermaster's expense, leaving 2.8 percent for main-office overhead at the construction quartermaster's Washington office. The word "contingency" is used. I do not know what they mean by the word "contingency," as the Army continues to come back to Congress for deficiency appropriations where contingencies are met with. It is my recommendation that the Appropriations Committee put a rider on each construction bill limiting the amount that the Army can take out of the construction fund for engineering and overhead to a sum not to exceed 5 percent. Had this been done on this $800,000,000 Army cantonment program we would have saved $48,000,000.

$250,000,000 WASTE

It is my candid opinion that not less than 30 percent, or approximately $250,000,000, of the $800,000,000 Army cantonment-construction program was excessive cost and wasted. I base this first upon the excessive cost brought about because of the cost-plus-fixed-fee method of letting jobs. We had the areas and grounds where 4,000,000 men were trained during the World War. There is no reason why we should not have had plans as to those sites. We actually had blueprints and plans as far back as 1938 for every building erected at Camp Dix. There is no reason why we could not have let the construction of cantonment buildings at other camps on a competitive basis in the same way as we let contracts at Fort Dix. The comparative table I have shows that Fort Dix was built for 60 to 65 percent of what it cost to build Meade, Edwards, and Devens. I base this statement further upon the estimate of the Walsh Construction Co., which estimated that Camp Edwards could have been built for $19,000,000 when it actually cost $29,000,000 on a fixed-fee basis. I am very much opposed to letting further construction contracts upon a cost-plus-fixed-fee basis. It is costing the taxpayers millions of dollars. What is true of Army cantonment construction is undoubtedly true of other Army construction. The contractor who must pay overtime out of his lump-sum bid is not apt to have much overtime. He is not going to be as easily persuaded that wage rates ought to be increased unreasonably. He is going to hold his force down in numbers to a point where he obtains the greatest efficiency and will refuse to load the pay roll down with excessive help which means inefficiency if he himself has to pay it out of a lump sum and if he himself has to pay the price of inefficiency. The selection of sites should be carefully made as a few days spent in examining a site may, as in the case of Blanding, save weeks of work preparing unfit sites, not to mention the excessive cost and waste.

SUMMARY

Fort Dix, N. J.

Location and camp capacity: Fort Dix is located in New Jersey a short distance from the city of Trenton. It is a former World War camp and had a World War capacity of 42,806 men who were housed in 1,414 buildings. The present camp capacity will be approximately 27,953 officers and men who will be housed in 1,237 buildings.

Ratio of labor to material: $12,960,884 had been spent or obligated on this project up to March 15, 1941, of which $5,074,750 was for labor and $7,884,130 was for material and other expenditures. This makes a ratio of labor to material—labor 37 percent—material and other expenses 63 percent. This does not include the 11 percent Army overhead.

Lumber, equipment, and so forth: Fort Dix, N. J., was a lump sum advertised competitive bid contract, the contractors purchasing and paying for all material, labor, and so forth, out of their lump sum. The Government, therefore, was not interested in the prices of lumber, material, equipment, and so forth.

Comparative costs of Fort Dix, a lump sum competitive bid project, and Camp Edwards, Mass.; Camp Devens, Mass.; and Camp Meade, Md., three cost-plus-fixed-fee jobs: In the preceding table will be found the names and addresses of 14 contractors, a brief description of the work, the date of the contract, amount of the contract, and the estimate of the amount required to complete each job as of March 15. All costs over and above the amount of the original contract represent new and additional work.

Costs of 63-man barracks: At Fort Dix, N. J., where we had advertised competitive bids, it cost $9,822 to build a 63-man barrack. At Camp Devens and Camp Edwards it cost approximately $15,000, while at Camp Meade it cost $17,364. The last three were cost-plus fixed-fee jobs. All four include the 11-percent Army overhead. The wage scale at Camp Dix for the 63-man barrack costing $9,822 was the highest of the three. Despite the fact that Camp Dix had only 5,655 men employed at the peak, while Meade had 19,990, Devens had 14,449, and Edwards had 18,343, the progress at Dix was practically the same as the other three projects. All four projects are, I am informed, in the same zone.

Other estimates of the costs of 63-man barracks: First. Army estimates recently submitted to the committee gave the estimated cost of the same 63-man barrack in the same zone at $11,770, including the 11-percent overhead. This estimate, it is clamed, was made by an expert.

Second. The Corps of Engineers submitted an estimate for a 63-man barrack at Tuskegee, Ala., which is to be built for the Air Corps unit at a cost of $9,075, including the 11-percent overhead. This was in a southern zone,

There is very little difference in the construction cost between the southern zone and the zero zone.

Third. Engineers experienced in this type of construction inform me that a 63-man barrack in the zero zone, in which the four camps discussed here are located, should be constructed in normal times at around 15 cents per cubic foot. If we add 20 percent to this estimate because of the emergency we would have approximately a cost of 18 cents per cubic foot. A 63-man barrack has 52,000 cubic feet and should cost not to exceed $9,360 on this basis of estimating. If we add the usual 5 percent architectural fee, it would bring the cost to $9,828. At Fort Dix the cost was $9,822, including 11-percent Army overhead and engineering.

Overtime: At Camp Dix, where the premium paid for overtime came out of the contractors, the total premium paid by 14 contractors for overtime was $233,946; at Camp Meade the premium paid for overtime was $1,808,320; at Camp Devens it was $1,350,000; while at Camp Edwards it was $1,000,000. On the last three jobs the added cost of premium for overtime came, not out of the contractor but out of the Government.

Ratio of labor to material: At Fort Dix, N. J., where the extra cost of labor due to inefficiency crowding the job with too many men, poor supervision, and so forth, came out of the contractor, the ratio of labor to material was: Labor, 37 percent; material and other expenses, 63 percent. Using exactly the same method of computing the ratio of labor to material, the ratio of labor to material for the other three projects where the price of inefficiency came out of the Government was as follows: Camp Meade, labor 65.5 percent, material and other expenses 34.5 percent; Camp Devens, labor 51.3 percent, material and other expenses 48.7 percent; Camp Edwards, labor 45 percent, material and other expenses 55 percent.

Contractor's estimate of Camp Edwards: On December 8, 1940, after practically all supplementary estimates were in, the Walsh Construction Co. estimated that Camp Edwards would cost $19,691,000. I have the break-down showing the itemized cost of each building as estimated by the Walsh Construction Co. If we add the 11 percent Army overhead, it would give us a gross building cost for Camp Edwards of $21,857,000, or approximately 75 percent of the actual cost. If we add the usual architectural fee of 5 percent, it would have cost $20,691,000. This would be $9,000,000 less, or approximately 70 percent of the actual cost. I asked practically every contractor, construction quartermaster, and engineer what he thought the camp could have been built for. In 90 percent of the cases, when I arrived at the camp, these officers had already made unofficial estimates of what they thought it should have been built for. These estimates ranged from 63 to 90 percent. There was only one project where the estimated cost was 90 percent, one project 81 percent; the remainder ran from 60 to 70 percent. Some of them added that their estimate was as to cost in normal times, some thought they ought to add 10 percent for emergency, but in practically cvery case the estimate was under the actual cost.

Army overhead: The Army charges against each project 11 percent overhead. This it allocates as follows:

	Percent
Engineering	4
Construction quartermaster	5
Administration overhead	2

This 11 percent includes the architect engineer's cost and fixed fee and the costs of the camp construction quartermaster. I believe that the camp construction quartermaster costs and the architect engineer's fixed fee and costs at Camp Edwards is perhaps typical of the cost I found in practically every camp. The camp construction quartermaster's overhead at Edwards was seven-tenths of 1 percent, and the architect engineer's overhead, including fixed fee, was 1.5 percent. The total overhead of the two was 2.2 percent. This included the entire working force, cost of checking all equipment, scaling and measuring and testing all lumber, and all the other work that is done by the engineer on the job, all for 2.2 percent. This left 8.8 percent for Army overhead and engineering for the Washington office. Attention is called to the fact that no building plans were drafted, as all cantonment buildings were standardized and simply duplicate plans. Eleven percent, or $88,000,000, was taken out of the principal sum appropriated for Army overhead. If the other contractors', engineers', and camp-construction quartermasters' overhead was approximately the same as that of Edwards, and I believe it was, then less than $18,000,000 would have paid the cost of engineering, supervision, and so forth, in the field, leaving $70,000,000 for the Washington office.

More than a quarter of a billion dollars of taxpayers' money wasted: In my opinion at least $250,000,000 of the $800,000,000 appropriated by Congress for Army cantonments was wasted. This does not include other construction such as industrial plants and housing projects, powder plants, tank plants, and so forth. I base this opinion upon the following facts:

First. The comparative cost of a 63-man barracks at Fort Dix, an advertised competitive-bid project and cost-plus-fixed-fee projects at Fort Meade, Camp Edwards, and Camp Devens. At Fort Dix this barracks cost $9,822, while at Edwards it cost $15,000, at Devens $15,000, and at Meade $17,364.

Second. The difference in the per-man cost between Fort Dix where it cost $652, Meade $896, Devens $1,035, and Edwards $832.

Third. The difference in overtime paid at Dix where it cost $233,946 premium for overtime as against $1,000,000 for Edwards, $1,350,000 for Devens, and $1,808,000 for Meade.

Fourth. The inefficiency of labor caused by overcrowding the job and the excessive number of men employed at Devens, Meade, and Edwards as against Dix with practically the same progress made on approximately the same work. At Dix they had 5,655 men at the peak while they had 14,439 at Devens, 18,343 at Edwards and 19,990 at Meade.

Fifth. The actual cost at Camp Edwards of $29,000,000 as against $20,691,000 estimated cost of December 8, 1940, by the contractor including 5-percent architectural fees.

Sixth. The ratio of labor to material between Dix, where it was 37 percent labor and 63 percent material, as against Devens labor 51.3 percent material and so forth, 48.7 percent; Edwards, labor 45 percent, material 55 percent; and Meade, labor 65.5 percent, material and so forth, 34.5 percent.

Seventh. An excess amount added to the cost by the Army for engineering and overhead. The Army added 11 percent, or $88,000,000, for engineering and overhead when the usual fee for engineering and architectural work would be 5 percent, or $40,000,000. The total cost of field engineering or overhead at Edwards was 2.2 percent, of which seven-tenths of 1 percent was for the camp construction quartermaster and 1.5 percent for the contract engineer, including his fixed fee.

Eighth. A comparison in the actual cost of a 63-man barracks at Devens, Edwards, and Meade, with estimates recently made by civilian experts for the construction quartermaster's office. A 63-man barracks cost $15,000 at Devens, $15,000 at Edwards, and $17,364 at Meade, while experts estimate the cost was $11,877, including 11 percent Army overhead, or $11,235 if we add 5 percent overhead. Also, upon a comparison with the cost of a similar barracks in the southern zone where the Corps of Engineers will build this type of barracks for the Army Air Corps at an estimated unit cost of $8,250 less overhead. Also upon the basis of cubic-foot cost, 52,000 cubic feet in a 63-man barracks would, at 18 cents per cubic foot, cost $9,360 not including Army overhead, according to expert builders.

Ninth. Upon the opinion of contractors, engineers, and camp-construction quartermasters, who gave me estimates, confidentially, of what these camps should have cost, these estimates in some instances were as much as 40 percent below actual cost.

Recommendation as to cost-plus-fixed-fee: It is my opinion, based upon a comparative study, that the cost-plus-fixed-fee construction contracts have cost and are costing the taxpayers millions of dollars. It is my recommendation that all construction contracts hereafter be advertised and let on a competitive-bid system, giving the job to the lowest qualified bidder. I call attention to the list of contracts let at Fort Dix and particularly to paragraph 3 on page 5, where contracts were advertised, bid, the award made, and the notice to proceed issued in approximately 10 days to 2 weeks so that no material loss of time would ensue by reason of advertising. Cantonments, barracks, and buildings of this type have all been planned since 1938 and blueprints are available. Excavation work could be let upon a cubic-foot basis. I am firmly convinced that every cantonment project could have been let on a competitive-bid basis with a loss of very little, if any, time at a saving of millions of dollars to the taxpayers.

Comparison between Camps Dix, Edwards, Meade, and Devens as to number of men provided for, the number of buildings, final cost, and other facts

COST OF 63-MAN BARRACKS, INCLUDING 11 PERCENT ARMY OVERHEAD

	Competitive-bid project, Fort Dix	Cost-plus-fixed-fee projects		
		Camp Edwards	Camp Meade	Camp Devens
Cost	$9,822	$15,000	$17,364	$15,000

RATIO OF LABOR TO MATERIAL

	Fort Dix	Camp Edwards[1]	Camp Meade	Camp Devens
	Percent	*Percent*	*Percent*	*Percent*
Labor	37	45	65.5	51.3
Material	63	55	34.5	48.7

DATE OF CONTRACT AND PERCENT COMPLETE

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Date of contract	14 contracts, dated from Aug. 29, 1940, to Feb. 5, 1941.	Sept. 17, 1940	Sept. 26, 1940	Oct. 16, 1940.
Percent complete	50 percent on Mar. 14	68 percent on Mar. 7	84 percent on Mar. 1	95 percent on Mar. 7.

[1] There were 31 subcontracts at Edwards which were let on a nonadvertised bid policy, the contractor selecting the bidders. The wages on these subcontracts were increased 71 percent above the original determination including plumbers who were raised to $1.75 an hour.

HOURLY WAGE RATE

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Carpenters	$1.37½	$1.17½	$1.25	$1.25
Unskilled labor	.80	.62½	.62½	.58
Plumbers	1.75	1.00	1.37½	1.20
Electricians	2.00	1.50	1.50	1.50

PREMIUM PAID FOR OVERTIME

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Premium for overtime	$233,946	$1,000,000	$1,808,320	$1,350,000

NUMBER OF BUILDINGS ERECTED, NUMBER OF MEN HOUSED, AND FINAL COST PER CAMP

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Number of buildings	1,237	1,385	1,142	1,031
Number of men	27,953	33,660	25,786	24,296
Final cost	$18,224,410	$29,000,000	$23,117,000	$25,188,943

PER MAN COST OF PROJECTS

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Cost per man	$652	$832	$896	$1,035

NUMBER OF MEN EMPLOYED AT PEAK

	Fort Dix	Camp Edwards	Camp Meade	Camp Devens
Number of men	5,655	18,343	19,990	14,435

(During the foregoing the following colloquys took place:)

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. Yes.

Mr. WOODRUFF of Michigan. From the figures the gentleman gives the House, I judge that we are to reach one conclusion only, and that is that in the case of the contract let to the lowest responsible bidder, the contractor paid in every instance higher wages than did those who had a contract on a fixed-fee basis.

Mr. ENGEL. Yes. Despite the fact that Fort Dix, N. J., an advertised competitive-bid project, had the highest wage scale, the construction cost of a 63-man barracks was $9,822, as against $15,000 for Camp Edwards; $17,634 for Camp Meade, Md., and $15,000 for Camp Devens; the last three being cost-plus-fixed-fee projects.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. Yes.

Mr. KEEFE. In connection with the premiums paid for overtime of $1,808,000 at Camp Meade, does that relate to the entire construction of the camp?

Mr. ENGEL. Yes. By premiums for overtime I mean this: Suppose they worked on a 44-hour-week basis, but actually worked 48 hours. They would receive double time for the extra 4 hours, or 52 hours' pay for 48 hours' work. The pay for the extra 4 hours is termed "premium overtime."

Mr. KEEFE. That premium for overtime was because of the overtime paid on the entire project, the same as at the others.

Mr. ENGEL. Yes.

Mr. KEEFE. And it does not relate purely to the question of the construction of barracks?

Mr. ENGEL. No; the amount referred to was paid as premium for overtime on the entire project.

Mr. KEEFE. Will the gentleman yield?

Mr. ENGEL. Yes; I yield.

Mr. KEEFE. Is it a fair conclusion that at these camps, where the construction was on a cost-plus fee basis, evidently the contractors gave no consideration or cared very little as to how much overtime there was, or how much there was paid out for labor? It did not make any difference to them?

Mr. ENGEL. The fact of the matter is that if the cost of inefficiency due to poor organization, due to overcrowding the job, putting three times as many men to work as could work efficiently, if that had come out of the contractor you would not have had it. If the premium for overtime, amounting to $1,808,000 at Camp Meade, had come out of the contractor instead of out of the taxpayers, you would not have had that overtime.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. ENGEL. I yield.

Mr. WOODRUFF of Michigan. As a matter of fact, under the cost-plus system every incentive is for the contractor to increase the cost, and there is no incentive for him to lower the cost of construction?

Mr. ENGEL. Well, I would not say that.

Mr. WOODRUFF of Michigan. As a matter of fact, your own figures prove it.

Mr. ENGEL. On the cost-plus-a-fixed-fee basis the contractor is supposed to get a certain amount of fixed fee. The War Department takes the position, and properly so, that the excess cost over a certain amount for the work does not entitle the contractor to an extra fee unless it constitutes new work. However, where we have a cost-plus-a-fixed-fee project the excess cost for overtime, poor organization, and so forth, comes out of the taxpayer and not out of the contractor and the contractor does not have the incentive to hold costs down that a contractor has if he has to pay such excess costs as he has to do in a competitive-bid job.

Mr. WOODRUFF of Michigan. That is exactly the point I was making.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. DWORSHAK. Is the gentleman aware of the fact that during 1917, when the Army camps were constructed, the total amount estimated at that time to have been excessive cost by a nonpartisan investigating committee was placed at $78,000,000, which is less than one-third of the excess cost estimated by the gentleman for the construction of the current camp program?

Mr. ENGEL. The gentleman is correct. Furthermore, I am informed that

the total cost of the World War cantonment program was about $206,000,000.

Mr. DWORSHAK. Two hundred and six million dollars.

Mr. ENGEL. The total cost of building the World War cantonments where 4,000,000 were housed and trained was $206,000,000, or $44,000,000 less than the amount I maintain was wasted. Eight hundred million dollars was the amount appropriated by Congress to house and train 1,400,000 men during this emergency.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. STEFAN. The gentleman has been doing a valuable work. Many of my constituents have been asking me questions regarding your figures. You have shown a tremendous amount of waste that has occurred in the construction of our cantonments. The question is asked of me frequently whether in your investigation you have determined whether there has been a definite racket or has this been a matter of boneheadedness and inefficiency?

Mr. ENGEL. Of course in going around to these camps I had no authority to subpena witnesses. I could not go into income-tax returns. I could not go into the corporation's books. I could not go into many of those things. If you will go back and look at my statement you will remember that at Camp Blanding I made a statement regarding the rock contract given a firm named McLeod & Wolf.

Mr. McLeod and Mr. Wolf and their auditors testified at the Senate hearings recently in Florida that they had combined in July to do this work and made somewhere around $500,000 profit on Camp Blanding on the rock contract and machine rental alone. This was nearly twice the amount of the fixed fee of the contractor for the whole job.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. CANFIELD. Do I understand correctly the total wastage indicated is more than $250,000,000?

Mr. ENGEL. My estimate is that they wasted approximately 30 percent of $800,000,000, or $250,000,000; I have not taken into consideration the increased cost due to the selection of poor sites, such as at Blanding where the construction quartermaster estimated the cost was $5,000,000 extra because of the site, or at Camp Meade where the engineer told me it cost $1,000,000 more because the tank units and the hospital unit were located on the opposite side of a hill away from the site recommended by the engineer.

Mr. CANFIELD. I just want to make the observation that at this figure we could have paid every man in the United States Army today an additional $200.

Mr. ENGEL. That is correct.

[Applause.]

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. BUCK, for 5 days, on account of official business.

To Mr. RANDOLPH, for 4 days, on account of public business.

To Mr. MAGNUSON (at the request of Mr. KNUTE HILL) indefinitely, on account of official business connected with the Alaska Highway Commission.

To Mrs. ROGERS of Massachusetts (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of death in her family.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 578. An act authorizing the Secretary of the Treasury to release certain interests in certain land which adjoins the Shark River Coast Guard Station, in Monmouth County, N. J.; and

S. 1311. An act to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, as amended, with respect to the location of the nautical school at the port of San Francisco.

ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.), the House adjourned until tomorrow, Tuesday, June 3, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE CIVIL SERVICE

The Committee on the Civil Service will hold public hearings on H. R. 3487, entitled "A bill to amend further the Civil Service Retirement Act, approved May 29, 1930," and other retirement bills pending before the committee. Hearings will be held Tuesday, June 3, 1941, at 10 a. m., in room 246, House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, June 3, 1941. Business to be considered: Hearings on H. R. 4454, H. R. 106, and H. R. 3366, regarding engineering experiment stations and physical-science research.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold hearings on Tuesday, June 3, 1941, at 10:30 a. m., on the following bills: S. 1544, to provide for cooperation with Central American republics in the construction of the Inter American Highway, and House Joint Resolution 191, to authorize the President of the United States to invite the governments of the countries of the Western Hemisphere to participate in a meeting of the national directors of the meteorological services of those countries to be held in the United States as soon as practicable, in 1941 or 1942; to invite Regional Commissions III and IV of the International Meteorological Organization to meet concurrently therewith; and to authorize an appropriation for the expenses of organizing and holding such meetings.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10 a. m. Wednesday, June 4, 1941, to consider H. P. 4873 (ALLEN, Louisiana), a bill to promote the national defense by limiting the entry of certain aliens into the United States. Also private bills.

COMMITTEE ON PATENTS

The Committee on Patents of the House of Representatives will hold a further public hearing on the subject of royalty payments, covered in House Joint Resolutions 32, 73, and 123, on Tuesday, July 10, 1941, at 10 a. m., in the committee room, 1015 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

583. A letter from the Comptroller General, transmitting a request for legislation to settle a disagreement between the office of the Tennessee Valley Authority and the Comptroller General's office; to the Committee on Military Affairs.

584. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to reserve certain public lands in California for the benefit of Rincon Band of Mission Indians; to the Committee on Indian Affairs.

585. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved March 5, 1940, entitled "An act to facilitate the procurement of aircraft for the national defense"; to the Committee on Military Affairs.

586. A letter from the Acting Secretary of War, transmitting a draft of a proposed bill broadening the authority of the War Department to requisition articles, materials, and other property required for national-defense purposes; to the Committee on Military Affairs.

587. A letter from the Secretary of the Interior, transmitting report that provision has been made for the termination of the existing lease of the Boulder power plant and for the operation thereof as authorized by section 9 of the Boulder Canyon Project Adjustment Act, and the allottees obligated under contracts in force July 19, 1940, to pay for at least 90 percent of the firm energy have entered into contracts (1) consenting to such operation and (2) containing such other provisions as deemed necessary and proper for carrying out the purposes of said act, and that pursuant to section 10, the Boulder Canyon Project Adjustment Act today has taken effect for all purposes; to the Committee on Irrigation and Reclamation.

588. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to provide for the transfer of surplus personal property of the United States to certain schools conducting vocational or defense training courses; to the Committee on Education.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 221. Resolution providing that there shall be paid out of the contingent fund of the House to Sara M. Dingler, mother of Eugene A. Dingler, late an employee of the House, an amount equal to 6 months' salary compensation, and an additional amount, not to exceed $250, to defray funeral expense of said Eugene A. Dingler; without amendment (Rept. No. 686). Ordered to be printed.

Mr. SABATH: Committee on Rules. House Resolution 222. A resolution providing for

the consideration of H. R. 4228. A bill to amend the Judicial Code by adding thereto a new section authorizing, for the purpose of detecting or preventing certain crimes, the Federal Bureau of Investigation of the Department of Justice, when specifically authorized by the Attorney General of the United States, to intercept, listen in on, or record telephone, telegraph, or radio messages or communication; and making such authorizations and communications, and testimony concerning same, admissible evidence; and for other purposes; without amendment (Rept. No. 687). Referred to the House Calendar.

Mr. TARVER: Committee on Appropriations. H. R. 4926. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes; without amendment (Rept. No. 688). Referred to the Committee of the Whole House on the state of the Union.

Mr. KLEBERG: Committee on Agriculture. H. R. 587. A bill to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes," approved September 2, 1937; without amendment (Rept. No. 689). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4903. A bill to authorize the Secretary of the Treasury to exchange certain land owned by the United States for a site for a road right-of-way needed for access to the Coast Guard Light Station Reservation, Au Sable, Mich.; without amendment (Rept. No. 692). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLAUGHLIN: Committee on the Judiciary. H. R. 2673. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 693). Referred to the House Calendar.

Mr. SECREST: Committee on the Library. H. R. 4841. A bill to establish a National Archives Trust Fund Board, and for other purposes; with amendment (Rept. No. 694). Referred to the Committee of the Whole House on the state of the Union.

Mr. SECREST: Committee on the Library. House Joint Resolution 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights; with amendment (Rept. No. 695). Referred to the House Calendar.

Mr. DINGELL: Committee on Ways and Means. House Joint Resolution 184. Joint resolution to authorize the postponement of payment of amounts payable to the United States by the Republic of Finland on its indebtedness under agreements between that Republic and the United States dated May 1, 1923, May 23, 1932, and May 1, 1941; without amendment (Rept. No. 696). Referred to the Committee of the Whole House on the state of the Union.

Mr. SECREST: Committee on the Library. House Joint Resolution 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; with amendment (Rept. No. 697). Referred to the House Calendar.

Mr. CRAVENS: Committee on the Judiciary. H. R. 3. A bill to invest the circuit courts of appeals of the United States with original and exclusive jurisdiction to review the order of detention of any alien ordered deported from the United States whose deportation or departure from the United States otherwise is not effectuated within 90 days after the date the warrant of deportation shall have become final, to authorize such detention orders in certain cases, to provide places for such detention, and for other purposes; with amendment (Rept. No. 698). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 223. Resolution providing for the consideration of H. R. 4926, a bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942, and for other purposes; without amendment (Rept. No. 699). Referred to the House Calendar.

Mr. CLARK: Committee on Rules. House Resolution 196. Resolution providing for the consideration of H. R. 3536; without amendment (Rept. No. 700). Referred to the House Calendar.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 701. Report on the Disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 702. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 703. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 704. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 705. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 706. Report on the disposition of executive papers in the Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 707. Report on the disposition of executive papers in the Federal Loan Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 708. Report on the disposition of executive papers in the Department of Agriculture. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 709. Report on the disposition of executive papers in the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 710. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 711. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 712. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 713. Report on the Disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 714. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 715. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 716. Report on the disposition of executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 717. Report on the disposition of executive papers in the Public Works Administration, Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 718. Report on the disposition of executive papers in the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 719. Report on the disposition of executive papers in the State Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 720. Report on the disposition of executive papers in the State Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 721. Report on the disposition of executive papers in the Social Security Board, Federal Security Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 722. Report on the disposition of executive papers in the War Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 723. Report on the disposition of executive papers in the Treasury Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 724. Report on the disposition of executive papers in the Department of Agriculture. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 725. Report on the disposition of executive papers in the Public Roads Administration, Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 726. Report on the disposition of executive papers in the Public Roads Administration, Federal Works Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 727. Report on the disposition of executive papers in the Federal Trade Commission. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 728. Report on the disposition of executive papers in the Home Owners' Loan Corporation, Federal Loan Agency. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 729. Report on the disposition of executive papers in the Department of Labor. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 730. Report on the disposition of executive papers in the Department of Labor. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 731. Report on the disposition of executive papers in the War Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 732. Report on the disposition of

executive papers in the Department of Justice. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 733. Report on the disposition of executive papers in the Department of the Interior. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 734. Report on the disposition of executive papers in the Post Office Department. Ordered to be printed.

Mr. ELLIOTT of California: Committee on the Disposition of Executive Papers. House Report No. 735. Report on the disposition of executive papers in the Department of the Interior. Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 3723. A bill amending the act of October 14, 1940, entitled "An act to record the lawful admission to the United States for permanent residence of Nicholas G. Karas"; without amendment (Rept. No. 690). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 4921. A bill for the relief of Antonio or Anthony Maurin; without amendment (Rept. No. 691). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TARVER:

H. R. 4926. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1942, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. MANSFIELD:

H. R. 4927. A bill to provide for the improvement of the Great Lakes-St. Lawrence Basin in the interest of national defense, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. FULMER:

H. R. 4928. A bill to aid the national welfare by promoting the nutrition, physical fitness, and morale of rural people through the further development of cooperative agricultural extension work; to the Committee on Agriculture.

By Mr. MAGNUSON:

H. R. 4929. A bill to amend part 1 of the Interstate Commerce Act to prohibit agreements and understandings between certain common carriers in connection with the furnishing of passenger service; to the Committee on Interstate and Foreign Commerce.

By Mr. PACE:

H. R. 4930. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, to encourage home ownership by persons subject to military service, and for other purposes; to the Committee on Military Affairs.

By Mr. RANKIN of Mississippi:

H. R. 4931. A bill to amend the Rural Electrification Act of 1936, as amended, by providing for loans by the Reconstruction Finance Corporation in aggregate amount not to exceed $100,000,000 in each fiscal year commencing with the fiscal year 1942; by prescribing the rate of interest and maturity of loans made under said act; and by authorizing the extension of the maturities of and the reduction of interest rates on loans heretofore made; to the Committee on Interstate and Foreign Commerce.

By Mr. McINTYRE:

H. R. 4932. A bill authorizing the conveyance of certain lands to the town of Kemmerer, Wyo.; to the Committee on the Public Lands.

By Mr. SAUTHOFF:

H. R. 4933. A bill to establish a Department of National Defense, to consolidate therein the Department of War and the Department of the Navy, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. SUMNERS of Texas:

H. R. 4934. A bill to provide for the punishment of persons conspiring to violate the laws relating to counterfeiting, and certain other laws; to the Committee on the Judiciary.

By Mr. CARTWRIGHT:

H. R. 4935. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Roads.

By Mr. MAY:

H. R. 4936 (by request). A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940, approved October 17, 1940 (Public, No. 861, 76th Cong.), to provide for the termination of leases in certain cases, and for other purposes; to the Committee on Military Affairs.

By Mr. ROGERS of Oklahoma:

H. R. 4937 (by departmental request). A bill to amend an act entitled "An act to authorize an appropriation for roads on Indian reservations"; to the Committee on Indian Affairs.

By Mr. MAY:

H. R. 4938 (by request). A bill for the relief of the present leader of the Army Band; to the Committee on Military Affairs.

By Mr. BLAND:

H. Con. Res. 38. Concurrent resolution to amend House Concurrent Resolution 32, Seventy-sixth Congress, first session; to the Committee on the Library.

By Mr. TARVER:

H. Res. 223. Resolution providing for the consideration of the bill (H. R. 4926) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1942, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EDMISTON:

H. R. 4939. A bill granting an increase of pension to Anna B. Riggs; to the Committee on Invalid Pensions.

By Mr. HILL of Washington:

H. R. 4940. A bill for the relief of Charles P. Engelhardt; to the Committee on World War Veterans' Legislation.

By Mr. HOPE:

H. R. 4941. A bill for the relief of J. C. Lemon; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 4942. A bill for the relief of the Neal Storage Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1250. By Mr. ANDERSON of California: Petition of sundry citizens of Santa Clara County, Calif., requesting the enactment of Senate bill 860; to the Committee on the Judiciary.

1251. By Mr. FORAND: Petition of Mary Sweeney, of Providence, R. I., and 142 others, protesting against the enactment of Senate bill 983 and House bill 3852, to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1252. Also, petition of Francis M. Carr and 20 other persons, protesting against the use of convoys, or patrols, if patrol means convoy, and also against all measures which lead to war; to the Committee on Foreign Affairs.

1253. By Mr. KEOGH: Petition of the Merchants Association of New York, concerning Senate bill 937 and House bill 3582; to the Committee on Agriculture.

1254. Also, petition of the Brotherhood of Painters, Decorators, and Paperhangers of America, Local Union No. 848, of New York City, favoring the passage of House bill 1024; to the Committee on the Judiciary.

1255. By Mr. CASE of South Dakota: Resolution of the Haakon County Farmers Educational and Cooperative Union of America, submitted by Mrs. C. H. Ward, secretary, opposing the repeal of the Neutrality Act or any violation of its principles; to the Committee on Foreign Affairs.

1256. By Mr. HOUSTON: Petition of Mrs. J. W. Beckner and nine other residents of El Dorado, Kans., protesting against the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1257. By Mr. MARTIN J. KENNEDY: Petition of President Emeritus William J. Bowen, of the Bricklayers, Masons, and Plasterers' International Union of America, stating the position of the union in the following words, "Let there be no strikes on defense contracts"; to the Committee on Labor.

1258. By Mr. PETERSON of Georgia: Petition of the mayor and aldermen of the city of Savannah, Ga., protesting against legislation proposing to authorize completion of the St. Lawrence River seaway project; to the Committee on Rivers and Harbors.

1259. By Mr. RICH: Petition of sundry citizens of Potter County, Pa., protesting against the passage of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1260. Also, petition of sundry citizens of Williamsport, Pa., protesting against the enactment of legislation authorizing the building of the St. Lawrence waterway project; to the Committee on Military Affairs.

1261. Also, petition of sundry citizens of Knoxville, Pa., supporting Senate bill 860; to the Committee on Military Affairs.

1262. By Mr. ROLPH: Memorial of the State of California, asking consideration of Assembly Joint Resolution 25, relative to the sewing projects of the Work Projects Administration; to the Committee on Appropriations.

1263. By Mr. WHEAT: Resolution of the Arcola Chamber of Commerce, relative to House bill 4444, providing for Lakes-to-Gulf highway from Chicago to Mobile over Route No. 45 through the State of Illinois; to the Committee on Roads.

1264. Also, petition protesting against enactment of Senate bill 983 or House bill 3852, identical bills now pending in Congress, relative to the uniform closing of barber shops in the District of Columbia; to the Committee on the District of Columbia.

1265. Also, resolution of the Shelby County Board of Supervisors, relative to reservoir project No. 33 of the Illinois State Planning Commission; to the Committee on Flood Control.

1266. By Mr. SIKES: House Memorial No. 4 of the Florida Legislature; to the Committee on Ways and Means.

1267. Also, House Memorial No. 8 of the Florida State Legislature; to the Committee on Foreign Affairs.